



## Legislation Details (With Text)

**File #:** 2259-2017      **Version:** 1

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

**File created:** 8/22/2017      **In control:** Zoning Committee

**On agenda:** 9/11/2017      **Final action:** 9/13/2017

**Title:** To grant a Variance from the provisions of Section 3356.03, C-4, permitted uses; for the property located at 2751 INDIANOLA AVENUE (43202), to permit a single-unit dwelling in the C-4, Commercial District (Council Variance # CV17-046).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD2259-2017\_Attachments, 2. ORD2259-2017\_Labels1, 3. ORD2259-2017\_Labels2

Date	Ver.	Action By	Action	Result
9/13/2017	1	CITY CLERK	Attest	
9/12/2017	1	MAYOR	Signed	
9/11/2017	1	Zoning Committee	Waive the 2nd Reading	
9/11/2017	1	Zoning Committee	Approved	Pass
9/11/2017	1	COUNCIL PRESIDENT	Signed	

### Council Variance Application CV17-046

**APPLICANT:** Barbara J. Lubberger; 2751 Indianola Avenue; Columbus, OH 43202.

**PROPOSED USE:** Single-unit dwelling.

**CLINTONVILLE AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The requested variance will conform an existing single-unit dwelling in the C-4, Commercial District. A Council variance is necessary because residential uses are only permitted above specified commercial uses in the C-4, Commercial District. The site is located within the planning area of the *Clintonville Neighborhood Plan* (2009), which recommends multi-unit residential uses at this location. The dwelling has been long established on this lot and 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 the applicant's ability to add an addition to the existing dwelling. Approval of this request will not add a new or incompatible use to the area.

To grant a Variance from the provisions of Section 3356.03, C-4, permitted uses; for the property located at **2751 INDIANOLA AVENUE (43202)**, to permit a single-unit dwelling in the C-4, Commercial District (Council Variance # CV17-046).

**WHEREAS**, by application No. CV17-046, the owner of property at **2751 INDIANOLA AVENUE (43202)**, is requesting a Council variance to permit a 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

**WHEREAS**, the Clintonville 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, and the *Clintonville Neighborhood Plan* recommends residential uses at this and surrounding locations; 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 **2751 INDIANOLA AVENUE (43202)**, 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 **2751 INDIANOLA AVENUE (43202)**, insofar as said section prohibits a single-unit dwelling in the C-4, Commercial District, said property being more particularly described as follows:

**2751 INDIANOLA AVENUE (43202)**, being 0.19± acres located on the west side of Indianola Avenue, 200± feet south of Olentangy Street, and being more particularly described as follows:

Being eight (8) feet off the south side of Lot Number Two (2) and all of Lot Number One (1) except five feet off the east side thereof, of INDIANOLA PARK VIEW ADDITION No. 4, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 9, Page 15, Recorder's Office, Franklin County, Ohio.

Parcel Number: 010-022389

**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 those uses permitted in the C-4, Commercial District.

**SECTION 3.** That this ordinance is further conditioned on compliance with R-3, Residential District standards for any additions to or replacement of existing structures.

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