

Signature W.D.P.

Date April 29, 2025

## GENERAL INFO

Address:  
1207 E Whittier Street  
Columbus, Ohio 43206

Scope of Project:  
Construction of a new side by side duplex (two-family dwelling).

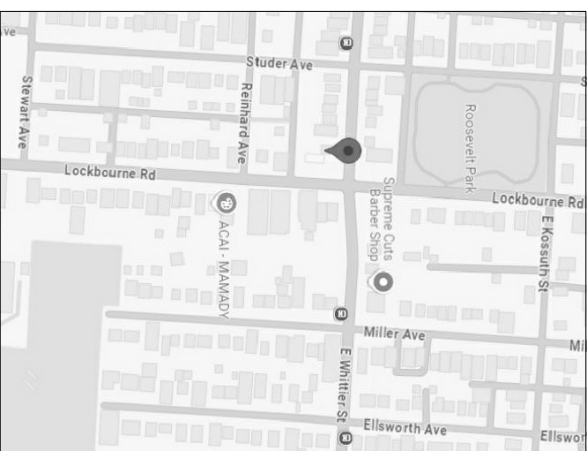
UNIT #1:		UNIT #2:	
First Floor Area:	710 sf	First Floor Area:	710 sf
Second Floor Area:	710 sf	Second Floor Area:	710 sf
Total Floor Area:	687 sf	Total Floor Area:	687 sf
TOTAL:	2,107 sf	TOTAL:	2,107 sf
Open From Porch:	147 sf	Open From Porch:	147 sf

Site Area 0.0-061770: 4.137 sf (3.7465 of per 3322.16(c))

**ZONING:**

Request to change zoning from existing Commercial LC2 to Multi-Family ARI.

Number of Floors	Actual	Zoning Reg <sup>1</sup>
Proposed:	3 floors (30'-0" hgt)	1 to 2.5 floors (35')



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

**APPLICATION:** CV24-141  
**Location:** 1207 E. WHITTIER ST. (43206), being 0.10± acres on the south side of East Whittier Street, 100± feet west of Lockbourne Road (010-051770; Columbus South Side Area Commission).  
**Pending Zoning:** AR-1, Apartment Residential District (H-35).  
**Proposed Use:** Two-unit dwelling.  
**Applicant(s):** Dream Living LLC; c/o Brenda Parker, Agent; 405 North Front Street; Columbus, OH 43215  
**Property Owner(s):** Dream Living LLC; 6956 East Broad Street, Box 420; Columbus, OH 43213.  
**Planner:** Joe Rose; 614-645-3526; [jmrose@columbus.gov](mailto:jmrose@columbus.gov)

**BACKGROUND:**

- The site consists of one undeveloped parcel pending rezoning to the AR-1, Apartment Residential District. The requested Council variance proposes a two-unit dwelling which is an allowed use in the AR-1, but development must be in accordance with R-4, Residential District standards.
- A Council variance is required because while the pending AR-1, Residential District allows two-unit dwellings, it must also be developed to R-4, Residential District standards.
- To the north is a single-unit dwelling in the R-2F, Residential District. To the south is a single-unit dwelling in the R-4, Residential District. To the east is office and residential in the L-C-2, Limited Commercial District. To the west are single-unit dwellings in the AR-1, Apartment Residential District.
- The site is within the planning boundaries of the *Near Southside Plan* (2011), which recommends “Mixed Use (Neighborhood)” land uses at this location. The Plan also includes the early adoption of *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018).
- The site is located within the boundaries of the Columbus South Side Area Commission, whose recommendation is for approval.
- Staff concurs with the applicant’s analysis of the seven practical difficulties in achieving the proposed use with regards to the reduction in the lot width and minimum side yards.

**CITY DEPARTMENTS’ RECOMMENDATION:** Approval

The requested Council variance will allow a two-unit dwelling at this location developed to R-4, Residential District standards. Staff supports the proposal as it will allow uses consistent with the *Near Side Plan*’s land use recommendation, is consistent with the residential uses and development pattern along this portion of East Whittier Street, and does not introduce an incompatible use to the area.

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**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

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2. Whether the variance is substantial.

Yes      No

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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

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

Yes      No

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

Yes      No

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

Yes      No

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

Yes      No

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**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):**

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**Signature of Applicant** \_\_\_\_\_ **Date** \_\_\_\_\_

1207 E Whittier Street  
AR-1 Multifamily  
List of Requested Variances

Request a variance from Section 3332.05 (Area district lot width requirements) to reduce the lot width from 50 feet to 30.60 feet.

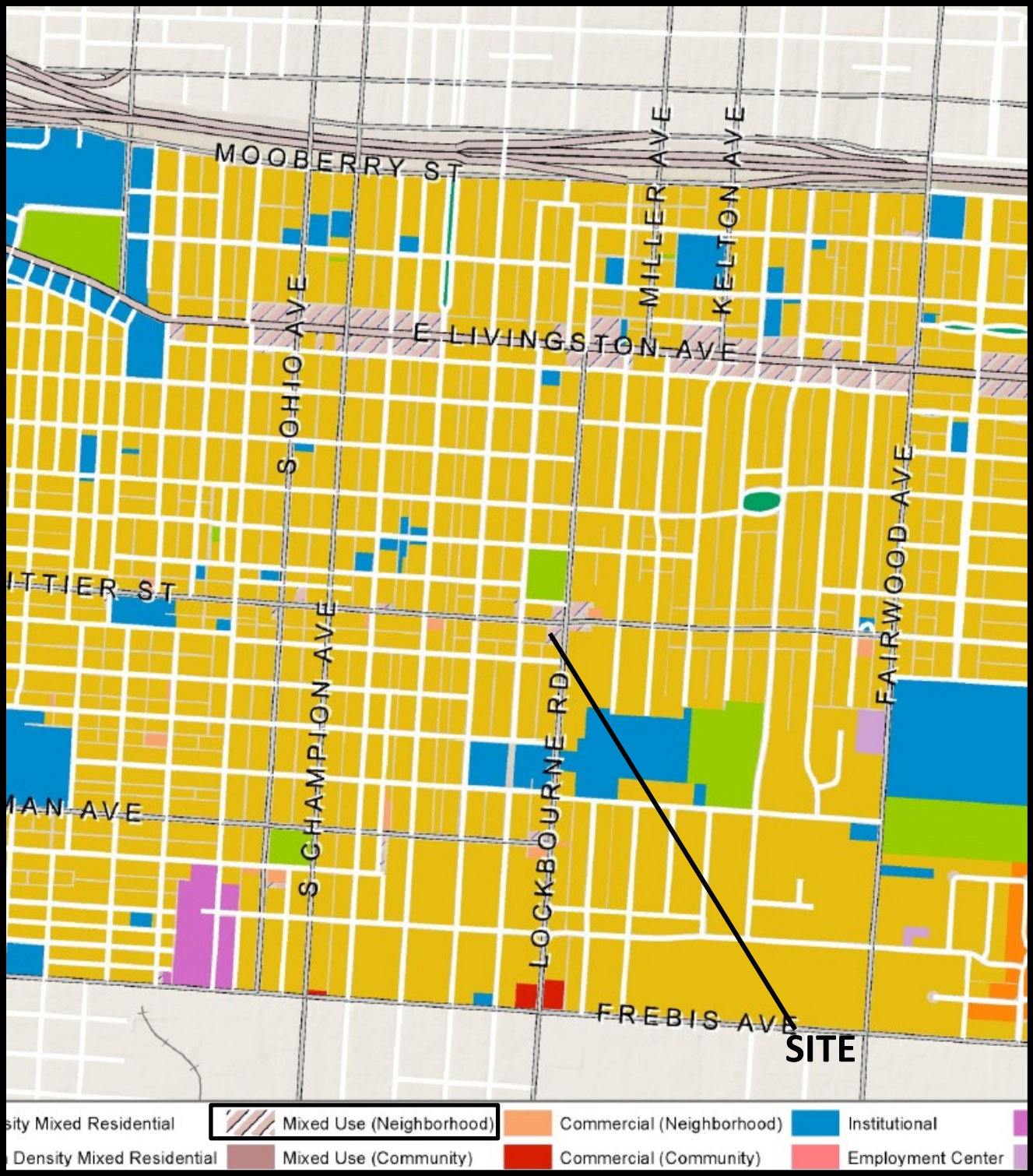
Request a variance from Section 3332.26 (Minimum side yard permitted) to reduce the minimum side yard from 5'-0" to 3'-0" on both the east side and the west side.

Statement of Hardship:  
The property at 1207 E Whittier Street is a vacant lot. The lot width is 30.60'. The required lot width for R-4 is 50 feet. The current zoning is Commercial LC2. The properties to the east are zoned Commercial LC2. The properties to the west are zoned AR-1 Multifamily. The property owner would like to rezone the property to AR-1 and construct a new 2-family, side-by-side duplex. The property owner considered both a stacked duplex and a side-by-side duplex during the preliminary design phase. The side by side duplex is more desirable as it functions more like a single family residence with both dwellings having a front entrance off a front porch and a rear entrance from the parking off the alley. Due to the width of the site, a side yard setback variance is being requested to reduce the minimum side yard from 5'-0" to 3'-0". The reduction allows for a useable width within each dwelling unit. The 3'-0" setback would be the standard if the property were zoned SR, R-1, R-2, or R-3.

Signature 

Date April 29, 2025

CV24-141  
1207 E. Whittier St.  
Approximately 0.10 acres



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Approximately 0.10 acres



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1207 E. Whittier St.  
Approximately 0.10 acres

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

Case Number	<u>Z24-058 &amp; CV24-141</u>
Address	<u>1207 E. WHITTIER STREET</u>
Group Name	<u>COLUMBUS SOUTHSIDE AREA COMM.</u>
Meeting Date	<u>January 28, 2025</u>
Specify Case Type	<input type="checkbox"/> BZA Variance / Special Permit <input checked="" type="checkbox"/> Council Variance <input checked="" type="checkbox"/> Rezoning <input type="checkbox"/> Graphics Variance / Plan / Special Permit
Recommendation (Check only one)	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Disapproval

**LIST BASIS FOR RECOMMENDATION:**

Columbus South Side Area Commission approved the rezoning and associated council variance requests.

Vote	<u>10-0-0</u>
Signature of Authorized Representative	<u>Kathryn F. Green</u> <small>Digitally signed by Kathryn F. Green Date: 2025.01.28 19:41:39 -05'00'</small>
Recommending Group Title	<u>Zoning Chair</u>
Daytime Phone Number	<u>614-565-1476</u>

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.

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**

APPLICATION #: CV24-141

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. Gamal Harding Dream Living LLC 6956 E Broad Street, Box 420 Columbus, Ohio 43213	2. Amalea Harding Dream Living LLC 6956 E Broad Street, Box 420 Columbus, Ohio 43213
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 April, in the year 2025

SIGNATURE OF NOTARY PUBLIC

My Commission Expires



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