



## Legislation Text

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**File #:** 1946-2020, **Version:** 1

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### **Council Variance Application CV20-050**

**APPLICANT:** Michael McCandlish; 5260 Godown Road; Columbus, OH 43235.

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

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The requested variance will conform an existing single-unit dwelling in the L-C-2, Limited Commercial District. A Council variance is necessary because residential uses are only permitted above specified commercial uses in the C-2, Commercial District. The site is located within the boundaries of *The Northwest Plan* (2016), which recommends "Office" 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. Approval of this request will not add a new or incompatible use to the area.

To grant a Variance from the provisions of Section 3353.03, Permitted uses, of the Columbus City Codes; for the property located at **5260 GODOWN RD. (43235)**, to conform an existing single-unit dwelling in the L-C-2, Limited Commercial District (Council Variance #CV20-050).

**WHEREAS**, by application #CV20-050, the owner of property at **5260 GODOWN RD. (43235)**, is requesting a Council variance to conform an existing single-unit dwelling in the L-C-2, Limited Commercial District; and

**WHEREAS**, Section 3353.03, Permitted uses, permits dwelling units only above certain commercial uses, while the applicant proposes to conform an existing single-unit dwelling; 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 L-C-2, Limited Commercial District, which has been long established on this lot and 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 **5260 GODOWN RD. (43235)**, 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 3353.03, Permitted uses, of the Columbus City Codes, is

hereby granted for the property located at **5260 GODOWN RD. (43235)**, insofar as said section prohibits a single-unit dwelling in the L-C-2, Limited Commercial District; said property being more particularly described as follows:

**5260 GODOWN RD. (43235)**, being 0.23± acres located on the east side of Godown Road, 590± feet north of Bethel Road, 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 72 in the Gables East, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 42, Page 94, Recorder's Office, Franklin County, Ohio.

Address: 5260 Godown Road

Parcel: 010-154945

**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 L-C-2, Limited Commercial District.

**SECTION 3.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.