



## Legislation Details (With Text)

**File #:** 1509-2024      **Version:** 1

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

**File created:** 5/17/2024      **In control:** Zoning Committee

**On agenda:** 6/3/2024      **Final action:** 6/5/2024

**Title:** To grant a Variance from the provisions of Sections 3332.035, R-3 residential district; 3312.49, Required parking; 3332.05(A)(4), Area district lot width requirements; 3332.21, Building lines; and 3332.26(F), Minimum side yard permitted, of the Columbus City Codes; for the property located at 1563 GREENWAY AVE. (43203), to allow a three-unit dwelling with reduced development standards in the R-3, residential district (Council Variance #CV24-029).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD#1509-2024\_Attachments, 2. ORD#1509-2024\_Labels

Date	Ver.	Action By	Action	Result
6/5/2024	1	CITY CLERK	Attest	
6/4/2024	1	ACTING MAYOR	Signed	
6/3/2024	1	Zoning Committee	Waive the 2nd Reading	Pass
6/3/2024	1	Zoning Committee	Accept entire staff report into evidence as an exhibit	Pass
6/3/2024	1	Zoning Committee	Adopt the findings of staff as the findings of Council	Pass
6/3/2024	1	Zoning Committee	Approved	Pass
6/3/2024	1	COUNCIL PRESIDENT	Signed	

**Council Variance Application: CV24-029**

**APPLICANT:** Robert Ellis c/o Rich Russo, Agent; 906 East Broad Street; Columbus, OH 43205.

**NEAR EAST AREA COMMISSION RECOMMENDATION:** Approval.

**PROPOSED USE:** Three-unit dwelling.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of an undeveloped lot in the R-3, Residential District. The requested Council variance will allow the construction of a new three-unit dwelling. A Council variance is required because the R-3 district does not allow three-unit dwellings. Variances to lot size, lot width, building setback, side yards, and required parking are included in this request. The site is within the planning boundaries of the *Near East Area Plan* (2005), which does not have a specific land use recommendation for this location, but includes residential design guideline recommendations. Staff supports the requested use and design standards as they are consistent with the Plan's recommendations for new housing construction to be consistent with surrounding densities and building types in the neighborhood. Additionally, this request is similar to other residential infill developments in the area.

To grant a Variance from the provisions of Sections 3332.035, R-3 residential district; 3312.49, Required parking; 3332.05(A)(4), Area district lot width requirements; 3332.21, Building lines; and 3332.26(F), Minimum side yard permitted, of the Columbus City Codes; for the property located at **1563 GREENWAY AVE. (43203)**, to allow a three-unit dwelling with reduced development standards in the R-3, residential district (Council Variance #CV24-029).

**WHEREAS**, by application #CV24-029, the owner of property at **1563 GREENWAY AVE. (43203)**, is requesting a Council variance to allow the construction of a three-unit dwelling with reduced development standards in the R-3, residential district; and

**WHEREAS**, Section 3332.035, R-3 residential district, allows one single-unit dwelling per lot, while the applicant proposes a three-unit dwelling, as shown on the submitted site plan; and

**WHEREAS**, Section 3312.49, Required parking, requires two parking spaces per dwelling unit, or six spaces for a three-unit dwelling, while the applicant proposes a reduced total of three parking spaces; and

**WHEREAS**, Section 3332.05(A)(4), Area district lot width requirements, requires a minimum lot width of 50 feet in the R-3, Residential District, while the applicant proposes to maintain a reduced lot width of 30 feet; and

**WHEREAS**, Section 3332.21, Building lines, requires the building line to be 25 feet, while the applicant proposes a reduced building line of 21 feet; and

**WHEREAS**, Section 3332.26(F), Minimum side yard permitted, requires a side yard of no less than one-sixth of the height of the building for buildings over two and one-half stories in height, or 5.83 feet for a building with a height of 35 feet, while the applicant proposes reduced minimum side yards of three feet along the eastern and western property lines; and

**WHEREAS**, the Near East Area Commission recommends approval; and

**WHEREAS**, the City Departments recommend approval because this request is consistent with similar residential infill developments in this area and with surrounding densities and housing types in the neighborhood; 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 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 **1563 GREENWAY AVE. (43203)** 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 3332.035, R-3 residential district; 3312.49, Required parking; 3332.05(A)(4), Area district lot width requirements; 3332.21, Building lines; and 3332.26(F), Minimum side yard permitted, of the Columbus City Codes; is hereby granted for the property located at **1563 GREENWAY AVE. (43203)**, insofar as said sections prohibit a three-unit dwelling in the R-3, Residential District; with a reduction in the required number of parking spaces from six to three spaces; reduced lot width from 50 to 30 feet; reduced building line from 25 21 feet; and reduced minimum side yards from 5.83 feet to 3 feet along the eastern and western property lines;

said property being more particularly described as follows:

**1563 GREENWAY AVE. (43203)**, being 0.09± acres on the south side of Greenway Avenue, 151± feet east of Taylor Avenue, and being more particularly described as follows:

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

Being the west one-half (1/2) of Lot Number Sixty-seven (67), except 5.95 feet off the east side thereof, also 17.95 feet off of the east side of Lot Number Sixty-six (66), in Levi R. and Hugh E. Smith's Woodland Park Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 7, page 132, Recorder's Office, Franklin County, Ohio.

Property Address: 1563 Greenway Avenue, Columbus, OH 43203

Parcel Number: 010-011712

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a dwelling containing up to three units, or those uses permitted in the R-3, residential district.

**SECTION 3.** That this ordinance is further conditioned on the subject site being developed in general conformance with both the site plan and elevation plans titled, "**SITE PLAN**," and "**BUILDING ELEVATIONS**," dated May 8, 2024, and signed by Robert Ellis, the Applicant. 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 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.