



Legislation Details (With Text)

File #: 2528-2018 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 9/6/2018 **In control:** Zoning Committee

On agenda: 11/5/2018 **Final action:** 11/7/2018

Title: To grant a Variance from the provisions of Sections 3332.035, R-3, Residential District; 3312.21, Landscaping and screening; 3312.27(3), Parking setback line; 3312.39, Striping and marking; 3312.43, Surface; 3312.49, Minimum number of parking spaces required; and 3321.07(B), Landscaping, of the Columbus City codes, for the property located at 280 EAST INNIS AVENUE (43207), to permit a fraternal organization/private club with reduced parking and landscaping standards in the R-3, Residential District (Council Variance #CV18-014).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD2528-2018.Attachments_Revised, 2. ORD2528-2018.Labels.pdf

Date	Ver.	Action By	Action	Result
11/7/2018	1	CITY CLERK	Attest	
11/6/2018	1	MAYOR	Signed	
11/5/2018	1	COUNCIL PRESIDENT	Signed	
11/5/2018	1	Zoning Committee	Waive the 2nd Reading	Pass
11/5/2018	1	Zoning Committee	Approved	Pass

Council Variance Application: CV18-014

APPLICANT: Tara Hall, Inc.; c/o Ron Hagan; 7326 State Route 19, Unit 0512; Mt. Gilead, OH 43338.

PROPOSED USE: To conform and expand a fraternal organization/private club.

COLUMBUS SOUTHSIDE AREA COMMISSION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is zoned R-3, Residential District and developed with a non-conforming fraternal organization/private club with an attached single dwelling unit, addressed as 274 East Innis Avenue. The R-3, Residential District was established as part of a 1972 City-sponsored down-zoning of the neighborhood which rendered this use non-conforming. The requested Council variance will conform the use and a recent expansion on the site. Additional variances are requested to reduce the minimum number of required parking spaces from 75 to 21, and to allow the existing gravel parking lot to be maintained without any landscaping or screening until spring of 2019. The continued use of the fraternal organization/private club and gravel lot with reduced parking spaces can be supported, and staff believes that the proposed landscaping and screening will effectively mitigate potential negative impacts of this commercial use and gravel lot on the surrounding and adjacent residential uses.

To grant a Variance from the provisions of Sections 3332.035, R-3, Residential District; 3312.21, Landscaping and screening; 3312.27(3), Parking setback line; 3312.39, Striping and marking; 3312.43, Surface; 3312.49, Minimum number of parking spaces required; and 3321.07(B), Landscaping, of the Columbus City codes, for the property located at

280 EAST INNIS AVENUE (43207), to permit a fraternal organization/private club with reduced parking and landscaping standards in the R-3, Residential District (Council Variance #CV18-014).

WHEREAS, by application #CV18-014, the owner of property at **280 EAST INNIS AVENUE (43207)**, is requesting a Council variance to conform and expand a nonconforming fraternal organization/private club with reduced parking and landscaping standards in the R-3, Residential District; and

WHEREAS, Section 3332.035, R-3, Residential district, prohibits fraternal organizations and private clubs, while the applicant proposes to conform and expand a nonconforming fraternal organization/private club that is attached to a single dwelling unit; and

WHEREAS, Section 3312.21, Landscaping and screening, requires certain landscaping and perimeter screening for parking lots, while the applicant proposes to maintain the existing gravel parking area with no landscaping or screening until spring of 2019, and then shall install landscaping and screening as shown on the attached site plan; and

WHEREAS, Section 3312.27(3), Parking setback line, requires the minimum parking setback line to be ten feet, while the applicant proposes to maintain the parking setback line of zero feet along East Innis Avenue; and

WHEREAS, Section 3312.39, Striping and marking, requires parking spaces to be striped, while the applicant proposes a gravel parking area with no striping; and

WHEREAS, Section 3312.43, Surface, requires the surface of any parking area to be an approved hard surface other than gravel or loose fill, while the applicant proposes to maintain a gravel parking surface; and

WHEREAS, Section 3312.49, Minimum number of parking spaces required, requires a total of 75 off-street parking spaces for the existing fraternal organization/private club, using the minimum parking requirement of 2 parking spaces per dwelling unit, 1 parking space per 30 feet of assembly space and patio space, and 1 parking space per 250 square feet of non-assembly space, while the applicant proposes to maintain 21 parking spaces; and

WHEREAS, Section 3321.07(B), Landscaping, requires one tree per ten residential units, a requirement of 1 trees for the single dwelling unit on the site, while the applicant proposes to maintain zero trees; and

WHEREAS, the Columbus Southside Area Commission recommends approval; and

WHEREAS, the City Departments recommend approval of the requested variances as the fraternal organization has existed on this property for some time, and the applicant will provide landscaping and buffering that minimizes the impacts of the commercial use and gravel parking lot on the surrounding residential neighborhood; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy 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 **280 EAST INNIS AVENUE (43207)**, 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 3332.035, R-3, Residential District; 3312.21, Landscaping and screening; 3312.27(3), Parking setback line; 3312.39, Striping and marking; 3312.43, Surface; 3312.49, Minimum number of parking spaces required; and 3321.07(B), Landscaping, of the Columbus City codes, is hereby granted for the property located at **280 EAST INNIS AVENUE (43207)**, insofar as said sections prohibit a fraternal organization/private club in the R-3, Residential District; with parking lot landscaping and screening to be installed in spring of 2019 as shown on the Site Plan; a reduced parking setback line from 10 feet to zero feet along East Innis Avenue; no parking lot striping on a gravel parking surface; a parking space reduction from 75 required parking spaces to 21 parking spaces; and no tree for the single dwelling unit; said property being more particularly described as follows:

280 EAST INNIS AVENUE (43207), being 0.42± acres located on the northeast corner of Innis Avenue and Eight Street, and being more particularly described as follows:

Parcel One:

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

Being Lot Number One Hundred Forty-Six (146) and One Hundred Forty-Seven (147) in SOUTH SIDE TERRACE ADDITION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 5, page 498-499, Recorder's Office, Franklin County, Ohio.

Franklin County Auditor's Tax Parcel Id. No.: 010-027276-00
Commonly known as: 274 East Innis Avenue, Columbus, Ohio 43207

Parcel Two:

Situated in the State of Ohio, County of Franklin, City of Columbus and bounded and described as follows:

Being Lot Number One Hundred Forty Eight (148) of South Side Terrace Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 5, Page 498, Recorder's Office, Franklin County, Ohio.

Franklin County Auditor's Tax Parcel Id. No.: 010-007893-00
Commonly known as: 288-290 East Innis Avenue, Columbus, Ohio 43207

Parcel Three:

Situated in the City of Columbus, Franklin County, Ohio and described as Lot No. One Hundred Forty-Nine (149) in the South Side Terrace Addition, as numbered, delineated, and recorded in Plat Book No. 5, Pages 498 & 499, Recorder's Office, Franklin County, Ohio.

Franklin County Auditor's Tax Parcel Id. No.: 010-024152-00
Commonly known as: 292 East Innis Avenue, Columbus, Ohio 43207

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a fraternal organization in accordance with the submitted site plan, however this does not preclude improvements to the parking lot or landscaping and screening on the site provided intensity of variances are not increased, or those uses permitted in the R-3, Residential District.

SECTION 3. That this ordinance is further conditioned on the Subject Site being developed in general conformance with the plan titled "**AOH - TARA HALL**," dated October 19, 2018, signed by Donald Plank, Attorney for the Applicant. The Plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time final engineering and architectural drawings are completed. Any slight adjustments to the Plan shall be subject to review and approval by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

SECTION 4. That this ordinance is further conditioned on the applicant providing required bicycle parking on the final site compliance plan.

SECTION 5. That this ordinance is further conditioned on the applicant providing the landscaping and screening shown on the attached site plan by June 30, 2019. The required clear vision triangle at the intersection of East Innis Avenue with the alley along the east boundary of the site shall be maintained.

SECTION 6. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

SECTION 7. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.