



Legislation Details (With Text)

File #: 1659-2024 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 6/4/2024 **In control:** Zoning Committee

On agenda: 9/9/2024 **Final action:** 9/12/2024

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 3332.21, Building lines, of the Columbus City Codes; for the property located at 1286 KEY WEST AVE. (43219), to allow two-unit dwelling development with reduced standards in the R-3, residential district (Council Variance #CV24-038).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1659-2024_Attachments, 2. ORD1659-2024_Labels

Date	Ver.	Action By	Action	Result
9/12/2024	1	CITY CLERK	Attest	
9/11/2024	1	MAYOR	Signed	
9/9/2024	1	COUNCIL PRESIDENT	Signed	
9/9/2024	1	Zoning Committee	Approved	Pass
9/9/2024	1	Zoning Committee	Accept entire staff report into evidence as an exhibit	Pass
9/9/2024	1	Zoning Committee	Adopt the findings of staff as the findings of Council	Pass
7/22/2024	1	Zoning Committee	Postponed to Date Certain	Pass
7/15/2024	1	Zoning Committee	Waive the 2nd Reading	Pass
7/15/2024	1	Zoning Committee	Postponed to Date Certain	Pass

Council Variance Application: CV24-038

APPLICANT: Cephas Pearson c/o Brenda Parker, Agent; 405 North Front Street; Columbus, OH 43215.

PROPOSED USE: Two-unit dwelling development.

NORTH CENTRAL AREA COMMISSION RECOMMENDATION: Disapproval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of an undeveloped parcel in the R-3, Residential District. The applicant proposes a future lot split and requests a Council variance to allow a two-unit dwelling on each lot. A Council variance is required because the R-3 district does not allow two-unit dwellings. Variances to lot width, lot size, and building lines are included in this request. The site is located within the planning boundaries of the *North Central Plan* (2002), which recommends "Single-Family Residential" uses at this location. Staff supports the request as the proposed two-unit dwellings are consistent with the existing housing types and the Plan's recommendation for infill housing on vacant lots within residential areas.

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 3332.21, Building lines, of the Columbus City Codes; for the property located at **1286 KEY WEST AVE. (43219)**, to allow two-unit dwelling development with reduced standards in the R-3, residential district (Council Variance #CV24-038).

WHEREAS, by application # CV24-038, the owner of property at **1286 KEY WEST AVE. (43219)**, is requesting a Council variance to allow two-unit dwelling development with reduced standards in the R-3, residential district; and

WHEREAS, Section 3332.035, R-3 residential district, allows one single-unit dwelling per lot, while the applicant proposes a future lot split with a two-unit dwelling on each of the southern and northern lots, as shown on the submitted site plan; and

WHEREAS, Section 3332.05(A)(4), Area district lot width requirements, requires a minimum lot width of fifty feet in the R-3, Residential District, while the applicant proposes reduced lot widths of 34.5± feet on the southern lot, and 35± feet on the northern lot; 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 two-unit dwelling on a lot that contains 3,570± feet (southern lot), and on a lot that contains 3,675± feet (northern lot); and

WHEREAS, Section 3332.21, Building lines, requires a minimum building setback line of 10 feet from Woodford Avenue, while the applicant proposes a reduced building setback line of 4.5 feet for the two-unit dwelling on the southern lot; and

WHEREAS, the North Central Area Commission recommends disapproval; and

WHEREAS, the City Departments recommend approval because this request is consistent with the housing objectives and site design of the *North Central Plan*, and does not introduce an incompatible use to the area; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificates of Occupancy for the proposed dwellings; 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 **1286 KEY WEST AVE. (43219)** 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 3332.21, Building lines, of the Columbus City Codes; is hereby granted for the property located at **1286 KEY WEST AVE. (43219)**, insofar as said sections prohibit two-unit dwellings in the R-3, Residential District; with a reduced lot width from 50 to 34.5± feet on the southern lot, and 35± feet on the northern lot; reduced lot area of 3,570± feet on the southern lot, and 3,675± feet on the northern lot; and reduced building line from 10 feet to 4.5 feet along Woodford Avenue for the southern lot; said property being more particularly described as follows:

1286 KEY WEST AVE. (43219), being 0.21± acres located on the northeast corner of Key West Road and Woodford Avenue, 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 One Hundred Ninety-one (191) and Lot Number One Hundred Ninety-two (192), AMERICAN ADDITION, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 5, Page 448, Recorder's Office, Franklin County, Ohio.

Address: 1286 Key West Avenue, Columbus, OH 43219
Parcel No.: 010-126321

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for two-unit dwelling development as depicted on the site plan, 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 PLAN**," dated May 16, 2024, and signed by Brenda Parker, Agent for 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 Certificates of Occupancy for the proposed dwellings.

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