

**CITY COUNCIL – ZONING COMMITTEE  
STAFF REPORT  
COUNCIL VARIANCE**

**APPLICATION:** CV26-023  
**Location:** 1258 OAK ST. (43205), being 0.36± acres located at the northwest corner of Oak Street and Wilson Avenue (010-043259 and 3 others; Near East Area Commission).  
**Pending Zoning:** CPD, Commercial Planned Development District.  
**Proposed Use:** Mixed-use development.  
**Applicant(s):** Kenneth Wilson c/o Shea Wilson; 1219 Oak Street; Columbus, OH 43205.  
**Property Owner(s):** Kenneth Wilson; 1219 Oak Street; Columbus, OH 43205.  
**Planner:** Brandon Carpenter; 614-645-1574; [bmcarpenter@columbus.gov](mailto:bmcarpenter@columbus.gov)

**BACKGROUND:**

- The Applicant has received a recommendation of approval from Staff and from the Development Commission for a concurrent rezoning request (Z26-008) to the CPD, Commercial Planned Development District. The requested Council variance will allow ground-floor residential uses. No other variances are included in the request.
- A Council variance is required because this CPD district, which specifies C-4 commercial uses, does not allow ground-floor residential uses.
- North of the site are two-unit dwellings in the ARLD, Apartment Residential District. South of the site is a convenience store in the ARLD, Apartment Residential District and a parking lot in the AR-3, Apartment Residential District. West and east of the site is an apartment building in the ARLD, Apartment Residential District.
- The site is within the planning area of the *Near East Area Plan (2005)*, which does not have a specified land use recommendation for this location. Additionally, the site is subject to *Columbus Growth Strategy Guiding Principles (2026)*.
- The site is located within the boundaries of the Near East Area Commission, whose recommendation is for approval.
- Practical difficulties were not taken into consideration since only the request includes a use variance only.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval

The requested variance will help facilitate the mixed-use nature of the proposed development, and is consistent with similar infill mixed-use developments in urban areas of the city, including this particular neighborhood.

## Council Variance Application

111 N Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • [ZoningInfo@columbus.gov](mailto:ZoningInfo@columbus.gov) • [www.columbus.gov/bzs](http://www.columbus.gov/bzs)

---

### **STATEMENT OF HARDSHIP**

#### **Columbus City Code Section 3307.10 - Variances by City Council.**

City council may grant the following zoning variances:

- A. Permit a variation in the yard, height or parking requirements of any district only in conjunction with a change in zoning or a use variance and only where there are unusual and practical difficulties in the carrying out of the zoning district provisions due to an irregular shape of lot, topography, or other conditions, providing such variance will not seriously affect any adjoining property or the general welfare.
- B. Permit a use of the property not permitted by the zoning district established on the property if such use will not adversely affect the surrounding property or surrounding neighborhood and if council is satisfied that the granting of such variance will alleviate some hardship or difficulty which warrants a variance from the comprehensive plan.

Before authorizing any variance from the Zoning Code in a specific case, city council shall first determine that such 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.

In granting a variance pursuant to this section, council may impose such requirements and conditions regarding the location, character, duration, and other features of the variance proposal as council deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.

#### **The following factors shall be used in determining whether the applicant has encountered practical difficulties in the use of the property. Respond to the following statements:**

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance.

Yes  No

No this property is zoned for a parking lot, that is not used. In order to develop the property into anything else, a variance and rezoning is required.

2. Whether the variance is substantial.

Yes  No

These variances are in line with the area, and other variances requested and approved in other near by projects.

3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.

Yes  No

The variances and design of the development are in line with the neighborhood, and will not adversely affect close by properties in any way.

## Council Variance Application

111 N Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • [ZoningInfo@columbus.gov](mailto:ZoningInfo@columbus.gov) • [www.columbus.gov/bzs](http://www.columbus.gov/bzs)

4. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse service).

Yes  No

The variances will not adversely effect any governmental services.

5. Whether the property owner purchased the property with knowledge of the zoning restriction.

Yes  No

Owner was aware of zoning restrictions when the property was purchased,

6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.

Yes  No

No, this will need a variance and rezoning in order to develop.

7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

Yes  No

The Wilson Avenue and Oak Street intersection is underdeveloped, and consists mostly of unused parking lots. In Columbus at large there is a housing shortage, I think these variances and added housing units is a great addition to the area.

List all sections of Code to be varied and explain your reasoning as to why this request should be granted.

**NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are not included, a new application (and applicable fees) will be required.**

**I have read the foregoing and believe my application for relief from the requirements of the Zoning Code contains the necessary hardship, will not adversely affect surrounding property owners, and will comply with the variance(s) requested as detailed below (use separate page if needed or desired):**

The site is a total of 0.363 acres, and is currently zoned LP1. We are requesting a zoning change to CPD to construct 15 apartment units, 12 townhomes, and one commercial space.

Signature of Applicant Kenneth W Wilson

Date 2/6/2026

## **STATEMENT OF HARDSHIP / PRACTICAL DIFFICULTY**

**APPLICANT:** Kenneth Wilson

**PROPERTY:** 1254 Oak St & 1258 Oak St (Parcels 010-001215, 010-043259, 010-051359, 010-031026)

**PROPOSED ZONING:** Council Variance / CPD

### **1. Nature of the Project & Special Conditions**

The applicant is proposing a high-density, mixed-use urban infill development at the corner of Oak Street and Wilson Avenue, consisting of a ground-floor public cafe, upper-floor apartments, and ground-floor townhome-style homes. The subject site is comprised of four existing parcels in a historic, legacy neighborhood.

The special condition of this property is its location: it sits precisely at the transition point between an established urban commercial node and a traditional residential neighborhood. Strictly applying the C-4 (Regional Commercial) development standards to this site creates practical difficulty because standard C-4 zoning is designed for auto-centric, suburban-style development (requiring massive 25-foot setbacks, vast surface parking lots, and a 30-foot vision clearance triangle). Applying those standards here would destroy the historic urban fabric of the Near East Side and render a dense, pedestrian-friendly mixed-use project physically impossible to build on these parcels.

### **2. The Hardship of the Permitted Use (C.C. 3356.03 & 3361.02) [Council Variance]**

Standard C-4 zoning (C.C. 3356.03) and the commercial use regulations (C.C. 3361.02) allow residential units only above the ground floor, which forces the entire ground floor to be commercial space. Variances to both code sections are required to allow the proposed use.

The unnecessary hardship here is that the market and neighborhood context do not support a monolithic, massive commercial footprint spanning all four parcels. By granting a Council Variance to allow ground-floor townhome-style residential use along the residential-facing portions of the site, the project provides a vital, scale-appropriate architectural transition from the active commercial cafe at Oak Street to the quieter adjacent residential parcels. Denying this variance would force an overbuilding of unviable commercial space.

### **3. No Injury to the Public Welfare**

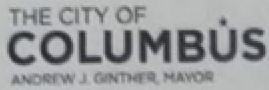
Granting these variances will not be injurious to the neighborhood; rather, it will significantly enhance it. The project replaces vacant/underutilized parcels with a vibrant, mixed-use anchor that activates the street corner, provides much-needed housing density, and increases the local tax base. The requested variances do not grant a special privilege but merely allow the property to be developed in a manner consistent with modern urban planning principles and the historic character of the Near East Side.



CV26-023  
1258 Oak St.  
Approximately 0.36 acres



CV26-023  
1258 Oak St.  
Approximately 0.36 acres



# Standardized Recommendation Form

DEPARTMENT OF BUILDING AND ZONING SERVICES

111 N Front Street, Columbus, Ohio 43215  
Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

**FOR USE BY: AREA COMMISSION / NEIGHBORHOOD GROUP**  
(PLEASE PRINT)

Case Number Z26-008 & CV26-023

Address 1258 OAK STREET

Group Name NEAR EAST AREA COMMISSION

Meeting Date 05/21/2026

- Specify Case Type
- BZA Variance / Special Permit
  - Council Variance
  - Rezoning
  - Graphics Variance / Plan / Special Permit

- Recommendation (Check only one)
- Approval
  - Disapproval

**LIST BASIS FOR RECOMMENDATION:**

Vote

8-1-2

Signature of Authorized Representative

Natasha S. Williams

Recommending Group Title

NEAC

Daytime Phone Number

614-753-3894

Please e-mail this form to the assigned planner within 48 hours of meeting day; OR MAIL to: Zoning, City of Columbus, Department of Building & Zoning Services, 111 N Front Street, Columbus, Ohio 43215.

# Council Variance Application

DEPARTMENT OF BUILDING  
AND ZONING SERVICES

111 N Front Street, Columbus, Ohio 43215  
Phone: 614-645-4522 • [ZoningInfo@columbus.gov](mailto:ZoningInfo@columbus.gov) • [www.columbus.gov/bzs](http://www.columbus.gov/bzs)

**PROJECT DISCLOSURE STATEMENT**

APPLICATION #: CV26-023

Parties having a 5% or more interest in the project that is the subject of this application.

THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

STATE OF OHIO  
COUNTY OF FRANKLIN


Being first duly cautioned and sworn (NAME) Kenneth Wilson  
of (COMPLETE ADDRESS) 1219 Oak Street, Columbus, Ohio 43205

deposes and states that they are the APPLICANT, AGENT, OR DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application in the following format:

For Example:    Name of Business or individual  
                          Contact name and number  
                          Business or individual's address; City, State, Zip Code  
                          Number of Columbus-based employees

<p>1. Kenneth Wilson 614-778-2420 1219 Oak Street, Columbus, Ohio 43205</p>	<p>2. PERRY REAL ESTATE HOLDINGS, LLC 614-309-7505 103 S 18th Street, Columbus, Ohio 43205 No Columbus employees</p>
<p>3.</p>	<p>4.</p>

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT 

Sworn to before me and signed in my presence this 13<sup>th</sup> day of February, in the year 2026

  
SIGNATURE OF NOTARY PUBLIC

07/12/2030  
My Commission Expires

Notary Seal Here

**A SHORT**  
Notary Public, State of Michigan  
County of Kent  
My Commission Expires 07-12-2030  
Acting in the County of Kent

***This Project Disclosure Statement expires six (6) months after date of notarization.***