



Legislation Text

File #: 0041-2015, **Version:** 1

Council Variance Application: CV14-059

APPLICANT: Connie J. Klema, Atty.; 145 East Rich Street, 2nd Floor; Columbus, OH 43215.

PROPOSED USE: Three-unit dwelling and single-unit dwelling (carriage house) on one lot.

ITALIAN VILLAGE COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The undeveloped site is zoned R-4, Residential District. The requested Council variance will allow the construction of a three-unit dwelling and a rear single-unit carriage house on one lot. Other variances are included for maneuvering, stacked parking, and fronting on a public street with reductions to lot width, lot area, building line, minimum side yard, rear yard, and required parking for one space. A Council variance is necessary because the R-4, Residential District permits a maximum of four dwelling units in one building, but does not permit two residential buildings on one lot. Staff finds that the proposal will not add incompatible uses to the area as there are other carriage houses within this community. The request is consistent with the recent development pattern in historic urban neighborhoods, and building design will conform to the Italian Village Commission requirements.

To grant a variance from the provisions of Sections 3332.039, R-4, Residential district; 3312.25, Maneuvering; 3312.29, Parking space; 3312.49, Minimum numbers of parking spaces required; 3332.05, Area district lot width requirements; 3332.15, R-4 area district requirements; 3332.19, Fronting on a public street; 3332.21(D), Building lines; 3332.26, Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City codes; for the property located at **150 DETROIT AVENUE (43201)**, to permit a three-unit dwelling and a single-unit dwelling above a detached garage (a carriage house) on one lot with reduced development standards in the R-4, Residential District (Council Variance # CV14-059).

WHEREAS, by application No. CV14-059, the owner of property at **150 DETROIT AVENUE (43201)**, is requesting a Council Variance to permit of a three-unit dwelling and a rear single-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, but does not permit two residential buildings on one lot, while the applicant proposes to construct a three-unit dwelling and a rear single-unit dwelling above a detached garage (a carriage house) on the same lot; and

WHEREAS, Section 3312.25, Maneuvering, requires every parking space to have sufficient access and maneuvering area anywhere on a lot, while the applicant proposes to allow maneuvering over and through the parking space in the driveway north of the single-car attached garage, and the parking space on the south side of the carriage house; and

WHEREAS, Section 3312.29, Parking space, allows stacked parking spaces for dwellings, but those stacked spaces may not be counted as required spaces, while the applicant proposes one stacked space in the shared driveway in tandem with single-car attached garage of the three-unit dwelling to be counted in the total number of provided parking spaces; and

WHEREAS, Section 3312.49 Minimum numbers of parking spaces required, requires two (2) parking spaces per dwelling unit for eight (8) spaces total, while the applicant proposes seven (7) parking spaces; and

WHEREAS, Section 3332.05, Area district lot width requirements, requires a minimum lot width of fifty (50) feet in the R-4, Residential District, while the applicant proposes to construct dwellings on an existing lot that is thirty (30) feet wide; 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 2,500 square feet of lot area per dwelling unit, while applicant proposes a three-unit dwelling and a carriage house on a 3375± square foot lot, totaling 843.75± square feet of lot area per dwelling unit; and

WHEREAS, Section 3332.21(D), Building lines, requires the building setback line to be the average distance of building setbacks on contiguous lot or parcels, but in no case less than ten (10) feet, while the applicant proposes a building line of 5.92± feet along Detroit Avenue as shown on the Site Plan; 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 carriage house; and

WHEREAS, Section 3332.26, Minimum side yard permitted, requires three-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 a minimum side yard of 3.25 feet for the three-unit dwelling along the west property line on an existing lot that is thirty (30) feet wide; 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 no rear yard for the carriage house; and

WHEREAS, the Italian 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 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 **150 DETROIT AVENUE (43201)**, 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; 3312.25, Maneuvering; 3312.29, Parking space; 3312.49, Minimum numbers of parking spaces required; 3332.05, Area district lot width requirements; 3332.15, R-4 area district requirements; 3332.19, Fronting on a public street; 3332.21(D), Building lines; 3332.26, Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City codes, is hereby granted for the property located at **150 DETROIT AVENUE (43201)**, in so far as said sections prohibit a three-unit dwelling and a

single-unit dwelling above a detached garage (a carriage house) on one lot in the R-4, Residential District, with maneuvering over a parking space; one stacked parking space; a parking space reduction from eight (8) required spaces to seven (7) spaces; a reduced minimum lot width from fifty (50) feet to thirty (30) feet; a reduction in the required lot area from 2,500 square feet per dwelling unit to 843.75± square feet; no frontage on a public street for the carriage house; a reduced building line from ten (10) feet to 5.92± feet along Detroit Avenue for the three-unit dwelling; a reduced minimum side yard from five (5) feet to 3.25 feet for the three-unit dwelling along the west property line; and a no rear yard for the carriage house; said property being more particularly described as follows:

150 DETROIT AVENUE (43201), being 0.39± acres located at the northeast corner of East Third Avenue and Say Avenue, and being more particularly described as follows:

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

Being Lot No. Thirteen (13) of Morris S. Booth's Subdivision of Lot Nos. Nine (9) through Sixteen (16) as designated on the amended plat of Collins, et al subdivision of Lot Nos. Thirteen (13) through Fifteen (15) of William G. Deshler's Addition to William Phelan's Mt. Pleasant Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 3, page 172, Recorder's Office, Franklin County, Ohio.

Franklin County Parcel Number 010-005583
150 Detroit Avenue

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

SECTION 3. That this ordinance is further conditioned on the Subject Site being developed in general conformance with the Plan titled, "**NEW RESIDENTIAL/150 DETROIT**," dated December 21, 2014, and drawn and signed by Juliet A. Bullock, Architect. 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.