



Legislation Details (With Text)

File #: 1174-2016 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 4/21/2016 **In control:** Zoning Committee
On agenda: 5/16/2016 **Final action:** 5/19/2016

Title: To grant a Variance from the provisions of Section 3356.03, C-4, permitted uses; for the property located at 1875 WOODLAND AVENUE (43219), to conform an existing single-unit dwelling in the C-4, Commercial District (Council Variance # CV16-013).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1174-2016.Attachments, 2. ORD1174-2016.Labels

Date	Ver.	Action By	Action	Result
5/19/2016	1	CITY CLERK	Attest	
5/17/2016	1	MAYOR	Signed	
5/16/2016	1	COUNCIL PRESIDENT	Signed	
5/16/2016	1	Zoning Committee	Approved	Pass
5/9/2016	1	Columbus City Council	Read for the First Time	

Council Variance Application: CV16-013

APPLICANT: Edna I. Cranford; 1875 Woodland Avenue; Columbus, OH 43219.

PROPOSED USE: Single-unit dwelling.

NORTH CENTRAL AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The requested variance will conform an existing single-unit dwelling in the C-4, Commercial District. A Council variance is necessary because residential uses are only permitted above specified commercial uses in the C-4, Commercial District. The site is located within the boundaries of the *North Central Plan* (2002), which recommends "Single-Family Residential" development for this location. A hardship exists because the non-conforming nature of the site precludes financing options and prevents the owner from making improvements to the structure. The dwelling has been long established on this lot and is consistent with the residential uses that are prevalent in the surrounding neighborhood. Approval of this request will not add a new or incompatible use to the area.

To grant a Variance from the provisions of Section 3356.03, C-4, permitted uses; for the property located at **1875 WOODLAND AVENUE (43219)**, to conform an existing single-unit dwelling in the C-4, Commercial District (Council Variance # CV16-013).

WHEREAS, by application No. CV16-013, the owner of property at **1875 WOODLAND AVENUE (43219)**, is

requesting a Council variance to conform an existing single-unit 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 maintain an existing single-unit dwelling; and

WHEREAS, The North Central Area Commission recommends approval; and

WHEREAS, The City Departments recommend approval because this request will not add a new or incompatible use to the area. The requested variance will conform an existing single-unit dwelling in the C-4, Commercial District, and the *North Central Plan* recommends “Single-Family Residential” development for this location; 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 the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect 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 owner of the property located at **1875 WOODLAND AVENUE (43219)**, in using said property as desired; now, therefore:

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

SECTION 1. That a 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 **1875 WOODLAND AVENUE (43219)**, insofar as said section prohibits a single-unit dwelling in the C-4, Commercial District, said property being more particularly described as follows:

1875 WOODLAND AVENUE (43219), being 0.55± acres located on the west side of Woodland Avenue, 310± feet south of Hiddenspring Drive, and being more particularly described as follows:

THE FOLLOWING REAL ESTATE SITUATED IN THE COUNTY OF FRANKLIN, IN THE STATE OF OHIO, AND IN THE CITY OF COLUMBUS AND BOUNDED AND DESCRIBED AS FOLLOWS:

BEING PART OF LOT “E” OF THE FLAT OF PARTITION OF THE LANDS OF WINDSOR ATCHENSON AND BEING PART OF THE TRACT CONVEYED TO ALFRED A BUONI AND PATRICIA BUONI IN D.E. 2590, PAGE 66 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTER OF WOODLAND AVENUE 1042.64 FEET NORTH OF A RAILROAD SPIKE LOCATED IN THE SOUTH LINE OF SAID LOT “E” WHERE SAID SOUTH LINE INTERSECTS THE CENTER LINE OF WOODLAND AVENUE SAID BEGINNING POINT ALSO BEING THE SOUTHEASTERLY CORNER OF LOT 11 OF AN UNRECORDED PLAT OF WOODLAND AVENUE PARCELS;

THENCE NO 86 DEG 22’ 00’ W., 142.55 FEET ALONG THE SOUTHERLY LINE OF LOT NO 11 TO A RAILROAD SPIKE AND PASSING AN IRON PIN IN THE WEST RIGHT-OF-WAY OF WOODLAND AVENUE;
THENCE NO 55 DEG 39’ 40’ W., 24.57 FEET TO A RAILROAD SPIKE;
THENCE N. 86 DEG 22’ 00’ W., 126.00 FEET TO AN IRON PIN;
THENCE N. 5 DEG 07’ 00’ E., 88.94 FEET TO AN IRON PIN IN THE NORTH LINE OF LOT NO 11;
THENCE 86 DEG 22’ 00’ E., 290.00 FEET PASSING AN IRON PIN IN THE WEST RIGHT-OF-WAY LINE OF WOODLAND AVENUE TO A POINT IN THE CENTERLINE OF WOODLAND AVENUE. THENCE S. 5 DEG 07’ 00’ W. ALONG THE CENTERLINE OF WOODLAND AVENUE 101.49 FEET TO THE PLACE OF BEGINNING CONTAINING 0.636 ACRES, MORE OR LESS.

DEED REFERENCE 3083/584

LESS AND EXCEPT:

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF COLUMBUS AND BEING PART OF LOT "E" OF THE FLAT OF PARTITION OF THE LANDS OF WINDSOR ATCHESON AND BEING PART OF THE TRACT CONVEYED TO ALFRED A. BUONI AND PATRICIA BUONI IN DEED BOOK 2590, PAGE 65, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTER OF WOODLAND AVENUE NORTH OF 04 DEG 41' 00' EAST, 1042.64 FEET NORTH OF A RAILROAD SPIKE LOCATED IN THE SOUTH LINE AT SAID LOT "E" WHERE SAID SOUTH LINE INTERSECTS THE CENTERLINE OF WOODLAND AVENUE, SAID BEGINNING POINT BEING THE SOUTHEASTERLY CORNER OF LOT 11 OF AN UNRECORDED PLAT OF WOODLAND AVENUE PARCELS, AND BEING STATION 130 PLUS 59.50 IN THE CENTERLINE OF SURVEY OF WOODLAND AVENUE:

THENCE ALONG THE GRANTORS SOUTHERLY PROPERTY LINE NORTH 86 DEG 48' 00' WEST A DISTANCE OF 40.01 FEET TO A POINT 40.00 FEET LEFT OF STATION 130 PLUS 52.46 IN SAID CENTERLINE OF SURVEY:

THENCE NORTH 04 DEG 41' 00' EAST A DISTANCE OF 101.49 FEET TO A POINT ON THE GRANTORS NORTHERLY PROPERTY LINE, SAID POINT BEING 40.00 FEET LEFT OF STATION 131 PLUS 63.95 IN SAID CENTERLINE OF SURVEY;

THENCE ALONG THE GRANTORS NORTHERLY PROPERTY LINE SOUTH 86 DEG 48' 00' EAST A DISTANCE OF 40.01 FEET TO A POINT IN THE GRANTORS EASTERLY PROPERTY LINE AND THE CENTERLINE OF WOODLAND AVENUE STATION 131 PLUS 64.99 IN SAID CENTERLINE OF SURVEY;

THENCE ALONG THE CENTERLINE OF WOODLAND AVENUE AND THE GRANTORS EASTERLY PROPERTY LINE SOUTH 04 DEG 41' 00' WEST OF A DISTANCE AT 101.49 FEET TO THE POINT OF BEGINNING CONTAINING 0.0932 ACRES MORE OR LESS INCLUDING THE PRESENT ROAD WHICH OCCUPIES 0.0699 ACRES MORE OR LESS.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a single-unit dwelling.

SECTION 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.