



## **Council Variance Application**

DEPARTMENT OF BUILDING AND ZONING SERVICES

111 N Front Street, Columbus, Ohio 43215
Phone: 614-645-4522 • ZóningInfo@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.

List all sections of Code to be varied and explain your reasoning as to why this request should be granted.

PLEASE 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):

See attached Exhibit "A"

Signature of Applicant

Jugar >

Date 02/21/24



Exhibit "A"

### **Council Variance Application**

## **Expanded Application Sections**

#### 1. PROPOSED NARRATIVE SUMMARY

The parcel currently has a residential building occupying the front of the site fronting West Tompkins. The proposal consists of building a two-car garage with a one-bedroom accessory dwelling unit above in the rear portion of the site fronting the alley.

**Parcel ID:** 010-040595-00

**Address:** 103 W Tompkins Street

Columbus Ohio, 43202

**Owner:** Hashem Shkoukani Mr. Hashem Shkoukani

2376 Club Road

Columbus, Ohio USA 43221

Lot Area: 0.12 ac **Existing House Square Foot:** 854

Beds: 2

**Proposed addition of Accessory Dwelling Unit: 586** 

**Total Square Foot:** 1440

FAR: 0.39 FAR allowed 0.40

#### 2. BRIEF DESCRIPTION OF SECTIONS FROM WHICH RELIEF IS REQUESTED:

Zoning variances for this project include the following:

3332.037 – R2-f, residential district. The applicant seeks a variance to permit two single-unit dwellings to be constructed on one parcel, which is not permitted in the R2-f district.

3325.801 – Maximum Lot Coverage. Under the University Planning Overlay, the maximum lot coverage is 25%. The applicant seeks a variance to permit lot coverage of 43%.

3332.05 – Area district lot width requirements. The applicant seeks a variance to permit the construction of a carriage house on a lot with a width of 35 feet. The R2f district requires a minimum lot width of 50 feet.



- 3332.14 R-2f area district requirements. The applicant seeks a variance to permit two single-unit dwellings on one lot with 3,675 square feet in lot area pursuant to the lot area calculation in Section 3332.18(C).
- 3332.19 Fronting on a public street. The applicant seeks variance to allow the carriage house to front on the public alley.
- 3332.27 Rear yard. The zoning code requires each dwelling to have a rear yard equal to 25% of the gross lot area. The gross lot area for this parcel is 3675 SF. 25% of the lot area equals 919 square feet. The proposed existing dwelling rear yard is approximately 1829 square feet; or 60%. The applicant seeks a variance to permit the new ADU to have a reduction of the required rear yard to 0%.



#### 3. Statement of Hardship

With an existing single-story residence at only 850 square feet, the lot is underdeveloped relative to the majority of the lots in the area. Adding the Accessory Dwelling Unit proposed at 586 square feet results in a residential area on the lot of only 1440 square feet which is less than the allowed FAR. Using the second story of a detached garage as a dwelling unit was a common construction practice in midtown urban neighborhoods. "Carriage Houses" were used as additional living space for extended family or unrelated persons who worked in the area, providing housing that was not available or affordable given single-family lot development and building standards. Accessory Dwelling Units are recognized in the University District Plan. Approving the request to build the accessory dwelling unit will help provide extra housing and parking in an area that has a shortage.

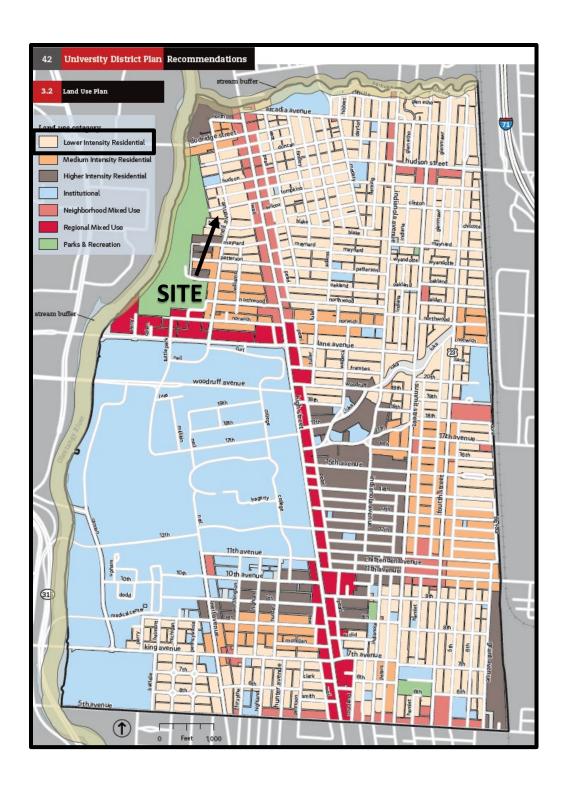
The requested variances are consistent with recent development patterns permitted on other properties in the area. Variances to permit the construction of carriage houses have been granted to neighboring properties in the University District. Granting the applicant's request will allow the applicant to develop and improve the site in a manner that other property owners have been granted variances for in the same neighborhoods. The zoning code would not permit the construction of the "carriage house" living space without granting a variance as to the prohibition against a second living quarter detached from the proposed single-family home. The designation of this property as single-family was not the result of any action by the applicant and granting the variance to allow a carriage house will enable this lot to be used in a manner consistent with the residential character of the lot and also be in a manner similar to other properties in the area.

In addition, variances would be required as to yard dimensions and location fronting on a public street. A variance to allow the Carriage House to have no rear yard is requested. Also, Zoning requires all residences to front on a public street. The applicant requests variances to allow the carriage house to front on the public alley at the rear of the lot.

Granting of the variances will not prefer special privileges to this owner. The requested variances will not interfere with any neighboring property owners' use of their property or otherwise prevent the further development of any neighboring property. Examination of the Franklin County Auditor GIS maps shows adjacent properties having similarly sized (or larger) main houses and garages. Additionally, granting the applicant's request will not unreasonably increase the congestion of public streets; will not be contrary to the public interest or the purpose of the Zoning Code as the requested variances will increase the value of the applicant's property and the value of neighboring properties; it will not increase the risk of fire; it will not diminish or impair the public health, safety, comfort, morals or welfare of the citizens of Columbus; it will still provide for adequate light, air, and open space; reinforce the residential nature of the neighborhood by building in a style, manner, and location consistent with the parcel's location and the location/setback of the neighboring houses.



CV24-032 103 W. Tompkins Ave. Approximately 0.12 acres



CV24-032 103 W. Tompkins Ave. Approximately 0.12 acres



CV24-032 103 W. Tompkins Ave. Approximately 0.12 acres

# THE CITY OF COLUMBUS ANDREW & GINTHER MAYOR

# Standardized Recommendation Form

DEPARTMENT OF SUILDING AND ZONING SERVICES

111 N Front Street, Columbus, Ohio 43215
Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

(PLEASE PRINT)	-	
Case Number	CV24-032	
Address	103 W Tompkins	
Group Name	Bass Architects	

Meeting Date

May 15, 2024

Specify Case Type

BZA Variance / Special Permit

Council Variance

FOR USE BY: AREA COMMISSION / NEIGHBORHOOD GROUP

☐ Rezoning ☐ Graphics Variance / Plan / Special Permit

Building and Zoning Services

MAY 3 0 2024

Recommendation (Check only one)

✓ Approval☐ Disapproval

LIST BASIS FOR RECOMMENDATION:

Commission felt it was Appropriate in the Area its in and was not to crowded in the lot ratio.

Vote

Signature of Authorized Representative

Recommending Group Title

Daytime Phone Number

Jes - Appoved

Jeth & gold Seth Golding Zoning

UAC-University Avea Comm. Chair

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**

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 #	: CV24-032
Parties having a 5% or more interest in the project that is the sul	bject of this application.	
THIS PAGE MUST BE FILLED OUT COMPLETELY AND		the space provided
IIIIS PAGE MOST BE PILLED OO ; COMPLETELT AND	MOTARIZED. Do not indicate MOME in	me space provided.
STATE OF OHIO COUNTY OF FRANKLIN		
Being first duly cautioned and sworn (NAME) Timothy A B	lass	
of (COMPLETE ADDRESS) 36 King Ave. Columbus, Oh		
deposes and states that (he/she) is the APPLICANT, AGENT, O		ME and the following is
a list of all persons, other partnerships, corporations or entities	having a 5% or more interest in the project w	hich is the subject of this
application in the following format:		
:	Name of Business or individual (including co	ntact name and number)
	Business or individual's address; City, State, 2	Zip Code
	Number of Columbus-based employees	•
•	(Limited to 3 lines per box)	
1.	2.	
HASHEM SHKOUKANI		
2376 CLUB ROAD, COLUMBUS OHIO 43221		
ONE		
ONE		
3.	4.	•
		·
Check here if listing additional parties on a separate page	e.	
SIGNATURE OF AFFIANT		
Sworn to before me and signed in my presence this 14 th	day of March, in the year 20	24
/ April	07/07/0008	Notary Seal Here
	03/07/2028	
SIGNATURE OF NOTARY PUBLIC	My Commission Expires	NARCE - NOX
		5, 86 (11)
		ONNIA SERVICE - NOTA
· · · · · · · · · · · · · · · · · · ·		
mit not only		O TO THE STATE OF
1 nis Project Disclosure Statement exp	oires six (6) months after date of notar	EXCELLENT OF OF ON
	The second secon	