



## Legislation Details (With Text)

**File #:** 0042-2015      **Version:** 1

**Type:** Ordinance      **Status:** Tabled Indefinitely

**File created:** 12/18/2014      **In control:** Zoning Committee

**On agenda:** 2/2/2015      **Final action:**

**Title:** To grant a variance from the provisions of Sections 3332.039, R-4, Residential district; 3312.13, Driveway; 3312.25, Maneuvering; 3312.29, Parking space; 3312.49, Minimum number of parking spaces required; 3321.05, Vision clearance; 3332.05, Area district lot width requirements; 3332.15, Area district requirements; 3332.18(D), Basis of computing area; 3332.19, Fronting; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City codes; for the property located at 607 DENNISON AVENUE (43215), to permit a four-unit dwelling and a two-unit dwelling above a detached garage (a carriage house) on one lot with reduced development standards in the R-4, Residential District (Council variance # CV14-045).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD#0042-2015.Attachments, 2. Notice Of Public Hearing - Council Mtg20150112

Date	Ver.	Action By	Action	Result
2/2/2015	1	Zoning Committee	Reconsidered	Pass
2/2/2015	1	Zoning Committee	Tabled Indefinitely	Pass
1/26/2015	1	Zoning Committee	Taken from the Table	Fail
1/26/2015	1	Zoning Committee	Reconsidered	Pass
1/26/2015	1	Zoning Committee	Defeated	Fail
1/26/2015	1	Zoning Committee	Taken from the Table	Pass
1/12/2015	1	Zoning Committee	Waive the 2nd Reading	Pass
1/12/2015	1	Zoning Committee	Tabled to Certain Date	Pass

**Council variance Application: CV14-045**

**APPLICANT:** Benjie Lewis, c/o Jackson B. Reynolds III, Atty.; 37 West Broad Street, Suite 460; Columbus, OH 43215.

**PROPOSED USE:** To conform an existing four-unit dwelling and to construct a two-unit dwelling (carriage house) on the same lot.

**VICTORIAN VILLAGE COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is zoned R-4, Residential District, and developed with a large residential structure that is currently being used as a four-unit dwelling. The requested Council variance will permit the development of an additional two-unit dwelling (carriage house) on the same lot. Other variances are included for maneuvering, stacked parking, increased lot coverage, and fronting on a public street with reductions to vision clearance, lot width, lot area, building lines, side yard, rear yard, and required parking for six spaces. A Council variance is necessary because the R-4, Residential District permits a maximum of four dwelling units in one building, and

does not permit two residential buildings on one lot. Staff finds that the proposal is not incompatible with the area as there are other carriage houses and multi-unit residential uses within this community. The request is consistent with the recent development pattern in historic urban neighborhoods, and building design will conform to the Victorian Village Commission requirements.

To grant a variance from the provisions of Sections 3332.039, R-4, Residential district; 3312.13, Driveway; 3312.25, Maneuvering; 3312.29, Parking space; 3312.49, Minimum number of parking spaces required; 3321.05, Vision clearance; 3332.05, Area district lot width requirements; 3332.15, Area district requirements; 3332.18(D), Basis of computing area; 3332.19, Fronting; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City codes; for the property located at **607 DENNISON AVENUE (43215)**, to permit a four-unit dwelling and a two-unit dwelling above a detached garage (a carriage house) on one lot with reduced development standards in the R-4, Residential District (Council variance # CV14-045).

**WHEREAS**, by application No. CV14-045, the owner of property at **607 DENNISON AVENUE (43215)**, is requesting a Council variance to permit a six-unit apartment building and a rear two-unit dwelling above a detached garage (a carriage house) on one parcel with reduced development standards in the R-4, Residential District; and

**WHEREAS**, Section 3333.039, R-4, Residential District, allows a maximum of four units in one building, and does not permit two residential buildings on one lot, while the applicant proposes to conform an existing four-unit dwelling and construct a rear two-unit dwelling above a detached garage (a carriage house) on the same lot; and

**WHEREAS**, Section 3312.013, Driveway, requires that each driveway is located and designed in a manner that provides for the safety of motorists and pedestrians and a driveway serving a residential parking area containing one to eight parking spaces shall have a minimum width of ten (10) feet and the applicant proposes nine (9) feet; and

**WHEREAS**, Section 3312.25, Maneuvering, requires every parking space to have sufficient access and maneuvering area anywhere on a lot including aisles or circulation areas, while the applicant proposes to allow maneuvering over and through a parking space in the driveway connecting Hunter Avenue to Goodale Street; and

**WHEREAS**, Section 3312.29, Parking space, allows stacked parking spaces for a two-unit dwelling, but those stacked spaces may not be counted as required spaces, whereas the applicant proposes two (2) sets of stacked spaces in the garage, to be counted as a total of four (4) parking spaces; and

**WHEREAS**, Section 3312.49 Minimum numbers of parking spaces required, requires two (2) parking spaces per dwelling for up to three units, and 1.5 parking spaces per dwelling unit for four (4) or more units, or ten (10) spaces total for a two-unit dwelling and a four-unit dwelling, while the applicant proposes four (4) parking spaces; and

**WHEREAS**, Section 3321.05(A)(2), Vision clearance, requires a clear vision triangle of twelve (12) feet on each residential lot at the intersection of a driveway and the street right-of-way, while the applicant proposes a clear vision triangle of zero (0) feet for the south side of the driveway intersecting West Goodale Street as shown on the Site Plan; and

**WHEREAS**, Section 3332.05, R-4 area lot width requirements, requires that a lot measure fifty (50) feet in width, and the existing non-conforming lot measures 37.01 feet; and

**WHEREAS**, Section 3332.15, R-4 area district requirements, requires that a dwelling containing three (3) or four (4) dwelling units shall be situated on a lot with an area which equals or exceeds 1,500 square feet of lot area per dwelling unit for a corner lot, while applicant proposes to utilize the existing building as a four-unit dwelling and to construct two dwelling units above a detached garage (a carriage house) on a 5,552± square foot lot, totaling 925.33± square feet of lot area per dwelling unit; and

**WHEREAS**, Section 3332.18(D), Basis of computing area, requires that the a residential building shall occupy alone or

together with any other building no greater than fifty (50) percent of the lot area, while the applicant proposes fifty-five (55) percent lot coverage; and

**WHEREAS**, Section 3332.19, Fronting on a public street, requires a dwelling unit to have frontage on a public street, while the applicant proposes no frontage for the rear two-unit dwelling; and

**WHEREAS**, Section 3332.25, Maximum side yards required, requires the sum of the widths of the side yards to be a maximum of 7.4 feet, while the applicant proposes a maximum side yard of zero (0) feet for the proposed two-unit dwelling; and

**WHEREAS**, Section 3332.26, Minimum side yard permitted, requires multi-unit dwellings in the R-4 district to have side yards of no less than five (5) feet on a minimum lot width of fifty (50) feet, while the applicant proposes minimum side yard along the northern property line of zero (0) feet; and

**WHEREAS**, Section 3332.27, Rear yard, requires a rear yard totaling no less than twenty-five (25) percent of the total lot area, while the applicant proposes to reduce the required rear yard for the existing four-unit dwelling to nineteen (19) percent, and no rear yard area for the new two-unit dwelling; and

**WHEREAS**, the Victorian Village Commission recommends approval; and

**WHEREAS**, the City Departments recommend approval of the requested variances because the proposal will not add incompatible uses to the area as there are other carriage houses and multi-unit residential uses within this community. The request is consistent with the recent development pattern in historic urban neighborhoods; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and 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 **607 DENNISON AVENUE (43215)**, 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 3332.039, R-4, Residential district; 3312.13, Driveway; 3312.25, Maneuvering; 3312.29, Parking space; 3312.49, Minimum number of parking spaces required; 3321.05, Vision clearance; 3332.05, Area district lot width requirements; 3332.15, Area district requirements; 3332.18(D), Basis of computing area; 3332.19, Fronting; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City codes; is hereby granted for the property located at **607 DENNISON AVENUE (43215)**, in so far as said sections prohibit a four-unit apartment building and a two-unit dwelling above a detached garage (a carriage house) on one lot in the R-4, Residential District; with a reduced driveway width of nine (9) feet; maneuvering over and through parking spaces; two stacked parking spaces counted as required spaces; a parking space reduction from ten (10) required spaces to four (4) spaces; reduced vision clearance from twelve (12) feet to zero (0) feet; a reduced minimum lot width from fifty (50) feet to 37.01± feet; increased lot coverage from fifty (50) percent to fifty-five (55) percent; no frontage on a public street for the two-unit carriage house; a reduced maximum side yard from 7.4 feet to zero (0) feet; a reduced minimum side yard along the north property line from five (5) feet to zero (0) feet; and a reduced rear yard from twenty-five (25) percent to nineteen (19) percent for the existing dwelling and no rear yard for the new two-unit carriage house; said property being more particularly described as follows:

**607 DENNISON AVENUE (43215)**, being 0.13± acres located at the northwest corner of Dennison Avenue and West Goodale Street, and being more particularly described as follows:

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

Being Lot Number One Hundred Thirty Three (133), in NEAL PLACE ADDITION to the City of Columbus, Ohio, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 3, Pages 362 and 363, Recorder's Office, Franklin County, Ohio.

Commonly known as: Franklin County parcel 010-052734.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is developed with a four-unit apartment building and a rear two-unit dwelling above a detached garage (a carriage house) on one lot, or those uses in the R-4, Residential District.

**SECTION 3.** That this ordinance is further conditioned on the subject site being developed in general conformance with the exhibit titled, "**SITE PLAN/SITE COMPLIANCE PLAN**," drawn by Shremshock Architects, Inc., dated December 8, 2014, and signed by Jackson B. Reynolds, III, Attorney for the Applicant. The plan 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 of 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 use.

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