



## Legislation Text

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**File #:** 1862-2022, **Version:** 1

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### **Council Variance Application: CV22-030**

**APPLICANT:** Umpierre, LLC; c/o Shenequa Chapman, Agent; P.O. Box 334; Brice, OH 43109.

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

**FRANKLINTON AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of one parcel developed with a single-unit dwelling in the C-4, Commercial District. The requested variance will conform the existing dwelling. A Council variance is necessary because residential uses are only permitted above specified commercial uses in the C-4, Commercial District. The request also includes a variance to reduce the building setback line for the existing structure. The site is located within the planning area of the *West Franklinton Plan* (2014), which recommends "Neighborhood Mixed Use" land uses at this location, which includes residential components. The dwelling has been long established on this lot and is consistent with the residential uses in the surrounding neighborhood. A hardship exists because the non-conforming nature of the site prevents the owner from rehabilitating and improving the property. Approval of this request will not add a new or incompatible use to the area.

To grant a Variance from the provisions of Section 3356.03, C-4, permitted uses; and 3356.11(A)(2), C-4 district setback lines, of the Columbus City Codes; for the property located at **1299 SULLIVANT AVE. (43223)**, to conform an existing single-unit dwelling with a reduced building line in the C-4, Commercial District (Council Variance #CV22-030).

**WHEREAS**, by application #CV22-030, the owner of property at **1299 SULLIVANT AVE. (43223)**, is requesting a Council variance to conform an existing single-unit dwelling with a reduced building line 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 3356.11(A)(2), C-4 district setback lines, requires a minimum building setback of 40 feet, while the applicant proposes to maintain a building setback line of 6 feet; and

**WHEREAS**, the Franklinton 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, and the *West Franklinton Plan* recommends residential components at this and surrounding locations. Approval of this request will not add a new or incompatible use to the area; 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 **1299 SULLIVANT AVE. (43223)**, 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 3356.03, C-4, permitted uses; and 3356.11(A)(2), C-4 district setback lines, of the Columbus City Codes, is hereby granted for the property located at **1299 SULLIVANT AVE. (43223)**, insofar as said sections prohibit a single-unit dwelling in the C-4, Commercial District; and a reduction in the building setback line from 40 feet to 6 feet; said property being more particularly described as follows:

**1299 SULLIVANT AVE. (43223)**, being 0.08± acres located on the south side of Sullivant Avenue, 124± west of South Princeton Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, and the City of Columbus and bounded and described as follows:  
Being Lot Number One Hundred Forty-One (141), Benjamin Monnett's Central Avenue Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 5, pages 330 and 331, Recorder's Office, Franklin County, Ohio.

Prior instrument reference: Instrument Number 201912270173946

Parcel: 010-031386-00

Addresses: 1299 Sullivant Avenue, Columbus, OH 43223

**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 is further conditioned on compliance with R-3, Residential District standards for any additions to or replacement of existing or accessory structures.

**SECTION 4.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.