



## Legislation Details (With Text)

**File #:** 1935-2024      **Version:** 1

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

**File created:** 6/25/2024      **In control:** Zoning Committee

**On agenda:** 7/15/2024      **Final action:** 7/18/2024

**Title:** To grant a Variance from the provisions of Sections 3332.035, R-3 residential district; 3312.27, Parking setback line; 3332.05(A)(4), Area district lot width requirements; 3332.13, R-3 area district requirements; and 3332.22(A)(1), Building lines on corner lots- Exceptions, of the Columbus City Codes; for the property located at 2585 OSCEOLA AVE. (43211), to allow a two-unit dwelling with reduced development standards in the R-3, Residential District (Council Variance #CV24-048).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1935-2024\_Attachments, 2. ORD1935-2024\_Labels

Date	Ver.	Action By	Action	Result
7/18/2024	1	CITY CLERK	Attest	
7/17/2024	1	ACTING MAYOR	Signed	
7/15/2024	1	COUNCIL PRESIDENT	Signed	
7/15/2024	1	Zoning Committee	Waive the 2nd Reading	Pass
7/15/2024	1	Zoning Committee	Adopt the findings of staff as the findings of Council	Pass
7/15/2024	1	Zoning Committee	Approved	Pass
7/15/2024	1	Zoning Committee	Accept entire staff report into evidence as an exhibit	Pass

**Council Variance Application: CV24-048**

**APPLICANT:** Healthy Homes; c/o Emily Long Rayfield; P.O. Box 77499; Columbus, OH 43207.

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

**NORTH LINDEN AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of one undeveloped parcel in the R-3, Residential District. The requested Council variance will allow a two-unit dwelling to be constructed on the site. A Council variance is required because the R-3 district allows only single-unit dwellings. Variances to the lot width, lot area, and building and parking setbacks are included in this request. The site is within the boundaries of the *North Linden Neighborhood Plan Amendment* (2014), which recommends "Medium Density Mixed Residential" land uses at this location. Additionally, the Plan includes adoption of the *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018). Staff finds the proposal to be consistent with the Plan's land use recommendation, C2P2 Design Guidelines, and the existing development pattern in this neighborhood.

To grant a Variance from the provisions of Sections 3332.035, R-3 residential district; 3312.27, Parking setback line; 3332.05(A)(4), Area district lot width requirements; 3332.13, R-3 area district requirements; and 3332.22(A)(1), Building lines on corner lots- Exceptions, of the Columbus City Codes; for the property located at **2585 OSCEOLA AVE. (43211)**, to allow a two-unit dwelling with reduced development standards in the R-3, Residential District (Council Variance #CV24-048).

**WHEREAS**, by application #CV21-144, the owner of property at **2585 OSCEOLA AVE. (43211)**, is requesting a Council variance to allow 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 3312.27, Parking setback line, requires the parking setback line to be ten feet from Akola Avenue, while the applicant proposes a reduced parking setback line of four feet; 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 reduced lot width of 40 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 4,940 square feet (2,470 square feet per dwelling unit); and

**WHEREAS**, Section 3332.22(A)(1), Building lines on corner lots - Exceptions, requires new construction on a corner property with a width of not over 65 feet and not under 40 feet to have a building setback of at least 20 percent of the property width, in this case being equal to eight feet along Akola Avenue, while the applicant proposes a reduced building setback of five feet; and

**WHEREAS**, the North Linden Area Commission recommends approval; and

**WHEREAS**, the City Departments recommend approval because this request is consistent with the land use recommendations of the *North Linden Neighborhood Plan Amendment*, the site design recommendations of C2P2, and with the existing development pattern of the neighborhood; 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 the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect 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 owner of the property located at **2585 OSCEOLA AVE. (43211)**, 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; 3312.27, Parking setback line; 3332.05(A)(4), Area district lot width requirements; 3332.13, R-3 area district requirements; and 3332.22(A)(1), Building lines on corner lots- Exceptions, of the Columbus City Codes; is hereby granted for the property located at **2585 OSCEOLA AVE. (43211)**, insofar as said sections prohibit a two-unit dwelling in the R-3, Residential District; with a

reduced a parking setback line along Akola Avenue from 10 to four feet; reduced lot width from 50 to 40 feet; reduced lot area from 5,000 square feet to 4,940 square feet; and reduced building line along Akola Avenue from eight to five feet; said property being more particularly described as follows:

**2585 OSCEOLA AVE. (43211)**, being 0.11± acres located at the northwest corner of Osceola Avenue and Akola Avenue and being more particularly described as follows:

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

Being Lot Number One Hundred Seventy-Seven (177) in Almada Addition, as is numbered, delineated, and recorded in Plat Book 8, Page 4B, Recorder's Office, Franklin County, Ohio.

Parcel ID: 010-074293

Street Addresses: 2585 Osceola Ave., Columbus, OH 43211

**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 on the subject site being developed in general conformance with the site plan titled, "**SITE STUDY**," dated June 17, 2024, and signed by Emily Long Rayfield, the Applicant. 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 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.