



Legislation Details (With Text)

File #: 1266-2023 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 4/21/2023 **In control:** Zoning Committee

On agenda: 5/15/2023 **Final action:** 5/18/2023

Title: To grant a Variance from the provisions of Sections 3356.03, C-4 permitted uses; and 3312.49, Minimum number of parking spaces required, of the Columbus City codes, for the property located at 992-994 S. WALL ST. (43206), to conform an existing two-unit dwelling with reduced parking in the C-4, Commercial District (Council Variance #CV23-013).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1266-2023.Attachments, 2. ORD1266-2023.Labels

Date	Ver.	Action By	Action	Result
5/18/2023	1	CITY CLERK	Attest	
5/17/2023	1	MAYOR	Signed	
5/15/2023	1	COUNCIL PRESIDENT	Signed	
5/15/2023	1	Zoning Committee	Waive the 2nd Reading	Pass
5/15/2023	1	Zoning Committee	Accept entire staff report into evidence as an exhibit	Pass
5/15/2023	1	Zoning Committee	Approved	Pass
5/15/2023	1	Zoning Committee	Adopt the findings of staff as the findings of Council	Pass

Council Variance Application: CV23-013

APPLICANT: Tyler Thompson; 2030 West Baseline Road, 1828667; Phoenix, AZ 85041.

PROPOSED USE: Conform an existing two-unit dwelling.

BREWERY DISTRICT COMMISSION RECOMMENDATION: Approval

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is developed with a nonconforming two-unit dwelling zoned in the C-4, Commercial District. The requested Council variance will conform the existing use, and includes a variance for reduced parking from four to two spaces. The site is within the planning area of the *Brewery District Plan (1992)*, which recognizes residential uses as a predominant existing use in the Southern Tier sub-district. This request will not add a new or incompatible use to the area, and will conform an existing two-unit dwelling which has been long established on this lot. The request is consistent with the residential uses that are prevalent in the surrounding neighborhood. A hardship exists because the non-conforming nature of the site precludes financing options.

To grant a Variance from the provisions of Sections 3356.03, C-4 permitted uses; and 3312.49, Minimum number of parking spaces required, of the Columbus City codes, for the property located at **992-994 S. WALL ST. (43206)**, to

conform an existing two-unit dwelling with reduced parking in the C-4, Commercial District (Council Variance #CV23-013).

WHEREAS, by application #CV23-013, the owner of property at **992-994 S. WALL ST. (43206)**, is requesting a Council Variance to conform an existing two-unit dwelling with reduced parking in the C-4, Commercial District; and

WHEREAS, Section 3356.03, C-4 permitted uses, permits dwelling units only above certain commercial uses, while the applicant proposes to conform the existing two-unit dwelling; and

WHEREAS, Section 3312.49, Minimum number of parking spaces required, requires two parking spaces per dwelling unit, while the applicant proposes to maintain the existing condition of two parking spaces; and

WHEREAS, the Brewery District Commission recommends approval; and

WHEREAS, City Departments recommend approval because this request will not add a new or incompatible use to the area. The requested variance will conform an existing two-unit dwelling in the C-4, Commercial District, which has been long established on this lot and is consistent with the residential uses that are prevalent in the surrounding neighborhood; 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 **992-994 S. WALL ST. (43206)**, 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 Sections 3356.03, C-4 permitted uses; and 3312.49, Minimum number of parking spaces required, of the Columbus City Codes is hereby granted for the property located at **992-994 S. WALL ST. (43206)**, insofar as said sections prohibit a two-unit dwelling in the C-4, Commercial District with two parking spaces; said property being more particularly described as follows:

992-994 S. WALL ST. (43206), being 0.08± acres located on the east side of South Wall Street, 300± feet south of Frederick Street, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, being Part of Lots 1 and 2 of W.F. Kemmler's Corrected Subdivision, as same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, Page 238, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Commencing at a set P.K. nail in the east line of South Wall Street (33 feet wide) at the southwest corner of said Lot 2;

Thence, along the east line of said South Wall Street, and the west line of said Lot 2, North 08 degrees 32 minutes 04 seconds West, 31.52 feet to the TRUE POINT OF BEGINNING OF THIS DESCRIPTION (referenced by a set P.K. nail 0.1' west);

Thence, continuing along said line, North 08 degrees 32 minutes 04 seconds West, 35.15 feet to a set P.K. nail, (said nail being South 08 degrees 32 minutes 04 seconds East, 33.33 feet from the northwest corner of said Lot 1);

Thence, across said Lot 1, parallel with the south line of said Lot 2, North 81 degrees, 32 minutes 56 seconds East, 83.28 feet to a set pony spike;

Thence, across said Lots 1 and 2, parallel with the west line of South High Street, South 08 degrees 30 minutes 00 seconds East, 66.67 feet to a found iron pipe in the south line of said Lot 2;

Thence, along part of the south line of said Lot 2, South 81 degrees, 33 minutes 56 seconds West, 21.98 feet to a set iron pipe;

Thence, across said Lot 2, North 08 degrees, 29 minutes, 53 seconds West, 31.52 feet to a set P.K. nail;

Thence, continuing across said Lot 2, parallel with the south line of said Lot 2, South 81 degrees 33 minutes 56 seconds West, 61.28 feet to the place of beginning CONTAINING 0.083 ACRES subject however, to all legal highways, easements, leases and restrictions of record, and of records in the respective utility offices.

The foregoing description was prepared from an actual field survey made in July 1999 by Myers Surveying Company, Inc. Iron pipes set are 30" x 1" (O.D.) with orange plastic caps inscribed "PS 6579." Basis of bearings is the west line of South High Street held as North 08 degrees 30 minutes 00 seconds West.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a two-unit dwelling, or those uses permitted in the C-4, Commercial District.

SECTION 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.