

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

APPLICATION: CV24-101
Location: 23 ARDEN RD. (43214), being 0.20± acres on the south side of Arden Road, 200± feet east of North High Street (010-071761; Clintonville Area Commission).
Existing Zoning: R-3, Residential District.
Proposed Use: Two single-unit dwellings on one lot.
Applicant(s): Bonnie Smelser; c/o Brenda Parker, Agent; 405 North Front Street; Columbus, OH 43215.
Property Owner(s): Bonnie Smelser; 23 Arden Road; Columbus, OH 43214.
Planner: Joe Rose; 614-645-3526; jmrose@columbus.gov

BACKGROUND:

- The site consists of one parcel developed with a single-unit dwelling in the R-3, Residential District. The requested Council variance will allow two single-unit dwellings on one lot at this location.
- A Council variance is required because the R-3, Residential District only allows one single-unit dwelling per lot.
- To the north, south, and east are single-unit dwellings in the R-3, Residential District. To the west is an office in the in the UGN-2, Urban General District.
- The site is located within the planning boundaries of the *Clintonville Neighborhood Plan* (2009), which recommends “Single-Family” land uses at this location, consistent with the proposed use.
- The site is located within the boundaries of the Clintonville Area Commission, whose recommendation is for approval.
- Staff recognizes that there are practical difficulties with the reduction in required parking, reduced lot area, fronting, and rear yard variances included in the request.

CITY DEPARTMENTS’ RECOMMENDATION: Approval

The requested Council variance will allow two single-unit dwellings at this location. Staff support the request as it is consistent with the *Clintonville Neighborhood Plan’s* (2009) land use recommendation of “Single-Family” land uses and is consistent with the Plans design guidelines stating that garages should be located behind the house when served by an alley, and supports accessory housing units to provide additional housing options.

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

2. Whether the variance is substantial.

Yes No

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

Council Variance Application

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

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

Yes No

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

Yes No

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

Yes No

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

23 Arden Road
R-3, Residential
List of Requested Variances

Request a variance from Section 3332.035 (R-3 Residential District) to allow for two single unit dwellings on one lot.

Request a variance from Section 3332.13 (R-3 Area District Requirements) to allow for two single-unit dwellings on a 8,898 sf lot.

Request a variance from Section 3332.19 (Fronting) to allow the accessory dwelling unit to front onto an alley as opposed to a public street.

Request a variance from Section 3332.27 (Rear yard) to reduce the required rear yard from 2,225 sf to 0 sf for Dwelling #2.

Request a variance from Section 3312.49 (Required Parking) to reduce the number of parking spaces from 4 to 2.

The property at 23 Arden Road sits at the corner of Arden Road to the North and an Alley to the west. The property is a block off of High Street. The property contains an existing single family brick colonial house facing Arden Road. It also contains an existing detached garage with second floor space at the rear of the property fronting onto the Alley.

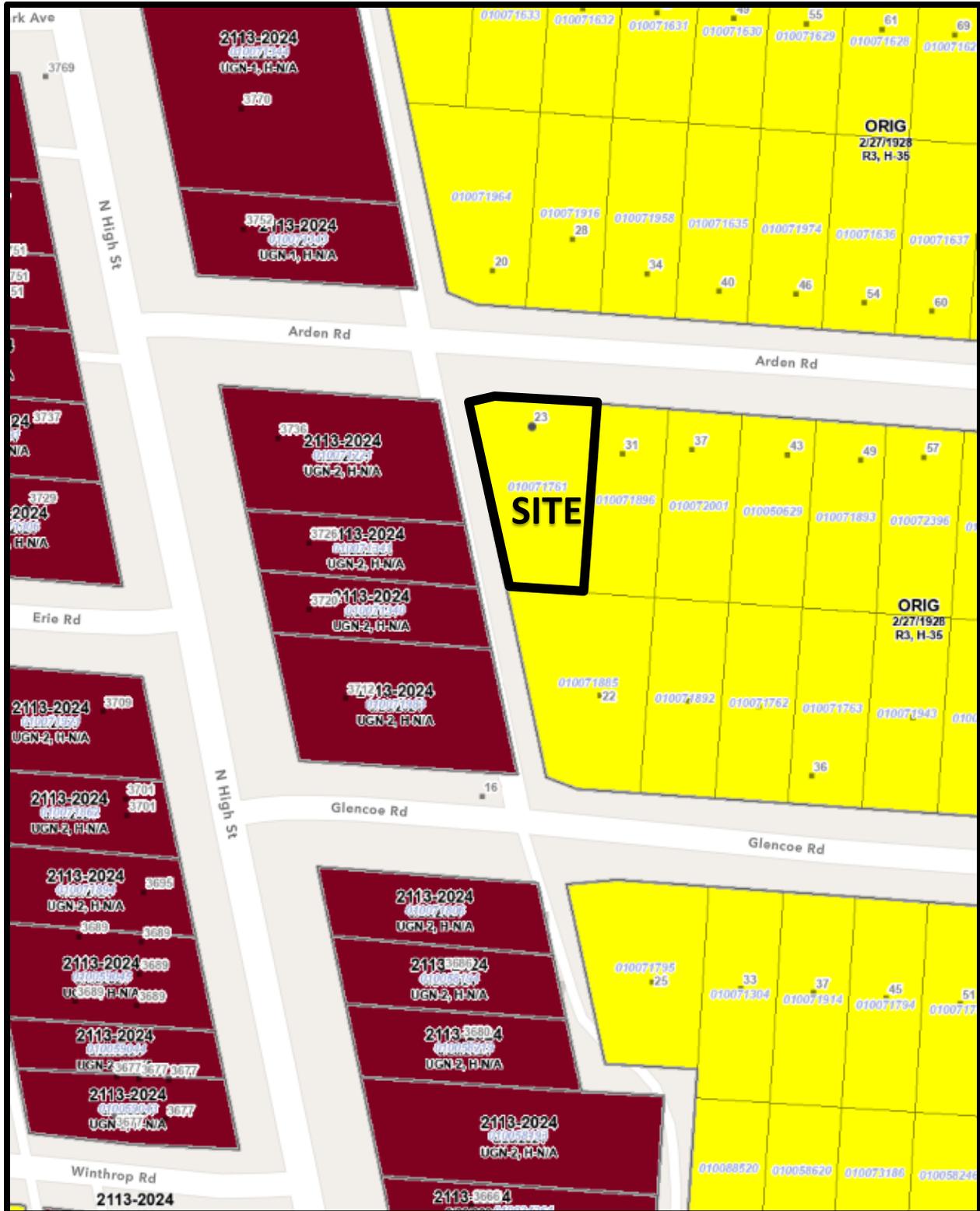
The existing detached garage first floor is used for parking two cars. The existing second story is currently unfinished. The detached garage is in need of repairs and maintenance. The brick walls at the north & south are leaning out as the pressure of the mansard roof is placing outward pressure on them. The existing slate roof is in need of replacement as well as the windows and siding. Since the owner is taking on all these repairs and upgrades, she wants to finish out the second floor converting it into a carriage house. She is planning on using the space as her craft room, but is setting it up as a guest suite with a full bath and kitchen.

In order to have both bathing and cooking facilities, a council variance will be required as this is technically a dwelling unit. Since the R-3 zoning only allows for a single dwelling unit, a variance is being requested to allow for two dwelling units on a single lot.

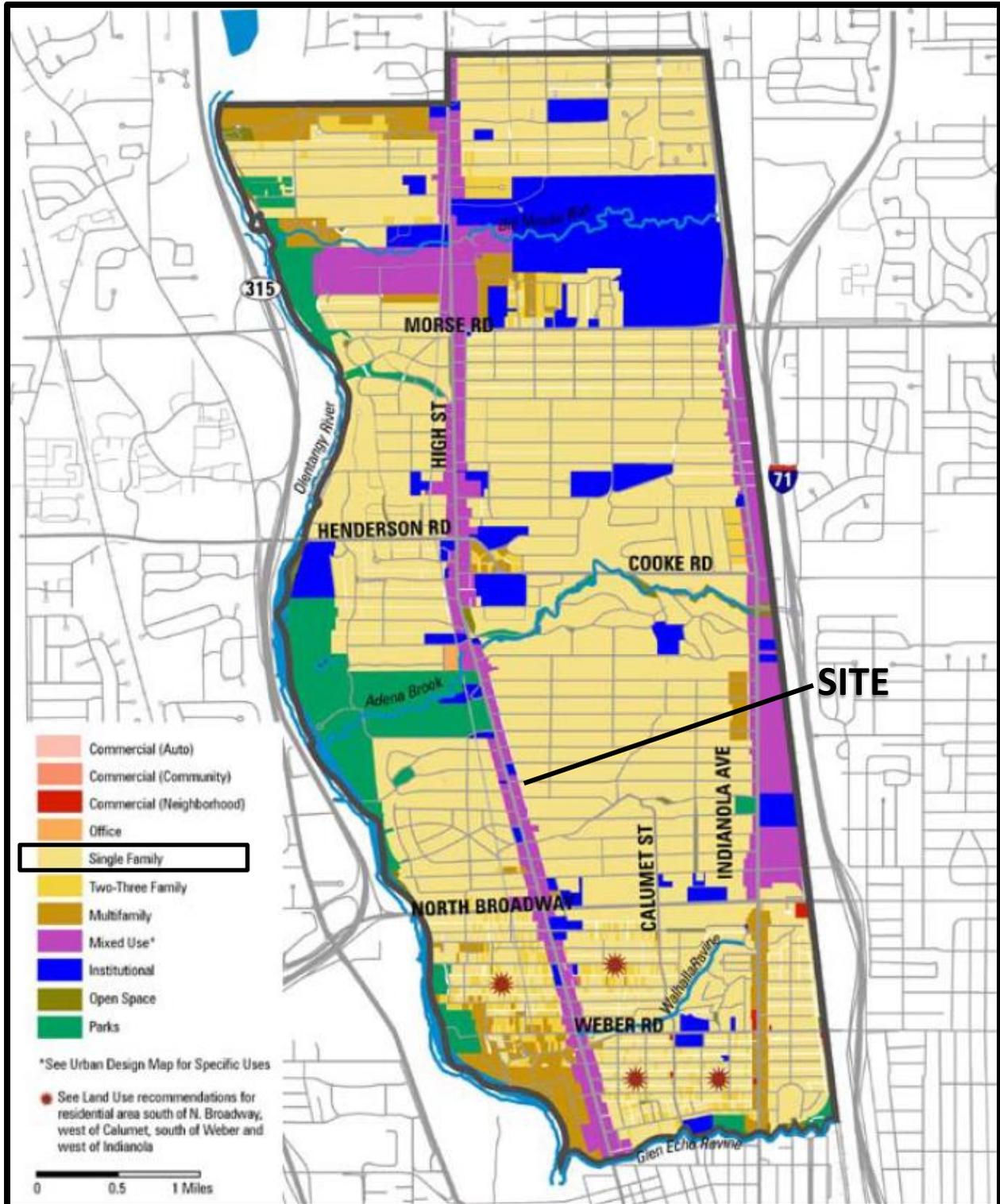
Dwelling units are supposed to face onto a street. Since this dwelling unit faces onto an alley, a variance is being requested.

Each dwelling unit is supposed to have a rear yard open space equivalent to 25% of the lot area. The rear yard is adequate in size to support the main house dwelling unit, but not enough to support the second dwelling unit. A variance is being requested to reduce the rear yard requirement for Dwelling #2 to 0 sf.

Each dwelling requires two parking spaces. The garage is the only parking area as the owner wants to maintain the vegetation in the rear yard. A variance is being requested to reduce the parking from 4 parking spaces to 2 parking spaces.



CV24-101
23 Arden Rd.
Approximately 0.20 acres



CV24-101
23 Arden Rd.
Approximately 0.20 acres



CV24-101
23 Arden Rd.
Approximately 0.20 acres

Standardized Recommendation Form

111 North Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 ▪ www.columbus.gov/bzs ▪ zoninginfo@columbus.gov

FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW

(PLEASE PRINT)

Case Number: CV24-101

Address: 23 Arden Rd

Group Name: Clintonville Area Commission (CAC)

Meeting Date: October 3, 2024

Specify Case Type:

- BZA Variance / Special Permit
- Council Variance
- Rezoning
- Graphics Variance / Plan / Special Permit

Recommendation: Approval
(Check only one and list basis for recommendation below) Disapproval

NOTES: The CAC approved the variances.

Vote: 7 yes, 2 no

Signature of Authorized Representative: *Matthijs Moritz*

SIGNATURE

Clintonville Area Commission (CAC)

RECOMMENDING GROUP TITLE

614-641-5178

DAYTIME PHONE NUMBER

Please e-mail this form to the assigned planner within 48 hours of your meeting day; or FAX to Zoning at 614-645-2463; or MAIL to: Assigned Planner, City of Columbus, Department of Building & Zoning Services, 111 N. Front St., Columbus, OH 43215.

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

PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV24-101

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.

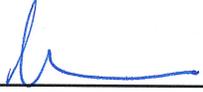
STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Brenda Parker
of (COMPLETE ADDRESS) 405 N Front Street, Columbus, Ohio 43215
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:

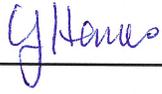
For Example: Name of Business or individual
 Contact name and number
 Business or individual's address; City, State, Zip Code
 Number of Columbus-based employees

1. Bonnie Smelser 23 Arden Road Columbus, Ohio 43214	2.
3.	4.

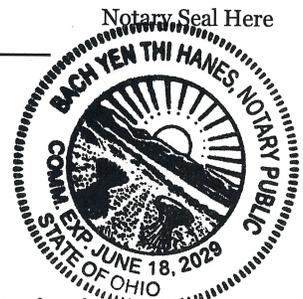
Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT 

Sworn to before me and signed in my presence this 22 day of August, in the year 2024

SIGNATURE OF NOTARY PUBLIC 

June 18, 2029
My Commission Expires



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