



Legislation Text

File #: 1268-2024, **Version:** 1

Council Variance Application: CV23-143

APPLICANT: Brian P. Collins, Architect; 62 Hoffman Avenue; Columbus, OH 43205; and W. Evan Price II, Esq. Attorney; P.O. Box 20244; Columbus, OH 43220

PROPOSED USE: Two-unit dwelling and single-unit dwelling on one lot.

NEAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of one parcel in the R-2F, Residential District developed with a two-unit dwelling. The requested Council Variance will allow a single-unit dwelling above a detached garage (carriage house), for a total of three dwellings on one lot. A Council variance is necessary because the R-2F district only allows one single-unit or one two-unit dwelling on a lot. The request includes variances to lot area, lot width, fronting, side yards, rear yard, and building height. The site is located within the planning area of the *Near East Area Plan (2005)*, which does not recommend a specific land use at this location, however does state that new residential development should be consistent with neighboring housing types and densities. While the Planning Division requested the new single-unit dwelling be located closer to the rear alley, staff supports the request as it is consistent with similar proposals in the neighborhood, and does not represent the introduction of an incompatible use.

To grant a Variance from the provisions of Sections 3332.037, R-2F residential district; 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; 3332.27, Rear yard; and 3332.29, Height district; of the Columbus City Codes; for the property located at **266-268 N. MONROE AVE. (43203)**, to allow a two-unit dwelling and a single-unit dwelling (carriage house) on one lot with reduced development standards in the R-2F, Residential District (Council Variance # CV23-143).

WHEREAS, by application #CV23-143, the owner of the property at **266-268 N. MONROE AVE. (43203)**, is requesting a Variance to allow a two-unit dwelling and a single-unit dwelling on one lot with reduced development standards in the R-2F, Residential District; and

WHEREAS, Section 3332.037, R-2F residential district, allows one single-unit or one two-unit dwelling on a lot, while the applicant proposes to maintain a two-unit dwelling and construct a single-unit dwelling over a detached garage (carriage house), for a total of three units one lot; and

WHEREAS, Section 3332.05(A)(4), Area district lot width requirements, requires a minimum lot width of 50 feet in the R-2F, Residential District, while the applicant proposes to maintain a reduced lot width of 40.11 feet; and

WHEREAS, Section 3332.14, R-2F area district requirements, requires 3,000 square feet of lot area per dwelling unit for a two-unit dwelling, while the applicant proposes a two-unit dwelling and a single-unit dwelling on one lot containing 4,826± square feet (1,608± square feet per dwelling unit), pursuant to the lot area calculation in Section 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 carriage house to front on a public alley; and

WHEREAS, Section 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 8.02 feet for a lot width of 40.11 feet, while the applicant proposes a reduced maximum side yard of 6.6 feet for the existing two-unit dwelling, and 6.2 feet for the proposed carriage house; and

WHEREAS, Section 3332.26, Minimum side yard permitted, requires a minimum side yard of five feet, while the applicant proposes a side yard of 2.8 feet along the northern property line, and 3.8 feet along the southern property line for the existing two-unit dwelling; and 3.1 feet for the proposed carriage house along the northern and southern property lines; and

WHEREAS, Section 3332.27, Rear yard, requires a rear yard totaling no less than 25 percent of the total lot area for each dwelling, while the applicant proposes no rear yard for the proposed carriage house; and

WHEREAS, Section 3332.29, Height district, requires that within a 35-foot height district, no building or structure shall be erected to a height in excess of 35 feet, while the applicant proposes to maintain the existing two-unit dwelling which is 42 feet in height; and

WHEREAS, the Near East Area Commission recommends approval; and

WHEREAS, City Departments recommend approval because the requested Council variance will allow residential development that is consistent with similar proposals in the neighborhood and does not represent the introduction of an incompatible use; 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 **266-268 N. MONROE AVE. (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 is hereby granted from the provisions of 3332.037, R-2F residential district; 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; 3332.27, Rear yard; and 3332.29, Height district; of the Columbus City Codes; for the property located at **266-268 N. MONROE AVE. (43203)**, insofar as said sections prohibit a two-unit dwelling and a single-unit dwelling (carriage house) on one lot in the R-2F, Residential District; with a reduced lot width from 50 feet to 40.11 feet; reduced lot area from 3,000 square feet per dwelling unit to 1,608± square feet; no frontage on a public street for the proposed carriage house; a reduced maximum required side yard from 8.02 feet to 6.6 feet for the existing two-unit dwelling, and 6.2 feet for the proposed carriage house; a reduced minimum side yard from five to 2.8 feet along the northern property line, and 3.8 feet along the southern property line for the existing two-unit dwelling; and 3.1 feet for the proposed carriage house along the northern and southern property lines; a reduced rear yard from 25 percent to zero percent for the proposed carriage house; and an increased height from 35 feet to 42 feet for the existing two-unit dwelling; said property being more particularly described as follows:

266-268 N. MONROE AVE. (43203), being 0.14± acres, located on the east side of North Monroe Avenue, 255± feet south of Mt. Vernon Avenue and being more particularly described as follows:

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

Being Lot Number Eighty-Eight (88) of Mitchell and Watson's East Grove Addition, as the same is numbered and delineated upon the recorded plat thereof, recorded in Plat Book 2, Page 172, Recorder's Office, Franklin County, Ohio, be the same more or less, but subject to all legal highways.

Parcel No.: 010-007625

Address: 266-268 North Monroe Avenue, Columbus, Ohio 43203

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 and a single-unit dwelling 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, "**SITE PLAN**," dated April 8, 2024, signed by Brian Collins, Applicant. The plan 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 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.