



Legislation Details (With Text)

File #: 0257-2012 **Version:** 2

Type: Ordinance **Status:** Defeated

File created: 1/31/2012 **In control:** Zoning Committee

On agenda: 11/19/2018 **Final action:** 11/19/2018

Title: To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential District; and 3312.49 Minimum number of parking spaces required; of the Columbus City Codes for the property located at 745 SOUTH THIRD STREET (43206), to permit a restaurant and office use with reduced development standards in the R-2F, Residential and to declare an emergency. (Council Variance #CV11-032).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD0257-2012attachments, 2. ORD0257-2012lbl, 3. CV11-032

Date	Ver.	Action By	Action	Result
11/19/2018	2	Zoning Committee	Taken from the Table	Pass
11/19/2018	2	Zoning Committee	Defeated	Fail
3/5/2012	2	Zoning Committee	Taken from the Table	Pass
3/5/2012	2	Zoning Committee	Tabled Indefinitely	Pass
2/27/2012	1	Zoning Committee	Amended to Emergency	Pass
2/27/2012	1	Zoning Committee	Tabled to Certain Date	Pass

Council Variance Application: CV11-032

APPLICANT: American Blue Ribbon Holdings LLC; c/o David Hodge, Atty; Smith and Hale; 37 West Broad Street, Suite 725; Columbus, OH 43215.

PROPOSED USE: Expansion of an adjacent restaurant use.

GERMAN VILLAGE RECOMMENDATION: Approval

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant seeks a variance to allow the expansion of a restaurant located directly north of the subject site by making a passageway into a building to the south currently used as a dwelling. The former dwelling will include additional handicapped accessible bathrooms and dining area on the first floor and office space and conference rooms on the second floor. Restaurants and office uses are not permitted in the R-2F, Residential District. The main impact of this development would be on parking in the area. The Department of Public Service Division of Planning and Operations supports the twelve space parking variance.

To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential District; and 3312.49 Minimum number of parking spaces required; of the Columbus City Codes for the property located at **745 SOUTH THIRD STREET (43206)**, to permit a restaurant and office use with reduced development standards in the R-2F, Residential **and to**

declare an emergency. (Council Variance #CV11-032).

WHEREAS, by application #CV11-032, the owner of property at **745 SOUTH THIRD STREET (43206)**, is requesting a Variance to permit a restaurant and office use with reduced development standards in the R-2F, Residential District; and

WHEREAS, Section 3332.037, R-2F, Residential district, does not permit commercial uses, while the applicant proposes to expand the adjacent restaurant into the existing building on this property and also provide space for an office use; and

WHEREAS, Section 3312.49, Minimum number of parking spaces required, requires one (1) parking space per seventy-five (75) square feet of floor area for restaurants and one (1) parking space per two hundred fifty (250) square feet for office uses for a total parking requirement of twelve (12) parking spaces, while the applicant proposes zero (0) parking spaces; and

WHEREAS, the German Village Commission recommends approval; and

WHEREAS, City Departments recommend approval because the main impact of this development would be on parking in the area. The Department of Public Service Division of Planning and Operations supports the eleven space parking variance; 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 **745 SOUTH THIRD STREET (43206)**, 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 3332.037, R-2F, Residential district, 3312.49, Minimum number of parking spaces required of the Columbus City Codes for the property located at **745 SOUTH THIRD STREET (43206)**, insofar as said sections prohibit a restaurant and office use with zero (0) parking spaces where twelve (12) parking spaces would be required, said property being more particularly described as follows:

745 SOUTH THIRD STREET (43206), being 0.06± acres located on the west side of South Third Street, 30± feet south of East Frankfort 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 29.62 feet off the entire south side of the east one-half of Lot Number Twenty-One (21) of C. F. JAEGER'S SECOND ADDITION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 38, page 403, Recorder's Office, Franklin County, Ohio.

Parcel No.: 010-025564

Property Address: 745 South Third Street, Columbus, OH 43206

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for up to 725 square of restaurant space and up to 550 square feet of office space or those uses permitted in the R-2F, 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.~~
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.