



Legislation Text

File #: 0959-2003, **Version:** 1

Council Variance Application: CV00-052

APPLICANT: David Gordon c/o Fred J. Simon, 75 East Wilson Bridge Road, Worthington, Ohio (43085).

PROPOSED USE: A rooming house.

GREATER HILLTOP AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. This variance will permit a rooming house and two apartments as the principal use of a property formerly used for commercial and apartment uses. A Council variance is necessary in that a rooming house and apartments are residential and only only permitted above commercial store rooms in the C-4, Commercial District. The existing building was formerly a medical office on the first floor, residential use on the second and code parking spaces in an open garage area below the building. The immediate block includes a mix of residential uses in combination with medical, legal offices and a large social service agency. Curbscuts on West Mound Street and an alleyway to the north provide access to the property and a number of garage spaces which satisfies the regulations for parking. A hardship exists in that the code has no provision for ground floor residential use in the C-4, Commercial District for a property on a block with a uniform commercial zoning pattern unlikely to support a residential rezoning.

To grant a Variance from the provisions of Section 3355.02 C-4, Commercial District; for the property located at **1630 West Mound Street (43223)**, to permit two apartments and a rooming house in the C-4, Commercial District. (Council Variance # CV00-052)

WHEREAS, by application No. CV00-052, the owner of property at **1630 West Mound Street (43223)**, is requesting a Council Variance to permit two apartments and a rooming house in the C-4, Commercial District; and

WHEREAS, Section 3355.02 C-4, Commercial District, allows for apartments above commercial storerooms, while the applicant intends to convert a former first floor storeroom with two second floor apartments to a rooming house with two second floor apartments; and

WHEREAS, this variance will permit a rooming house and two apartments in a building zoned in the C-4, Commercial District. A Council variance is necessary in that a rooming house and apartments are residential uses and are only permitted above commercial store rooms in the C-4, Commercial District. The building was formerly used as a medical office on the first floor with apartments on the second floor and code required parking spaces in an open garage area on the ground level. The immediate block includes a mix of residential uses in combination with various office uses and a large social service agency. Curb cuts on West Mound Street and an alley to the north provide access to the property and the ground level garage spaces satisfy parking requirements; and

WHEREAS, the Greater Hilltop Area Commission recommends approval; and

WHEREAS, City Departments note a hardship exists and recommend approval because a first floor rooming house with two second floor apartments are not permitted in the C-4, Commercial District; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed use; 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 **1630 West Mound Street (43223)**, 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 Section 3355.02 C-4, Commercial District; of Columbus City Codes are hereby granted for the property located at **1630 West Mound Street (43223)**, insofar as said section prohibits a rooming house by varying the district's permitted use, said property being more particularly described as follows:

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

Being a part of Farm Lot No. 33, of M. L. Sullivant's Subdivision of Farm Lands near the City of Columbus, now of record in Plat Book No. 11, pages 21 to 25, Recorder's Of&e, Franklin County, Ohio, bounded and described as follows:

Beginning at a point in the center of Mound Street located 213.84 feet westerly from the center of the intersection of Mound Street and Ryan Avenue; thence in a northerly direction along the west line of a 2 acre tract formerly owned by John P. Sturk to the south line of an alley located 12 1.4 feet north of the north line of Mound Street; thence in an easterly direction along the south line of said alley to a point located 149.6 feet west of the west line of Ryan Avenue; thence in a southerly direction to the center of Mound Street, passing a point in the north line of Mound Street located 132.15 feet west of the west line of Ryan Avenue; thence in a westerly direction along the center line of Mound Street to the place of beginning.

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