



Legislation Details (With Text)

File #: 1271-2017 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 5/4/2017 **In control:** Zoning Committee

On agenda: 5/22/2017 **Final action:** 5/24/2017

Title: To grant a Variance from the provisions of Section 3363.01, M-manufacturing district, of the Columbus City codes; for the property located at 1181 SOUTH FRONT STREET (43206), to permit two dwelling units in conjunction with a private artist studio in the M, Manufacturing District (Council Variance # CV17-023).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1271-2017.Attachments, 2. ORD11271-2017.Labels

Date	Ver.	Action By	Action	Result
5/24/2017	1	CITY CLERK	Attest	
5/23/2017	1	MAYOR	Signed	
5/22/2017	1	COUNCIL PRESIDENT	Signed	
5/22/2017	1	Zoning Committee	Approved	Pass
5/15/2017	1	Columbus City Council	Read for the First Time	

Council Variance Application: CV17-023

APPLICANT: Malcolm Cochran; 918 Mount Pleasant Avenue; Columbus, OH 43201.

PROPOSED USE: Two dwelling units and a private artist studio.

COLUMBUS SOUTH SIDE AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is zoned in the M, Manufacturing District. The requested Council variance will permit the conversion of an industrial building into two dwelling units and a private artist studio. The site is within the planning area of the *South Side Plan* (2014), which recommends “Neighborhood Mixed Uses” for this location. The proposal is supported by the *South Side Plan*’s recommendations for adaptive reuse of buildings and retention of the area’s character. The proposed use is also compatible with the surrounding uses, which include nearby commercial and residential uses. In addition, the City of Columbus Zoning Code contains no district allowing a mixture of residential and commercial uses on the ground floor, making a Council variance the only venue the applicant has to pursue such a project.

To grant a Variance from the provisions of Section 3363.01, M-manufacturing district, of the Columbus City codes; for the property located at **1181 SOUTH FRONT STREET (43206)**, to permit two dwelling units in conjunction with a private artist studio in the M, Manufacturing District (Council Variance # CV17-023).

WHEREAS, by application # CV17-023, the owner of property at **1181 SOUTH FRONT STREET (43206)**, is requesting a Council Variance to permit two dwelling units in conjunction with a private artist studio and office in the M, Manufacturing District; and

WHEREAS, Section 3363.01, M-manufacturing district, prohibits residential uses, while the applicant proposes two dwelling units in conjunction with a private artist studio; and

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

WHEREAS, City Departments recommend approval of the requested variance because the nature of the request as a live/work mix of uses that includes the fabrication of art on site is generally consistent with a mixed use recommendation of the *South Side Plan*. In addition, the City of Columbus Zoning Code contains no district allowing a mixture of residential and commercial uses on the ground floor, making this variance the only venue the applicant has to pursue for such a project; 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 **1181 SOUTH FRONT STREET (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 Section 3363.01, M-manufacturing district, of the Columbus City Codes, is hereby granted for the property located at **1181 SOUTH FRONT STREET (43206)**, insofar as said section prohibits 2 dwelling units and a private artist studio in the M, Manufacturing District, said property being more particularly described as follows:

1181 SOUTH FRONT STREET (43206), being 0.77± acres located on the west side of Oak Street, 114± feet north of West Gates Street, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, and being part of Lots 22 and 23 and all of Lots 24 and 25 of the Plat of Subdivision, #1 of the Dorthea Ambos Real Estate as said Lots are numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, page 46 and all of Lots 11, 12, 13 and 14 of HERMAN WIRTH'S SUBDIVISION of Herman W. Jaeger's Homestead of record in Plat Book 4, Page 101 and a part of a vacated 20 foot alley and a part of vacated Second Street vacated by the City of Columbus by Ordinance 257-46 and being part of the tract conveyed to Eastmoor Electrical Contractors, Inc. by deed of record in Deed Book 3686, Page 370, all references being to those records of the Office of Recorder, Franklin County, Ohio, unless otherwise noted and being more particularly bounded and described as follows:

Commencing at an iron pin found at the northwesterly comer of South Front Street (50 feet wide) and Gates Street (50 feet wide) at the southeasterly comer of Lot 19 of said Dorthea Ambos Real Estate Subdivision #1;

Thence with the westerly line of South Front Street, North 02° 20' 00" West, 113.69 feet to a P.K. nail set at THE POINT OF BEGINNING of the following herein described tract;

Thence across said Lots 22 and 23 and part of vacated Second Street and across said Eastmoor Electric Contractors, Inc. tract the following three (3) courses:

- (1) South 87° 54' 23" West, 58.85 feet to a P.K. nail set;
- (2) North 75° 46' 59" West, 61.92 feet to a drill hole set in concrete;
- (3) South 88° 06' 49" West, 21.79 feet to an iron pin set in the Westerly line of vacated Second Street, vacated by the City of Columbus by Ordinance 257-46 and in the easterly line of CONRAIL;

Thence with said easterly line and the westerly line of vacated Second Street, North 02° 20' 00" West, 228.79 feet to an iron point found at the southwesterly corner of the BancOhio National Bank, Trustee tract (Official Record Volume 24493 G-20) and in the centerline of a vacated 20-foot alley (Ordinance 257-46);

Thence with said centerline and the southerly line of said BancOhio National Bank, Trustee tract, North 87° 03' 59" East, 140.00 feet to an iron pin found in the Westerly line of South Front Street;

Thence with said westerly line, South 02° 20' 00" East, 248.31 feet to the place of beginning and CONTAINING 0.774 ACRES.

Iron pins set are 30" x 1" O.D. with orange plastic caps inscribed "P.S. 6579". Basis of bearings for the foregoing description is from Deed Book 3686, Page 370, the westerly line of South Front Street held as South 02° 20' 00" East.

Parcel ID: 010-238245-00

Commonly Known As: 1181 S. Front St., 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 no more than two dwelling units and a private artist studio in the M, Manufacturing District.

SECTION 3. That this ordinance is further conditioned on 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.