



Legislation Text

File #: 0972-2015, **Version:** 1

Council Variance Application: CV15-008

APPLICANT: George F. Herbst; c/o Amy K. Kuhn; Plank Law Firm; 145 East Rich Street, 3rd Floor; Columbus, OH 43215.

PROPOSED USE: To conform a single unit dwelling.

BREWERY DISTRICT COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The requested variance will conform an existing single dwelling in the M, Manufacturing District. A Council variance is necessary because the M district only permits a residence for on-site security persons or transient-type housing such as halfway houses, residential treatment centers, or temporary shelters. The site is located within the High Street Corridor Subarea of the Southern Tier of the *Brewery District Plan* (1992), which recommends that the area be rezoned to a mixed-use district that allows residential and low intensity commercial uses, and encourages the preservation of the residential character. Until such time that an area-wide rezoning is complete, Council variances are the most suitable means to allow non-conforming uses. A hardship exists because the non-conforming nature of the site precludes financing options. The dwelling has been long established on this lot, and is consistent with the residential uses that are prevalent in the surrounding neighborhood. Approval of this request will not add a new or incompatible use to the area.

To grant a Variance from the provisions of Sections 3363.01, Manufacturing districts; 3312.49, Minimum number of parking spaces required; and 3363.24, Building lines in an M, Manufacturing District, of the Columbus City Codes; for the property located at **87 WEST FRANKFORT STREET (43206)**, to conform an existing single-unit dwelling in the M, Manufacturing District with reduced development standards (Council Variance # CV15-008).

WHEREAS, by application No. CV15-008, the owner of property at **87 WEST FRANKFORT STREET (43206)** is requesting a Council variance to conform an existing single-unit dwelling in the M, Manufacturing District with reduced development standards; and

WHEREAS, Section 3363.01, Manufacturing districts, only permits a residence for on-site security persons or transient-type housing such as halfway houses, residential treatment centers, or temporary shelters, while the applicant proposes to maintain an existing single-unit dwelling; and

WHEREAS, Section 3312.49, Minimum number of parking spaces required, requires two (2) parking spaces for a single-unit dwelling, while the applicant proposes to maintain one (1) parking space; and

WHEREAS, Section 3363.24, Building lines in an M, Manufacturing District, requires building lines of twenty-five (25) feet along West Frankfort and Bank Streets, while the applicant proposes to maintain building lines of zero (0) feet on both frontages; 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 conform an existing single-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 emphasizes the residential character of 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 **87 WEST FRANKFORT STREET (43206)**, in using said property as desired; and

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

SECTION 1. A Variance from the provisions of Sections 3363.01, Manufacturing districts; 3312.49, Minimum number of parking spaces required; and 3363.24, Building lines in an M, Manufacturing District, of the Columbus City Codes, are hereby granted for the property located at **87 WEST FRANKFORT STREET (43206)**, in that said sections prohibit a single-unit dwelling in the M, Manufacturing District with one (1) parking space, and building lines of zero (0) feet along West Frankfort and Bank Streets; said property being more particularly described as follows:

87 WEST FRANKFORT STREET (43206), being 0.05± acres located at the southeast corner of West Frankfort and Bank Street, and being more particularly described as follows:

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

Being Seventy-three (73) feet off of the west end of Lot Number One Hundred Sixty-seven (167) of C.F. JAEGER'S 22nd ADDITION to the City of Columbus, Ohio, as numbered and delineated upon the recorded plat thereof, of record in Plat Book 2 page 335, Recorder's Office, Franklin County, Ohio.

Parcel Number: 010-021253

Property Address: 87 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 single-unit dwelling, or those uses in the M, Manufacturing District.

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