



## Legislation Details (With Text)

**File #:** 0929-2023      **Version:** 1

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

**File created:** 3/16/2023      **In control:** Zoning Committee

**On agenda:** 4/3/2023      **Final action:** 4/5/2023

**Title:** To grant a Variance from the provisions of Sections 3332.039, R-4 residential district; 3312.49, Minimum numbers of parking spaces required; 3332.05(A)(4), 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 Columbus City Codes; for the property located at 317 TAPPAN ST. (43201), to permit two single-unit dwellings on one lot with reduced development standards in the R-4, Residential District (Council Variance #CV22-115).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0929-2023\_Attachments, 2. ORD0929-2023\_Labels

Date	Ver.	Action By	Action	Result
4/5/2023	1	CITY CLERK	Attest	
4/4/2023	1	MAYOR	Signed	
4/4/2023	1	MAYOR	Signed	
4/4/2023	1	MAYOR	Signed	
4/3/2023	1	COUNCIL PRESIDENT	Signed	
4/3/2023	1	COUNCIL PRESIDENT	Signed	
4/3/2023	1	COUNCIL PRESIDENT	Signed	
4/3/2023	1	Zoning Committee	Waive the 2nd Reading	Pass
4/3/2023	1	Zoning Committee	Accept entire staff report into evidence as an exhibit	Pass
4/3/2023	1	Zoning Committee	Approved	Pass
4/3/2023	1	Zoning Committee	Adopt the findings of staff as the findings of Council	Pass

**Council Variance Application: CV22-115**

**APPLICANT:** Juliet Bullock Architects; c/o Juliet Bullock, Arch.; 4886 Olentangy Boulevard; Columbus, OH 43214.

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

**VICTORIAN VILLAGE COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of one parcel in the R-4, Residential District developed with a single-unit dwelling. The requested Council Variance will permit a single-unit dwelling above a rear detached garage (carriage house). A Council variance is necessary because the R-4 district permits up to four units in one building, but does not permit two single-unit dwellings on one lot. The request includes variances to lot width, lot

area, fronting, side and rear yards, and a parking space reduction from four required to two provided parking spaces. The site is located within the boundaries of the Victorian Village Commission, which does not include land use recommendations, but will require a Certificate of Appropriateness for the final design of the proposed carriage house. Staff supports the requested use and variances as the proposal preserves the original contributing structure, is located within a walkable neighborhood, and is consistent with similar requests in the area

To grant a Variance from the provisions of Sections 3332.039, R-4 residential district; 3312.49, Minimum numbers of parking spaces required; 3332.05(A)(4), 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 Columbus City Codes; for the property located at **317 TAPPAN ST. (43201)**, to permit two single-unit dwellings on one lot with reduced development standards in the R-4, Residential District (Council Variance #CV22-115).

**WHEREAS**, by application #CV22-115, the owner of the property at **317 TAPPAN ST. (43201)**, is requesting a Variance to permit two single-unit dwellings on one lot with reduced development standards in the R-4, Residential District; and

**WHEREAS**, Section 3332.039, R-4 residential district, permits a maximum of four units in one building, while the applicant proposes a single-unit dwelling and a rear single-unit dwelling above a detached garage (carriage house) on one lot; and

**WHEREAS**, Section 3312.49, Minimum numbers of parking spaces required, 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 3332.05(A)(4), Area district lot width requirements, requires a minimum lot width of 50 feet in the R-4, Residential District, while the applicant proposes to maintain a lot width of 30 feet; and

**WHEREAS**, Section 3332.15, R-4 area district requirements, requires that a single-unit dwelling shall be situated on a lot with an area that equals or exceeds 5,000 square feet per dwelling unit, while the applicant proposes two single-unit dwellings on a lot that contains 2,700± square feet (actual lot size is 3,300± square feet), or 1,350 square feet per dwelling, pursuant to the lot area calculation in Section 3332.18(C); and

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

**WHEREAS**, Section 3332.26(C)(1), Minimum side yard permitted, requires a minimum side yard of three feet, while the applicant proposes to maintain a side yard of 2.2 feet along the west property line for the existing single-unit dwelling; 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 no rear yard for the proposed single-unit carriage house; and

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

**WHEREAS**, City Departments recommend approval because the requested Council variance will permit residential development that is consistent with the housing types, density and development pattern found in the surrounding area, and preserves the existing contributing building; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and a Certificate of Occupancy for the proposed rear single-unit 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 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 **317 TAPPAN ST. (43201)**, 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 hereby granted from the provisions of Sections 3332.039, R-4 residential district; 3312.49, Minimum numbers of parking spaces required; 3332.05(A)(4), 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 Columbus City Codes; for the property located at **317 TAPPAN ST. (43201)**, insofar as said sections prohibit two single-unit dwellings on the same lot in R-4, Residential District; with a parking space reduction from four spaces to two spaces; with a reduced lot width from 50 feet to 30 feet; reduced lot area from 5,000 square feet per dwelling unit to 1,350 square feet; no frontage on a public street for the single-unit carriage house; a reduced minimum side yard from three feet to 2.2 feet on the west property line for the existing single-unit dwelling; and no rear yard for the single-unit carriage house; said property being more particularly described as follows:

**317 TAPPAN ST. (43201)**, being 0.07± acres located on the south side of Tappan Street, 200± feet east of Harrison Avenue, and being more particularly described as follows:

SITUATED IN THE STATE OF OHIO, IN THE COUNTY OF FRANKLIN AND IN THE CITY OF COLUMBUS BEING LOT NUMBER 205 OF COLLINS, ATKINSON AND GUITNERS SECOND ADDITION, AS THE SAME IS NUMBERED AND DELINEATED UPON THE RECORDED PLAT THEREOF, OF RECORD IN PLAT BOOK 2, PAGE 153, RECORDERS OFFICE, FRANKLIN COUNTY, OHIO. PARCEL NO. 010-020158.00 STREET ADDRESS 317 TAPPAN STREET, COLUMBUS, OHIO 43201 PRIOR INSTRUMENT REFERENCE INSTRUMENT NO. 201901040001494 OF THE DEED RECORDS OF FRANKLIN COUNTY, OHIO.

Parcel No: 010-020158

Street address of property: 317 Tappan Street, Columbus, Ohio 43201

**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 and a single-unit carriage house on the same lot, 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 site plan titled, "**SITE PLAN**," dated January 30, 2023, and signed by Juliet Bullock, 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 on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed rear single-unit dwelling.

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