



## Legislation Text

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**File #:** 1144-2023, **Version:** 1

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**Council Variance Application: CV22-119**

**APPLICANT:** Stefany Risner; 700 Bryden Road; Columbus, OH 43125.

**PROPOSED USE:** Two-unit dwelling.

**GREATER HILLTOP AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of a single undeveloped parcel zoned in the SR, Suburban Residential District. The requested variance will permit a two-unit dwelling. A Council variance is required because the SR district only permits single-unit dwellings. The site is within the planning area of the *Hilltop Land Use Plan* (2019), which recommends “Low-Medium Density Residential” land uses at this location, and includes complete adoption of *Columbus Citywide Planning Policies (C2P2) Design Guidelines* (2018). City staff supports the requested variance as the proposal is consistent with the housing types and the land use recommendation of the *Hilltop Land Use Plan*. Additionally, the site plan protects the existing mature tree on the site by locating the driveway on the east side of the lot, while the submitted building elevations are consistent with C2P2 Design Guidelines.

To grant a Variance from the provisions of Section 3332.029, SR suburban residential district, of the Columbus City Codes; for the property located at **944 BINNS BLVD. (43204)**, to permit a two-unit dwelling in the SR, Suburban Residential District, (Council Variance #CV22-119).

**WHEREAS**, by application #CV22-119, the owner of the property at **944 BINNS BLVD. (43204)**, is requesting a Variance to permit a two-unit dwelling in the SR, Suburban Residential District; and

**WHEREAS**, Section 3332.029, SR suburban residential district, only permits single-unit dwellings, while the applicant proposes a two-unit dwelling in accordance with the submitted site plan; and

**WHEREAS**, the Greater Hilltop Area Commission recommends approval; and

**WHEREAS**, City Departments recommend approval because the requested variance will permit residential development that is consistent with the housing types in the area, the land use recommendation of the *Hilltop Land Use Plan*, and C2P2 Design Guidelines; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and a Certificate of Occupancy for the proposed use; and

**WHEREAS**, said variance will not adversely affect the surrounding property or surrounding neighborhood; and

**WHEREAS**, the granting of said variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion of public streets, or unreasonably diminish or impair established property values within the surrounding area, or otherwise impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus; and

**WHEREAS**, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at **944 BINNS BLVD. (43204)**, in using said property as desired; now, therefore:

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That a variance is hereby granted from the provisions of Sections 3332.029, SR suburban residential district, of the Columbus City Codes; for the property located at **944 BINNS BLVD. (43204)**, insofar as said sections prohibit a two-unit dwelling in the SR, Suburban Residential District; said property being more particularly described as follows:

**944 BINNS BLVD. (43204)**, being 0.19± acres located on the east side of Binns Boulevard, 850± feet north of Stephen Drive South, and being more particularly described as follows:

Situated in the State Of Ohio, County of Franklin and in the City of Columbus and being a part of Survey Number 971 in the Virginia Military Lands, and being also a part of a certain tract containing 48.63 acres which was conveyed by John R. Briggs to the Cloverdale Development Company by deed shown on record in Deed Book 965, page 647, Records Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at an iron pipe which is located in the extension, southwardly in a straight line of the east line of Binns Blvd, as the same is shown on the recorded plat of Wilshire Heights, of record in Plat Book 15, page 32-33. Recorder's Office Franklin County, Ohio; said iron pipe being also South 15 34' West, 299,76 feet from a point at the intersection of the said east line with the north line of said 48.63 acre tract, said iron pin being for reference , in a projection of the east line of Binns Blvd. A distance of 149.88 feet south of the northwest corner of said 0,458 acre tract, thence from said true place of beginning along the south line of said 0.458 acre tract, South 74 14' 36'' East a distance of 132.95 feet to an iron pin; thence along the east line and parallel with the east line of Binns Blvd, North 15 34' 00'' East a distance of 60 feet to a point ; thence North 74 14' 36'' West and parallel with the south line a distance of 132.95 feet to a point in the east line of Binns Blvd; thence South 15 34' 00'' West along the east line of Binns Blvd, a distance of 60 feet to the place of beginning , containing 0.184 acre, more or less.

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Also known as: 0.185 acre on Binns Blvd., Columbus , Ohio 43204

Parcel No: 010 - 121782-00

Address: 944 Binns Blvd.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only

for so long as said property is used as a two-unit dwelling in accordance with the

submitted site plan, or those uses permitted in the SR, Suburban Residential

District.

**SECTION 3.** That this ordinance is further conditioned on the subject site being developed in general conformance with the site plan titled, "**SITE PLAN SHEET A1**," and building elevations and titled, "**ELEVATION - MODEL SHEET A2**," both dated March 22, 2023, and signed by Stefany Risner, Applicant. The plans may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments to the plans shall be subject to review and approval by the Director of the Department Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

**SECTION 4.** That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

**SECTION 5.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.