



## Legislation Details (With Text)

**File #:** 2218-2023      **Version:** 1

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

**File created:** 7/14/2023      **In control:** Zoning Committee

**On agenda:** 7/31/2023      **Final action:** 8/2/2023

**Title:** To grant a Variance from the provisions of Section 3333.02, AR-12, ARLD and AR-1 apartment residential district use, of the Columbus City Codes; for the property located at 1291 OAK ST. (43205), to permit commercial office uses in the ARLD, Apartment Residential District (Council Variance #CV23-039).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD2218-2023\_Attachments, 2. ORD2218-2023\_Labels

Date	Ver.	Action By	Action	Result
8/2/2023	1	ACTING CITY CLERK	Attest	
8/2/2023	1	MAYOR	Signed	
7/31/2023	1	COUNCIL PRESIDENT	Signed	
7/31/2023	1	Zoning Committee	Accept entire staff report into evidence as an exhibit	Pass
7/31/2023	1	Zoning Committee	Approved	Pass
7/31/2023	1	Zoning Committee	Adopt the findings of staff as the findings of Council	Pass
7/24/2023	1	Columbus City Council	Read for the First Time	

### Council Variance Application: CV23-039

**APPLICANT:** Michael Zaller; 170 Franklin Avenue; Worthington, OH 43085.

**PROPOSED USE:** Commercial office.

**NEAR EAST AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of one parcel developed with a vacant nonconforming commercial building in the ARLD, Apartment Residential District. The requested Council variance will permit the building to be used as a commercial office which is not permitted in the ARLD district. The site is within the planning boundaries of the *Near East Area Plan* (2005), which does not include a specific land use recommendation at this location. Staff are supportive as the proposal will conform the existing commercial building, which is not introducing an incompatible use to the area.

To grant a Variance from the provisions of Section 3333.02, AR-12, ARLD and AR-1 apartment residential district use, of the Columbus City Codes; for the property located at **1291 OAK ST. (43205)**, to permit commercial office uses in the ARLD, Apartment Residential District (Council Variance #CV23-039).

**WHEREAS**, by application #CV23-039, the owner of property at **1291 OAK ST. (43205)**, is requesting a Council variance to permit commercial office uses in the ARLD, Apartment Residential District; and

**WHEREAS**, Section 3333.02, AR-12, ARLD and AR-1 apartment residential district use, does not permit commercial uses, while the applicant proposes to utilize the existing nonconforming structure for commercial office uses; and

**WHEREAS**, the Near East Area Commission recommends approval; and

**WHEREAS**, the City Departments recommend approval because this request will conform the existing commercial building and is not considered to be the introduction of an incompatible use to the area; 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 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 **1291 OAK ST. (43205)**, 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 3333.02, AR-12, ARLD and AR-1 apartment residential district use, of the Columbus City Codes; is hereby granted for the property located at **1291 OAK ST. (43205)**, insofar as said section prohibits general and medical office uses; said property being more particularly described as follows:

**1291 OAK ST. (43205)**, being 0.10± acres located on the south side of Oak Street, 150± feet west of , and being more particularly described as follows:

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

Being Lot Number Six (6) of McGRAW AND BLOSE SUBDIVISION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, Page 407, Recorder's Office, Franklin County, Ohio.

Address: 1291 Oak Street Columbus, Ohio 43205

Parcel No.: 010-016979

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for general or medical office uses, or those uses permitted in the ARLD, Apartment Residential District.

**SECTION 3.** That this ordinance is further conditioned upon the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

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