



## Legislation Details (With Text)

**File #:** 1806-2019      **Version:** 1

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

**File created:** 6/25/2019      **In control:** Zoning Committee

**On agenda:** 7/15/2019      **Final action:** 7/17/2019

**Title:** To grant a Variance from the provisions of Section 3333.04, Permitted uses in AR-O apartment office district, of the Columbus City Codes; for the property located at 760 E. MAIN ST. (43205), to permit a beauty salon and day spa and a single-unit dwelling in the AR-O, Apartment Office District, and to repeal Ordinance #1192-02, passed July 29, 2002 (Council Variance #CV19-043).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1806-2019.Attachments, 2. ORD1806-2019.Labels

Date	Ver.	Action By	Action	Result
7/17/2019	1	CITY CLERK	Attest	
7/16/2019	1	MAYOR	Signed	
7/15/2019	1	COUNCIL PRESIDENT	Signed	
7/15/2019	1	Zoning Committee	Waive the 2nd Reading	Pass
7/15/2019	1	Zoning Committee	Approved	Pass

**Council Variance Application: CV19-043**

**APPLICANT:** A. Robert Hutchins; 341 South Third Street, Suite 10; Columbus, OH 43215.

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

**NEAR EAST AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of one parcel developed with three buildings in the AR-O, Apartment Office District. The requested Council variance will permit one of the vacant office buildings to be converted to a single-unit dwelling. Ordinance #1192-02 (Council Variance #CV02-010) permitted a beauty salon and day spa on this parcel with a parking space reduction from 30 required spaces to 24 provided spaces. Because the site is now located within the East Main Street Urban Commercial Overlay (UCO), a parking reduction variance is no longer necessary. The site is located within the boundaries of the *Near East Area Plan* (2005), which recommends "Higher Density Residential / Mixed Use" land uses at this location. The proposed variance combines the approved variance subject to Ordinance #1192-02 with this request, and will not add new or incompatible uses to the area.

To grant a Variance from the provisions of Section 3333.04, Permitted uses in AR-O apartment office district, of the Columbus City Codes; for the property located at **760 E. MAIN ST. (43205)**, to permit a beauty salon and day spa and a single-unit dwelling in the AR-O, Apartment Office District, and to repeal Ordinance #1192-02, passed July 29, 2002 (Council Variance #CV19-043).

**WHEREAS**, by application #CV19-043, the owner of property at **760 E. MAIN ST. (43205)**, is requesting a Council variance to permit a beauty salon and day spa and a single-unit dwelling with reduced development standards in the AR-O, Apartment Office District; and

**WHEREAS**, Section 3333.04, Permitted uses in AR-O apartment office district, permits apartments and limited commercial uses, while the applicant proposes to maintain the previously-approved variance for a beauty salon and day spa use and permit a single-unit dwelling; and

**WHEREAS**, the Near East Area Commission recommends approval; and

**WHEREAS**, City Departments recommend approval because this request will not add a new or incompatible use to the area. The requested variance will reestablish a single-unit dwelling use, which is consistent with the recommendation for “Higher Density Residential / Mixed Use” of the *Near East Area Plan*; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and Certificates of Occupancy for the proposed uses; 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 **760 E. MAIN ST. (43205)**, 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 3333.04, Permitted uses in AR-O apartment office district, of the Columbus City Codes, is hereby granted for the property located at **760 E. MAIN ST. (43205)**, insofar as said section prohibits a beauty salon and day spa and a single-unit dwelling in the AR-O, Apartment Office District; said property being more particularly described as follows:

**760 E. MAIN ST. (43205)**, being 0.42± acres located at the northeast corner of East Main Street and Allen Avenue, and being more particularly described as follows:

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

Being Lots Numbered One (1) and Two (2) and 100 Feet off the South End of Lot Numbered Three (3), in the William Phelan's Eastern Addition, as the same are numbered and delineated upon the Recorded Plat Thereof, of Record in Plat Book 1, Page 37, Recorder's Office, Franklin County, Ohio.

PPN: 010 - 020312

Commonly Known as: 760, 762, 764, and 766 E. Main Street, Columbus, Ohio 43205

Prior Instrument Reference: 200902250025403

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a beauty salon and day spa and a single-unit dwelling, or those uses permitted in the AR-O, Apartment Office District.

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

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

**SECTION 5.** That Ordinance #1192-02, passed July 29, 2002, be and is hereby repealed.