



Legislation Text

File #: 0881-2024, **Version:** 1

Council Variance Application: CV23-150

APPLICANT: Juliet Bullock Architects; 4886 Olentangy Boulevard; Columbus, OH 43214.

PROPOSED USE: Eating and drinking establishment.

NEAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of one parcel developed with a religious facility in the R-3, Residential District. A Council variance is required because the R-3 district does not allow commercial uses, while the applicant proposes to convert the existing building into an eating and drinking establishment. The request includes variances to vision clearance, lot width, lot area, lot coverage, building lines, side and rear yards, and required bicycle parking. The site is located within the planning boundaries of the *Near East Area Plan* (2005), which does not contain a specific recommended land use for this location, but contains guidelines for establishing commercial uses in residential areas. Staff supports the requested commercial use as the submitted site plan is consistent with the commercial guidelines of the *Near East Area Plan* as it reflects the surrounding development pattern, and will not impact the surrounding character of the neighborhood.

To grant a Variance from the provisions of Sections 3332.035, R-3 residential district; 3312.49(B), Required parking; 3321.05(B)(1), Vision clearance; 3332.05(A)(4), Area district lot width requirements; 3332.13, R-3 area district requirements; 3332.18(D), Basis of computing area; 3332.21(B), Building lines; 3332.25, Maximum side yards required; 3332.26(A), Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at **1231 E. MOUND ST. (43209)**, to allow an eating and drinking establishment with reduced development standards in the R-3, Residential District (Council Variance #CV23-150).

WHEREAS, by application #CV23-150, the owner of the property at **1231 E. MOUND ST. (43209)**, is requesting a Variance to allow an eating and drinking establishment with reduced development standards in the R-3, Residential District; and

WHEREAS, Section 3332.035, R-3 residential district, does not allow commercial uses, while the applicant proposes to convert the existing building into a 1,258 square foot eating and drinking establishment; and

WHEREAS, Section 3312.49(B), Required parking, requires one bicycle space per 20 vehicle parking spaces, while the applicant proposes to maintain no bicycle spaces; and

WHEREAS, Section 3321.05(B)(1), Vision clearance, requires clear vision triangles of 10 feet at the intersections of streets and alleys, while the applicant proposes a four foot vision clearance at the intersection of Mound Street and the alley along the western property line; and

WHEREAS, Section 3332.05(A)(4), Area district lot width requirements, requires a minimum lot width of 50 feet in the R-3, Residential District, while the applicant proposes to maintain a reduced lot width of 47 feet; and

WHEREAS, Section 3332.13, R-3 area district requirements, requires that a principal building shall be situated on a lot of no less than 5,000 square feet in area, while the applicant proposes to maintain a principal building on a lot area of 1,503± square feet; and

WHEREAS, Section 3332.18(D), Basis of computing area, prohibits buildings from occupying more than 50 percent of the lot area, while the applicant proposes to maintain lot coverage of 68.7 percent; and

WHEREAS, Section 3332.21, Building lines, requires a minimum building setback line of 50 feet from East Mound Street, while the applicant proposes to maintain a reduced building line of zero feet; and

WHEREAS, Section 3332.25(B), Maximum side yards required, requires a maximum side yard of 9.4 feet, while the applicant proposes to maintain a reduced required maximum side yard 0.39 feet; and

WHEREAS, Section 3332.26(A), Minimum side yard permitted, requires that the minimum side yard be no less than five feet, while the applicant proposes to maintain reduced side yards of 0.3 feet along the eastern property line and 0.09 feet along the western property line; and

WHEREAS, Section 3332.27, Rear yard, requires each dwelling, residence or principal building shall be erected so as to provide a rear yard totaling no less than 25 percent of the total lot area, while the applicant proposes to maintain a reduced rear yard of 10.9 percent; and

WHEREAS, the Near East Area Commission recommends approval; and

WHEREAS, City Departments recommend approval because the requested variance is compatible with the surrounding development in the area and the submitted site plan is consistent with the *Near East Area Plan's* commercial guidelines; and

WHEREAS, said ordinance requires separate submission for all applicable permits and a Certificate of Occupancy for the proposed eating and drinking establishment; and

WHEREAS, said variances will not adversely affect the surrounding property or surrounding neighborhood; and

WHEREAS, the granting of said variances 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 variances will alleviate the difficulties encountered by the owners of the property located at **1231 E. MOUND ST. (43209)**, 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 Sections 3332.035, R-3 residential district; 3312.49(B), Required parking; 3321.05(B)(1), Vision clearance; 3332.05(A)(4), Area district lot width requirements; 3332.13, R-3 area district requirements; 3332.18(D), Basis of computing area(D); 3332.21(B), Building lines; 3332.25, Maximum side yards required; 3332.26(A), Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at **1231 E. MOUND ST. (43209)**, insofar as said sections prohibit a 1,258 square foot eating and drinking establishment in the R-3, Residential District; with no bicycle parking; reduced vision clearance triangle from 10 to four feet at the intersection of Mound Street and the alley along the western property line; reduced lot width from 50 to 47 feet; reduced lot area from 5,000 to 1,503± square feet; increased lot coverage from 50 to 68.7 percent; reduced building line from 50 to zero feet along East Mound Street; reduced maximum side yard from 9.4 to 0.39± feet; reduced minimum side yards from 3 feet to 0.3 feet along the eastern property line and 0.09 feet along the

western property line; and reduced rear yard from 25 to 10.9 percent, said property being more particularly described as follows:

1231 E. MOUND ST. (43209), being 0.04± acres located on the southwest corner of East Mound Street and Blend Alley, and being more particularly described as follows:

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

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

Being 47 feet of the end of Lot Number 406 in the Oakwood Addition East, to said City as the same is numbered and delineated upon the recorded plat thereof, of record, in Plat Book 5, Page 152, Recorder's Office, Franklin County, Ohio.

Parcel number: 010-019836

Address: 1231 East Mound Street, Columbus, Ohio 43209

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for up to 1,258 square feet of eating and drinking establishment space, or those uses permitted in the R-3, Residential District.

SECTION 3. That this ordinance is further conditioned on general conformance with the site plan titled, "**SITE PLAN**," signed and dated February 9, 2024 by Juliet Bullock, the Applicant. The plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustment to the plan shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

SECTION 4. That this ordinance is further conditioned upon the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed eating and drinking establishment.

SECTION 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.