



## Legislation Details (With Text)

**File #:** 0810-2006      **Version:** 1

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

**File created:** 4/18/2006      **In control:** Zoning Committee

**On agenda:** 6/12/2006      **Final action:** 6/12/2006

**Title:** To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential District; 3332.18, Basis of computing area; 3332.21, Building lines; 3332.25, Maximum side yard required; 3332.26, Minimum side yard permitted; 3332.27, Rear yard; 3342.15, Maneuvering; 3342.19, Parking space; and 3342.28, Minimum number of parking spaces required of the Columbus City Codes for the property located at 504 SOUTH LAZELLE STREET (43206), to permit three (3) existing two-family dwellings on one lot with reduced development standards in the R-2F, Residential District (Council Variance CV06-005).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0810-2006Attachments.pdf, 2. ORD0810-2006Labels.pdf, 3. ORD0810-2006DataSheet.pdf

Date	Ver.	Action By	Action	Result
6/14/2006	1	MAYOR	Signed	
6/14/2006	1	CITY CLERK	Attest	
6/12/2006	1	Zoning Committee	Approved	Pass
6/12/2006	1	COUNCIL PRESIDENT	Signed	
6/5/2006	1	Columbus City Council	Read for the First Time	
5/24/2006	1	Dev Zoning Drafter	Sent to Clerk's Office for Council	
5/9/2006	1	Dev Reviewer	Reviewed and Approved	
5/9/2006	1	Dev Zoning Drafter	Sent for Approval	
5/9/2006	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
5/8/2006	1	Dev Zoning Drafter	Sent for Approval	
5/8/2006	1	Dev Zoning Reviewer	Reviewed and Approved	

**Council Variance Application: CV06-005**

**APPLICANT:** 510 Lazelle, Limited; c/o David M. Ward, Applicant; 784 City Park Avenue; Columbus, Ohio 43206.

**PROPOSED USE:** Conform three existing two-family dwellings on the same lot.

**GERMAN VILLAGE COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is zoned R-2F, Residential District and is developed with three (3) two-family dwellings on the same lot. The applicant requests a Council variance to conform the existing development and to add one (1) off-street parking space. The R-2F, Residential District allows only a single-family or two-family dwelling on one lot. Additional variances for existing conditions are requested and include reducing maximum lot coverage, front setbacks, required side and rear yards, and minimum number of required parking spaces. A hardship exists in that the current site development reflects the

character and surrounding land uses within the neighborhood, but the non-conforming nature of the site precludes financing options.

To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential District; 3332.18, Basis of computing area; 3332.21, Building lines; 3332.25, Maximum side yard required; 3332.26, Minimum side yard permitted; 3332.27, Rear yard; 3342.15, Maneuvering; 3342.19, Parking space; and 3342.28, Minimum number of parking spaces required of the Columbus City Codes for the property located at **504 SOUTH LAZELLE STREET (43206)**, to permit three (3) existing two-family dwellings on one lot with reduced development standards in the R-2F, Residential District (Council Variance CV06-005).

**WHEREAS**, by application No. CV06-005, the owner of the property at **504 SOUTH LAZELLE STREET (43206)**, is requesting a Council Variance to permit three (3) existing two-family dwellings on one lot with reduced development standards in the R-2F, Residential District; and

**WHEREAS**, Section 3332.037, R-2F, Residential District, permits one single-family or one two-family dwelling on a lot, while the applicant proposes to maintain three (3) existing two-family dwellings on the same lot; and

**WHEREAS**, Section 3332.18, Basis of computing area, requires that no dwelling shall occupy alone or together with any other building greater than fifty (50) percent of the lot area, while the applicant proposes a sixty-one (61) percent lot coverage for the dwellings and parking area as shown on the site plan; and

**WHEREAS**, Section 3332.21, Building lines, requires the setback to be that distance as determined where the line which connects the front of the nearest building on either side of the subject parcel, bisects the subject parcel, but in no case less than ten (10) feet, while the applicant proposes to maintain building lines along South Lazelle Street and Jackson Street of zero (0) feet; and

**WHEREAS**, Section 3332.25, Maximum side yard required, requires the sum of the widths of each side yard to equal twenty (20) percent of the lot width, not to exceed sixteen (16) feet, while the applicant proposes to maintain an existing maximum side yard of zero (0) feet; and

**WHEREAS**, Section 3332.26, Minimum side yard permitted, requires a minimum side yard of no less than five (5) feet, while the applicant proposes to maintain an existing minimum side yard of zero (0) feet; and

**WHEREAS**, Section 3332.27, Rear yard, requires a rear yard totaling no less than 25% of the total lot area, while the applicant proposes to maintain an existing rear yard of zero (0) percent; and

**WHEREAS**, Section 3342.15, Maneuvering, requires that every parking and loading space shall have sufficient access and maneuvering area which may occur anywhere on a lot, including a driveway, street, or parking space, while the applicant proposes less than twenty (20) feet of maneuvering for four (4) parking spaces as shown on the site plan; and

**WHEREAS**, Section 3342.19, Parking space, requires that a parking space shall be a rectangular area of not less than nine (9) feet by eighteen (18) feet, while the applicant proposes to maintain one parking space that is 16.3 feet in length on one side, and to add one (1) parking space that is seven (7) feet in width as shown on the site plan; and

**WHEREAS**, Section 3342.28, Minimum number of parking spaces required, requires two (2) parking spaces per dwelling unit, or twelve (12) spaces total, while the applicant proposes to maintain four (4) parking spaces and to add one (1) parking spaces for a total of five (5) spaces; and

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

**WHEREAS**, City Departments recommend approval because the requested Council variance will conform the existing development of three (3) two-family dwellings on the same lot, and allow the addition of one (1) off-street parking space in the R-2F, Residential District. The R-2F, Residential District allows only a single-family or two-family dwelling on one lot. Additional variances for existing conditions are requested and include reducing maximum lot coverage, front setbacks, required side and rear yards, and minimum number of required parking spaces. A hardship exists in that the current site development reflects the character and surrounding land uses within the neighborhood, but the non-conforming nature of the site precludes financing options; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and a Certificate of Clearance for the proposed site changes; 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 **504 SOUTH LAZELLE STREET (43206)**, in using said property as desired; now, therefore:

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

**SECTION 1.** That a variance is granted from the provisions of Sections 3332.037, R-2F, Residential District; 3332.18, Basis of computing area; 3332.21, Building lines; 3332.25, Maximum side yard required; 3332.26, Minimum side yard permitted; 3332.27, Rear yard; 3342.15, Maneuvering; 3342.19, Parking space; and 3342.28, Minimum number of parking spaces required of the Columbus City codes, for the property located at **504 SOUTH LAZELLE STREET (43206)**, insofar as said sections prohibit three (3) two-family dwellings on the same lot, with an increased lot coverage from fifty (50) percent to sixty-one (61) percent, a reduced building line on South Lazelle Street and Jackson Street from ten (10) feet to zero (0) feet, a reduced maximum side yard from sixteen (16) feet to zero (0) feet, a reduced minimum side yard from five (5) feet to zero (0) feet, a reduced rear yard from twenty-five (25) percent to zero (0) percent, maneuvering for four (4) parking spaces that is less than twenty (20) feet; one parking space that is 16.3 feet in length on one side where eighteen (18) feet is required, one parking spaces that is seven feet in width where nine (9) feet is required, and a parking space reduction from twelve (12) required spaces to five (5) spaces; said property being more particularly described as follows:

**504 SOUTH LAZELLE STREET (43206)**, being 0.15± acres located at the northeast corner of Lazelle and Jackson Streets, and being more particularly described as follows:

Parcel # 010-003869

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

Being Lot Number Thirty-Nine (39), in Samuel Parsons' Addition, as the same is numbered and delineated upon the Recorded Plat thereof, of record in Plat Book 1, Page 48, Recorder's Office, Franklin County, Ohio, and including the following addresses: 504-506 South Lazelle Street, 510-512 South Lazelle Street, and 130-132 Jackson Street.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for three two-family dwellings on the same lot, or those uses permitted in the R-2F, Residential District.

**SECTION 3.** That this ordinance is further conditioned on substantial compliance with the registered site plan titled, "**JACKSON LAZELLE STREET CONDOMINIUM**," drawn by E.P. Ferris and Associates, Inc., and signed on May 22, 2006, by Matthew E. Ferris, P.E. The Zoning Site 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 Zoning Site Plan shall be subject to review and approval by the Director of the Department of Development, or his 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 Zoning Clearance for the proposed site changes.

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