



Legislation Details (With Text)

File #: 2005-2014 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 8/27/2014 **In control:** Zoning Committee

On agenda: 9/22/2014 **Final action:** 9/25/2014

Title: To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1 apartment residential district use; 3333.055, Exception for single- or two-family dwelling; 3333.16, Fronting on a public street; and 3333.24, Rear yard, of the Columbus City codes; for the property located at 960 HUNTER AVENUE (43201), to permit a rear single-unit dwelling above a detached garage (a carriage house) with reduced development standards on a lot developed with a single-unit dwelling in the ARLD, Apartment Residential District and to declare an emergency (Council Variance # CV14-035).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD2005-2014Attachments, 2. Notice Of Public Hearing - Council Mtg20140922

Date	Ver.	Action By	Action	Result
9/25/2014	2	CITY CLERK	Attest	
9/24/2014	2	MAYOR	Signed	
9/22/2014	2	COUNCIL PRESIDENT	Signed	
9/22/2014	1	Zoning Committee	Approved as Amended	Pass
9/22/2014	1	Zoning Committee	Amended to Emergency	Pass
9/15/2014	1	Columbus City Council	Read for the First Time	

Council Variance Application: CV14-035

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

PROPOSED USE: Rear single-unit dwelling above a detached garage (carriage house).

VICTORIAN VILLAGE COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is zoned ARLD, Apartment Residential District, and is currently developed with a single-unit dwelling. The requested Council Variance will allow the construction of a rear second dwelling above a three-car detached garage (a carriage house). Other variances include no frontage on a public street and no rear yard for the new dwelling. The lot size of the site would permit a two-unit dwelling; therefore Staff has no issues with two separate single-unit dwellings on this lot. In addition, the requested variance will allow development that is characteristic of this historic Columbus neighborhood, and building design will conform to the Victorian Village Commission requirements. Staff supports the proposed use, which will not add a new or incompatible use to the area.

To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1 apartment residential district use; 3333.055, Exception for single- or two-family dwelling; 3333.16, Fronting on a public street; and 3333.24, Rear yard, of

the Columbus City codes; for the property located at **960 HUNTER AVENUE (43201)**, to permit a rear single-unit dwelling above a detached garage (a carriage house) with reduced development standards on a lot developed with a single-unit dwelling in the ARLD, Apartment Residential District **and to declare an emergency** (Council Variance # CV14-035).

WHEREAS, by application # CV14-035, the owner of the property at **960 HUNTER AVENUE (43201)**, is requesting a Variance to permit a rear single-unit dwelling above a detached garage (a carriage house) with reduced development standards on a lot developed with a single-unit dwelling in the ARLD, Apartment Residential District; and

WHEREAS, Section 3333.02, AR-12, ARLD and AR-1 apartment residential district use, prohibits two single-unit dwellings on one lot, while the applicant proposes to build a single-unit dwelling above a detached garage (carriage house) on the rear of a lot developed with a single-unit dwelling; and

WHEREAS, Section 3333.055, Exception for single- or two-family dwelling, allows one (1) single-unit dwelling or one (1) two-unit dwelling on a lot platted on or before January 14, 1959, while the applicant proposes to construct a single-unit dwelling on the rear of a lot developed with a single-unit dwelling; and

WHEREAS, Section 3333.16, Fronting, requires each dwelling to front on a public street, while the applicant proposes to construct a rear single-unit dwelling that instead fronts on an alley; and

WHEREAS, Section 3333.24, Rear yard, requires a rear yard totaling no less than twenty-five (25) percent of the total lot area, while the applicant proposes no rear yard for the rear single-unit dwelling; and

WHEREAS, the Victorian Village Commission recommends approval; and

WHEREAS, City Departments recommend approval because the requested variance will allow development that is characteristic of this historic Columbus neighborhood, and building design will conform to the Victorian Village Commission requirements. The lot size of the site would permit a two-unit dwelling; therefore Staff has no issues with two separate single-unit dwellings on this lot. Staff supports the proposed use, which will not add a new or incompatible use to the area.

WHEREAS, said ordinance requires separate submission for all applicable permits 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 owner of the property located at **960 HUNTER AVENUE (43201)**, in using said property as desired; and

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That a variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1 apartment residential district use; 3333.055, Exception for single- or two-family dwelling; 3333.16, Fronting on a public street; and 3333.24, Rear yard, of the Columbus City codes, is hereby granted for the property located at **960 HUNTER AVENUE (43201)**,

insofar as said sections prohibit two single-unit dwellings on one lot, with no frontage on a public street and no rear yard for the rear carriage house dwelling; said property being more particularly described as follows:

960 HUNTER AVENUE (43201), being 0.16± acres located on the east side of Hunter Avenue, 212.5± south of West Second Avenue, and being more particularly described as follows:

Situated In The State Of Ohio, County Of Franklin, and City of Columbus, and being all of Lot No. 42 of Stewart and Greeners Subdivision of record in Plat Book No. 2, Page 78, Records of the Recorder's Office, Franklin County, Ohio, also being part of Lot No. 4 of Andrew Greeners Subdivision of record in Plat Book 2, Page 191, of the aforementioned records, also being a part of that Disposal Parcel 64, Dennison Avenue Conservation Area (Ohio R-10), quit claimed to Charleston, Inc. by quit claim deed of record in Deed Book 3669, Page 724 of the aforementioned records and being more particularly described as follows:

Beginning at an iron pin at the southwesterly corner of the above mentioned Lot No. 42 and the southwesterly corner of the above mentioned Disposal Parcel 64, said point being north 288.80 ft. from an iron pin set in concrete at the intersection of the easterly line of Hunter Avenue and the northerly line of First Avenue; thence north along the easterly line of Hunter Avenue and the westerly line of the above mentioned Lots Nos. 42 and 4 and the westerly line of the above mentioned Disposal Parcel 64 a distance of 54.5 ft. to an iron pin, said iron pin being south 54.5 ft from the northwesterly corner of said Disposal Parcel: Thence S. 89 Degrees 30' E. across said Lot No. 4 and said Disposal Parcel 126.45 ft. to an iron pin in the westerly line of a 13 ft. alley and the easterly line of said Lot No. 4 and Said Disposal Parcel, said iron pin being S. 11 Degrees 25' 49" E. a distance of 57.78 ft. from the northeasterly corner of said Disposal Parcel; thence S. 11 Degrees 25' 49" E. along the westerly line of said alley and the westerly line of said Lot No. 4 and said Disposal Parcel 17.90 ft. to an angle point at the southeasterly corner of said Lot No. 4; thence south continuing along the westerly line of said alley and the easterly line of said Lot No. 42 and said Disposal Parcel 37 ft. to an iron pin at the southeasterly corner of said Lot No. 62 and said Disposal Parcel; thence N. 89 Degrees 30' W. along southerly line of said Lot No. 42 and said Disposal Parcel and passing an iron pin on line at 1.0 ft. a distance of 130 ft. to the place of beginning; containing 7055 sq. ft. more or less; subject to all easements and restrictions of record.

Known as Parcel Number: 010-030187

Addressed as: 960 Hunter Avenue Columbus, OH 43201

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

SECTION 3. That this ordinance is further conditioned on substantial compliance with the site and elevation plans titled, "**960 HUNTER**," signed by Juliet Bullock, Applicant, dated May 28, 2014. The plans 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 adjustment to the plans shall be reviewed and may be approved 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 Certificates of Occupancy for the proposed carriage house use.

~~SECTION 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.~~
That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.