



Legislation Text

File #: 0871-2024, **Version:** 1

Council Variance Application: CV23-136

APPLICANT: Conley Group Rentals LLC; c/o Brian Farris, Agent; Cornerstone Premier Reality; 602 Cherry Road; Gahanna, OH 43230.

PROPOSED USE: Conform existing single-unit dwelling.

SOUTH LINDEN AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of one parcel developed with a single-unit dwelling in the C-1, Commercial District which had previously been used for commercial purposes. A Council variance is necessary because although the C-1 district allows dwellings above certain commercial uses, it does not allow single-unit dwellings, and financing options are precluded for a proposed rehabilitation of the dwelling. The site is located within the planning boundaries of the *South Linden Area Plan* (2018), which recommends "Mixed Use 2 (24-45 du/ac)" land uses at this location. Additionally, the Plan includes complete adoption of the *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018). Staff supports the request as it is consistent with the Plan's and the C2P2 design guidelines, respectively, and will conform an existing dwelling.

To grant a Variance from the provisions of Sections 3351.03, C-1 permitted uses, of the Columbus City Codes; for the property located at **2086 CLEVELAND AVE. (43211)**, to conform an existing single-unit dwelling in the C-1, Commercial District (Council Variance #CV23-136).

WHEREAS, by application #CV23-136, the owner of property at **2086 CLEVELAND AVE. (43211)**, is requesting a Council variance to conform an existing single-unit dwelling in the C-1, Commercial District; and

WHEREAS, Section 3351.03, C-1 permitted uses, does not allow single-unit dwellings, while the applicant proposes to conform the existing single-unit dwelling in order to secure financing; and

WHEREAS, the South Linden Area Commission recommends approval; and

WHEREAS, the City Departments recommend approval because the requested variance will conform an existing use which does not add an incompatible use to the area; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the rehabilitated single-unit dwelling; 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 **2086 CLEVELAND AVE. (43211)**, 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 3351.03, C-1 permitted uses, of the Columbus City Codes; is hereby granted for the property located at **2086 CLEVELAND AVE. (43211)**, insofar as said section prohibits single-unit dwellings in the C-1, Commercial District; said property being more particularly described as follows:

2086 CLEVELAND AVE. (43211), being 0.09± acres located on the east side of Cleveland Avenue, 128± feet north of Duxberry 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 Forty-Four (44) of INNISCREST ADDITION, as the same is numbered and delineated upon the recorded plat thereof, of the record in Plat Book 8, Page 15-B, Recorder's Office, Franklin County, Ohio

Parcel No. 010-060786

Address: 2086 Cleveland Avenue, Columbus, OH 43211

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used as a single-unit dwelling, or those uses permitted in the C-1, Commercial District.

SECTION 3. That this ordinance is further conditioned upon the applicant obtaining all applicable permits and a Certificate of Occupancy for the rehabilitated single-unit dwelling.

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