



Legislation Text

File #: 0566-2024, **Version:** 2

Council Variance Application: CV23-084

APPLICANT: Hamlet Properties LLC; c/o Ugo Nwoke, Agent; Aurtec Design; 39 East Main Street; New Albany, OH 43054

PROPOSED USE: Carriage house development.

UNIVERSITY AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of two parcels each developed with a single-unit dwelling in the R-4, Residential District. The requested Council variance will allow the applicant to construct a single-unit carriage house above a detached garage on each lot. A Council variance is required because the R-4 district allows a maximum of four units in one building, but does not allow two single-unit dwellings on one lot. The request includes variances for lot coverage, floor area ratio (FAR), lot width, lot area, fronting, side yards, rear yard, and reduced parking from four required spaces per lot to two provided spaces per lot. The site is located within the planning boundaries of the *University District Plan* (2015), which recommends "Lower Intensity Residential" land uses at this location. Staff supports the request as it is consistent with the existing residential development pattern of the neighborhood, and will not add incompatible uses to the area.

To grant a Variance from the provisions of Sections 3332.039, R-4 residential district; 3312.49(C), Required Parking; 3325.801, Maximum Lot Coverage; 3325.805, Maximum Floor Area Ratio (FAR); 3332.05(A)(4), Area district lot width requirements; 3332.15, R-4 area district requirements; 3332.19, Fronting; 3332.25, Maximum side yards required; 3332.26, Minimum side yards permitted; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at **1462-1466 HAMLET ST. (43201)**, to allow two single-unit dwellings on each lot with reduced development standards in the R-4, Residential District **and to declare an emergency.** (Council Variance #CV23-084)

WHEREAS, by application #CV23-084, the owner of the property at **1462-1466 HAMLET ST. (43201)**, is requesting a Variance to allow two single-unit dwellings on each lot with reduced development standards in the R-4, Residential District; and

WHEREAS, Section 3332.039, R-4 residential district, allows a maximum of four units in one building, while the applicant proposes to construct a carriage house on the rear of each lot resulting in two single-unit dwellings per lot; and

WHEREAS, Section 3312.49(C), Required parking, requires two parking spaces per dwelling unit for a total of four required parking spaces for each lot, while the applicant proposes two parking spaces per lot; and

WHEREAS, Section 3325.801, Maximum Lot Coverage, requires that a building including any rear or side porch or roofed stairs shall cover no more than 25 percent of the lot area, while the applicant proposes increased coverage of 30 percent of the lot area for two single-unit dwellings at 1462 Hamlet Street; and increased coverage of 26 percent of the lot area for two single-unit dwellings at 1466 Hamlet Street; and

WHEREAS, Section 3325.805, Maximum Floor Area Ratio (FAR), requires that the maximum total calculated floor area

permitted on any lot shall be no greater than that determined by a 0.40 FAR, while the applicant proposes an increased FAR of 0.65 for two single-unit dwellings on each lot; and

WHEREAS, Section 3332.05(A)(4), Area district lot width requirements, requires a minimum lot width of 50 feet in the R-4, Residential District, while the applicant proposes to maintain a reduced lot width of 34 feet for each lot; and

WHEREAS, Section 3332.15, R-4 area district requirements, requires that a single-unit dwelling shall be situated on a lot with an area that equals or exceeds 5,000 square feet per dwelling unit, while the applicant proposes two single-unit dwellings on lots that contain 3,468± square feet (actual lot size is 4,386± square feet), or 1,734 square feet per dwelling, 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 with frontage on a rear public alley on each lot; 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, a maximum requirement of 6.8 feet for 34 foot wide lots, while the applicant proposes reduced maximum side yards of four feet for the existing dwelling and six feet for the proposed carriage house at 1462 Hamlet Street; and 4 feet 2 1/8 inches (4.29 feet) for the existing dwelling and six feet for the proposed carriage house at 1466 Hamlet Street; and

WHEREAS, 3332.26, Minimum side yards permitted, requires that the minimum side yard be no less than three feet for each lot, while the applicant proposes reduced minimum side yards of 2 feet 9 inches (2.75 feet) along the north property line and 1 foot 3 inches (1.25 feet) along the south property line of the existing dwelling, and two feet along the south property line for the proposed carriage house at 1462 Hamlet Street; and 2 1/8 inches (0.29 feet) along the north property line for the existing dwelling, and two feet along the north property line for the proposed carriage house at 1466 Hamlet Street; and

WHEREAS, 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 on either lot for the intended carriage houses; and

WHEREAS, the University Area Commission recommends approval; and

WHEREAS, City Departments recommend approval because the proposed use is consistent with the existing residential development pattern of the neighborhood, and will not add incompatible uses to the area; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificates of Occupancy for the proposed carriage house dwellings; 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 **1462-1466 HAMLET ST. (43201)**, in using said property as desired; ~~now, therefore;~~ and

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance due to the balloon payment on June 1st and a financial hardship for the immediate preservation of the public peace, property, health and safety; 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; 3312.49(C), Required Parking; 3325.801, Maximum Lot Coverage; 3325.805, Maximum Floor Area Ratio (FAR); 3332.05(A)(4), Area district lot width requirements; 3332.15, R-4 area district requirements; 3332.19, Fronting; 3332.25, Maximum side yards required; 3332.26, Minimum side yards permitted; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at **1462-1466 HAMLET ST. (43201)**, insofar as said sections prohibit two single-unit dwellings on each lot in the R-4, Residential District; with a parking space reduction from four spaces to two spaces on each lot; increased lot coverage from 25 percent to 30 percent at 1462 Hamlet Street and to 26 percent at 1466 Hamlet Street; increased maximum floor area ratio (FAR) from 0.40 to 0.65 for each lot; reduced lot width from 50 feet to 34 feet for each lot; reduced lot area from 5,000 square feet per dwelling unit to 1,734 square feet per dwelling unit on each lot; no frontage on a public street for the proposed carriage house on each lot; reduced maximum side yards as follows: from 6.8 feet to 4 feet for the existing dwelling, and 6 feet for the carriage house at 1462 Hamlet Street; and from 6.8 feet to 4 feet 2 1/8 inches (4.29 feet) for the existing dwelling and 6 feet for the carriage house at 1466 Hamlet Street; reduced minimum side yards as follows: from three feet to 2 feet 9 inches (2.75 feet) and 1 foot 3 inches (1.25 feet) along the northern and southern property lines, respectively, of the existing dwelling, and two feet along the southern property line for the proposed carriage house at 1462 Hamlet Street; and from three feet to 2 1/8 inches (0.29 feet) and two feet, respectively, for the existing dwelling, and two feet along the northern property line for the proposed carriage house at 1466 Hamlet Street; and a reduced rear yard on each lot from 25 percent to no provided rear yard for the proposed carriage houses; and said property being more particularly described as follows:

1462-1466 HAMLET ST. (43201), being 0.20± acres located on the east side of Hamlet Street, 70± feet south of East 9th Avenue, and being more particularly described as follows:

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

Being Lots Number Fifty-nine (59) and Sixty (60) of New Indianola Addition. As the said lot is numbered and delineated upon the recorded plat thereof. Of record in Plat Book 12, page 35, Recorder's Office. Franklin County, Ohio.

Together with a driveway easement for driveway purposes in a strip of ground 5 feet 3 inches in width off the south side of Lot Number 59 of said addition as said easement is more particularly described in Deed Book 609. Page 510, Recorder's Office, Franklin County, Ohio.

Subject to taxes and assessments which are now or may hereafter become liens on said premises and except the conditions and restrictions and easements, if any, contained in former deeds of record for said premises, subject to all which this conveyance is made.

Addresses: 1462 Hamlet Street, Columbus, OH 43201 and 1466 Hamlet Street, Columbus, OH 43201
Parcel No's: 010-010737 & 010-005288

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 each lot, in accordance with the submitted site plan, or those uses permitted in the R-4, Residential District.

SECTION 3. That this ordinance is further conditioned on the subject site being developed in general conformance with the site plan and elevations titled, "**SITE PLAN AND ELEVATION**," dated February 14, 2024, signed by Ugo Nwoke, 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 adjustments to the plans 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 Certificates of Occupancy for the proposed carriage house dwellings.

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

SECTION 5. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.