



Legislation Text

File #: 1481-2017, **Version:** 1

Council Variance Application CV17-015

APPLICANT: Pine Hill Investments; c/o Richelle Sammons; 1077 Franklin Avenue; Health, OH 43056.

PROPOSED USE: Single-unit dwelling.

COLUMBUS SOUTH SIDE AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The requested variance will conform an existing single-unit dwelling in the C-4, Commercial District. A Council variance is necessary because residential uses are only permitted above specified commercial uses in the C-4, Commercial District. The site is located within the boundaries of the *South Side Plan* (2002), which recommends "Neighborhood Commercial" land uses for this location. The dwelling has been long established on this lot and is consistent with the residential uses that are prevalent in the surrounding neighborhood. A hardship exists because the non-conforming nature of the site precludes financing options. A parking space reduction for two required spaces is included in the request. Approval of this request will not add a new or incompatible use to the area.

To grant a Variance from the provisions of Sections 3356.03, C-4, permitted uses; and 3312.49, Minimum numbers of parking spaces required, of the Columbus City Codes; for the property located at **943 EAST FREBIS AVENUE (43206)**, to conform an existing single-unit dwelling with no off-street parking spaces in the C-4, Commercial District (Council Variance # CV17-015).

WHEREAS, by application # CV17-015, the owner of property at **943 EAST FREBIS AVENUE (43206)**, is requesting a Council variance to permit a single-unit dwelling with a two-space parking reduction in the C-4, Commercial District; and

WHEREAS, Section 3356.03, C-4 Permitted Uses, permits dwelling units only above certain commercial uses, while the applicant proposes to conform an existing single-unit dwelling; and

WHEREAS, Section 3312.49, Minimum numbers of parking spaces required, requires two (2) parking spaces per dwelling unit, while the applicant proposes to maintain zero (0) parking spaces for the existing dwelling; and

WHEREAS, the Columbus South Side 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 The requested variance will conform an existing single-unit dwelling in the C-4, Commercial District, which has been long established on this lot and is consistent with the residential uses that are prevalent in the surrounding neighborhood; 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 **943 EAST FREBIS AVENUE (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 Section 3356.03, C-4, permitted uses; and 3312.49, Minimum numbers of parking spaces required of the Columbus City Codes, is hereby granted for the property located at **943 EAST FREBIS AVENUE (43206)**, insofar as said section prohibits a single-unit dwelling with zero parking spaces in the C-4, Commercial District, said property being more particularly described as follows:

943 EAST FREBIS AVENUE (43206), being 0.14± acres located at the southwest corner of Frebis Avenue and Oakwood Avenue, and being more particularly described as follows:

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

Being Lot Number Fifty-seven (57) of the EARHART ADDITION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 19, Page 51, Recorder's Office, Franklin County, Ohio. EXCEPTING therefrom, an area approximately ten (10) feet in width along the entire East side of said premises over which the grantor reserves a permanent easement for the purpose of ingress and egress to and for the benefit of Lot Number Fifty-eight (58) and Lot Number Fifty-nine (59) of EARHART ADDITION.

Centerline Intersections: Frebis Avenue and Oakwood Avenue

Commonly Known As: 943 E. Frebis Avenue, Columbus, OH 43206

Parcel No. 010-087185-00

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 C-4, Commercial District.

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