



## Legislation Details (With Text)

**File #:** 0835-2008      **Version:** 2

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

**File created:** 5/7/2008      **In control:** Zoning Committee

**On agenda:** 6/16/2008      **Final action:** 6/18/2008

**Title:** To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, apartment residential district use; 3333.17, Building lines; 3333.18, Building lines; 3333.23, Minimum side yard permitted; 3333.24, Rear yard; 3342.15, Maneuvering; and 3342.28, Minimum number of parking spaces required, of the Columbus City Codes, for the property located at 1003 CONCORD AVENUE (43212), to permit an existing office/warehouse to be utilized for a variety of uses including office uses and automobile repair and restoration with reduced development standards in the AR-1, Apartment Residential District. (Council Variance #CV07-048)

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. ORD # 0835-2008 Attachments.pdf, 2. ORD # 0835-2008 Mailing Labels.pdf, 3. ORD # 0835-2008 Data Form.pdf

Date	Ver.	Action By	Action	Result
6/18/2008	2	CITY CLERK	Attest	
6/17/2008	2	ACTING MAYOR	Signed	
6/16/2008	1	Zoning Committee	Amended as submitted to the Clerk	Pass
6/16/2008	1	Zoning Committee	Approved as Amended	Pass
6/16/2008	2	COUNCIL PRESIDENT	Signed	
6/9/2008	1	Columbus City Council	Read for the First Time	
5/30/2008	1	Dev Drafter	Sent to Clerk's Office for Council	
5/29/2008	1	Dev Drafter	Sent for Approval	
5/29/2008	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
5/23/2008	1	Dev Zoning Reviewer	Reviewed and Approved	
5/7/2008	1	Dev Drafter	Sent for Approval	

### Council Variance Application: CV07-048

**APPLICANT:** T & P Services, LLC; c/o Donald Plank; 145 East Rich Street; Columbus, Ohio 43215.

**PROPOSED USE:** Expanded office/warehouse and automobile repair and restoration uses.

**FIFTH BY NORTHWEST AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is developed with an existing 8,600 square foot building. There is an approved council variance for the property (Ordinance # 659-97) which allows uses including a window blind cleaning business, metal products and box and crate fabrication, specified office/warehouse uses and food and beverage products, a monument shop and motion-picture production. The applicant is requesting the addition of C-2, Commercial District uses and automobile repair and restoration (all repair and restoration to be conducted inside, and no storage/parking of damaged/inoperable vehicles outside the

building), and automobile storage (inside). The applicant is also requesting variances to development standards for the existing building. The proposed C-2 uses and the automotive repair and restoration, as conditioned, are appropriate and compatible with the area.

To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, apartment residential district use; 3333.17, Building lines; 3333.18, Building lines; 3333.23, Minimum side yard permitted; 3333.24, Rear yard; 3342.15, Maneuvering; and 3342.28, Minimum number of parking spaces required, of the Columbus City Codes, for the property located at **1003 CONCORD AVENUE (43212)**, to permit an existing office/warehouse to be utilized for a variety of uses including office uses and automobile repair and restoration with reduced development standards in the AR-1, Apartment Residential District. (Council Variance #CV07-048)

**WHEREAS**, by application No. CV07-048, the owner of property at **1003 CONCORD AVENUE (43212)**, is requesting a Council variance to permit an existing office/warehouse with expanded uses and reduced development standards in the AR-1, Apartment Residential District; and

**WHEREAS**, Section 3333.02, AR-12, ARLD and AR-1 apartment residential district use, prohibits office, warehouse and automobile and restoration uses, while the applicant proposes to utilize the building for office, warehouse and automobile repair and restoration uses; and

**WHEREAS**, Section 3333.17, Building lines; definitions, requires that no structure shall be erected, constructed , or extended between a building line and the street property line, while the applicant proposes to locate a dumpster in front of the building line; and

**WHEREAS**, Section 3333.18, Building lines, requires building lines behind which all structures on the property must be located, while the applicant proposes to locate a dumpster in front of the building line; and

**WHEREAS**, Section 3333.23, Minimum side yard permitted, requires a minimum side yard of five (5) feet, while the applicant proposes to maintain the existing west side yard of 3.1 feet; and

**WHEREAS**, Section 3333.24, Rear yard requires that a principal building shall be erected so as to provide a rear yard totaling no less than twenty-five percent of the total lot area, while the applicant proposes to maintain the existing rear yard of 0.8% adjacent to the alley to the south; and

**WHEREAS**, Section 3342.15, Maneuvering, requires sufficient access and maneuvering area for every parking space, while the applicant proposes to maintain the existing maneuvering of six (6) feet on the north side of the building, adjacent to Concord Avenue; and

**WHEREAS**, Section 3342.28, Minimum number of parking spaces required, requires 29 parking spaces for use of the building as general offices, while the applicant proposes to maintain 12 existing parking spaces; and

**WHEREAS**, the Fifth by Northwest Area Commission recommends approval; and

**WHEREAS**, City Departments recommend approval because the proposed development, as conditioned, is compatible with development in the area; 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 **1003 CONCORD AVENUE (43212)**, 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 3333.02, AR-12, ARLD and AR-1 apartment residential district use; Section 3333.17, Building lines; definitions; 3333.18, Building lines; 3333.23, Minimum side yard permitted; 3333.24, Rear yard; 3342.15, Maneuvering; and 3342.28, Minimum number of parking spaces required, of the Columbus City Codes, for the property located at **1003 CONCORD AVENUE (43212)**, insofar as said sections prohibit office/warehouse, C-2, and automobile repair and restoration uses, dumpsters between the building line and the street, a minimum west side yard of 3.1 feet, a rear yard of 0.8%, six (6) foot maneuvering for parking and a reduction in required parking spaces from 29 to 12 parking spaces, said property being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, and Being Lots 7, 8 and 9 of the Meriden Addition, Plat Book 5, Page 22.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for those uses itemized in Section 3 of this ordinance limited to locations within the existing 8,600 square foot warehouse or those uses permitted in the AR-1, Apartment Residential District.

**SECTION 3.** That this ordinance is further conditioned on uses being limited to a window blind cleaning business; and/or metal products and box crate fabrication; and/or office/warehouses for the before mentioned and the following uses: plumbing supplies, sheet metal products, wood products, food and beverage products as listed in 3363.07, monument shop, motion picture production; all uses of the C-2, Commercial District, except Monopole Telecommunication antennas; and automobile repair and restoration (all repair and restoration to be conducted **during the hours of 8:00am through 6:00pm only**, inside **the building**, and no storage/parking of damaged/inoperable vehicles outside the building), and automobile storage (inside).

**SECTION 4.** That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy 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.