



## Legislation Details (With Text)

**File #:** 1668-2020      **Version:** 1

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

**File created:** 7/7/2020      **In control:** Zoning Committee

**On agenda:** 7/27/2020      **Final action:** 7/30/2020

**Title:** To grant a Variance from the provisions of Sections 3332.039, R-4 residential district; 3312.49, Minimum numbers of parking spaces required; 3332.05, Area district lot width requirements; 3332.15, R-4 area district requirements; 3332.19, Fronting; 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 1128 HARRISON AVE. (43201), to permit a two-unit dwelling and a single-unit (carriage house) dwelling on one lot with reduced development standards in the R-4, Residential District (Council Variance #CV20-012).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD#1668-2020.Attachments, 2. ORD#1668-2020.Labels

Date	Ver.	Action By	Action	Result
7/30/2020	1	CITY CLERK	Attest	
7/29/2020	1	MAYOR	Signed	
7/27/2020	1	COUNCIL PRESIDENT	Signed	
7/27/2020	1	Zoning Committee	Approved	Pass
7/20/2020	1	Columbus City Council	Read for the First Time	

**Council Variance Application: CV20-012**

**APPLICANT:** Vista Wood Properties, LLC; c/o Dave Perry, Agent; David Perry Company, Inc.; 411 East Town Street, 1st Floor; Columbus, OH 43215; and Donald Plank, Atty.; Plank Law Firm; 411 East Town Street, 2nd Floor; Columbus, OH 43215.

**PROPOSED USE:** Two-unit and single-unit (carriage house) dwellings on one lot.

**VICTORIAN VILLAGE COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of one parcel developed with a single-unit dwelling and detached garage zoned in the R-4, Residential District. The requested Council variance will permit the Applicant to redevelop the property with a two-unit dwelling and a single-unit (carriage house) dwelling containing 3 garage parking spaces. Variances for area district requirements, fronting, side yards, rear yard, and a parking space reduction from 6 required spaces to 3 spaces are included in this request. Staff finds that 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 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; 3312.49, Minimum numbers of parking spaces required; 3332.05, Area district lot width requirements; 3332.15, R-4 area district requirements; 3332.19,

Fronting; 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 **1128 HARRISON AVE. (43201)**, to permit a two-unit dwelling and a single-unit (carriage house) dwelling on one lot with reduced development standards in the R-4, Residential District (Council Variance #CV20-012).

**WHEREAS**, by application #CV20-012, the owner of the property at **1128 HARRISON AVE. (43201)**, is requesting a Variance to permit a two-unit and single-unit (carriage house) dwelling on one lot with reduced development standards in the R-4, Residential District; and

**WHEREAS**, Section 3332.039, R-4 residential district, allows a maximum of four units in one building, but does not permit more than one residential buildings on one lot, while the applicant proposes a two-unit dwelling and a single-unit dwelling (carriage house) on one lot; and

**WHEREAS**, Section 3312.49, Minimum numbers of parking spaces required, requires a minimum of 2 parking spaces for each dwelling unit for a total of 6 required spaces, while the applicant proposes 1 parking space for each unit for a total of 3 parking spaces; and

**WHEREAS**, Section 3332.05, Area district lot width requirements, requires a lot width of no less than 50 feet, while the applicant proposes to maintain the existing lot width of 30 feet; and

**WHEREAS**, Section 3332.15 R-4 area district requirements, requires a lot of 5,000 square feet for a single-unit dwelling, while the applicant proposes a two-unit dwelling and single-unit dwelling on a lot that is approximately 2,700 square feet, pursuant to lot area calculation in 3332.18(C), providing 900 square feet per dwelling unit; and

**WHEREAS**, Section 3332.19, Fronting, requires a dwelling to have frontage on a public street, while the applicant proposes a carriage house fronting on a rear public alley; and

**WHEREAS**, Section 3332.25, Maximum side yards required, requires that the sum of the width of each side yard shall equal or exceed 20 percent of the width of the lot, while the applicant proposes a maximum side yard of 5 feet for the carriage house where 6 feet is required; and

**WHEREAS**, Section 3332.26, Minimum side yard permitted, requires a minimum side yard of 3 feet, while the applicant proposes a minimum side yard of approximately 1.5 feet on the north side of the proposed carriage house; 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 reduced rear yards as depicted on the submitted site plan; 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, is consistent with the recent development pattern in this historic urban neighborhood, and notes that building design will conform to the Victorian Village Commission requirements; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and Certificates of Occupancy for the proposed uses; 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 **1128 HARRISON 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 is hereby granted from the provisions of Sections 3332.039, R-4 residential district; 3332.49, Minimum numbers of parking spaces required; 3332.05, Area district lot width requirements; 3332.15, R-4 area district requirements; 3332.19, Fronting; 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 **1128 HARRISON AVE. (43201)**, insofar as said sections prohibit a two-unit dwelling and single-unit (carriage house) dwelling on one lot in the R-4, Residential District; with a parking space reduction from 6 spaces to 3 spaces; reduced lot width from 50 feet to 30 feet; reduced lot area from 5,000 square feet to 900 square feet per dwelling unit; no frontage on a public street for the carriage house; reduced maximum side yard from 6 feet to 5 feet; reduced minimum side yard from 3 feet to 1.5 feet on the north side of the proposed carriage house; and a reduced rear yard from 25 percent per dwelling unit to the rear yards as depicted on the submitted site plan; said property being more particularly described as follows:

**1128 HARRISON AVE. (43201)**, being 0.12± acres located on the east side of Harrison Avenue, 160± feet north of West Third Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, and in the City of Columbus, and is described as follows:

Being Lot Number Four Hundred Thirty-Six (436), of COLLINS, ATKINSON AND GUITNER'S THIRD AVENUE ADDITION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, page 222, Recorder's Office, Franklin County, Ohio.

For informational purposes only:

Property Address: 1128 Harrison Avenue, Columbus, Ohio 43201

Parcel No.: 010-053581-00

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a two-unit and single-unit (carriage house) dwelling on one lot or those uses permitted in the R-4, Residential District.

**SECTION 3.** That this ordinance is further conditioned on substantial compliance with the site plan drawing titled, "**HARRISON HOUSE**," signed by David Perry, Agent, and Donald Plank, Attorney, and dated June 29, 2020. 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 adjustment to the plan shall be reviewed and may be approved 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 upon the applicant obtaining all applicable permits and Certificates of Occupancy for the proposed uses.

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