



Legislation Details (With Text)

File #: 3337-2022 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 11/17/2022 **In control:** Zoning Committee

On agenda: 12/5/2022 **Final action:** 12/7/2022

Title: To grant a Variance from the provisions of Sections 3332.035, R-3 residential district; 3312.49, Minimum numbers of parking spaces required; 3332.05(A)(4), Area district lot width requirements; and 3332.13, Area district requirements, of the Columbus City Codes; for the property located at 1371 ABERDEEN AVE. (43211), to permit a two-unit dwelling with reduced development standards in the R-3, Residential District, (Council Variance #CV22-080).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD#3337-2022_Attachments, 2. ORD#3337-2022_Labels

Date	Ver.	Action By	Action	Result
12/7/2022	1	CITY CLERK	Attest	
12/6/2022	1	MAYOR	Signed	
12/5/2022	1	COUNCIL PRESIDENT	Signed	
12/5/2022	1	Zoning Committee	Waive the 2nd Reading	Pass
12/5/2022	1	Zoning Committee	Accept entire staff report into evidence as an exhibit	Pass
12/5/2022	1	Zoning Committee	Adopt the findings of staff as the findings of Council	Pass
12/5/2022	1	Zoning Committee	Approved	Pass

Council Variance Application: CV22-080

APPLICANT: Residential Design Solutions; c/o Dominic Luppino; 7844 Flint Road; Columbus, OH 43235.

PROPOSED USE: Two-unit dwelling.

NORTH LINDEN AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of a single undeveloped parcel zoned in the R-3, Residential District. The requested variance will permit a two-unit dwelling which is not permitted in the R-3 district. A Council variance is required because the R-3 district only permits single-unit dwellings. Variances for a one-space parking reduction, reduced lot width, and reduced lot area are also included in the request. The site is within the planning area of the *North Linden Neighborhood Plan Amendment* (2014), which recommends "Medium Density Mixed Residential" land uses at this location, and includes early 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 *North Linden Neighborhood Plan Amendment*, and the submitted building elevations are consistent with C2P2 Design Guidelines.

To grant a Variance from the provisions of Sections 3332.035, R-3 residential district; 3312.49, Minimum numbers of parking spaces required; 3332.05(A)(4), Area district lot width requirements; and 3332.13, Area district requirements, of the Columbus City Codes; for the property located at **1371 ABERDEEN AVE. (43211)**, to permit a two-unit dwelling with reduced development standards in the R-3, Residential District, (Council Variance #CV22-080).

WHEREAS, by application #CV22-080, the owner of the property at **1371 ABERDEEN AVE. (43211)**, is requesting a Variance to permit a two-unit dwelling with reduced development standards in the R-3, Residential District; and

WHEREAS, Section 3332.035, R-3 residential district, only permits single-unit dwellings, while the applicant proposes a two-unit dwelling in accordance with the submitted site plan; and

WHEREAS, Section 3312.49, Minimum numbers of parking spaces required, requires two parking spaces per residential unit, or four parking spaces for a two-unit dwelling, while the applicant proposes three parking spaces; and

WHEREAS, Section 3332.05(A)(4), Area district lot width requirements, requires a lot width of no less than 50 feet, while the applicant proposes to maintain the existing 33.3 foot wide lot; 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 a two-unit dwelling on a lot of 3,326± square feet pursuant to the lot area calculation in Section 3332.18(C) (actual lot size is 4,666 square feet); and

WHEREAS, the North Linden 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 and the land use recommendation of the *North Linden Neighborhood Plan Amendment*; 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 **1371 ABERDEEN AVE. (43211)**, 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 residential district; 3312.49, Minimum numbers of parking spaces required; 3332.05(A)(4), Area district lot width requirements; and 3332.13, Area district requirements, of the Columbus City Codes; for the property located at **1371 ABERDEEN AVE. (43211)**, insofar as said sections prohibit a two-unit dwelling in the R-3, Residential District, with a parking space reduction from four required spaces to three provided spaces; a reduced lot width from 50 feet to 33.3 feet; and reduced lot area from 5,000 to 3,326 square feet; said property being more particularly described as follows:

1371 ABERDEEN AVE. (43211), being 0.11± acres located on the south side of Aberdeen Avenue, 150± feet west of

Medina Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin and in the City of Columbus and bounded and described as follows:

Being Lot Number Four Hundred Thirty Three (433) of **SIMON, NEIL & SIMON'S LINDEN ADDITION**, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 5, Page 354 (Rev. 5/408), Recorder's Office, Franklin County, Ohio

Property Address: Aberdeen Ave. (Vacant Lot) Columbus, OH 43211

Parcel Number: 010-059777

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 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 titled, "**SITE STUDY**," and building elevations and titled, "**TWIN RESIDENCE SHEET 1 & 2**," all dated November 7, 2022, and signed by Dominic Luppino, 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 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.