

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

APPLICATION: CV25-033
Location: 1469-1471 BRYDEN RD. (43205), being 0.08± acres located at the southeast corner of Bryden Road and Miller Avenue (010-023609; Near East Area Commission and Historic Resources Commission).
Existing Zoning: R-3, Residential District.
Proposed Use: Three-unit dwelling.
Applicant(s): Eric Thacker; 2444 Elm Avenue; Columbus, OH 43209.
Property Owner(s): Jersey Management Group LLC; PMB 92, 3000 East Main Street #B; Columbus, OH 43209.
Planner: Eastman Johnson; 614-645-7979; roejohnson@columbus.gov

BACKGROUND:

- The site consists of one parcel developed with a two-unit dwelling in the R-3, Residential District. The requested Council variance will allow the conversion of an existing two-unit dwelling into a three-unit dwelling with no structural changes proposed. Variances to required parking from six required spaces to zero provided spaces, reduced lot width requirements from 50 feet to 40 feet, and reduced area requirements from 5,000 square feet to 3,200 square feet are also included in this request.
- A Council variance is required because the R-3 district does not allow a three-unit dwelling.
- To the north, south, east, and west of the site are single-unit dwellings in the R-3, Residential District.
- The site is located within the planning boundaries of the *Near East Area Plan (2005)*, which does not have a recommended land use at this location. The site is also within the Bryden Road Historic District and is subject to review by the Historic Resources Commission.
- The site is located within the boundaries of the Near East Area Commission and Historic Resources Commission, whose recommendations are both for approval.
- The *Columbus Multimodal Thoroughfare Plan (2019)* identifies this portion of Bryden Road as an Urban Community Connector requiring 80 feet of right-of-way.
- Staff concurs with the applicant's analysis of the seven practical difficulties in achieving this proposed development and support the variances to reduced required parking, lot width and lot area requirements.

CITY DEPARTMENTS' RECOMMENDATION: Approval.

The requested Council variance will allow the conversion of the existing two-unit dwelling into a three-unit dwelling with no structural changes proposed. Staff supports the proposed variances as the request is consistent with similar proposals in the neighborhood, and will require a Certificate of Appropriateness from the Historic Resources Commission for any applicable exterior modifications.

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:

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance.

Yes No

Given the need for additional & lower cost housing and the cost to an individual of single-family homes (purchase or rent) vs multi-family, this variance expands affordable housing stock in neighborhood

2. Whether the variance is substantial.

Yes No

There are many examples of multi-family homes, including triplexes in the area so variance would not create an unusual or substantial variance.

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

Some examples already exist in the area, granting this variance would not create a situation detrimental to the neighborhood

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4. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse service).

Yes No

Since utilities and govt services already exist at a capacity to support the variance, there would be no effect on the delivery of government services

5. Whether the property owner purchased the property with knowledge of the zoning restriction.

Yes No

The current zoning and new zoning requirements were fully explained pre-purchase

6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.

Yes No

Without a variance, the project to add affordable housing stock to the area would be prevented.

7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

Yes No

In applicant's opinion, the variance is within the confines of zoning requirements and would allow for more economical housing options in the area that wouldn't otherwise be available should variance be denied

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):

No major exterior changes to house are planned other than to address outstanding code violations

This structure has stood vacant and boarded up for over a decade

Signature of Applicant



Date

3/25/25

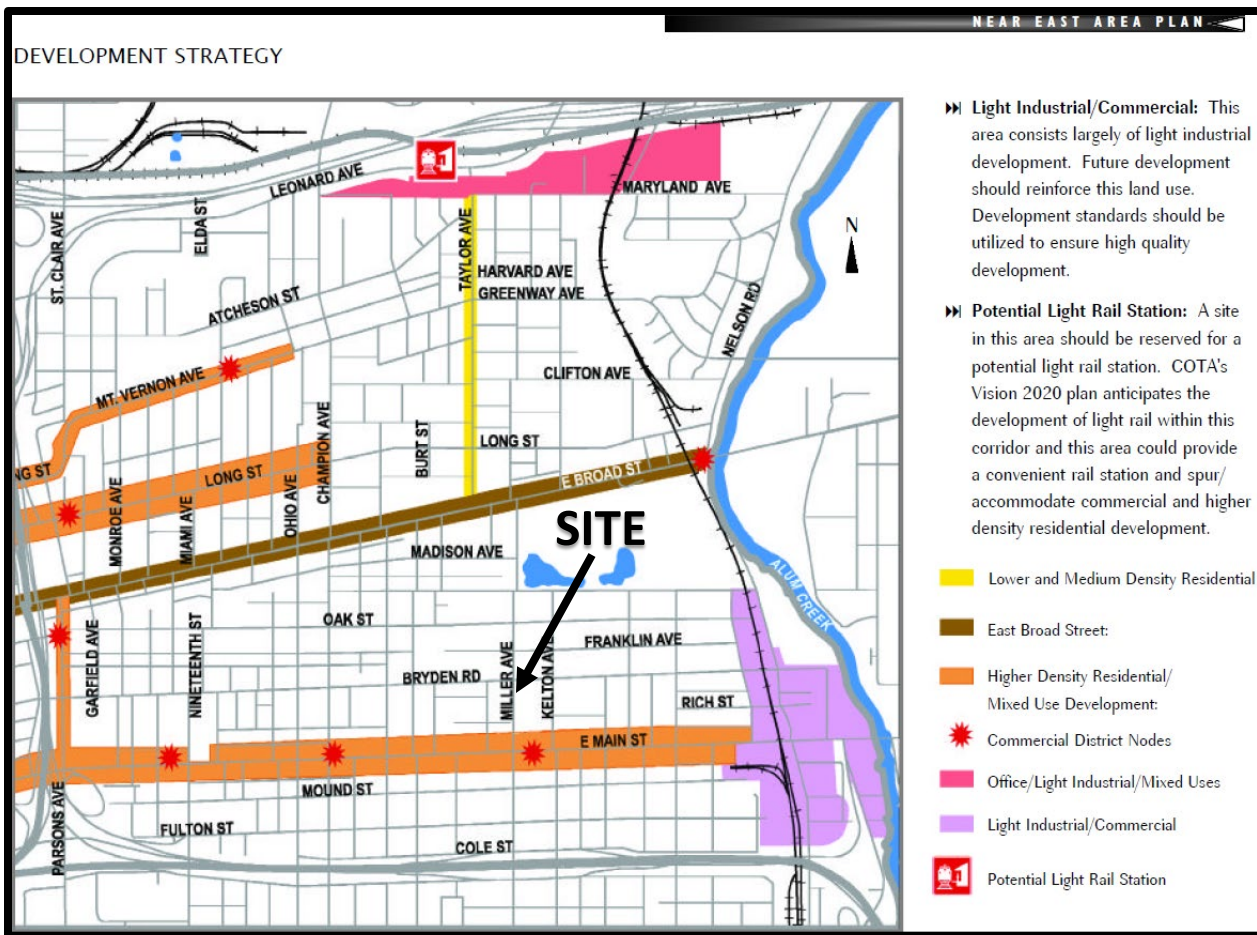
Statement of Hardship
1469-1471 Bryden Road

The applicant is requesting a variance comprising the following:

- Section [3332.035](#), R-3 residential district, only allows single-unit dwellings as the applicant proposes a three-unit dwelling.
- Section [3312.49](#) (Table 2), Required parking, requires two parking spaces per dwelling unit, or a total of 6 parking spaces, while the applicant proposes to provide zero parking spaces (no space for parking on lot) by utilizing off-street parking.
- Section [3332.05\(A\)\(4\)](#), Area district lot width requirements, requires a minimum lot width of 50 feet in the R-3, Residential District, while the applicant proposes to maintain a reduced lot width of 40 feet.
- Section [3332.13](#), R-3 area district requirements, requires that a single-unit dwelling or other principal building shall be situated on a lot of not less than 5,000 square feet in area, while the applicant proposes a three-unit dwelling on a reduced lot area of 3,200 square feet in area.



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1469-1471 Bryden Ave.
Approximately 0.08 acres



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

Case Number CV25-033

Address 1469 - 1471 BRYDEN ROAD

Group Name NEAR EAST AREA COMMISSION

Meeting Date 5/8/2025

- Specify Case Type
- BZA Variance / Special Permit
 - Council Variance
 - Rezoning
 - Graphics Variance / Plan / Special Permit

- Recommendation
(Check only one)
- Approval
 - Disapproval

LIST BASIS FOR RECOMMENDATION:

Vote

Signature of Authorized Representative

Recommending Group Title

Daytime Phone Number

9-0-2

Natasha S. R. Harris

NEAC

614-753-3894

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.

general@neareastarea.commission.org

This Certificate of Appropriateness is not a zoning clearance or a building permit. This document does not relieve the applicant from the responsibility of filing for and obtaining any required zoning clearance and/or building permit from the City of Columbus Department of Building & Zoning Services (645-6090 / 111 N. Front Street) and following all other applicable codes and ordinances of the City of Columbus.

PROPERTY ADDRESS: 1469-1471 Bryden Road Bryden Road Historic District
APPLICANT'S NAME: Eric Thacker, Jersey Management Group LLC (Owner)
APPLICATION NO.: COA2500301
MEETING OR STAFF APPROVED DATE: 05-15-25 **EXPIRATION:** 05-15-26

The Historic Resources Commission hereby certifies that the application for the above referenced property and a copy of this Certificate of Appropriateness are on file with the city's Historic Preservation Office. The Commission has reviewed the application and taken the following action(s) in accordance with Columbus City Code 3116 & 3319 and the architectural guidelines:

- Approved: Commission** or **Staff** Exterior alterations per APPROVED SPECIFICATIONS
 Recommendation for Approval: Requested re-zoning/variance per APPROVED SPECIFICATIONS
 Recommended or **Not Recommended**

Recommend Application # COA2500301, 1469-1471 Bryden Road., Bryden Road, as submitted, with all clarifications, as noted;

Variance Recommendation Request

- Section 3332.035, R-3 residential district: To allow three-unit dwelling, where R-3 residential district allows single-unit dwellings.
- Section 3312.49 (Table 2): Required Parking: To reduce parking requirement to zero and utilize off-street parking where two parking spaces are required per dwelling unit.
- Section 3332.05 (A)(4), Area district lot width requirements, requires a minimum lot width of 50 feet in the R-3, Residential District, while the applicant proposes to maintain a reduced lot width of 40 feet.
- Section 3332.13, R-3 area district requirements, requires that a single-unit dwelling or other principal building shall be situated on a lot of not less than 5,000 square feet in area, while the applicant proposes a three-unit dwelling on a reduced lot area of 3,200 square feet in area.

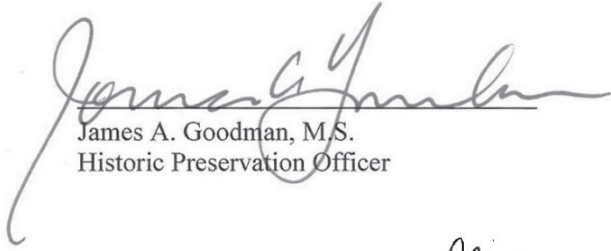
MOTION: Gibboney/Baba (5-0-0) RECOMMENDED.

Commissioner Comments:

- Commission noted in regard to variances, they act only as a recommending body.
- Commission asked if the applicant plans to do any exterior work or alterations? Asking in particular having happened to see dumpsters and equipment at the property. Want to make sure applicant is aware they will need to submit an application regarding any exterior work including addressing existing code violations.
- Applicant confirmed only interior work has been undertaken.
- Commission noted they do not have concerns regarding the variances.

Drawings Required

This Certificate of Appropriateness is only valid for work performed in accordance with the motion so passed and approved by the Commission, and shall accompany plans submitted for zoning clearance and/or building permits.



James A. Goodman, M.S.
Historic Preservation Officer



Staff Notes:

Council Variance Application

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PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV25-033

Parties having a 5% or more interest in the project that is the subject of this application.

THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Eric Thacker
of (COMPLETE ADDRESS) 2444 Elm Ave Columbus OH 43209

deposes and states that they are the APPLICANT, AGENT, OR DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application in the following format:

For Example: Name of Business or individual
Contact name and number
Business or individual's address; City, State, Zip Code
Number of Columbus-based employees

1. <u>Jersey Management Group</u> <u>614 467 0437 P.O. Box 9207</u> <u>Columbus, OH 43209</u> 2	2.
3.	4.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT [Signature]

Sworn to before me and signed in my presence this 25th day of March, in the year 2025

[Signature]
SIGNATURE OF NOTARY PUBLIC

June 19th, 2028 Notary Seal Here
My Commission Expires



SAUNDY D. CASE
Notary Public, State of Ohio
My Commission Expires 06-19-2028

This Project Disclosure Statement expires six (6) months after date of notarization.