



**CITY OF COLUMBUS
BOARD OF ZONING APPEALS
(December 16, 2025 Meeting)**

STAFF REPORT

Docket No. / Project Title: CDS-2025-034 (Jake Fitzsimmons)
Staff: Melissa Begley

Applicant: Jake Fitzsimmons
Property Size: 11,100 square feet
Current Zoning: RS2 (Residential: Single Family 2)
Location: 3840 Oriole Drive, in the City of Columbus

Background Summary:

The applicant has indicated that the proposed variance is for the purpose of replacing an existing driveway with a new driveway that is 32 feet in width, 8 feet wider than the maximum 24 feet in width.

Preliminary Staff Recommendation:

Approval, all criteria have been met.

Zoning Ordinance Considerations:

District Intent: The intent of the RS2 (Residential: Single Family 2) zoning district is as follows: to provide areas for moderate density single family residences in areas with compatible infrastructure and services. Development in this zoning district should generally be served by sewer and water utilities. Such development should also provide residents with convenient access to Collector and Arterial streets, parks and open space, employment, and convenience goods.

Development Standards: Section 7.3(Part 1)(D)(2) Entrance Widths: No access point to a single or two-family residential use shall exceed 24 feet in width.

Current Property Information:	
Land Use:	Single family residential
Site Features:	A single family dwelling and pool
Flood Hazards:	No flood hazards exist on the property.
Street/Road Frontage:	Oriole Drive (Local, Residential, Suburban) Waxwing Drive (Local, Residential, Suburban)

Surrounding Zoning and Land Use:		
	Zoning:	Land Use:
North:	RS2 (Residential: Single Family 2)	Single family residential
South:	RS3 (Residential: Single Family 3)	Single family residential
East:	RS2 (Residential: Single Family 2)	Single family residential
West:	RS2 (Residential: Single Family 2)	Single family residential

Interdepartmental Review:	
City Engineering:	No comments received.

Planning Consideration(s):

The following general site considerations, planning concepts, and other facts should be considered in the review of this application

1. The applicant is proposing a driveway that is 32 feet in width. The existing drive is 16 feet in width. The applicant has indicated they would like to widen the drive to accommodate additional vehicles.
2. Zoning Ordinance Section 7.3(Part 1)(D)(2) states that no access drive to a single family or two-family residential use shall exceed 24 feet in width. The proposed driveway exceeds that maximum width by 8 feet. The intent of the regulation is to preserve the residential character by keeping the driveways more narrow for typical passenger vehicles. There is not a need to have excessively wide driveways to accommodate large vehicles as would be expected for commercial or industrial properties. The narrower drives also minimize pedestrian interactions and conflicts with vehicles along neighborhood sidewalks.
3. The driveway is located off of Waxwing Drive. Waxwing Drive has a grassed center median and the divided street is approximately 15 feet on each side of the median. There is no curbing on Waxwing Drive. While on-street parking is not prohibited on Waxwing and other neighborhood streets, those streets, because of the center medians, are too narrow to adequately accommodate parking.
4. The applicant has indicated that cars parked on the street frequently encroach onto to the tree lawns and sidewalks, which blocks pedestrians from being able to use the sidewalk and also damages the sidewalk. The applicant has indicated that the wider driveway will allow for more car storage without impacting the sidewalk.
5. The subject property is located within a residential subdivision. The home directly to the east has a 30 foot wide driveway and the property directly to the north appears to have a 40 foot wide driveway, of which a portion is gravel.

Provisional Findings of Fact/Decision Criteria:

The Board of Zoning Appeals may approve or deny variances from the development standards of the City of Columbus Zoning Ordinance. The Board may impose reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

1. **The approval will not be injurious to the public health, safety, morals, and general welfare of the community.**

Provisional Findings: The City Engineering office has not indicated any concerns with the driveway and the driveway width and will not create a safety hazard. Visibility is clear at this location on Waxwing Drive. *This criterion has been met.*

2. **The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.**

Provisional Findings: The neighbor to the east has a driveway that is 30 feet in width and the property to the north has a driveway that has been expanded with an area of gravel. It is unlikely that the additional driveway width will negatively impact the other surrounding neighbors. *This criterion has been met.*

3. **The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. This situation shall not be self-imposed, nor be based on a perceived reduction of, or restriction on, economic gain.**

Provisional Findings: The proposed wider driveway will accommodate additional vehicles without blocking the sidewalk. The street configuration creates a practical difficulty in that there are no curbs and the center medians create lanes that are 15 feet wide, which are insufficient for on-street parking, causing vehicles to park on the sidewalk causing damage to the sidewalk and block pedestrian access. *This criterion has been met.*

Board of Zoning Appeals Options:

In reviewing a request for development standards variance the Board may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Board, or (4) deny the petition (with or without prejudice). Failure to achieve a quorum or lack of a positive vote on a motion results in an automatic continuance to the next regularly scheduled meeting.

Variance Requested:

I am requesting a variance from Section 7.3, Part 1 (D)(2) of the Zoning Ordinance to allow the following:
concrete drive at right-of-way to be the width of 32-feet

Please describe the project for which the variance is sought:

The existing concrete drive is in disrepair and needs replaced. This existing drive currently has a 16-foot width. To better suite access and mobility to the property, we are proposing a new concrete drive with a width not to exceed 32-feet at the right-of-way.

Variance Request Justification / Criteria:

The Columbus & Bartholomew County Zoning Ordinance establishes specific criteria that all must be met in order for a development standards variance to be approved. Describe how the variance request meets each and every one of the following criteria. Feel free to attached an additional sheet with responses if necessary.

1. **The approval will not be injurious to the public health, safety, morals, and general welfare of the community.** For example: What harm could come from approving the variance? Would it create any public safety issues? Why or why not.

The added width could be viewed as an inconvenience to pedestrians as there would be a longer drive to cross while utilizing the public sidewalk. However, by including more vehicle storage on the proposed driveway, any parked vehicle would not be on or over the sidewalk during normal use. This would allow unimpeded public use of said sidewalk, and therefore creating more public safety.

2. **The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.** For example: What impacts can the neighbors realistically expect to the use of their property and to their property values? Will approval of the variance cause any negative impacts to the neighbors? Why or why not.

There will be no negative impact on adjoining parcels property values. In fact, there are multiple parcels within a 500-foot radius that already utilize a driveway width at the right-of-way over 24-feet.

3. **The strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of the property. This situation shall not be self-imposed; nor be based on a perceived reduction of, or restriction on, economic gain.** For example: Is there a reason the property cannot be used without the variance? If so, what is that reason (does a stream, existing building, well, or septic system limit options for new construction)? Explain the reason.

The subdivision as designed develops a wonderful meridian for greenspace. However, this creates a divided roadway with narrow travel lanes that limit property access to constricted right-in / right-out movements only. A property owner with multiple vehicles can struggle with the limited widths at the right-of-way.

Application Fee Refund Information:

The adopted Planning Department Schedule of Application Fees provides for the refunding of the application fee for this request if it is approved by the Board of Zoning Appeals. The refund will be provided by mail in the form of a check. It may take several weeks after the Board of Zoning Appeals approval to process the refund and issue the check. Please indicate to whom any refund should be provided:

Name: Jake Fitzsimmons

Address: 3840 Oriole Drive Columbus IN 47203
(number) (street) (city) (state) (zip)