



## Legislation Details (With Text)

**File #:** 0154-2009      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 1/28/2009      **In control:** Zoning Committee  
**On agenda:** 4/20/2009      **Final action:** 4/22/2009  
**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 253 EAST ELEVENTH AVENUE (43201), to conform a single-unit dwelling in the C-4, Commercial District. (Council Variance #CV08-038)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0154-2009Attachments.pdf, 2. ORD0154-2009bls.pdf, 3. City Council Data Form\_CV08-038.pdf, 4. Notice Of Public Hearing - Council Mtg.pdf

Date	Ver.	Action By	Action	Result
4/22/2009	1	CITY CLERK	Attest	
4/21/2009	1	MAYOR	Signed	
4/20/2009	1	Zoning Committee	Approved	Pass
4/20/2009	1	COUNCIL PRESIDENT	Signed	
4/13/2009	1	Columbus City Council	Read for the First Time	
4/1/2009	1	Dev Zoning Drafter	Sent to Clerk's Office for Council	
3/4/2009	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
3/3/2009	1	Dev Zoning Reviewer	Reviewed and Approved	
3/3/2009	1	Dev Zoning Drafter	Sent for Approval	
1/28/2009	1	Dev Zoning Drafter	Sent for Approval	

**Council Variance Application: CV08-038**

**APPLICANT:** Alexander Medvec; 5959 Luccis Court; Columbus, OH 43228.

**PROPOSED USE:** Conform an existing single-family dwelling.

**UNIVERSITY AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The applicant seeks a Council variance to conform an existing single-family dwelling in the C-4, Commercial District. This building has been historically used as a residence and there is adequate parking at the site.

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 **253 EAST ELEVENTH AVENUE (43201)**, to conform a single-unit dwelling in the C-4, Commercial District. (Council Variance #CV08-038)

**WHEREAS**, by application No. CV08-038 the owner of property at **253 EAST ELEVENTH AVENUE (43201)**, is requesting a Council Variance to conform an existing single-family dwelling in the C-4, Commercial District.; and

**WHEREAS**, Section 3356.03, C-4 Permitted Uses, permits apartment uses only above commercial uses, while the applicant proposes to continue using the existing single-family dwelling in the C-4, Commercial District entirely for residential use; and

**WHEREAS**, this Council Variance would permit a dwelling unit on the ground floor of an existing residential building in the C-4, Commercial District. The C-4, Commercial District permits apartment uses only above commercial uses; and

**WHEREAS**, the University Area Commission recommends approval; and

**WHEREAS**, the City Departments recommend approval and note that a Council variance is required to allow single-family dwellings in the C-4, Commercial District; and

**WHEREAS**, this building has been historically used as a single-unit dwelling . Staff finds no negative impact on the surrounding area from this proposal; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed use; 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 **253 EAST ELEVENTH AVENUE (43201)**, 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 are hereby granted for the property located at **253 EAST ELEVENTH AVENUE (43201)**, insofar as said section prohibits a single family dwelling by varying the district's permitted use; said property being more particularly described as follows:

1371 N. High Street Legal Description

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

Being Lot Number Twenty-one (21) of CLIFTON'S ADDITION, to the City of Columbus as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, page 277, Recorder's Office, Franklin County, Ohio.

Parcel No.: 010-012745  
Street Address: 253 East 11<sup>th</sup> Ave., Columbus, OH 43201

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for one (1) single family dwelling or those uses permitted in the C-4, Commercial District.

**SECTION 3.** That this ordinance is further conditioned on a commitment by the owner to maintain the existing building footprint in conformance with the site plan titled, "**EXHIBIT A**," signed by Alexander Medvec, Applicant, dated February 25, 2009.

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

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

