



Legislation Details (With Text)

File #: 2386-2022 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 8/25/2022 **In control:** Zoning Committee

On agenda: 9/12/2022 **Final action:** 9/15/2022

Title: To grant a Variance from the provisions of Sections 3332.035, R-3 permitted uses; 3332.05 Area district lot width requirements; 3332.13, R-3 area district requirements; 3332.18(D), Basis of computing area; 3332.19, Fronting; 3332.27, Rear yard; and 3332.28, Side or rear yard obstruction, of the Columbus City Codes; for the property located at 1105 E. RICH ST. (43205), to permit two single-unit dwellings on the same lot with reduced development standards in the R-3, Residential District (Council Variance #CV22-035).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD2386-2022_Attachments, 2. ORD2386-2022_Labels

Date	Ver.	Action By	Action	Result
9/15/2022	1	CITY CLERK	Attest	
9/14/2022	1	MAYOR	Signed	
9/12/2022	1	COUNCIL PRESIDENT	Signed	
9/12/2022	1	Zoning Committee	Waive the 2nd Reading	Pass
9/12/2022	1	Zoning Committee	Adopt the findings of staff as the findings of Council	Pass
9/12/2022	1	Zoning Committee	Approved	Pass
9/12/2022	1	Zoning Committee	Accept entire staff report into evidence as an exhibit	Pass

Council Variance Application: CV22-035

APPLICANT: Jeffrey Steele; 2320 Red Oak Street; Lewis Center, Ohio 43035.

PROPOSED USE: Two single-unit dwellings on one lot.

NEAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of one parcel developed with a single-unit dwelling in the R-3, Residential District. The requested Council variance will allow the applicant to construct a rear single-unit dwelling (carriage house). A Council variance is necessary because the R-3 district does not permit the arrangement of two single-unit dwellings on the same lot. The request includes variances to lot width, lot area, lot coverage, fronting, rear yard, and side yard obstruction. The site is within the planning area of the *Near East Area Plan* (2005), which does not recommend a specific land use for this location, but 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 East Rich Street, and will not add an incompatible use to the neighborhood.

To grant a Variance from the provisions of Sections 3332.035, R-3 permitted uses; 3332.05 Area district lot width requirements; 3332.13, R-3 area district requirements; 3332.18(D), Basis of computing area; 3332.19, Fronting; 3332.27, Rear yard; and 3332.28, Side or rear yard obstruction, of the Columbus City Codes; for the property located at **1105 E. RICH ST. (43205)**, to permit two single-unit dwellings on the same lot with reduced development standards in the R-3, Residential District (Council Variance #CV22-035).

WHEREAS, by application #CV22-035, the owner of the property at **1105 E. RICH ST. (43205)**, is requesting a Variance to permit two single-unit dwellings on the same lot with reduced development standards in the R-3, Residential District; and

WHEREAS, Section 3332.035 R-3, Permitted Uses, permits only single-unit dwellings, while the applicant proposes to two single-unit dwellings on one lot; and

WHEREAS, Section 3332.05 Area district lot width requirements, requires a lot width of no less than 50 feet, while the applicant proposes to maintain the existing lot width of 37.33 feet; and

WHEREAS, Section 3332.13, R-3 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 two single-unit dwellings on a lot that contains 4,180± square feet, or 2,090 square feet per dwelling, pursuant to the lot area calculation in Section 3332.18(C); and

WHEREAS, Section 3332.18(D), Basis of computing area, prohibits buildings from occupying more than 50 percent of the lot area, while the applicant proposes a total lot coverage of 50.2 percent; and

WHEREAS, Section 3332.19, Fronting, requires a dwelling unit to have frontage on a public street, while the applicant proposes a carriage house dwelling fronting on a rear alley; and

WHEREAS, Section 3332.27, Rear yard, requires a rear yard totaling no less than 25 percent of the total lot area, while the applicant proposes no rear yard for carriage house; and

WHEREAS, Section 3332.28, Side or rear yard obstruction, requires the area in the side or rear yard to be open from the finished grade to the sky, while the applicant proposes a parking space to encroach into the eastern side yard of the carriage house as shown on the site plan; and

WHEREAS, the Near East Area Commission recommends approval; and

WHEREAS, City Departments recommend approval because the requested Council variance will permit residential development that is consistent with the housing types, density and development pattern found along East Rich Street, and will not add an incompatible use to the neighborhood; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificates of Occupancy for the proposed carriage house; 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 **1105 E. RICH ST. (43205)**, 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 3332.035, R-3 permitted uses; 3332.05 Area district lot width requirements; 3332.13, R-3 area district requirements; 3332.18(D), Basis of computing area; 3332.19, Fronting; 3332.27, Rear yard; and 3332.28, Side or rear yard obstruction, of the Columbus City Codes; for the property located at **1105 E. RICH ST. (43205)**, insofar as said sections prohibit two single-unit dwellings on one lot in the R-3, Residential District; with reduced lot width from 50 feet to 37.33 feet; reduced lot area from 5,000 square feet per dwelling unit to 2,090 square feet per dwelling unit; an increase in lot coverage from 50 percent to 50.2 percent; no frontage of a public street for the carriage house dwelling; no rear yard for the carriage house; and a side yard obstruction for the eastern side yard of the carriage house for a parking space; said property being more particularly described as follows:

1105 E. RICH ST. (43205), being 0.13± acres located on the south side of East Rich Street, 136± feet west of South Champion 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 32 of Hoffman and McGrew's Addition to said City, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, Page 200, Recorder's Office, Franklin County, Ohio.

Parcel Number: 010-008952

Parcel Address: 1105 E. Rich St., Columbus, OH 43205

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 single-unit dwellings on one lot, or those uses permitted in the R-3, Residential District.

SECTION 3. That this ordinance is further conditioned on the subject site being developed in general conformance with the site plan, "**SITE PLAN**," dated August 23, 2022, and signed by Jeff Steele, 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 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 for the proposed carriage house.

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