



Legislation Details (With Text)

File #: 2002-2024 **Version:** 1

Type: Ordinance **Status:** Council Office for Signature

File created: 6/28/2024 **In control:** Zoning Committee

On agenda: 7/15/2024 **Final action:**

Title: To grant a Variance from the provisions of Sections 3356.03, C-4 permitted uses; 3312.27(4), Parking setback line; and 3356.11(4), C-4 district setback lines, of the Columbus City Codes; for the property located at 1423-1425 BRIARWOOD AVE. (43211), to allow a two-unit dwelling with reduced development standards in the C-4, Commercial District (Council Variance #CV24-047).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD2002-2024_Attachments, 2. ORD2002-2024_Labels

| Date | Ver. | Action By | Action | Result |
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| 7/15/2024 | 1 | Zoning Committee | | |
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Council Variance Application: CV24-047

APPLICANT: Healthy Homes; c/o Emily Long Rayfield; PO Box 77499; Columbus, OH 43207

PROPOSED USE: Two-unit dwelling.

NORTH LINDEN AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of an undeveloped parcel in the C-4, Commercial District. The requested Council variance will allow a two-unit dwelling, and is required because the C-4 district does not allow ground floor residential uses. Variances for building setbacks, parking setbacks, and parking lot screening are also included in the request. The site is located with the planning boundaries of the *North Linden Neighborhood Plan Amendment* (2014), which recommends “Medium Density Mixed Residential” land uses at this location. Staff supports the request as it is consistent with the Plan’s land use recommendation and the existing residential development pattern of the neighborhood, and does not add an incompatible use to the area.

To grant a Variance from the provisions of Sections 3356.03, C-4 permitted uses; 3312.27(4), Parking setback line; and 3356.11(4), C-4 district setback lines, of the Columbus City Codes; for the property located at **1423-1425 BRIARWOOD AVE. (43211)**, to allow a two-unit dwelling with reduced development standards in the C-4, Commercial District (Council Variance #CV24-047).

WHEREAS, by application #CV24-047, the owner of the property at **1423-1425 BRIARWOOD AVE. (43211)**, is requesting a Variance to allow a two-unit dwelling with reduced development standards in the C-4, Commercial District;

and

WHEREAS, Section 3356.03, C-4 permitted uses, does not allow dwelling units as the principal use on a lot, while the applicant proposes a two-unit dwelling; and

WHEREAS, Section 3312.27(4), Parking setback line, requires a parking setback of 10 feet from Dresden Street right-of-way line, while the applicant proposes a reduced parking setback line of 2.3 feet from Dresden Street; and

WHEREAS, Section 3356.11(A)(4), C-4 district setback lines, requires a minimum building setback of 10 feet from Dresden Street, while the applicant proposes to a reduced building setback line of 5.31 feet from Dresden Street; and

WHEREAS, the North Linden Area Commission recommends approval; and

WHEREAS, City Departments recommend approval because the proposed two-unit dwelling is consistent with the *North Linden Neighborhood Plan Amendment* land use recommendation, and is consistent with the existing residential development pattern of the neighborhood; and.

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

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

WHEREAS, the granting of said variance 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, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at **1423-1425 BRIARWOOD AVE. (43211)**, in using said property as desired; now, therefore:

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

SECTION 1. That a variance is hereby granted from the provisions of Sections 3356.03, C-4 permitted uses; 3312.27(4), Parking setback line; and 3356.11(4), C-4 district setback lines, of the Columbus City Codes; for the property located at **1423-1425 BRIARWOOD AVE. (43211)**, insofar as said sections prohibit a two-unit dwelling in the C-4, Commercial District; with a reduced parking setback line from 10 feet to 2.3 feet along Dresden Street; and a reduced building setback line from 10 feet to 5.31 feet along Dresden Street; said property being more particularly described as follows:

1423-1425 BRIARWOOD AVE. (43211), being 0.13± acres located at the southwest corner of Briarwood Avenue and Dresden Street, and being more particularly described as follows:

Situated in State of Ohio, County of Franklin, and in the City of Columbus and further described as follows:

Being Lot Number Three Hundred Six (306) of Highway Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 14, Page 9, Recorder's Office, Franklin County, Ohio.

Address of Property: 1423-1425 Briarwood Avenue, Columbus, Ohio 43211
Permanent Parcel No.: 010-061434

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a two-unit dwelling , in accordance with the submitted site plan, or those uses permitted in the C-4, Commercial District.

SECTION 3. That this ordinance is further conditioned on the subject site being developed in general conformance with the site plan titled, "**SITE STUDY**", dated June 27, 2024 signed by Emily Long Rayfield, Applicant. The plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments to the plan shall be subject to review and approval by the Director of the Department Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

SECTION 4. That this ordinance is further conditioned upon the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed dwelling.

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