



Legislation Text

File #: 1151-2022, **Version:** 1

Council Variance Application: CV21-130

APPLICANT: Magnetic Home Services, LLC; c/o Dave Perry, Agent; David Perry Company; 411 East Town Street, 1st Floor; Columbus, OH 43215, and Donald Plank, Atty.; Plank Law Firm; 411 East Town Street, 2nd Floor; Columbus, OH 43215.

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

COLUMBUS SOUTH SIDE AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is developed with a single-unit dwelling in the R-2F, Residential District. The applicant requests a Council variance to develop a carriage house on the same lot. The variance is necessary because while the R-2F district permits two-unit dwellings, two separate single-unit dwellings on the same lot are prohibited. Variances to reduce parking (from four to two spaces), and for vision clearance, lot width, lot coverage, fronting, building lines, minimum side yard permitted, and rear yard are included in this request. The site is located within the boundaries of the *South Side Plan* (2014), which recommends "Medium-High Density Residential" land uses at this location. Additionally, the Plan includes adoption of the *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018). Planning Division staff has determined that the proposed building elevations include design elements that are compatible with surrounding structures. The proposal is consistent with the Plan's land use recommendation and does not add a new or intrusive use to the neighborhood. Additionally, the request is compatible with the recent infill development pattern in historic urban neighborhoods.

To grant a Variance from the provisions of Sections 3332.037, R-2F, residential district; 3312.49, Minimum numbers of parking spaces required; 3321.05(B)(2), Vision clearance; 3332.05, Area district lot width requirements; 3332.14, R-2F area district requirements; 3332.19, Fronting; 3332.21, Building lines; 3332.26, Minimum side yard permitted; and 3332.27, Rear yard, for the property located at **462 E. BECK ST. (43206)**, to permit two single-unit dwellings on one lot with reduced development standards in the R-2F, Residential District (Council Variance #CV21-130).

WHEREAS, by application #CV21-130, the owner of property at **462 E. BECK ST. (43206)**, is requesting a Council variance to permit two single-unit dwellings on one lot with reduced development standards in the R-2F, Residential District; and

WHEREAS, Section 3332.037, R-2F, residential district, permits a maximum of two units in one building, but prohibits two single-unit dwellings on one lot, while the applicant proposes to develop a dwelling unit above a garage (a carriage house) on a lot developed with a single-unit dwelling; and

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

WHEREAS, Section 3321.05(B)(2), Vision clearance, requires a clear vision triangle of 30 feet at street intersections, while the applicant proposes to reduce the 30-foot clear vision triangle at East Beck Street to 12 feet, as shown on the site plan; and

WHEREAS, Section 3332.05, Area district lot width requirements, requires a minimum lot width of 50 feet in the R-2F, Residential District, while the applicant proposes to conform the existing lot width of 32 feet; and

WHEREAS, Section 3332.14, R-2F area district requirements, requires a single-unit dwelling or other principal building to be situated on a lot of no less than 6,000 square feet in area, while the applicant proposes two separate single-unit dwellings on a lot that contains 3,072 square feet (pursuant to lot area calculation in 3332.18(C)) totaling 1,536 square feet of lot area per dwelling unit; and

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

WHEREAS, Section 3332.21, Building lines, requires a minimum building setback line of 10 feet from East Beck Street, while the applicant proposes a zero foot building setback, as shown on the site plan; and

WHEREAS, Section 3332.26, Minimum side yard permitted, requires a minimum side yard of three feet, while the applicant proposes to maintain a zero foot side yard along the east property line for the principal dwelling, as shown on the site plan; 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 the rear carriage house dwelling; and

WHEREAS, the Columbus South Side Area Commission recommends approval; and

WHEREAS, City Departments recommend approval because the requested variances would permit development of a carriage house in character and scale with the dwellings on the surrounding properties; and

WHEREAS, said ordinance requires separate submission for all applicable permits and a Certificate 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 **462 E. BECK ST. (43206)**, in using said property as desired; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That a variance be granted from the provisions of Sections 3332.037, R-2F, residential district; 3312.49, Minimum numbers of parking spaces required; 3321.05(B)(2), Vision clearance; 3332.05, Area district lot width requirements; 3332.14, R-2F area district requirements; 3332.19, Fronting; 3332.21, Building lines; 3332.26, Minimum side yard permitted; and 3332.27, Rear yard, for the property located at **462 E. BECK ST. (43206)**, insofar as said sections prohibit two single-unit dwellings on one lot in the R-2F, Residential District; with a parking space reduction from four spaces to two spaces; a reduction in the required 30-foot clear vision triangle at East Beck Street to 12 feet; a reduction in the lot width from 50 feet to 32 feet; a reduction in the required lot area from 6,000 square feet to 1,536± square feet per dwelling unit; no frontage on a public street for the rear carriage house dwelling; a reduction in the building line from 10 feet to zero feet along East Beck Street; a reduction in the minimum side yard from 3 feet to zero feet along the east property line for the principal dwelling; and no rear yard for the rear carriage house dwelling; said

property being more particularly described as follows:

462 E. BECK ST. (43206), being 0.10± acres located on the north side of East Beck Street, 230± feet east of South Ninth Street, and being more particularly described as follows:

Situated in the City of Columbus, County of Franklin, State of Ohio: Being Lot Number Two (2), Dunham, Rankin and Stewart's Subdivision, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book Four (4), Page Seventy-Nine (79), Recorder's Office, Franklin County, Ohio.

Parcel No.: 010-003372-00

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for two single-unit dwellings on the same lot, or those uses permitted in the R-2F, Residential District.

SECTION 3. That this ordinance is further conditioned on the subject site being developed in general conformance with the site plan titled, "**462 E BECK STREET SITE PLAN**," signed by David Perry, Agent for the Applicant, and Donald Plank, Attorney for the Applicant, and dated February 22, 2022. 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 plan 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 carriage house.

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