



## Legislation Details (With Text)

**File #:** 1677-2022      **Version:** 2

**Type:** Ordinance      **Status:** Passed

**File created:** 6/6/2022      **In control:** Zoning Committee

**On agenda:** 6/27/2022      **Final action:** 6/30/2022

**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 2456 W. BROAD ST. (43204), to permit a single-unit dwelling in the C-4, Commercial District (Council Variance #CV21-117).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1677-2022.Attachments, 2. ORD1677-2022.Labels

| Date      | Ver. | Action By         | Action   | Result |
|-----------|------|-------------------|--|--------|
| 6/30/2022 | 2    | CITY CLERK        | Attest   |        |
| 6/29/2022 | 2    | MAYOR             | Signed   |        |
| 6/27/2022 | 2    | COUNCIL PRESIDENT | Signed   |        |
| 6/27/2022 | 1    | Zoning Committee  | Waive the 2nd Reading                                  | Pass   |
| 6/27/2022 | 1    | Zoning Committee  | Amended as submitted to the Clerk                      | Pass   |
| 6/27/2022 | 1    | Zoning Committee  | Approved as Amended                                    | Pass   |
| 6/27/2022 | 1    | Zoning Committee  | Adopt the findings of staff as the findings of Council | Pass   |
| 6/27/2022 | 1    | Zoning Committee  | Accept entire staff report into evidence as an exhibit | Pass   |

**Council Variance Application: CV21-117**

**APPLICANT:** Degas Real Estate Solutions; c/o Jeffrey L. Brown, Atty.; #7 West Broad Street, Suite 460; Columbus, OH 43215.

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

**GREATER HILLTOP AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is zoned in the C-4, Commercial district, and is developed with a former single-unit dwelling constructed in 1900 or earlier that has more recently been as a religious facility and apartment building.. The applicant requests a Council variance to revert the building to a single-unit dwelling. The site is located in the West Broad Street/Greater Hilltop UCO and within the boundaries of the *Hilltop Land Use Plan* (2019), which recommends "Mixed Use 3 (>45 du/ac)" land uses for this location. The Plan also identifies this building as a contributing structure. Additionally, the Plan includes complete adoption of the *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018). The proposal is consistent with the Plan's land use recommendation and the proposed preservation of the contributing building aligns with C2P2 Design Guidelines and the *Hilltop Land Use Plan*.

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 **2456 W. BROAD ST. (43204)**, to permit a single-unit dwelling in the C-4, Commercial District (Council Variance #CV21-117).

**WHEREAS**, by application #CV21-117, the owner of property at **2456 W. BROAD ST. (43204)**, 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 convert the existing building into a single-unit dwelling; and

**WHEREAS**, the Greater Hilltop 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 allow conversion of the existing building into a single-unit dwelling, preserving a contributing building consistent with C2P2 Design Guidelines and the *Hilltop Land Use 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 **2456 W. BROAD ST. (43204)**, 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 **2456 W. BROAD ST. (43204)**, insofar as said section prohibits a single-unit dwelling in the C-4, Commercial District; said property being more particularly described as follows:

**2456 W. BROAD ST. (43204)**, being 0.23± acres located on the north side of West Broad Street, 100± feet east of Eldon Avenue, and being more particularly described as follows:

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

Being the East Part of Reserve “A” containing 72 feet and 9 inches on Broad Street by 130 feet deep being a part of a subdivision of W.B. and E.F. Smith of Lot Number Twenty (20) of W.S. Sullivant’s Estate; for Complete Record see Record 61, Page 80, etc. in the Office of Clerk of Common Pleas Court of Franklin County; for subdivision of Lot 20 in Sullivant Estate by W.B. and E.F. Smith, see Plat Book 7, Page 470, Recorder’s Office, Franklin County, Ohio.

Parcel Number: 010-047504-00

Prior Deed Reference: Instrument No. 200610300217290 of the Franklin County, Ohio records.

**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 preservation of the existing mature trees located between West Broad Street and the building subject to sound forestry practice.

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

