

**OVERALL \* SITE PLAN**  
SCALE: 1" = 20'-0"



SHEET <b>S-1</b>	JOB NUMBER R-520	CONTRACTOR:  Signed by: <b>Melvin Brimovic</b> BDR0C2017E4FD
	GENERAL SITE PLAN	
PROJECT <b>PROPERTY UPGRADE</b> 1828 East Hudson Street Columbus, Ohio 43221	DATE 09-14-2025	REV + 09-14-2025 REV 1 + 10-30-2025 REV 2 + 11-26-2025 REV 3 + 01-06-2026 REV 4 + 03-06-2026

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

**APPLICATION:** CV25-072  
**Location:** 1828 E. HUDSON ST. (43211), being 0.15± acres located on the north side of East Hudson Street, 78± feet east of Joyce Avenue (010-070783; Northeast Area Commission).  
**Existing Zoning:** R-4, Residential District.  
**Proposed Use:** Eating and drinking establishment.  
**Applicant(s):** Ibrahim Al-Hejazin c/o Mahir Becirovic, Atty.; 24 North High Street; Columbus, OH 43215.  
**Property Owner(s):** Ibrahim Al-Hejazin; 7583 Wild Mint Court; Westerville, OH 43082.  
**Planner:** Eastman Johnson; 614-645-7979; [roejohnson@columbus.gov](mailto:roejohnson@columbus.gov)

**BACKGROUND:**

- The site consists of one parcel developed with a former ice-cream shop in the R-4, Residential District, as allowed by CV73-018. The requested Council variance will allow the applicant to use the existing structure as a carry-out eating and drinking establishment.
- A Council variance is required because the R-4 district does not allow a carry-out eating and drinking establishment.
- To the north and east of the site are single-unit dwellings in the R-4, Residential District. To the south and west is a convenience store, undeveloped parcel, and automobile sales and repair shop in the C-4, Commercial District.
- The site is located within the planning boundaries of the *Northeast Area Plan* (2007), which recommends “Low Density Residential” land uses at this location. Additionally, the Plan includes complete adoption of the *Columbus Citywide Planning Policies (C2P2) Design Guidelines* (2018).
- The site is located within the boundaries of the Northeast Area Commission, whose recommendation is for approval.
- Staff concurs with the applicant’s analysis of the seven practical difficulties in achieving this proposed development.

**CITY DEPARTMENTS’ RECOMMENDATION:** Approval.

The requested Council variance will allow the applicant to use the existing structure as a carry-out eating and drinking establishment in the R-4, Residential District. The site is recommended for “Mixed Use 2” land uses by the *Columbus Growth Strategy* (2026), which is consistent with the proposed use. Additionally, staff note that the property is an existing commercial use and that this proposal will not introduce an incompatible use to the neighborhood.

## Council Variance Application

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)

### 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

The subject property has historically operated as a commercial site, most recently as an ice cream shop permitted by a prior Council Variance. Without this relief, the property cannot be used for any viable business purpose, resulting in a complete loss of economic use despite the property's layout and infrastructure being designed for commercial operation.

2. Whether the variance is substantial.

Yes  No

The request is to allow a small carry-out restaurant in a structure that was previously approved for use as an ice cream shop. The proposed use is comparable in intensity, size, and neighborhood impact.

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

Existing infrastructure from the previous owner who operated as an ice-cream shop would complement the neighborhood by providing walkable amenity to the community. With proper screening, design, and operations, nearby properties would not be negatively affected.

## Council Variance Application

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)

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

Yes  No

Existing infrastructure from the previous owners can support the restaurant without negatively impacting the delivery of government services.

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

Yes  No

The property owner was unaware that a new Council Variance would be required to continue operating a small-scale commercial use such as a carry-out restaurant. The building was previously operated as an ice cream shop under a Council Variance, and it was reasonable to believe the use could continue. The need for a new variance only became clear after consultation with City zoning officials.

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

Yes  No

The site's current infrastructure may limit its usefulness for traditional residential purposes. A variance is the most practical and least disruptive solution as completely rezoning this location may create greater impacts in the community.

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

Yes  No

The variance would allow for a reasonable, community enhancing use while still respecting the overall character of the community. Substantial justice is served by enabling economic use of the land without harming adjacent property owners.

**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):**

The Applicant respectfully requests the following variances from the Columbus City Code to permit the continued commercial use of the subject property as a carry-out restaurant:

\*see separate page\* Section 3332.039 - R-4 Residential District Use Restrictions

To permit the operation of a carry-out restaurant in a district where such use is not permitted. The site has historically operated as a commercial establishment (most recently as an ice cream shop) pursuant to a prior Council Variance. The proposed carry-out restaurant is comparable in scale and intensity to the prior use. This request would allow reinvestment into an existing structure that has no viable residential function and has long served neighborhood commercial purposes.

Signature of Applicant \_\_\_\_\_

Date

08/06/2025

**Variance List – Updated November 2025 (Following BZS & Traffic Review)****List all sections of code to be varied and explain your reasoning as to why this request should be granted:****1. Section 3332.039 – R-4 Residential District Use Restrictions**

To permit the operation of a carry-out restaurant (with no dine-in service) in a district where such use is not permitted. The site has historically operated as a commercial establishment (most recently as an ice cream shop) pursuant to a prior Council Variance. The proposed carry-out restaurant is comparable in scale and intensity to the prior use. This request would allow reinvestment into an existing structure that has no viable residential function and has long served neighborhood commercial purposes.

**2. ~~Section 3312.09 – Aisle Width Requirements~~**

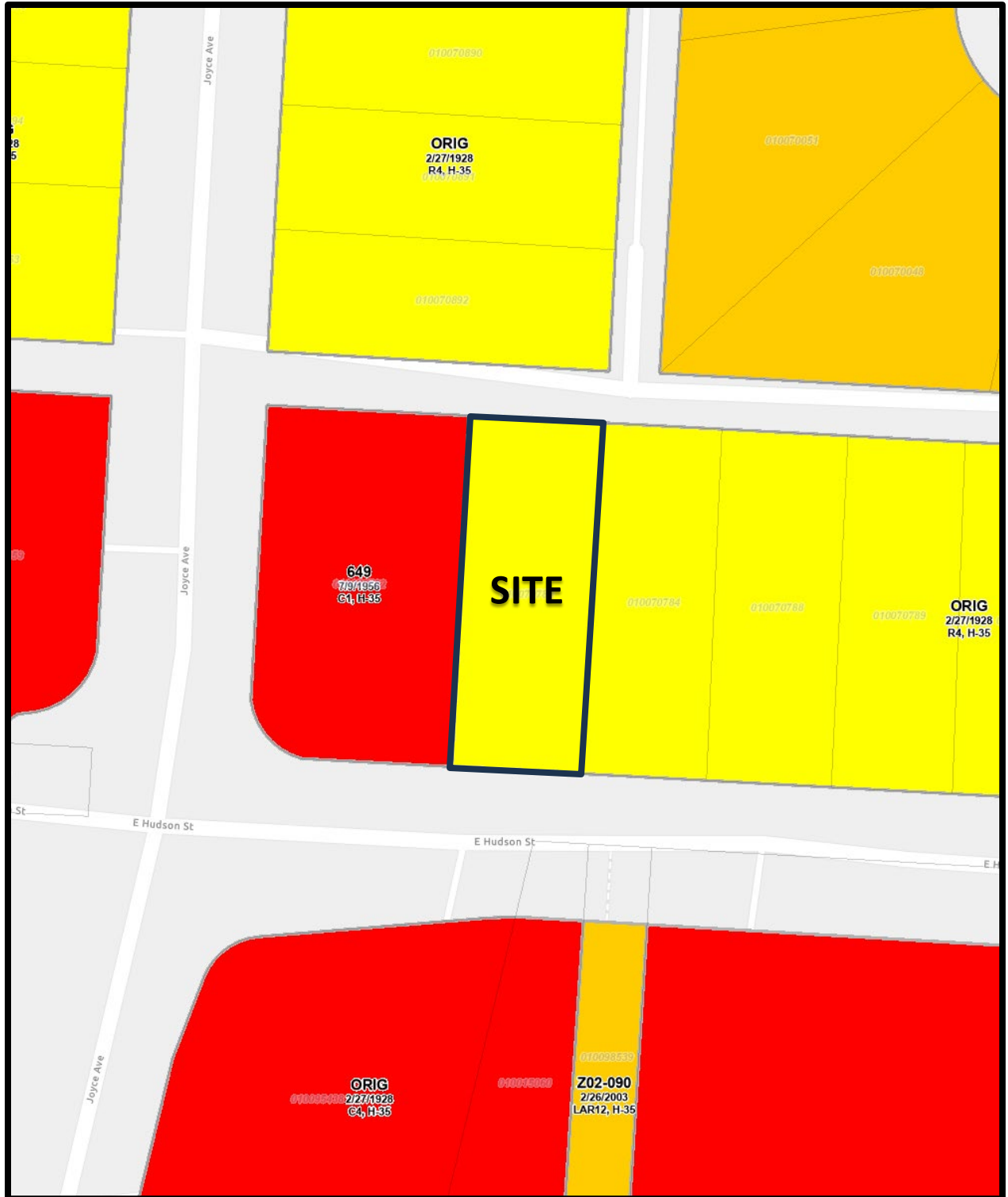
~~To permit a drive aisle of approximately 17-18 feet in width where a 20-foot two-way drive aisle is required. Due to the shallow lot depth and fixed building footprint, compliance with the 20-foot standard is impractical. The seven parking spaces at the rear of the property are intended for short-term use associated with the carry-out operation, and the proposed aisle width provides safe and functional maneuverability for the limited parking demand. Granting this variance will not impair traffic safety or circulation. This variance is required as indicated in Staff Review Results Letter dated September 18, 2025, and confirmed in subsequent correspondence from Building & Zoning Services and Division of Traffic Management (emails dated Nov. 6 and Nov. 19)~~

**Variance Originally Requested but Withdrawn: Section 3321.05(B)**

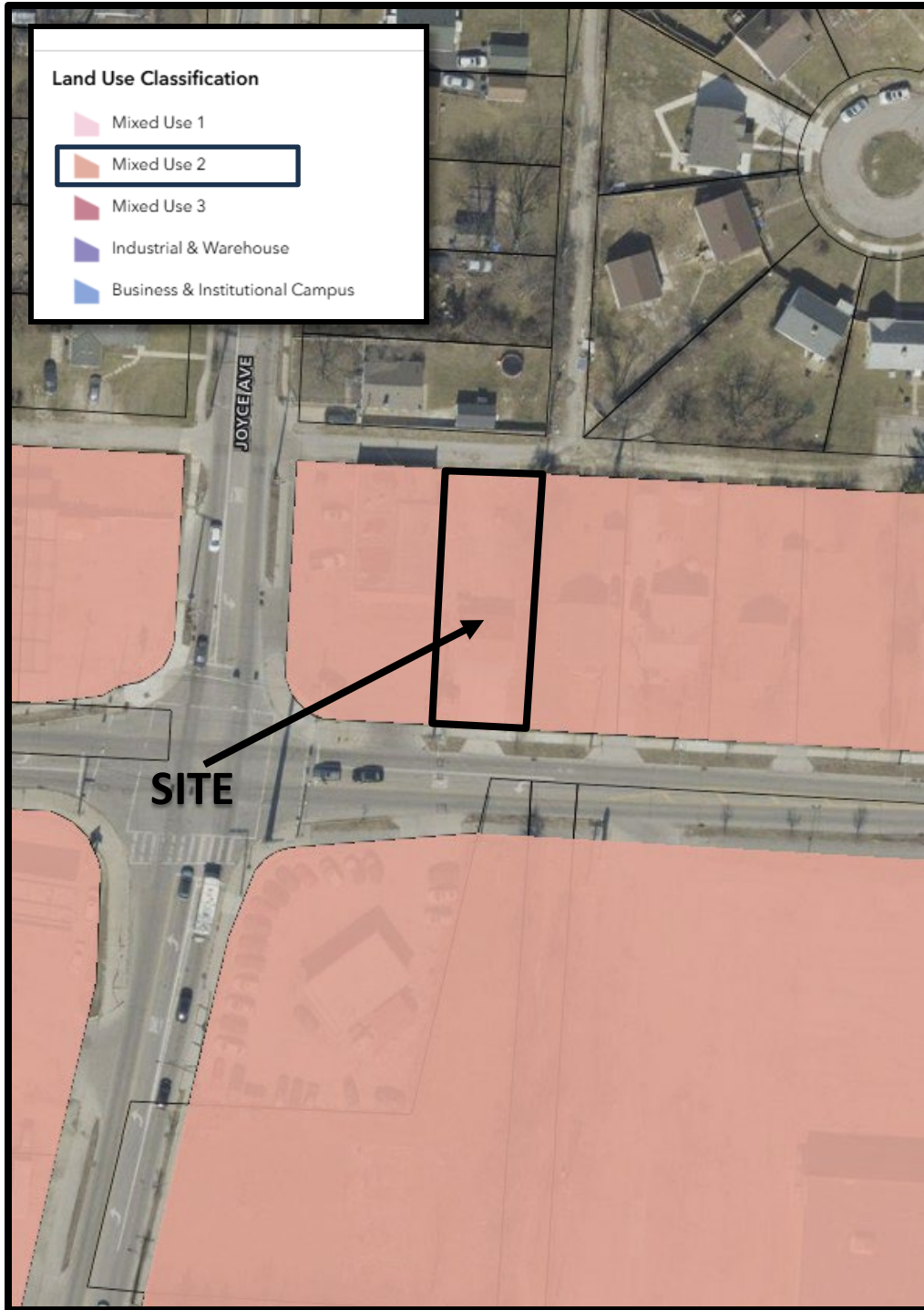
This variance was initially included in the original filing to address potential front-yard encroachment. However, following staff review (Robert Johnson, November 19, 2025), it was determined that §3321.05(B) is not applicable and should be removed from this request. Accordingly, the applicant formally withdraws the variance request to §3321.05(B). *This variance is required as indicated in Staff Review Results Letter dated September 18, 2025, and confirmed in subsequent correspondence from Building & Zoning Services and Division of Traffic Management (emails dated Nov. 6 and Nov. 19)*

**Justification:**

The requested variances will not adversely affect surrounding property owners and are consistent with the prior use of the property. Without this relief, the building will be rendered functionally obsolete. The new business use will enhance the streetscape and encourage neighborhood revitalization. This application is submitted in good faith with a commitment to maintaining compatibility with the surrounding residential context.



CV25-072  
1828 E. Hudson St.  
Approximately 0.15 acres



*Columbus Growth Strategy (2026)*

CV25-072  
1828 E. Hudson St.  
Approximately 0.15 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** CV25-072

**Address** 1828 E. HUDSON STREET

**Group Name** NORTHEAST AREA COMMISSION

**Meeting Date** October 9, 2025

**Specify Case Type**

BZA Variance / Special Permit

Council Variance

Rezoning

Graphics Variance / Plan / Special Permit

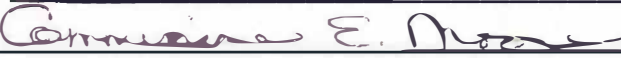
**Recommendation**  Approval

(Check only one)  Disapproval

**LIST BASIS FOR RECOMMENDATION:**

Applicant provided a printed copy of updates they would be incorporating based on staff comments. The commission passed with the condition of the items listed being incorporated.

**Vote** 5 yes, 0 no

**Signature of Authorized Representative** 

**Recommending Group Title** Northeast Area Commission

**Daytime Phone Number** 614-519-2195

Please e-mail this form to the assigned planner within 48 hours of meeting day; 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 St., 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

APPLICATION #: CV25-072

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) Ibrahim Al-Hejazin  
of (COMPLETE ADDRESS) 1828 East Hudson Street, Columbus, Ohio 43211  
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. Ibrahim Al-Hejazin 614-774-9523 7583 Wild Mint Court Westerville, Ohio 43082	2.
3.	4.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT [Signature]

Sworn to before me and signed in my presence this 17<sup>th</sup> day of March, in the year 2026

[Signature]  
SIGNATURE OF NOTARY PUBLIC

N/A  
My Commission Expires Notary Seal Here



Matthew W. Abraham  
Attorney At Law  
Notary Public, State of Ohio  
My commission has no expiration date  
Sec. 147.03 R.C.

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