



Legislation Details (With Text)

File #: 1179-2012 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 5/23/2012 **In control:** Zoning Committee

On agenda: 6/11/2012 **Final action:** 6/12/2012

Title: To grant a Variance from the provisions of Sections 3332.035, R-3, Residential District; and 3332.21, Building lines, of the Columbus City codes; for the property located at 584 STAMBAUGH AVENUE (43207), to permit a two-unit dwelling with a reduced building line in the R-3, Residential District and to declare an emergency (Council Variance # CV12-018). (AMENDED by 1831-2012 PASSED 9/10/12)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1179-2012Attachments, 2. Notice Of Public Hearing - Council Mtg20120611

Date	Ver.	Action By	Action	Result
6/12/2012	2	MAYOR	Signed	
6/12/2012	2	CITY CLERK	Attest	
6/11/2012	2	COUNCIL PRESIDENT	Signed	
6/11/2012	1	Zoning Committee	Approved as Amended	Pass
6/11/2012	1	Zoning Committee	Amended to Emergency	Pass
6/4/2012	1	Columbus City Council	Read for the First Time	

Council Variance Application: CV12-018

APPLICANT: Odessa Thompson; 686 Elwood Avenue; Columbus, OH 43207.

PROPOSED USE: Two-unit dwelling.

COLUMBUS SOUTH SIDE AREA COMMISSION RECOMMENDATION:
Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The requested Council variance will allow a two-unit dwelling in the R-2, Residential District. The building was originally constructed as a retail structure with an apartment above. A variance is necessary because the R-2, Residential District allows only single-unit dwellings. The applicant was recently cited for converting the lower level into a dwelling unit, and needs the requested variance in order to comply with a zoning violation and to obtain building permits. The site lies within the planning area of *The South Side Plan* (2002), which recommends the reduction of existing non-conforming properties. Since the request will replace an inappropriate commercial use in the neighborhood with a residential use, Staff does not object to the request.

To grant a Variance from the provisions of Sections 3332.035, R-3, Residential District; and 3332.21, Building lines, of the Columbus City codes; for the property located at **584 STAMBAUGH AVENUE (43207)**, to permit a two-unit dwelling with a reduced building line in the R-3, Residential District **and to declare an emergency** (Council Variance #

CV12-018). (AMENDED by 1831-2012 PASSED 9/10/12)

WHEREAS, by application # CV12-018, the owner of the property at **584 STAMBAUGH AVENUE (43207)**, is requesting a Variance to permit a two-unit dwelling in the R-2, Residential District; and

WHEREAS, Section 3332.033, R-2 Residential District, permits only single-unit dwellings, while the applicant proposes to convert a first-floor vacant retail store with an apartment above into a two-unit dwelling; and

WHEREAS, Section 3332.21, Building lines, requires a minimum building setback line of twenty-five (25) feet from Stambaugh Avenue, while the applicant proposes to maintain the building setback line of approximately four (4) feet for the existing building; and

WHEREAS, the Columbus South Side Area Commission recommends approval; and

WHEREAS, City Departments recommend approval because the requested variance will replace an inappropriate commercial use in the neighborhood with a residential use. A variance is necessary because the R-2, Residential District allows only single-unit dwellings. The applicant was recently cited for converting the lower level of retail structure with an apartment above into a two-unit dwelling, and needs the requested variance in order to comply with a zoning violation and to obtain building permits. The site lies within the planning area of *The South Side Plan*, which recommends the reduction of existing non-conforming properties; 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 owner of the property located at **584 STAMBAUGH AVENUE (43207)**, in using said property as desired and

WHEREAS, **an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; now, therefore:**

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

SECTION 1. That a variance from the provisions of Sections 3332.035, R-3, Residential District; and 3332.21, Building lines, of the Columbus City codes, is hereby granted for the property located at **584 STAMBAUGH AVENUE (43207)**, insofar as said sections prohibit a two-unit dwelling with a building line of approximately four (4) feet; said property being more particularly described as follows:

584 STAMBAUGH AVENUE (43207), being 0.14± acres located on the north side of Stambaugh Avenue, 240± feet west of South Nineteenth Street, and being more particularly described as follows:

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

Being Lot Number Fourteen (14) in the Southgate Addition, as the said lot is numbered and delineated upon the recorded plat thereof, of record in Plat Book 18, Page 14, Recorder's Office, Franklin County, Ohio.

And being more commonly known as 584 Stambaugh Avenue, Columbus, OH 43207
Franklin County Parcel Number 010-114517

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as the existing structure is used as a two-unit dwelling.

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.~~
That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.