



SITE DATA	
ADDRESS	246 MCCOY DR. N.W.
PARCEL NO.	00-0-16691
ZONING DISTRICT	R-1
ADJACENT DISTRICT	17-1
LOT AREA	25,409 SF ± .56 AC
LOT COVERAGE	12% (3,009/24,699)
REAR YARD	28% EXIST DWELLING
SETBACKS	3.8% ADJ.
	AS NOTED
PAVING REQUIRED	4.9% (623/12,650)
PLANTING PROVIDED	4.9% (623/12,650)

MCCUTCHEON ADU

2405 MCCUTCHEON RD
COLUMBUS, OH 43219

 Tm Lai Architect

401 W Town Street
Columbus, OH 43215
T 614 321 5128 F 614 453 8726
info@architect.com
www.tmlaarch.com

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ISSUE DESCRIPTION	DATE
1. The first issue was identified during the initial assessment of the system, where it was noted that the data entry process was inefficient and prone to errors.	2023-01-15
2. A second issue was reported by a user, stating that the system crashed frequently when processing large data files.	2023-02-01
3. The third issue was a security vulnerability discovered during a penetration test, which allowed unauthorized access to sensitive data.	2023-02-10
4. A fourth issue was identified as a performance bottleneck in the database, causing slow response times for certain queries.	2023-02-20
5. The fifth issue was a user interface change requested by the marketing department to improve the visual appeal of the system.	2023-03-05
6. A sixth issue was a bug in the reporting module that caused incorrect calculations for certain data points.	2023-03-15
7. The seventh issue was a new feature request from the sales department to integrate the system with their CRM.	2023-03-25
8. An eighth issue was a hardware failure in the server room, which resulted in a partial system outage.	2023-04-01
9. A ninth issue was a compliance requirement update from the legal department, necessitating changes to the system's data handling policies.	2023-04-10
10. The tenth issue was a final review and optimization of the system, ensuring all previous issues were resolved and performance was improved.	2023-04-20



EXPIRATION DATE 12/31/2024

SITE PLAN

PROJECT #	24108
DATE	11/08/24
DRAWN BY: JF	REVIEWED BY: JF
SHEET #	

CV0001

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

APPLICATION:	CV24-131
Location:	2405 MCCUTCHEON RD. (43219) , being 0.56± acres located on the south side of McCutcheon Road, 1,050± feet east of McCutcheon Crossing Drive (010-146691; Northeast Area Commission).
Existing Zoning:	R-1, Residential District.
Proposed Use:	Two single-unit dwellings on one lot.
Applicant(s):	Joel R. Simmons; c/o Tim Lai, Agent; 401 West Town Street; Columbus, OH 43215.
Owner(s):	Cynthia Brim; 2405 McCutcheon Road; Columbus, OH 43219.
Planner:	Brandon Carpenter; 614-645-1574; bmcarpenter@columbus.gov

BACKGROUND:

- The requested Council variance will allow two single-unit dwellings on one lot. Variances to reduce the minimum net floor area for living quarters from 1,500 to 504± square feet and rear yard from 25 to 3.8± percent are also included in the request for the proposed dwelling unit.
- A Council variance is required because the R-1, Residential District does not allow two single-unit dwellings on one lot.
- North, east, and west of the site are single-unit dwellings, in the R-1, Residential District. South of the site are single-unit dwellings in the L-R-2, Limited Residential District.
- The site is within the planning area of the *Northeast Area Plan* (2007), which recommends “Low Density Residential” land use for this location. The Plan also encourages a mix of housing types and sizes.
- 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 requested use, and support the variances for reduced minimum net floor area and reduced rear yard for the proposed dwelling, as it is ancillary to the principal dwelling which meets these minimums.

CITY DEPARTMENTS’ RECOMMENDATION: Approval

The requested variance will provide an additional housing unit consistent with the *Northeast Area Plan’s* recommendation that encourages a mix of housing types and sizes, and will not add an incompatible use to the area. Therefore, Staff is in support.

Council Variance Application

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.

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

Owner's needs now require 2 dwellings

2. Whether the variance is substantial.

☐ Yes ☒ No

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

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

☒ Yes ☐ No

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

☐ Yes ☒ No

two related families want to live on the same property

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

☒ Yes ☐ No

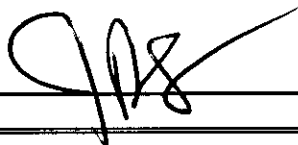
List all sections of Code to be varied and explain your reasoning as to why this request should be granted.

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):

See Attached Statement

Signature of Applicant



Date

10/21/24

Statement of Hardship for 2405 McCutcheon Road

The site is located on the south side of McCutcheon Road at the intersection with Willow Springs Drive. The existing single-family dwelling is on a parcel zoned R-1, which permits a single-family dwelling. The street and nearby area is predominantly characterized by one and two story single-family dwellings. The Applicant proposes to build a ±500 square foot, one story accessory dwelling unit the the backyard of the existing ±1500 square foot dwelling to accommodate additional living space for extended family.

An ADU is an opportunity for the Applicant to increase the density of their property to meet their needs without modifying the neighborhood's footprint. The Applicant finds hardship in compliance with the referenced code sections which do not permit the construction of an accessory dwelling detached from the principal structure. The requested variances are in conformity with recent development patterns permitted on other properties and with City policies encouraging housing and density. They will not adversely affect the surrounding property, will not alter the essential character of the neighborhood, and will not affect the delivery of government services. The variances are required for reasonable use of the property in a way which is not only consistent with the spirit of the current zoning requirements but also embodies the future goals of *Zone In Columbus* to support sustainable growth through additional housing opportunities.

The Applicant requests the following variances:

3332.03 - R-1 residential district

(A) An R-1 residential district allows for the construction of one single-family dwelling.

A use variance is requested to allow two single-family dwellings on the same lot.

3332.11 - R-1 area district requirements

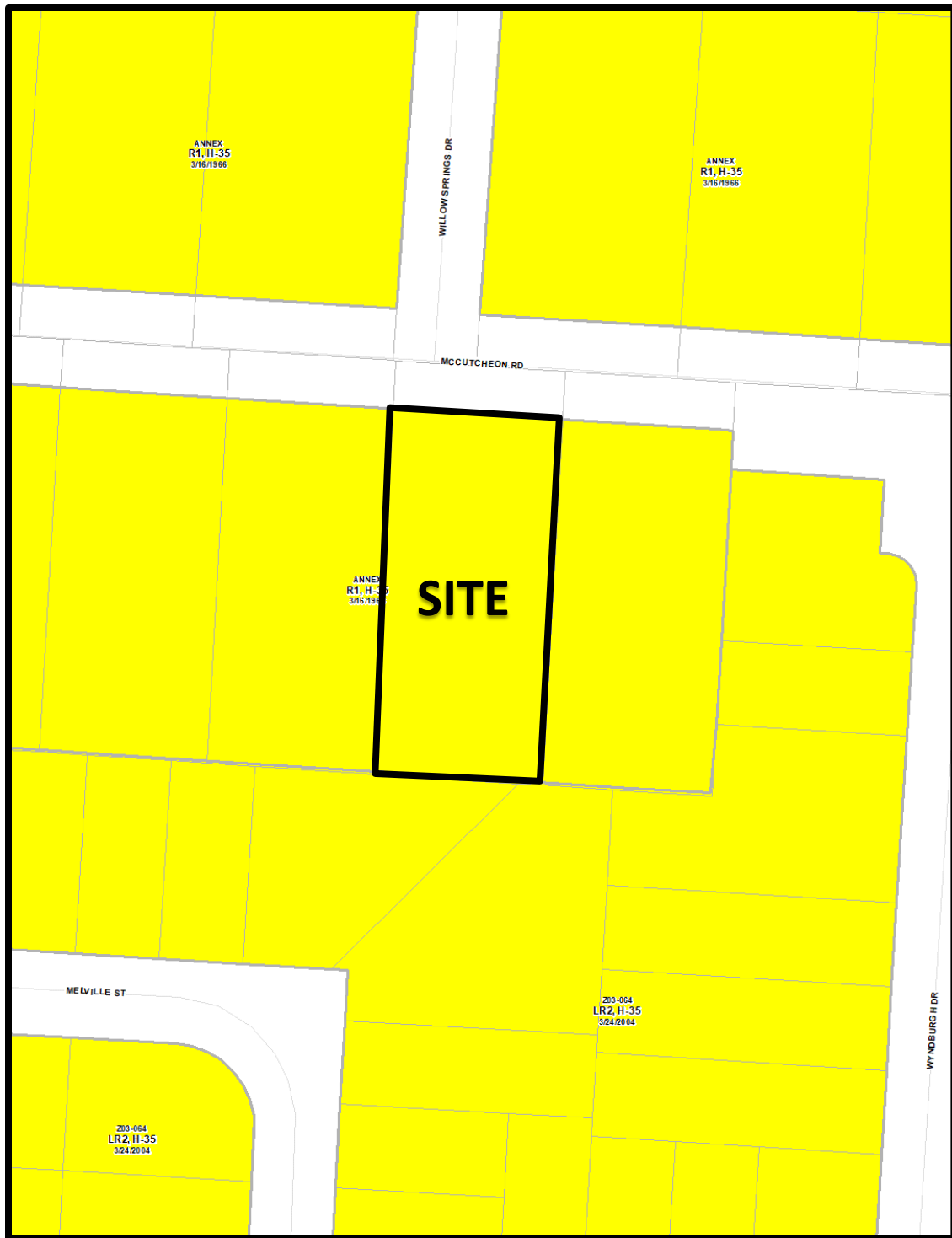
In an R-1 area district, a single-family dwelling shall have a minimum net floor area for living quarters above the lot grade line of 1,500 square feet. Any dwelling shall be situated on a lot of no less than 7,200 square feet.

A variance is requested for the proposed ADU of 504 square feet.

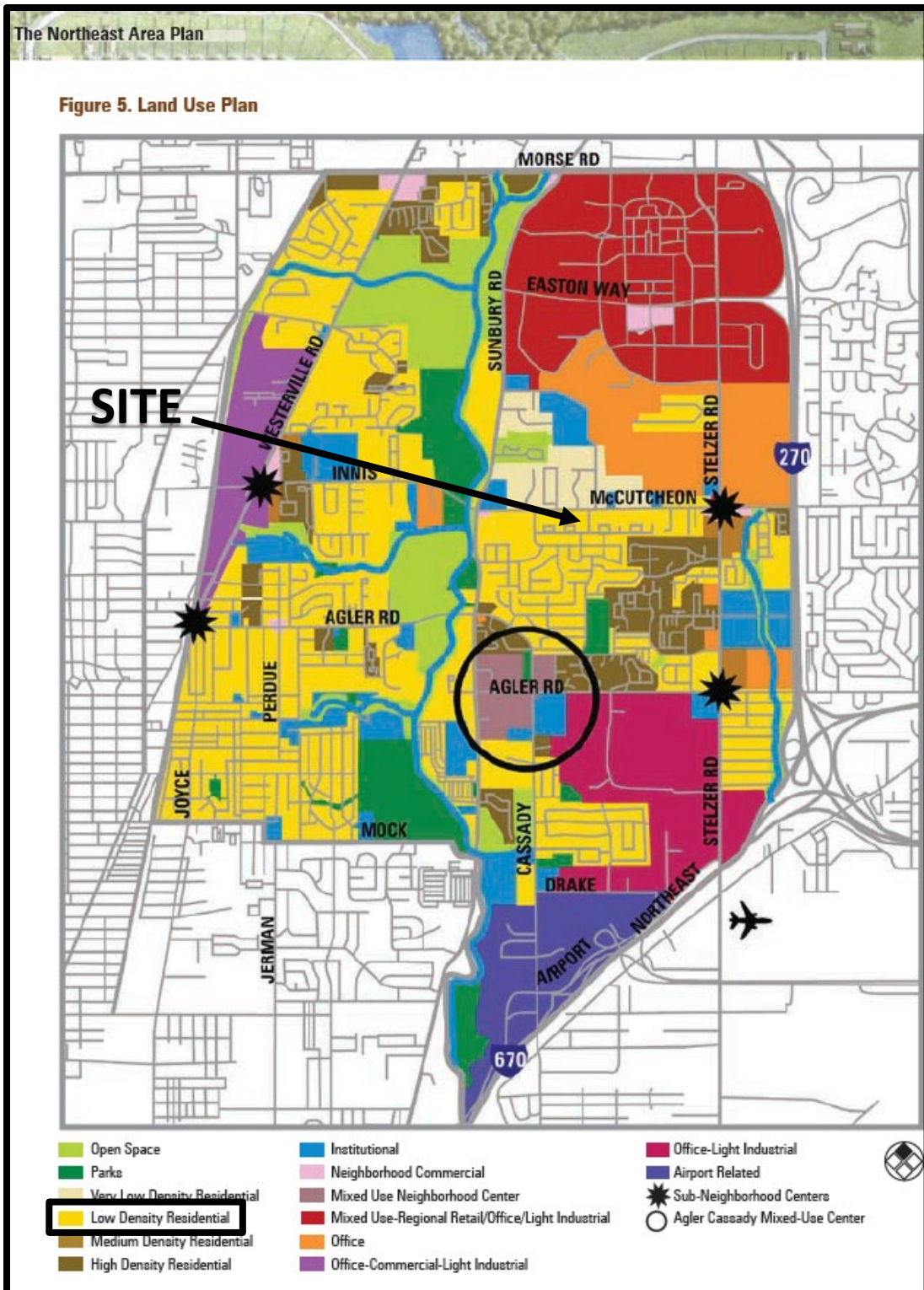
3332.27 - Rear yard

Each dwelling must provide a rear yard of 25% of total lot area minimum (6,125 sf).

A variance is requested to allow the single-family dwelling to be erected with a rear yard of 3.8% of the total lot area.



CV24-131
2405 McCutcheon Rd.
Approximately 0.56 acres



CV24-131
 2405 McCutcheon Rd.
 Approximately 0.56 acres



CV24-131
2405 McCutcheon Rd.
Approximately 0.56 acres

Standardized Recommendation Form

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 CV24-131

Address 2405 MCCUTCHEON ROAD

Group Name NORTHEAST AREA COMMISSION

Meeting Date November 14, 2024

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:

This commission supports and is recommending approval for this application based on:

1. The additional dwelling unit does not adversely affect the surrounding properties.
2. It accomodates the needed additional space for the family

Vote 8 -yes, 0-no

Signature of Authorized Representative Commissioner Elana Moore

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.

111 N Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV24-131

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) Joel R. Simmons
of (COMPLETE ADDRESS) 755 Boone St Columbus OH 43203
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>TLuxHOLLC</u> <u>Joel R. Simmons 3303382900</u> <u>755 Boone St Columbus OH 43203</u> <u>SD</u>	2.
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 21st day of October, in the year 2024

Macey Huffman
SIGNATURE OF NOTARY PUBLIC

1/27/2027
My Commission Expires

Notary Seal Here



MACEY HUFFMAN
Notary Public
State of Ohio
My Comm. Expires
January 27, 2027

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