



## Legislation Text

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**File #:** 3046-2015, **Version:** 1

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### **Council Variance Application: CV15-056**

**APPLICANT:** G. Scott Guiler; 7903 Jefferson Drive; Canal Winchester, OH 43110.

**PROPOSED USE:** Art Gallery and warehousing.

**FRANKLINTON AREA COMMISSION RECOMMENDATION:** Approval.

**EAST FRANKLINTON REVIEW BOARD RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is developed with a former industrial building and is located within the Dodge Park Sub-Area of the EF, East Franklinton District. The applicant proposes to use the building for artist studios, the exhibition and sale of art, and the manufacture, warehousing, and distribution of art. The East Franklinton District is an urban, mixed use zoning classification that was established in 2013 as a new zoning tool to implement the land use recommendations of the *East Franklinton Creative Community District Plan* (2012). While artisan manufacturing is allowed as an accessory use in the Dodge Park Sub-Area, the proposed art gallery and warehousing of art are prohibited thereby necessitating this variance request. The *East Franklinton Creative Community District Plan* recommends medium-density mixed residential development for the Dodge Park Sub-District. The East Franklinton Review Board supports the request and a Certificate of Approval will be required for the building as part of the site compliance review process.

To grant a variance from the provisions of Section 3323.19, Uses, of the Columbus City codes; for the property located at **566 WEST RICH STREET (43215)**, to permit warehousing, art gallery, and artisan manufacturing in the EF, East Franklinton District (Council Variance # CV15-056). **(REPEALED BY ORD. 1822-2016; PASSED 7/18/2016)**

**WHEREAS**, by application No. CV15-046, the owner of property at **566 WEST RICH STREET (43215)**, is requesting a Council variance to permit warehousing, art gallery, and artisan manufacturing in the EF, East Franklinton District and

**WHEREAS**, Section 3323.19, Uses, lists warehousing and art gallery as “not permitted” and artisan manufacturing only as an accessory use in the EF, East Franklinton Dodge Park Sub-District; and

**WHEREAS**, the Franklinton Area Commission recommends approval; and

**WHEREAS**, the East Franklinton Review Board recommends approval; and

**WHEREAS**, the City Departments recommend approval of the requested variance because the proposal will allow an existing industrial building to be utilized for mixed use with warehousing, art gallery, and artisan manufacturing. The East Franklinton Review Board supports the request and a Certificate of Approval will be required for the building as part of the site compliance review process; 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 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 **566 WEST RICH STREET (43215)**, 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 3323.19, Uses, of the Columbus City codes; is hereby granted for the property located at **566 WEST RICH STREET (43215)**, insofar as said section prohibits warehousing, art gallery, and artisan manufacturing uses in the Dodge Park Sub-Area of the EF, East Franklinton District; said property being more particularly described as follows:

**566 WEST RICH STREET (43215)**, being 0.17± acres located at the northwest corner of West Rich Street and South Gift Street, and being more particularly described as follows:

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

Being Lot Number Thirty-One (31) of SULLIVANT'S SECOND ADDITION to said City, except a strip 35.22 feet off of the south side thereof, as said lot is numbered and delineated upon the recorded plat thereof, of record in Plat Book 1, page 74, 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 warehousing, art gallery, and artisan manufacturing uses as permitted by this ordinance, or those uses in the EF, East Franklinton District.

**SECTION 3.** That this ordinance is further conditioned upon the applicant obtaining all applicable permits and a Certificate 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.