



Legislation Details (With Text)

File #: 3134-2022 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 11/4/2022 **In control:** Zoning Committee
On agenda: 11/21/2022 **Final action:** 11/23/2022

Title: To grant a Variance from the provisions of Sections 3332.033, R-2 residential district; 3332.12, R-2 area district requirements; 3332.19, Fronting; 3332.21(B), Building lines; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at 2084 PARKWOOD AVE. (43219), to permit six single-unit dwellings on the same lot with reduced development standards in the R-2, Residential District (Council Variance #CV22-050).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD#3134-2022_Attachments, 2. ORD#3134-2022_Labels

| Date | Ver. | Action By | Action | Result |
|------------|------|-----------------------|--|--------|
| 11/23/2022 | 1 | ACTING CITY CLERK | Attest | |
| 11/22/2022 | 1 | MAYOR | Signed | |
| 11/21/2022 | 1 | COUNCIL PRESIDENT | Signed | |
| 11/21/2022 | 1 | Zoning Committee | Accept entire staff report into evidence as an exhibit | Pass |
| 11/21/2022 | 1 | Zoning Committee | Approved | Pass |
| 11/21/2022 | 1 | Zoning Committee | Adopt the findings of staff as the findings of Council | Pass |
| 11/14/2022 | 1 | Columbus City Council | Read for the First Time | |

Council Variance Application: CV22-050

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

PROPOSED USE: Residential development.

NORTH CENTRAL AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of three undeveloped parcels in the R-2, Residential District. The requested Council variance will permit a total of six single-unit dwellings on one parcel. A Council variance is required because the R-2 district only permits one single-unit dwelling per lot. Variances for area district requirements, fronting, building setbacks, and rear yard are included in this request. The site is located with the planning boundaries of the *North Central Plan (2002)*, which recommends "Single-Family Residential" land uses at this location. The proposed development is consistent with the *North Central Plan's* land use recommendation, and includes a site plan demonstrating sidewalk, landscaping, and street trees along the Parkwood Avenue frontage, consistent with the Plan's design guidelines.

To grant a Variance from the provisions of Sections 3332.033, R-2 residential district; 3332.12, R-2 area district requirements; 3332.19, Fronting; 3332.21(B), Building lines; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at **2084 PARKWOOD AVE. (43219)**, to permit six single-unit dwellings on the same lot with reduced development standards in the R-2, Residential District (Council Variance #CV22-050).

WHEREAS, by application #CV22-050, the owner of the property at **2084 PARKWOOD AVE. (43219)**, is requesting a Variance to permit six single-unit dwellings on the same lot with reduced development standards in the R-2, Residential District; and

WHEREAS, Section 3332.033, R-2, residential district use, only permits one single-unit dwelling on one lot, while the applicant proposes to construct six single-unit dwellings on one lot; and

WHEREAS, Section 3332.12, R-2 area district requirements, requires that any dwelling or other principal building shall be situated on a lot of no less than 5,000 square feet in area, while the applicant proposes six single-unit dwellings on one 22,082.9 square foot lot for approximately 3,680 square feet per dwelling; and

WHEREAS, Section 3332.19, Fronting, requires a dwelling to have frontage on a public street, while the applicant proposes dwelling Units C, D, E, and F to not front a public street; and

WHEREAS, Section 3332.21(B), Building lines, requires a minimum building setback line of 25 feet from Parkwood Avenue, while the applicant proposes building setback lines of 6.74 feet for Unit A, and 7.4 feet for Unit B along Parkwood Avenue, as depicted on the site plan; and

WHEREAS, Section 3332.27, Rear yard, requires that each dwelling, apartment house, or other principal building shall be erected so as to provide a rear yard totaling not less than 25 percent of the total lot area, while the applicant proposes a rear yard of approximately 2,167.6 square feet or 9.5 percent, which is to be shared by the six single-unit dwellings; and

WHEREAS, the North Central Area Commission recommends approval; and

WHEREAS, City Departments recommend approval because the requested Council variance is consistent with the recommendations of “Single-family residential” land uses in the *North Central Plan*, and will not introduce an incompatible use; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificates 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 **2084 PARKWOOD AVE. (43219)**, 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 3332.033, R-2 residential district; 3332.12, R-2 area district requirements; 3332.19, Fronting; 3332.21(B), Building lines; and 3332.27, Rear yard; for the property located at **2084 PARKWOOD AVE. (43219)**, insofar as said sections prohibit six single-unit dwellings on one lot in the R-2, Residential District; with a reduced lot area from 5,000 square feet to approximately 3,680 square feet per

dwelling; no frontage on a public street for Units C, D, E, and F; a reduced building setback line from 25 feet along Parkwood Avenue to 6.74 feet for Unit A, and 7.4 feet for Unit B; and a reduced rear yard from 25 percent to 9.5 percent, shared by the six single-unit dwellings; said property being more particularly described as follows:

2084 PARKWOOD AVE. (43219), being 0.58± acres located on the east side of Parkwood Avenue, 420± feet south of Mock Road, and being more particularly described as follows:

Tract 1:

Description of 0.193 Acre Tract (Tract 1)

Situate in the State of Ohio, County of Franklin and City of Columbus, lying in Lot 6 of Quarter Section 3, Township 1, Range 17, United State Military District and being all of Parcel One, (PID: 010-108818) being conveyed to 3 L Development, LLC, by deed of record in Instrument Number 202110050179440, all records herein are from the Recorder's Office, Franklin County, Ohio, said 0.193 acre tract being more particularly described as follows:

Beginning for Reference at a point at the centerline intersection of Mock Road (60' R/W) with Parkwood Avenue (40' R/W) (AKA Ranck Road);

Thence South 03°19'10" West, a distance of 381.30 feet, along the centerline of Parkwood Avenue, to the TRUE POINT OF BEGINNING, said point being at the northerly corner of said Parcel One and the southwest corner of a tract being conveyed to Arman - Arshe C. Erwin;

Thence South 86°32'18" East, a distance of 210.00 feet, passing an ¾" iron pipe found at a distance of 20.00 feet, and along the line common to said Parcel One and Erwin tract, to a ¾" iron pipe found in the west line of a tract conveyed to Amanda Marcum;

Thence South 03°19'10" West, a distance of 39.97 feet, along the west line of said Marcum tract, to an iron rebar set in the west line of a tract conveyed to Liberty Concepts, LLC;

Thence North 86°32'18" West, a distance of 210.00 feet, passing an ¾" iron pipe found at a distance of 190.00 feet, along the south line of said Parcel One, to a point in the centerline of said Parkwood Avenue;

Thence North 03°19'10" East, a distance of 39.97 feet, along the centerline of said Parkwood Avenue, to the POINT OF BEGINNING, containing 0.193 acres of land more or less. Being subject to all easements, restrictions and rights-of-way of record.

The bearings in the above description are based on the bearing of North 03°19'10" East, for the centerline of Parkwood Avenue as observed from GPS observations using the Ohio State Plane Coordinate System South Zone, NAD 83, 1986 adjustment as surveyed in September, 2021

All set iron rebar are 5/8 inch, 30 inch long having a plastic 1" yellow I.D. cap stamped "BLUE 8382"

The description is based on an actual field survey as performed by Blue-J Surveying LLC in September, 2021 under the direct supervision of Jennifer L. Blue, Registered Surveyor No. 8382.

Tract 2:

Description of 0.193 Acre Tract (Tract 2)

Situate in the State of Ohio, County of Franklin and City of Columbus, lying in Lot 6 of Quarter Section 3, Township 1, Range 17, United State Military District and being all of Parcel Two, (PID: 010-108819) being conveyed to 3 L Development, LLC, by deed of record in Instrument Number 202110050179440, all records herein are from the Recorder's Office, Franklin County, Ohio, said 0.193 acre tract being more particularly described as follows:

Beginning for Reference at a point at the centerline intersection of Mock Road (60' R/W) with Parkwood Avenue (40' R/W) (AKA Ranck Road);

Thence South 03°19'10" West, a distance of 421.27 feet, along the centerline of Parkwood Avenue, to the TRUE POINT OF BEGINNING, said point being at the northerly corner of said Parcel Two and the southwest corner of a Parcel One as being conveyed to 3 L Development, LLC, by deed of record in Instrument Number 202110050179440;

Thence South 86°32'18" East, a distance of 210.00 feet, passing an ¾" iron pipe found at a distance of 20.00 feet, and along the line common to said Parcel Two and said Parcel One, to an iron rebar set in the west line of a tract conveyed to Liberty Concepts, LLC;

Thence South 03°19'10" West, a distance of 39.96 feet, along the west line of said Liberty Concepts, LLC tract, to a ¾" iron pipe found;

Thence North 86°32'18" West, a distance of 210.00 feet, passing an ¾" iron pipe found at a distance of 190.00 feet, along the south line of said Parcel Two to a point in the centerline of said Parkwood Avenue;

Thence North 03°19'10" East, a distance of 39.96 feet, along the centerline of said Parkwood Avenue, to the POINT OF BEGINNING, containing 0.193 acres of land more or less. Being subject to all easements, restrictions and rights-of-way of record.

The bearings in the above description are based on the bearing of North 03°19'10" East, for the centerline of Parkwood Avenue as observed from GPS observations using the Ohio State Plane Coordinate System South Zone, NAD 83, 1986 adjustment as surveyed in September, 2021

All set iron rebar are 5/8 inch, 30 inch long having a plastic 1" yellow I.D. cap stamped "BLUE 8382"

The description is based on an actual field survey as performed by Blue-J Surveying LLC in September, 2021 under the direct supervision of Jennifer L. Blue, Registered Surveyor No. 8382.

Tract 3:

Description of 0.193 Acre Tract (Tract 3)

Situate in the State of Ohio, County of Franklin and City of Columbus, lying in Lot 6 of Quarter Section 3, Township 1, Range 17, United State Military District and being all of Parcel Three, (PID: 010-108823) being conveyed to 3 L Development, LLC, by deed of record in Instrument Number 202110050179440, all records herein are from the Recorder's Office, Franklin County, Ohio, said 0.193 acre tract being more particularly described as follows:

Beginning for Reference at a point at the centerline intersection of Mock Road (60' R/W) with Parkwood Avenue (40' R/W) (AKA Ranck Road);

Thence South 03°19'10" West, a distance of 461.23 feet, along the centerline of Parkwood Avenue, to the TRUE POINT OF BEGINNING, said point being at the northerly corner of said Parcel Three and the southwest corner of a Parcel Two as being conveyed to 3 L Development, LLC, by deed of record in Instrument Number 202110050179440;

Thence South 86°32'18" East, a distance of 210.00 feet, passing an ¾" iron pipe found at a distance of 20.00 feet, and along the line common to said Parcel Two and said Parcel Three, to a ¾" iron pipe found in the west line of a tract conveyed to Liberty Concepts, LLC;

Thence South 03°19'10" West, a distance of 39.97 feet, along the west line of said Liberty Concepts, LLC tract, to a ¾" iron pipe found in the west line of a tract being conveyed to Brenda C. Phells and at the southeast corner of a tract being conveyed to Astero Aldana;

Thence North 86°32'18" West, a distance of 210.00 feet, passing an ¾" iron pipe found at a distance of 190.00 feet, along the south line of said Parcel Three to a point in the centerline of said Parkwood Avenue;

Thence North 03°19'10" East, a distance of 39.97 feet, along the centerline of said Parkwood Avenue, to the POINT OF BEGINNING, containing 0.193 acres of land more or less. Being subject to all easements, restrictions and rights-of-way of record.

The bearings in the above description are based on the bearing of North 03°19'10" East, for the centerline of Parkwood Avenue as observed from GPS observations using the Ohio State Plane Coordinate System South Zone, NAD 83, 1986 adjustment as surveyed in September, 2021

All set iron rebar are 5/8 inch, 30 inch long having a plastic 1" yellow I.D. cap stamped "BLUE 8382"

The description is based on an actual field survey as performed by Blue-J Surveying LLC in September, 2021 under the direct supervision of Jennifer L. Blue, Registered Surveyor No. 8382.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used as six single-unit dwellings, in accordance with the submitted site plan, or those uses permitted in the R-2, Residential District.

SECTION 3. That this ordinance is further conditioned on the subject site being developed in general conformance with the site plan titled, "**PROPOSED SITE PLAN**," dated October 19, 2022, and signed by Juliet Bullock, Architect. 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 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 upon the applicant obtaining all applicable permits and Certificates 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.