



## Legislation Details (With Text)

**File #:** 0564-2016      **Version:** 1

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

**File created:** 2/22/2016      **In control:** Zoning Committee

**On agenda:** 3/14/2016      **Final action:** 3/17/2016

**Title:** To grant a Variance from the provisions of Sections 3332.039, R-4, Residential District use; 3312.49, Minimum numbers of required parking spaces; 3332.05, Area district lot width requirements; 3332.15, R-4 area district requirements; 3332.19, Fronting; 3332.26(C)(1), Minimum side yard permitted; and 3332.27, Rear yard, of the City of Columbus codes; for the property located at 823 SUMMIT STREET (43215), to permit a single-unit dwelling (a carriage house) on the rear of a lot developed with a single-unit dwelling, with reduced development standards in the R-4, Residential District (Council variance # CV16-001).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0564-2016.Attachments, 2. ORD0564-2016.Labels

Date	Ver.	Action By	Action	Result
3/17/2016	1	CITY CLERK	Attest	
3/16/2016	1	MAYOR	Signed	
3/14/2016	1	COUNCIL PRESIDENT	Signed	
3/14/2016	1	Zoning Committee	Waive the 2nd Reading	Pass
3/14/2016	1	Zoning Committee	Approved	Pass

### Council Variance Application: CV16-001

**APPLICANT:** Juliet A. Bullock; 1182 Wyandotte Road; Columbus, OH 43212.

**PROPOSED USE:** A carriage house on a lot developed with a single-unit dwelling.

**ITALIAN VILLAGE COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is zoned R-4, Residential District, and developed with a single-unit dwelling. The requested Council variance will permit the construction of a single-unit dwelling above a garage (carriage house) in the rear yard of the lot, while bringing the non-conforming existing dwelling unit and parcel into compliance. A Council variance is necessary because the R-4, Residential District permits a maximum of four dwelling units in one building, but does not permit two single-unit dwellings on one lot. Variances are included to reduce the number of parking spaces from six (6) to two (2), lot width, area district requirements, fronting on a public street, and rear yard for the proposed carriage dwelling and reduced side yard to conform the existing dwelling. Staff finds that the proposal will not add incompatible uses to the area as there are other carriage houses within this community. The request is consistent with the recent development pattern in historic urban neighborhoods, and building design will conform to the Italian Village Commission requirements.

To grant a Variance from the provisions of Sections 3332.039, R-4, Residential District use; 3312.49, Minimum numbers

of required parking spaces; 3332.05, Area district lot width requirements; 3332.15, R-4 area district requirements; 3332.19, Fronting; 3332.26(C)(1), Minimum side yard permitted; and 3332.27, Rear yard, of the City of Columbus codes; for the property located at **823 SUMMIT STREET (43215)**, to permit a single-unit dwelling (a carriage house) on the rear of a lot developed with a single-unit dwelling, with reduced development standards in the R-4, Residential District (Council variance # CV16-001).

**WHEREAS**, by application No. CV16-001, the owner of property at **823 SUMMIT STREET (43215)**, is requesting a Council variance to permit a single-unit dwelling above a garage (a carriage house) on the rear of a lot developed with a single-unit dwelling, with reduced development standards in the R-4, Residential District; and

**WHEREAS**, Section 3333.039, R-4, Residential District, allows a maximum of four units in one building, but does not permit two single-unit residential buildings on one lot, while the applicant proposes to construct a rear single-unit dwelling above a detached garage (a carriage house) on a lot developed with a single-unit dwelling; and

**WHEREAS**, Section 3312.49 Minimum numbers of parking spaces required, requires two (2) parking spaces per dwelling unit, or four (4) spaces total for the two single-unit dwellings, while the applicant proposes two (2) parking spaces; and

**WHEREAS**, Section 3332.05, Area district lot width requirements, requires a lot no less than 50 feet wide, while the applicant proposes to maintain the existing 25.7 foot wide lot; and

**WHEREAS**, Section 3332.15 R-4 area district requirements, requires a lot of 5,000 square feet for a single-unit dwelling, while the applicant proposes to maintain an existing single-unit dwelling and construct a second single-unit dwelling (a carriage house) on a lot that is approximately 4,322.74 square feet; and

**WHEREAS**, Section 3332.19, Fronting on a public street, requires a dwelling to have frontage on a public street, while the applicant proposes for the rear single-unit dwelling to front on an alley; and

**WHEREAS**, Section 3332.26(C)(1), Minimum side yard permitted, requires a minimum side yard of three (3) feet on a lot width of forty (40) feet or less, while the applicant proposes to maintain the north side yard of two (2) feet for the existing dwelling; and

**WHEREAS**, Section 3332.27, Rear yard, requires a rear yard totaling no less than twenty-five (25) percent of the total lot area for each dwelling, while the applicant proposes to provide zero (0) percent of the rear yard for the rear carriage house dwelling; and

**WHEREAS**, the Italian Village Commission recommends approval; and

**WHEREAS**, the City Departments recommend approval of the requested variances because the proposal will not add incompatible uses to the area as there are other carriage houses within this community. The request is consistent with the recent development pattern in historic urban neighborhoods; 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 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 **823 SUMMIT STREET (43215)**, 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 3332.039, R-4, Residential District use; 3312.49, Minimum numbers of required parking spaces; 3332.05, Area district lot width requirements; 3332.15, R-4 area district requirements; 3332.19, Fronting; 3332.26(C)(1), Minimum side yard permitted; and 3332.27, Rear yard, of the City of Columbus codes, is hereby granted for the property located at **823 SUMMIT STREET (43215)**, insofar as said sections prohibit two single-unit dwellings on one lot in the R-4, Residential District; with a parking space reduction from four (4) spaces to two (2) spaces; a reduced lot width from fifty (50) feet to 25.7 feet; a reduced lot size from 5,000 square feet per dwelling unit to 4,323± square feet for two single-unit dwellings; no frontage on a public street for the carriage house dwelling; a reduced side yard on the north side of the existing dwelling from three (3) feet to two (2) feet; and a reduced rear yard to zero (0) percent for the carriage house dwelling; said property being more particularly described as follows:

**823 SUMMIT STREET (43215)**, being 0.10± acres located on the west side of Summit Street, 443± feet south of East First Avenue, and being more particularly described as follows:

Situated in the County of Franklin, in the State of Ohio, and in the City of Columbus: Being the north one-half of Lot Number Three (3) in JOSEPH R STARR'S ADDITION TO PHELAN'S MOUNT PLEASANT ADDITION, as the same numbered and delineated upon the recorded plat thereof, of record in Plat Book 1, page 143, Recorder's Office, Franklin County, Ohio.

Except for the following and subject to all of which this conveyance is made: legal highways; zoning ordinances; real estate taxes and assessments which are now or may hereafter become a lien on said premises; covenants, conditions, restrictions, and easements of record; and further subject to all the coal, oil, gas and other mineral rights and interests previously transferred or reserved of record.

Parcel No. 010-053465

Prior instrument: Official Record Volume 711, page D-11, Recorder's Office, Franklin County Ohio

Property Addresses: Existing - 821 Summit Street, Columbus Ohio 43215  
Carriage House - 823 Summit Street, Columbus Ohio 43215

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a single-unit dwelling (carriage house) on the rear of a lot developed with a single-unit dwelling, or those uses permitted in the R-4, Residential District.

**SECTION 3.** That this ordinance is further conditioned on the subject site being developed in general conformance with the exhibits titled, "**CARRIAGE HOUSE, 823 SUMMIT**," signed by Juliet A. Bullock, Applicant, and dated December 23, 2015. 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 of 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 on 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.