



## Legislation Details (With Text)

**File #:** 0772-2006      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 4/10/2006      **In control:** Zoning Committee

**On agenda:** 6/5/2006      **Final action:** 6/8/2006

**Title:** To grant a Variance from the provisions of Sections 3332.033, R-2, Residential District, for the property located at 2440 GROVEPORT PIKE (43207), to conform an existing three-family dwelling in the R-2, Residential District (Council Variance # CV06-004).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0772-2006attachments.pdf, 2. ORD0772-2006.lbls.pdf, 3. City Council Data Form\_CV06-004.pdf

Date	Ver.	Action By	Action	Result
6/8/2006	1	ACTING CITY CLERK	Attest	
6/7/2006	1	MAYOR	Signed	
6/5/2006	1	Zoning Committee	Waive the 2nd Reading	Pass
6/5/2006	1	Zoning Committee	Approved	Pass
6/5/2006	1	COUNCIL PRESIDENT	Signed	
5/23/2006	1	Dev Zoning Drafter	Sent to Clerk's Office for Council	
5/18/2006	1	Dev Zoning Reviewer	Reviewed and Approved	
5/18/2006	1	Dev Reviewer	Reviewed and Approved	
5/18/2006	1	Dev Zoning Drafter	Sent for Approval	
5/18/2006	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
4/10/2006	1	Dev Zoning Drafter	Sent for Approval	

**Council Variance Application: CV06-004**

**APPLICANT:** Fred Michael Reid; 2440 Groveport Pike; Columbus, Ohio 43207.

**PROPOSED USE:** To conform an existing three-family dwelling in the R-2, residential District.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. This variance will allow an existing three-family dwelling to be conforming in the R-2, Residential District. A Council variance is necessary in that three-family dwellings are prohibited in the R-2, residential District. The site lies within the boundaries of the *Tri-South Plan* (2003) which recommends single-family dwellings as the appropriate land use for the site. Staff recommends approval and supports deviation from the *Plan* because the structure which was built in 1904 and lies on a 1.35 acre lot, while the R-2, Residential District only requires 5000 square feet of lot area per dwelling unit. No recommendation is being made regarding the hardship aspect of this request.

To grant a Variance from the provisions of Sections 3332.033, R-2, Residential District, for the property located at **2440**

**GROVEPORT PIKE (43207)**, to conform an existing three-family dwelling in the R-2, Residential District (Council Variance # CV06-004).

**WHEREAS**, by application No. CV06-004, the owner of property at **2440 GROVEPORT PIKE (43207)**, is requesting a Council variance to conform an existing three-family dwelling in the R-2, Residential District; and

**WHEREAS**, Section 3332.033, R-2, Residential District, prohibits three-family dwellings, while the applicant proposes to make an existing three-family dwelling a conforming use on the property; and

**WHEREAS**, City Departments recommend approval and supports deviation from the *Plan* because the structure which was built in 1904 and lies on a 1.35 acre lot, while the R-2, Residential District only requires 5000 square feet of lot area per dwelling unit; 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 **2440 GROVEPORT PIKE (43207)**, 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 Sections 3332.033, R-2 residential district is hereby granted for the property located at **2440 GROVEPORT PIKE (43207)**, insofar that said sections prohibit a three-family dwelling in the R-2, Residential District; said property being more particularly described as follows:

**2440 GROVEPORT PIKE (43207)**, being 1.35± acres located on the east side of Groveport Pike, 247± feet south of Korbel Avenue., being more particularly described as follows:

Situated in Ohio, County of Franklin, City of Columbus, Being Lots 77 and Part of Lots 78 and 79 and Part of Reserve "B' Cambria Addition, Plat Book 5, Page 362.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a three-family dwelling, or those uses permitted in the R-2, residential District.

**SECTION 3.** That this ordinance is further conditioned on a commitment by the owner to maintain the existing building footprints in conformance with the site plan titled "**Site Plan**," drawn by Myers Surveying Company, Inc., dated August 1, 2001, and signed by Fred M. Reid, applicant and the elevations of the buildings shall be maintained in the architectural style and with materials like those of the buildings existing on the property on the date of this ordinance. If the buildings are restored or new buildings are constructed; said materials and style are to include: two (2) story building with brick; hip roof; as illustrated in exhibit A.

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