



Legislation Details (With Text)

File #: 1672-2019 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 6/11/2019 **In control:** Zoning Committee

On agenda: 7/1/2019 **Final action:** 7/3/2019

Title: To grant a Variance from the provisions of Section 3353.03, Permitted uses, of the Columbus City Codes; for the property located at 3726 N. HIGH ST. (43214), to permit first floor residential use or a single-unit dwelling in the C-2, Commercial District (Council Variance #CV18-112) and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1672-2019_Attachments

Date	Ver.	Action By	Action	Result
7/3/2019	2	CITY CLERK	Attest	
7/2/2019	2	ACTING MAYOR	Signed	
7/1/2019	2	COUNCIL PRESIDENT	Signed	
7/1/2019	1	Zoning Committee	Amended to Emergency	Pass
7/1/2019	1	Zoning Committee	Approved as Amended	Pass
6/24/2019	1	Columbus City Council	Read for the First Time	

Council Variance Application CV18-112

APPLICANT: Aigool Zhumsheva; 3726 North High Street; Columbus, OH 43214.

PROPOSED USE: First floor residential use or a single-unit dwelling.

CLINTONVILLE AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is developed with a dwelling that was converted to an office that is zoned in the C-2, Commercial District. The requested Council variance will permit conversion of all or part of the office back into a single-unit dwelling. The site is within the planning area of the *Clintonville Neighborhood Plan* (2009), which recommends "Mixed Use" (office, institutional, or residential uses) for this location. Approval of this request will not add new or incompatible uses to the area. The development pattern along this part of North High Street is mixed with offices, apartments, and single-unit dwellings, thus the requested use will complement the surrounding uses. The underlying C-2 zoning district will remain intact thereby permitting future exclusively office use should that be desired.

To grant a Variance from the provisions of Section 3353.03, Permitted uses, of the Columbus City Codes; for the property located at **3726 N. HIGH ST. (43214)**, to permit first floor residential use or a single-unit dwelling in the C-2, Commercial District (Council Variance #CV18-112) **and to declare an emergency.**

WHEREAS, by application #CV18-112, the owner of property at **3726 N. HIGH ST. (43214)**, is requesting a Council variance to permit first floor residential use or a single-unit dwelling in the C-2, Commercial District; and

WHEREAS, Section 3353.03, Permitted uses, permits dwelling units only when above commercial uses, while the applicant proposes first floor residential use or a dwelling unit within an existing office building; 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, and is consistent with the land use recommendation of the *Clintonville Neighborhood Plan*. The development pattern along this part of North High Street is mixed with offices, apartments, and single-unit dwellings, thus the requested use will complement the surrounding uses. The underlying C-2 zoning district will remain intact thereby permitting future office development on the site should that be desired; and

WHEREAS, said ordinance requires separate submission for all applicable permits and a 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 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 **3726 N. HIGH ST. (43214)**, in using said property as desired;

WHEREAS, an emergency exists so that the required building permit to change the use of the building to a dwelling can be approved to commence the change-of-use process; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That a variance from the provisions of Section 3353.03, Permitted uses, of the Columbus City Codes, is hereby granted for the property located at **3726 N. HIGH ST. (43214)**, insofar as said section prohibits first floor residential use or a single-unit dwelling in the C-2, Commercial District; said property being more particularly described as follows:

3726 N. HIGH ST. (43214), being 0.14± acres located on the east side of North High Street, 86.5± feet south of Arden Road, and being more particularly described as follows:

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

Being Lot Number Seven (7) of Dominion Park Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 12, Page 1, Recorder's Office, Franklin County, Ohio

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for first-floor residential use or a single-unit dwelling, or those uses permitted in the C-2, Commercial District.

SECTION 3. That this ordinance is further conditioned upon the applicant obtaining all applicable permits and Certificates of Occupancy for the proposed use.

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

That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.