



Legislation Details (With Text)

File #: 1286-2020 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 5/27/2020 **In control:** Zoning Committee

On agenda: 6/15/2020 **Final action:** 6/18/2020

Title: To grant a Variance from the provisions of Section 3332.037, R-2F, residential district; for the property located at 140-146 E. MOLER ST. (43207), to conform an existing three-unit dwelling in the R-2F, Residential District (Council Variance #CV20-016) and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1286-2020_Attachments, 2. ORD1286-2020_Labels

Date	Ver.	Action By	Action	Result
6/18/2020	2	CITY CLERK	Attest	
6/17/2020	2	MAYOR	Signed	
6/15/2020	2	COUNCIL PRESIDENT	Signed	
6/15/2020	1	Zoning Committee	Amended to Emergency	Pass
6/15/2020	1	Zoning Committee	Approved as Amended	Pass

Council Variance Application CV20-016

APPLICANT: Jeffrey A. Carroll; 1131 Lakeshore Drive; Warsaw, IN 46580.

PROPOSED USE: Conform an existing three-unit dwelling.

COLUMBUS SOUTHSIDE AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site has been developed with a three-unit dwelling since before a neighborhood down-zoning in 2005, resulting in the property being zoned to the R-2F, Residential District. A Council variance will conform the existing three-unit dwelling which is necessary because the R-2F district permits only one- or two-unit dwellings. The site is within the planning boundaries of the *South Side Plan* (2014), which recommends medium-high density residential land uses at this location. A hardship exists because the non-conforming status of the site precludes financing options. Approval of this request will not add a new or incompatible use to the area.

To grant a Variance from the provisions of Section 3332.037, R-2F, residential district; for the property located at **140-146 E. MOLER ST. (43207)**, to conform an existing three-unit dwelling in the R-2F, Residential District (Council Variance #CV20-016) **and to declare an emergency.**

WHEREAS, by application #CV20-016, the owner of property at **140-146 E. MOLER ST. (43207)**, is requesting a Council variance to conform an existing three-unit dwelling in the R-2F, Residential District; and

WHEREAS, Section 3332.037, R-2F, residential district, permits only one or two-unit dwellings, while the applicant proposes to conform an existing three-unit dwelling; and

WHEREAS, the Columbus Southside 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, will conform an existing three-unit dwelling in the R-2F, Residential District, and is consistent with the *South Side Plan's* land use recommendation; 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 **140-146 E. MOLER ST. (43207)**, in using said property as desired;

WHEREAS, an emergency is needed in order to comply with 5th/3rd Bank Financing requirements that showed up in the appraisal. The usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; now, therefore:

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

SECTION 1. That a variance from the provisions of Section 3332.037, R-2F, residential district, of the Columbus City Codes, is hereby granted for the property located at **140-146 E. MOLER ST. (43207)**, insofar as said section prohibits a three-unit dwelling in the R-2F, Residential District; said property being more particularly described as follows:

140-146 E. MOLER ST. (43207), being 0.18± acres located on the north side of East Moler Street, 79± east of South Fourth Street, and being more particularly described as follows:

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

Being a part of Lot number (14) of Nathaniel Merion's Amended Subdivision of a part of half section No.29, Township 5, Range 22: Beginning at a point in the southeast corner of Lot No.14; thence north 120 feet to a point; thence westerly parallel to the north Line of Moler Street 64.5 feet to a point; thence southerly and parallel to the east line of Fourth Street 120 feet to the north line of Moler Street; thence

Parcel No. 010-025593

Known as: 140-146 E. Moler St., Columbus, OH 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 three-unit dwelling, or those uses permitted in the R-2F, Residential District.

SECTION 3. ~~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