



Legislation Details (With Text)

File #: 1820-2007 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 10/29/2007 **In control:** Zoning Committee

On agenda: 12/3/2007 **Final action:** 12/5/2007

Title: To grant a Variance from the provisions of Sections 3356.03, C-4, Permitted Uses and 3356.11, C-4 district setback lines, for the property located at 1775 LINDEN PLACE (43211), to permit an existing single-family dwelling in the C-4, Commercial District. (Council Variance # CV07-034)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD # 1820-2007 Attachments.pdf, 2. ORD # 1820-2007 Mailing Labels.pdf, 3. ORD # 1820-2007 Data Form.pdf

Date	Ver.	Action By	Action	Result
12/5/2007	1	CITY CLERK	Attest	
12/4/2007	1	MAYOR	Signed	
12/3/2007	1	Zoning Committee	Approved	Pass
12/3/2007	1	COUNCIL PRESIDENT	Signed	
11/26/2007	1	Columbus City Council	Read for the First Time	
11/15/2007	1	Dev Drafter	Sent to Clerk's Office for Council	
11/14/2007	1	Dev Reviewer	Reviewed and Approved	
11/14/2007	1	Dev Drafter	Sent for Approval	
11/14/2007	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
11/2/2007	1	Dev Zoning Reviewer	Reviewed and Approved	
10/29/2007	1	Dev Drafter	Sent for Approval	

Council Variance Application: CV07-034

APPLICANT: James Boggs; 190 Parkwood Avenue; Pickerington, Ohio 43147.

PROPOSED USE: Single-family dwelling.

NORTH LINDEN AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. This request will permit an existing single-family dwelling in the C-4, Commercial District. A Council variance is necessary in that a single-family dwelling is not a permitted use in the C-4, Commercial District. Approval of this request will alleviate financing issues by allowing for replacement of the current structure if it is destroyed by 50% or more. The proposed variance will not introduce an incompatible use to the area.

To grant a Variance from the provisions of Sections 3356.03, C-4, Permitted Uses and 3356.11, C-4 district setback lines, for the

property located at **1775 LINDEN PLACE (43211)**, to permit an existing single-family dwelling in the C-4, Commercial District.
(Council Variance # CV07-034)

WHEREAS, by application No. CV07-034, the owner of property at **1775 LINDEN PLACE (43211)**, is requesting a Council Variance to permit an existing single-family dwelling in the C-4, Commercial District; and

WHEREAS, Section 3356.03, C-4, Commercial District, prohibits single-family dwellings, while the applicant proposes to maintain an existing single-family dwelling; and

WHEREAS, Section 3356.11, C-4 district setback lines, requires a setback of 25 feet, while the applicant proposes to maintain the existing setback of 24.4 feet for the single-family dwelling; and

WHEREAS, City Departments recommend approval because this request will not introduce an incompatible use to the area; and

WHEREAS, said ordinance requires separate submission for all applicable permits 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 **1775 LINDEN PLACE (43211)**, 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 3356.03, C-4, Permitted Uses and 3356.11, C-4 district setback lines, so long as the property is used for a single-family dwelling, for the property located at **1775 LINDEN PLACE (43211)**, insofar as said section prohibits a single-family dwelling with a building setback line of 24.4 feet; said property being more particularly described as follows:

1775 LINDEN PLACE (43211), being 0.12± acres located on the south side of Linden Place, south of the intersection of Linden Place and Linden Avenue, and being more particularly described as follows:

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

Being Lot Number Eleven (11), of CHENEY AND BURWELL'S SUBDIVISION, as the same is numbered and delineated upon the record plat thereof, of record in Plat Book 15, Recorder's Office, Franklin County, Ohio.

Parcel No. 010-064027

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

SECTION 3. That this ordinance is further conditioned upon compliance with R-3, Residential District standards for reconstruction, additions or alterations to the existing structure, or the construction of any accessory structures, except that the dwelling may be rebuilt with a building line of 24.4 feet, an east side yard of 2.4 feet and the garage may have a west side yard of 2.8 feet.

SECTION 4. That this ordinance is further conditioned on the applicant obtaining all applicable permits for the proposed use.

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