

City of Columbus | Department of Trade and Development | Building and Development Services | 757 Carolyn Avenue, Columbus, Ohio 43224



FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW
STANDARDIZED RECOMMENDATION FORM

Group Name NEAR EAST AREA COMMISSION

Meeting Date 7/10/03

- Specify Case Type
- BZA Variance (Begins with "V")
 - BZA Special Permit (Begins with "SP")
 - Council Variance (Begins with "CV")
 - Rezoning (Begins with "Z")
 - Graphics (Begins with "VG")
 - Graphics Special Permit (Begins with "SPG")

Case Number CV03-023 (933 E. Gay)

- Recommendation (Check only one)
- Approval
 - Disapproval
 - Conditional Approval (please list conditions below)
(Area Commissions, see note below*)

NEAL APPROVED ALL VARIANCES (SEE ATTACHED)
WITH EXCEPTION VOTED FOR VARIANCE TO 3342.13
LOADING SPACE TO BE TEMPORARY UNTIL SUCH
TIME THAT APPLICANT SECURES VACATION OF
ALLEY TO IMMEDIATE SOUTH OF 933 E GAY ST
AFTER VACATION LOADING DOCK AREA TO BE REMOVED

*Ordinances sent to council will contain only a recommendation for "approval" or "disapproval". If a recommendation for "conditional approval" is sent, the conditions should be concise and specific. Staff will determine whether conditions are met when the final ordinance is prepared unless a revised response indicating "approval" has been received. If staff determines that conditions have not been met, your group's recommendation will be listed as "disapproval".

Vote FOR 9 AGAINST 0 ABS 0

Signature of Authorized Representative Matthew D. Bong

SIGNATURE CHAIR

RECOMMENDING GROUP TITLE 213-2697

DAYTIME PHONE NUMBER

Please FAX this form to Zoning at (614) 645-2463 within 48 hours of your meeting day;
OR MAIL to: Zoning, City of Columbus, Building and Development Services, 757 Carolyn Avenue, Columbus, Ohio 43224.

TO REAR. NEAL SUPPORTED VACATION OF
ALLEY

3332.037 R-2F residential district.

VARIANCE REQUEST: The current use of the existing 1907 structure is a warehouse. When the zoning for the area was changed to R-2F, this building fell under a non-conforming use. We are requesting a Use Variance to allow the current non-conforming commercial use to remain.

VARIANCE REQUEST: In addition, there are currently two parking lots on this and the adjacent parcel that are also non-conforming uses. We are requesting a Use Variance to allow the current non-conforming parking use to remain.

A. In an R-2F residential district the following uses are permitted:

1. One single-family dwelling;
2. One, two-family dwelling;
3. An agricultural use, farm, field crops, garden, greenhouse, nursery and a truck garden;
4. A religious facility;
5. A school;
6. A public park, playground and recreation facility;
7. A public library;
8. A city approved soil conservation and watershed protection project, and water filter bed, reservoir and tower;
9. An adult and child day care center as an accessory use when located within a school or religious facility building.

B. Each use shall conform to respective area district standards unless otherwise specifically provided. (Ord. 1877-02 § 2 (part).)

3332.14 R-2F area district requirements.

Actual Site Area- 22,000 sqft

In an R-2F area district a single-family dwelling or other principal building shall be situated on a lot of no less than six thousand (6,000) square feet in area; a one (1) -story, two (2) -family dwelling shall be situated on a lot of no less than thirty-six hundred (3,600) square feet in area per dwelling unit; and a two (2) -story, two (2) -family dwelling shall be situated on a lot of no less than three thousand (3,000) square feet per dwelling unit. (Ord. 1505-86.)

3332.21 Building lines.

VARIANCE REQUEST: the existing 1907 structure does not adhere to current front yard building setbacks. Since we are not altering the location of any of the existing walls closest to the property lines, we are requesting a variance to allow the non-conforming walls to remain as is.

In the R-rural, LRR, RRR, RR, SR, R-1, R-2, R-3, R-2F and R-4 residential districts and the MHD manufactured home development district the building lines are established as follows:

**Conditions and
Amount of
Existing Frontage**

**Minimum Distance from
Street Property Line**

F. Where a building is to be erected or extended on a subject lot or parcel and there are buildings on both of the contiguous lots or parcels.

Average of buildings on contiguous lots or parcels, but in no case less than ten (10) feet. Provided, however, the distance shall not be required to exceed that distance equal to one-half (1/2) of the designated right-of-way width of the frontage street as shown on the Columbus thoroughfare plan or if the street is not shown thereon, twenty-five (25) feet.

3332.25 Maximum side yards required.

Width of Lot: 16'-0" is required. Actual Sum of Widths: 15'-7"

VARIANCE REQUEST: The existing building walls fall short of the existing side yard requirement by 5". We are requesting a variance to allow the existing building walls to remain as is.

The sum of the widths of each side yard shall equal or exceed twenty (20) percent of the width of the lot, provided that not more than the following need be so devoted:

- (A) In R-rural, LRR, RRR or RR districts - thirty-two (32) feet;
- (B) In SR, R-1, R-2, R-3, R-2F, R-4 or MHD districts - sixteen (16) feet.

A legally sufficient perimeter yard shall satisfy the maximum side yard requirement for a multiple-dwelling development located in an R-4 district. (Ord. 1048-88.)

3332.26 Minimum side yard permitted.

VARIANCE REQUEST: The lot is wider than 40feet. The west walls conform to the 5'-0" setback. The existing wall does not conform. The distance between the property line and the existing wall is 2'0". We are requesting a variance to allow the existing east wall to remain as is.

The minimum side yard shall be the least dimension between any part of the building or structure and the side lot line, which least dimension shall be as follows:

(C) In R-2F and R-4 districts:

- (1) for a single-family dwelling on a lot forty (40) feet wide or less, no less than - three (3) feet;
- (2) for a single-family dwelling on a lot more than forty (40) feet wide, no less than - five (5) feet;
- (3) for a two- (2), three- (3), or four- (4) family dwelling on a lot fifty (50) feet wide or more, no less than - five (5) feet.

3332.27 Rear yard.

Total Lot Area- 25%x22,000sqft = 5,500sqft; Actual rear yard - 11,374 sqft

Each dwelling, residence or principal building shall be erected so as to provide a rear yard totaling no less than twenty-five (25) percent of the total lot area.

A legally sufficient perimeter yard shall satisfy the rear yard requirement for a multiple dwelling development located in an R-4 residential district. (Ord. 42-87.)

3332.28 Side or rear yard obstruction.

None intended

The area required in a side or rear yard shall be open from the established grade or from the finished grade if higher than the established grade, to the sky unobstructed except for:

(A) Structures not requiring a building permit;

(B) The ordinary projections of window sills, belt courses, cornices or other ornamental features;

(C) An open fire escape which may project up to four (4) feet into an interior side yard or rear yard;

(D) For single-family and two- (2) family dwellings and manufactured homes only, bay windows and architectural features associated with fireplaces which may project into a required side or rear yard no more than three (3) feet provided that they do not, in the aggregate, occupy more than one-third (1/3) the length of the wall on which they are located and provided further that they do not project closer than two (2) feet to any point on a lot line;

(E) A private detached garage which may occupy up to forty-five (45) percent of such required rear yard. (Ord. 1048-88.)

3332.285 Perimeter yard.

No perimeter yard substitute is being requested

A perimeter yard may substitute for the required side and rear yards in a multiple-dwelling development. Perimeter yard width is determined by computing ten (10) percent of the average lot width. A perimeter yard must be a minimum of ten (10) feet wide but is not required to exceed twenty-five (25) feet in width. Perimeter yards must be landscaped in accordance with a landscape plan approved as part of the zoning clearance review process. (Ord. 19-01 § 3.)

3332.29 Height district.

VARIANCE REQUEST: The current height of the building is higher than the allowable 35'-0". We will be replacing the center part of the building similar to the existing center portion of the building that we are retaining. We request a variance to keep the current non-conforming building height.

The R-rural, LRR, RRR, RR, SR, R-1, R-2, R-3, R-2F and R-4 residential districts are designated to be in the 35-foot height district. No building or structure therein shall exceed a height of thirty-five (35) feet.

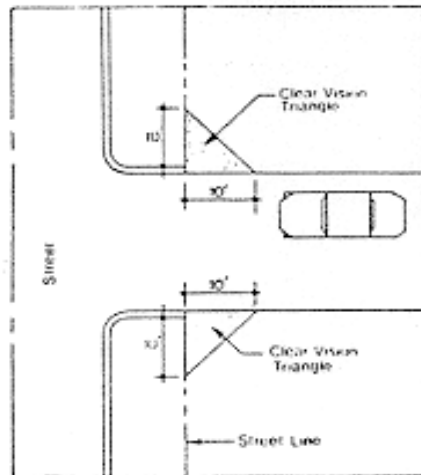
3332.30 Vision clearance.

There will be no nonconforming vision clearance obstructions

(a) Purpose. This section establishes minimum acceptable vision clearance standards for motorist and pedestrian safety at street intersections and vehicular access points along streets by restricting the placement, opacity, height and configuration of fences, walls, plantings or other obstructions in the required yards of residential lots.

(b) Clear Vision at Intersections. A clear vision triangle shall be maintained on each residential lot adjacent to a street intersection. Within the clear vision triangle no fence, wall, planting or other obstruction shall exceed two and one-half (2-1/2) feet in height above the centerline grade of the intersecting streets. A "clear vision triangle" is that area of a corner lot bounded on two (2) sides by the intersecting street lines (property lines) and on the third side by a line connecting two (2) points, one (1) located on each street line thirty (30) feet from the point of intersection.

(c) Clear Vision at Vehicular Access Points. Vision clearance shall be maintained on each residential lot abutting a street and having access thereto or abutting such access. No portion of a fence or wall exceeding two and one-half (2-1/2) feet in height above the finished lot grade shall exceed twenty-five (25) percent opacity when located in a required yard having vehicular access to a street or abutting such access; and mature plantings with foliage between two and one-half (2-1/2) and six (6) feet above the finished lot grade shall extend no closer than twelve (12) feet to the street line. The percentage of opacity shall be determined by measurement of any typical square foot of the vertical surface of a fence or wall from a point perpendicular thereto. (Ord. 1505-86.)



3342.08 Driveway.

Driveways shall be greater than or equal to 20'-0"

A driveway is any access corridor leading from a public right-of-way to a parking lot, aisle, parking circulation area, garage, off-street parking space or loading space. The division of transportation shall limit points of driveway access from residentially zoned lots abutting both an improved alley and street.

Each driveway shall be located and designed in a manner that provides for the safety of motorists and pedestrians.

- a. A driveway serving a parking lot shall be designed so that vehicles entering or leaving parking lot will be traveling in a forward motion.
- b. A driveway serving a residential parking area containing one to eight (8) parking spaces shall have a minimum width of ten (10) feet.
- c. All other driveways shall have a minimum width of twenty (20) feet. (Ord. 18-85; Ord. 1909-01 § 1 (part).)

3342.09 Dumpster area.

See Site Plan. Refuse Department has approved the dumpster location and enclosure.

A dumpster, when provided, shall be in a designated area that does not interfere with any aisle, driveway, parking space, loading space or other circulation area. The location of a dumpster, if any, shall be shown on the site plan with proper loading and maneuvering space; and for the purpose of location, shall be treated as a structure. A dumpster shall be screened from view on all sides. Such area shall not be located in any required yard or setback and shall be maintained according to the requirements of the board of health. (Ord. 18-85.)

3342.11 Landscaping.

It is our intention to provide more landscaping than is regulated.

See Site plan

a. Interior Landscaping.

The purpose of requiring interior landscaping is to help reduce glare and heat build-up; to promote interior islands for pedestrian safety and traffic separation; and to visually break up large expanses of pavement.

The interior of any parking lot containing sixty (60) parking spaces or more shall be landscaped. Interior landscaping shall be provided at a ratio of one (1) shade tree for every ten (10) parking spaces or fraction thereof. The minimum soil area per tree shall be sixteen (16) square feet. Space devoted to interior landscaping shall be in addition to any required front, side or rear yard or any required screening area.

Landscaping layout and design shall be at the discretion of the applicant. Planting beds for parking lot shade trees shall be arranged and constructed with suitable curbing materials so as to minimize damage to tree trunks and roots from vehicles, pedestrians and parking lot maintenance. All trees shall be maintained in a healthy condition and replaced as needed.

b. Parking setback landscaping.

The purpose of requiring landscaping in the parking setback area is to buffer automobile and pedestrian areas and uses; to provide adequate visibility and safety; and to avoid the illegal use of said area for parking.

The lot area between the right-of-way and the parking setback line shall be landscaped and shall not be paved except for a driveway, if necessary.

c. Perimeter landscaping.

See C.C. Section 3342.17, Parking lot screening. (Ord. 1011-85.)

3342.12 Lighting.

Lighting shall be on 14'-0" light poles. All perimeter lighting shall be with 180 degree optics to prevent light pollution on neighboring properties.

Any parking lot containing ten (10) or more parking spaces, which is used during non-daylight hours shall be illuminated during such hours to provide an average intensity of not less than one-half (1/2) foot candles of light as measured at the surface of the parking space to assist both pedestrians and motorists in avoiding accidents. Any lights or light fixtures used to illuminate any parking lot shall be selected and so arranged as to direct and reflect the light away from any adjacent property or public way. (Ord. 18-85.)

3342.13 Loading space.

VARIANCE REQUEST: The required loading space dimensions are 14'-8"x55'-0". The existing loading area is to be retained. However, the current access to the loading dock is off the Gay Street curb cut. In order to minimize traffic flow off of Gay Street and to properly screen the loading area, we are requesting to be allowed to reduce the size of the loading area to 40'-0" by 26'-0" and to have the access to the loading dock from the existing alley.

A loading space shall consist of a rectangular area adequate for loading and unloading and be accessible from a maneuvering area.

- a. Location. All loading spaces and maneuvering areas shall be located on the same lot as the use they are intended to serve.
- b. Size. A required loading space shall have a clearance height of not less than fifteen (15) feet and shall have minimum dimensions of not less than twelve (12) feet in width and fifty (50) feet in length, exclusive of any driveway, aisle, or other circulation area. (Ord. 18-85.)

3342.15 Maneuvering.

All maneuvering is on the lot.

Every parking and loading space shall have sufficient access and maneuvering area. The maneuvering area for a parking space may occur anywhere on a lot except in the area between the street right-of-way line and the parking setback line.

The maneuvering area may include an aisle, circulation area, or improved alley. In single-family or two (2)-family residential districts or in town house developments, the maneuvering area may include a driveway, street, or parking space.

The transportation administrator may waive the requirement for maneuvering area only for a parking lot which has and continues to have an operator on duty during all hours of operation. (Ord. 18-85; Ord. 1909-01 § 1 (part).)

3342.17 Parking lot screening.

VARIANCE REQUEST: 6'-0" high wrought iron fences are being proposed in the front yard, 6'-0" high wood fences are being proposed along the residential properties and 10'-0" chain link fences and gates along the alleys and internally to the site are being requested. In addition, many of the perimeter areas will be landscaped as per the site plan.

For purposes of this section, "affected residential owner" shall mean any owner of residentially zoned property whose boundary lies within eighty (80) feet of the perimeter of a parking lot; and "parking lot" shall include any parking driveway thereto.

a. **Parking Lot Screening Required.** Any portion of a parking lot located within eighty (80) feet of residentially zoned property shall be screened, as hereinafter set forth, on the perimeter affecting same. The portion of such perimeter, if any, lying between the street right-of-way line and the parking setback line shall be excluded from screening requirements.

b. **Screening Indicated on Site Plan.** Screening required by this section shall be indicated on the original site plan filed to obtain a certificate of zoning clearance for any parking lot. Parking lot screening shall be provided to reduce headlight glare and to visually screen a parking lot from any residentially zoned property within eighty (80) feet thereof. Such parking lot screening shall be installed in accordance with the site plan and this section except when a limited waiver as set forth in subsection (d) hereof is in effect. For such express exceptions screening requirements shall be temporarily waived.

c. **Standards.** Parking lot screening shall conform to the following standards:

1. Screening shall consist of a fence, landscaped earth mound of suitable slope, wall, planting or combination thereof installed, repaired, replaced and maintained to a total height of no less than five (5) feet above the parking lot grade and to an opacity of not less than seventy-five (75) percent.

2. Screening shall be installed and maintained in a neat and orderly manner.

3. Screening shall be reasonably uniform in height and opacity along its entire length, provided, however, that screening is not required within one (1) foot of the ground.

4. The percentage of opacity shall be determined by measurement of any square foot of the vertical surface of the screening from a point perpendicular thereto. Permissibly open area shall not be included in the opacity determination.

5. When screening of live plants is installed, alone or in combination with other materials, the plants shall:

(a) Be selected for year-round dense foliage adequate to shade residences from headlight glare;

(b) Be selected to achieve the height and density specified in (b) above within three (3) years of installation;

(c) Be matured to a minimum height of three (3) feet at the time of installation; and

(d) Be maintained in a healthy, live state and replaced as needed to comply with the original site plan and the specifications and standards herein set forth.

d. **Limited Waiver Agreement.** The requirements for installation of parking lot screening may be temporarily waived when all affected residential owners agree with the parking lot owner that such screening is neither necessary nor desirable. The division shall recognize such agreement upon receipt of an appropriate affidavit.

e. **Affidavit.** Any parking lot owner who has a limited waiver agreement with all affected residential owners shall notify the division of such agreement by affidavit on a form prescribed by the administrator.

f. **Cancellation of Agreement.** The limited waiver agreement, however, shall be cancellable upon thirty (30) days notice to the parking lot owner by any affected residential owner. Within thirty (30) days of receipt of such notice, the parking lot owner shall install screening in conformity to this section, enter a new agreement with all affected residential owners, or apply for a variance. Any such parking lot owner failing to so act shall be in violation of the Zoning Code.

g. Exemptions. No screening shall be required for any parking lot not specifically provided for in this section or for a parking lot effectively screened to this section's standards and specifications by existing natural or artificial barriers. A parking lot need not be screened from the use it serves. (Ord. 18-85.)

3342.18 Parking setback line.

VARIANCE REQUEST: As per the site plan, there are many areas where the parking set back is to a minimum. We are requesting a variance to allow the parking setbacks as per the site plan drawing.

A parking setback line establishes how close parking, loading or maneuvering may be located to a street right-of-way line. This line shall be located a minimum distance from a street right-of-way line and be related to a building line as follows:

- a. On unimproved frontage the parking setback line shall coincide with the required building setback line.
- b. Where a required building setback line is greater than twenty-five (25) feet, the parking setback line shall be twenty-five (25) feet from the street right-of-way line.
- c. Where a required building setback line is less than twenty-five (25) feet, the parking setback line shall follow the building setback line or the established parking setback, whichever is less, but in no case shall the parking setback line be less than ten (10) feet from the street right-of-way line.
- d. In C-1, C-2, C-3, C-4 and C-5 Commercial Districts and for commercial uses located in M-Manufacturing Districts the parking setback line shall be established ten (10) feet from the street right-of-way line without respect to the building line.

EXCEPTION: Where a parking setback line is specifically established by Council ordinance, zoning district, overlay, or subdivision plat, the parking setback line shall conform to that requirement. (Ord. 18-85.)

3342.28 Minimum number of parking spaces required.

(6) Req'd; Actual 24 parking spots

D. Industrial types:

1. Warehousing

For the first twenty thousand (20,000) square feet of gross floor area, one (1) for each one thousand (1,000) square feet of gross floor area;

3342.26 Wheel stop device.

A combination of curbs and wheel stops will be used.

Whenever a parking lot extends to a property line, sidewalk, planter strip or building; a wheel stop device consisting of blocks, a permanent curb, expanded sidewalk or other suitable restraint shall be installed to prevent any part of a parked motor vehicle from

extending beyond the property line, overhanging a pedestrian circulation way or sidewalk, or damaging any structure or landscaping.

The minimum height of a wheel stop device shall be five (5) inches and the minimum distance from a wheel stop device to a property line or protected area shall be two and one-half (2-1/2) feet. (Ord. 18-85.)