



Legislation Details (With Text)

File #: 0666-2006 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 3/21/2006 **In control:** Zoning Committee
On agenda: 5/1/2006 **Final action:** 5/3/2006
Title: To grant a Variance from the provisions of Section 3356.03, C-4, Permitted Uses of the Columbus City Codes for the property located at 2107 WEST MOUND STREET (43223), to permit an existing two-family dwelling in the C-4, Commercial District (Council Variance # CV06-008).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD0666-2006Attachments.pdf, 2. ORD0660-2006Labels.pdf, 3. ORD0666-2006DataSheet.pdf

Date	Ver.	Action By	Action	Result
5/3/2006	1	MAYOR	Signed	
5/3/2006	1	CITY CLERK	Attest	
5/1/2006	1	Zoning Committee	Approved	Pass
5/1/2006	1	COUNCIL PRESIDENT	Signed	
4/24/2006	1	Columbus City Council	Read for the First Time	
4/7/2006	1	Dev Zoning Drafter	Sent for Approval	
4/7/2006	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
4/7/2006	1	Dev Zoning Drafter	Sent to Clerk's Office for Council	
4/6/2006	1	Dev Zoning Reviewer	Reviewed and Approved	
4/6/2006	1	Dev Reviewer	Reviewed and Approved	
4/5/2006	1	Dev Zoning Drafter	Sent for Approval	

Council Variance Application: CV06-008

APPLICANT: Matthew C. Indrutz; 2107 West Mound Street; Columbus, OH 43223.

PROPOSED USE: Two-family dwelling.

GREATER HILLTOP AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. This variance will allow an existing two-family dwelling to be conforming in the C-4, Commercial District. A Council variance is necessary in that dwelling units are permitted only above certain commercial uses in the C-4, Commercial District. The *Greater Hilltop Plan* (2001) recommends that inappropriately zoned parcels should be rezoned so that they are consistent with current land use and surrounding uses. There are five non-conforming dwellings that are zoned C-4 on this block of West Mound Street, which may warrant a City-initiated rezoning. A hardship exists in that the lending institution will only finance a conforming use in the district, and the applicant cannot secure financing to purchase the dwelling.

To grant a Variance from the provisions of Section 3356.03, C-4, Permitted Uses of the Columbus City Codes for the property located at **2107 WEST MOUND STREET (43223)**, to permit an existing two-family dwelling in the C-4, Commercial District (Council Variance # CV06-008).

WHEREAS, by application No. CV06-008, the owner of property at **2107 WEST MOUND STREET (43223)**, is requesting a Council variance to allow an existing two-family dwelling in the C-4, Commercial District; and

WHEREAS, Section 3356.03, C-4 Permitted Uses, permits dwelling units only above certain commercial uses, while the applicant proposes to make an existing two-family dwelling a conforming use on the property; and

WHEREAS, The Greater Hilltop Area Commission recommends approval; and

WHEREAS, City Departments recommend approval because the requested variance will allow an existing two-family dwelling to be conforming in the C-4, Commercial District. A Council variance is necessary in that dwelling units are permitted only above certain commercial uses in the C-4, Commercial District. The *Greater Hilltop Plan* (2001) recommends that inappropriately zoned parcels should be rezoned so that they are consistent with current land use and surrounding uses. There are five non-conforming dwellings that are zoned C-4 on this block of West Mound Street, which may warrant a City-initiated rezoning. A hardship exists in that the lending institution will only finance a conforming use in the district, and the applicant cannot secure financing to purchase the 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 **2107 WEST MOUND STREET (43223)**, in using said property as desired; now, therefore:

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

SECTION 1. Variance from the provisions of Section 3356.03, C-4, Permitted Uses of the Columbus City Codes is hereby granted for the property located at **2107 WEST MOUND STREET (43223)**, in that said section prohibits a two-family dwelling in the C-4, Commercial District; said property being more particularly described as follows:

2107 WEST MOUND STREET (43223), being 0.2± acres located on the south side of West Mound Street, 100± feet west of Butler Avenue, and being more particularly described as follows:

2107 West Mound Street
Parcel # 010-012794

Situated in the State of Ohio, County of Franklin, and in the City Of Columbus:

Being Lot Number Three Hundred Twenty-Two (322), Three Hundred Twenty-Three (323) and Three Hundred Twenty-Four (324), in Blesch and Kramer's Sub-Division of McClelland's Out-Lots Nos. 3, 4, 7 and 8, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, Page 306, Recorder's Office, Franklin County, Ohio.

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-family dwelling, or those uses permitted in the C-4, Commercial District.

SECTION 3. That this ordinance is further conditioned upon compliance with R-4, Residential District standards for any additions to the existing structure, or the construction of any accessory structures including a private garage.

SECTION 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.