



Legislation Details (With Text)

File #: 0935-2012 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 4/23/2012 **In control:** Zoning Committee

On agenda: 5/14/2012 **Final action:** 5/17/2012

Title: To grant a Variance from the provisions of Sections 3356.03, C-4, permitted uses; 3312.49, Minimum number of parking spaces required; and 3356.11, C-4 district setback lines, of the Columbus City Codes; for the property located at 723 SOUTH PEARL STREET (43206), to conform an existing single-unit dwelling in the C-4, Commercial District with reduced development standards (Council Variance # CV12-007).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD0935-2012Attachments

Date	Ver.	Action By	Action	Result
5/17/2012	1	CITY CLERK	Attest	
5/16/2012	1	MAYOR	Signed	
5/14/2012	1	COUNCIL PRESIDENT	Signed	
5/14/2012	1	Zoning Committee	Approved	Pass
5/7/2012	1	Columbus City Council	Read for the First Time	

Council Variance Application: CV12-007

APPLICANT: David J. Lewis; c/o Eric Gledhill, Agent; 730 South High Street; Columbus, OH 43206.

PROPOSED USE: Single-unit dwelling.

BREWERY DISTRICT COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The requested variance will conform an existing single-unit dwelling in the C-4, Commercial District. A Council variance is necessary because dwellings are only permitted above specified commercial uses in the C-4, Commercial District. The site is located within the High Street Corridor Subarea of the Southern Tier of the *Brewery District Plan* (1992), which states that the current zoning does not accurately represent the existing residential uses, and emphasizes the residential character of the area. A hardship exists because the non-conforming nature of the site precludes financing options and prevents the owner from making improvements to the structure. The dwelling has been long established on this lot, and is consistent with the residential uses that are prevalent in the surrounding neighborhood. Approval of this request will not add a new or incompatible use to the area.

To grant a Variance from the provisions of Sections 3356.03, C-4, permitted uses; 3312.49, Minimum number of parking spaces required; and 3356.11, C-4 district setback lines, of the Columbus City Codes; for the property located at **723 SOUTH PEARL STREET (43206)**, to conform an existing single-unit dwelling in the C-4, Commercial District with

reduced development standards (Council Variance # CV12-007).

WHEREAS, by application No. CV12-007, the owner of property at **723 SOUTH PEARL STREET (43206)** is requesting a Council variance to conform an existing single-unit dwelling in the C-4, Commercial District with reduced development standards; and

WHEREAS, Section 3356.03, C-4 Permitted Uses, permits dwelling units only above certain commercial uses, while the applicant proposes to maintain an existing single-unit dwelling; and

WHEREAS, Section 3312.49, Minimum number of parking spaces required, requires two (2) parking spaces per dwelling unit, while the applicant proposes to maintain one (1) parking space; and

WHEREAS, Section 3356.11, C-4 district setback lines, requires a 10-foot building setback line along South Pearl Street, while applicant proposes to maintain a building setback line of 9.7 feet; and

WHEREAS, The Brewery District Commission recommends approval; and

WHEREAS, The 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, and the *Brewery District Plan* recognizes that the current zoning does not accurately represent the existing residential uses, and emphasizes the residential character of the area; 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 the 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 of Columbus; and

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owner of the property located at **723 SOUTH PEARL STREET (43206)**, in using said property as desired; now, therefore:

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

SECTION 1. Variance from the provisions of Sections 3356.03, C-4, permitted uses; 3312.49, Minimum number of parking spaces required; and 3356.11, C-4 district setback lines, of the Columbus City Codes, are hereby granted for the property located at **723 SOUTH PEARL STREET (43206)**, in that said sections prohibit a single-unit dwelling in the C-4, Commercial District with only one (1) parking space, and a building setback of 9.7 feet along South Pearl Street; said property being more particularly described as follows:

723 SOUTH PEARL STREET (43206), being 0.07± acres located on the west side of South Pearl Street, 32.5± feet north of Frankfort Street, and being more particularly described as follows:

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

Being the northeastern part (30' wide by 93.75' deep) of Lot Number Four (4) of C.F. JAEGER'S ADDITION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 33, Page 11, Recorder's Office, Franklin County.

Parcel Number: 010-025985

Property Address: 723 South Pearl Street; Columbus, Ohio 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.

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