



## Legislation Text

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**File #:** 2081-2024, **Version:** 1

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### **Council Variance Application: CV24-025**

**APPLICANT:** Heartfields Properties, LLC; c/o Beatrice Nokuri, Atty.; 1457 Bexton Loop; Columbus, OH 43209.

**NORTH CENTRAL AREA COMMISSION RECOMMENDATION:** Approval.

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

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of two undeveloped parcels within the R-2, Residential District. The requested Council variance will allow the development of a two-unit dwelling on each lot. A Council variance is required because the R-2 district does not permit two-unit dwellings. The request includes variances to lot width, lot size, and required parking for both parcels. The site is located within the planning boundaries of the *North Central Plan* (2002), which recommends “Single-Family Residential” land uses at this location. Staff supports the request as the proposed two-unit dwellings are consistent with the existing housing types and with the Plan’s specific recommendation for infill housing on vacant lots within residential areas.

To grant a Variance from the provisions of Sections 3332.033, R-2, residential district; 3312.13(A), Driveway; 3312.25, Maneuvering; 3312.49, Required parking; 3332.05(A)(4), Area district lot width requirements; and 3332.12; R-2 area district requirements, of the Columbus City Codes; for the property located at **1726 E. 23RD AVE. (43207)**, to allow two-unit dwellings with reduced development standards in the R-2, Residential District for two adjacent lots (Council Variance #CV24-025).

**WHEREAS**, by application #CV24-025, the owner of property at **1726 E. 23RD AVE. (43207)**, is requesting a Council variance to allow two-unit dwellings with reduced development standards in the R-2, Residential District for two adjacent lots; and

**WHEREAS**, Section 3332.033, R-2 residential district, allows one single-unit dwelling per lot, while the applicant proposes a two-unit dwelling on each lot, as shown on the submitted site plan; and

**WHEREAS**, Section 3312.13(A), Driveway, requires a driveway width of 10 feet, while the applicant proposes a shared driveway from East 23rd Avenue with a five foot width on each side of the parcel line; and

**WHEREAS**, Section 3312.25, Maneuvering, requires parking spaces to have sufficient access and maneuvering area on the lot where the parking spaces are located, while the applicant proposes to allow maneuvering over the property line for required parking spaces; and

**WHEREAS**, Section 3312.49, Required parking, requires two parking spaces per dwelling unit, or four spaces for a two-unit dwelling, while the applicant proposes a total of two parking spaces on each lot; and

**WHEREAS**, Section 3332.05(A)(4), Area district lot width requirements, requires a minimum lot width of fifty feet in the R-2, Residential District, while the applicant proposes to maintain reduced lot widths of 37± feet for both lots; and

**WHEREAS**, Section 3332.12, R-2 area district requirements, requires that a single-unit dwelling or other principal building shall be situated on a lot of not less than 5,000 square feet in area, while the applicant proposes a two-unit dwelling on each lot containing 4,458 square feet (2,229 square feet per dwelling unit), pursuant to lot area calculation in 3332.18(C); and

**WHEREAS**, the North Central Area Commission recommends approval; and

**WHEREAS**, the City Departments recommend approval because this request is consistent with the housing objectives of the *North Central Plan*, and with citywide initiatives to provide more housing units in all areas of the city; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed two-unit dwellings; 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 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 of Columbus; and

**WHEREAS**, the granting of said variance will alleviate the difficulties encountered by the owner of the property located at **1726 E. 23RD AVE. (43207)** in using said property as desired; now, therefore:

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

**SECTION 1.** That a variance from the provisions of Sections 3332.033, R-2, residential district; 3312.13(A), Driveway; 3312.25, Maneuvering; 3312.49, Required parking; 3332.05(A)(4), Area district lot width requirements; and 3332.12; R-2 area district requirements, of the Columbus City Codes; is hereby granted for the property located at **1726 E. 23RD AVE. (43207)**, insofar as said sections prohibit two-unit dwellings in the R-2, Residential District; with a reduced driveway width of five feet on each parcel; maneuvering over a parcel line; a reduction in the required parking from four to two spaces on each lot; reduced lot width from 50 to 37 feet on both lots; and a reduced lot area from 5,000 to 4,458 square feet on both lots; said property being more particularly described as follows:

**1726 E. 23RD AVE. (43207)**, being 0.19± acres located on the north side of East 23rd Avenue, 385± feet east of Joyce Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin and in the City of Columbus:

Being Lot Number Fifty-three (53) and Fifty-four (54), in CASITA PARK, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 17, Page 178-179, Recorder's Office, Franklin County Ohio.

Parcel Numbers: 010-098586 & 010-098587

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a two-unit dwelling each on two adjacent lots, or those uses permitted in the R-2, 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 PLANS SHEETS 1 & 2,**" and building elevations titled, "**EXTERIOR ELEVATIONS SHEETS 1 & 2,**" all dated July 5, 2024, and signed by Beatrice Nokuri, Attorney for the 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 upon the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed two-unit dwellings.

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