

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

APPLICATION: CV26-020
Location: 887 N. NELSON RD. (43219), being 2.19± acres located at the northeast and northwest corners of North Nelson Road and Ridgeway Avenue (010-035033 and 12 others; North Central Area Commission).
Proposed Use: Single and multi-unit residential development.
Applicant(s): Homeport c/o Laura Comek, Atty.; 65 East State Street, Suite 850, Columbus, OH 43215.
Property Owner(s): Board of Trustees of the Columbus Metropolitan Library; 96 South Grant Avenue, Columbus, OH 43215.
Planner: Alyssa Saltzman; 614-645-9625; ADSaltzman@columbus.gov

BACKGROUND:

- The 2.19± acre site consists of twelve undeveloped parcels in the C-4, Commercial District, and one undeveloped parcel in the R-4, Residential District. The requested Council variance will allow the site to be developed with a mix of attached and detached single-unit dwellings, a 25-unit apartment building, and a non-accessory parking lot in the C-4 district, and a non-accessory parking lot in the R-4 District. The site is split into two subareas, “Area East,” on the east side of North Nelson Road, which proposes attached and detached single-unit dwellings, and “Area West,” on the west side of North Nelson Road, which proposes a 25-unit apartment building.
- The request includes variances to administrative requirements, landscaping and screening, maneuvering, parking setback, required parking, vision clearance, screening of transformer pads, and building setbacks.
- North of the site are a park and a trail access point, in the R-4, Residential District. South of the site are a commercial development and a library in C-4, Commercial District and UGN-1, Urban General District respectively. West of the site are single unit dwellings in the R-4, Residential District. West of the site is right-of-way for Interstate 670.
- The site is located within the planning boundaries the *Columbus Growth Strategy (2026)*, which recommends “Mixed Use 1” land uses at this location.
- The site is located within the boundaries of the North Central Area Commission, whose recommendation is for approval.
- Staff concurs with the applicant’s analysis of the seven practical difficulties in achieving this request and supports the variances for reduced building and parking setbacks, maneuvering, landscaping and screening, vision clearance, and required parking.

CITY DEPARTMENTS’ RECOMMENDATION: Approval

The requested Council Variance will help facilitate an infill residential development, and provides a variety of housing types with mixed-income affordable housing. The request is consistent with the *Columbus Growth Strategy’s* land use recommendation, the city’s objective to provide affordable housing in all areas of the city, and with similar residential urban infill developments.

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. Some kind of Zoning Action would be needed to develop these older platted lots. Size of current lots & "lay outs" do not meet current (or future) codes, setbacks, etc.

2. Whether the variance is substantial.

Yes No

No. Each of the variances is a 'tweak' to the code, ie, in full development that seeks a balance between older neighborhoods & new construction.

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. The development is the point of transition between the intensity of the 5th Avenue Corridor & the existing neighborhood. This cv proposed a mix of residential uses.

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

Yes No

No.

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

Yes No

Yes, however for reasons stated above, Any use of these properties, together or separate, would require at least site development standard variance(s)

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

Yes No

Same as above. That said, the Owner & Applicant have worked extensively to maximize the quality of this product while eliminating unnecessary steps.

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

Yes No

Yes - In full development, with mixed type(s) and prices of residential units is the City's focus. Increased private investment to reinvigorate & leverage the public investment


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):

This is a win-win-win for Columbus.

Signature of Applicant



Date

1.30.2026

COUNCIL VARIANCE STATEMENT OF HARDSHIP

Applicant: Columbus Housing Partnership, Inc. dba Homeport
 c/o Laura MacGregor Comek, Esq.
 65 E State St., Suite 850
 Columbus, Ohio 43215
laura@comeklaw.com
 614.560.1488

Owner: Board of Trustees of The Columbus Metro Library
 Address: 887 N. Nelson Road
 Current Zoning: C4, Commercial District, and R4 Residential District
 Proposed Use: Single and Multifamily Residential
 Date: June 11, 2026
 Case No.: CV26-020

This Statement of Hardship is submitted in support of the Applicant's Council Variance Application (CV26-020).

The Site is comprised of two adjacent sites, designated herein as "East" and "West." This project is a legacy project conceived by Curt Moody and his firm, Moody Nolan, and the Board of Trustees of The Columbus Metropolitan Library, intended to bring infill development to the North Central community. Homeport's proposal for the Site was selected by the Columbus Metropolitan Library in 2025 after holding a competitive Request for Proposals. The result is a mixed residential concept, with a range of urban housing types for sale and for rent, and with immediate access to City parkland, trails and an active bus line. The many years of preparation and planning for this effort have resulted in a CV Application, to allow for the distinct designs and features as depicted in the site plan.

Additionally, the Applicant has worked closely with the City Recreation and Parks Department to facilitate an expanded green space along the Nelson Road Site frontage that will connect to Hayden Park, to the north of the Site and a new trail under development by the Recreation and Parks Department.

East - 1.67 +/- acres – East of N. Nelson Road

The East sub area is located along the east side of North Nelson Road, immediately north of the Shepard Library branch and Ridgeway Avenue. The development plan depicts 12 attached row homes along the north property line, with 16 parking spaces provided, and 14 single-family platted lots. Each single-family unit has one on-site parking space. There are an additional eight spaces in the East sub area. The East sub area is organized around two public ways: (a) a new public alley and (b) Ridgeway Avenue.

The parcels in the East sub area are:

010-001869
 010-035033
 010-035032
 010-004314
 010-219241
 010-046274
 010-040539
 010-050999
 010-020866
 010-041235

The following variances are requested for the East sub area:

CCC 3356.03: to allow residential uses on the first floor, to allow single-family and multi-family residential use, and parking (parking lot).

CCC 3356.11: to reduce building setbacks from 25 feet to zero feet along Ridgeway Avenue.

CCC 3312.49: to reduce required parking for multi-family residential use from 18 to 15 and for single-family residential use from 28 to 14.

CCC 3312.25: to allow parking spaces within the maneuvering setback/reduce setback for maneuvering and parking to zero (0) feet and reduce parking setback from 25 feet to zero along Ridgeway Avenue.

- CCC 3312.21(A): to eliminate interior parking lot trees and islands to zero. (redistribute throughout the site)
- CCC 3312.21(B) and (D): to eliminate headlight screening.
- CCC 3321.05(A)(2) - to reduce the vision clearance dimensions from 12 feet to 1 foot.
- CCC 3312.03(D) – to allow required parking off site parcels.
- CCC 3312.27 (2) – to reduce parking setback to zero along Ridgeway Avenue.
- CCC3321.09 – to eliminate screening between different use districts.
- CCC 3321.11 – to eliminate screening for the transformer.

West - 0.52 +/- acres – West of N. Nelson Road

The West sub area is located along the west side of North Nelson Road and includes one two undeveloped parcels separated by a public alley. The development plan depicts one multifamily building of three stories, with 25 units, and 12 parking spaces on the parcel to the east of the alley. An additional nine parking spaces are proposed on the parcel to the west of the alley, in the R4 district. The West sub area is intended as affordable rental housing.

The parcels for the West sub area are:

010-047040
010-022712

The following variances are requested for the West sub area:

- CCC 3356.03: to allow residential uses on the first floor and to allow multi-family residential uses.
- CCC 3356.11: to reduce building setbacks from 40 feet to zero feet along Nelson Road and 25 feet to zero along Ridgeway Avenue.
- CCC 3312.49: to reduce required parking for multi-family residential use from 38 spaces to 21
- CCC 3312.25: to allow parking spaces within the maneuvering setback/reduce setback for maneuvering and parking to zero (0), and to reduce parking setback from 25 feet to zero along Ridgeway Ave.
- CCC 3312.27 (2): to reduce parking lot setback from 25 feet to zero along Ridgeway Ave.
- CCC 3312.21(A): to eliminate interior parking lot trees and islands 3 to zero. (redistribute throughout the site)
- CCC 3312.21(B) and (D): to eliminate headlight screening.
- CCC 3332.039: to allow a parking lot in the R4 district.
- 3332.25(A)(2): to reduce side yard from 16 feet to zero.
- CCC 3332.27: to eliminate rear yard requirement
- CCC 3312.03(D) – to allow required parking off site parcels.
- CCC3321.09 – to eliminate screening between different zoning districts.
- CCC 3321.11 – to eliminate screening for the transformer.

The Site is located adjacent to the Fifth Avenue corridor and intended to serve as the point of transition from commercial use and intensity to the existing residential neighborhood and character. These variances are not significant given the intensity of current commercial use already permitted under the C4 zoning and intense commercial use of Fifth Avenue. Furthermore, the Site buffers the existing residential neighborhood with new private investment to reinvigorate residential uses.

There are no adverse effects to adjacent landowners. The development of a Site that has sat vacant for many years and that now will meet the significant housing need in the area is an important use of available land to create workforce housing at various price points and styles. There are significant amenities within a one-mile radius for residents. Infill developments often experience 'pinch points' for building, and therefore the Applicant's knowledge of existing zoning is not a significant factor here. There is no effect on the delivery of governmental services; extensive consideration has been given to the Site's integration with the area and for technical compliance on City specifications. The Applicant has worked with City staff from Traffic, Recreation and Parks, Planning and Utilities to obviate any variances and plan with utmost efficiencies to that same end goal. The Site has excellent access to major roadways and freeways and local job centers. Given these factors and the efforts to 'fit' new capital investment into these neighborhood 'nooks,' the Applicant respectfully suggests these variances are the minimum requests to achieve a superior end goal and product.

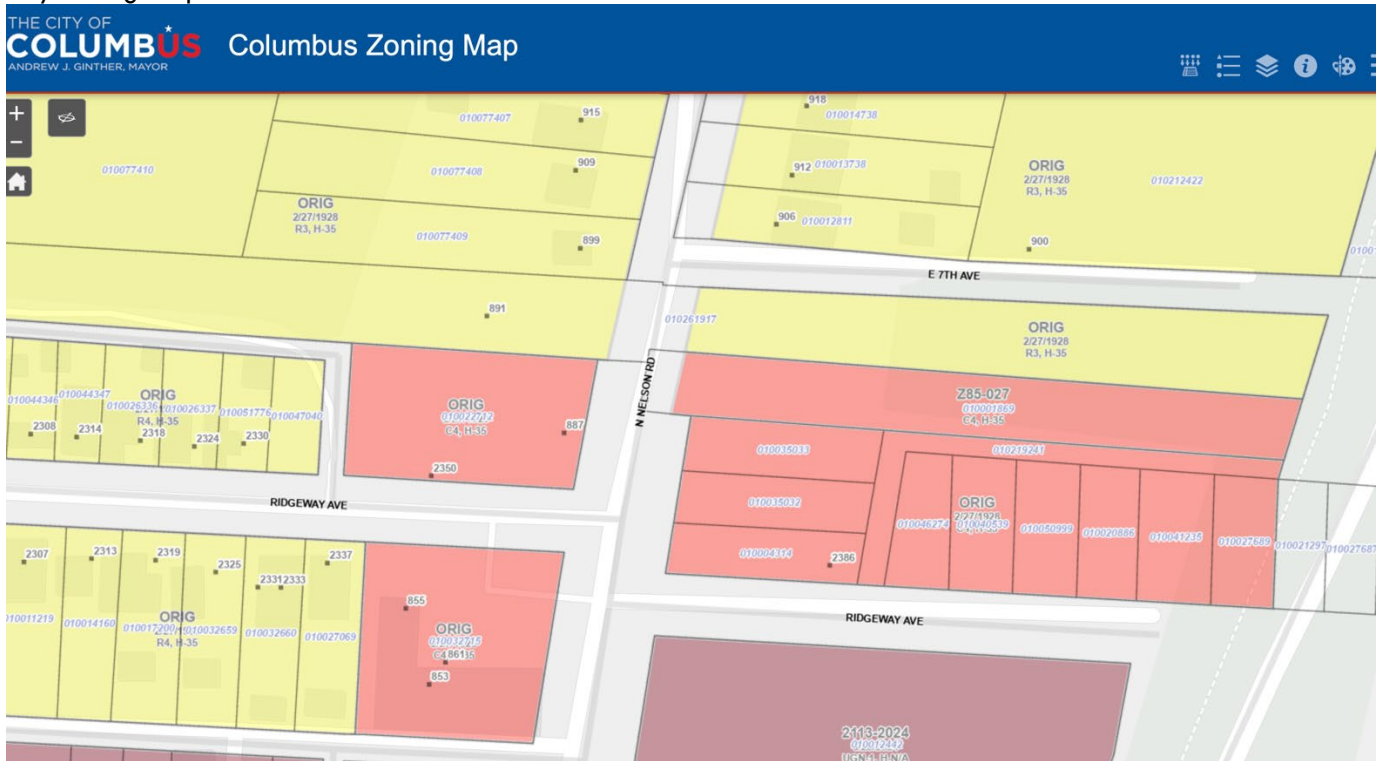
For these reasons, the Applicant respectfully requests approval of these variances.

Respectfully submitted,

1/s/ Laura MacGregor Comek, Esq.

Laura MacGregor Comek, Esq.
65 E State St., Suite 850
Columbus, Ohio 43215
Phone: 614.560.1488
Laura@comeklaw.com
Counsel for Applicant

Enclosures:
City Zoning Map





CV26-020
887 N. Nelson Rd.
Approximately 2.19± acres



Columbus Growth Strategy (2026)

CV26-020
887 N. Nelson Rd.
Approximately 2.19± acres



CV26-020
887 N. Nelson Rd.
Approximately 2.19± acres

FOR USE BY: AREA COMMISSION / NEIGHBORHOOD GROUP
(PLEASE PRINT)

Case Number CV26-020

Address 887 North Nelson Road

Group Name NORTH CENTRAL AREA COMMISSION

Meeting Date 05/07/2026

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:

The properties in question will yield a reasonable return and can be a beneficial use of the properties. The essential character of the neighborhood would not be substantially altered; adjoining properties will not suffer any detriment as a result of the variances. The variances will not impair an adequate supply of light and air to adjacent properties; will not diminish or impair established property values within the surrounding area, and in any other respect impair the public health, safety, comfort, morals, or welfare of the inhabitants in the Shepard community.⁶

Vote 6-Yes, 1-Abstain

Signature of Authorized Representative Melodie A. Cook
Digitally signed by Melodie A. Cook
Date: 2026.05.11 21:54:26 -04'00'

Recommending Group Title Chair, North Central Area Commission

Daytime Phone Number 614-209-7972

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.

PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV26-020

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) Laura Macgregor Comek, Esq
of (COMPLETE ADDRESS) 65 E State St., Ste 850 Cols., OH 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. <u>Columbus Housing Partnership</u> <u>dba HOMEPORT</u> <u>3443 Ogler Rd. Cols. OH 43219</u> <u>ees</u>	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 30th day of Jan, in the year 2026

Emily Maspons
SIGNATURE OF NOTARY PUBLIC

2/21/2029
My Commission Expires

Notary Seal Here



Emily Maspons
Notary Public
State of Ohio
My Commission Expires
February 21, 2029

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