



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
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Legislation Text

File #: 0683-2006, Version: 2

COUNCIL VARIANCE: CV05-057.

APPLICANT: Connie J. Klema, Atty.; P.O. Box 991; Pataskala, OH 43062.

PROPOSED USE: A four-unit in the R-2F, Residential District

UNIVERSITY AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The purpose of this application is to conform an existing four-unit building in the R-2F, Residential District. A Council variance is necessary because the R-2F, Residential District ~~only~~ allows **only** one and two-family dwellings. The applicant is committing to the footprint of the existing structure. **The applicant is also requesting dimensional variances to conform the building and parking as it currently exists. These include to allow the building to remain on a lot smaller than would be allowed, to allow the building to be closer to the street than would be allowed, to have smaller side yards than would be allowed, to have narrower driveways and parking lot aisles than would be allowed and to have three (3) fewer parking spaces than the eight (8) required.** No recommendation is being made regarding the hardship aspect of this request.

To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential District use, **3332.14 R-2F Area District Requirements, 3332.21 Building Lines, 3332.25 Maximum Side Yards Required, 3332.26 Minimum Side Yard Permitted, 3342.06 Aisle, 3342.08 Driveway, and 3342.28 Minimum Number of Parking Spaces** of the Columbus City Codes for property located at **2590 NEIL AVENUE (43202)**, to conform an existing four-unit dwelling in the R-2F, Residential District **with reduced development standards.** (Council Variance CV05-057).

WHEREAS, Section 3332.037, R-2F, Residential District use, permits up to two dwelling units within one dwelling, while the applicant proposes to permit four dwelling units in one dwelling; and

WHEREAS, Section 3332.14 R-2F Area District Requirements, requires a single-family dwelling or other principal building to be situated on a lot of no less than six thousand (6,000) square feet in area; a one (1) -story, two (2) -family dwelling to be situated on a lot of no less than thirty-six hundred (3,600) square feet in area per dwelling unit; and a two (2) -story, two (2) -family dwelling to be situated on a lot of no less than three thousand (3,000) square feet per dwelling unit, while the applicant wishes to maintain an existing four-unit building with a lot area of 5119 square feet; and

WHEREAS, Section 3332.21 Building Lines, requires the building line to be no less than twenty-five (25) feet, while the applicant requests to maintain the current building line of 11.3 feet, and

WHEREAS, Section 3332.25 Maximum Side Yards Required, requires the sum of the widths of each side yard to equal at least 20% of the width of the lot while the applicant wishes to permit the existing sum of 17%, and

WHEREAS, Section 3332.26 Minimum Side Yard Permitted, requires that the side yard to be no less than 5 feet and open to the sky, while the applicant wishes to permit the existing 3.6 foot side yard obstructed by pavement, and

WHEREAS, Section 3342.06 Aisle, requires that aisles for two-way travel be at least twenty (20) feet wide while the applicant

proposes to maintain the existing 18 foot wide aisle that is accessible to the property through 2596 & 2602 Neil Avenue, and

WHEREAS, Section 3342.08 Driveway, requires that driveways be no less than 20 feet wide, while the applicant wishes to maintain the existing 18 foot driveway that leads through 2596 & 2602 Neil Avenue, and

WHEREAS, Section 3342.28 Minimum Number of Parking Spaces, requires two (2) parking spaces per unit which would equate to eight (8) parking spaces for the four dwelling units while the applicant only wishes to provide five (5) parking spaces as delineated in the attached survey, and

WHEREAS, the University Area Commission recommends approval; 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 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 **2590 NEIL AVENUE (43202)**, in using said property as desired; and

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 use, **3332.14 R-2F Area District Requirements, 3332.21 Building Lines, 3332.25 Maximum Side Yards Required, 3332.26 Minimum Side Yard Permitted, 3342.06 Aisle, 3342.08 Driveway and 3342.28 Minimum Number of Parking Spaces of the Columbus City Codes are hereby granted for the property located at 2590 NEIL AVENUE (43202), insofar as said sections prohibits a four-unit dwelling in the R-2F, Residential District with a lot area of 5119 square feet, and 11.3 foot building line where twenty-five (25) feet would normally be required, with a side yard comprising 17% of the lot width where 20% would normally be required, with a side yard of 3.6 feet where five (5) feet is normally required with a driveway and parking lot aisle eighteen (18) feet in width where twenty (20) feet would normally be required and with five (5) parking spaces where eight (8) would normally be required of the Columbus City Codes are hereby granted for the property located at 2590 NEIL AVENUE (43202), insofar as said sections prohibits a four-unit dwelling in the R-2F, Residential District said property being more particularly described as follows:**

Legal Description

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

Being part of Lot Number Fourteen (14) of SOLOMON & G.W. BEER'S NORTH COLUMBUS ADDITION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 1, page 54, Recorder's Office, Franklin County, Ohio; said part being bounded and described as follows:

Beginning at a point at the south-west corner of said lot Number Fourteen (14), which point is also on the east line of Neil Avenue, thence north along Neil Avenue 50 feet to a point, thence east on a line parallel with the south line of said lot 99 feet to a point in the east line of said lot, thence south along the east line of said lot 50 feet to a point, thence west along the south line of said lot 99 feet to the place of beginning.

Parcel No.: 010-22421

Property Address: 2590 Neil Avenue, Columbus, Ohio 43202

Section 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for four (4) dwelling units on a lot, or those uses permitted in the R-2F, Residential District.

Section 3. That this ordinance is further conditioned on the Subject Site existing in general conformance with the site plan titled "**2590 NEIL AVENUE CONDOMINIUM,**" drawn by Landmark Survey Group, Inc., dated October 24, 2005, and signed by Connie Klema, applicant.

Section 4. That this ordinance is further conditioned on a commitment by the owner to maintain the existing building footprints, as committed to in Section Three, and the elevations of the buildings shall be maintained in the architectural style and with materials like those of the buildings existing on the property on the date of this ordinance if the building are restored or new buildings are constructed; said materials and style to include: two (2) story building with brick and half-timbered exterior; pitched slate roof; as illustrated in exhibit A.

Section 5. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

Section 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.