### CITY COUNCIL – ZONING COMMITTEE STAFF REPORT COUNCIL VARIANCE

APPLICATION: CV24-090

**Location:** 1661 E. HUDSON ST. (43211), being 0.47± acres located at the

southwest corner of East Hudson Street and Billiter Boulevard (010-061218 & 4 others; South Linden Area Commission).

**Pending Zoning:** R-4, Residential District. **Proposed Use:** Single and two-unit dwellings.

**Applicant(s):** Brian Higgins; P.O. Box 8159; Columbus, OH 43201. **Property Owner(s):** Central Ohio Community Improvement Corporation; 845

Parsons Avenue; Columbus, OH 43201.

Planner: Eastman Johnson; 614-645-7979; roejohnson@columbus.gov

### **BACKGROUND**:

 The site consists of six undeveloped parcels in a pending R-4, Residential District. The requested Council variance will allow the development of single- and two-unit dwellings with a reduction in required parking and side yard requirements.

- A Council variance is requested to vary the required parking and side yard requirements of the proposed residential development.
- To the north of the site is a two-unit dwelling and commercial garage parking lot in the R-4, Residential District, and a commercial garage in the C-4, Commercial District. To the south is a single-unit dwelling and undeveloped lots in the R-4, Residential District. To the east is a commercial garage in the C-4, Commercial District. To the west are single-unit and two-unit dwellings in the R-4, Residential District.
- The Applicant has received a recommendation of approval from Staff and from the Development Commission for a concurrent rezoning request (Z24-033) to the R-4, Residential District.
- The site is within the planning boundaries of the South Linden Land Use Plan (2018), which recommends "Mixed Use 1 (<24 du/ac)" land uses at this location. Additionally, the Plan includes complete adoption of the Columbus Citywide Planning Policies (C2P2) (2018).
- The site is located within the boundaries of the South Linden Area Commission, whose recommendation is for approval.
- Staff concurs with the applicant's analysis of the seven practical difficulties in achieving this proposed development.

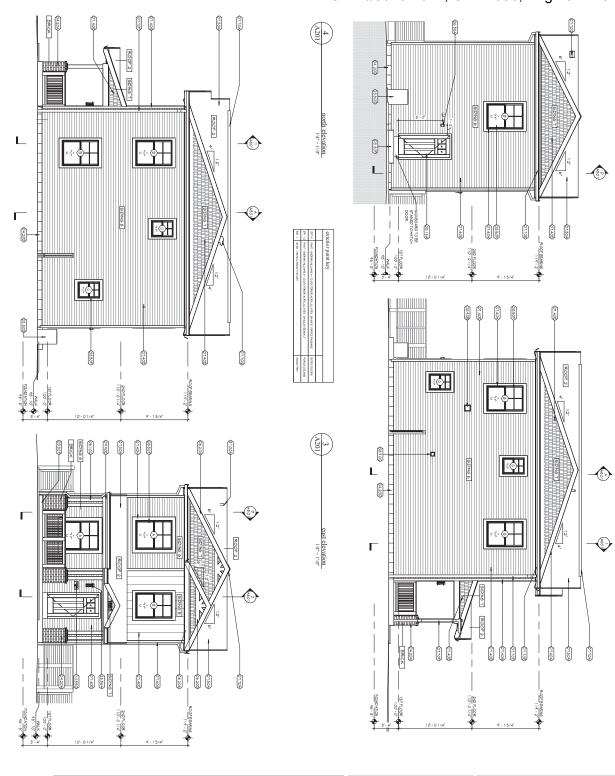
#### **CITY DEPARTMENTS' RECOMMENDATION:** Approval.

The requested variances and the committed to site plan show single- and two-unit dwellings developed in a way that is consistent with C2P) Design Guidelines, which states new housing

construction should be consistent with surrounding densities and building types in the neighborhood.



### ORD #3046-2024; CV24-090; Page 9 of 29



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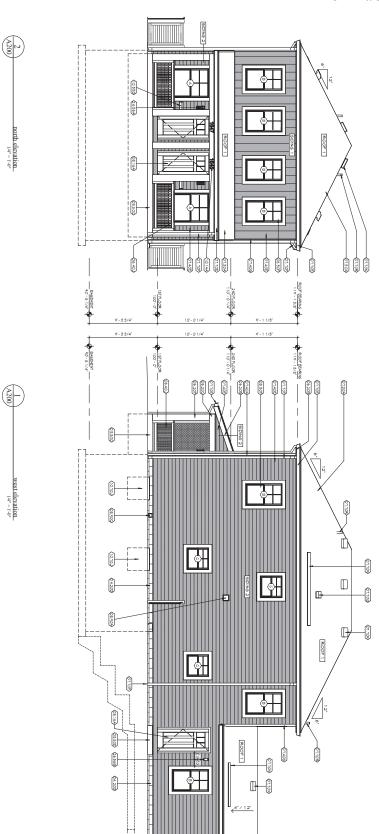
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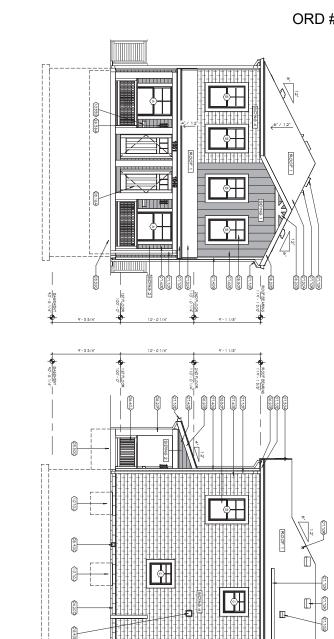
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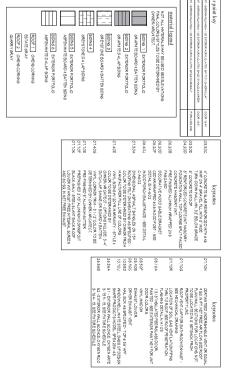
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SIGNED BY MARIA K. ANDERSEN/BERARDI PARTNERS ON 10/30/2024

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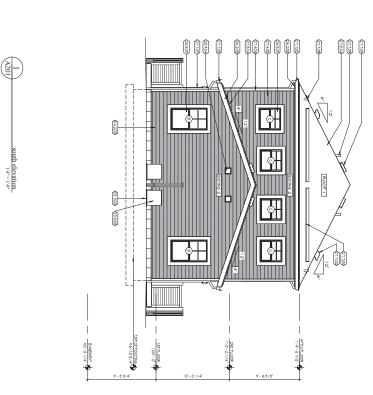
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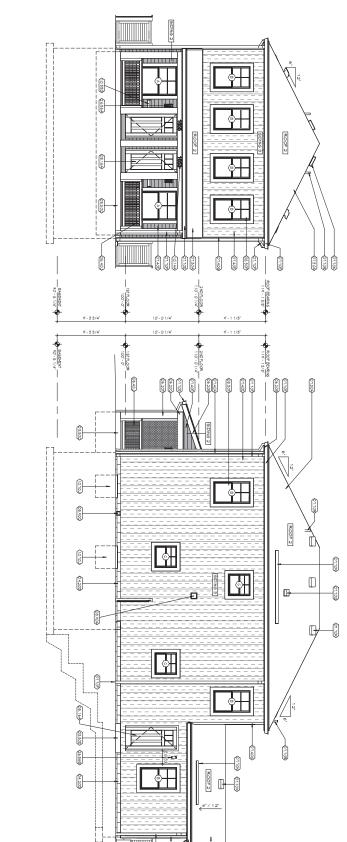
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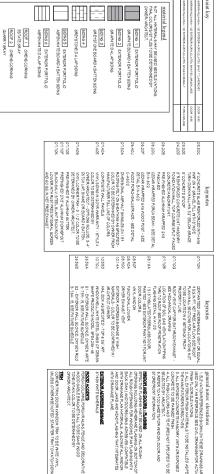
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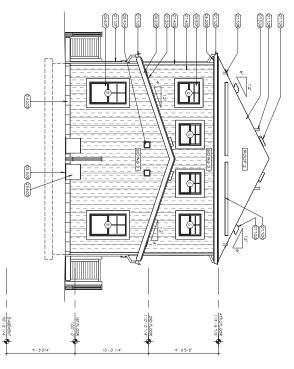
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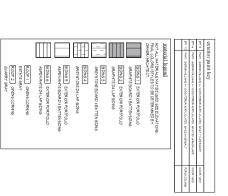
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EAST HUDSON DUPLEX 1653-1655 E Hudson Stre-Columbus, Ohio 43211







EAST HUDSON DUPLEX

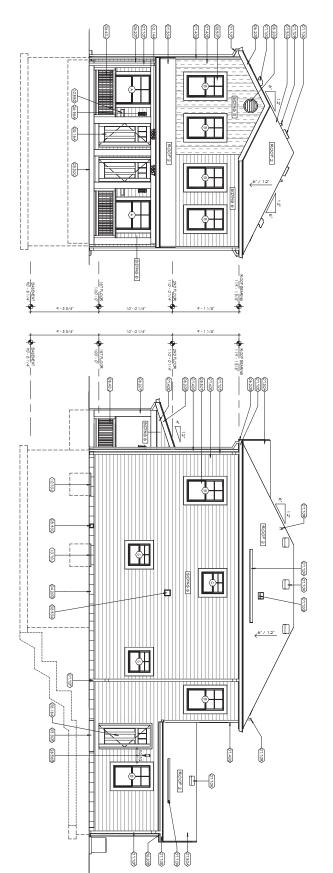
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CONSTRUCTION
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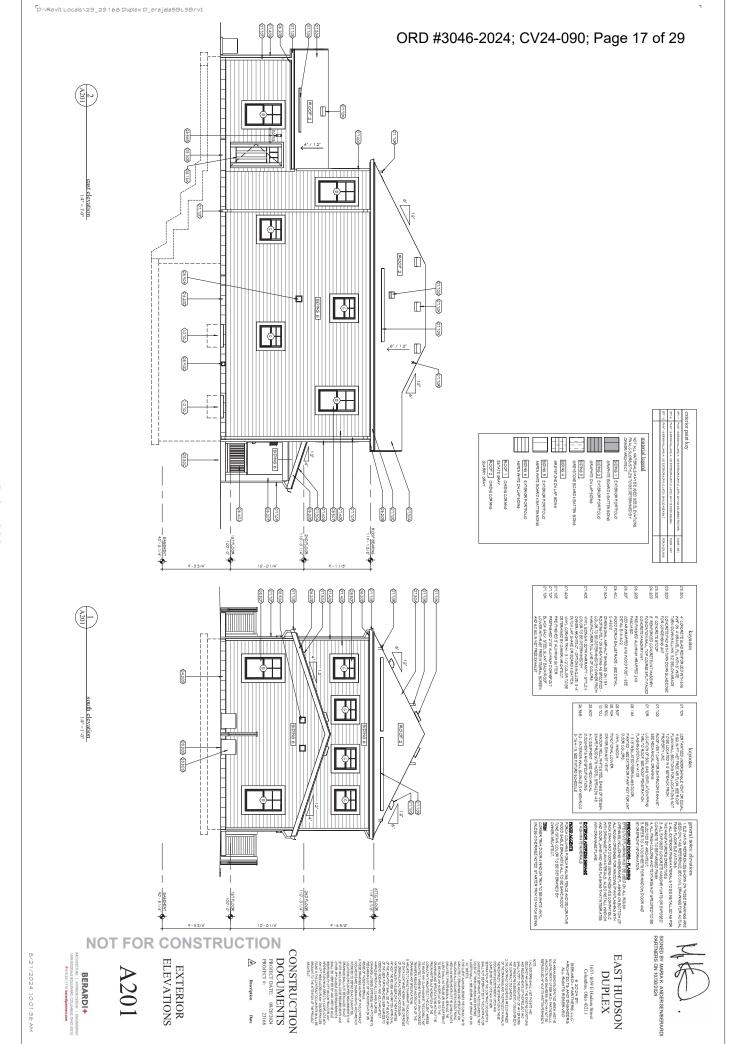
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EAST HUDSON DUPLEX







## Council Variance Application CV24-090; Page 18 of 29

111 N Front Street, Columbus, Ohio 43215 Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

#### STATEMENT OF HARDSHIP

Columbus City Code Section 3307.10 - Variances by City Council.

City council may grant the following zoning variances:

- **A.** Permit a variation in the yard, height or parking requirements of any district only in conjunction with a change in zoning or a use variance and only where there are unusual and practical difficulties in the carrying out of the zoning district provisions due to an irregular shape of lot, topography, or other conditions, providing such variance will not seriously affect any adjoining property or the general welfare.
- **B.** Permit a use of the property not permitted by the zoning district established on the property if such use will not adversely affect the surrounding property or surrounding neighborhood and if council is satisfied that the granting of such variance will alleviate some hardship or difficulty which warrants a variance from the comprehensive plan.

Before authorizing any variance from the Zoning Code in a specific case, city council shall first determine that such 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.

In granting a variance pursuant to this section, council may impose such requirements and conditions regarding the location, character, duration, and other features of the variance proposal as council deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.

The following factors shall be used in determining whether the applicant has encountered practical difficulties in the use of the property. Respond to the following statements:

<ol> <li>Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance.</li> <li>Yes ✓No</li> </ol>
These homes are being developed by the Central Ohio Community Land Trust as affordable, for-sale
residences. Since there is a critical shortage of affordable housing in Central Ohio, denying these
variance would allow for less units to be built, thereby exacerbating the issue.
2. Whether the variance is substantial.  ☐Yes ✓No
We do not consider these variances to be substantial.
3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.  ☐Yes ✓No
These homes are similar to other homes found throughout Linden.

Page 3 of 9 ba 07/24



AND ZONING SERVICES

## Council Variance Application CV24-090; Page 19 of 29

111 N Front Street, Columbus, Ohio 43215 Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

4. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse service)  ☐ Yes ☑ No
It would not.
5. Whether the property owner purchased the property with knowledge of the zoning restriction.  Yes No
These properties aren't purchased conventionally. They are acquired because they had tax liens and were foreclosed upon.
6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.  ✓ Yes □ No
Sure, but the construction of less units.
<ul> <li>7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.</li> <li>✓ Yes □ No</li> <li>Other than the parking variances, the other requests would be difficult to observe with the naked eye.</li> </ul>
List all sections of Code to be varied and explain your reasoning as to why this request should be granted.  NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary
variances are not included, a new application (and applicable fees) will be required.  I have read the foregoing and believe my application for relief from the requirements of the Zoning Code contains the necessary hardship, will not adversely affect surrounding property owners, and will comply with the variance(s) requested as detailed below (use separate page if needed or desired):
1) Section 3332.26 (C), Minimum Side Yard Permitted, to reduce the required side yard from five feet
to three feet minimum for a two-family dwelling Three feet is typical of single family homes.
2) Section 3332.28 (D), Side or Rear Yard Obstruction, to allow the required side yard to be three feet
minimum This reduction does not negatively impact quality of life.
3) Section 3312.49, to reduce from 4 (2) parking spaces to 2 (1) parking spaces - There is adequate on
street parking nearby to offset this reduction.
Signature of Applicant Brian Higgins Digitally signed by Brian Higgins Date 8/19/2024

#### **Statement of Hardship**

1645 and 1647 East Hudson Street; Columbus, OH 43211

The proposed statement is to request and substantiate the grant of Variance for 1645 and 1647 East Hudson Street in Columbus, Ohio. The property, PID 010-061218 will get rezoned from C-3 to R-4. The primary goal of this project is to create a well-designed, affordable duplex that will benefit and add value to the existing character of the neighborhood. The Council Variance application is submitted in conjunction with the pending rezoning application for the following variances:

- 1) Section 3312.49, Required Parking, to reduce from 4 parking spaces to 2 parking spaces.
- 2) Section 3332.26 (C), Minimum Side Yard Permitted, to reduce the required side yard from five feet to 4'-6" for a two-family dwelling.

#### **Statement of Hardship**

1649 and 1651 East Hudson Street; Columbus, OH 43211

The proposed statement is to request and substantiate the grant of Variance for 1649 and 1651 East Hudson Street in Columbus, Ohio. The property, PID 010-061219 will get rezoned from C-3 to R-4. The primary goal of this project is to create a well-designed, affordable duplex that will benefit and add value to the existing character of the neighborhood. The Council Variance application is submitted in conjunction with the pending rezoning application for the following variances:

- 1) Section 3312.49, Required Parking, to reduce from 4 parking spaces to 2 parking spaces.
- 2) Section 3332.26 (C), Minimum Side Yard Permitted, to reduce the required side yard from five feet to 4'-6" for a two-family dwelling.

#### **Statement of Hardship**

1653 and 1655 East Hudson Street; Columbus, OH 43211

The proposed statement is to request and substantiate the grant of Variance for 1653 and 1655 East Hudson Street in Columbus, Ohio. The property, PID 010-061220 and 010-129670, will get combined into one parcel and will also get rezoned from C-3 to R-4. The primary goal of this project is to create a well-designed, affordable duplex that will benefit and add value to the existing character of the neighborhood. The Council Variance application is submitted in conjunction with the pending rezoning application for the following variances:

- 1) Section 3312.49, Required Parking, to reduce from 4 parking spaces to 2 parking spaces.
- 2) Section 3332.26 (C), Minimum Side Yard Permitted, to reduce the required side yard from five feet to 4'-6" for a two-family dwelling.

#### **Statement of Hardship**

1657 and 1659 East Hudson Street; Columbus, OH 43211

The proposed statement is to request and substantiate the grant of Variance for 1657 and 1659 East Hudson Street in Columbus, Ohio. The property, PID 010-061221 will get rezoned from C-3 to R-4. The primary goal of this project is to create a well-designed, affordable duplex that will benefit and add value to the existing character of the neighborhood. The Council Variance application is submitted in conjunction with the pending rezoning application for the following variances:

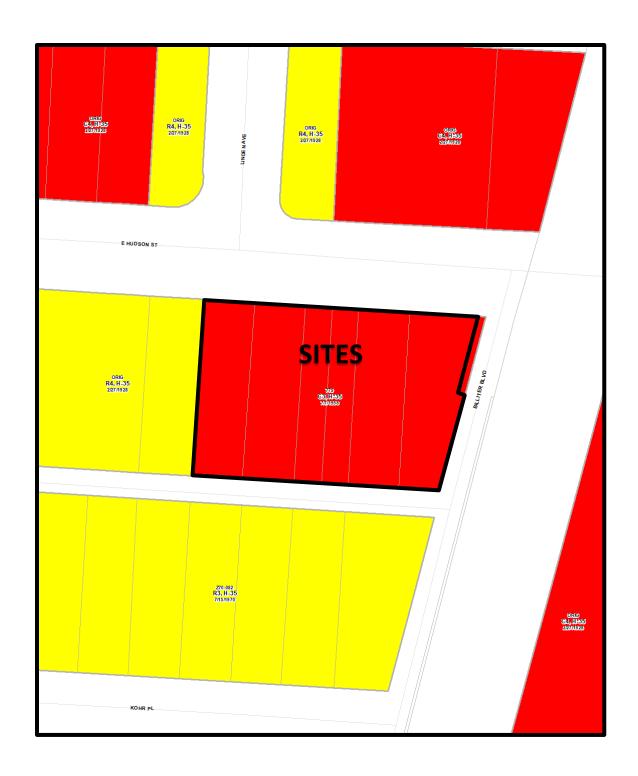
- 1) Section 3312.49, Required Parking, to reduce from 4 parking spaces to 2 parking spaces.
- 2) Section 3332.26 (C), Minimum Side Yard Permitted, to reduce the required side yard from five feet to 4'-6" for a two-family dwelling.

#### **Statement of Hardship**

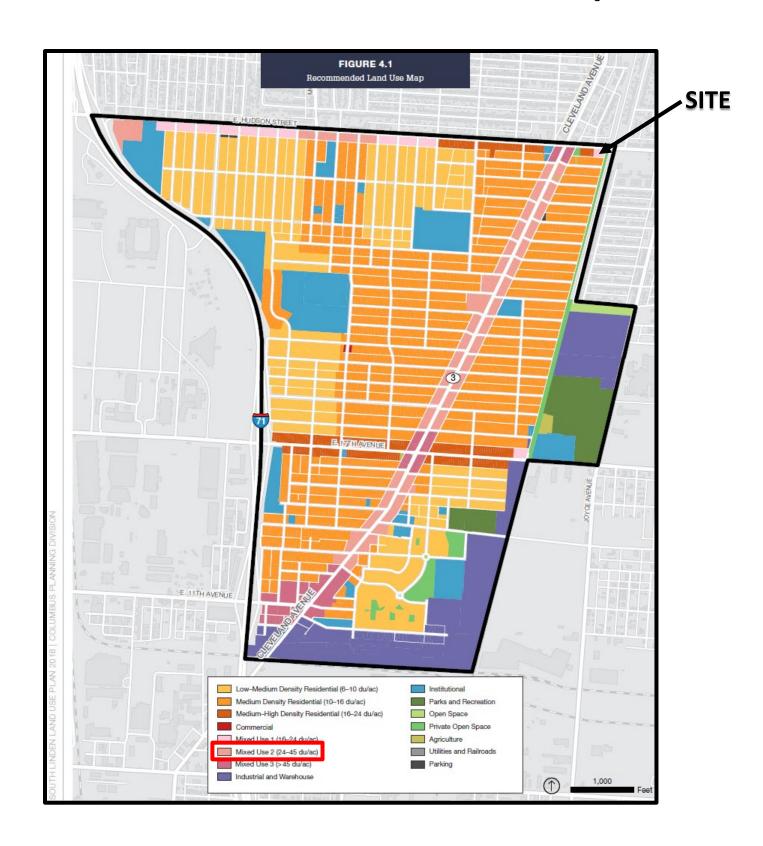
1661 East Hudson Street; Columbus, OH 43211

The proposed statement is to request and substantiate the grant of Variance for 1661 East Hudson Street in Columbus, Ohio. The property, PID 010-061222 will get rezoned from C-3 to R-4. The primary goal of this project is to create a well-designed, affordable duplex that will benefit and add value to the existing character of the neighborhood. The Council Variance application is submitted in conjunction with the pending rezoning application for the following variances:

- 1) Section 3312.49, Required Parking, to reduce from 2 parking spaces to 1 parking spaces.
- 2) Section 3332.25, Maximum side yard required, to reduce from 20 percent of the width of the lot to 17.98 percent.



CV24-090 1661 E. Hudson St. Approximately 0.47 acres



CV24-090 1661 E. Hudson St. Approximately 0.47 acres



CV24-090 1661 E. Hudson St. Approximately 0.47 acres



**Case Number** 

**Address** 

## Standardized Recommendation Form

111 N Front Street, Columbus, Ohio 43215 Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

### FOR USE BY: AREA COMMISSION / NEIGHBORHOOD GROUP (PLEASE PRINT)

Z24-033 & CV24-090

1661 E. HUDSON ST.

<b>Group Name</b>	SOUTH LINDEN AREA COMMISSION		
<b>Meeting Date</b>	September 17, 2024		
Specify Case Type	<ul><li>✓ Council Varia</li><li>✓ Rezoning</li></ul>	e / Special Permit nce iance / Plan / Special Permit	
Recommendation (Check only one)	<ul><li>✓ Approval</li><li>☐ Disapproval</li></ul>		
LIST BASIS FOR RECO	MMENDATION:		
development in the area and will in Under C24-090 Parcels 010-0612 development (C-3, Commercial Di Rezoning these parcels from C-3, Under Z24-033 Parcels 010-0612 Granting variance under Section 3 Granting variance under Section 3 development located in a R-4 Res Granting variances does not adve With Six (6) Area Commissioners date. Having heard statements m	ncrease the affordable handle in the strict of the strict	1220, 010-061221, 010-061222, and 010-129670 are currently zoned for commercial R-4 Residential District permits residential development. 1220, 010-061221, 010-061222, and 010-129670 lot widths are currently Forty (40) feet. uired lot width from Fifty (50) feet to Forty (40) feet to legitimize the existing lot condition. neter yard shall satisfy the minimum side yard requirement for a multiple dwelling ling neighbors.  8 Met. The South Linden Area Commission convened its regularly scheduled meeting this g documentation, and engaged meaningful discussions to clarify and satisfy concerns, mmissioner Wade, to issue its RECOMMENDATION OF APPROVAL. The Chair opened for evote as follows:	
Vote		Six (6) In Favor; No Abstentions; No Opposition	
Signature of Authorize	ed Representative	/s/Peggy A. Williams/	
Recommending Group	Title	SOUTH LINDEN AREA COMMISSION	
Daytime Phone Numbe	er	(614) 372-5006	

Please e-mail this form to the assigned planner within 48 hours of meeting day; OR MAIL to: Zoning, City of Columbus,

Department of Building & Zoning Services, 111 N Front Street, Columbus, Ohio 43215.



AND ZONING SERVICES

## ORD #3046-2024; CV24-090; Page 29 of 29 Council Variance Application

111 N Front Street, Columbus, Ohio 43215 Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

PROJECT DISCLOSURE STATEMENT	APPLICATION #:CV24-090
Parties having a 5% or more interest in the project that is the subjec	t of this application.
THIS PAGE MUST BE FILLED OUT COMPLETELY AND NO	<b>TARIZED.</b> Do not indicate 'NONE' in the space provided.
STATE OF OHIO COUNTY OF FRANKLIN	
Being first duly cautioned and sworn (NAME) Brian Higgins	
of (COMPLETE ADDRESS) PO Box 8159, Columbus, OH 4	3201
deposes and states that they are the APPLICANT, AGENT, OR DUL	
ist of all persons, other partnerships, corporations or entities having	g a 5% or more interest in the project which is the subject of this
application in the following format:	
For Example: Nan	ne of Business or individual
-	tact name and number
Busi	ness or individual's address; City, State, Zip Code
	aber of Columbus-based employees
	1.7
1. COCIC, Jake Hiestand, 614-724-5263	2.
845 Parsons Avenue, Columbus, OH 43206	
11	
ti.	
3.	4.
Check here if listing additional parties on a separate page.	
second to be y morning anamost and partition on a soparate page.	
SIGNATURE OF AFFIANT	
Sworn to before me and signed in my presence thisday o	of July , in the year 3024
Stora M. Houl	10.10.26 Notary Seal Here
SIGNATURE OF NOTARY PUBLIC	My Commission Expires

LISA M HOUK Notary Public State of Ohio My Comm. Expires October 10, 2026

This Project Disclosure Statement expires  $\sin\left(6\right)$  months after date of notarization.