



Legislation Details (With Text)

File #: 0290-2006 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 2/2/2006 **In control:** Zoning Committee

On agenda: 4/24/2006 **Final action:** 4/27/2006

Title: To grant a Variance from the provisions of Sections 3332.037, R-2F, residential district; 3332.14 area district requirements; and 3332.21(E), Building lines; 3332.25, Maximum side yard required; 3332.26, Minimum side yard required; 3342.16, Parking lot; 3342.23, Striping and marking; 3342.06, Aisle; 3342.15, Maneuvering; and 3342.17, Parking lot screening for the property located at 518-524 MOHAWK STREET (43206), to permit an existing three-family dwelling with reduced development standards in the R-2F, Residential District (Council Variance #CV05-064).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD 0290-2006 Attachments.pdf, 2. ORD 0290-2006 mailing labels.pdf, 3. ORD 0290-2006 CV05-064 Data Form.pdf

Date	Ver.	Action By	Action	Result
4/27/2006	1	ACTING CITY CLERK	Attest	
4/26/2006	1	MAYOR	Signed	
4/24/2006	1	Zoning Committee	Waive the 2nd Reading	Pass
4/24/2006	1	Zoning Committee	Approved	Pass
4/24/2006	1	COUNCIL PRESIDENT	Signed	
3/21/2006	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
3/21/2006	1	Dev Drafter	Sent to Clerk's Office for Council	
3/20/2006	1	Dev Drafter	Sent for Approval	
3/16/2006	1	Dev Reviewer	Reviewed and Approved	
3/15/2006	1	Dev Zoning Reviewer	Reviewed and Approved	
2/7/2006	1	Dev Drafter	Sent for Approval	

Council Variance Application: CV05-064

APPLICANT: Patricia S. Guthrie; 198 Jackson Street; Columbus, Ohio 43206.

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

GERMAN VILLAGE COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. This variance will allow an existing three-family dwelling, with reduced development standards, to be conforming in the R-2F, Residential District. Approval of this request will alleviate financing issues and allow for replacement of the current structures, within the current footprint, if they are destroyed by 50% or more.

To grant a Variance from the provisions of Sections 3332.037, R-2F, residential district; 3332.14 area district requirements; and

3332.21(E), Building lines; 3332.25, Maximum side yard required; 3332.26, Minimum side yard required; 3342.16, Parking lot; 3342.23, Striping and marking; 3342.06, Aisle; 3342.15, Maneuvering; and 3342.17, Parking lot screening for the property located at **518-524 MOHAWK STREET (43206)**, to permit an existing three-family dwelling with reduced development standards in the R-2F, Residential District (Council Variance #CV05-064).

WHEREAS, by application No. CV05-064, the owners of property at **518-524 MOHAWK STREET (43206)**, are requesting a Council variance to permit an existing three-family dwelling in the R-2F, Residential District; and

WHEREAS, Section 3332.037, R-2F 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, Section 3332.14, R-2F area district requirements, requires a lot of no less than 3,000 square feet per dwelling, while the applicant proposes an existing three-family dwelling on a 3,456 square foot lot (3,942 square foot total lot for density calculations); and

WHEREAS, Section 3332.21(E), Building lines, requires a minimum distance from the street property line of 10 feet, while the applicant proposes an existing three-family dwelling with a zero (0) foot setback from the street property line; and

WHEREAS, Section 3332.25, Maximum side yard required, requires that the sum of the widths of each side yard shall equal or exceed twenty (20) percent of the width of the lot, while the applicant proposes an existing three-family dwelling with total sum of the side yard widths equal to 19.4%; and

WHEREAS, Section 3332.26, Minimum side yard permitted, requires a minimum side yard of five (5) feet, while the applicant proposes an existing three-family dwelling with a minimum side yard on the north side of zero (0) feet; and

WHEREAS, Section 3342.06, Aisle, and 3342.15, Maneuvering, require an aisle width of twenty (20) feet, while the existing parking lot, including Fieser Street, provides an aisle of only eighteen (18) feet; and

WHEREAS, Section 3342.16, Parking lot, requires that a parking lot, defined as five (5) or more spaces for any residential use, must meet all of the regulations pertaining to a parking lot, while the existing parking lot does not meet all of the parking regulations; and

WHEREAS, Section 3342.17, Parking lot screening, requires screening for parking lots whose boundary lies within eighty (80) feet of residentially zoned property, while the existing parking lot does not provide screening; and

WHEREAS, Section 3342.23, Striping and marking, requires that each parking space shall be clearly marked, while the existing parking lot does not have parking space marking; and

WHEREAS, The German Village Commission recommends approval; and

WHEREAS, City Departments recommend approval because this variance will allow an existing three-family dwelling, with reduced development standards, to be conforming in the R-2F, Residential District, alleviating financing issues and allowing for replacement of the current structures, within the current footprint, if they are destroyed 50% or more; 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 **518 MOHAWK STREET (43206)**, in using said property as desired; now, therefore:

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

Section 1. Variances from the provisions of Sections 3332.037, R-2F, residential district; 3332.14, area district requirements; 3332.21 (E), Building lines; 3332.25, Maximum side yard required; 3332.26, Minimum side yard required; 3342.16, Parking lot; 3342.23,

Striping and marking; 3342.06, Aisle; 3342.15, Maneuvering, and 3342.17, Parking lot screening, for the property located at **518-524 MOHAWK STREET (43206)**, insofar as said sections prohibit a three-family dwelling on a 3,456 square foot lot with a zero (0) foot building line, a 19.4% maximum side yard, a zero (0) foot side yard on the north property line, a minimum 18-foot wide aisle, no parking lot screening, and no parking space marking, said property being more particularly described as follows:

LEGAL DESCRIPTION OF THE SUBJECT PROPERTY

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

Being fifty-four feet (54') off of the north end of Lot Number Twenty-Nine (29) and fifty-four feet (54') off of the north end of Lot Number Thirty (30) of SAMUEL PARSONS ADDITION to the City of Columbus, Ohio, containing .080 acres.

518 MOHAWK STREET, TAX PARCEL NUMBER: 010-272563

Being Unit Number 518 and its appurtenant interest in common areas and facilities of MOHAWK PLACE CONDOMINIUM, as the same is numbered, designated, delineated and described in the Declarations, Bylaws and Drawings thereof, of record respectively in Instrument Number 200409270224684 and Condominium Plat Book 137, pages 96 and 97, inclusive, Recorder's Office, Franklin County, Ohio.

522 MOHAWK STREET, TAX PARCEL NUMBER: 010-272564

Being Unit Number 522 of MOHAWK PLACE CONDOMINIUM and its undivided interest in the common elements appurtenant to it, as the same is numbered, designated, delineated, and described in the Declaration and Drawings thereof, of record respectively as Instrument No. 200409270224684 and Condominium Plat Book 137, page 96 and Instrument No. 200409270224689, Recorder's Office, Franklin County, Ohio.

524 MOHAWK STREET, TAX PARCEL NUMBER: 010-272565

Being Unit Number 524 and its appurtenant interest in common areas and facilities of MOHAWK PLACE CONDOMINIUM, as the same is numbered, designated, delineated and described in the Declarations, Bylaws and Drawings thereof, of record respectively in Instrument Number 200409270224684 and Condominium Plat Book 137, pages 96 and 97, inclusive, 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 three-family dwelling, or those uses permitted in the R-2F, Residential District.

Section 3. That this ordinance is further conditioned to be consistent with the Certificate of Appropriateness from the German Village Commission, dated December 6, 2005 and the drawings titled, “**Mohawk Place Condominium 1 of 2 and 2 of 2**”, signed and dated by the applicant Patricia D. Guthrie, January 12, 2006. Any slight adjustments to the drawings shall be subject to review and approval by the Director of the Department of Development, or his designee, upon submission of the appropriate data regarding the proposed adjustment.

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