



## Legislation Details (With Text)

**File #:** 0495-2005      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 3/2/2005      **In control:** Zoning Committee  
**On agenda:** 4/18/2005      **Final action:** 4/20/2005  
**Title:** To grant a Variance from the provisions of Section 3356.03, C-4 permitted uses; for the property located at 1204-1206 NORTH SIXTH STREET (43201), to permit an existing two-family dwelling with reduced development standards in the C-4, Commercial District.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0495-2005 Hardship.pdf, 2. ORD0495-2005 site plan.pdf, 3. ORD0495-2005 zone.pdf, 4. ORD0495-2005 gis.pdf, 5. ORD0495-2005 aerial.pdf, 6. ORD0495-2005 AC email.pdf, 7. ORD0495-2005 Disclosure.pdf, 8. ORD0495-2005 labels.pdf, 9. CV04-030 Data Form.pdf

Date	Ver.	Action By	Action	Result
4/20/2005	1	MAYOR	Signed	
4/20/2005	1	CITY CLERK	Attest	
4/18/2005	1	Zoning Committee	Approved	Pass
4/18/2005	1	COUNCIL PRESIDENT	Signed	
4/4/2005	1	Dev Zoning Drafter	Sent to Clerk's Office for Council	
4/1/2005	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
3/31/2005	1	Dev Zoning Drafter	Sent for Approval	
3/29/2005	1	Dev Zoning Reviewer	Reviewed and Approved	
3/2/2005	1	Dev Zoning Drafter	Sent for Approval	

### COUNCIL VARIANCE APPLICATION CV03-030

**APPLICANT:** William Mokris; 850 Moon Glow Court; Gahanna, OH 43230.

**PROPOSED USE:** To permit an existing two-family dwelling in the C-4, Commercial District.

**UNIVERSITY AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. This variance will make an existing two-family dwelling a conforming use so that the applicant can obtain building permits to repair fire damage that exceeds 50% of the value of the existing two-family dwelling. The existing two-family dwelling is consistent with surrounding development that includes single-family and two-family dwellings, a church and school. A hardship exists in that the existing two-family dwelling is a prohibited use in the C-4, Commercial District, while the applicant proposes to continue use of an existing two-family dwelling in the C-4 zoning district. Additional variances are requested to eliminate on-site maneuvering and to reduce minimum aisle width for existing parking spaces.

To grant a Variance from the provisions of Section 3356.03, C-4 permitted uses; for the property located at **1204-1206 NORTH SIXTH STREET (43201)**, to permit an existing two-family dwelling with reduced development standards in the C-4, Commercial

District.

**WHEREAS**, by application No. CV03-030, the owner of property at **1204-1206 NORTH SIXTH STREET (43201)**, is requesting a Council Variance to make an existing two-family dwelling a conforming use on the property; and

**WHEREAS**, said variance is necessitated because the existing two-family dwelling is a prohibited use in the C-4, Commercial District, and the applicant cannot obtain building permits to repair fire damage that exceeds 50% of the value of the existing building; and

**WHEREAS**, Section 3356.03, C-4 Permitted Uses, permits dwelling units only above specified commercial uses in the C-4, Commercial District, while the applicant proposes to make an existing two-family dwelling a conforming use on the property; and

**WHEREAS**, Section 3342.15, Maneuvering, requires maneuvering for parking spaces on a lot, while the applicant proposes to provide maneuvering for four existing parking spaces in the twelve (12) foot wide public alley that is located north of said parking spaces; and

**WHEREAS**, Section 3342.06, Aisle, requires an aisle at least twenty (20) feet wide to serve parking spaces with an angle of 80 degrees or more, while the applicant proposes to provide twelve (12) feet of maneuvering for parking spaces that have a 90 degree angle; and

**WHEREAS**, City Departments note a hardship exists and recommend approval because the applicant cannot obtain building permits to repair fire damage that exceeds 50% of the value of an existing two-family dwelling that is compatible with surrounding single and two-family dwellings, a church and school; and

**WHEREAS**, the University Area Commission recommends approval; 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 **1204-1206 NORTH SIXTH STREET (43201)** in using said property as desired; now, therefore:

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

**Section 1.** That variances are granted from the provisions of Sections 3356.01, C-4 permitted uses; 3342.06, Aisle; and 3342.15, Maneuvering; for the property located at **1204-1206 NORTH SIXTH STREET (43201)**, insofar as said sections prohibit a two-family dwelling with a commercially zoned parking lot without on-site maneuvering for parking spaces and a twelve (12) foot wide aisle to serve parking spaces with an angle of 90 degrees, said property being more particularly described as follows:

Situated in the City of Columbus, County of Franklin and in the State of Ohio and bounded and described as follows:

Being Lot No. 56 of CORNELIA F. DAVIS and others Subdivision of a part of Lot No. 5 of Stevenson's Heirs Subdivision of Quarter Township No. 4, Township 1, Range 18, United States Military Lands, as the said lot is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 4, Page 171, Recorder's Office, Franklin county, Ohio.

Property address: 1204-1206 North 6<sup>th</sup> Street  
Franklin County Auditor's Tax Parcel No. 010-025838.

**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-family or two-family dwelling, or those uses permitted in the C-4, Regional Scale Commercial District.

**Section 3.** That this ordinance is further conditioned on general conformance with the site plan only on the drawing dated March 22, 2005 and titled, "**NEW FIRE DAMAGE INTERIOR REPAIRS FOR THE RODMAN R ENSMINGER DUPLEX**," and signed on March 22, 2005 by William Mokris, agent for the applicant. Building elevations shown on this drawing are illustrative only.

**Section 4.** That this ordinance is further conditioned in that any new residential construction on this lot shall comply with R-2F, Residential District development standards, except that minimum lot width shall be 36± feet, minimum lot area shall be 3935.16± square feet (excluding alley right-of-way), and side yards shall be at least two (2) feet, eight (8) inches wide.

**Section 5.** That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

**Section 6.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.