



## Legislation Details (With Text)

**File #:** 1935-2015      **Version:** 1

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

**File created:** 7/8/2015      **In control:** Zoning Committee

**On agenda:** 7/27/2015      **Final action:** 7/30/2015

**Title:** To grant a variance from the provisions of Sections 3332.039, R-4, Residential district; 3312.25, Maneuvering; 3312.29, Parking space; 3332.05, Area district lot width requirements; 3332.15, R-4 area district requirements; 3332.19, Fronting; 3332.27, Rear yard; 3332.28, Side or rear yard obstruction; and 3332.38(F), Private garage, of the Columbus City codes; for the property located at 808 SUMMIT STREET (43215), to permit a two-unit dwelling with a rear single-unit dwelling (carriage house) on two contiguous lots (6 units total), with reduced development standards in the R-4, Residential District (Council Variance # CV15-035).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD#1935-2015.Attachments, 2. Notice Of Public Hearing - Council Mtg20150727

| Date      | Ver. | Action By             | Action                  | Result |
|-----------|------|-----------------------|-------------------------|--------|
| 7/30/2015 | 1    | CITY CLERK            | Attest                  |        |
| 7/29/2015 | 1    | MAYOR                 | Signed                  |        |
| 7/27/2015 | 1    | COUNCIL PRESIDENT     | Signed                  |        |
| 7/27/2015 | 1    | Zoning Committee      | Approved                | Pass   |
| 7/20/2015 | 1    | Columbus City Council | Read for the First Time |        |

**Council Variance Application: CV15-035**

**APPLICANT:** Connie J. Klema; 145 East Rich Street, 2<sup>nd</sup> Floor; Columbus, Ohio 43215.

**PROPOSED USE:** A two-unit dwelling with a rear single-unit dwelling (carriage house) on two contiguous lots (6 units total).

**ITALIAN VILLAGE COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is zoned R-4, Residential District, and was formed when two lots were combined. The site consists of an existing two-unit dwelling with two detached garages. The applicant proposes to divide the lot into two lots and develop each lot with a two-unit dwelling and a rear single-unit dwelling (carriage house). The proposal includes variances for no frontage on a public street for the carriage house dwellings, reduced rear yards, increased square footage for private garages, parking within the required rear yard, and reduced parking standards for maneuvering and stacking. A Council variance is necessary to permit each lot to have two dwellings. Staff finds that the proposal will not add incompatible uses to the area as there are other multi-unit residential uses with similar carriage house arrangements within this neighborhood. The request is consistent with recent residential infill development proposals in historic urban neighborhoods, and is supported by the Italian Village Commission.

To grant a variance from the provisions of Sections 3332.039, R-4, Residential district; 3312.25, Maneuvering; 3312.29, Parking space; 3332.05, Area district lot width requirements; 3332.15, R-4 area district requirements; 3332.19, Fronting; 3332.27, Rear yard; 3332.28, Side or rear yard obstruction; and 3332.38(F), Private garage, of the Columbus City codes; for the property located at **808 SUMMIT STREET (43215)**, to permit a two-unit dwelling with a rear single-unit dwelling (carriage house) on two contiguous lots (6 units total), with reduced development standards in the R-4, Residential District (Council Variance # CV15-035).

**WHEREAS**, by application No. CV15-035, the owner of property at **808 SUMMIT STREET (43215)**, is requesting a Council variance to permit ), to permit a two-unit dwelling with a rear single-unit dwelling (carriage house) on two contiguous lots (6 units total), 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, while the applicant proposes a two-unit dwelling and a rear single-unit dwelling (carriage house) on two contiguous lots; and

**WHEREAS**, Section 3312.25, Maneuvering, requires every parking space to have sufficient access and maneuvering area, while the applicant proposes maneuvering over and through the stacked parking spaces on each lot as shown on the site plan; and

**WHEREAS**, Section 3312.29, Parking space, does not permit stacked parking spaces to be counted as required parking, while the applicant proposes stacked parking spaces to satisfy the required number of parking spaces; and

**WHEREAS**, Section 3332.05, Area district lot width requirements, requires a minimum lot width of fifty (50) feet in the R-4, Residential District, while the applicant proposes two lots with a lot width of 32.18± feet on the north lot, and thirty-five (35) feet on the south lot; and

**WHEREAS**, Section 3332.15, R-4 area district requirements, requires that a dwelling containing three (3) units shall be situated on a lot with an area which equals or exceeds 2,500 square feet of lot area per dwelling unit or 7,500 square feet, while applicant proposes three dwelling units on a 4,398± square foot lot, and three dwelling units on a 4,905± square foot lot; and

**WHEREAS**, Section 3332.19, Fronting on a public street, requires a dwelling unit to have frontage on a public street, while the applicant proposes no frontage for the two carriage house dwellings; and

**WHEREAS**, Section 3332.27, 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 carriage house dwelling on the north lot, and a reduced rear yard of twenty-two (22) percent for the front dwelling and no rear yard for carriage house dwelling on the south lot; and

**WHEREAS**, Section 3332.28, Side or rear yard obstruction, requires the area in the side or rear yard to be open from the finished grade to the sky, while the applicant proposes to maintain pavement for parking and maneuvering in the side and rear yards of each lot; and

**WHEREAS**, Section 3332.38(F), Private garage, requires no portion of the lot area devoted to a private garage or a carport to exceed the greater of 720 square feet, or one-third of the minimum net floor area for living quarters of the principal residence, while the applicant proposes garages of 840 square feet on each of the lots; 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 similar arrangements of residential uses within this neighborhood. The request is consistent with recent residential infill development proposals in historic urban neighborhoods, and is supported by the Italian Village Commission; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and Certificates of Occupancy for the proposed uses; 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 **808 SUMMIT STREET (43215)**, in using said property as desired; and

**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; 3312.25, Maneuvering; 3312.29, Parking space; 3332.05, Area district lot width requirements; 3332.15, R-4 area district requirements; 3332.19, Fronting; 3332.27, Rear yard; 3332.28, Side or rear yard obstruction; 3332.38(F), Private garage, of the Columbus City Codes is hereby granted for the property located at **808 SUMMIT STREET (43215)**, in so far as said sections prohibit each of two lots to have a two-unit dwelling and a rear carriage house dwelling in the R-4, Residential District, with maneuvering occurring over and through parking spaces; stacked parking spaces counting towards the number of required parking spaces; reduced minimum lot widths from fifty (50) feet to 32.18± feet on the north lot, and thirty-five (35) feet on the south lot; a reduction in the required lot area from 2,500 square feet per dwelling unit to 1,024± square feet on the north lot and 1,225± square feet on the south lot; no frontage on a public street for the carriage house dwellings; no rear yard for the carriage house dwelling on the north lot, and reduced rear yard from twenty-five (25) percent to twenty-two (22) percent for the front dwelling and no rear yard for carriage house dwelling on the south lot; obstruction of the required side and rear yards by parking spaces; and increased garage sizes from 720 square feet to 840 square feet on each lot; said property being more particularly described as follows:

**808 SUMMIT STREET (43215)**, being 0.2± acres located on the east side of Summit Street, 310± feet north of Warren Street, and being more particularly described as follows:

**LEGAL DESCRIPTION**

Situated in the State of Ohio, County of Franklin and in the City of Columbus and bounded and described as follows:

Being Thirty-Three (33) feet and Four (4) inches off the North side of Lot Number Six (6) of JOSEPH R. STARR'S ADDITION to the City of Columbus, Ohio, as the same is numbered and delineated upon the recorded plat thereof of record in Plat Book 1, Page 143, Recorder's Office, Franklin County, Ohio

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

Being Thirty-Two and One-Half (32 ½) feet off of the south side of Lot Number Seven (7) of Starr and Long's Addition to William Phelans, Mt. Pleasant Addition to said City of Columbus, Ohio, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 1, Page 143, Recorder's Office, Franklin County, Ohio, and more bounded and described as follows:

Commencing at the southwest corner of said lot on the East Line of Summit Street in said City; thence easterly along the South line of said Lot No. 7, 140 feet to the southeast corner thereof; thence northerly along the east line of said Lot No. 7, Thirty-Two and one-half feet; thence westerly on a line parallel with the south line of said Lot No. 7, and thirty-two and one-half feet therefrom 140 feet to the east line of Summit Street; thence southerly along the west line of said lot and the east line of Summit Street Thirty-Two and One-half feet to the place of beginning.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is developed a two-unit dwelling with a rear single-unit dwelling (carriage house) on two contiguous lots (6 units total), with reduced development standards 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 Plan titled, "**SITE PLAN**," dated June 29, 2015, and signed by Charles R. Kuhlman, Architect. 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 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 upon the applicant obtaining all applicable permits and Certificates of Occupancy for the proposed uses.

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