



## Legislation Details (With Text)

**File #:** 0911-2019      **Version:** 1

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

**File created:** 3/26/2019      **In control:** Zoning Committee

**On agenda:** 4/15/2019      **Final action:** 4/17/2019

**Title:** To grant a Variance from the provisions of Sections 3332.037, R-2F, residential district; 3332.14, R-2F area district requirements; 3332.19, Fronting on a public street; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at 568 LATHROP STREET (43206), to permit two single-unit dwellings on one lot with reduced development standards in the R-2F, Residential District (Council Variance #CV18-049).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0911-2019.Attachments, 2. ORD0911-2019.Labels

Date	Ver.	Action By	Action	Result
4/17/2019	1	CITY CLERK	Attest	
4/16/2019	1	ACTING MAYOR	Signed	
4/15/2019	1	COUNCIL PRESIDENT	Signed	
4/15/2019	1	Zoning Committee	Approved	Pass
4/8/2019	1	Columbus City Council	Read for the First Time	

**Council Variance Application: CV18-049**

**APPLICANT:** Northworks Architects and Planners; c/o Keith Labutta; 1512 North Throop Street; Chicago, IL 60642.

**PROPOSED USE:** Single-unit residential development.

**COLUMBUS SOUTH SIDE AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is undeveloped and zoned in the R-2F, Residential District. The requested Council variance will permit two single-unit dwellings on one lot. A Council variance is necessary because although the existing zoning district permits two dwelling units in one building, it does not permit two separate dwellings on one lot. In addition to the use variance, variances to lot area, fronting, maximum and minimum side yards, and rear yard are included in this request. The site is located within the boundaries of the *South Side Plan* (2014), which recommends “Medium-High Density” land uses at this location. Although the proposal has a higher density than the Plan’s recommendation, Planning Division Staff notes that the Plan provides for higher densities under certain conditions. In this case, the site’s proximity to Livingston Avenue, high-quality design, and compatibility with the surrounding area make the increased density supportable.

To grant a Variance from the provisions of Sections 3332.037, R-2F, residential district; 3332.14, R-2F area district requirements; 3332.19, Fronting on a public street; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at **568 LATHROP STREET**

(43206), to permit two single-unit dwellings on one lot with reduced development standards in the R-2F, Residential District (Council Variance #CV18-049).

**WHEREAS**, by application #CV18-049, the owner of property at **568 LATHROP STREET (43206)**, is requesting a Council Variance to permit two single-unit 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- or one two-unit dwelling, while the applicant proposes to develop the site with two single-unit dwellings; and

**WHEREAS**, Section 3332.14, R-2F area district requirements, requires a single-unit dwelling or other principal building to be situated on a lot of no less than 6,000 square feet in area, while the applicant proposes two single-unit dwellings on a lot that contains 3,750± square feet (1,875 per dwelling unit); 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 on a public street which is an existing condition of this lot; and

**WHEREAS**, Section 3332.25(B), Maximum side yards required, requires the sum of the widths of the side yards to be a minimum of 15 feet, while the applicant proposes a maximum side yard of approximately 7 feet; and

**WHEREAS**, Section 3332.26(F), Minimum side yard permitted, requires a minimum side yard of 5.83 feet, while the applicant proposes a side yard of 3 feet along the north property line and 4 feet along the south property line; and

**WHEREAS**, Section 3332.27, Rear yard, requires a rear yard totaling no less than 25 percent of the total lot area, while the applicant proposes a 6± percent rear yard; and

**WHEREAS**, the Columbus South Side Area Commission recommends approval; and

**WHEREAS**, City Departments recommend approval because the requested variances would permit the development of two single-unit dwellings in character and scale with the dwellings in the surrounding neighborhood. Although the proposal has a higher density than the *South Side Plan*'s recommendation, higher densities under certain conditions can be considered. The site's proximity to Livingston Avenue, high-quality design, and compatibility with the surrounding area make the increased density supportable; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and a Certificate of Occupancy for the proposed dwellings; 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 **568 LATHROP 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 be granted from the provisions of Sections 3332.037, R-2F, residential district; 3332.14, R-2F area district requirements; 3332.19, Fronting on a public street; 3332.25(B), Maximum side yards required; 3332.26 (F), Minimum side yard permitted; and 3332.27, Rear yard, for the property located at **568 LATHROP STREET**

**(43206)**, insofar as said sections prohibit two single-unit dwellings on one lot in the R-2F, Residential District; a reduction in the required lot area from 6,000 square feet to 3,750± square feet (1,875 per dwelling unit); no frontage on a public street; a reduced maximum side yard from 15 feet to 7 feet; reduced minimum side yards from 5.83 feet to 3 feet along the north property line and 4 feet along the south property line; and a reduction in rear yard from 25 percent to 6 percent; said property being more particularly described as follows:

**568 LATHROP STREET (43206)**, being 0.09± acres located on the east side of Lathrop Street, 200± feet south of East Livingston Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus Being the northernmost half of Lot 14 James Bryden's Second Addition, Deed Book 38 Page 275.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for two single-unit dwellings or those uses permitted in the R-2F, 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 - ARCHITECTURAL**," signed by Nate Mellman, Property Owner, and dated March 13, 2019. 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 on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed dwellings.

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