



## Legislation Details (With Text)

**File #:** 1587-2023      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 5/19/2023      **In control:** Zoning Committee

**On agenda:** 6/5/2023      **Final action:** 6/9/2023

**Title:** To grant a Variance from the provisions of Sections 3332.035, R-3 residential district; 3332.05(A)(4), area district lot width requirements; 3332.13, R-3 area district requirements; and 3312.49(C) Minimum number of parking spaces required, of the Columbus City Codes; for the property located at 617 S. OHIO AVE. (43205), to permit a two-unit dwelling with reduced development standards in the R-3, Residential District (Council Variance #CV22-146).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD #1587-2023 Attachments, 2. ORD #1587-2023\_Labels

Date	Ver.	Action By	Action	Result
6/9/2023	1	CITY CLERK	Attest	
6/8/2023	1	MAYOR	Signed	
6/5/2023	1	COUNCIL PRESIDENT	Signed	
6/5/2023	1	Zoning Committee	Waive the 2nd Reading	Pass
6/5/2023	1	Zoning Committee	Approved	Pass
6/5/2023	1	Zoning Committee	Adopt the findings of staff as the findings of Council	Pass
6/5/2023	1	Zoning Committee	Accept entire staff report into evidence as an exhibit	Pass

**Council Variance Application: CV22-146**

**APPLICANT:** Blostein/Overly Architects c/o Bart Overly; 922 W. Broad Street; Columbus, OH 43222.

**PROPOSED USE:** Two-unit dwelling.

**LIVINGSTON AVENUE AREA COMMISSION:** Approval.

**HISTORIC RESOURCES COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of a single-unit dwelling, based on city records, in the R-3, Residential District. The applicant requests a Council variance to renovate the existing structure into a two-unit dwelling. A Council variance is necessary because the R-3 district only permits single-unit dwellings. The request includes variances to lot width, area district requirements, and a parking reduction from four required to three provided spaces. The requested two-unit dwelling is consistent with the *Near Southside Area Plan* (2011), which recommends "Medium Density Mixed Residential) land uses at this location.

To grant a Variance from the provisions of Sections 3332.035, R-3 residential district; 3332.05(A)(4), area district lot width requirements; 3332.13, R-3 area district requirements; and 3312.49(C) Minimum number of parking spaces required, of the Columbus City Codes; for the property located at **617 S. OHIO AVE. (43205)**, to permit a two-unit dwelling with reduced development standards in the R-3, Residential District (Council Variance #CV22-146).

**WHEREAS**, by application #CV22-146, the owner of the property at **617 S. OHIO AVE. (43205)**, 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, lists single-unit dwellings as the only permitted residential use, while the applicant proposes a two-unit dwelling; and

**WHEREAS**, Section 3332.05(A)(4), Area district lot width requirements, requires a minimum lot width of 50 feet in the R-3, Residential District, while the applicant proposes to maintain a lot width of 38± feet; 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 reduced lot area of 4,332± square feet; and

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

**WHEREAS**, the Livingston Avenue Commission recommends approval; and

**WHEREAS**, the Historic Resources Commission recommends approval; and

**WHEREAS**, City Departments recommend approval of the requested Council variance because the request is consistent with the land use recommendation of the *Near Southside Area Plan*; 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 **617 S. OHIO AVE. (43205)**, 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 3332.035, R-3 residential district; 3332.05(A)(4), Area district lot width requirements; 3332.13, R-3 area district requirements; and 3312.49(C), Minimum number of parking spaces required, of the Columbus City Codes, is hereby granted for the property located at **617 S. OHIO AVE. (43205)**, insofar as said sections prohibit a two-unit dwelling in the R-3, Residential District; with a reduced lot width from 50 feet to 38± feet; reduced lot area from 5,000 square feet 4,332± square feet; and a parking space reduction from four required spaces to three provided spaces; said property being more particularly described as follows:

**617 S. OHIO AVE. (43205)**, being 0.13± acres located on the west side of South Ohio Avenue, 250± feet south of Mooberry Street, and being more particularly described as follows:

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

Being parts of Lots Numbers Thirty-Nine (39) and Forty (40) of George J. Rodenfel's Amended Subdivision of the following numbered lots, each inclusive as follows: 3 to 6; 15 to 19; 26, 27, 33, 36 to 41, 48 to 54; 63 to 68 and 76 to 82, in Rodenfel's and Falkenback's Subdivision of George J. Rodenfel's Subdivision of Joseph Falkenback Assignee's Subdivision of a part of Half Section 23, Township 5, Range 22, Refugees Lands, as the same are numbered and designated on the recorded plat thereof, of record in Plat Book No. 4, Page 80, Recorder's Office, Franklin County, Ohio.

The premises hereby conveyed being more particularly bounded and described as follows:

Being Fifteen (15) feet in width from North to South by the length of the lot from East to West, off of the South side of said Lot No. Thirty-Nine (39) and Twenty-three and Twelve Hundredths (23.12) feet in width from North to South by the length of the lot, from East to West, off of the North side of said Lot No. Forty (40).

Parcel Number 010-029133  
617 S. Ohio Avenue, Columbus, Ohio 43205

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a two-unit dwelling, or those uses permitted in the R-3, Residential District.

**SECTION 3.** That this ordinance is further conditioned upon the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

**SECTION 4.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.