



Legislation Details (With Text)

File #: 2267-2015 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 9/8/2015 **In control:** Zoning Committee
On agenda: 10/5/2015 **Final action:** 10/9/2015
Title: To grant a Variance from the provisions of Sections 3333.04, AR-O, Apartment Office District; and 3372.607(D), Landscaping and screening, of the Columbus City codes; for the property located at 1597 CLEVELAND AVENUE (43211), to permit a parking lot with reduced development standards in the AR-O, Apartment Office District (Council Variance # CV15-032).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD2267-2015Attachments, 2. Notice Of Public Hearing - Council Mtg20151005

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------|-------------------------|--------|
| 10/9/2015 | 1 | CITY CLERK | Attest | |
| 10/7/2015 | 1 | MAYOR | Signed | |
| 10/5/2015 | 1 | COUNCIL PRESIDENT | Signed | |
| 10/5/2015 | 1 | Zoning Committee | Approved | Pass |
| 9/28/2015 | 1 | Columbus City Council | Read for the First Time | |

Council Variance Application: CV15-032

APPLICANT: City of Columbus Land Bank; c/o Danny Popp, Agent; 855 East Cooke Road; Columbus, Ohio 43224.

PROPOSED USE: Parking lot.

SOUTH LINDEN AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The undeveloped site is zoned AR-O, Apartment Office District, and is within an Urban Commercial Overlay area. The requested variance will allow the construction of a parking lot that will serve a nearby business located at 1609 Cleveland Avenue. The site is located within the boundaries of the *South Linden Neighborhood Plan Amendment* (2012), which recommends Neighborhood Mixed Use for this location. A variance to the UCO fence requirements permitting privacy fencing to screen adjacent residential uses is included in the request. Staff supports the proposal because it meets most of the UCO design requirements, and will benefit businesses within this neighborhood. The request is consistent with the land use recommendations of the *South Linden Neighborhood Plan Amendment* and with the desired development pattern of the Urban Commercial Overlay.

To grant a Variance from the provisions of Sections 3333.04, AR-O, Apartment Office District; and 3372.607(D), Landscaping and screening, of the Columbus City codes; for the property located at **1597 CLEVELAND AVENUE (43211)**, to permit a parking lot with reduced development standards in the AR-O, Apartment Office District (Council Variance # CV15-032).

WHEREAS, by application #CV15-032, the owner of the property at **1597 CLEVELAND AVENUE (43211)**, is requesting a Variance to permit a parking lot with reduced development standards in the AR-O, Apartment Office District; and

WHEREAS, Section 3333.04, AR-O, Apartment Office District, prohibits a parking lot as a principal use, while the applicant proposes to construct a parking lot as a principal use to serve as customer parking for a business located at 1609 Cleveland Avenue; and

WHEREAS, Section 3372.607(D), Landscaping and screening, requires parking lot screening comprised of a solid masonry or stone fence that does not exceed a height of four (4) feet, or a mixture of a four (4) foot high metal fence and a three (3) foot wide landscaped area, while the applicant proposes a wood privacy fence that is five (5) feet in height to screen the adjacent residential properties as shown on the site plan; and

WHEREAS, the South Linden Area Commission recommends approval; and

WHEREAS, the City Departments recommend approval of the requested variances because the proposal will not add incompatible uses to the area and will benefit businesses within this neighborhood. The request is consistent with the land use recommendations of the *South Linden Neighborhood Plan Amendment* and with the desired development pattern of the Urban Commercial Overlay; 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 **1597 CLEVELAND AVENUE (43211)**, in using said property as desired and; now, therefore:

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

SECTION 1. That a variance from the provisions of Sections 3333.04, AR-O, Apartment Office District; and 3372.607 (D), Landscaping and screening, of the Columbus City codes, is hereby granted for the property located at **1597 CLEVELAND AVENUE (43211)**, insofar as said sections prohibit a parking lot as a primary use in the AR-O, Apartment Residential District; with a wood privacy fence having a height of five (5) feet in the Urban Commercial Overlay; said property being more particularly described as follows:

1597 CLEVELAND AVENUE (43211), being 0.24± acres located on the west side of Cleveland Avenue, 120± feet south of East Fifteenth Avenue, and being more particularly described as follows:

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

Being Lot Numbers Seven (7) and Eight (8), of Drexel Park Addition, as the same is numbered and delineated upon the plat thereof, of record in Plat Book 9, Page 11, Records Office, Franklin County, Ohio.

Property Address: 1597 Cleveland Ave Columbus Ohio 43211
Parcel No: 010-048319 & 010-048320

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used as a parking lot designed in accordance with the attached site plan, or those uses permitted in the AR-O, Apartment Office District.

SECTION 3. That this ordinance is further conditioned on substantial compliance with the site plan titled, "**MOSE'S SITE #1**," drawn by DDP and Associates, dated September 10, 2015, and signed Danny Popp, Architect. The plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustment to the plans shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

SECTION 4. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Zoning Clearance 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.