



Legislation Details (With Text)

File #: 1243-2022 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 4/27/2022 **In control:** Zoning Committee

On agenda: 5/16/2022 **Final action:** 5/19/2022

Title: To grant a Variance from the provisions of Sections 3356.03, C-4, permitted uses; and 3312.49, Minimum numbers of parking spaces required, of the Columbus City Codes; for the property located at 422 WILSON AVE. (43205), to conform an existing single-unit dwelling in the C-4, Commercial District with reduced parking (Council Variance #CV22-018).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1243-2022.Attachments.Amended, 2. ORD1243-2022.Attachments, 3. ORD1243-2022.Labels

Date	Ver.	Action By	Action	Result
5/19/2022	2	CITY CLERK	Attest	
5/17/2022	2	MAYOR	Signed	
5/16/2022	2	COUNCIL PRESIDENT	Signed	
5/16/2022	1	Zoning Committee	Accept entire staff report into evidence as an exhibit	Pass
5/16/2022	1	Zoning Committee	Amended as submitted to the Clerk	Pass
5/16/2022	1	Zoning Committee	Adopt the findings of staff as the findings of Council	Pass
5/16/2022	1	Zoning Committee	Approved as Amended	Pass
5/9/2022	1	Columbus City Council	Read for the First Time	

Council Variance Application: CV22-018

APPLICANT: Hispanic Realty Consulting Group LLC; c/o Pedro Falconi; 2121 Bethel Road, Suite D; Columbus, OH 43220.

PROPOSED USE: Conform existing single-unit dwelling.

NEAR EAST AREA COMMISSION RECOMMENDATION: ~~Pending vote on May 12, 2022.~~ **Approval.**

CITY DEPARTMENTS' RECOMMENDATION: Approval. The requested variance will conform an existing single-unit dwelling in the C-4, Commercial District. A Council variance is necessary because residential uses are only permitted above specified commercial uses in the C-4 district. The site is located within the planning boundaries of the *Near East Area Plan (2005)*, which recommends “Higher Density Residential/Mixed Use” land uses for this location. The dwelling has been long established on this lot and is consistent with the residential uses that are prevalent in the surrounding neighborhood. A hardship exists because the non-conforming nature of the site precludes financing options and prevents the owners from further 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 Sections 3356.03, C-4, permitted uses; and 3312.49, Minimum numbers of parking spaces required, of the Columbus City Codes; for the property located at **422 WILSON AVE. (43205)**, to conform an existing single-unit dwelling in the C-4, Commercial District with reduced parking (Council Variance #CV22-018).

WHEREAS, by application #CV22-018, the owner of property at **422 WILSON AVE. (43205)**, is requesting a Council variance to permit a single-unit dwelling 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 3312.49, Minimum numbers of parking spaces required, requires two parking spaces per dwelling unit, while the applicant proposes to maintain zero parking spaces; and

WHEREAS, the Near East Area Commission recommends **approval**; and

WHEREAS, 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, which has been long established on this lot. The request is consistent with the residential uses that are prevalent in the surrounding neighborhood, and the land use recommendations of the *Near East Area Plan*; 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 **422 WILSON AVE. (43205)**, 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 3312.49, Minimum numbers of parking spaces required, of the Columbus City Codes, is hereby granted for the property located at **422 WILSON AVE. (43205)**, insofar as said section prohibits a single-unit dwelling in the C-4, Commercial District; with reduced parking from two required to zero provided parking spaces; said property being more particularly described as follows:

422 WILSON AVE. (43205), being 0.04± acres located on the east side of Wilson Avenue, 130± feet south of East Main Street, and being more particularly described as follows:

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

Being a part of Lot Number 1 of W.A. Neil's Alemania Addition as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, Page 71, Recorder's Office, Franklin County, Ohio, more particularly described as follows:

Beginning at a point 40 feet north of the southwest corner of said Lot Number 1; thence north on the west line of said Lot Number 1, 47 ft. and 6 in.; thence in an easterly direction parallel with the south line of said lot, 40 feet to the east line of said lot; thence southerly on the east line of said lot, 47 ft. and 6 in.; thence westerly parallel with the south line of said lot

40 feet to the place of beginning. Being 47 ft. and 6 in. on Wilson Avenue by 40 feet deep, together with all of the privilege and appurtenances thereunto belonging.

Property address: 422 Wilson Avenue, Columbus OH 43205

Parcel Number: 010-017631

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 shall take effect and be in force from and after the earliest period allowed by law.