



## Legislation Details (With Text)

**File #:** 1794-2024      **Version:** 1

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

**File created:** 6/13/2024      **In control:** Zoning Committee

**On agenda:** 7/1/2024      **Final action:** 7/5/2024

**Title:** To grant a Variance from the provisions of Sections 3332.037, R-2F residential district; 3312.49, Required parking; 3321.05(B)(2), Vision clearance; 3332.05(A)(4), Area district lot width requirements; 3332.14, R-2F area district requirements; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at 285 E. MARKISON AVE. (43207), to allow two single-unit dwellings on one lot with reduced development standards in the R-2F, Residential District (Council Variance #CV24-005).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1794-2024\_Attachments, 2. ORD1794-2024\_Labels

Date	Ver.	Action By	Action	Result
7/5/2024	1	CITY CLERK	Attest	
7/3/2024	1	MAYOR	Signed	
7/1/2024	1	COUNCIL PRESIDENT PRO-TEM	Signed	
7/1/2024	1	Zoning Committee	Accept entire staff report into evidence as an exhibit	Pass
7/1/2024	1	Zoning Committee	Adopt the findings of staff as the findings of Council	Pass
7/1/2024	1	Zoning Committee	Approved	Pass
6/24/2024	1	Columbus City Council	Read for the First Time	

**Council Variance Application: CV24-005**

**APPLICANT:** Rebecca J. Mott, Atty.; Plank Law Firm, LPA; 411 East Town Street, Floor 2; Columbus, OH 43215.

**COLUMBUS SOUTHSIDE AREA COMMISSION RECOMMENDATION:** Approval.

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

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of a single-unit dwelling within the R-2F, Residential District. A Council variance is required because the R-2F district does not permit two single-unit dwellings on one lot, while the applicant proposes to construct a rear dwelling unit above a new detached garage (carriage house). Variances for required parking, vision clearance, lot width, lot area, and rear yard are included in this request. The site is located within the planning boundaries of the *South Side Plan* (2014), which recommends “Medium-High Density Residential” uses at this location, and includes complete adoption of the *Columbus Citywide Planning Policies (C2P2) Design Guidelines* (2018). Although the proposed density exceeds the Plan’s recommended use, staff supports the proposed variances as the existing R-2F district allows a two-unit dwelling, but does not allow two single-unit dwellings on one lot. Additionally, the requested variances are consistent with similar requests in the area.

To grant a Variance from the provisions of Sections 3332.037, R-2F residential district; 3312.49, Required parking; 3321.05(B)(2), Vision clearance; 3332.05(A)(4), Area district lot width requirements; 3332.14, R-2F area district requirements; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at **285 E. MARKISON AVE. (43207)**, to allow two single-unit dwellings on one lot with reduced development standards in the R-2F, Residential District (Council Variance #CV24-005).

**WHEREAS**, by application #CV24-005, the owner of property at **285 E. MARKISON AVE. (43207)**, is requesting a Council variance to allow 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, allows one single-unit or one two-unit dwelling on a lot, while the applicant proposes a single-unit dwelling above a detached garage (carriage house) on a lot developed with a single-unit dwelling; and

**WHEREAS**, Section 3312.49, Required parking, requires two parking spaces per dwelling unit for a total of four required parking spaces, while the applicant proposes two total 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 maintain a reduced clear vision triangle of 25 feet at the southwest corner of East Markison Avenue and South 8<sup>th</sup> Street, with the existing front porch encroaching into said triangle, as shown on the site plan; and

**WHEREAS**, Section 3332.05(A)(4), Area district lot width requirements, requires a minimum lot width of 50 feet in the R-2F, Residential District, while the applicant proposes to maintain a reduced lot width of 30.68 feet; and

**WHEREAS**, Section 3332.14, R-2F area district requirements, requires 6,000 square feet of lot area per dwelling unit for a single-unit dwelling, while the applicant proposes two single-unit dwellings on one lot containing 2,823.78 square feet (1,211.5 square feet per dwelling unit), pursuant to the lot area calculation in Section 3332.18(C); and

**WHEREAS**, Section 3332.27, Rear yard, requires a rear yard totaling no less than 25 percent of the total lot area for each dwelling, while the applicant proposes a reduced rear yard of 23 percent for the existing single-unit dwelling, with no rear yard for the proposed carriage house; and

**WHEREAS**, the Columbus Southside Area Commission recommends approval; and

**WHEREAS**, the City Departments recommend approval because the existing R-2F district allows a two-unit dwelling, but does not allow two single-unit dwellings on one lot, and the requested variances are consistent with similar requests in the area; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed carriage house dwelling; 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 **285 E. MARKISON AVE. (43207)** 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 3332.037, R-2F residential district; 3312.49, Required parking; 3321(B)(2), Vision clearance; 3332.05(A)(4), Area district lot width requirements; 3332.14, R-2F area district requirements; and 3332.27, Rear yard, of the Columbus City Codes; is hereby granted for the property located at **285 E. MARKISON AVE. (43207)**, 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 to two spaces; reduced vision clearance from 30 to 25 feet at the southwest corner of East Markison Avenue and South 8<sup>th</sup> Street, with the existing porch encroaching into said triangle; reduced minimum lot width from 50 to 30.68 feet; reduced lot area from 6,000 to 2,823.78 square feet (1,211.5 square feet per dwelling unit); and a reduced rear yard from 25 to 23 percent for the existing single-unit dwelling, with no rear yard for the proposed carriage house; said property being more particularly described as follows:

**285 E. MARKISON AVE. (43207)**, being 0.10± acres located on the southwest corner of South 8th Street and East Markison 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 six (6) in Reinhard and Bliss' First Subdivision, as the same is numbered and delineated upon the recorded plat thereof of record in Plat Book 5, Page 271, Recorder's Office, Franklin County, Ohio.

Parcel No.: 010-008000

Address: 285 East Markison Avenue (43207)

**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 one 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, "**SITE PLAN**," dated May 28, 2024, and signed by Rebecca J. Mott, 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 plan 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 carriage house dwelling.

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