



Legislation Details (With Text)

File #: 2016-2012 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 9/10/2012 **In control:** Zoning Committee

On agenda: 12/17/2012 **Final action:** 12/19/2012

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 225 EAST ELEVENTH AVENUE (43201), to conform a single-unit dwelling in the C-4, Commercial District. (Council Variance #CV12-034)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD2016-2012attachments, 2. Notice Of Public Hearing - Council Mtg20121022, 3. Notice Of Public Hearing - Council Mtg20121217

Date	Ver.	Action By	Action	Result
12/19/2012	1	CITY CLERK	Attest	
12/18/2012	1	MAYOR	Signed	
12/17/2012	1	COUNCIL PRESIDENT	Signed	
12/17/2012	1	Zoning Committee	Taken from the Table	Pass
12/17/2012	1	Zoning Committee	Approved	Pass
10/29/2012	1	Zoning Committee	Taken from the Table	Pass
10/29/2012	1	Zoning Committee	Tabled Indefinitely	Pass
10/22/2012	1	Zoning Committee	Tabled to Certain Date	Pass
10/15/2012	1	Columbus City Council	Read for the First Time	

Council Variance Application: CV12-034

APPLICANT: Charlie Leslie; 222 East Eleventh Avenue; Columbus, OH 43201.

PROPOSED USE: To conform an existing single-unit dwelling.

UNIVERSITY AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant seeks a Council variance to conform an existing single-unit dwelling in the C-4, Commercial District. This building has been historically used as a residence and there is adequate parking at the site. A similar Council variance for the adjacent property to the east was supported by Staff and approved by City Council in 2009. A hardship exists because improvements to the non-conforming structure cannot be completed nor can the applicants get occupancy unless the Council Variance is granted.

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 **225 EAST ELEVENTH AVENUE (43201)**, to conform a single-unit dwelling in the C-4, Commercial District. (Council Variance #CV12-034)

WHEREAS, by application No. CV12-034 the owner of property at **225 EAST ELEVENTH AVENUE (43201)**, 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 dwellings only above commercial uses, while the applicant proposes to continue using the existing single- unit dwelling in the C-4, Commercial District entirely for residential use; and

WHEREAS, this Council Variance would permit a single unit dwelling in an existing residential building in the C-4, Commercial District; and

WHEREAS, the University Area Commission recommends approval; and

WHEREAS, the City Departments recommend approval because this building has been historically used as a residence and there is adequate parking at the site. A similar Council variance for the adjacent property to the east was supported by Staff and approved by City Council in 2009; 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 **255 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 **225 EAST ELEVENTH AVENUE (43201)**, insofar as said section prohibits a single-unit dwelling by varying the district's permitted use; said property being more particularly described as follows:

Situated in the County of Franklin in the State of Ohio:

Being Lot Number Twenty Six (26) IN THE Clifton addition, as the said lot is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, page 277, Recorder's Office, Franklin County, Ohio.

Parcel Number: 010-050400

Property Address: 225 East 11th Avenue, Columbus, Ohio 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-unit 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 Charles R. Leslie, Applicant, dated September 5, 2012.

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.