



Legislation Text

File #: 1860-2022, **Version:** 1

Council Variance Application: CV22-019

APPLICANT: Stephen Bryant; c/o Daniel Keiser, AIA, Agent; Keiser Design Group; 800 Cross Pointe Road, Suite M; Gahanna, OH 43230.

PROPOSED USE: Conform existing single-unit dwelling.

GREATER HILLTOP AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of one parcel developed with a single-unit dwelling in the P-1, Private Parking District. The requested Council variance will conform the existing dwelling which was rendered nonconforming when the P-1 district was established in 1956. A Council variance is necessary because residential uses are not permitted in the P-1, Private Parking District. The site is located within the planning area of the *Greater Hilltop Land Use Plan* (2019), which recommends "Medium-High Density Residential" (16-24 du/ac) uses for this location. The request is consistent with the Plan's land use recommendation and the development pattern in the area. 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 Section 3371.01, P-1 Private Parking District, of the Columbus City Codes; for the property located at **25 N. WAYNE AVE. (43204)**, to conform an existing single-unit dwelling in the P-1, Private Parking District (Council Variance #CV22-019).

WHEREAS, by application #CV22-019, the owner of the property at **25 N. WAYNE AVE. (43204)**, is requesting a Council variance to conform an existing single-unit dwelling in the P-1, Private Parking District; and

WHEREAS, Section 3371.07, P-1 Private Parking District, does not permit single-unit dwellings, while the applicant proposes to conform an existing single-unit dwelling; and

WHEREAS, the Greater Hilltop Area Commission recommends approval; and

WHEREAS, City Departments recommend approval of the requested variance because the proposal will not add a new or incompatible use to the area. The request will conform an existing single-unit dwelling in the P-1, Private Parking District, and the *Greater Hilltop Land Use Plan* recommends residential land uses.; 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 **25 N. WAYNE AVE. (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 3371.01, P-1, Private Parking District, of the City of Columbus codes, is hereby granted for the property located at **25 N. WAYNE AVE. (43204)**, insofar as said section prohibits a single-unit dwelling in the P-1, Private Parking District, said property being more particularly described as follows:

25 N. WAYNE AVE. (43204), being 0.11± acres located on the west side of North Wayne Avenue, 177± feet north of West Broad Street, and being more particularly described as follows:

Legal Description

Lt/Un 5 JOSEPH P ONGS FLORENCE PARK ADDN Pcl# 010-050403-00 Pit PB 5 PG 406
PARCEL NO 010-050403-00 THE FOLLOWING REAL PROPERTY, SITUATED IN THE CITY OF COLUMBUS, COUNTY OF FRANKLIN AND THE STATE OF OHIO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS BEING LOT NUMBER FIVE (5) TN JOSEPH P. ONGS FLORENCE PARK ADDITION, IN THE CITY OF COLUMBUS, OHIO, AS THE SAME IS NUMBERED AND DELINEATED UPON THE RECORDED PLAT THEREOF, OF RECORD IN PLAT BOOK 4, PAGE 316, RECORDERS OFFICE FRANKLIN COUNTY, ALSO LOT NUMBER FORTY-FIVE (5) OF CHARLES H. JOHNSONS ADDITION, AS THE SAME IS NUMBERED AND DELINEATED UPON THE RECORDED PLAT THEREOF, OF RECORD TN PLAT BOOK 5, PAGE 406, RECORDERS OFFICE FRANKLIN COUNTY, OHIO. TOGETHER WITH ANY AND ALL INTEREST THE GRANTOR MAY HAVE TN THAT PORTION OF RIGHT OF WAY AS VACATED BY THE CITY OF COLUMBUS BY VACATION ORD. 123961 ON 02/23/1897.

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 P-1, Private Parking District.

SECTION 3. That this ordinance is further conditioned on compliance with R-3 Residential District standards for any additions to, or replacement of, existing or accessory structures.

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