



Legislation Text

File #: 1085-2021, **Version:** 1

Council Variance Application: CV21-002

APPLICANT: Krais LLC; c/o David Hodge, Atty.; Underhill & Hodge, LLC; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

PROPOSED USE: A single-unit dwelling and a single-unit carriage house on one lot.

COLUMBUS SOUTH SIDE AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is developed with a single-unit dwelling in the R-2F, Residential District. The applicant requests a Council variance to permit a carriage house and a single-unit dwelling on one parcel. The variance is necessary because while the R-2F district permits two-unit dwellings, two single-unit dwellings on the same lot are prohibited. Variances to minimum number of parking spaces required, area district requirements, lot with, lot coverage, fronting, maximum and minimum side yard, and rear yard are included in this request. The site is located within the boundaries of the *South Side Plan* (2014), which recommends "Medium-High Density Residential" land uses at this location. Additionally, the Plan includes early adoption of the *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018). Planning Division staff has determined that the proposed building elevations include design elements that are compatible with surrounding structures.

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), Area district lot width requirements; 3332.14, R-2F area district requirements; 3332.19, Fronting on a public street; 3332.25, Maximum side yards required; 3332.26(C)(1), Minimum side yard permitted; and 3332.27, Rear yard, for the property located at **374 E. WHITTIER ST. (43206)**, to permit a single-unit dwelling (a carriage house) on the rear of a lot developed with a single-unit dwelling with reduced development standards in the R-2F, Residential District (Council Variance #CV21-002).

WHEREAS, by application #CV21-002, the owner of property at **374 E. WHITTIER ST. (43206)**, is requesting a Council variance to permit a single-unit dwelling (a carriage house) on the rear of a lot developed with a single-unit dwelling with reduced development standards in the R-2F, Residential District; and

WHEREAS, Section 3332.037, R-2F, residential district, permits a maximum of two units in one building, but prohibits two single-unit dwellings on one lot, while the applicant proposes to develop a dwelling unit above a garage (carriage house) on a lot developed with a single-unit dwelling; and

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

WHEREAS, Section 3332.05(A), Area district lot width requirements, requires a minimum lot width of 50 feet in the R-2F, Residential District, while the applicant proposes to conform the existing lot width of 33 feet; and

WHEREAS, Section 3332.14, R-2F area district requirements, requires a single-unit dwelling or other principal building to be situated on a lot of no less than 6,000 square feet in area, while the applicant proposes two separate single-unit

dwellings on a lot that contains 3,267 square feet totaling 1,634 square feet of lot area per dwelling unit; and

WHEREAS, Section 3332.19, Fronting on a public street, requires a dwelling unit to have frontage on a public street, while the applicant proposes for the rear carriage house dwelling to front on the public alley; and

WHEREAS, Section 3332.25, Maximum side yards required, requires the sum of the widths of the side yards to equal or exceed 20 percent of the width of the lot, or 6.6 feet, while the applicant proposes to maintain a maximum side yard of zero feet; and

WHEREAS, Section 3332.26(C)(1), Minimum side yard permitted, requires a minimum side yard of three feet, while the applicant proposes to maintain minimum side yards of zero feet; 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 11 percent rear yard for the existing single-unit dwelling, and no rear yard for the rear carriage house dwelling; and

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

WHEREAS, City Departments recommend approval because the requested variances would permit development of a carriage house in character and scale with the dwellings on the surrounding properties; 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 **374 E. WHITTIER 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; 3332.05(A), Area district lot width requirements; 3332.14, R-2F area district requirements; 3332.19, Fronting on a public street; 3332.25, Maximum side yards required; 3332.26(C)(1), Minimum side yard permitted; and 3332.27, Rear yard, for the property located at **374 E. WHITTIER ST. (43206)**, insofar as said sections prohibit a single-unit dwelling and a rear single-unit carriage house on the same lot in the R-2F, Residential District; with a parking space reduction from four spaces to three spaces; a reduction in the lot width from 50 feet to 33 feet; a reduction in the required lot area from 6,000 square feet to 1,634± square feet per dwelling unit; no frontage on a public street for the rear carriage house dwelling; a reduction in the maximum side yard from 6.6 feet to zero feet; a reduction in the minimum side yard from 3 feet to zero feet; a reduction in the rear yard from 25 percent to 11 percent for the existing single-unit dwelling; and no rear yard for the rear carriage house dwelling; said property being more particularly described as follows:

374 E. WHITTIER ST. (43206), being 0.09± acres located on the north side of East Whittier Street, 90± feet east of Bruck Street, and being more particularly described as follows:

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

Being Lot Number One Hundred Twenty (120) of BLESCH AND KREMER'S SUBDIVISION of part of Lot Number Four (4) and part of Lot Number Five (5) of C.F. Jaeger's Estate, as per plat of said Subdivision recorded in Plat Book No. 4, pages 24 and 25, Recorder's Office, Franklin County, Ohio.

Tax Parcel# 010-3207

Address: 374 East Whittier 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 a single-unit dwelling and a rear single-unit carriage house on the same 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, "**374 E. WHITTIER STREET**," and building elevations titled, "**374 WHITTIER STREET CARRIAGE HOUSE SHEETS 1-5**," all signed by Eric Zartman, Attorney for the Applicant, and dated March 24, 2021. 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 a Certificate of Occupancy for the proposed carriage house.

SECTION 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.