



## Legislation Text

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**File #:** 2493-2016, **Version:** 1

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### **Council Variance Application: CV16-038**

**APPLICANT:** Jeffrey W. Cutler; 591 Carle Avenue; Lewis Center, OH 43035.

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

**BREWERY DISTRICT COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The requested variances will bring the existing single-unit dwelling into zoning conformance. Variances are included to permit a residential use in the M, Manufacturing District, conform the existing building setback along Front Street, and vary required parking requirements on the site along Bank Street. Staff recognizes these variances to be negligible and consistent with the established development pattern of this neighborhood and enhance the area as a residential and mixed-use district as recommended in the *Brewery District Plan* (1992). 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 Section 3363.01, Manufacturing districts; Section 3312.25, Maneuvering; Section 3312.27, Parking setback line; Section 3312.29, Parking space; and Section 3363.24(C)(2), Building lines in an M-manufacturing district, of the City of Columbus codes; for the property located at **825 SOUTH FRONT STREET (43206)**, to conform an existing single-unit dwelling with reduced development standards in the M, Manufacturing District (Council Variance # CV16-038).

**WHEREAS**, by application No. CV16-038, the owner of property at **825 SOUTH FRONT STREET (43206)**, is requesting a Council variance to permit a single-unit dwelling with reduced development standards in the M, Manufacturing District; 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 3312.25, Maneuvering, requires parking spaces to have sufficient access and maneuvering area on the lot where the parking spaces are located, while the applicant proposes to permit maneuvering over parking spaces; and

**WHEREAS**, Section 3312.27, Parking setback line, requires a 25 foot parking setback line, while the applicant proposes to maintain a 0 foot parking setback line for two stacked parking spaces along Bank Street; and

**WHEREAS**, Section 3312.29, Parking space, requires that a parking space shall be a rectangular area of not less than 9 feet by 18 feet with no stacking permitted, while the applicant proposes one stacked parking space behind one code-compliant parking space; and

**WHEREAS**, Section 3363.24(C)(2), Building lines in an M-manufacturing district, requires a building setback of 25 feet, while the applicant proposes to maintain a 0 foot setback along Front Street; and

**WHEREAS**, the Brewery District Commission recommends approval; and

**WHEREAS**, the City Departments recommend approval of the requested variances which will bring an existing single-unit dwelling and parcel into compliance with M, Manufacturing District standards . Staff recognizes these variances are supportable as the *Brewery District Plan* seeks to preserve and enhance the area as a residential, low intensity commercial, mixed-use district and to preserve the residential character of the area; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and a Certificate of Occupancy for the proposed use (if applicable); 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 **825 SOUTH FRONT STREET (43206)**, 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 Sections 3363.01, Manufacturing districts; 3312.25, Maneuvering; 3312.27, Parking setback line; 3312.29, Parking space; and 3363.24(C)(2), Building lines in an M-manufacturing district, of the City of Columbus codes; are hereby granted for the property located at **825 SOUTH FRONT STREET (43206)**, insofar as said sections prohibit a single-unit dwelling in the M, Manufacturing District; with maneuvering over parking spaces; a reduction in the parking setback line from 25 to 0 feet; stacked parking spaces; and a reduction in the building line setback from 25 feet to 0 feet; said property being more particularly described as follows:

**825 SOUTH FRONT STREET (43206)**, being 0.07± acres located on the west side of South Front Street, 55± feet south of West Kossuth Street, and being more particularly described as follows:

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

Being part of the North Half of Lot Number Seven (7) of T.W. TALLMADGE'S SOUTH ADDITION, as the same is shown of record in Plat Book 1, Page 412, Franklin County Records and being more particularly described as follows:

Beginning at a cross in the cement walk at the center of the East line of said Lot Number 7 and the West line of Front Street;

Thence, West and parallel with the North line of said Lot Number 7, 184.40 feet to an iron pipe in the West line of said Lot;

Thence, with the West line of said Lot, North 13 feet to an iron pipe;

Thence, Easterly and parallel with the North line of said Lot, 107.65 feet to a cross cut in the edge of the cement walk;

Thence, North at right angles to said line 5.87 feet to another cross in the cement walk

Thence, in an Easterly direction 29.70 feet to a point in the North line of said Lot Number 7 marked by a spike in the walk;

Thence, with the North line of said Lot Easterly 45 feet to an iron pin in the Northeast corner of said Lot;

Thence, South with the East line of said Lot, 27 feet to the Place of Beginning.

Commonly Known as: 825 S. Front Street, Columbus, Ohio 43206

Parcel Number: 010-057881-00

**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 permitted in the M, Manufacturing District.

**SECTION 3.** That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy (if applicable) 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.