



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 5/21/2021 **In control:** Zoning Committee

On agenda: 6/7/2021 **Final action:** 6/10/2021

Title: To grant a Variance from the provisions of Section 3332.029, SR suburban residential district, of the Columbus City Codes; for the property located at 54-56 E. KANAWHA AVE. (43214), to conform a two-unit dwelling in the SR, Suburban Residential District (Council Variance #CV21-030).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD#1320-2021_Attachments, 2. ORD#1320-2021_Labels

Date	Ver.	Action By	Action	Result
6/10/2021	1	CITY CLERK	Attest	
6/8/2021	1	MAYOR	Signed	
6/7/2021	1	COUNCIL PRESIDENT	Signed	
6/7/2021	1	Zoning Committee	Waive the 2nd Reading	Pass
6/7/2021	1	Zoning Committee	Approved	Pass

Council Variance Application: CV21-030

APPLICANT: Gerald Sutton; 205 E. South Street; Worthington, OH 43085.

PROPOSED USE: Conform an existing two-unit dwelling.

CLINTONVILLE AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of one parcel developed with a nonconforming two-unit dwelling which was constructed in 1949, and subsequently zoned in the SR, Suburban Residential District in 1957. A Council variance is necessary because a two-unit dwelling is not a permitted use in the existing zoning district. A hardship exists because the non-conforming nature of the site precludes financing options. The site is within the planning boundaries of the *Clintonville Neighborhood Plan* (2009), which recommends “two- and three-family” residential land uses at this location. Staff supports the variance as the request is consistent with the recommendations of the Plan and with the established development pattern of the area. The two-unit dwelling has been long established on this lot and the request will not add a new or incompatible use to the area.

To grant a Variance from the provisions of Section 3332.029, SR suburban residential district, of the Columbus City Codes; for the property located at **54-56 E. KANAWHA AVE. (43214)**, to conform a two-unit dwelling in the SR, Suburban Residential District (Council Variance #CV21-030).

WHEREAS, by application #CV21-030, the owner of the property at **54-56 E. KANAWHA AVE. (43214)**, is

requesting a Variance to conform a two-unit dwelling in the SR, Suburban Residential District; and

WHEREAS, Section 3332.029, SR suburban residential district, prohibits two-unit dwellings, while the applicant proposes to conform an existing two-unit dwelling; and

WHEREAS, the Clintonville Area Commission recommends approval; and

WHEREAS, City Departments recommend approval of the requested variances because the proposal will not add an incompatible use to the area, and the request is consistent with the land use recommendation of the *Clintonville Neighborhood Plan* (2009); 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 **54-56 E. KANAWHA AVE. (43214)**, in using said property as desired; now, therefore:

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

SECTION 1. That a variance is hereby granted from the provisions of Section 3332.029, SR suburban residential district, of the Columbus City Codes; for the property located at **54-56 E. KANAWHA AVE. (43214)**, insofar as said section prohibits a two-unit dwelling in the SR, Suburban Residential District; said property being more particularly described as follows:

54-56 E. KANAWHA AVE. (43214), being 0.23± acres located on the north side of Kanawha Avenue, 430± feet east of North High Street, and being more particularly described as follows:

Situated in Ohio, County of Franklin, City of Columbus, Being Lot 73 Sharon Heights Addition Plat Book 10 Page 76.

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 permitted in the SR, Suburban Residential District.

SECTION 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.