

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

APPLICATION: CV25-038
Location: 1103 NEIL AVE. (43201), being 0.10± acres located on the west side of Neil Avenue, 73± feet north of West 3rd Avenue (010-045477; Victorian Village Commission).
Existing Zoning: R-4, Residential District.
Proposed Use: Two single-unit dwellings on one lot.
Applicant(s): R. Scott Musuraca and Michelle Mowery; 1103 Neil Avenue; Columbus, OH 43201.
Property Owner(s): The Applicant.
Planner: Eastman Johnson; 614-645-7979; roejohnson@columbus.gov

BACKGROUND:

- The site consists of one parcel developed with a single-unit dwelling and an existing two-story detached garage in the R-4, Residential District. A Council variance is required because the R-4 district does not allow two single-unit dwellings on one lot, while the applicant proposes to convert the second floor of the existing detached garage into a dwelling unit.
- Additional variances include a reduction in required parking from four to three spaces; reduced lot area from 5,000 square feet per dwelling to 1,466 square feet per dwelling; increase lot coverage from 50 percent to 50.02 percent; and no frontage on a public street, reduced maximum side yard from seven feet to zero feet, reduced minimum side yards from five feet to zero feet, and no rear yard provided for the proposed carriage house.
- To the north, south, and west of the site are single-unit dwellings in the R-4, Residential District. To the east is a single-unit dwelling in the ARLD, Apartment Residential District.
- The site is located in the Victorian Village Historic District, which does not contain a recommended land use for this location. However, a Certificate of Appropriateness for the final building design is required from the Victorian Village Commission.
- The site is located within the boundaries of the Victorian Village Commission, whose recommendation is for approval.
- Staff concurs with the applicant's analysis of the seven practical difficulties in achieving the proposed carriage house.

CITY DEPARTMENTS' RECOMMENDATION: Approval.

The requested Council variance will allow two single-unit dwellings on lot in the R-4, Residential District. Staff supports the proposed variances as the request is consistent with similar proposals in the neighborhood, and will require a Certificate of Appropriateness for final building design from the Victorian Village Commission.



DEPARTMENT OF BUILDING AND ZONING SERVICES

Council Variance Application

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:

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

With the impending college graduations of our two sons, and no definitive plans, It is our hope should either decide to reside in Columbus, we might provide, at least a sense of independence, a separate living space.

2. Whether the variance is substantial.

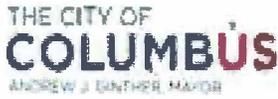
Yes No

Variances requested are all existing conditions since 1898.

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

This is an existing structure, no exterior changes will be made. This structure is located on the third lot north of Third Ave. There are currently Six garage apartments facing the alley between Third Ave. and Fourth Ave. Included are photos of several.



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

Yes No

No utilities or services will be affected or altered

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

Yes No

Property was purchased in 1998, garage was at that time a single story. It had been built for horse and carriage in 1898. Second floor was added in 2005 to used as a workshop and storage. We realized that approval would be needed if we wanted to convert to living space, but were not aware that variances would be needed, since structure was existing.

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

Yes No

Current regulation require the needed variances.

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

Yes No

Victorian Village Commission has approved this use and a COA has been issued.

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):

Signature of Applicant

Date

4/16/25

Statement in Support of Variances for
010-045477
1103 Neil Ave.

After making application to VVC to change the use of our two story garage/shop to a possible living space we were informed that several variances would be needed to comply with the R4 zoning code.

The original structure was built in 1898 and was used to house the family's horse and carriage. (The stall structure was still in place when we purchased the property in 1998.)

We added the second floor in 2005, and have used the space as a workshop and storage.

Lot Size: 35 x 129 = 4,515 sf

Building Size: 2,452 sf

ADU/Detached Garage Area: 480 sf

- Total Building Coverage: 2,932 sf
- Lot Coverage: 64.93%

3332.18(C): "if the depth of a lot is more than three times the width of such lot, a depth of only three times such width shall be used in computing density."

- Reduced Lot Size (3x Lot Width): 35 x 105 = 3,675 sf
 - Total Building Coverage: 2,932 sf / 2 = 1,466 sf per single-unit dwelling.
 - Building Lot Coverage: 1,912sf / 3,675sf = 50.02%

Existing Rear Yard: 1,790.5 sf – 480 sf (ADU) = 1,310.5 sf



- Required Minimum Rear Yard ("Each dwelling, residence or principal building shall be erected so as to provide a rear yard totaling no less than 25 percent of the total lot area."): 1,128.8 sf

Maximum Side Yard Required: 20% x 35 = 7 ft

- Maintain 0 ft

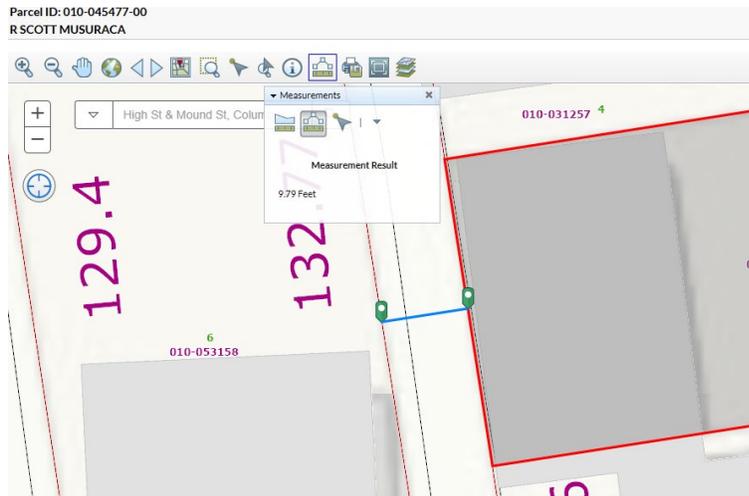
Minimum Side Yard Required: 3 ft

- Maintain 0 ft

Required Parking: 2 spaces per unit / 2 = 4 spaces

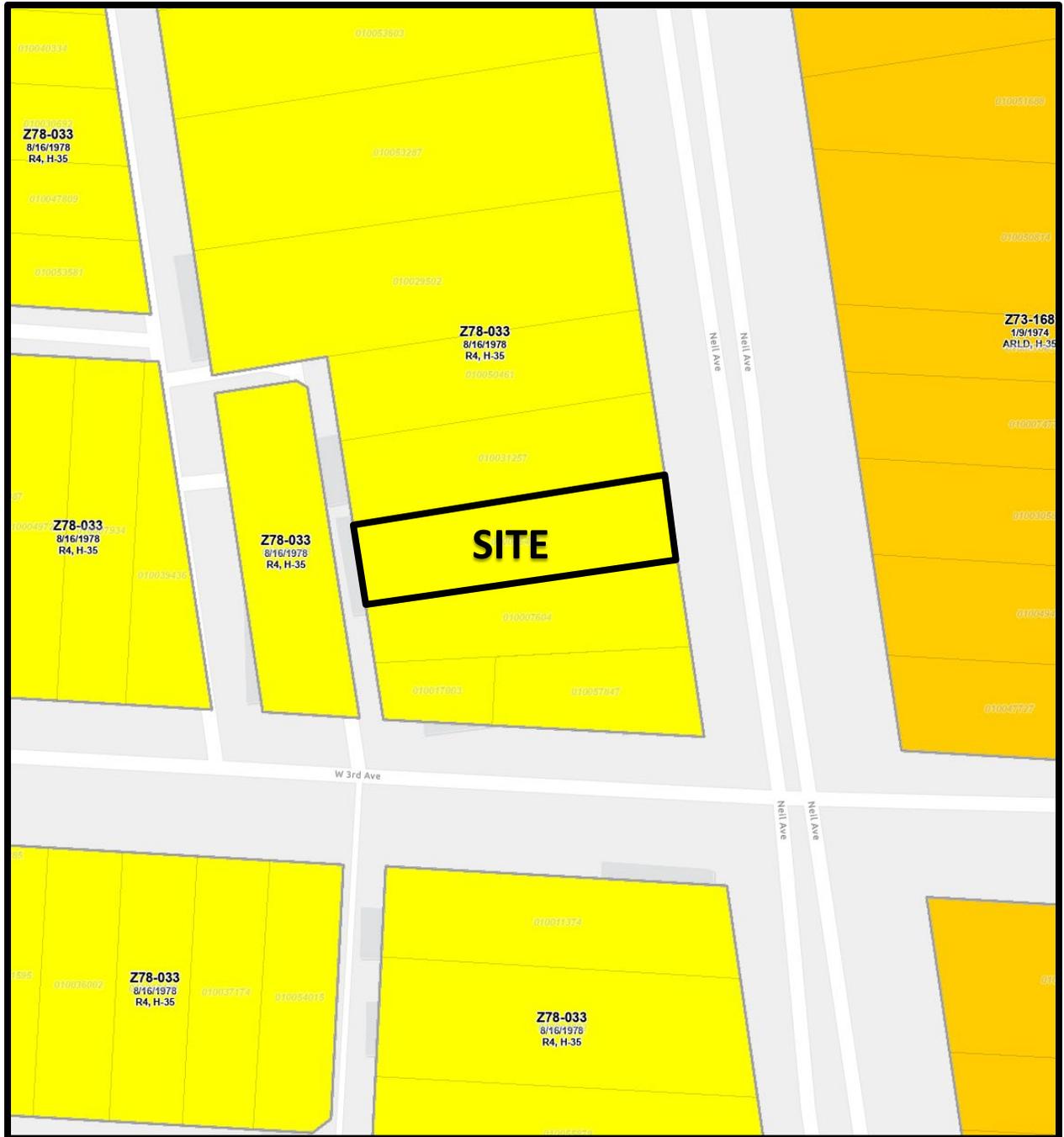
Maintain Parking: 3 spaces

Unnamed Alley Width: 9.79 ft



Variances Requested

- [3332.039](#) R-4 Residential District: To allow two single-unit dwelling on a single lot.
- [3312.49](#) (Table 2) Required Parking: To allow for 3 parking spaces instead of the required 4.
- [3332.04\(A\)\(4\)](#) Area District Lot Width Requirements: To allow a lot width reduction from 50 feet to 35 feet.
- [3332.15](#) R-4 Area District Requirements: Requires a single-family dwelling or other principal building shall be situated on a lot of no less than 5,000 square feet in area, while the applicant proposes two single-unit dwellings on a lot that contains 2,932± square feet, or 1,466 square feet per dwelling, pursuant to the lot area calculation in Section 3332.18(C).
- [3332.18\(D\)](#) Basis of computing area: prohibits buildings from occupying more than 50 percent of the lot area, while the applicant proposes increased lot coverage of 50.02 percent.
- [3332.19](#) Fronting: To allow the new single-family dwelling (ADU) to front an alley.
- [3332.25\(B\)](#) Maximum Side Yard Required: To maintain maximum side yard of 0 feet instead of the required 7 feet.
- [3332.26\(C\)](#) Minimum Side Yard Permitted: To maintain minimum side yards of 0 feet on both sides of the existing ADU/detached garage.
- [3332.27](#) Rear Yard: To allow no rear yard for the proposed ADU above an existing detached garage.



CV25-038
1103 Neil Ave.
Approximately 0.10 acres



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Certificate of Appropriateness

VICTORIAN VILLAGE COMMISSION

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: 1103 Neil Ave
APPLICANT'S NAME: Scott Musuraca (Owner)
APPLICATION NO.: COA2500207

STAFF APPROVED DATE: 03/27/2025 **EXPIRATION:** 03/12/2026

The Victorian Village 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/special permit/variance per APPROVED SPECIFICATIONS

APPROVED SPECIFICATIONS:

Recommend approval of application COA2500207, 1103 Neil Ave, as submitted:

Variances

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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:



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PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV25-038

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) R. Scott Musuraca

of (COMPLETE ADDRESS) 1103 Neil Ave Columbus, Ohio 43201

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. R. Scott Musuraca 614 209 5580 1103 Neil Ave Columbus, Ohio 43201 0	2. Michelle Mowery 614 805 9256 1103 Neil Ave Columbus, Ohio 43201 0
3.	4.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT R. Scott Musuraca [Signature]

Sworn to before me and signed in my presence this 16th day of April, in the year 2025

Sonya L. Gould
SIGNATURE OF NOTARY PUBLIC

04-25-2026
My Commission Expires

Notary Seal Here



Sonya L. Gould
Notary Public, State of Ohio
My Commission Expires 04-25-2026

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