

January 20, 2022

To: Mayor and Members of City Council
From: Paula Boggs Muething, City Manager *PBM*
Subject: Notwithstanding Ordinance – 932 McPherson Avenue

202200092

Transmitted is an Ordinance captioned:

AUTHORIZING the real property located at 932 McPherson Avenue in the East Price Hill neighborhood to be developed and used as a two-family dwelling **NOTWITHSTANDING** the use limitations in Chapter 1403, “Single Family Districts,” of the Cincinnati Municipal Code and any other applicable zoning regulations that would prevent the property’s development and use as a two-family dwelling.

The City Planning Commission recommended approval of the Notwithstanding Ordinance at its December 17, 2021 meeting.

Summary:

The petitioner, Vice Mayor Smitherman, requests a Notwithstanding Ordinance to permit the development of a two-family dwelling at 932 McPherson Avenue in East Price Hill. The property owner, BLOC Ministries (BLOC), purchased the property and the existing vacant building on the property in 2019 from the Hamilton County Land Reutilization Corporation. BLOC proposes to renovate the interior of the existing building into a two-family dwelling to serve graduates of BLOC’s recovery program. The existing building footprint is not proposed to be changed. Since the property is located in a SF-2 zoning district which does not permit two-family dwellings, a Notwithstanding Ordinance is requested to permit the renovation of the existing building into a two-family dwelling. The requested permission is notwithstanding the use limitations in Chapter 1403, “Single-Family Districts,” and any other applicable zoning regulations that would prevent the property’s development and use as a two-family dwelling, including, but not limited to, the off-street parking requirements set forth in Section 1425-19, “Off-Street Parking and Loading Requirements,” of the Cincinnati Zoning Code.

The City Planning Commission recommended the following on December 17, 2021, to City Council:

APPROVE the proposed Notwithstanding Ordinance to permit the development of a two-family dwelling at 932 McPherson Avenue in East Price Hill subject to the following conditions:

- 1) The development and use of 932 McPherson Avenue as a two-family dwelling must be developed as per the plans on file with the Department of Buildings and Inspections under permit no. 2021P07766.
- 2) The Notwithstanding Ordinance does not provide a variance from any other laws of the City of Cincinnati, and the properties shall remain subject to all other provisions of the Cincinnati Municipal Code, SF-2, “Single-family,” zoning district.

cc: Katherine Keough-Jurs, AICP, Director, Department of City Planning and Engagement *KKJ*