

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

**APPLICATION:** CV25-004  
**Location:** 44 E. DUNCAN ST. (43202), being 0.31± acres located at the northwest corner of East Duncan Street and East Avenue (010-009257; University Area Commission).  
**Existing Zoning:** R-2F, Residential District.  
**Proposed Use:** Shared living facility.  
**Applicant(s):** New Housing Ohio; c/o Dale White; 1160 East Main Street; Lebanon, OH 45036.  
**Owner(s):** The Applicant.  
**Planner:** Brandon Carpenter; 614-645-1574; [bmcarpenter@columbus.gov](mailto:bmcarpenter@columbus.gov)

**BACKGROUND:**

- The site is developed with a two-unit dwelling in the R-2F, Residential District and is currently subject to Ordinance #0358-2024 which allows a shared living facility that provides housing for up to 16 individuals with developmental disabilities. This request will update the reduced development standards as required. The requested Council variance will allow the existing building to be converted into a shared living facility. Variances for no parking lot screening, reduced required parking from 21 spaces to nine spaces, no vision clearance on the northeast and southeast corners of the parcel, reduced parking space length from 18 feet to 17 feet, allow parking in a landscaped area, an increased floor area ratio from 0.40 to 0.48, and a reduced landscaped area from 10 percent to 0.01 percent are also included in the request.
- A Council variance is required because the R-2F district does not allow shared living facilities.
- North of the site is a two-unit dwelling in the R-2F, Residential District. South of the site are single-unit dwellings in the R-2F, Residential District. East of the site is a multiple-dwelling development in the R-2F, Residential District. West of the site is a four-unit dwelling in the R-2F, Residential District.
- The site is within the planning area of the *University District Plan* (2015), which recommends “Lower Intensity Residential” land uses for this location.
- The site is located within the boundaries of the University Area Commission whose recommendation is for approval.
- Staff concurs with the applicant’s analysis of the seven practical difficulties in achieving this requested use, and support the variances for reduced landscaping and screening, required parking, vision clearance, parking space, parking setback, floor area ratio, and landscaped area.

**CITY DEPARTMENTS’ RECOMMENDATION:** Approval

The proposal is consistent with the *University District Plan’s* (2015) land use recommendation. Staff supports the proposed use as it does not introduce an incompatible use to the area.

## 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

No change to the yield of the property. Most of the residents in the group home do not drive.

2. Whether the variance is substantial.

☒ Yes ☐ No

Most of the residents in the group home do not drive.

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

No change to the property exterior so no impact

## Council Variance Application

DEPARTMENT OF BUILDING  
AND ZONING SERVICES

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

No change to the property exterior so no impact

5. Whether the property owner purchased the property with knowledge of the zoning restriction.  
☒ Yes ☐ No

We have a variance for the parking already during our zoning meetings we are asking to update this with the add sf of living space

6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.  
☐ Yes ☒ No

There is no space on the property to add more parking

7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.  
☒ Yes ☐ No

The parking will not change so nothing on the exterior will be different.

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):

Required parking; 3312.49 we have a current Variance for parking for this property as it will be a group home with no drivers. Variance for 21 parking spaces to 9 parking spaces. City engineering stated we need a new variance as ours does not have the correct SF listed on it. We are asking for the same variance that was granted back on 2-14-24 file number 0358-2024 to be kept the same with the correct SF of the site

Signature of Applicant

Date

12-18-24

**Hardship Statement for 44 East Duncan Street**

The use of record for this parcel is a two-family dwelling. The applicant wants to convert the building into a shared living facility 9 which may include the conversion of the existing garages into habitable space (Section 3332.037 R-2F Residential District) with a reduction in parking. (Section 3312.49 Required parking from 21 to 9). There are several existing conditions with the site plan that the City has asked us to address. Section 3321.05(B)( 1) Vision Clearance to reduce the vision clearance from 10 feet to zero at the northeast corner of the parcel and from 30 feet to zero at the southeast corner of the parcel to accommodate the existing metal fence with pillars (Section 3321.05(B)(2). To eliminate the parking lot screening along the right of way and adjacent to residential (3312.21(D) Landscaping and Screening) because there is not sufficient room given the existing parking lot. Section 3325.705 Supplemental Parking Requirements to reduce the length of a parking space from 18 to 17 feet, to permit parking in a landscaped area and to permit parking within the parking setback along East Street. A variance to that section will permit parking spaces on the existing concrete apron in front of the garage doors. The calculated FAR is 0.48 not what was shown on the prior site plan for addition (Section 3325.805). Due to the location of the existing parking lot off the alley, there is not the required landscape area required by Section 3325.809 Landscaped Area and Treatment. This building will provide supportive housing for individuals with mental health issues. The maximum number of residents shall be 16. Transportation and meals will be provided to the residents along with 24 hour staff supervision. Given that the applicant will provide transportation to the residents there is no need for 21 parking spaces. The existing 9 spaces will provide sufficient parking for the proposed use. The reduction in parking and the variances to reflect the existing conditions of the site will not seriously affect any adjoining property on the general welfare.

Since the proposed use is going into an existing building and there will be 24 hour supervision of the residents, the proposed council 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 the public health, safety, comfort, morals or welfare of the inhabitants of the City of Columbus. Nor would the use adversely affect the surrounding property or surrounding neighborhood.

Council Variances  
44 East Duncan Street

Section 3332.037 R-2F Residential district: to permit a shared living facility.

Section 3312.49 Required parking: 21 to 9 parking spaces.

Section 3321.05(B)(1) Vision Clearance: to reduce the vision clearance from 10 feet to zero at the NE corner of the parcel and from 30 to zero at the SE corner of the parcel  
Section 3321.05(B)(2). (existing condition)

Section 3312.21(D) Landscaping and Screening: to eliminate parking lot screening within 80 feet of residential and along the ROW. (existing condition)

Section 3325.705 Supplemental Parking Requirements: to reduce the length of the parking spaces from 18 to 17 feet, to permit parking in a landscaped area and to permit parking within the 10 foot parking setback along East Avenue. (existing condition)

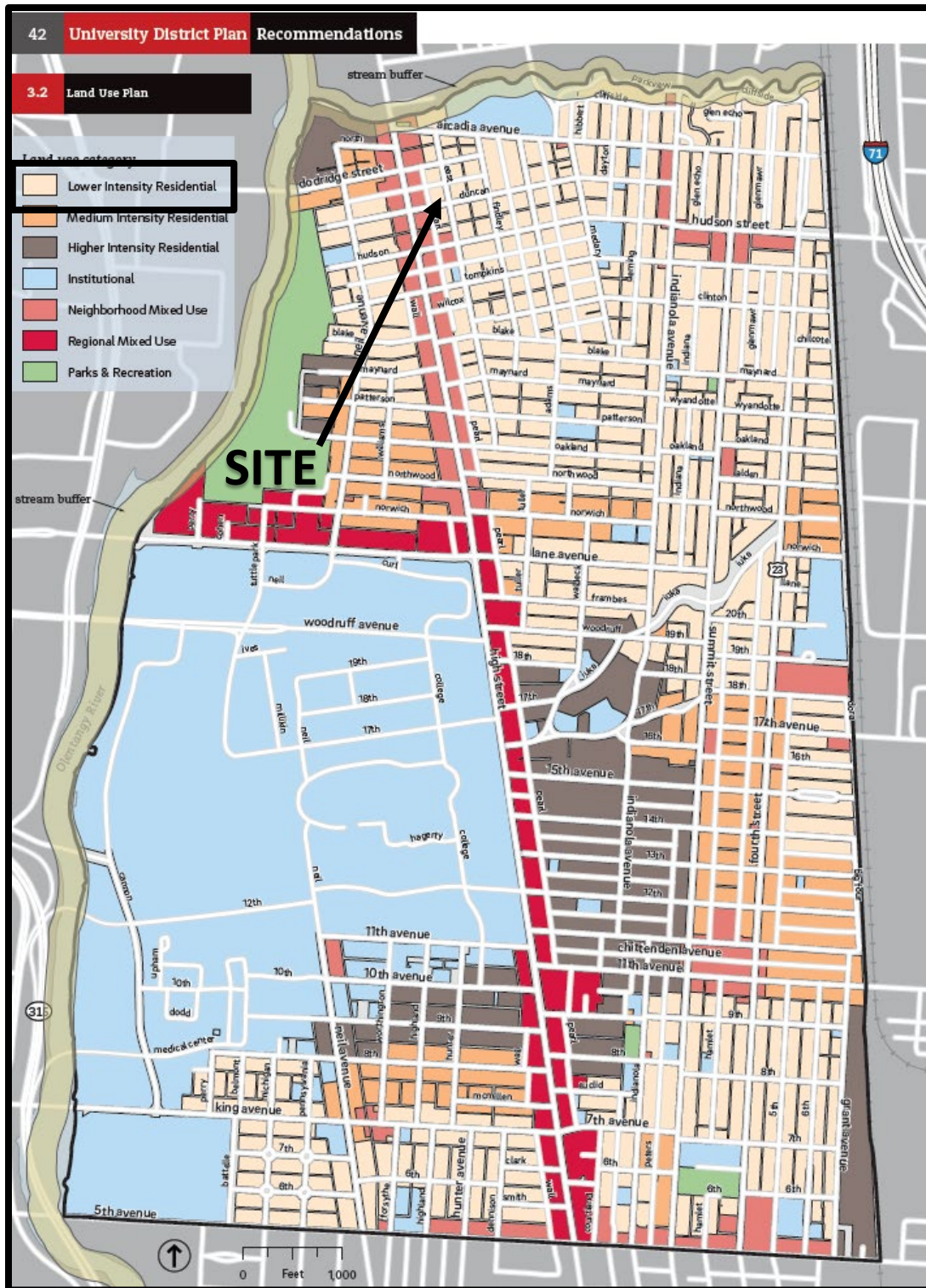
Section 3325.805 Maximum Floor Area Ratio: to increase the FAR from 0.40 to 0.48.

Section 3325.809 Landscaped Area and Treatment: to reduce the amount of landscaped area in the rear portion of the lot from 10% to 0.01 % of lot area.



CV25-004  
44 E. Duncan St.  
Approximately 0.30 acres





CV25-004  
44 E. Duncan St.  
Approximately 0.30 acres





CV25-004  
44 E. Duncan St.  
Approximately 0.30 acres



THE CITY OF  
**COLUMBUS**  
ANDREW J. GINTHER, MAYOR

DEPARTMENT OF BUILDING  
AND ZONING SERVICES

## 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)

Case Number

CV25-004

Address

44 E. Duncan St.

Group Name

University Area Comm.

Meeting Date

Mar 19 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:

All Commissioners Voted in Support  
of Variance

Vote

Passed 10-yes 1-Abstain

Signature of Authorized Representative

Seth B. Golding - Seth B. Golding

Recommending Group Title

University Area Comm. Zoning Chair

Daytime Phone Number

614 375-0872

Please e-mail this form to the assigned planner within 48 hours of meeting day; OR FAX to Zoning at (614) 645-2463; OR MAIL to: Zoning, City of Columbus, Department of Building & Zoning Services, 111 N Front Street, Columbus, Ohio 43215.

## 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 #: CV25-004

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) Dale White

of (COMPLETE ADDRESS) 1160 East Main street Lebanon Ohio 45036

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. New Housing Ohio 1160 East Main Street Lebanon Ohio 45036	2.
3.	4.

☐ Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 18 day of December, in the year 2024

SIGNATURE OF NOTARY PUBLIC

Notary Seal Here

My Commission Expires



**Shannon C. Stamper**  
Notary Public, State of Ohio  
My Commission Expires 09-18-2027

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