



## Legislation Details (With Text)

**File #:** 0918-2007      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 6/1/2007      **In control:** Zoning Committee  
**On agenda:** 7/23/2007      **Final action:** 7/25/2007

**Title:** To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential District; 3332.14, R-2F area district requirements; 3332.21, Building lines; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; 3332.30, Vision clearance; 3342.15, Maneuvering; 3342.18, Parking setback line; 3342.19, Parking space of the Columbus City Codes for the property located at 109 - 129 EAST TOMPKINS STREET (43202), to conform an existing six-unit dwelling and two existing two-family dwellings on one lot with reduced development standards in the R-2F, Residential District. (Council Variance #CV07-002).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0918-2007attachmts.pdf, 2. ORD0918-2007lbs.pdf, 3. City Council Data Form\_CV07-002.pdf

Date	Ver.	Action By	Action	Result
7/25/2007	1	CITY CLERK	Attest	
7/24/2007	1	MAYOR	Signed	
7/23/2007	1	COUNCIL PRESIDENT	Signed	
7/23/2007	1	Zoning Committee	Approved	Pass
7/16/2007	1	Columbus City Council	Read for the First Time	
7/2/2007	1	Mayor Drafter	Sent for Approval	
7/2/2007	1	Dev Zoning Drafter	Sent for Approval	
7/2/2007	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
7/2/2007	1	Dev Zoning Drafter	Sent to Clerk's Office for Council	
6/20/2007	1	Dev Zoning Drafter	Sent for Approval	
6/18/2007	1	Dev Reviewer	Reviewed and Approved	
6/15/2007	1	Dev Zoning Reviewer	Reviewed and Approved	
6/1/2007	1	Dev Zoning Drafter	Sent for Approval	

**Council Variance Application: CV07-002**

**APPLICANT:** East Tompkins Inc; c/o Bruce Pickering; 1875 Mildens Road; Columbus, OH 43221.

**PROPOSED USE:** To conform an existing six-unit dwelling and two existing two-family dwellings on one lot in the R-2F, Residential District.

**UNIVERSITY AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The applicant seeks a Council variance to conform a six-unit dwelling and two two-unit dwellings on one parcel in the R-2F, Residential District. In addition, the applicant wishes to construct a paved parking lot for the residents. Staff recommends approval because the existing development configuration is consistent with the surrounding land use pattern and has posed no detrimental effects on the surrounding neighborhood during its existence and the Transportation Division approves of the parking lot configuration.

To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential District; 3332.14, R-2F area district requirements; 3332.21, Building lines; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; 3332.30, Vision clearance; 3342.15, Maneuvering; 3342.18, Parking setback line; 3342.19, Parking space of the Columbus City Codes for the property located at **109 - 129 EAST TOMPKINS STREET (43202)**, to conform an existing six-unit dwelling and two existing two-family dwellings on one lot with reduced development standards in the R-2F, Residential District. (Council Variance #CV07-002).

**WHEREAS**, by application #CV07-002, the owner of property at **109 - 129 EAST TOMPKINS STREET (43202)**, is requesting a Variance to permit two existing two-unit and one existing six-unit building in the R-2F, Residential District on one parcel with reduced development standards; and

**WHEREAS**, Section 3333.037, R-2F, Residential District Use, does not permit two two-unit buildings and one six-unit building on one lot in the R-2F, Residential District; and

**WHEREAS**, Section 3332.14, R-2F area district requirements, requires two-story two-family dwellings to be on a lot of no less than 3,000 square feet per dwelling unit while the proposes to maintain the existing two two-unit dwellings and one six-unit dwelling on one lot comprising approximately 19,553 square feet which equates to 1,955 square feet per unit; and

**WHEREAS**, Section 3332.21, Building lines, requires a 25 foot building line on East Tompkins Street and Findley Avenue, while the applicant proposes to maintain the existing building line of 21.2 feet on East Tompkins Street and 0.3 feet along Findley Avenue; and

**WHEREAS**, Section 3332.25, Maximum side yards required, requires the sum of the width of the side yards to be no less than sixteen (16) feet, while the applicant proposes to maintain the current total side yard width of 2.6 feet; and

**WHEREAS**, Section 3332.26, Minimum side yard permitted, requires side yards to be no less than five (5) feet, while the applicant proposes to maintain the current side yards of 2.3 and .3 feet respectively; and

**WHEREAS**, Section 3332.30, Vision clearance, requires that a clear vision triangle be maintained on each residential lot adjacent to an intersection or vehicular access point, while the applicant proposes to maintain the current configuration in which the existing six (6) unit building infringes on the clear vision triangle along Findley Avenue and East Tompkins Street; and

**WHEREAS**, Section 3342.15, Maneuvering, requires every parking space to have sufficient access and maneuvering area which may include an aisle, circulation area or improved alley, while the applicant proposes to allow vehicles to maneuver in existing alleys that are less than the minimum required alley width and therefore cannot be counted toward meeting this requirement; and

**WHEREAS**, Section 3342.18, Parking setback line, requires parking to be setback a minimum of ten (10) feet, while the applicant proposes a zero (0) foot parking setback along the south and east property lines; and

**WHEREAS**, Section 3342.19, Parking space, permits one stacking space between the parking setback line and property line while the applicant proposes to allow parking spaces to be stacked between the parking setback line and the existing buildings; and

**WHEREAS**, The University Area Commission recommends approval; and

**WHEREAS**, City Departments recommend approval because the existing development configuration is consistent with the surrounding land use pattern and has posed no detrimental effects on the surrounding neighborhood during its existence and the Transportation Division approves of the parking lot configuration; 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 roads, 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 **109 - 129 EAST TOMPKINS STREET (43202)**, in using said property as desired and; now, therefore:

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That a variance from the provisions of Sections 3332.037, R-2F, Residential District; 3332.14, R-2F area district requirements; 3332.21, Building lines; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; 3332.30, Vision clearance; 3342.15, Maneuvering; 3342.18, Parking setback line; 3342.19, Parking space of the Columbus City Codes for the property located at **109 - 129 EAST TOMPKINS STREET (43202)**, insofar as said sections prohibit two two-unit dwellings and one six-unit dwelling on one lot having 19,500 square feet, with building lines of 21.2 and 0.3 feet, with side yards of sixteen (16) feet and five (5) feet respectively, with an existing building infringing into clear vision triangle at the intersection of East Tompkins Street and Findley Avenue, with parking set back zero feet from the south and east property lines and with stacked parking between the parking setback and building, said property being more particularly described as follows:

**109 - 129 EAST TOMPKINS STREET (43202)**, being 0.45± acres located at the southeast corner of East Tompkins Street and Findley Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus Being Lot 80 and Part of Lots 77, 78 and 79 of George Williams' Amended Northwood Heights Addition Plat Book 2, Page 270

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for two two-family dwellings and one six-unit dwelling, or those uses permitted in the R-2F, Residential District.

**SECTION 3.** That this ordinance is further conditioned on a commitment by the owner to maintain the existing building footprints in conformance with the site plan titled, "**EXHIBIT A**," signed by Bruce Pickering, applicant, dated June 4, 2007. The Subject Site shall be developed in accordance with the site plans and exhibits. The site plan may be slightly adjusted to reflect engineering, topographical or other site data developed at the time of development and engineering plans are completed. Any slight adjustment to the plans shall be reviewed and may be approved by the Director of the Department of Development or his 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 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.