



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
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Legislation Text

File #: 0919-2007, **Version:** 1

Council Variance Application: CV07-021

APPLICANT: Paul Knox; c/o Kurt J. Schmalz; 3316 North High Street; Columbus, OH 43202.

PROPOSED USE: A two-family dwelling in the C-4, Commercial District.

CITY DEPARTMENTS' RECOMMENDATION: Approval. This variance will allow an existing two-family dwelling to be conforming in the C-4, Commercial District. A Council variance is necessary in that dwellings are not permitted in the C-4, Commercial District. A hardship exists because the non-conforming nature of the site precludes financing options and the dwelling has been long established on this lot. The use of the property as a two-family dwelling is consistent with the surrounding development pattern.

To grant a Variance from the provisions of Sections 3356.03, C-4, Permitted Uses; and 3342.28, Minimum number of parking spaces required, of the Columbus City Codes for the property located at **2657-2659 AVALON PLACE (43219)**, to conform an existing two-family dwelling in the C-4, Commercial District with a reduction in the number of required parking spaces (Council Variance # CV07-021).

WHEREAS, by application No. CV07-009, the owner of property at **2657-2659 AVALON PLACE (43219)**, is requesting a Council variance to allow an existing two-family dwelling in the C-4, Commercial District; and

WHEREAS, Section 3356.03, Permitted uses, permits dwelling units only above certain commercial uses, while the applicant proposes to make an existing two-family dwelling a conforming use on the property; and

WHEREAS, Section 3342.28, Minimum number of parking spaces required, requires two parking spaces per dwelling unit, or four (4) spaces, while the applicant proposes to maintain zero (0) parking spaces for the existing dwelling; and

WHEREAS, City Departments recommend approval because the use of the property as a two-family dwelling is consistent with the surrounding development pattern. The requested variance will allow an existing two-family dwelling to be conforming in the C-4, Commercial District. A Council variance is necessary in that dwellings are not permitted in the C-4, Commercial District. A hardship exists because the non-conforming nature of the site precludes financing options and the dwelling has been long established on this lot; 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 **2657-2659 AVALON PLACE (43219)**, in using said property as desired; now, therefore:

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

SECTION 1. Variances from the provisions of Sections 3356.03, C-4 Permitted uses; and 3342.28, Minimum number of parking spaces required, of the Columbus City Codes are hereby granted for the property located at **2657-2659 AVALON PLACE (43219)**, in that said section prohibits a two-family dwelling in the C-4, Commercial District with a parking space reduction from four (4)

required spaces to zero (0) spaces; said property being more particularly described as follows:

2657-2659 AVALON PLACE (43219), being 0.13± acres located on the south side of Avalon Place, 55± feet west of North Cassady Avenue, and being more particularly described as follows:

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

Being Lot Number One Hundred Twelve (112) in Bexley Heights Amended Addition as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 18, Page 31, Recorder's Office, Franklin County, Ohio, and known as Parcel # 010-092924.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a two-family dwelling, or those uses permitted in the C-4, Commercial District.

SECTION 3. That this ordinance is further conditioned upon compliance with R-2F, Residential District standards for any additions to the existing structure, or the construction of any accessory structures including a private garage.

SECTION 4. That this ordinance is further conditioned upon compliance with Chapter 3342, Off-Street Parking and Loading requirements if the existing structure is replaced, or if the unimproved alley to the rear of the subject site is ever paved and accessible to the site.

SECTION 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.