



Legislation Text

File #: 3412-2022, **Version:** 1

Council Variance Application: CV22-074

APPLICANT: Clearview Property Management; c/o Benjamin Perryman; 891 East Long Street; Columbus, OH 43203; and Stanley Jackson, Esq., Atty; 2000 Auburn Drive, Suite 200; Beachwood, OH 44122.

PROPOSED USE: Single-unit dwelling with a carriage house.

COLUMBUS SOUTH SIDE AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of one parcel developed with a single-unit dwelling in the R-2F, Residential District. The requested Council variance will permit the construction of a single-unit dwelling above a detached garage (carriage house) on the rear of the property. A Council variance is necessary because the R-2F district permits only one single- or two-unit dwelling on a single lot, and does not permit the arrangement of a single-unit dwelling and carriage house on the same lot. The request also includes variances for reduced parking spaces from four to two, no frontage on a public street, and reduced lot width, lot area, maximum and minimum side yards, and rear yard. The site is located within the planning area of the *South Side Plan* (2014), which recommends "Medium-High Density Residential", land uses for this location. Additionally the Plan includes early adoption of the *Columbus Citywide Planning Policies (C2P2) Design Guidelines* (2018). The request is consistent with the Plan's land use recommendation, the recent development pattern for carriage houses in the area, and does not add a new or incompatible use to the neighborhood.

To grant a Variance from the provisions of Sections 3332.037, R-2F Residential District; 3312.49, Minimum numbers of parking spaces required; 3332.05(A)(4), Area district lot width requirements; 3332.14, R-2F 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 **1374 S. 5TH ST. (43203)**, to permit a single-unit dwelling and a rear single-unit (carriage house) on the same lot with reduced development standards in the R-2F, Residential District (Council Variance #CV22-074).

WHEREAS, by application #CV22-074, the owner of the property at **1374 S. 5TH ST. (43203)**, is requesting a Council variance to permit a single-unit dwelling and a single-unit dwelling (carriage house) with reduced development standards in the R-2F, Residential district; and

WHEREAS, Section 3332.037, R-2F Residential District, permits one single-unit or one two-unit dwelling on a lot, while the applicant proposes to construct a rear single-unit dwelling (carriage house) on a lot developed with an existing single-unit dwelling; and

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

WHEREAS, Section 3332.05(A)(4), Area district lot width requirements, requires a minimum lot width of 50 feet, while the applicant proposes to maintain the existing lot width of 30 feet; and

WHEREAS, Section 3332.14, R-2F area district requirements, requires no less than 6,000 square feet per dwelling unit for single-unit dwellings, while the applicant proposes a single-unit dwelling and a single-unit carriage house on one 2,700± square foot lot (actual lot size is 3,870± square feet), or 1,350 square feet per dwelling, pursuant to lot area calculation in 3332.18(C); and

WHEREAS, Section 3332.19, Fronting, requires a dwelling unit to have frontage on a public street, while the applicant proposes a single-unit dwelling fronting on a rear public alley; and

WHEREAS, 3332.25, Maximum side yards required, requires that the sum of the widths of the side yards equal or exceed 20 percent of the width of the lot, or six feet for a lot width of 30 feet, while the applicant proposes a reduced maximum side yard of three feet for the proposed carriage house; and

WHEREAS, 3332.26, Minimum side yard permitted, requires that the minimum side yard be no less than three feet, while the applicant proposes side yard of zero feet on the north side of the proposed carriage house; and

WHEREAS, 3332.27, Rear yard, requires each dwelling, residence or principal building shall be erected so as to provide a rear yard totaling no less than 25 percent of the total lot area, while the applicant proposes no rear yard for the proposed carriage house; and

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

WHEREAS, City Departments recommend approval of the requested variances because the proposal is consistent with the *South Side Plan's* recommended land use for this property and will not add incompatible uses to the area as there are other carriage houses near this location. Additionally the request is consistent with the recent carriage house development pattern in the area; and

WHEREAS, said ordinance requires separate submission for all applicable permits and a 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 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 **1374 S. 5TH ST. (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 3332.037, R-2F, Residential District; 3312.49, Minimum number of parking spaces required; 3332.05(A)(4), Area district lot width requirements; 3332.14, R-2F 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 City of Columbus codes, is hereby granted for the property located at **1374 S. 5TH ST. (43203)**, insofar as said sections prohibit two single-unit dwellings on one lot in the R-2F, Residential District; with a parking space reduction from four spaces to two spaces; a reduced minimum lot width from 50 feet to 30 feet; a reduced lot area from 6,000 square feet to 1,935 square feet per dwelling unit; no frontage on a public street for the proposed carriage house; a reduced maximum side yard from six feet to three feet for the proposed carriage house; reduced minimum side yards from three feet to zero feet on the north side of the proposed carriage house; and no rear yard for the proposed carriage house; said property being more particularly described as follows:

1374 S. 5TH ST. (43203), being 0.09± acres located on the east side of South 5th Street, 120± feet north of East Neff 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 One Hundred One (101) of WARREN JENKINS MARION ADDITION TO THE CITY OF COLUMBUS, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, pages 348, Recorder's Office, Franklin County, Ohio.

Prior Instrument Reference: Instrument No. 202203090038547 Parcel No.: 010-048073-00

Property Address: 1374 South 5th St, Columbus, OH 43207

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used as a single-unit dwelling with a rear single-unit carriage house, or those uses permitted in the underlying R-2F, Residential District.

SECTION 3. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed carriage house.

SECTION 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.