



Legislation Text

File #: 1270-2020, **Version:** 1

Council Variance Application: CV20-042

APPLICANT: Jackson Harris; c/o Ariel Washington; 4963 Brewster Drive; Columbus, OH 43232.

PROPOSED USE: Conform an existing single-unit dwelling.

LIVINGSTON AVENUE AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The requested variance will conform an existing single-unit dwelling zoned in the C-4, Commercial District. The site is located within the boundaries of the *Near Southside Plan* (2011), which recommends "Neighborhood Mixed Use" land uses for this location. Additionally, the Plan includes early adoption of the Columbus Citywide Planning Policies (C2P2) Design Guidelines (2018). 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 owner 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 number of parking spaces required, of the Columbus City Codes; for the property located at **818 MILLER AVE. (43205)**, to conform an existing single-unit dwelling in the C-4, Commercial District (Council Variance #CV20-042).

WHEREAS, by application #CV20-042, the owner of property at **818 MILLER 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 number of parking spaces required, requires two parking spaces per dwelling unit, while the applicant proposes to maintain the existing condition of zero parking spaces; and

WHEREAS, the Livingston Avenue 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 which has been long established on this lot, and the request is consistent with the residential uses that are prevalent in the surrounding neighborhood; 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 **818 MILLER 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 number of parking spaces required, of the Columbus City Codes, is hereby granted for the property located at **818 MILLER AVE. (43205)**, insofar as said section prohibits a single-unit dwelling in the C-4, Commercial District with zero parking spaces, said property being more particularly described as follows:

818 MILLER AVE. (43205), being 0.04± acres located on the east side of Miller Avenue, 75± feet north of East Livingston Avenue, and being more particularly described as follows:

Situated in the county of Franklin in the state of Ohio and in the city of Columbus being the north one-half (1/2) of lot number one (1) of G.W Shults Subdivision of lots number 152 and 154, inclusive, of Thomas Millers amended subdivision, as the same is numbered and delineated upon plat book 5, page 228, recorder's office, Franklin County, Ohio.

Parcel No. 010-050207
Address: 818 Miller Avenue

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.