



## Legislation Text

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**File #:** 1790-2021, **Version:** 1

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### **Council Variance Application: CV21-059**

**APPLICANT:** Horus and Ra Development; c/o Kareem Amr, Agent; 1223 East Main Street, Suite 303; Columbus, OH 43205.

**PROPOSED USE:** Two single-unit dwellings on the same lot.

**ITALIAN VILLAGE COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of one parcel developed with a single-unit dwelling in the R-4, Residential District. The requested Council variance will allow a rear dwelling-unit with an attached two-car garage. The variance is necessary because the R-4, Residential District permits a maximum of four dwelling units in one building, but does not permit two separate dwellings on one lot. Variances for lot width, lot area, fronting, lot coverage, building setback, minimum side yard, and rear yard are included in this request. The site is within the boundaries of the *Italian Village East Redevelopment Plan* (2005), which recommends residential (1-2 units) at this location. The proposal is consistent with the Plan's land use recommendation and with recent development patterns in historic urban neighborhoods. Additionally, staff finds the proposal will not add incompatible uses to area as there are other rear dwellings and carriage houses within this neighborhood, and notes that building design will conform to the Italian Village Commission requirements.

To grant a Variance from the provisions of Sections 3332.039, R-4, Residential District; 3332.05(A)(4), Area district lot width requirements; 3332.15, R-4, area district requirements; 3332.18(D), Basis of computing area; 3332.19, Fronting; 3332.21, Building lines; 3332.26(C)(1), Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at **915 N. 4TH ST. (43201)**, to permit two single-unit dwellings on the same lot with reduced development standards in the R-4, Residential District (Council Variance #CV21-059).

**WHEREAS**, by application #CV21-059, the owner of the property at **915 N. 4TH ST. (43201)**, is requesting a Variance to permit two single-unit dwellings on the same lot with reduced development standards in the R-4, Residential District; and

**WHEREAS**, Section 3332.039, R-4, Residential District, permits a maximum of four units in one building, but does not permit two separate dwellings on one lot, while the applicant proposes to construct a single-unit dwelling with an attached two-car garage on a lot developed with a single-unit dwelling; and

**WHEREAS**, Section 3332.05(A)(4), Area district lot width requirements, requires a lot no less than 50 feet wide, while the applicant proposes to maintain the existing lot width of 29.83± feet; and

**WHEREAS**, Section 3332.15 R-4 area district requirements, requires a lot of 5,000 square feet for a single-unit dwelling, while the applicant proposes to maintain an existing single-unit dwelling and construct a rear single-unit dwelling on a lot area of 2,669± square feet (pursuant to lot area calculation in 3332.18(C)); 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 an increased lot coverage of 72 percent; 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**, Section 3332.21, Building lines, requires a minimum setback from the right-of-way line of 10 feet, while the applicant proposes to maintain a setback of 4.8± feet from North 4th Street for the existing dwelling; and

**WHEREAS**, Section 3332.26(C)(1), Minimum side yard permitted, requires a minimum side yard of three feet on a lot width of 40 feet or less, while the applicant proposes to maintain a northern side yard of zero feet for the existing dwelling; 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 a rear yard of 21 percent for the existing dwelling no rear yard for the proposed rear dwelling; and

**WHEREAS**, the Italian Village Commission recommends approval; and

**WHEREAS**, City Departments recommend approval of the requested variance because the proposal is consistent with the *Italian Village East Redevelopment Plan's* land use recommendation, recent development patterns in historic urban neighborhoods, and does not add incompatible uses to the area; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed rear dwelling; 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 **915 N. 4TH ST. (43201)**, 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 Sections 3332.039, R-4, Residential District; 3332.05(A)(4), Area district lot width requirements; 3332.15, R-4, area district requirements; 3332.18(D), Basis of computing area; 3332.19, Fronting; 3332.21, Building lines; 3332.26(C)(1), Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at **915 N. 4TH ST. (43201)**, insofar as said sections prohibit two single-unit dwellings on the same lot in the R-4, Residential District; with a reduced lot width from 50 feet to 29.83± feet; reduced lot area from 5,000 square feet per dwelling unit to 2,669± square feet for two single-unit dwellings; an increased lot coverage from 50 percent to 72 percent; no frontage on a public street for the rear dwelling; a reduced building line from 10 feet to 4.8± feet along North 4th Street for the existing dwelling; a reduced side yard on the north side of the existing dwelling from 3 feet to zero feet; and a reduced rear yard from 25 percent to 21 percent for the existing dwelling, and no rear yard for the proposed dwelling; said property being more particularly described as follows:

**915 N. 4TH ST. (43201)**, being 0.09± acres located on the west side of North 4th Street, 200± feet south of East 2nd Avenue, and being more particularly described as follows:

Situated in the County of Franklin, State of Ohio and City of Columbus: Being the southern half of Lot Number Fourteen

(14) of E. Sorin's Subdivision as numbered and delineated upon the recorded plat thereof, of record in Plat Book 1 Page 286, Recorder's Office, Franklin County, Ohio.

Property Address: 915 N. Fourth St., Columbus, OH 43201

Parcel Number: 010-015933

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for two single-unit dwellings on the same lot, or those uses permitted in the R-4, Residential District.

**SECTION 3.** That this ordinance is further conditioned on general conformance with the site plan titled, "**SITE PLAN**," dated June 9, 2021, and signed by Kareem Amr, Agent for the 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 adjustment to the plan shall be reviewed and may be approved 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 upon the applicant obtaining all applicable permits and a Certificate of Occupancy for the rear dwelling.

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