



## Legislation Details (With Text)

**File #:** 0612-2005      **Version:** 2  
**Type:** Ordinance      **Status:** Passed  
**File created:** 3/21/2005      **In control:** Zoning Committee  
**On agenda:** 5/9/2005      **Final action:** 5/12/2005  
**Title:** To grant a Variance from the provisions of Sections 3333.04, AR-O, Apartment Office District of Columbus City Codes; for the property located at 1000 EAST BROAD STREET (43205), to permit a beauty salon in the AR-O, Apartment Residential Office District and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0612-2005exhibit.pdf, 2. ORD0612-2005hshp.pdf, 3. ORD0612-2005zon.pdf, 4. ORD0612-2005gis.pdf, 5. ORD0612-2005NEAC.pdf, 6. ORD0612-2005PrjDscI.pdf, 7. ORD0612-2005labels.pdf, 8. City Council Data Form\_CV05-004.pdf

Date	Ver.	Action By	Action	Result
5/12/2005	2	CITY CLERK	Attest	
5/11/2005	2	MAYOR	Signed	
5/9/2005	1	Zoning Committee	Approved as Amended	Pass
5/9/2005	2	Zoning Committee	Amended to Emergency	Pass
5/9/2005	2	COUNCIL PRESIDENT	Signed	
5/2/2005	1	Columbus City Council	Read for the First Time	
4/19/2005	1	Dev Zoning Drafter	Sent for Approval	
4/19/2005	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
4/19/2005	1	Dev Zoning Drafter	Sent to Clerk's Office for Council	
4/18/2005	1	Dev Zoning Reviewer	Reviewed and Approved	
4/1/2005	1	Dev Zoning Drafter	Sent for Approval	

**Council Variance Application: CV05-004**

**APPLICANT:** Barbara Dear; 1516 Granville Street; Columbus, Ohio 43205.

**PROPOSED USE:** Beauty salon.

**NEAR EAST AREA COMMISSION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. A Council variance is necessary in that the AR-O, Apartment Residential/Office District does not allow beauty salon use. The applicant is requesting a Council Variance to permit an existing beauty salon in the AR-O, Apartment Office District in an existing building used primarily as a medical office facility. The use of a limited portion of the medical office building as a beauty salon would not conflict with the medical office uses. Finally, the amount of parking for the building exceeds amount of parking required by the Zoning Code.

To grant a Variance from the provisions of Sections 3333.04, AR-O, Apartment Office District of Columbus City Codes; for the property located at **1000 EAST BROAD STREET (43205)**, to permit a beauty salon in the AR-O, Apartment Residential Office District **and to declare an emergency.**

**WHEREAS**, by application No. CV05-004, the owner of property at **1000 EAST BROAD STREET (43205)**, is requesting a Council Variance to permit a beauty salon in the AR-O, Apartment Office District; and

**WHEREAS**, Section 3333.04, AR-O, Apartment Office District, prohibits commercial uses, while the applicant is occupying a limited portion of the existing building with a beauty salon; and

**WHEREAS**, **an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance due to the applicant currently paying rent for the property, but unable to utilize it for business purposes, for the immediate preservation of the public peace, property, health and safety; and**

**WHEREAS**, the existing building houses medical offices and the use of a limited portion of the structure for a beauty salon would be not cause a conflict with the medical offices uses housed in the building; and

**WHEREAS**, the parking requirement for the beauty salon is the same as the parking requirement for a medical office and the existing parking lot has parking in excess of that required by Code for the existing beauty salon and medical offices; and

**WHEREAS**, the amount of the building occupied with the beauty salon will be limited per the enclosed blueprint: and

**WHEREAS**, the City Departments recommend approval of said ordinance and note a hardship exists in that the AR-O, Apartment Residential/Office District does not permit a beauty salon; and

**WHEREAS**, the Near East Area Commission recommends approval; and

**WHEREAS**, the granting of said variances will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion of public streets, or unreasonably diminish or impair established property values within the surrounding area, or otherwise impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed use; and

**WHEREAS**, said variances will not adversely affect the surrounding property or surrounding neighborhood; and

**WHEREAS**, the granting of said variances will alleviate the difficulties encountered by the owners of the property located at **1000 EAST BROAD STREET (43205)**, in using said property as desired; now, therefore:

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**Section 1.** That variances from the provisions of Section 3333.04, AR-O, Apartment Residential/Office District of Columbus City Codes are hereby granted for the property located at **1000 EAST BROAD STREET (43205)**, insofar as said section prohibits a beauty salon, said property being more particularly described as follows:

**Legal Description of 1000 E. Broad Street- Case No. 05315-00000-00004**

Begin SW corner Broad Street and Miami Avenue  
Then 68.27' N81°37'44"E  
Then 60' N81°37'44"E  
Then 55' N81°37'44"E  
Then 170.4' S2°7'7"W  
Then 85.52' S81°45'18"W

Then 60.32' S81°45'18"W  
Then 37.75' S81°45'18"W  
Then 170.4' S2°6'49"W

Area(Lots 35-36-37) = 30778.1 square feet(0.707 acre)

**Section 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a beauty salon, or those uses permitted in the AR-O, Apartment Residential/Office District.

**Section 3.** That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

**Section 4.** That this ordinance is further conditioned on the beauty salon encompassing only the area specified in the floor plan titled Hair Salon, Sheet A, dated 1/28/2005 drawn by Feinkopf Macioce Schappa Architects.

**Section 5.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

**Section 6.** ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law.~~ **That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.**