



**GENERAL INFO**

41 S Cypress Avenue  
Columbus, Ohio 43222

Franklin County Parcel: 010006124-00

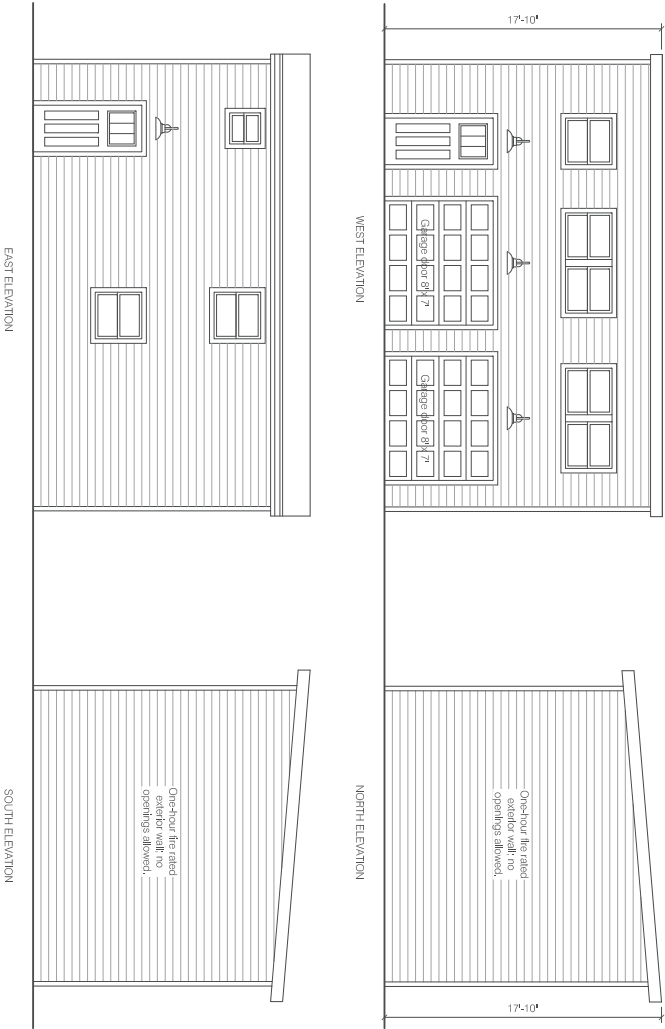
Reconstruct an existing carriage house with a reconstructed second floor & roof structure. The second floor of the carriage house is to serve as a separate dwelling unit.

Carriage House Footprints:

Dwelling Unit #1 Garage:	209 sf
Dwelling Unit #2 Garage:	209 sf
Dwelling Unit #2 First Floor Habitable:	144 sf
Dwelling Unit #2 Second Floor Habitable:	561 sf

Signature: 

Date: July 10, 2024



3 CARRIAGE HOUSE ELEVATIONS  
0 2 4 8 16 SCALE: 1/8" = 1'-0"

Signature *BWP*  
Date July 10, 2024

Architect:  
Brenda Parker  
614-586-5514  
brendaparker@chasech.com



CARRIAGE HOUSE  
41 S CYPRESS AVENUE  
COLUMBUS, OHIO 43222

Zoning Set

SCALE:  
As Noted  
PROJECT NO.:

DATE:  
July 10, 2024  
SHEET NO.

A2.0

GARAGE PLANS & ELEVATIONS

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

**APPLICATION:** CV22-140  
**Location:** 41 S. CYPRESS AVE. (43222), being 0.09± acres located on the west side of South Cypress Avenue, 250± feet south of West Broad Street (010-006124; Franklinton Area Commission).  
**Existing Zoning:** R-2F, Residential District.  
**Proposed Use:** Two single-unit dwellings on one lot.  
**Applicant(s):** Huggard Homes LLC; c/o Jason Huggard; and Brenda Parker, Architect; 405 North Front Street; Columbus, OH 43215.  
**Owner(s):** The Applicant.  
**Planner:** Joe Rose; 614-645-3526; [jmrose@columbus.gov](mailto:jmrose@columbus.gov)

**BACKGROUND:**

- The site consists of one parcel developed with a single-unit dwelling in the R-2F, Residential District. The property owner received a Working Without Permit Building Order on May 18, 2023. While the property owner maintains the previous garage had a dwelling unit within, considered a “carriage house,” the Department of Building and Zoning Services was unable to locate any city records of a carriage house on this property. The requested Council variance will allow the addition of a single-unit dwelling over a detached garage (carriage house), resulting in two single-unit dwellings on one lot in the R-2F district.
- A Council variance is required because the R-2F, Residential District allows one single- or one two-unit dwelling per lot. Variances to maneuvering, parking space size, required parking, lot width, lot area, fronting, side yard and rear yard are also included in the request.
- To the north south, and east are single-unit dwellings in the R-2F, Residential District. To the west is warehouse in the M, Manufacturing District.
- The site is located within the planning boundaries of the *West Franklinton Plan* (2014), which recommends “Medium-High Density Residential” land uses at this location, consistent with the proposed use. Additionally the Plan includes early adoption of *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018)
- The site is located within the boundaries of the Franklinton Area Commission, whose recommendation is for disapproval.
- Staff concurs with the applicant’s analysis of the practical difficulties in achieving the proposed carriage house on this property.

**CITY DEPARTMENTS’ RECOMMENDATION:** Approval

The requested Council variance will allow two single-unit dwellings on one lot in the R-2F, Residential District. Staff supports this request as the addition of a single-unit dwelling over a

detached garage (carriage house) is consistent with both the Plan's land use recommendation and the existing residential development pattern of the neighborhood. The request is comparable to other carriage house requests in urban residential neighborhoods in the city and does not represent the additional of an incompatible use to the area.

41 S Cypress  
Practical Difficulties

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 the variance.

When the current owner purchased the property at 41 S Cypress Avenue in 2022, the property consisted of a single-family house fronting onto the street and a carriage house fronting onto the alley. The single-family house contained three bedrooms and two bathrooms. The carriage house contained one garage space, one bedroom, and one bathroom. These are documented on the Franklin County Auditor's site under the "residential" tab (Page1 & Page2). Both the house and the carriage house were in poor condition. The owner hired a contractor to draw plans, obtain permits, and complete the renovation construction work. A building permit was granted in October 2022 for the renovation/addition at the main house.

When the contractor began working on the "pull and replace" renovation to replace finishes at the carriage house, it was determined that the structure was in such severe disrepair that all the framing would need to be replaced. Since the framing was to be replaced, it was decided to change the roof configuration to gain more useable space at the second floor. A set of drawings was submitted for a building permit in March 2023 for the renovation of the carriage house. While the drawings were being reviewed, the contractor went ahead and performed the work on the framing replacement. Since the existing structure was out of zoning compliance, the project got flagged with the requirement of submitting for a Council Variance to bring the structure into compliance. When the project got flagged by the zoning department, the contractor abandoned the project.

Since the owner purchased the property with the carriage house in place, and was planning on having his college age daughter live there so she could have independence without paying rent, losing the opportunity to maintain that carriage house would be a huge loss to the owners use of the property and would be a detriment to the property and would result in a major loss to the value of the property.

2. Whether the variance is substantial.

The variance is not substantial. Although there are a lot of variances being requested, they are all related to bringing the existing property into compliance.

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.

The essential character of the neighborhood would not be altered with the completion of the carriage house renovation. Although maintaining a gable roof configuration would have been more in keeping with the style of the house, it is not unusual for carriage houses to have a more modern appearance when located off the alley. Since there was a carriage house existing in this location already, there will be no detriment to the alley use, alley scape, or neighboring properties.

4. Whether the variance would adversely affect the delivery of governmental services.

The variance will not adversely affect the delivery of governmental services. The carriage house has been existing since 1900 and has not had a negative affect. The only negative component is the proximity to the side property lines and not having adequate fire fighter access. However, adequate clearance is provided on the north side of the house off the street.

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

Since the carriage house was existing with a bedroom and bathroom when the owner purchased the property, they had no inclination that the carriage house had not received proper approvals. Therefore, they thought they could renovate the carriage house just as you would a single family house.

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

Unfortunately, with the current zoning regulations, habitable space in a garage requires a variance, whether or not the structure has been existing for a century or whether it is newly constructed. So a variance is the only method of maintaining the existing habitable space in the carriage house.

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

Substantial justice would be done by granting the variance. It identifies the existing condition, brings it into compliance, and allows the property owner to maintain habitable space that he purchased with the property. The spirit and intent behind the zoning requirement is met as carriage houses are part of the current development pattern in these urban neighborhoods. The property is also within the R2F zoning district which allows two dwellings on each lot. The pattern is just different in this case as the second dwelling is detached as part of the carriage house.

41 S Cypress Avenue  
List of Requested Variances

Request a variance from Section 3312.25 (maneuvering) to reduce the maneuvering dimension from 20'-0" to 17'-0".

The maneuvering variance should be granted since it is a hardship and inconvenience that only affects the property owner. A three point turn will be required to back in and pull forward out of the garage. The position of the carriage house in relation to the alley is an existing condition.

Request a variance from Section 3312.29 (parking space size) to reduce the parking space size at the garage door only from 9'-0" width to 8'-0" width.

Standard garage doors are 8' wide. So there is a pinch point maneuvering through the garage door. Once within the garage footprint, the 9' parking space width is provided to allow car doors to open and users to get and out of the vehicle.

Request a variance from Section 3312.49 (parking) to reduce the number of parking spaces from four (two per dwelling unit) to two (one per dwelling unit).

The carriage house has been redesigned to have one parking space for the house and one parking space for the carriage house. This is improved condition since the original carriage house only had one parking space.

Request a variance from Section 3332.14 (R2F lot size) to reduce the required lot size from 6,000 sf to 1,402 sf for Dwelling #1 & Dwelling #2.

The lot sizes for these urban lots are small and approving this variance would acknowledge this existing condition.

Request a variance from Section 3332.037 (R2F residential district) to allow for two single-unit dwellings on one lot.

R2F zoning allows for two attached dwellings on a single lot. Approving this use would only allow for the dwellings to be detached as opposed to attached.

Request a variance from Section 3332.05 (R2F lot width) to reduce the lot width from 50' to 30'.

The lot widths for these urban lots are narrow and approving this variance would acknowledge this existing condition.

Request a variance from Section 3332.19 (fronting) to allow for Dwelling #2 to front onto an alley.

Since the existing carriage house fronted onto the alley, this variance brings this situation into compliance.

Request a variance from Section 3332.25 (max side yard) to reduce the sum of the side yards from 6'-2" (20%) to 1'-6" (5%) for Dwelling #2.

The existing carriage house is 0.8' from the south property line and 0.8' from the north property line. Since the wall framing was replaced in the existing location and utilizes the existing foundation, the side yard setbacks are the same as the existing carriage house.

Request a variance from Section 3332.26 (min side yard) to reduce the minimum side yard on the south side from 3'-0" to 2'-0" for Dwelling #1.

The existing single-family house sits 2'-0" from the south property line. Approving this request will acknowledge the existing condition and allow the house to be reconstructed in its existing location if it were to suffer fire or damage.

Request a variance from Section 3332.26 (min side yard) to reduce the minimum side yard at the north & south from 3'-0" to 9" for Dwelling #2.

The existing carriage house is 0.8' from the south property line and 0.8' from the north property line. Since the wall framing was replaced in the existing location and utilizes the existing foundation, the side yard setbacks are the same as the existing carriage house.

Request a variance from Section 3332.27 (rear yard) to reduce the rear yard requirement for Dwelling #2 from 25% to 0%.

With these small urban lots, there typically is not adequate space in the rear yard for both the single-family house to have 25% rear yard open space and the carriage house to have 25% rear yard open space. Approving this variance will eliminate the rear yard requirement for the carriage house.



Summary

Land Profile

Residential

Commercial

Improvements

Permits

Mapping

Sketch

Photo

StreetSmart

Aerial Photos

Transfers

BOR Status

CAUV Status

Tax & Payments

Tax Distribution

Tax Calculators

Value History

Rental Contact

Incentive Details

Quick Links

Parcel ID: 010-006124-00

Map Routing: 010-F003 -068-00

HUGGARD HOME LLC

41 CYPRESS AV

**RESIDENTIAL BUILDING**

10F2 >

Card Number	1
Use Code	510 - ONE-FAM DWLG ON PLATTED LOT
Style	OLD STYLE
Exterior Wall Type	1-WD/ALUM/VINYL
Year Built	1915
Year Remodeled	1990
Effective Year	1915
Finished Area Above Grade	1745
Finished Area Below Grade	0
Number of Stories	2.0
Condition	FAIR
Attic	NO ATTIC
Fixtures	10
Woodburning Fireplace	Stacks: 0 Openings: 0
Garage Spaces	
Well/Septic	

Rooms

Living Units	1
Total Rooms	7
Bedrooms	3
Family Rooms	
Dining Rooms	0
Full Baths	2
Half Baths	
Basement	1/2 BASEMENT 1/2 CRAWL
Recreation Room Sq Ft	
Unfinished Area Sq Ft	

FINISHED AREA (SQ FT)

Level 1	380
Level 2	580
Finished Above Grade	960
Total Finished Area	960
Level 1	969
Level 2	776
Finished Above Grade	1745
Total Finished Area	1745

Record Navigator

1 of 8

Return to Search Results

Actions

Neighborhood Sales

Proximity Search

Printable Version

Custom Report Builder

Reports

Proximity Report

Map Report

Parcel Summary

Parcel Detail

Go

Main House

Main House

Disclaimer:

The information on this web site is prepared from the real property inventory maintained by the Franklin County Auditor's Office. Users of this data are notified that the primary information source should be consulted for verification of the information contained on this site. The county and vendors assume no legal responsibilities for the information contained on this site. Please notify the Franklin County Auditor's Real Estate Division of any discrepancies.

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Parcel ID: 010-006124-00

Map Routing: 010-F003 -068-00

HUGGARD HOME LLC

41 CYPRESS AV

**RESIDENTIAL BUILDING**

< 2 OF 2

Card Number2

Use Code510 - ONE-FAM DWLG ON PLATTED LOT

StyleCONVENTIONAL

Exterior Wall Type1-WD/ALUM/VINYL

Year Built1900

Year Remodeled

Effective Year1900

Finished Area Above Grade960

Finished Area Below Grade0

Number of Stories2.0

ConditionVERY POOR

AtticNO ATTIC

Fixtures5

Woodburning FireplaceStacks: 0 Openings: 0

Garage Spaces1

Well/Septic

**Rooms**

Living Units1

Total Rooms3

Bedrooms1

Family Rooms

Dining Rooms0

Full Baths1

Half Baths

BasementNONE

Recreation Room Sq Ft

Unfinished Area Sq Ft

**FINISHED AREA (SQ FT)**

Level 1

Level 2

Finished Above Grade

Total Finished Area

380

580

960

960

Level 1

Level 2

Finished Above Grade

Total Finished Area

969

776

1745

1745

Record Navigator

1 of 8

Return to Search Results

Actions

Neighborhood Sales

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Parcel Detail

Go

Carriage House

Carriage House

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41 S Cypress Avenue  
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Request a variance from Section 3332.26 (min side yard) to reduce the minimum side yard at the north & south from 3'-0" to 9" for Dwelling #2.

Request a variance from Section 3332.27 (rear yard) to reduce the rear yard requirement for Dwelling #2 from 25% to 0%.

Statement of Hardship:

Prior to the current owner, the property at 41 S Cypress consisted of a single-family house at the front of the lot and a barn/carriage house at the rear of the lot. The new owner is in the process of renovating the existing single-family house. In the midst of the renovation, it was determined that the barn/carriage house should be reconstructed as the building was in poor condition. The contractor went rogue and constructed a modified second floor addition (the original barn/carriage house had a gable roof with a partial second floor). The new second floor is a shallow shed roof. The roof design, although not the most aesthetically pleasing, does keep the height of the structure low while adding head height at the second floor. The reconstruction of the added

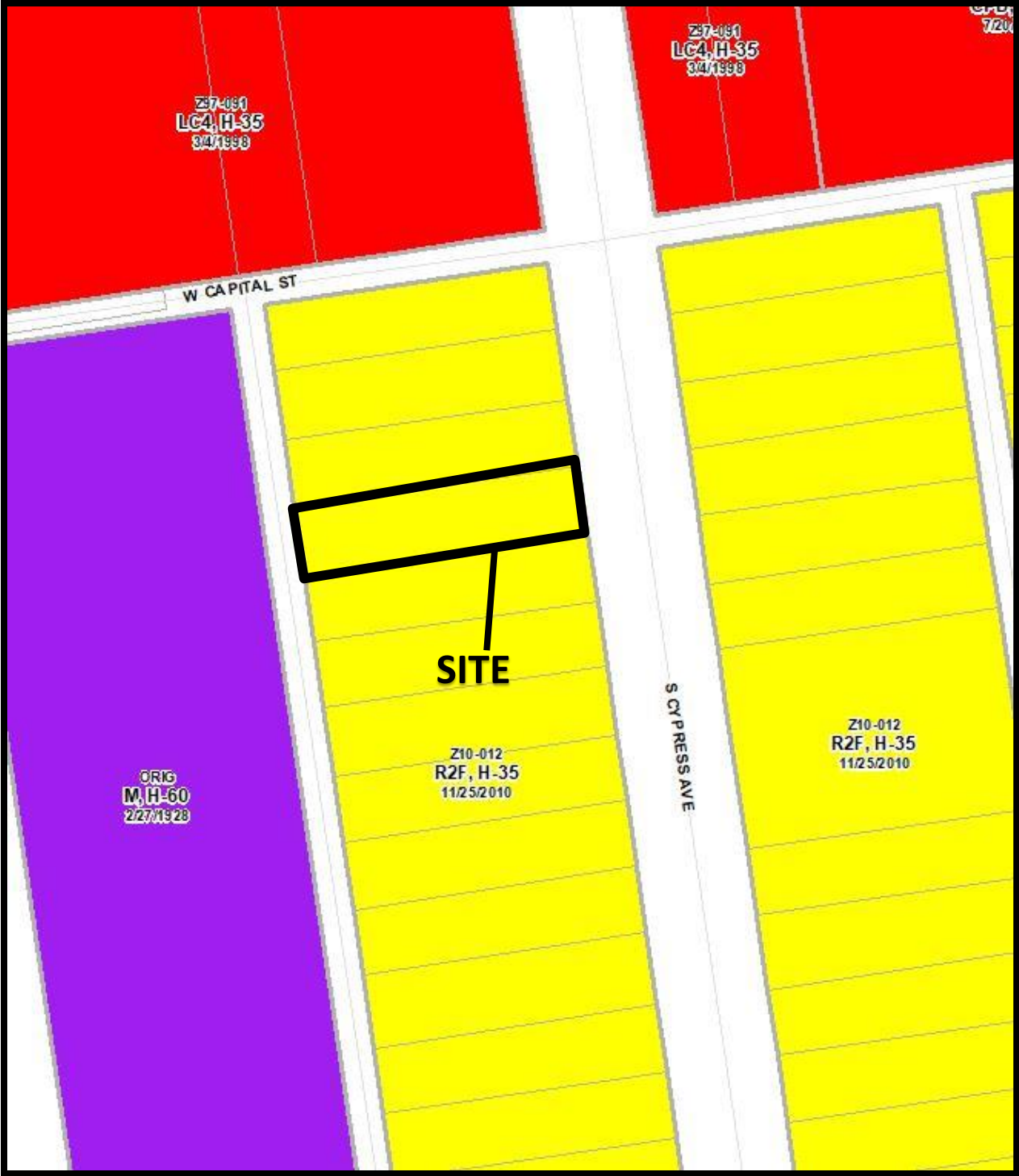
second floor of the carriage house was done without a zoning permit or building permit. The project got flagged and the contractors had to stop work. The new owners brought in an architect to assist with reconfiguring the interior of the carriage house to accommodate a parking space for each dwelling unit and to provide a more efficient dwelling unit configuration. The main framing and staircase are to remain in their current configurations.

The carriage house with a separate dwelling unit requires a significant amount of variances. The main hardship is that the existing footprint of the original barn was utilized for the reconstruction. The positioning of the structure is only 9" from the north & south side property lines and is close to the alley only allowing 17' of maneuvering space.

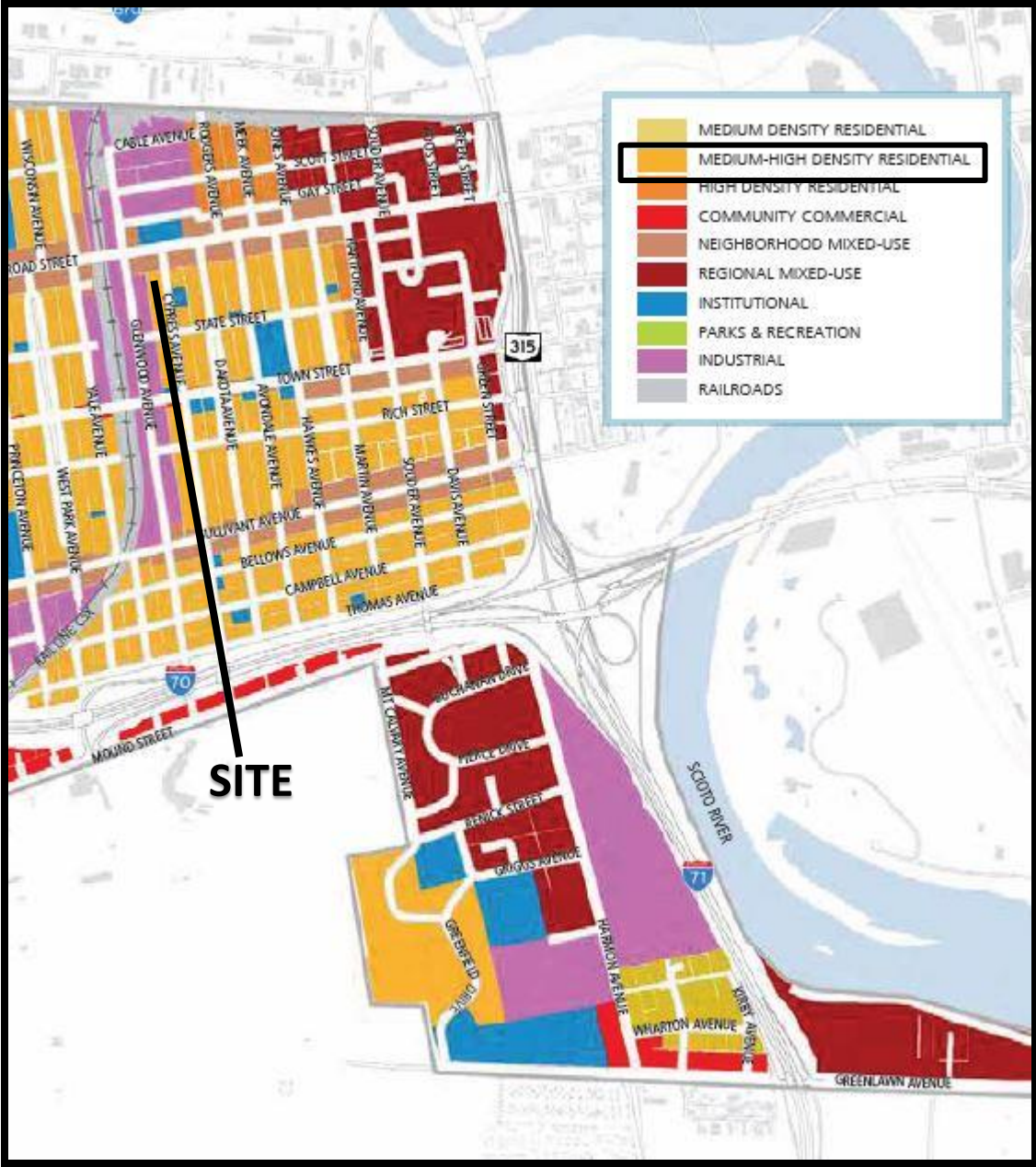
Other variances are due to having two separate dwelling units on a single lot with one of the dwelling units fronting onto the alley. Since the property is a small lot size, there isn't enough rear yard space to satisfy both dwelling units, so the carriage house dwelling is requested to be minimized to zero.

The existing house is located 2' from the south property line, so the project is requesting to include that variance.

The carriage house is being reconfigured to allow one parking space per dwelling unit for a total of two (with an 8' garage door width). This is significantly better than the original single car parking space (which at 7' garage door width wasn't wide enough to fit a car into).

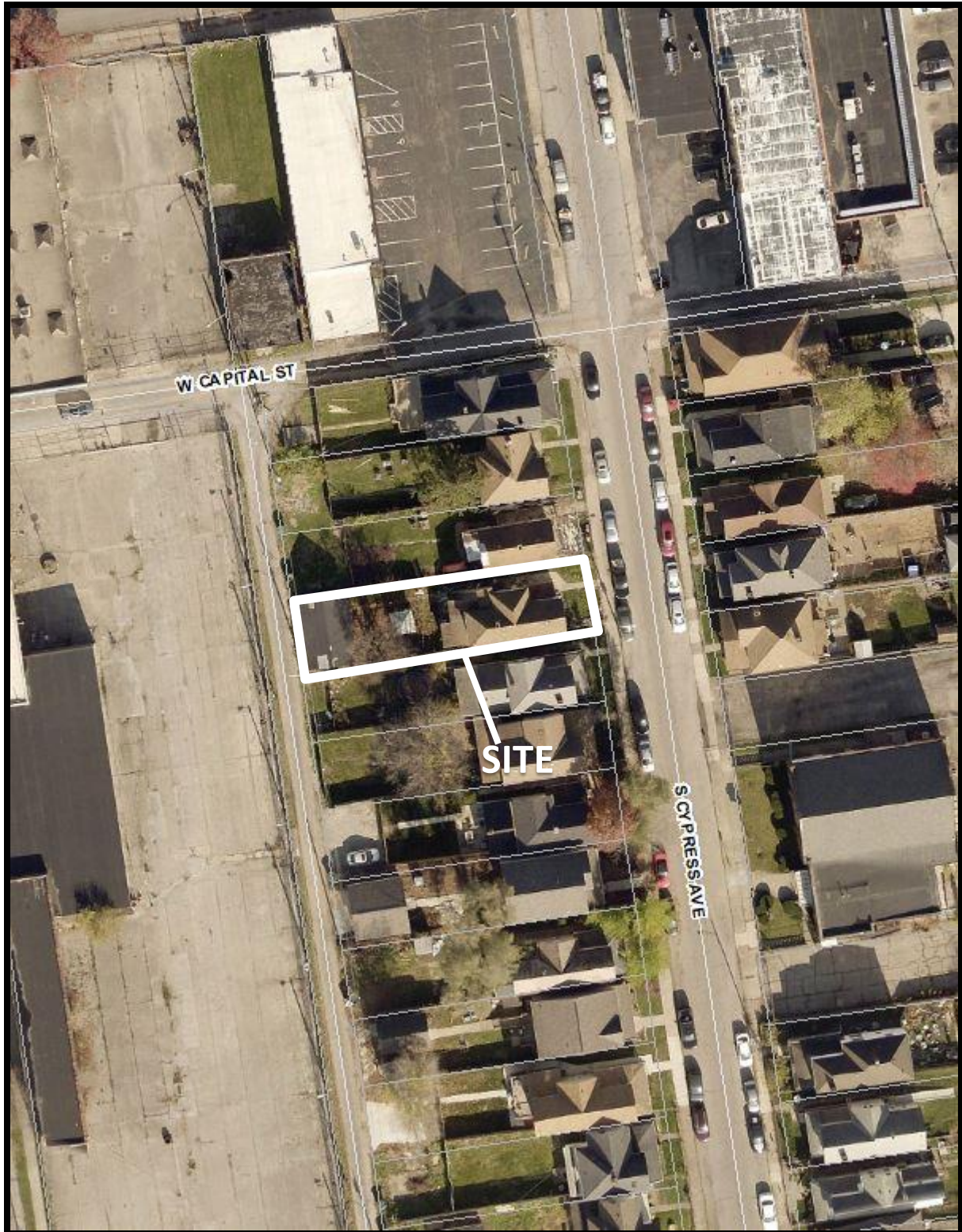


CV22-140  
41 S. Cypress Ave.  
Approximately 0.09 acres



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41 S. Cypress Ave.  
Approximately 0.09 acres





CV22-140  
41 S. Cypress Ave.  
Approximately 0.09 acres

## Standardized Recommendation Form

DEPARTMENT OF BUILDING  
AND ZONING SERVICES

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** CV22-140

**Address** 41 S. Cypress Ave.

**Group Name** FRANKLINTON AREA COMMISSION

**Meeting Date** 5/14/2024

**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:**

No hardship in this case. See attached document for justification.

**Vote** No - 11, Abstain - 1

**Signature of Authorized Representative** Jacqueline Mills Chapman

**Recommending Group Title** Franklinton Area Commission

**Daytime Phone Number** 614-516-5176

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.



## **41 S. Cypress Ave. 43222**

### **Zoning Committee Recommendation:**

Demolish Rear Structure at 41 S. Cypress Ave., 43222.

No hardship in this case. The owner proceeded without permits and code regulations in constructing a new two-story Rear Building (Dwelling 2) that introduced living quarters. Using “rogue contractor” to explain away the irregular rear structure is unacceptable. Ms. Parker said Rear Building is not stable enough to support living space without modifications. Once flagged, construction continued work at 41 S. Cypress Ave. despite a stop work order on the property.

### **Rejected Variances:**

1. Section 3312.25 Maneuvering from 20’ to 17’ in alley. No. The Rear Building sits ON the alley without an apron and correct set back from the alley making it a nuisance to get into parking, and prone to being hit by vehicles passing in the alley.
2. Section 3312.49 reduce parking by 50% for 2 Dwellings. No.  
Not enough parking for 2 dwellings just 1 dwelling. Parking is at a premium on S. Cypress as elsewhere in Franklinton.  
Potentially, the Rear Building (Dwelling 2) could be sold as a separate unit **IF** it were allowed to stand. The parking allotted is 1 space for the SINGLE family and 1 space for the proposed living unit in the rear structure. In the future, the single-family home resident could have to park in a building that belongs to another owner.
3. Section 3332.14 reduce lot size required for 2 dwellings. No. The Rear Building is out of compliance and substandard for living space.
4. Section 3332.037 Allow 2 Dwellings on a single-family lot. No. Rejected Rear Building.
5. See, Approved Variance below.
6. Section 3333.16 Allow Dwelling 2 to front on alley. No. Rejected Rear Building.

## **41 S. Cypress Ave. 43222**

7. Section 3332.25 Reduce the SUM of side yards on Dwelling 2 (Rear Building.) No. Rejected Rear Building. Nearly on neighbors' property lines at 9" not the 3' required. Prohibits walking around building for access, emergency services.
8. Section 3332.26 reduce side yard widths for Single Family Home (Dwelling 1.) No. House currently out of compliance as it was built before code was in place. Historically, FAC has not granted this variance. Would only apply if the home were destroyed and had to be rebuilt. If destroyed, insurance will allot money for a rebuild that complies with current zoning and code.
9. Section 3332.26 Reduce SUM of side yards for Dwelling 2 (Rear Building) from 3 feet to 9 inches. No. Rejected Rear Building.
10. Section 3333.24 Reduce back yard required for Dwelling 2 (Rear Building) from 988 sq. ft. to 0 sq. ft. No. Rejected Rear Building. See 3332.26.
11. Section 3332.28 Increase detached garage height (Rear Building) from 15 feet tall to 17 feet 10 inches. No. Rear Building was rejected.

### **Approved Variance**

5. of original requested variance list.

Section 3332.05 to acknowledge the lot is not 50 ' wide but 30' wide as is common throughout Franklinton and other historic neighborhoods.

## **41 S. Cypress Ave. 43222**

### **Additional Comments / Concerns**

- A. Prefer owner be present at the Zoning Committee Meeting.
- B. Permit pulled to renovate a single-family home only.
- C. Rear Building was to have 1 exit inside the garage. No outside exit.  
Franklinton has horrific fire death statistics. Prefer 2 exits to any dwelling to avoid injury/death by forcing residents to jump from 2<sup>nd</sup> story windows.
- D. Franklinton is a historic neighborhood with a wide variety of home styles.  
Generally prefer pitched roofs and front porches, green space with trees for homes and apartments.

111 N Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 ▪ [ZoningInfo@columbus.gov](mailto:ZoningInfo@columbus.gov) ▪ [www.columbus.gov/bzs](http://www.columbus.gov/bzs)

**PROJECT DISCLOSURE STATEMENT**

CV22-140

APPLICATION #:

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. Huggard Homes; c/o Jay Bottoms 439 Hilltonia Avenue Columbus, Ohio 43223	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 29 day of May, in the year 2025

SIGNATURE OF NOTARY PUBLIC

My Commission Expires



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