



## Legislation Details (With Text)

**File #:** 1620-2017      **Version:** 1

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

**File created:** 6/12/2017      **In control:** Zoning Committee

**On agenda:** 7/10/2017      **Final action:** 7/12/2017

**Title:** To grant a Variance from the provisions of Sections 3356.03, C-4, permitted uses; 3312.13(A), Driveway; and 3312.25, Maneuvering, of the Columbus City Codes; for the property located at 1134 SOUTH HIGH STREET (43206), to conform an existing single-unit dwelling with reduced driveway standards and permit a lot split for a new single-unit dwelling in the C-4, Commercial District (Council Variance # CV17-013).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1620-2017\_Attachments, 2. ORD1620-2017\_Labels

Date	Ver.	Action By	Action	Result
7/12/2017	1	CITY CLERK	Attest	
7/12/2017	1	MAYOR	Signed	
7/10/2017	1	COUNCIL PRESIDENT	Signed	
7/10/2017	1	Zoning Committee	Waive the 2nd Reading	Pass
7/10/2017	1	Zoning Committee	Approved	Pass

### Council Variance Application CV17-013

**APPLICANT:** Austin Caulk; 1021 South High Street; Columbus, OH 43206.

**PROPOSED USE:** Two single-unit dwellings.

**COLUMBUS SOUTH SIDE AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is currently developed with a single-unit dwelling zoned in the C-4, Commercial District. The requested variance will conform the existing dwelling, and will permit a split of the lot for future construction of a second single-unit dwelling on the back half of the parcel to front on South Pearl Street. A Council variance is necessary because residential uses are only permitted above specified commercial uses in the C-4, Commercial District. Each parcel will have its own access and required parking. This request includes variances to driveway width and maneuvering for the existing driveway from South High Street which is less than 10 feet wide and divided by the parcel line shared with the property to the south. The site is within the planning area of the *South Side Plan* (2014), which recommends "Neighborhood Mixed Use" for this location. The existing dwelling has been long established on this lot, and the proposed dwelling is consistent with the residential uses that are prevalent in the surrounding neighborhood. A hardship exists because the non-conforming nature of the site precludes financing options. Approval of this request will not add a new or incompatible use to the area.

To grant a Variance from the provisions of Sections 3356.03, C-4, permitted uses; 3312.13(A), Driveway; and 3312.25,

Maneuvering, of the Columbus City Codes; for the property located at **1134 SOUTH HIGH STREET (43206)**, to conform an existing single-unit dwelling with reduced driveway standards and permit a lot split for a new single-unit dwelling in the C-4, Commercial District (Council Variance # CV17-013).

**WHEREAS**, by application # CV17-013, the owner of property at **1134 SOUTH HIGH STREET (43206)**, is requesting a Council variance to conform an existing single-unit dwelling with reduced driveway standards, and to permit a lot split for a new single-unit dwelling in the C-4, Commercial District; and

**WHEREAS**, Section 3356.03, C-4 Permitted Uses, permits dwelling units only above certain commercial uses, while the applicant proposes to conform an existing single-unit dwelling, and to split the lot in half to permit future construction of a single-unit dwelling fronting on South Pearl Street; and

**WHEREAS**, Section 3312.13(A), Driveway, requires a minimum driveway width of ten feet for residential parking areas containing one to eight parking spaces, while the applicant proposes to maintain the existing driveway from South High Street with a reduced total width of approximately eight feet, with the driveway being divided by the parcel line on along the southern boundary of the site; 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 over a property line for the existing shared driveway from South High Street; and

**WHEREAS**, the Columbus South Side Area Commission recommends approval; and

**WHEREAS**, The City Departments recommend approval because this request will not add a new or incompatible use to the area. The requested variance will conform an existing single-unit dwelling in the C-4, Commercial District, which has been long established on this lot and is consistent with the residential uses that are prevalent in the surrounding neighborhood; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed single-unit dwelling; 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 the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect 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 **1134 SOUTH HIGH STREET (43206)**, 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; 3312.13(A), Driveway; and 3312.25, Maneuvering, of the Columbus City Codes, is hereby granted for the property located at **1134 SOUTH HIGH STREET (43206)**, insofar as said sections prohibit single-unit dwellings in the C-4, Commercial District, with a reduced driveway width from ten feet to approximately eight feet for the existing driveway from South High Street; and maneuvering over a parcel line with said driveway which is divided by the southern parcel line of the subject site; said property being more particularly described as follows:

**1134 SOUTH HIGH STREET (43206)** being 0.18± acres located on the east side of South High Street, 66± feet north of East Mithoff Street, and being more particularly described as follows:

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

Being fifteen (15) feet off the south side of Lot Number One (1) of E.T. Mitthoff's Amended Subdivision of Lot No. 1 of Mitthoff's Addition, as said lot is numbered and delineated upon the recorded plat of said Amended Subdivision, of record in Plat Book 4, Page 40, Recorder's Office, Franklin County, Ohio, and the north half of Lot Number Two (2) of E.T. Mitthoff's Addition, as said lot is numbered and delineated upon the recorded plat of said Addition, of record in Plat Book 3, Page 371, Recorder's Office, Franklin County, Ohio.

Parcel No. 010-014148

Property Address: 1134 South High Street, Columbus, OH 43206

**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-unit dwelling; or, if the lot is split into two approximately-equal halves, two single-unit dwellings (the existing dwelling fronting on South High Street and the proposed dwelling fronting on South Pearl Street); or those uses permitted in the C-4, Commercial District.

**SECTION 3.** That this ordinance is further conditioned upon the applicant obtaining all applicable permits and a Certificates of Occupancy for the proposed single-unit dwelling.

**SECTION 4.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.