

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

**APPLICATION:** CV26-030  
**Location:** 2006 E. 5TH AVE. (43219), being 0.44± acres located at the northwest corner of East 5th Avenue and Brentnell Avenue (010-027403; North Central Area Commission).  
**Pending Zoning:** L-M-2, Limited Manufacturing District.  
**Proposed Use:** Mixed-use development.  
**Applicant(s):** Custom Home Building Consultants; c/o Gary Dunn; 3060 Abbey Knoll Drive; Lewis Center, OH 43035.  
**Property Owner(s):** WJ3ENTERPRISES LTD; 694 Harmon Plaza; Columbus, OH 43223.  
**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 (Z25-070) to the L-M-2, Limited Manufacturing District. The requested Council variance will allow the residential component of a proposed mixed-use building which consists of three dwelling units, with reduced development standards. Variances to reduce required parking from 20 spaces to 12 spaces; reduce the length of loading spaces from 50 feet to 20 feet and to allow loading spaces to occupy the same area as the circulation area; a reduce the building setback and landscaped depth from 50 feet to 6.5 feet along E. 5th Avenue and 15 feet along Brentnell Avenue; and to allow parking, loading facilities, and maneuvering within the required 50 foot buffer area along Brentnell Avenue at a setback of 15 feet also are included in this request.
- A Council variance is required because the L-M-2 district does not allow residential uses.
- North of the site is an undeveloped parcel in the L-M, Limited Manufacturing District. West of the site are single-unit dwellings and undeveloped parcels in the C-4, Commercial District. South and east of the site are single-unit dwellings in the R-4, Residential District.
- The site is within the planning area of the *Columbus Growth Strategy* (2026), which recommends “Mixed Use 2” land uses for this location.
- The site is located within the boundaries of the North Central Area Commission, whose recommendation is for approval.
- Staff concurs with the applicant’s analysis of the seven practical difficulties in achieving this proposed development noting the small lot size which cannot accommodate the required setbacks of 50 feet from E. 5<sup>th</sup> Avenue and Brentnell Avenue.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval

The requested Council variance is consistent with the *Columbus Growth Strategy's* "Mixed-Use 2" land use recommendation, and provides additional housing options for the neighborhood.

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**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

Adherence would required the building and site layout too be too small to be economically feasible

2. Whether the variance is substantial.

Yes  No

While the size of the variances are substantial, the granting of them will not significantly affect surrounding properties.

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 project will actually provide a transition forthe property to the North and be compatible with the existingmixed use of the area.

4. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse service).  
 Yes  No

There should be no impact to services.

5. Whether the property owner purchased the property with knowledge of the zoning restriction.  
 Yes  No

Owner was not aware of these required variances

6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.  
 Yes  No

The project is not feasible without the granting of these variances

7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.  
 Yes  No

**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):**

See attached

Signature of Applicant \_\_\_\_\_



Date 5/20/20266

Required Variances - 2006-2008 E. 5th Ave.

3367.01: To Allow Living Units, specifically Two (2) One Bedroom, 1 Bath Living units and One (1) Two Bedroom, One Bath Living unit to occupy a portion of the 2<sup>nd</sup> floor of the building. Accessible through a stairwell for the use of the Living Units occupants only.

3312.49 : To allow a reduction of parking spaces required from 20 to 12; a variance of 8 spaces.

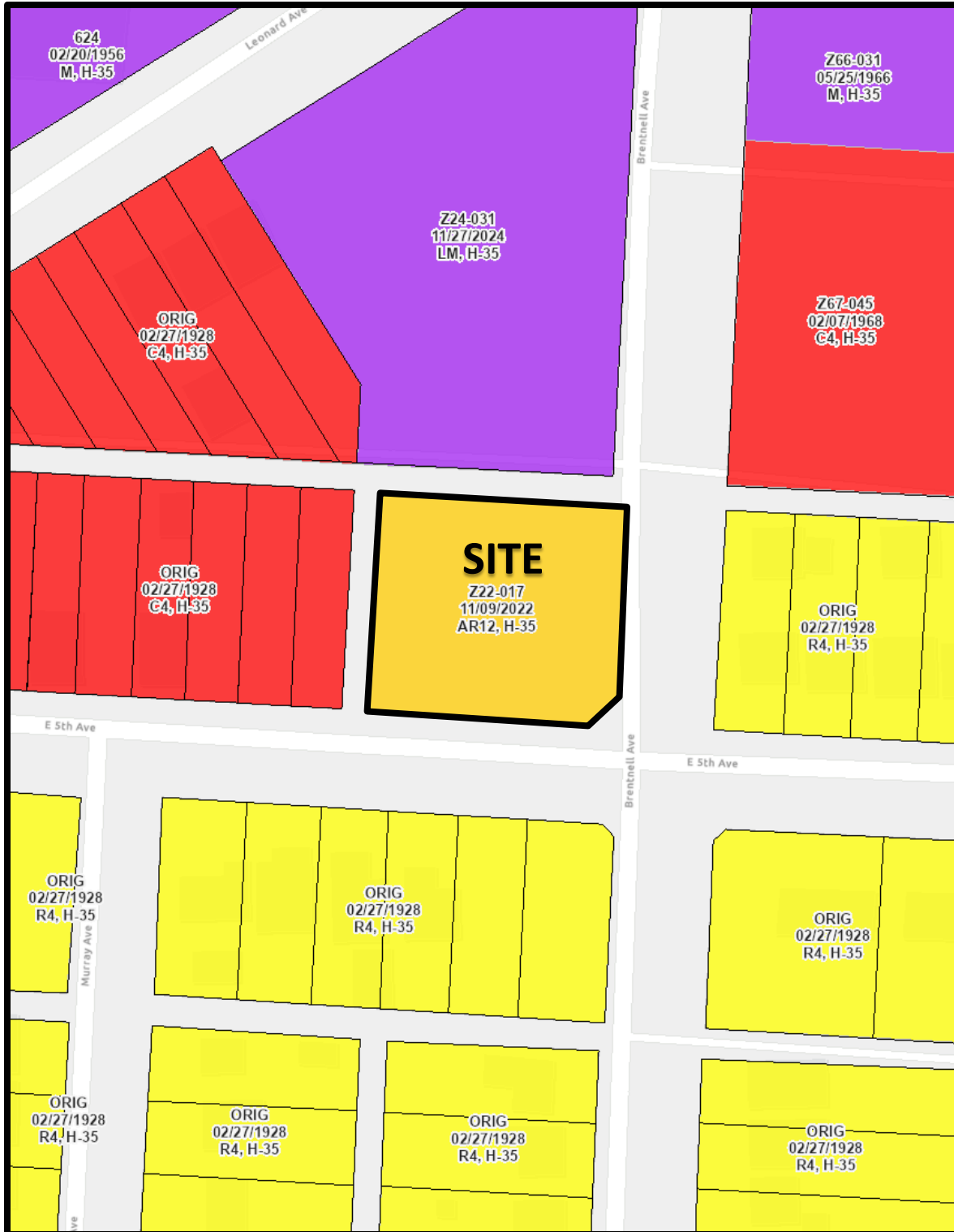
3367.15 (A): To allow the Building to setback 6.5' from the new 100' ROW on 5<sup>th</sup> Ave. and 15' from New 80' ROW on Brentnell from a required 50' along both frontages.

3367.15(C): To allow a allow a reduced landscaped buffer from 50 feet to 6.5 feet along 5<sup>th</sup> Avenue and 15 feet along Brentnell Avenue.

3367.15(D): To allow parking, loading facilities, and maneuvering within the 50 foot buffer area along Brentnell Avenue.

3312.51: To Allow Loading spaces for the building to occupy the same space as the drive aisle and to reduce the required loading depth from 50 to 20 feet. Typical Loading and pickup at property will be made by small box trucks and vans

*Gary Dunn* 5/21/2026



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2006 E. 5th Ave.  
Approximately 0.44 acres



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# 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** Z25-070 and CV26-030

**Address** 2006 East 5th Avenue

**Group Name** NORTH CENTRAL AREA COMMISSION

**Meeting Date** 05/07/2026

**Specify Case Type**

- BZA Variance / Special Permit
- Council Variance
- Rezoning
- Graphics Variance / Plan / Special Permit

**Recommendation**  Approval  
(Check only one)  Disapproval

**LIST BASIS FOR RECOMMENDATION:**

The property in question will yield a reasonable return; there can be beneficial use of the property with the variance. The essential character of the neighborhood would not be substantially altered or the adjoining properties would not suffer a substantial detriment as a result of the variance(s). The variance will not impair an adequate supply of light and air to the adjacent property. The variance will not unreasonably diminish or impair established property values with the surrounding area.

**Vote** 7-Yes

**Signature of Authorized Representative** Melodie A. Cook Digitally signed by Melodie A. Cook  
Date: 2026.05.11 22:34:12 -04'00'

**Recommending Group Title** Chair, North Central Area Commission

**Daytime Phone Number** 614-209-7972The

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 - Online

DEPARTMENT OF BUILDING  
AND ZONING SERVICES

111 N. Front St., 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 #: CV26-030

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) Gary K. Dunn  
of (COMPLETE ADDRESS) 3060 abbey Knoll Dr. Lewis Center, OH 43035  
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

1. Wj3enterprises LTD 694 Harmon Plaza Columbus, OH 43223	2.
3.	4.

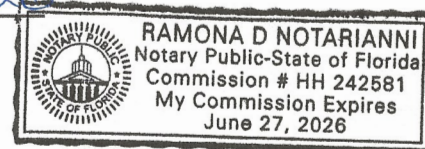
Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT 

Sworn to before me and signed in my presence this 4th day of March, in the year 2020

  
SIGNATURE OF NOTARY PUBLIC

June 27, 2026 Notary Seal Here  
My Commission Expires



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