



Legislation Details (With Text)

File #: 0205-2005 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 1/25/2005 **In control:** Zoning Committee
On agenda: 2/28/2005 **Final action:** 3/2/2005
Title: To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential District; 3342.19, Parking space; and 3342.28, Minimum number of parking spaces required; of the Columbus City codes for the property located at 1403 EASTWOOD AVENUE (43203), to permit an apartment hotel (a bed and breakfast) with reduced development standards in the R-2F, Residential District (Council Variance # CV04-046).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD0205-2005Hardship&Maps.pdf, 2. ORD0205-2005Labels.pdf, 3. ORD0205-2005DataSheetxls

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------------|------------------------------------|--------|
| 3/2/2005 | 1 | MAYOR | Signed | |
| 3/2/2005 | 1 | CITY CLERK | Attest | |
| 2/28/2005 | 1 | Zoning Committee | Approved | Pass |
| 2/28/2005 | 1 | Zoning Committee | Waive the 2nd Reading | Pass |
| 2/28/2005 | 1 | COUNCIL PRESIDENT | Signed | |
| 2/14/2005 | 1 | Dev Zoning Drafter | Sent to Clerk's Office for Council | |
| 2/12/2005 | 1 | DEVELOPMENT DIRECTOR | Reviewed and Approved | |
| 2/10/2005 | 1 | Dev Zoning Reviewer | Reviewed and Approved | |
| 2/10/2005 | 1 | Dev Zoning Drafter | Sent for Approval | |
| 2/9/2005 | 1 | Dev Zoning Drafter | Sent for Approval | |

Council Variance Application: CV04-046

APPLICANT: Richard A. Smiley; c/o Donald Plank, Esq.; Plank and Brahm; 145 East Rich Street; Columbus, OH 43215.

PROPOSED USE: Apartment hotel (bed and breakfast).

NEAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant is requesting a Council variance to allow an existing single-family dwelling to be used as an apartment hotel (a bed and breakfast) with living quarters for the owners and a maximum of five (5) guest rooms in the R-2F, Residential District. A variance is necessary because only the AR-2, AR-3, and AR-4, Apartment Residential Districts allow apartment hotel use. Other variances include reductions for the number of required parking spaces from six (6) to four (4), and the required length of two (2) parking spaces from eighteen (18) feet to 16.5 feet to permit stacked parking on the existing concrete driveway in front of the garage. A hardship exists in that apartment hotels are usually integrated into residential neighborhoods in order for patrons to experience the ambiance and charm that the neighborhood can offer, as opposed to being located in high density multi-family residential districts where they are currently permitted. The apartment hotel facility will function as a low impact use that is residential in nature that should integrate well with surrounding residential uses.

To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential District; 3342.19, Parking space; and 3342.28, Minimum number of parking spaces required; of the Columbus City codes for the property located at **1403 EASTWOOD AVENUE (43203)**, to permit an apartment hotel (a bed and breakfast) with reduced development standards in the R-2F, Residential District (Council Variance # CV04-046).

WHEREAS, by application #CV04-046, the owner of the property at **1403 EASTWOOD AVENUE (43203)**, is requesting a Variance to permit an apartment hotel with reduced development standards in the R-2F, Residential District; and

WHEREAS, Section 3332.037, R-2F, Residential district, does not permit apartment hotel use, while the applicant proposes to convert an existing single-family dwelling into an apartment hotel with living quarters for the owners and a maximum of five (5) guest rooms, with reduced development standards; and

WHEREAS, Section 3342.19, Parking space, requires that a parking space shall be a rectangular area of not less than nine (9) feet by eighteen (18) feet with no stacking permitted, while the applicant proposes two stacked parking spaces that are 16.5 feet in length in front of 2 garage parking spaces; and

WHEREAS, Section 3342.28, Minimum number of parking spaces required, requires one parking space per dwelling unit, or six (6), while the applicant proposes four (4) on-site parking spaces, and has the ability to use the Congregation Tifereth Israel synagogue parking lot across the alley to the west of the site for additional parking spaces; and

WHEREAS, this variance will allow an apartment hotel with reduced development standards in the R-2F, Residential District; and

WHEREAS, the Near East Area Commission recommends approval; and

WHEREAS, City Departments recommend approval and note a hardship exists because the requested Council variance will allow an existing single-family dwelling to be used as an apartment hotel (a bed and breakfast) with living quarters for the owners and a maximum of five (5) guest rooms in the R-2F, Residential District. A variance is necessary because only the AR-2, AR-3, and AR-4, Apartment Residential Districts allow apartment hotel use. Apartment hotels are usually integrated into residential neighborhoods in order for patrons to experience the ambiance and charm that the neighborhood can offer, as opposed to being located in high density multi-family residential districts where they are currently permitted. The apartment hotel facility will function as a low impact use that is residential in nature that should integrate well with surrounding residential uses; and

WHEREAS, said ordinance requires separate submission for all applicable permits and a 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 **1403 EASTWOOD AVENUE (43203)**, in using said property as desired and; now, therefore:

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

SECTION 1. That a variance from the provisions of Sections 3332.037, R-2F, Residential district; 3342.19, Parking space; 3342.28, Minimum number of parking spaces required; of the Columbus City codes for the property located at **1403 EASTWOOD AVENUE (43203)**, insofar as said sections prohibit an apartment hotel with two (2) stacked parking spaces that are 16.5 feet in length, and a parking space reduction from six (6) required spaces to four (4) spaces; said property being more particularly described as follows:

1403 EASTWOOD AVENUE (43203), being 0.14± acres located at the southeast corner of Eastwood Avenue and Burt Street, and being more particularly described as follows:

Situated in the State of Ohio, the County of Franklin, and the City of Columbus, and being Lot Number Eighteen (18) of Eastwood Heights Addition as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, Page 109,

Recorder's Office, Franklin County, Ohio.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used as an apartment hotel (a bed and breakfast), or those uses permitted in the R-2F, Residential District.

SECTION 3. That this ordinance is further conditioned upon not more than five (5) guest rooms being available for use in addition to the living quarters of the owner.

SECTION 4. That this ordinance is further conditioned upon 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.