



Legislation Details (With Text)

File #: 0758-2023 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 3/3/2023 **In control:** Zoning Committee

On agenda: 3/20/2023 **Final action:** 3/22/2023

Title: To grant a Variance from the provisions of Sections 3332.037, R-2F, residential district; 3312.49, Minimum numbers of parking spaces required; 3321.05(B)(1), Vision Clearance; 3332.14, R-2F area district requirements; 3332.26(C), Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at 729 E. BECK ST. (43206), to permit two two-unit dwellings on one lot with reduced development standards in the R-2F, Residential District (Council Variance #CV22-086).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD#0758-2023_Attachments, 2. ORD#0758-2023_Labels

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------|--|--------|
| 3/22/2023 | 1 | CITY CLERK | Attest | |
| 3/21/2023 | 1 | MAYOR | Signed | |
| 3/20/2023 | 1 | Zoning Committee | Accept entire staff report into evidence as an exhibit | Pass |
| 3/20/2023 | 1 | Zoning Committee | Adopt the findings of staff as the findings of Council | Pass |
| 3/20/2023 | 1 | Zoning Committee | Approved | Pass |
| 3/20/2023 | 1 | COUNCIL PRESIDENT | Signed | |
| 3/13/2023 | 1 | Columbus City Council | Read for the First Time | |

Council Variance Application: CV22-086

APPLICANT: Rob Gordon; 605 North High Street, #142; Columbus, OH 43215.

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

COLUMBUS SOUTH SIDE AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is undeveloped in the R-2F, Residential District. The applicant proposes to develop the site with two two-unit dwellings. A Council variance is necessary because the R-2F district only permits one two-unit dwelling per lot. The request includes variances to minimum numbers of parking spaces required, lot area, building lines, minimum side yard, and rear yard. The site is located within the boundaries of the *Near Southside Plan* (2011), which recommends "Medium Density Mixed Residential" land uses for this location. The Plan also includes adoption of the *Columbus Citywide Planning Policies (C2P2) Design Guidelines* (2018). The Plan states that multi-unit residential uses should be compatible with the neighborhood in which they are to be located relative to height, setback, design, materials, landscaping, parking, and design elements. The Planning Division has determined that the proposed two-unit dwellings are consistent with the Plan's land use recommendations and C2P2 Design Guidelines. The proposal also includes additional windows compatible with and in character and scale with adjacent dwelling units. A

Board of Zoning Adjustment (BZA21-155) was approved on March 22, 2022, for essentially the same development on this site, except a parcel line was proposed between the two buildings.

To grant a Variance from the provisions of Sections 3332.037, R-2F, residential district; 3312.49, Minimum numbers of parking spaces required; 3321.05(B)(1), Vision Clearance; 3332.14, R-2F area district requirements; 3332.26(C), Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at **729 E. BECK ST. (43206)**, to permit two two-unit dwellings on one lot with reduced development standards in the R-2F, Residential District (Council Variance #CV22-086).

WHEREAS, by application #CV22-086, the owner of property at **729 E. BECK ST. (43206)**, is requesting a Council Variance to permit two two-unit dwellings on one lot with reduced development standards in the R-2F, Residential District; and

WHEREAS, Section 3332.037, R-2F, residential district, prohibits two two-unit dwellings on one lot, while the applicant proposes to develop two two-unit dwellings fronting East Beck Street on an undeveloped lot; and

WHEREAS, Section 3312.49, Minimum numbers of parking spaces required, requires two parking spaces per dwelling unit, or eight spaces total for four dwelling units, while the applicant proposes four total parking spaces; and

WHEREAS, Section 3321.05(B)(1), Vision Clearance, requires clear vision triangles of 10 feet at the intersections of streets and alleys, while the applicant proposes a portion of a parking spot to encroach into the clear vision triangle at East Beck Street and Hope Alley; and

WHEREAS, Section 3332.14, R-2F area district requirements, requires a two-story, two-unit dwelling to be situated on a lot of no less than 3,000 square feet per dwelling unit, while the applicant proposes two two-unit dwellings on a lot that contains 5,934± square feet, totaling 1,483.64± square feet of lot area per dwelling unit; and

WHEREAS, Section 3332.26(C), Minimum side yard permitted, requires a side yard of no less than five feet on a lot more than 40 feet wide, while the applicant proposes a minimum side yard of zero feet along the east side of the lot for parking; 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 rear yard totaling 16.08 percent of the lot area; and

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

WHEREAS, City Departments recommend approval because the requested variances would permit a residential development that is consistent with the *Near Southside Plan's* land use recommendations, and the C2P2 Design Guidelines; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificates 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 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 **729 E. BECK ST. (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; 3312.49, Minimum numbers of parking spaces required; 3321.05(B)(1), Vision Clearance; 3332.14, R-2F area district requirements; 3332.26(C), Minimum side yard permitted; and 3332.27, Rear yard, for the property located at **729 E. BECK ST. (43206)**, insofar as said sections prohibit two two-unit dwellings on one lot in the R-2F, Residential District; with a parking space reduction from eight spaces to four spaces; obstruction of the clear vision triangle at the intersection of East Beck Street and Hope Alley; a reduction in the required lot area from 3,000 square feet per dwelling unit to 1,483.64±; a reduced minimum side yard from 5 feet to zero feet on the east side of the lot for parking; and a reduced rear yard from 25 percent to 16.08 percent; said property being more particularly described as follows:

729 E. BECK ST. (43206), being 0.13± acres located at the southwest corner of East Beck Street and South 17th Street, and being more particularly described as follows:

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

Being Lot Number Two Hundred Thirty-Three (233) in Swayne's Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 2, Page 35, Recorder's Office, Franklin County, Ohio.

Parcel Number: 010-021692-00

Property Address: 729 East Beck Street, Columbus, Ohio 43206

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-unit dwellings on one lot, 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, "**729 E BECK STREET**," and elevations titled "**ELEVATION PLAN**," both signed by Rob Gordon, Applicant, and dated December 27, 2022. 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 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 Certificates 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.