



## Legislation Details (With Text)

**File #:** 2065-2004      **Version:** 2

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

**File created:** 11/10/2004      **In control:** Zoning Committee

**On agenda:** 11/29/2004      **Final action:** 12/1/2004

**Title:** To grant a Variance from the provisions of Section 3332.033, R-2, Residential District; for the property located at 2371 BRETNELL BOULEVARD (43211), to permit a manufactured home on a lot zoned in the R-2, Residential District and to declare an emergency (Council Variance CV04-038).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD2065-2004 hardship.pdf, 2. ORD2065-2004 zone.pdf, 3. ORD2065-2004 gis.pdf, 4. ORD2065-2004 Area plan.pdf, 5. ORD2065-2004 Area rec.pdf, 6. ORD2065-2004 site plan.pdf, 7. ORD2065-2004 elevations.pdf, 8. ORD2065-2004 disclosure.pdf, 9. ORD2065-2004 labels.pdf, 10. CV04-038 Data Form 2.pdf

Date	Ver.	Action By	Action	Result
12/1/2004	2	ACTING CITY CLERK	Attest	
11/30/2004	2	MAYOR	Signed	
11/29/2004	1	Zoning Committee	Amended to Emergency	Pass
11/29/2004	1	Zoning Committee	Approved as Amended	Pass
11/29/2004	2	COUNCIL PRESIDENT	Signed	
11/22/2004	1	Columbus City Council	Read for the First Time	
11/12/2004	1	Dev Zoning Reviewer	Reviewed and Approved	
11/12/2004	1	Dev Zoning Drafter	Sent for Approval	
11/12/2004	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
11/12/2004	1	Dev Zoning Drafter	Sent to Clerk's Office for Council	
11/10/2004	1	Dev Zoning Drafter	Sent for Approval	

**Council Variance:** CV04-038.

**APPLICANT:** Richard Thomas, Rona Enterprises, Inc., 12000 East Broad Street; Columbus, OH 43062.

**PROPOSED USE:** Permit a manufactured home in the R-2, Residential District .

**NORTH EAST AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. This variance will allow the property owners to install a manufactured home to replace a single-family residential dwelling that was destroyed by a fire. The proposed use is consistent with the *North East Area Plan* (1990) recommendation for single-family residential development and the manufactured home will be similar in size and appearance to the single-family dwelling previously located on this lot. The proposed manufactured home will meet R-2, Residential District development standards. An existing garage will be retained. A hardship exists in that the R-2, Residential District permits one single-family dwelling, and manufactured homes are excluded from the definition of a single-family dwelling.

To grant a Variance from the provisions of Section 3332.033, R-2, Residential District; for the property located at **2371 BRETNELL BOULEVARD (43211)**, to permit a manufactured home on a lot zoned in the R-2, Residential District **and to declare an emergency** (Council Variance CV04-038).

**WHEREAS**, by application No. CV04-038, the owners of property at **2371 BRETNELL BOULEVARD (43211)**, are requesting a Council Variance to permit a manufactured home on a lot zoned in the R-2, Residential District; and

**WHEREAS**, the applicant has submitted a site plan and sample elevations to document that the proposed manufactured home can comply with R-2, Residential District development standards and is similar in size and appearance to the previous single-family dwelling on this site; and

**WHEREAS**, the North East Area Commission recommends approval; and

**WHEREAS**, City Departments note a hardship exists and recommend approval because the proposed manufactured home will meet R-2, Residential District development standards and will be similar in size and appearance to the single-family dwelling previously located on this lot, and a Council variance is the only means to allow a manufactured home on a lot in the R-2, Residential District; 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, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance due to the fact that the homeowners are senior citizens and have been living in temporary conditions since their home was lost due to a fire last year and are therefore eager to start construction and minimize construction delays and further hardship due to winter weather for the immediate preservation of the public peace, property, health and safety; and**

**WHEREAS**, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at **2371 BRETNELL BOULEVARD (43211)**, in using said property as desired; now, therefore:

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

**SECTION 1.** That a variance is granted from the provisions of Section 3332.033, R-2, Residential District, of the Columbus City codes; for the property located at **2371 BRETNELL BOULEVARD (43211)**, insofar as said section prohibits a manufactured home on a lot zoned in the R-2, Residential District; said property being more particularly described as follows:

**LEGAL DESCRIPTION FOR 2371 BRETNELL BOULEVARD**

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

Being Lot Number Seven (7), Block "H", in Arlington Park No. 2, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 27, page 7, Recorder's Office, Franklin County, Ohio.

PARCEL NO.: 010-109132.

PROPERTY ADDRESS: 2371 Brentnell Boulevard, Columbus, Ohio 43211.

Prior Instrument Reference: Recorded in Official Record 1442, Page B06, Of the Deed Records of 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 for one manufactured home, or those uses permitted in the R-2, Residential District.

**SECTION 3.** That this ordinance is further conditioned in that the installation of a manufactured home must comply with R-2, Residential District development standards.

**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.~~ **That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.**