

CITY COUNCIL – ZONING COMMITTEE STAFF REPORT COUNCIL VARIANCE

APPLICATION: CV25-056

Location: 1371 BRYDEN RD. (43205), being 0.13± acres located on the

south side of Bryden Road; 280± feet east of Kendall Place (010-052996; Near East Area Commission and Historic

Resources Commission).

Existing Zoning: R-3, Residential District.

Proposed Use: Two-unit dwelling.

Applicant(s): Blue Chip Homes QOZB, LLC c/o David Perry, Agent; David

Perry Company, Inc.; 411 East Town Street, 1st Floor;

Columbus, OH 43215; and Donald Plank, Atty.; Plank Law Firm;

411 East Town Street, 2nd Floor; Columbus, OH 43215.

Owner(s): Fisk Properties c/o Jacob Fisk; 655 Academy Drive; Galloway,

OH 43110.

Planner: Brandon Carpenter; 614-645-1574; bmcarpenter@columbus.gov

BACKGROUND:

The site consists of one undeveloped parcel in the R-3, Residential District. The requested Council Variance will allow a two-unit dwelling. Variances for reduced parking from four spaces to three spaces; and a reduced lot width from 50 feet to 37.8 feet are also included in this request.

- A Council variance is required because the R-3, Residential District only allows singleunit dwellings as a primary residential land use.
- North of the site is a school building in the R-3, Residential District. South and east of the site are single-unit dwellings in the R-3, Residential District. West of the site is an undeveloped parcel in the R-3, Residential District.
- The site is located within the boundaries of the Near East Area Plan (2005), which does not contain a specified recommended land use at this location.
- The site is located within the boundaries of the Near East Area Commission, whose recommendation is for approval. Additionally, the site is within the Bryden Road Historic District and received approval from the Historic Resources Commission.
- Staff concurs with the applicant's analysis of the seven practical difficulties in achieving this request, and supports the variances for reduced required parking and lot width.

CITY DEPARTMENTS' RECOMMENDATION: Approval

The *Near East Area Plan* recommends that new housing be consistent with the housing types, density, and development pattern of the neighborhood. City staff supports the requested variance as the proposal is consistent with the housing types and density along Bryden Road. Additionally, the site is within the Bryden Road Historic District and is subject to review by the Historic Resources Commission for final building design.



Council Variance Application

111 N Front Street, Columbus, Ohio 43215
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ORD #3005-2025; CV25-955 Page 5 (59

DEPARTMENT OF BUILDING AND ZONING SERVICES

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:

 Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance.
2. Whether the variance is substantial. ☐ Yes No
The variances are not substantial. The R-3 zoning dates to the 1974 Model Cities area rezoning of large areas of the Near E Commission as part of urban renewal funding at the time. Bryden Road and the Near East Area Commission in general has of land uses in the R-3 district as well as other zoning districts.
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
The essential character of the neighborhood won't be substantially altered or nor will adjoining properties suffer a substantial detriment as a result of the variance. There are many forms of residential uses on Bryden Roa Near East Area Commission in general.

THE CITY OF COLUMBUS

Council Variance Application

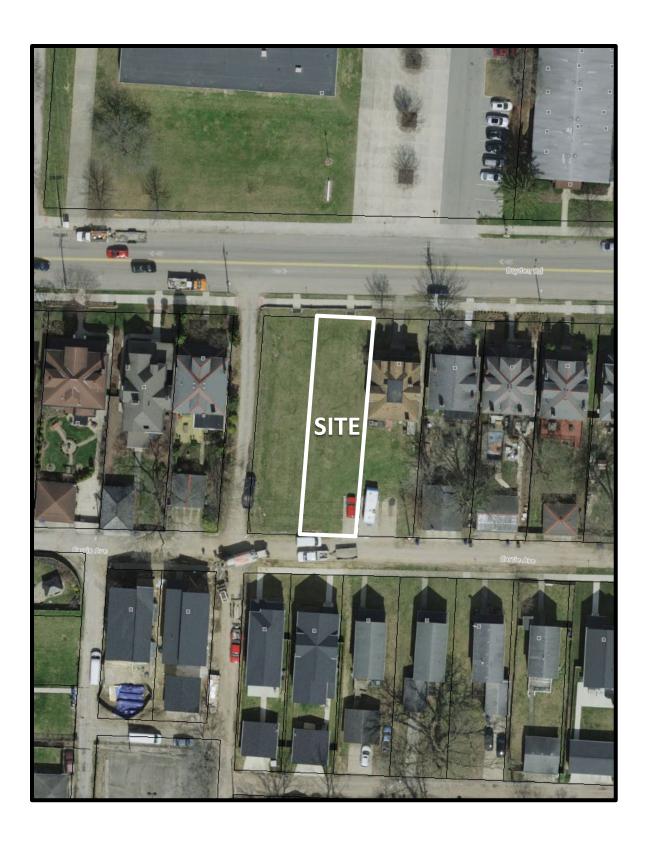
DEPARTMENT OF BUILDING AND ZONING SERVICES

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4. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse service). Yes No The variance will have no adverse affect on the delivery of governmental services. All governmental services are presently a area and site.
5. Whether the property owner purchased the property with knowledge of the zoning restriction. Yes No
The property owner didn't know of the zoning restriction at the time of purchase (November 16, 2023).
6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance. Yes No
It isn't possible to build a two dwelling unit building in the R-3 without variance.
 7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance. ✓ Yes ☐ No
The spirit and intent behind the zoning requirement will be observed and substantial justice done by granting the variance. The many forms of residential uses on Bryden Road and the Near East Area Commission in general. Several other variances have for new construction of two dwelling unit buildings in the R-3.
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):
Applicant proposes to build a two dwelling unit building on this R-3 lot. Bryden Road and the Near East Area Commission have a wide array of land uses in the R-3 district as well as in other zoning districts. Applicant requests the following variances: Section 3332.035, R-3 Residential District, to permit a two (2) dwelling unit building. Section 3332.049, Required Parking, to reduce parking from 4 spaces to 3 spaces. Section 3332.05(4), Area District Lot Width Requirements, to reduce lot width from 50' to 37.8' (existing).
Signature of Applicant by Den B. Very, Agent Date 10/20/202
Signature of Attorney Date 10-20-202



CV25-056 1371 Bryden Rd. Approximately 0.13 acres



CV25-056 1371 Bryden Rd. Approximately 0.13 acres



Vote

Signature of Authorized Representative

Recommending Group Title

Daytime Phone Number

Standardized Recommendation Form

DEPARTMENT OF BUILDING AND ZONING SERVICES

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

(
Case Number	CV25-056
Address	1371 BRYDEN ROAD
Group Name	NEAR EAST AREA COMMISSION
Meeting Date	9/11/25
Specify Case Type	 □ BZA Variance / Special Permit ☑ Council Variance □ Rezoning □ Graphics Variance / Plan / Special Permit
Recommendation (Check only one)	☐ Approval ☐ Disapproval
LIST BASIS FOR REC	OMMENDATION:

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.

Area Commission



Historic Preservation Officer

ORD #3005-2025; CV25-056; Page 8 of 9 **Certificate of Appropriateness** Historic Resources Commission

Staff

This Certificate of Appropriateness is not a zoning clearance or a building permit. This document does not relieve the applicant from the responsibility of filing for and obtaining any required zoning clearance and/or building permit from the City of Columbus Department of Building & Zoning Services (645-6090 / 111 N. Front Street) and following all other applicable codes and ordinances of the City of Columbus.

60907 111 N. Front Street) and Johowing an other applicable codes and ordinari	ices of the city of Columbus.
PROPERTY ADDRESS: 1377 Bryden Road	Bryden Road
APPLICANT'S NAME: Columbus Design LLC (Applicant) APPLICATION NO.: COA2501021	Fisk Properties LLC (Owners)
	RATION: 09-12-26
The Historic Resources Commission hereby certifies that the application for the are on file with the city's Historic Preservation Office. The Commission has rev Columbus City Code 3116 & 3319 and the architectural guidelines:	
Approved: Commission or Staff Exterior alter	•
Recommendation for Approval: Requested re-zoning	
⊠ Recommend	led or Not Recommended
Recommend Application # COA2501021, 1377 Bryden Roaclarifications as noted; <u>Variance Recommendation Request</u>	ad, Bryden Road Historic District, as submitted with
 Section 3332.035, R-3 Residential District: To permit a Section 3332.05(4), Area District, Lot Width Requirem Section 3312.49, Required Parking: To reduce the nun 	nents: To reduce lot width from 50' to 37.8' (Existing).
Drawings Required This Certificate of Appropriateness is only valid for work performed in Commission, and shall accompany plans submitted for zoning clearance	
James A. Goodman, M.S.	Staff Notes: Moved to

in the year 2035



Council Variance Application

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	APPLICATION #: CV25- 056
Parties having a 5% or more interest in the project that is the	·
THIS PAGE MUST BE FILLED OUT COMPLETELY AND NO	TARIZED. Do not indicate 'NONE' in the space provided.
STATE OF OHIO COUNTY OF FRANKLIN	
Being first duly cautioned and sworn (NAME) Donald P	lank
	st Town Street, Floor 2; Columbus, OH 43215
deposes and states that he is the APPLICANT, AGENT, OF	A DULY AUTHORIZED ATTORNEY FOR SAME and the following is a
list of all persons, other partnerships, corporations or entities application in the following format:	having a 5% or more interest in the project which is the subject of this
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. Blue Chip Homes QOZB, LLC 1165 West Third Avenue, Suite E, Columbus, OH 43212 Number of Columbus-based employees: Zero (0) Contact: Lonnie Freeman, (614) 571-0910	2. Fisk Properties, LLC 655 Academy Drive, Galloway, OH 43119 Number of Columbus-based employees: Zero (0) Contact: Jacob Fisk, (614) 949-9680
3.	4.

SIGNATURE OF NOTARY PUBLIC

Mary

Notary Publ

Sworn to before me and signed in my presence this

MaryAlice Wolf Notary Public, State of Ohio My Commission Expires: October 24, 2028

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

My Commission Expires

Notary Seal Here