



## Legislation Text

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**File #:** 0079-2015, **Version:** 1

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### **Council Variance Application: CV14-058**

**APPLICANT:** Connie J. Klema; 145 East Rich Street, 2<sup>nd</sup> Floor; Columbus, Ohio 43215.

**PROPOSED USE:** A single-unit dwelling and a three-unit dwelling (carriage house) on one lot.

**ITALIAN VILLAGE COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. This variance will conform an existing dwelling and permit the construction of a three-unit dwelling above eight garage parking spaces (carriage house) on the same lot. Other variances are included for maneuvering, stacked parking, and fronting on a public street with reductions to lot area, side yards, and rear yard. 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 use; 3312.25, Maneuvering; 3312.29, Parking space; 3332.15, R-4 area district requirements; 3332.18(D), Basis of computing area; 3332.19, Fronting on a public street; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; 3332.27, Rear yard; of the City of Columbus codes, for the property located at **60 EAST HUBBARD AVENUE (43215)**, to conform an existing single-unit dwelling and permit a three-unit dwelling (carriage house) on the same lot with reduced development standards in the R-4, Residential District (Council variance # CV14-058).

**WHEREAS**, by application No. CV14-058, the owner of property at **60 EAST HUBBARD AVENUE (43215)**, is requesting a Council variance to permit a three-unit dwelling (a carriage house) on the rear of a lot developed with a single-unit dwelling, 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 rear three-unit dwelling above a detached garage (a carriage house) on a lot developed with a single-unit dwelling; 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 parking spaces in the garage and driveway connecting to Short Alley; 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 four stacked spaces in the garage of the three-unit dwelling to be counted in the total number of provided parking spaces; 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 carriage house with an existing single-unit dwelling on a 6,851.25 ± square foot lot, totaling 1,871± 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 sixty-seven (67) percent lot coverage; and

**WHEREAS**, Section 3332.19, Fronting on a public street, requires a dwelling to have frontage on a public street, while the applicant proposes no frontage for the rear three-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 10.15 feet, while the applicant proposes a maximum side yard of zero (0) feet for the proposed three-unit dwelling; and

**WHEREAS**, Section 3332.26, Minimum side yard permitted, requires a minimum side yard of five (5) feet, while the applicant proposes zero (0) feet for the proposed three-unit dwelling; 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 three-unit dwelling (carriage house) and a rear yard totaling twelve (12) percent for the single-unit dwelling; and

**WHEREAS**, the Italian Village Area 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 **60 EAST HUBBARD 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 use; 3312.25, Maneuvering; 3312.29, Parking space; 3332.15, R-4 area district requirements; 3332.18(D), Basis of computing area; 3332.19, Fronting on a public street; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; 3332.27, Rear yard; of the City of Columbus codes, for the property located at **60 EAST HUBBARD AVENUE (43215)**, insofar as said sections prohibit one single-unit dwelling and one three-unit dwelling (carriage house) on one lot in the R-4, Residential District, with maneuvering over and through parking spaces in the garage and driveway connecting to Short Alley; four stacked parking spaces; reduction in the required lot area from 2,500 square feet per dwelling unit to 1,871± square feet; increased lot coverage from fifty (50) percent to sixty-seven (67) percent; no frontage on a public street for the carriage house; a reduced maximum side yard from five (5) feet to zero (0) feet for the three-unit dwelling; reduced minimum side yards of zero (0) feet for the three-unit dwelling; and no rear yard for the three-unit dwelling and a twelve

(12) percent rear yard for the single-unit dwelling; said property being more particularly described as follows:

**60 EAST HUBBARD AVENUE (43215)**, being 0.16± acres located on the north side of Hubbard Avenue, 60± feet west of Kerr Street, 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 Seventy (70) in WILLIAM A. GILL'S FOURTH NORTH ADDITION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 1, page 389, Recorder's Office, Franklin County, Ohio.

Auditor's Parcel No. 010-025865

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a three-unit dwelling (carriage house) on the rear of a lot developed with a single-unit dwelling, or those uses permitted 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, "**60 EAST HUBBARD AVENUE**," drawn and signed by Dean Berlon, architect, dated December 23, 2014. 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 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.