



## Legislation Details (With Text)

**File #:** 1974-2017      **Version:** 2

**Type:** Ordinance      **Status:** Passed

**File created:** 7/12/2017      **In control:** Zoning Committee

**On agenda:** 7/31/2017      **Final action:** 8/3/2017

**Title:** To grant a Variance from the provisions of Sections 3356.03, C-4 Permitted Uses; 3312.13, Driveway; and 3312.25, Maneuvering, of the Columbus City codes, for the property located at 1021 SOUTH HIGH STREET (43206), to conform an existing single-unit dwelling with reduced development standards in the C-4, Commercial District (Council Variance # CV17-045).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1974-2017AttachmentsAmended.pdf, 2. ORD1974-2017Attachments, 3. ORD1974-2017Labels

Date	Ver.	Action By	Action	Result
8/3/2017	2	ACTING CITY CLERK	Attest	
8/2/2017	2	MAYOR	Signed	
7/31/2017	2	COUNCIL PRESIDENT	Signed	
7/31/2017	1	Zoning Committee	Approved as Amended	Pass
7/31/2017	1	Zoning Committee	Amended as submitted to the Clerk	Pass
7/24/2017	1	Columbus City Council	Read for the First Time	

**Council Variance Application: CV17-045**

**APPLICANT:** Austin Caulk; 1021 South High Street; Columbus, OH 43215.

**PROPOSED USE:** Conform an existing single-unit dwelling.

**BREWERY DISTRICT COMMISSION RECOMMENDATION:** ~~To be determined at the July 27, 2017 Business meeting.~~ **No recommendation available.**

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is developed with a nonconforming single-unit dwelling zoned in the C-4, Commercial District. The requested Council variance will conform the existing single-unit dwelling. Variances to driveway width and maneuvering are included in the request to permit a garage in the location of an existing garage foundation/parking pad. The site is within the planning area of the *Brewery District Plan* (1992), which recognizes single-unit residential use as a predominant existing use in the Southern Tier sub-district. This request will not add a new or incompatible use to the area. The requested variance will conform an existing single-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. 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; 3312.13, Driveway; and 3312.25,

Maneuvering, of the Columbus City codes, for the property located at **1021 SOUTH HIGH STREET (43206)**, to conform an existing single-unit dwelling with reduced development standards in the C-4, Commercial District (Council Variance # CV17-045).

**WHEREAS**, by application # CV17-045, the owner of property at **1021 SOUTH HIGH STREET (43206)**, is requesting a Council Variance to conform an existing single-unit dwelling with reduced development standards in the C-4, Commercial District; and

**WHEREAS**, Section 3356.03, C-4 Permitted Uses, prohibits dwellings on the ground floor, while the applicant proposes to conform an existing a single-unit dwelling; and

**WHEREAS**, Section 3312.13, Driveway, requires driveways serving parking lots to have a minimum width of 10 feet, while the applicant proposes to maintain an approximately 8± foot wide driveway that is divided by tax parcel line and shared with adjacent Parcels 010-031578 and 010-041823; and

**WHEREAS**, Section 3312.25, Maneuvering, requires sufficient maneuvering for parking spaces, while the applicant proposes to maintain a reduced maneuvering area on this property of 8± feet, which continues over tax parcel lines for the driveway shared with adjacent Parcels 010-031578 and 010-041823; and

**WHEREAS**, the Brewery District Commission **has not made a formal recommendation due to a lack of quorum at the July 27, 2017 Business meeting, but all members have indicated unanimous support of the proposed variances**; 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 single-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 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 **1021 SOUTH HIGH 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 Sections 3356.03, C-4 Permitted Uses; 3312.13, Driveway; and 3312.25, Maneuvering, of the Columbus City Codes is hereby granted for the property located at **1021 SOUTH HIGH STREET (43206)**, insofar as said sections prohibit a single-unit dwelling in the C-4, Commercial District; with reduced driveway width from 10 feet to 8± feet that is shared with adjacent properties, and a reduced maneuvering area on this property from 20 feet to 8± feet, which continues over tax parcel lines on adjacent properties; said property being more particularly described as follows:

**1021 SOUTH HIGH STREET (43206)**, being 0.17± acres located on the west side of South High Street, 37± feet north of West Deshler Street, and being more particularly described as follows:

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

Being Lot Number Two of JOHN KNOPF's SUBDIVISION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 3, Page 406, Recorder's Office, Franklin County, Ohio.

Tax Parcel Number: 010-043853

Property Address: 1021 South High 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 a single-unit dwelling or those uses permitted in the C-4, Commercial 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 is further conditioned on the following: Prior to a building permit being granted for a detached garage, the recorded instrument number for the required cross access easement associated with the properties at 24 West Deshler Avenue (010-031578 ) and 1025 South High Street (010-041823) must be submitted to the Division of Traffic Management, and adequate physical maneuvering space must be provided to enter and exit the garage as approved by the Division of Traffic Management.

**SECTION 5.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.