



## Legislation Text

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**File #:** 1824-2024, **Version:** 1

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### **Council Variance Application: CV23-098**

**APPLICANT:** Estate of James G. Lisk; c/o Michael G. Farr, Executor; 1314 Bryden Road; Columbus, OH 43205.

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

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

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of one parcel developed with a four-unit dwelling in the R-3, Residential District. The requested Council variance will allow the existing building to be expanded and converted into a two-unit dwelling with a new four-car detached garage. A Council variance is required because the R-3 district only allows single-unit dwellings. Variances to lot width, lot coverage, and minimum side yard are included in the request. The site is within the boundaries of the *Near East Area Plan (2005)*, which does not give a specific land use recommendation for this location. Staff notes that the building was originally a two-unit dwelling, and finds that the proposal is consistent with the residential character of the neighborhood and with the existing development pattern in the surrounding area.

To grant a Variance from the provisions of Section 3332.035, R-3 residential district; 3332.05(A)(4), Area district lot width requirements; 3332.18(D), Basis of computing area; and 3332.26, Minimum side yard permitted, of the Columbus City Codes; for the property located at **37-39 LATTA AVE. (43205)**, to allow a two-unit dwelling with reduced development standards in the R-3, Residential District (Council Variance #CV23-098).

**WHEREAS**, by application #CV23-098, the owner of property at **37-39 LATTA AVE. (43205)**, is requesting a Council variance to allow a two-unit dwelling with reduced development standards in the R-3, Residential District; and

**WHEREAS**, Section 3332.035, R-3 residential district, allows only one single-unit dwelling on a lot, while the applicant proposes to convert the existing building into a two-unit dwelling; 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 44 feet; and

**WHEREAS**, Section 3332.18(D), Basis of computing area, prohibits buildings from occupying more than 50 percent of the lot area, while the applicant proposes to a lot coverage of 51.5 percent; and

**WHEREAS**, Section 3332.26, Minimum side yard permitted, requires that the minimum side yard be no less than five feet, while the applicant proposes a reduced side yard of 3.25 feet along the southern property line; and

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

**WHEREAS**, the City Departments recommend approval because a Council variance will allow a two-unit dwelling consistent with the residential character of the neighborhood, and with the existing development pattern in the surrounding area; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and a 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 **37-39 LATTA AVE. (43205)**, 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; 3332.05(A)(4), Area district lot width requirements; 3332.18(D), Basis of computing area; and 3332.26, Minimum side yard permitted, of the Columbus City Codes; is hereby granted for the property located at **37-39 LATTA AVE. (43205)**, insofar as said sections prohibit a two-unit dwelling in the R-3, Residential District; with a reduced lot width from 50 feet to 44 feet; increased lot coverage from 50 to 51.5 percent; and reduced minimum side yard from five feet to 3.25 feet along the southern property line, said property being more particularly described as follows:

**37-39 LATTA AVE. (43205)**, being 0.14± acres located on the west side of Latta Avenue, 190± feet north of Madison Avenue, and being more particularly described as follows:

Situated in State of Ohio, County of Franklin and in the city of Columbus and more fully described as:

Being Lot Numbered Twenty-Six (26) and four and one-half (4/12) feet off the North side of Lot Number Twenty-seven (27) of John M. Phugh's amended and corrected plat of his Subdivision of Lots 1, 2, 3, 4 and 5 of Samuel Brush's Subdivision of part Half Section 14, Township 5, Range 22, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, page 144, Recorder's Office, Franklin County Ohio.

Address of Property: 37-39 Latta Avenue, Columbus, OH 43205  
Parcel No.: 010-046581

**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 dwelling, or those uses allowed in the R-3, Residential District.

**SECTION 3.** That this ordinance is further conditioned on the subject site being developed in general conformance with the site plan titled, "**SITE PLAN NEW WORK PLAN S101N**," dated June 6, 2024, and building elevations titled "**NEW WORK PLAN G104NG**," and "**ELEVATIONS NEW G201N & G202N**," dated February 2, 2024, all signed by Lance DeBenedictis, Engineer for 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 plan 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.