



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

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.

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):

Signature of Applicant Robert Ellis Date 02/25/2024

Statement of hardship:

From the Near East Area Plan, “the highest percentage of land in every part of the Near East Side is residential. Two family and multifamily residential uses are mixed in with the single family residential areas...”

The Subject property is contained within district 1 of the Near East Boundary Map. 20% of the existing land use in this district district is 3+ multifamily or 1 in 5 properties. The proposed project does not result in the demolition of an architecturally significant building and is proposed to fill a vacant lot where a single family home use to sit.

The proposed structure is architecturally compatible with single family new construction homes in the area as well as the multifamily structures on the same street.

Based on the lot size and shape, a smaller footprint of only 668 square feet heated space maximizes parking on site to provide minimum impact on parking and traffic.

It's a policy that the revitalization and redevelopment of the residential areas ... especially vacant land within the neighborhood should be redeveloped into housing.

The subject property is currently zoned Z73-197, Residential, R2F, 4/11/1974, H-35 and sits in the Near East Area Commission.

The subject property is the first property in along one of the commercial corridors as notated in the Development Strategy plan with many high density projects approved nearby already along Mt. Vernon Ave. The property is abutting other multifamily properties.

The following variances are necessary to construct this 3 family dwelling:

Use: to vary the standards of 3332.037 R2F district to permit a three family dwelling on the parcel.

3332.14, R-2F area district requirements. To decrease the required lot size from 6,000 square feet to 2925 square feet

Lot width 3332.05: The applicant requests that a variance be granted to allow for reduced development standards regarding the lot width requirements. The current development standards are 50' and the existing lot is 43' but was a previously built on lot. (Existing).

3312.49: Parking the footprint of the proposed structure allows for 4 parking spaces.. Applicant requests a variance from 6 parking spaces to 4.

3332.26(F): variance for the north side yard to vary from 5.7' to 3'; and variance for the south side yard to vary from 5.7' to 5.'

3332.21 Building Lines to reduce building setback from N 21st St from 10' to 1.5' to allow for parking and proper setbacks

3332.25 Maximum Side Yard to vary from 8.6' to 8'.

For the setback variance, most of the lots on 21st are very short compared to traditional lots and sit within a few feet of the right of way. It is also important so that we can get as much distance from the alley as possible.

Per traffic management comments, a reduction to 4 spaces and shifting it closer to the building allows us to tie all of the concrete together with the AC pads and flat work. The angle of market alley makes the distance from market alley between 4' and approx 9' but with the telephone pole located on the corner, we believe reversing out at this angle is the best. We added an extra spot because of some of the parking concerns brought up by the neighborhood group due to the church parking across the alley. We believe the extra distance helps maneuvering as well. More than likely we will pour concrete and tie all the flatwork together as shown on the site plan. It is labeled asphalt but the sidewalks and concrete for AC pads is concrete so more than likely the impervious area will be concrete as well to tie it all together.

The building department notes that the average height of a structure is calculated by the average of the roofline. Our roofline average sits below 35' and therefore does not require a variance. A small portion goes above it but this is to ensure shingle roof. The majority of the roof is below 35'. Less than 1/3 is above 35' and therefore the average is less and does not require a variance.

Based on feedback from the Near East Commission, we added a front door and porch on the front unit so it mirrors a single family home. The Near East Area Commission did not want a staircase in front for access to all the units so we kept the stairwell in the rear and it is concealed based on other feedback from applications in the near east commission. Typically the staircase is concealed but due to the corner lot, it is more difficult in this scenario. Due to the shorter lots on 21st, the porch is limited in size and is unsupported and will be close to the lot line like other structures on the street.

Additional tree and shrubs and mulch landscaping was added based on the feedback from NEAC and planning.

The applicant has already spoken to the sewer and water department and taps are available to this property in the sizes required for the size and density of the building either as a shared set or individual taps.

The existing building is built on a slab and will be less than 35" and within development guidelines. Based on applicants previous applications with the NEAC, the stairwell has been concealed and no front doors were added to conceal the units except for a very small visible area from the alley behind the property to be within development guidelines of the neighboring property.

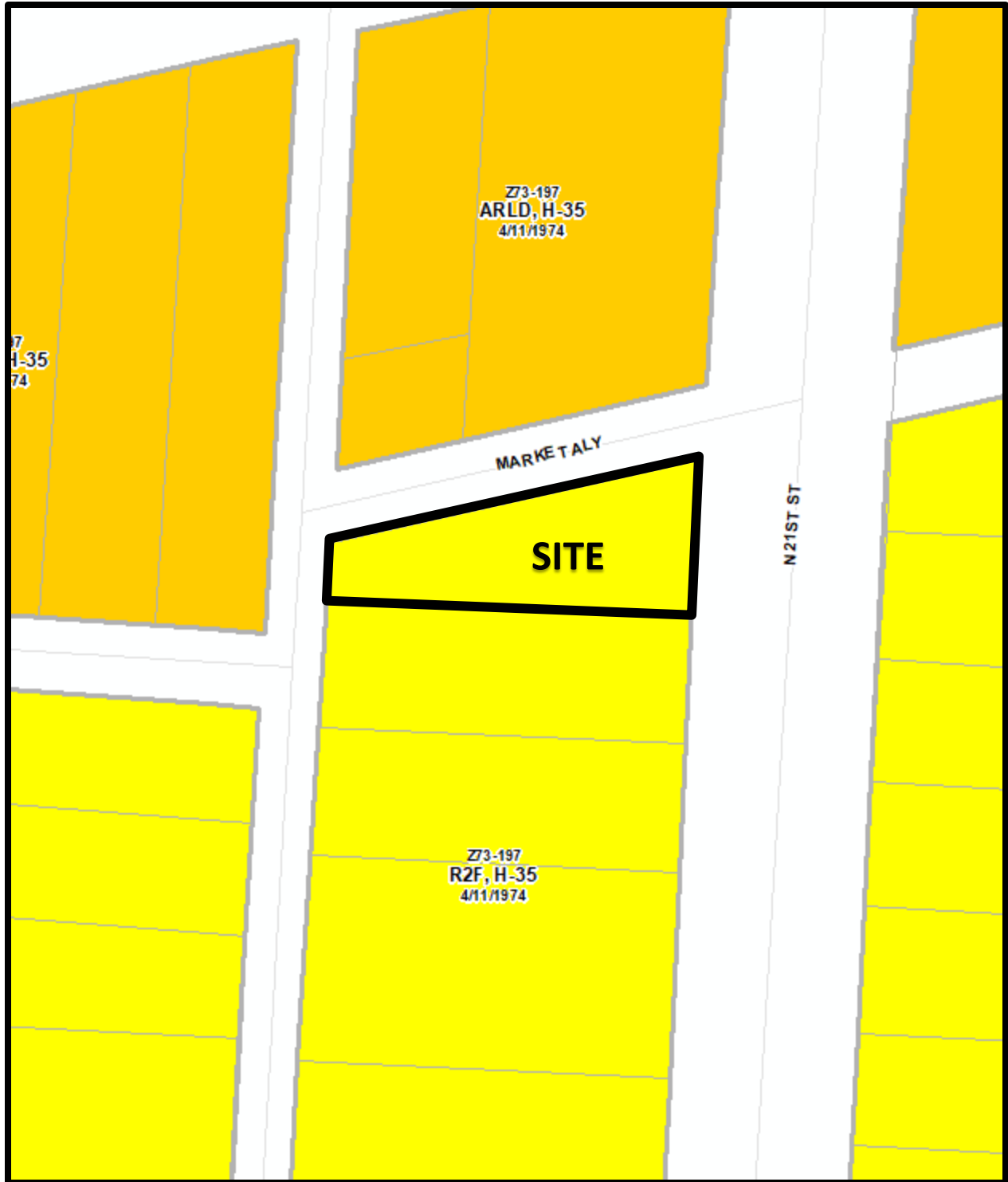
Several council variances have been approved on 21st including 70 N 21st which has a duplex and carriage house in the rear in 2020 that allowed for a use variance for three dwelling units with almost double the number of variance requests.

A second recent council variance was granted at 163 N 22nd St for two dwelling units (a principal and a detached carriage house) with much higher building coverage than the subject property and double the amount of variance requests. This was also build on an infill lot similar to the subject property.

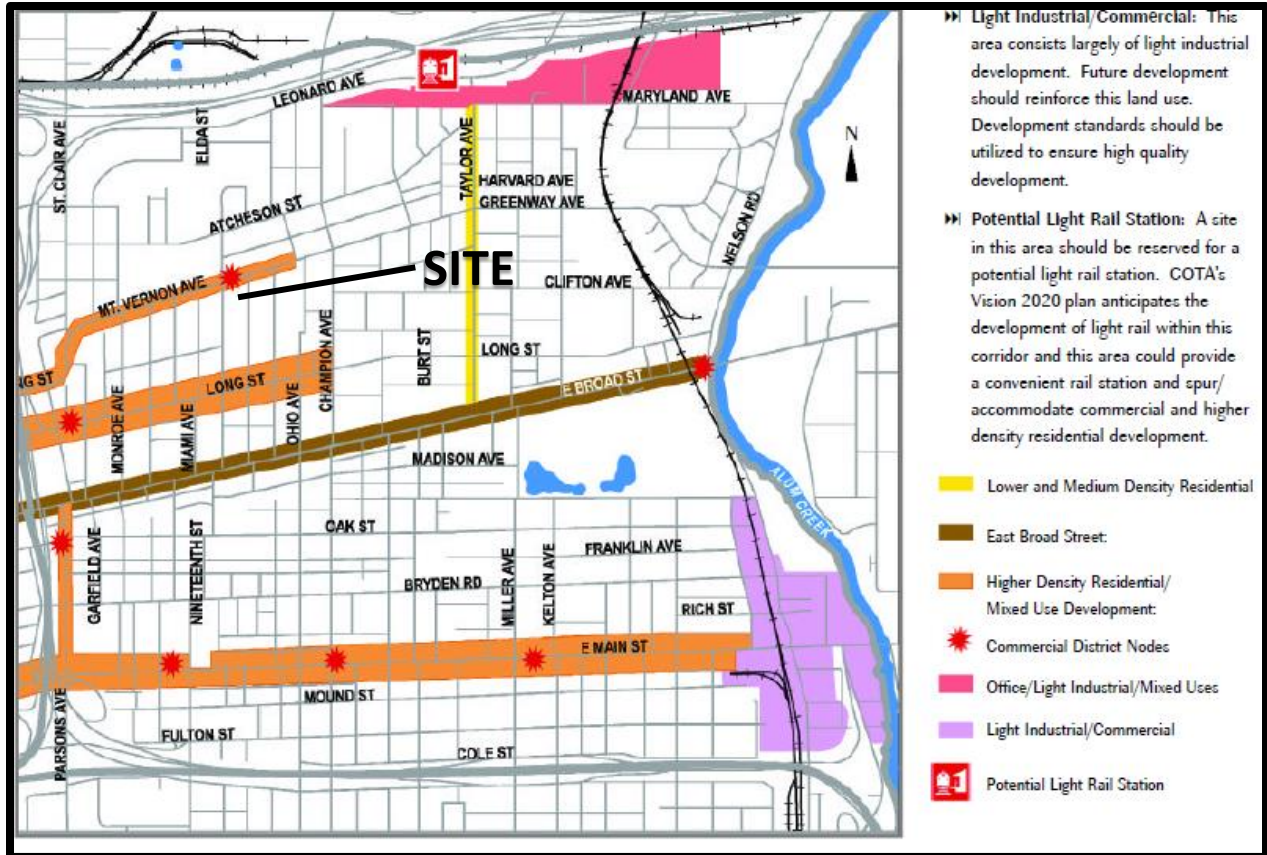
The applicant believes that the addition of a 3 family dwelling will be additive to the neighborhood and that the requested variances are reasonable and in line with the area and will not have a negative impact on the neighborhood.

Use of the council variance process is very common in the adjoining areas and neighborhoods for multifamily. Additional Closeby variances approved recently include the variance in an R3 district to allow for a duplex to be built at 240-251 Taylor avenue (approved), the variance of 325 Taylor Ave for the construction of an 8 unit on an R3 zoned parcel (approved), 1404 Granville St use variance from a church to a duplex in an R3 zoned residential district, 1550 Clifton Avenue for the use of a two family dwelling in an R3 district, and finally 514 Taylor Ave rezoning of an R-3 7 parcel assemblage to AR2 for the construction of 48 studio apartments.

The variances are being request to allow for the construction of housing that is affordable to low income and first time home buyers. The subject site is not a historic site and is not located within a commercial overlay.



CV24-022
295 N. 21st St.
Approximately 0.07 acres



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Standardized Recommendation Form

DEPARTMENT OF BUILDING AND ZONING SERVICES

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

Case Number CV24-022

Address 295 NORTH TWENTY FIRST STREET

Group Name NEAR EAST AREA COMMISSION

Meeting Date 5/9/2024

- 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:

Vote 3/11/0

Signature of Authorized Representative

Recommending Group Title Chair

Daytime Phone Number 614 403 2225

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 #: CV24-022

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) ROBERT ELLIS of (COMPLETE ADDRESS) P O BOX 8174 COLUMBUS OHIO 43201

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

Table with 2 columns and 2 rows containing party information. Row 1: 1. Pink Construction, Robert Ellis, 614 400 8762, P O BOX 8174, COLUMBUS OH 43201; 2. CASH BUYER 1 LLC, BRIAN WHITE, 614-738-0325, 1241 SULLIVANT AVE COLUMBUS OH 43223-1. Row 2: 3. (empty), 4. (empty).

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT Robert Ellis

Sworn to before me and signed in my presence this 26 day of February, in the year 2024

SIGNATURE: Bruce Toledo (with signature image) Bruce Toledo

Notary Seal Here 9-26 My Commission Expires Bruce Toledo Commission # HH 284846 Notary Public - State of Florida My Commission Expires Sep 09, 2026

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

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