



Legislation Details (With Text)

File #: 1563-2024 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 5/23/2024 **In control:** Zoning Committee

On agenda: 6/10/2024 **Final action:** 6/13/2024

Title: To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1 apartment residential district use; 3333.09, Area requirements; 3333.11, ARLD area district requirements; 3333.16, Fronting, 3333.23, Minimum side yard permitted; and 3333.24, Rear yard, of the Columbus City Codes; for the property located at 1226 FORSYTHE AVE. (43201), to allow two single-unit dwellings on one lot with reduced development standards in the ARLD, Apartment Residential District (Council Variance #CV24-039).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD#1563-2024_Attachments

Date	Ver.	Action By	Action	Result
7/1/2024	1	Zoning Committee	Accept entire staff report into evidence as an exhibit	Pass
7/1/2024	1	Zoning Committee	Adopt the findings of staff as the findings of Council	Pass
7/1/2024	1	Zoning Committee	Approved	Pass
6/13/2024	1	CITY CLERK	Attest	
6/12/2024	1	MAYOR	Signed	
6/10/2024	1	COUNCIL PRESIDENT PRO-TEM	Signed	
6/3/2024	1	Columbus City Council	Read for the First Time	

Council Variance Application: CV24-039

APPLICANT: Paul Fatkins; 583 Parker Run; Galena, OH 43021.

VICTORIAN VILLAGE COMMISSION RECOMMENDATION: Approval.

PROPOSED USE: Two single-unit dwellings on one lot.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of a single-unit dwelling in the ARLD, Apartment Residential District. The requested Council variance will allow an additional dwelling above a detached garage (carriage house). A Council variance is required because the ARLD district does not permit two single-unit dwellings on one lot. Variances to lot width, lot size, minimum side yard, rear yard, and fronting are included in this request. Staff finds that the proposal will not add incompatible uses to the area, and is consistent with the recent development pattern in this historic urban neighborhood. Additionally, the final building design will require a Certificate of Appropriateness from the Victorian Village Commission.

To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1 apartment residential district use;

3333.09, Area requirements; 3333.11, ARLD area district requirements; 3333.16, Fronting, 3333.23, Minimum side yard permitted; and 3333.24, Rear yard, of the Columbus City Codes; for the property located at **1226 FORSYTHE AVE. (43201)**, to allow two single-unit dwellings on one lot with reduced development standards in the ARLD, Apartment Residential District (Council Variance #CV24-039).

WHEREAS, by application #CV24-039, the owner of property at **1226 FORSYTHE AVE. (43201)**, is requesting a Council variance to allow two single-unit dwellings on one lot with reduced development standards in the ARLD, Apartment Residential District; and

WHEREAS, Section 3333.02, AR-12, ARLD and AR-1 apartment residential district use, does not allow single-unit dwellings, while the applicant proposes to construct a single-unit dwelling above a detached garage (carriage house); and

WHEREAS, Section 3333.09, Area requirements, requires a minimum lot width of 50 feet in the ARLD, Apartment Residential District, while the applicant proposes to maintain a lot width of 30 feet; and

WHEREAS, Section 3333.11, ARLD area district requirements, requires 2,500 square feet per dwelling unit on interior lots, while the applicant proposes two dwelling units resulting in 2,250 square feet per dwelling unit; and

WHEREAS, Section 3333.16, Fronting, requires all residential buildings to front upon a public street, while the applicant proposes the carriage house to front upon a rear public alley; and

WHEREAS, 3333.23, Minimum side yard permitted, requires a side yard of no less than five feet for buildings, while the applicant proposes a to maintain a reduced side yard of zero feet along the northern property line for the existing dwelling; and

WHEREAS, 3333.24, Rear yard, requires a rear yard of 25 percent of lot area per dwelling, while the applicant proposes no rear yard for the proposed carriage house; and

WHEREAS, the Victorian Village Commission recommends approval; and

WHEREAS, the City Departments recommend approval because the proposal will not add incompatible uses to the area, is consistent with the recent development pattern in this historic urban neighborhood, and notes that final building design will require a Certificate of Appropriateness from the Victorian Village Commission; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed carriage house; 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 the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect 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 owner of the property located at **1226 FORSYTHE AVE. (43201)** 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 3333.02, AR-12, ARLD and AR-1 apartment residential district use; 3333.09, Area requirements; 3333.11, ARLD area district requirements; 3333.16, Fronting, 3333.23, Minimum side yard permitted; and 3333.24, Rear yard, of the Columbus City Codes; is hereby granted for the property

located at **1226 FORSYTHE AVE. (43201)**, insofar as said sections prohibit two single-unit dwellings on the same lot in the ARLD, Apartment Residential District; with reduced lot width from 50 feet to 30 feet; reduced lot area from 2,500 square feet per dwelling unit to 2,250 square feet per dwelling unit; no frontage on a public street for the rear dwelling; reduced minimum side yard from five feet to zero feet along the northern property line; and reduced rear yard from 25 percent to no rear yard for the proposed carriage house; said property being more particularly described as follows:

1226 FORSYTHE AVE. (43201), being 0.10± acres located on the east side of Forsythe Avenue, 225± feet south of West 5th Avenue, and being more particularly described as follows:

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

Being Ten (10) feet in width off of the North side of Lot Number Fifteen (15) and Twenty (20) feet in width off of the South side of Lot Number Fourteen (14) of COLLINS, ATKINSON AND GUITNER'S ADDITION, as said lots are numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, Page 84, Recorder's Office, Franklin County, Ohio.

Property Address: 1226 Forsythe Ave., Columbus, OH 43201
Parcel Number: 010-008000

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 ARLD, apartment residential district.

SECTION 3. That this ordinance is further conditioned on the subject site being developed in general conformance with both the site plan titled, "**SITE PLAN**," dated May 16, 2024, and signed by Paul Fatkins, the Applicant. 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 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 a Certificate of Occupancy for the proposed carriage house.

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