



Legislation Details (With Text)

File #: 2058-2005 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 11/17/2005 **In control:** Zoning Committee

On agenda: 5/1/2006 **Final action:** 5/3/2006

Title: To grant a Variance from the provisions of Sections 3332.039, R-4, Residential district; 3332.25, Maximum side yard required; 3332.26, Minimum side yard permitted; and 3342.28, Minimum number of parking spaces required of the Columbus City codes; for the property located at 325 WEST EIGHTH AVENUE (43201), to allow a temporary medical administration office with reduced development standards in the R-4, Residential District (Council Variance # CV05-054).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD2058-2005Hardship&Maps.pdf, 2. ORD2058-2005Labels.pdf, 3. ORD2058-2005DataSheet.pdf

Date	Ver.	Action By	Action	Result
5/3/2006	1	MAYOR	Signed	
5/3/2006	1	CITY CLERK	Attest	
5/1/2006	1	Zoning Committee	Taken from the Table	Pass
5/1/2006	1	Zoning Committee	Approved	Pass
5/1/2006	1	COUNCIL PRESIDENT	Signed	
4/24/2006	1	Zoning Committee	Taken from the Table	Pass
4/24/2006	1	Zoning Committee	Tabled to Certain Date	Pass
4/3/2006	1	Zoning Committee	Tabled to Certain Date	Pass
4/3/2006	1	Zoning Committee	Waive the 2nd Reading	Pass
1/9/2006	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
1/9/2006	1	Dev Zoning Drafter	Sent to Clerk's Office for Council	
1/6/2006	1	Dev Zoning Reviewer	Reviewed and Approved	
1/6/2006	1	Dev Zoning Drafter	Sent for Approval	
12/1/2005	1	Dev Zoning Drafter	Sent for Approval	

Council Variance Application: CV05-054

APPLICANT: Maria E. Koob; P.O. Box 12128; Columbus, OH 43212.

PROPOSED USE: Temporary medical administration office.

UNIVERSITY AREA COMMISSION RECOMMENDATION: Disapproval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is developed with a single-family dwelling, and is zoned in the R-4, Residential District. The applicant requests a Council Variance to allow a temporary

administrative office for the Ohio State University Medical Center. The office will be used by employees of the James Cancer Hospital for a maximum period of ten (10) years to alleviate overcrowding until an expansion of the Ohio State University Medical Center is complete. The site will not be open to the public, and no clinical activity or patient care will occur there. The variance is conditioned upon the expiration of the temporary use after a ten-year period, and other commitments are provided to ensure compatibility with the adjacent residential uses. Additional variances for the existing non-conforming side yard and for the minimum number of parking spaces required are also requested. Since the staff using the temporary office space will be using existing University parking facilities, parking is not needed for the site. A hardship exists in that a demand for the dwelling to be used residentially has been extremely low, and the University is in need of temporary office space until their expansion project is complete. With the conditions proposed, the temporary use of the dwelling as a medical administration office will not have a negative impact on the surrounding neighborhood.

To grant a Variance from the provisions of Sections 3332.039, R-4, Residential district; 3332.25, Maximum side yard required; 3332.26, Minimum side yard permitted; and 3342.28, Minimum number of parking spaces required of the Columbus City codes; for the property located at **325 WEST EIGHTH AVENUE (43201)**, to allow a temporary medical administration office with reduced development standards in the R-4, Residential District (Council Variance # CV05-054).

WHEREAS, by application #CV05-054, the owner of the property at **325 WEST EIGHTH AVENUE (43201)**, is requesting a Variance to allow a temporary medical administration office with reduced development standards in the R-4, Residential District; and

WHEREAS, Section 3332.039, R-4, Residential district, prohibits office uses, while the applicant proposes to convert an existing single-family dwelling into a temporary medical administration office for a period of ten (10) years; and

WHEREAS, Section 3332.25, Maximum side yard required, requires the sum of the widths of each side yard to equal twenty (20) percent of the lot width, or 7.12 feet, while the applicant proposes to maintain a maximum side yard totaling 5.8 feet for the existing building; and

WHEREAS, Section 3332.26, Minimum side yard permitted, requires a side yard of no less than three (3) feet, while the applicant proposes a minimum side yard of 1.4 feet along the west property line for the existing building; and

WHEREAS, Section 3342.28, Minimum number of parking spaces required, requires one (1) parking space for every 300 square feet of general office space, or ten (10) spaces, while the applicant proposes one (1) handicap accessible parking space for the existing building; and

WHEREAS, this variance will allow a temporary medical administration office for a maximum period of ten (10) years with reduced development standards in the R-4, Residential District; and

WHEREAS, The University Area Commission recommends disapproval; and

WHEREAS, City Departments recommend approval because the requested variance would allow a single-family dwelling zoned in the R-4, Residential District to be used as a temporary administrative office for the Ohio State University Medical Center. The office will be used by employees of the James Cancer Hospital for a maximum period of ten (10) years to alleviate overcrowding until an expansion of the Ohio State University Medical Center is complete. The site will not be open to the public, and no clinical activity or patient care will occur on the premises. The variance is conditioned upon the expiration of the temporary use after a ten-year period, and other commitments are provided to ensure compatibility with the adjacent residential uses. Additional variances for the existing non-conforming side yard and for the minimum number of parking spaces required are also requested. Since the staff using the temporary office space will be using existing University parking facilities, parking is not needed for the site. A hardship exists because the demand for the dwelling to be used residentially has been extremely low, and the University is in need of temporary office space until their expansion project is complete. With the conditions proposed, the temporary use of the dwelling as a medical administration office will not have a negative impact on the surrounding neighborhood; 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 **325 WEST EIGHTH AVENUE (43201)**, 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 3332.039, R-4, residential district; 3332.25, Maximum side yard required; 3332.26, Minimum side yard permitted; and 3342.28, Minimum number of parking spaces required of the Columbus City codes; for the property located at **325 WEST EIGHTH AVENUE (43201)**, insofar as said sections prohibit a medical administrative office, with a maximum side yard totaling 5.8 foot where 7.12 feet is required, a 1.4 foot minimum side yard along the west property line where three (3) feet is required, and a parking space reduction from ten (10) required spaces to one (1) space; said property being more particularly described as follows:

325 WEST EIGHTH AVENUE (43201), being 0.11± acres located on the south side of West Eighth Avenue, 71± feet west of Pennsylvania Avenue, and being more particularly described as follows:

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

Being Lot Number Seventy-one (71) in Elizabeth J. McMillen's Homestead Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, page 400, 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 a temporary medical administration office, or those uses permitted in the R-4, Residential District.

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 is further conditioned on the use of the property as a temporary medical administration office for a maximum ten (10) year period from Certificate of Occupancy issuance.

SECTION 5. That this ordinance is further conditioned on the temporary medical administration office not being open to the general public with no clinical activity or patient care occurring on the premises.

SECTION 6. That this ordinance is further conditioned on no exterior signage (graphics) being permitted for the temporary use.

SECTION 7. That this ordinance is further conditioned on no structural or other changes to the exterior of the property other than maintenance and improvements and/or those required by the Ohio Building Code.

SECTION 8. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.