



## Legislation Details (With Text)

**File #:** 2409-2020      **Version:** 1

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

**File created:** 10/20/2020      **In control:** Zoning Committee

**On agenda:** 11/9/2020      **Final action:** 11/12/2020

**Title:** To grant a Variance from the provisions of Sections 3332.039, R-4 residential district; 3332.21, Building lines; 3332.25, Maximum side yards required; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at 610 NEIL AVE. (43215), to permit dance studio, assembly, and general office uses and to conform existing reduced development standards in the R-4, Residential District (Council Variance #CV20-081). (AMENDED BY 0344-2021; PASSED 2/22/2021) (REPEALED SECTION 2 BY ORD. 0344-2021; PASSED 2/22/2021)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD2409-2020.Attachments, 2. ORD2409-2020.Labels

Date	Ver.	Action By	Action	Result
11/12/2020	1	CITY CLERK	Attest	
11/11/2020	1	MAYOR	Signed	
11/10/2020	1	COUNCIL PRESIDENT	Signed	
11/9/2020	1	Zoning Committee	Waive the 2nd Reading	Pass
11/9/2020	1	Zoning Committee	Approved	Pass

**Council Variance Application: CV20-081**

**APPLICANT:** Cindi Lee Parker; c/o Craig Moncrief, Atty.; 411 East Town Street, Floor 2; Columbus, OH 43215.

**PROPOSED USE:** Mixed-use building.

**VICTORIAN VILLAGE COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is developed with a religious facility in the R-4, Residential District. The requested variance will permit conversion of the existing building into a ballroom dance studio/assembly hall/reception venue (3,911 square feet), and co-working office (2,090 square feet). Variances addressing existing conditions for reduced building setback, side yard, and rear yard are included in this request. Staff finds that the proposal will not add incompatible uses to the area as the intensity of the proposed uses is comparable to the activities of a religious facility. The request is consistent with adaptive reuse projects of former religious facilities in historic urban neighborhoods.

To grant a Variance from the provisions of Sections 3332.039, R-4 residential district; 3332.21, Building lines; 3332.25, Maximum side yards required; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at **610 NEIL AVE. (43215)**, to permit dance studio, assembly, and general office uses and to conform existing reduced development standards in the R-4, Residential District (Council Variance #CV20-081). **(AMENDED BY 0344-2021; PASSED 2/22/2021) (REPEALED SECTION 2 BY ORD. 0344-2021; PASSED 2/22/2021)**

**WHEREAS**, by application #CV20-081, the owner of the property at **610 NEIL AVE. (43215)**, is requesting a Variance to permit dance studio, assembly, and general office uses and to conform existing reduced development standards in the R-4, Residential District; and

**WHEREAS**, Section 3332.039, R-4 residential district, does not permit commercial uses, while the applicant proposes to convert an existing religious facility into a ballroom dance studio/assembly hall/reception venue (3,911 square feet), and co-working general office space (2,090 square feet); and

**WHEREAS**, Section 3332.21, Building lines, requires a building line of 10 feet along Neil Avenue and 25 feet along Goodale Street, while the applicant proposes to maintain the reduced building lines of 0 feet along Neil Avenue, and 10.5 feet along Goodale Street; and

**WHEREAS**, Section 3332.25, Maximum side yards required, requires the sum of the widths of the side yards to be 20 percent of the lot width, while the applicant proposes to maintain a maximum side yard of 0 feet; and

**WHEREAS**, Section 3332.27, Rear yard, requires a rear yard totaling no less than 25 percent of the total lot area, while the applicant proposes to maintain a reduced rear yard of 2.33 percent; and

**WHEREAS**, the Victorian Village Commission recommends approval; and

**WHEREAS**, the City Departments recommend approval of the requested variances because the proposal will not add incompatible uses to the area as the intensity of the proposed uses is comparable to the activities of a religious facility. The request is consistent with adaptive reuse projects of former religious facilities in historic urban neighborhoods; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed uses; 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 **610 NEIL AVE. (43215)**, 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 hereby granted from the provisions of Sections 3332.039, R-4 residential district; 3332.21, Building lines; 3332.25, Maximum side yards required; and 3332.27, Rear yard, of the Columbus City Codes, for the property located at **610 NEIL AVE. (43215)**, insofar as said sections prohibit dance studio, reception venue, assembly hall, and general office uses in the R-4, Residential District, with reduced building lines from 10 feet to 0 feet along Neil Avenue and from 25 feet to 10.5 feet along Goodale Street, reduced maximum side yard from 20 percent of the lot width to 0 feet, and a reduction in rear yard from 25 percent of the lot area to 2.33 percent; said property being more particularly described as follows:

**610 NEIL AVE. (43215)**, being 0.19± acres located at the southeast corner of Neil Avenue and West Goodale Street, and being more particularly described as follows:

Situated in the County of Franklin, State of Ohio, and City of Columbus, and bounded and described as follows:

Being Lots numbers One Hundred Forty-one (141) and One Hundred Forty-two (142) in Jane M. Neil's Neil Place Addition to the City of Columbus, Ohio, as recorded in the Recorder's Office, Franklin County, Ohio, in Plat Book 3, Page 362.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for dance studio, assembly hall, or reception venue uses not to exceed 3,911± square feet, and general office space in the balance of the existing building (approximately 2,090 square feet), 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 uses.

**SECTION 4.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.