



## Legislation Details (With Text)

**File #:** 1928-2015      **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 use; 3312.49, Minimum numbers of required parking spaces; 3332.19, Fronting; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; and 3332.27, Rear yard, of the City of Columbus codes; for the property located at 853 NORTH PARK 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 # CV15-027).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD#1928-2015.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: CV15-027**

**APPLICANT:** Eric D. Martineau; 22 East Fourth Avenue, Suite 1A; Columbus, Ohio 43201.

**PROPOSED USE:** Rear single-unit dwelling above a detached garage (carriage house) on a lot developed with a single-unit dwelling.

**VICTORIAN VILLAGE COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. This variance will permit the construction of a single-unit dwelling above a garage (carriage house) of a lot developed with an existing single-unit dwelling. Other variances are included for required number of parking spaces, fronting on a public street, maximum and minimum side yards, and rear yard. 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 residential buildings on one lot. 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 Victorian 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; 3332.19, Fronting; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; and 3332.27, Rear yard, of the City of Columbus codes; for the property located at **853 NORTH PARK**

**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 # CV15-027).

**WHEREAS**, by application No. CV15-027, the owner of property at **853 NORTH PARK STREET (43215)**, is requesting a Council variance 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; and

**WHEREAS**, Section 3333.039, R-4, Residential District, allows a maximum of four units in one building, but does not permit two 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 3332.19, Fronting on a public street, requires a dwelling to have frontage on a public street, while the applicant proposes no frontage for the rear single-unit dwelling; and

**WHEREAS**, Section 3332.25, Maximum side yards required, requires the sum of the widths of the side yards to be a maximum of 8 feet, while the applicant proposes a maximum side yard of 7.3 feet for the carriage house dwelling; and

**WHEREAS**, Section 3332.26, Minimum side yard permitted, requires a minimum side yard of three (3) feet, while the applicant proposes a side yard of 2.3 feet on the north side of the carriage house 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 ten (10) percent of the rear yard for the rear carriage house dwelling; and

**WHEREAS**, the Victorian 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 **853 NORTH PARK 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; 3332.19, Fronting; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; and 3332.27, Rear yard, of the City of Columbus codes, for the property located at **853**

**NORTH PARK STREET (43215)**, insofar as said sections prohibit two single-unit dwellings on one lot in the R-4, Residential District, with two (2) parking spaces where four (4) are required; no frontage on a public street for the carriage house dwelling; a reduced maximum side yard from eight (8) feet to 7.3 feet for the carriage house dwelling; reduced minimum side yard from three (3) feet to 2.3 feet on the north side of the carriage house dwelling; and a reduced rear yard from twenty-five (25) percent to ten (10) percent for the carriage house dwelling; said property being more particularly described as follows:

**853 NORTH PARK STREET (43215)**, being 0.17± acres located on the west side of Park Street, 100± feet north of Wilber Avenue, and being more particularly described as follows:

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

Being Lot Number Forty-two (42) of M. HELEN HUTCHINSON'S SECOND SUBDIVISION, of the Hubbard Property, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 5, page 399, Recorder's Office, Franklin County, Ohio.

Parcel No.: 010-023574

Property Address: 853 N. Park Street, Columbus, OH 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 exhibit titled, "**853 NORTH PARK STREET**," signed by Eric D. Martineau, Attorney for the Applicant, dated July 1, 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.