



Legislation Details (With Text)

File #: 1572-2010 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 10/25/2010 **In control:** Zoning Committee

On agenda: 11/15/2010 **Final action:** 11/17/2010

Title: To grant a Variance from the provisions of Sections 3363.01, M-Manufacturing district; of the Columbus City Codes for property located at 941 SOUTH FRONT STREET (43215), to conform a single-unit dwelling in the M, Manufacturing District.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1572-2010.attchmnts.pdf, 2. City Council Data Form_CV10-031.pdf, 3. ORD1572-2010lbs.pdf, 4. Notice Of Public Hearing - Council Mtg.pdf

Date	Ver.	Action By	Action	Result
11/17/2010	1	CITY CLERK	Attest	
11/16/2010	1	MAYOR	Signed	
11/15/2010	1	Zoning Committee	Approved	Pass
11/15/2010	1	COUNCIL PRESIDENT	Signed	
11/8/2010	1	Columbus City Council	Read for the First Time	
11/1/2010	1	BUILDING ZONING DIRECTOR	Reviewed and Approved	
11/1/2010	1	Building and Zoning Drafter	Sent to Clerk's Office for Council	
10/29/2010	1	Building and Zoning Reviewer	Reviewed and Approved	
10/29/2010	1	Building and Zoning Drafter	Sent for Approval	
10/25/2010	1	Building and Zoning Drafter	Sent for Approval	

APPLICANT: Angela D. Clarke; 770 Range Drive; Galloway, OH 43119.

PROPOSED USE: To conform a single-unit dwelling.

BREWERY DISTRICT COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant is applying for a Council variance to conform an existing single-unit dwelling in the M, Manufacturing District so they may receive financing. The proposal is consistent with *The Brewery District Plan* (1993) which calls for preserving the residential character of the area. The M, Manufacturing District does not reflect the development pattern of the area. Staff finds that it would be too burdensome on this property owner to rezone this site and believes a City sponsored rezoning of the area is more appropriate.

To grant a Variance from the provisions of Sections 3363.01, M-Manufacturing district; of the Columbus City Codes for property located at **941 SOUTH FRONT STREET (43215)**, to conform a single-unit dwelling in the M, Manufacturing District.

WHEREAS, by application No. CV10-031, the owner of property at **941 SOUTH FRONT STREET (43215)**, is requesting a Council variance to permit a single-unit dwelling in the M, Manufacturing District; and

WHEREAS, Section 3363.01, M-Manufacturing districts, prohibits residential development, while the applicant proposes to conform an existing single-unit dwelling; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed use; and

WHEREAS, the Brewery District Commission recommends approval; and

WHEREAS, the City Departments recommend approval because the applicant is applying for a Council variance to conform an existing single-unit dwelling in the M, Manufacturing District so they may receive financing. The proposal is consistent with *The Brewery District Plan* (1993) which calls for preserving the residential character of the area. The M, Manufacturing District does not reflect the development pattern of the area. Staff finds that it would be too burdensome on this property owner to rezone this site and it is staff's hope that the M, Manufacturing zoning will eventually be replaced via a City sponsored rezoning of the area; and

WHEREAS, the granting of said variance will not impair an adequate supply of light and air to adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals, or welfare of the inhabitants of the city; and

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at **941 SOUTH FRONT STREET (43215)**, 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 3363.01, M-Manufacturing districts, of the Columbus City Codes for property located at **941 SOUTH FRONT STREET (43215)**, insofar as said section prohibit a single-unit dwelling; said property being more particularly described as follows:

Legal Description: Situated in The State of Ohio, County of Franklin, City of Columbus Being Part of Lot 35 Frederick Michel's Subdivision Plat Book 3, Page 114

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 M-Manufacturing District.

Section 3. That this ordinance is further conditioned on substantial compliance with the registered site plan titled, "**EXHIBIT A**," signed by Angela Clarke, Applicant, and dated October 27, 2010. The Subject Site shall be developed in accordance with the site plan. The site plan may be slightly adjusted to reflect engineering, topographical or other site data developed at the time of development and engineering plans are completed. Any slight adjustment to the plan shall be reviewed and may be approved by the Director of the Department of Building Services or 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 Occupancy 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.

