



Legislation Details (With Text)

File #: 1689-2003 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 5/19/2003 **In control:** Zoning Committee
On agenda: 7/11/2005 **Final action:** 7/14/2005
Title: To grant a Variance from the provisions of Sections 3332.033, R-4, Residential District Use; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; and 3342.28, Minimum number of parking spaces required, for property located at 287 SIEBERT STREET (43206), to permit an office commercial use without off-street parking in the R-4, Residential District (CV03-006).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD 1689-2003 exhibits.pdf, 2. ORD 1689-2003 labels.pdf

Date	Ver.	Action By	Action	Result
7/14/2005	1	ACTING CITY CLERK	Attest	
7/13/2005	1	MAYOR	Signed	
7/11/2005	1	Zoning Committee	Waive the 2nd Reading	Pass
7/11/2005	1	COUNCIL PRESIDENT	Signed	
7/11/2005	1	Zoning Committee	Approved	Pass
6/30/2005	1	Dev Zoning Drafter	Sent to Clerk's Office for Council	
6/28/2005	1	City Clerk's Office	Sent back for Clarification/Correction	
2/9/2004	1	Council Drafter	Sent to Clerk's Office for Council	
7/15/2003	1	Dev Zoning Reviewer	Reviewed and Approved	
7/15/2003	1	Dev Zoning Drafter	Sent for Approval	
7/15/2003	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
7/15/2003	1	Dev Zoning Drafter	Sent for Approval	
6/26/2003	1	Dev Zoning Drafter	Sent for Approval	

Council Variance Application: CV03-006

APPLICANT: Hutchison Media Consultants, Inc.; c/o Joseph S. Streb, Esq.; 736 Neil Avenue; Columbus, Ohio 43215.

PROPOSED USE: Office commercial use in the R-4, Residential District.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant requests a Council Variance to conform an existing office-commercial use in the R-4, Residential District. The building is located mid-block on Siebert Street and is surrounded by single and multi-family dwellings. The block has been zoned in a residential district since the adoption of the Columbus Zoning Code in the 1920's. Building records show an existing "Bake Shop" in 1918 and various "store building" (retail) uses until 1976, thereby establishing a commercial use before the original zoning code. The applicant indicated the current use has existed since 1980, however no City records exist for this office use. The building is one-story and appears to be designed for commercial uses and has no off-street parking.

To grant a Variance from the provisions of Sections 3332.033, R-4, Residential District Use; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; and 3342.28, Minimum number of parking spaces required, for property located at **287 SIEBERT STREET (43206)**, to permit an office commercial use without off-street parking in the R-4, Residential District (CV03-006).

WHEREAS, by application No. CV03-006, the owner of property at **287 SIEBERT STREET (43206)**, is requesting a Council Variance to permit an office commercial use; and

WHEREAS, Section 3332.033, R-4, Residential District Use does not permit commercial uses, while the applicant owns an office building that has existed as a commercial use since 1918 and does not conform to the R-4, Residential District permitted use requirements; and

WHEREAS, Section 3332.25, Maximum side yards required, requires the sum of the widths of each side yard shall equal or exceed twenty percent of the width of the lot, a sum of seven and a half (7.5) feet, while the applicant proposes a sum of four and a half (4.5) feet; and

WHEREAS, Section 3332.26, Minimum side yard permitted, requires a minimum side yard of three (3) feet, while the applicant proposes zero side yard for the east property line; and

WHEREAS, Section 3342.28, Minimum number of parking spaces required, requires one off-street parking space for each 300 square feet of gross floor area for general office use, or seven (7) spaces, while the applicant provides no off-street parking on site; and

WHEREAS, City Departments note a hardship exists in that a commercial use has existed at its current location and the establishment of a commercial zoning district is incompatible with the existing zoning pattern of the area; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed use; 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 **287 SIEBERT STREET (43206)**, 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 3332.033, R-4, Residential District Use; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; and 3342.28, Minimum number of parking spaces required; of the Columbus City Codes are hereby granted for the property located at **287 SIEBERT STREET (43206)**, insofar as said sections prohibit an office commercial use with zero side yard along the east property line, total side yard of 4.5 feet, and no off-street parking, said property being more particularly described as follows:

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

BEING ONE HUNDRED NINE (109) FEET OFF OF THE NORTH END OF LOT
NUMBER SIX (6) OF CHRISTIAN SCHUMACHER'S SCHILLER PARK ADDITION
TO THE CITY OF COLUMBUS, OHIO, AS THE SAME IS NUMBERED AND DELINEATED UPON THE RECORDED PLAT
THEREOF, OF RECORD IN PLAT BOOK 7, PAGE 258, RECORD'S OFFICE, FRANKLIN COUNTY, OHIO.

Parcel No. 010-39429
Property: 287 Siebert Street
Columbus, Ohio 43206

Section 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for office commercial or those uses permitted in the R-4, Residential District.

Section 3. That this ordinance is further conditioned on 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.