



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 11/14/2018 **In control:** Zoning Committee

On agenda: 12/3/2018 **Final action:** 12/6/2018

Title: To grant a Variance from the provisions of Sections 3363.01, Manufacturing districts; 3312.25, Maneuvering; and 3312.49, Minimum number of parking spaces required, of the Columbus City Codes; for the property located at 88 WEST FRANKFORT STREET (43206), to permit a two-unit dwelling in the M, Manufacturing District with reduced development standards (Council Variance #CV18-071).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD3229-2018.Attachments.pdf, 2. ORD3229-2018.Labels.pdf

Date	Ver.	Action By	Action	Result
12/6/2018	1	CITY CLERK	Attest	
12/5/2018	1	ACTING MAYOR	Signed	
12/3/2018	1	COUNCIL PRESIDENT	Signed	
12/3/2018	1	Zoning Committee	Waive the 2nd Reading	Pass
12/3/2018	1	Zoning Committee	Approved	Pass

Council Variance Application: CV18-071

APPLICANT: Frankbank, LLC; c/o David B. Perry, Agent; David Perry Company, Inc.; 411 East Town Street, 1st Floor; Columbus, OH 43215.

PROPOSED USE: Two-unit dwelling.

BREWERY DISTRICT COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of one parcel zoned in the M, Manufacturing District that is developed with a single-unit dwelling. The requested variance will permit the conversion of the structure into a two-unit dwelling. A Council variance is necessary because the M district does not permit a two-unit dwelling and allows only limited residential uses. Variances to aisle width, maneuvering, and to reduce the required number of parking spaces from 4 to 3 are included in the request. The site is located within the boundaries of the "Transitional Tier" of the *Brewery District Plan* (1993), which recommends Frankfort Street as the southern border for high density redevelopment, but the Plan also supports preservation of original structures and residential uses in the area. The proposal is consistent with the residential uses that are prevalent in the surrounding neighborhood.

To grant a Variance from the provisions of Sections 3363.01, Manufacturing districts; 3312.25, Maneuvering; and 3312.49, Minimum number of parking spaces required, of the Columbus City Codes; for the property located at **88 WEST FRANKFORT STREET (43206)**, to permit a two-unit dwelling in the M, Manufacturing District with reduced

development standards (Council Variance #CV18-071).

WHEREAS, by application #CV18-071, the owner of property at **88 WEST FRANKFORT STREET (43206)** is requesting a Council variance to permit a two-unit dwelling in the M, Manufacturing District with reduced development standards; and

WHEREAS, Section 3363.01, Manufacturing districts, does not permit a two-unit dwelling and allows only limited residential uses, while the applicant proposes a two-unit dwelling; and

WHEREAS, Section 3312.25, Maneuvering, requires every parking space to have sufficient access and maneuvering area, while the applicant proposes to reduce the maneuvering for three 90 degree parking spaces from 20 feet to 10 feet, and permit maneuvering in part of the Frankfort Street parking setback, as shown on the site plan; and

WHEREAS, Section 3312.49, Minimum number of parking spaces required, requires two parking spaces per dwelling unit, while the applicant proposes to reduce required parking from four spaces to three spaces for a two-unit dwelling; and

WHEREAS, The Brewery District 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 permit a two-unit dwelling in the M, Manufacturing District, and the *Brewery District Plan* recognizes that the current zoning does not accurately represent the existing residential uses, and supports preservation of original structures and residential uses 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 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 **88 WEST FRANKFORT 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 Sections 3363.01, Manufacturing districts; 3312.25, Maneuvering; and 3312.49, Minimum number of parking spaces required, of the Columbus City Codes, is hereby granted for the property located at **88 WEST FRANKFORT STREET (43206)**, insofar that said sections prohibit a two-unit dwelling in the M, Manufacturing District; with reduced maneuvering from 20 feet to 10 feet including within Frankfort Street parking setback; and a parking space reduction from 4 parking spaces to 3; said property being more particularly described as follows:

88 WEST FRANKFORT STREET (43206), being 0.06± acres located on the northeast corner of West Frankfort Street and Bank Street, and being more particularly described as follows:

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

Being Eighty (80) feet off of the West end of Lot Number One Hundred Seventy-five (175) of C.F. Jaeger's 23rd Addition to the Inlots of the City of Columbus, Ohio as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 3, Page 59, Recorder's Office, Franklin County, Ohio.

Parcel Number: 010-040968

Property Address: 88 West Frankfort Street; Columbus, Ohio 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 two-unit dwelling, or those uses in the M, Manufacturing District.

SECTION 3. That this ordinance is further conditioned on the subject site being developed in general conformance with the site plan titled, **“REMODELING OF EXISTING STRUCTURE @ 88 FRANKFORT STREET,”** dated November 1, 2018, and signed by David B. Perry, Agent for the Applicant, and Jay E. Michael, Attorney for the Applicant. The plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when 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 obtaining all applicable permits and a Certificate of Zoning Clearance 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.