



Legislation Details (With Text)

File #: 1665-2014 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 7/2/2014 **In control:** Zoning Committee

On agenda: 7/28/2014 **Final action:** 7/30/2014

Title: To grant a variance from the provisions of Section 3356.03, C-4 Permitted uses; of the Columbus City codes, for the property located at 1984 GENESSEE AVENUE (43211), to permit three single-unit dwellings in the C-4 Commercial District (CV14-024).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1665-2014Attachments, 2. Notice Of Public Hearing - Council Mtg20140728

Date	Ver.	Action By	Action	Result
7/30/2014	1	CITY CLERK	Attest	
7/29/2014	1	MAYOR	Signed	
7/28/2014	1	COUNCIL PRESIDENT	Signed	
7/28/2014	1	Zoning Committee	Approved	Pass
7/21/2014	1	Columbus City Council	Read for the First Time	

Council Variance Application: CV14-024

APPLICANT: Habitat for Humanity; c/o Jason Hackworth; 3140 Westerville Road; Columbus, OH 43224.

PROPOSED USE: Single-unit residential development.

NORTHEAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is comprised of three separate lots zoned in the C-4, Commercial District, one of which is developed with a vacant single-unit dwelling to be demolished. The requested Council variance will allow the construction of three new single-unit dwellings. A variance is necessary because dwelling units are permitted only above certain commercial uses in the C-4, Commercial District. This vacant site contains three of fifteen parcels zoned C-4 at the intersection of Genessee and McCookey Avenues. The twelve other C-4 parcels are developed with single-unit dwellings or are vacant, and the entire C-4 District is surrounded by dwellings and residential zoning. Staff finds the current C-4 District zoning to be obsolete, and would like to see this district rezoned as part of a City-sponsored rezoning initiative to an appropriate residential district to accurately reflect the uses of the property. The request is consistent with the land use recommendations of *The Northeast Area Plan* (2007), which proposes low-density residential uses for this location.

To grant a variance from the provisions of Section 3356.03, C-4 Permitted uses; of the Columbus City codes, for the property located at **1984 GENESSEE AVENUE (43211)**, to permit three single-unit dwellings in the C-4 Commercial District (CV14-024).

WHEREAS, by application No. CV14-024, the owner of property at **1984 GENESSEE AVENUE (43211)**, is requesting a Council Variance to permit three single-unit dwellings in the C-4, Commercial District; and

WHEREAS, Section 3356.03, C-4, Permitted uses, does not allow dwellings on the ground floor, while the applicant proposes to permit three (3) single-unit dwellings on three separate lots; and

WHEREAS, the Northeast Area Commission recommends approval; and

WHEREAS, City Departments recommend approval because the request for single-unit residential development is consistent with the land use recommendations of *The Northeast Area Plan*, which proposes low-density residential uses for this location. Staff finds the current C-4 District zoning to be obsolete, and would like to see this district rezoned as part of a City-sponsored rezoning initiative to an appropriate residential district to accurately reflect the uses of the property; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificates of Occupancy for the proposed dwellings; 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 owner of the property located at **1984 GENESSEE AVENUE (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 Section 3356.03, C-4 Permitted uses; of the Columbus City Codes, is hereby granted for the property located at **1984 GENESSEE AVENUE (43211)**, insofar as said section prohibits single-unit dwellings in the C-4, Commercial District, said property being more particularly described as follows;

1984 GENESSEE AVENUE (43211), being 0.39± acres located on the north side of Genessee Avenue, 130± feet east of McCooley Avenue, and being more particularly described as follows:

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

Being Lots Numbered Thirty-Eight (38), Thirty-Nine (39) and Forty (40) in LINDEN VIEW THIRD ACRE ADDITION, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 7, page 418, Recorder's Office, Franklin County, Ohio.

Property Address: 1984 Genessee Avenue, Columbus, OH 43211
Parcel Numbers: 010-069596 and 010-069718 and 010-069704
Prior Instrument Reference: 200012220258204

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is developed with up to three (3) single-unit dwellings (one per lot).

SECTION 3. That this ordinance is further conditioned upon each lot being in compliance with R-3, Residential District standards for the construction of all structures or modifications to existing structures.

SECTION 4. That this ordinance is further conditioned on the applicant obtaining all applicable permits and Certificates of Occupancy for the proposed dwellings.

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