



Legislation Details (With Text)

File #: 2864-2022 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 10/17/2022 **In control:** Zoning Committee
On agenda: 11/7/2022 **Final action:** 11/10/2022
Title: To grant a Variance from the provisions of Section 3356.03, C-4, permitted uses of the Columbus City Codes; for the property located at 1779 E. MAIN ST. (43205), to conform an existing single-unit dwelling in the C-4, Commercial District (Council Variance #CV22-077).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD2864-2022.Attachments, 2. ORD2864-2022.Labels

| Date | Ver. | Action By | Action | Result |
|------------|------|---------------------------|--|--------|
| 11/10/2022 | 1 | CITY CLERK | Attest | |
| 11/9/2022 | 1 | MAYOR | Signed | |
| 11/7/2022 | 1 | COUNCIL PRESIDENT PRO-TEM | Signed | |
| 11/7/2022 | 1 | Zoning Committee | Waive the 2nd Reading | Pass |
| 11/7/2022 | 1 | Zoning Committee | Accept entire staff report into evidence as an exhibit | Pass |
| 11/7/2022 | 1 | Zoning Committee | Approved | Pass |
| 11/7/2022 | 1 | Zoning Committee | Adopt the findings of staff as the findings of Council | Pass |

Council Variance Application: CV22-077

APPLICANT: Willie Draughon; 1779 East Main Street; Columbus, OH 43205.

PROPOSED USE: Conform existing single-unit dwelling.

NEAR EAST AREA COMMISSION RECOMMENDATION: 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 Section 3356.03, C-4, permitted uses of the Columbus City Codes; for the property located at **1779 E. MAIN ST. (43205)**, to conform an existing single-unit dwelling in the C-4, Commercial

District (Council Variance #CV22-077).

WHEREAS, by application #CV22-077, the owner of property at **1779 E. MAIN ST. (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, 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 **1779 E. MAIN ST. (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 Section 3356.03, C-4, permitted uses, of the Columbus City Codes, is hereby granted for the property located at **1779 E. MAIN ST. (43205)**, insofar as said section prohibits a single-unit dwelling in the C-4, Commercial District; said property being more particularly described as follows:

1779 E. MAIN ST. (43205), being 0.16± acres located on the south side of East Main Street, 345± feet east of Fairwood Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, and in the City of Columbus:

Being Lot Number Two (2) of Bulen's Main Street Addition, as the same is numbered and delineated upon the recorded plat thereof, or record in Plat Book 7, Pages 310 and 311, Recorder's Office, Franklin County, Ohio

Address: 1779 E. Main St.

Parcel: 010-044866-00

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 the existing structure, or the construction of any accessory structure.

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