



## Legislation Details (With Text)

**File #:** 2412-2012      **Version:** 1

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

**File created:** 10/29/2012      **In control:** Zoning Committee

**On agenda:** 12/3/2012      **Final action:** 12/5/2012

**Title:** To grant a Variance from the provisions of Sections 3332.035, R-3, Residential District; and 3312.49, Minimum numbers of parking spaces required, of the Columbus City codes; for the property located at 2621-23 NORTH FOURTH STREET (43202), to permit a two-unit dwelling with reduced parking in the R-3, Residential District (Council Variance # CV12-044).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD2412-2012attachments, 2. Notice Of Public Hearing - Council Mtg20121119

Date	Ver.	Action By	Action	Result
12/5/2012	1	CITY CLERK	Attest	
12/4/2012	1	MAYOR	Signed	
12/3/2012	1	COUNCIL PRESIDENT	Signed	
12/3/2012	1	Zoning Committee	Taken from the Table	Pass
12/3/2012	1	Zoning Committee	Approved	Pass
11/19/2012	1	Zoning Committee	Tabled to Certain Date	Pass
11/12/2012	1	Columbus City Council	Read for the First Time	

**Council Variance Application: CV12-044**

**APPLICANT:** Andrea Maclam Ashley; 2623 North Fourth Street; Columbus, OH 43202.

**PROPOSED USE:** To conform an existing two-unit dwelling with reduced parking in the R-3, Residential District.

**UNIVERSITY AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The applicant is applying for a Council variance to conform an existing two-unit dwelling in the R-3, Residential District, which only permits single-unit dwellings. The applicants are also seeking a variance to conform the existing parking situation since they only have two off street parking spaces, while four are required. The applicants are experiencing difficulty in obtaining mortgage financing and insurance since the existing structure cannot be rebuilt with two-units. The existing two-unit dwelling is consistent with the surrounding land use pattern and has posed no detrimental effects on the surrounding neighborhood during its existence, therefore Staff recommends approval.

To grant a Variance from the provisions of Sections 3332.035, R-3, Residential District; and 3312.49, Minimum numbers of parking spaces required, of the Columbus City codes; for the property located at **2621-23 NORTH FOURTH STREET (43202)**, to permit a two-unit dwelling with reduced parking in the R-3, Residential District (Council Variance # CV12-044).

**WHEREAS**, by application # CV12-044, the owner of the property at **2621-23 NORTH FOURTH STREET (43202)**, is requesting a Variance to permit a two-unit dwelling in the R-2, Residential District; and

**WHEREAS**, Section 3332.035, R-3 Residential District, permits only single-unit dwellings, while the applicant proposes to maintain an existing two-unit dwelling; and

**WHEREAS**, Section 3312.49, Minimum numbers of parking spaces required, requires two (2) parking spaces per dwelling unit, totaling four (4) required spaces, while the applicant proposes to maintain two (2) parking spaces; and

**WHEREAS**, the University Area Commission recommends approval; and

**WHEREAS**, City Departments recommend approval because the existing two-unit dwelling is consistent with the surrounding land use pattern and has posed no detrimental effects on the surrounding neighborhood during its existence; 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 owner of the property located at **2621-23 NORTH FOURTH STREET (43202)**, 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 3332.035, R-3, Residential District; and 3312.49, Minimum numbers of parking spaces required, of the Columbus City codes, is hereby granted for the property located at **2621-23 NORTH FOURTH STREET (43202)**, insofar as said sections prohibit a two-unit dwelling with two parking spaces where four (4) parking spaces would be required; said property being more particularly described as follows: **2621-23 NORTH FOURTH STREET (43202)**, being 0.09± acres located on the west side of North Fourth Street, 66± feet east of Arcadia 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 One Hundred Sixty-four (164) in INDIANOLA PARK VIEW ADDITION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 9, Page 1-B, Recorder's Office, Franklin County, Ohio.

And being more commonly known as 2621-23 North Fourth Street, Columbus, OH 43207  
Franklin County Parcel Number 010-038976

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as the existing structure is used as a two-unit dwelling.

**SECTION 3.** That this ordinance is further conditioned upon 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.