



Legislation Details (With Text)

File #: 3062-2015 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 11/25/2015 **In control:** Zoning Committee

On agenda: 12/14/2015 **Final action:** 12/16/2015

Title: To grant a Variance from the provisions of Sections 3356.03, C-4, permitted uses; 3312.49, Minimum number of parking spaces required; and 3356.11, C-4 district setback lines, of the Columbus City Codes; for the property located at 1382 WESTWOOD AVENUE (43212), to conform an existing single-unit dwelling in the C-4, Commercial District with reduced development standards (Council Variance # CV15-002).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD3062-2015Attachments, 2. ORD3062-2015Labels, 3. Notice Of Public Hearing - Council Mtg20151214

Date	Ver.	Action By	Action	Result
12/16/2015	1	CITY CLERK	Attest	
12/15/2015	1	MAYOR	Signed	
12/14/2015	1	COUNCIL PRESIDENT	Approved	
12/14/2015	1	COUNCIL PRESIDENT	Signed	
12/14/2015	1	Zoning Committee	Approved	Pass
12/7/2015	1	Columbus City Council	Read for the First Time	

Council Variance Application: CV15-002

APPLICANT: John Massimiani, c/o Brent Racer, New Avenue Architects & Engineers; 4740 Reed Road, Suite 201; Columbus, OH 43220.

PROPOSED USE: Single-unit dwelling.

FIFTH BY NORTHWEST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The requested variance will conform an existing single-unit dwelling in the C-4, Commercial District. A Council variance is necessary because residential uses are only permitted above specified commercial uses in the C-4, Commercial District. The site is located within the boundaries of the 5th by Northwest Area Plan (2009), which recommends single and two-unit residential development for this location. A hardship exists because the non-conforming nature of the site precludes financing options and prevents the owner from making improvements to the structure. The dwelling has been long established on this lot and is consistent with the residential uses that are prevalent in the surrounding neighborhood. Approval of this request will not add a new or incompatible use to the area.

To grant a Variance from the provisions of Sections 3356.03, C-4, permitted uses; 3312.49, Minimum number of parking

spaces required; and 3356.11, C-4 district setback lines, of the Columbus City Codes; for the property located at **1382 WESTWOOD AVENUE (43212)**, to conform an existing single-unit dwelling in the C-4, Commercial District with reduced development standards (Council Variance # CV15-002).

WHEREAS, by application No. CV15-002, the owner of property at **1382 WESTWOOD AVENUE (43212)**, is requesting a Council variance to conform an existing single-unit dwelling in the C-4, Commercial District with reduced development standards; and

WHEREAS, Section 3356.03, C-4 Permitted Uses, permits dwelling units only above certain commercial uses, while the applicant proposes to maintain an existing single-unit dwelling; and

WHEREAS, Section 3312.49, Minimum number of parking spaces required, requires two (2) parking spaces per dwelling unit, while the applicant proposes one (1) parking space; and

WHEREAS, Section 3356.11, C-4 district setback lines, requires a 10-foot building setback line along Westwood Avenue, while applicant proposes to maintain a building setback line of 6.92± feet; and

WHEREAS, The Fifth by Northwest Area Commission recommends approval; and

WHEREAS, The City Departments recommend approval because this request will not add a new or incompatible use to the area. The requested variance will conform an existing single-unit dwelling in the C-4, Commercial District, and the 5th by Northwest Area Plan recommends single and two-unit residential development for this location; 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 the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect 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 **1382 WESTWOOD AVENUE (43212)**, in using said property as desired; now, therefore:

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

SECTION 1. Variance from the provisions of Sections 3356.03, C-4, permitted uses; 3312.49, Minimum number of parking spaces required; and 3356.11, C-4 district setback lines, of the Columbus City Codes, are hereby granted for the property located at **1382 WESTWOOD AVENUE (43212)**, insofar as said sections prohibit a single-unit dwelling in the C-4, Commercial District with only one (1) parking space, and a building setback of 6.92± feet along Westwood Avenue; said property being more particularly described as follows:

1382 WESTWOOD AVENUE (43212), being 0.05± acres located on the east side of Westwood Avenue, 108± feet south of West Third Avenue, and being more particularly described as follows:

Legal Description for 1382 Westwood Ave., Columbus, Ohio

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

Being Sixty feet (60') off of the South end of Lot Number Three Hundred Seventy-three (373), of FRANK S. WAGANTHALS, ET AL AMENDED SUBDIVISION, of lots 94 to 252 inclusive, 319 to 429, inclusive, to John R. Tilton's Gladdington Heights Subdivision, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, page 412 and 413, Recorder's office, Franklin County, Ohio.

Parcel No. : 010-77339

Property Address: 1382 Westwood Avenue, Columbus, Ohio

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-unit dwelling.

SECTION 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.