



## Legislation Text

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**File #:** 1265-2024, **Version:** 1

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**Council Variance Application: CV24-034**

**APPLICANT:** Joshua Tomey; 1282 East Fulton Street; Columbus, OH 43205.

**PROPOSED USE:** Six-unit apartment building.

**LIVINGSTON AVENUE AREA COMMISSION RECOMMENDATION:** Approval.

**HISTORIC RESOURCES COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is developed with a six-unit apartment building in the R-3, Residential District. The requested Council variance will conform the existing use. A Council variance is required because the R-3 district specifies single-unit dwellings as the only allowable residential use. The request includes variances to maneuvering and parking space requirements because a parcel line crosses over some of the proposed parking spaces. The site is within the planning boundaries of the *Near Southside Plan* (2011), which recommends "Medium Density Mixed Residential" land uses at this location. Staff recognizes that while the proposal exceeds the Plan's density recommendation, it is conforming an existing use. Additionally, the site is within the Old Oaks Historic District where exterior modifications will require a Certificate of Appropriateness from the Historic Resources Commission.

To grant a Variance from the provisions of Sections 3332.035, R-3 residential district; 3312.25, Maneuvering; and 3312.29, Parking space, of the Columbus City Codes; for the property located at **613 S. CHAMPION AVE. (43205)**, to conform a six-unit apartment building with reduced development standards in the R-3, Residential District (Council Variance #CV24-034).

**WHEREAS**, by application #CV24-034, the owner of the property at **613 S. CHAMPION AVE. (43205)**, is requesting a Variance to conform a six-unit apartment building with reduced development standards in the R-3, Residential District; and

**WHEREAS**, Section 3332.035, R-3, residential district, allows only one single-unit dwelling on this property, while the applicant proposes to maintain a six-unit apartment building; and

**WHEREAS**, Section 3312.25, Maneuvering, requires parking spaces to have sufficient access and maneuvering area on the lot where the parking spaces are located, while the applicant proposes to maintain maneuvering to cross parcels lines, but with all provided parking spaces having the total code required maneuvering area, as shown on the submitted site plan; and

**WHEREAS**, Section 3312.29, Parking space, requires that a parking space shall be a rectangular area of not less than nine feet by 18 feet, while the applicant proposes to maintain parking spaces that cross parcels lines, but with the total code required length being provided on both parcels, as shown on the submitted site plan; and

**WHEREAS**, the Livingston Avenue Area Commission recommends approval; and

**WHEREAS**, the Historic Resources Commission recommends approval; and

**WHEREAS**, City Departments recommend approval because the proposal and will conform existing conditions, and notes that exterior modifications are subject to a Certificate of Appropriateness from the Historic Resources Commission; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and a Certificate of Zoning Clearance for the existing six-unit apartment building; 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 **613 S. CHAMPION AVE. (43205)**, 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 3332.035, R-3 residential district; 3312.25, Maneuvering; and 3332.29, Parking space; of the Columbus City Codes; for the property located at **613 S. CHAMPION AVE. (43205)**, insofar as said sections prohibit a six-unit apartment building in the R-3, Residential District; with maneuvering over parcel lines; and parking spaces divided by parcel lines; said property being more particularly described as follows:

**613 S. CHAMPION AVE. (43205)**, being 0.12± acres located on the west side of South Champion Avenue; 150± feet south of Mooberry Street:

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

Being Lot Number Twenty-Two [22] of George J Rodenfel's Amended Subdivision of the Following Numbered Lots, each inclusive as follows: 3 to 6; 15 to 19; 26, 27, 33, 36 to 41, 48 to 54, 63 to 68, and 76 to 82, in Rodenfels' and Falkenbach's Subdivision of Geo J. Rodenfel's Subdivision of Joseph Falkenbach Assignee's Subdivision of a part of half Section 23, Township 5, Range 22, Refugee Lands, as the same is numbered and delineated upon the recorded Plat thereof, of record in Plat Book 4, Page 80, Recorder's Office, Franklin County, Ohio. Be the same more or less but subject to all legal highways.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a six-unit dwelling, in accordance with the submitted site plan, or those uses allowed in the R-3, Residential District.

**SECTION 3.** That this ordinance is further conditioned on the subject site being developed in general conformance with the site plan titled, "**EXISTING 6 UNIT BUILDING RENOVATION**," dated April 22, 2024, and signed by Joshua Tomey, Applicant. The plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments to the plan shall be subject to review and approval by the Director of the Department Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

**SECTION 4.** That this ordinance is further conditioned upon the applicant obtaining all applicable permits and a Certificate of Zoning Clearance for the existing six-unit apartment building.

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