



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 11/25/2014 **In control:** Zoning Committee

On agenda: 12/15/2014 **Final action:** 12/18/2014

Title: To grant a Variance from the provisions of Sections 3332.039, R-4, Residential District; 3312.49, Minimum numbers of parking spaces required; 3332.19, Fronting on a public street; 3332.25, Maximum side yards required; 3332.25, Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at 813 SUMMIT STREET (43215), to permit two single-unit dwellings on one lot with reduced development standards in the R-4, Residential District, and to repeal Ordinance No. 0870-2007, passed on June 25, 2007 (Council Variance # CV12-047).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD2894-2014Attachments, 2. Notice Of Public Hearing - Council Mtg20141215

Date	Ver.	Action By	Action	Result
12/18/2014	1	CITY CLERK	Attest	
12/16/2014	1	MAYOR	Signed	
12/15/2014	1	COUNCIL PRESIDENT	Signed	
12/15/2014	1	Zoning Committee	Approved	Pass
12/8/2014	1	Columbus City Council	Read for the First Time	

Council Variance Application: CV12-047

APPLICANT: John P. Casey; c/o Michael Casey, Agent; 700 North High Street; Columbus, OH 43215.

PROPOSED USE: Rear single-unit dwelling above a detached garage (carriage house).

ITALIAN VILLAGE COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The requested Council Variance will allow the conversion of the upper level of a private detached garage into a second dwelling unit (a carriage house) on a lot developed with a single-unit dwelling in the R-4, Residential District. Variances for two required parking spaces, fronting, existing side yards and rear yard are also included in the request. The site is subject of a 1999 Board of Zoning Adjustment variance to increase the allowable square footage and allow habitable space above the garage with a condition that the structure would not be used for business purposes. In 2007, Ordinance No. 0870-2007 was approved to permit conversion of that space into a general office. That project never came to fruition. The Council variance is necessary because the R-4, Residential District prohibits two single-unit dwellings on one lot. Since the R-4 district permits two-unit dwellings, and the lot size is larger for this area, staff has no objections to two separate single-unit dwellings on this lot. The requested variance will allow development that is characteristic of historic Columbus neighborhoods, and the building design conforms to the Italian Village Commission requirements. Staff supports the proposed use, which will not add a new or incompatible use to the area.

To grant a Variance from the provisions of Sections 3332.039, R-4, Residential District; 3312.49, Minimum numbers of parking spaces required; 3332.19, Fronting on a public street; 3332.25, Maximum side yards required; 3332.25, Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at **813 SUMMIT STREET (43215)**, to permit two single-unit dwellings on one lot with reduced development standards in the R-4, Residential District, and to repeal Ordinance No. 0870-2007, passed on June 25, 2007 (Council Variance # CV12-047).

WHEREAS, by application #CV12-047, the owner of the property at **813 SUMMIT STREET (43215)**, is requesting a Variance to permit two single-unit dwellings on one lot with reduced development standards in the R-4, Residential District; and

WHEREAS, Section 3332.039, R-4, Residential district uses, prohibits two single-unit dwellings on one lot, while the applicant proposes to convert the upper level of a private detached garage into a second dwelling unit (a carriage house) on a lot developed with a single-unit dwelling; and

WHEREAS, Section 3312.49, Minimum numbers of parking spaces required, requires two (2) parking spaces per single-unit dwelling, while the applicant proposes zero (0) parking spaces for the carriage house, a reduction of two (2) required spaces; and

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

WHEREAS, Section 3332.25, Maximum side yard required, requires the sum of the widths of each side yard to equal twenty (20) percent of the lot width or 10.25 feet, while the applicant proposes to maintain a maximum side yard of 7.3 feet; and

WHEREAS, Section 3332.26, Minimum side yard permitted, requires a side yard of no less than five (5) feet, while the applicant proposes a minimum side yard of 2.3 feet along the north property line for the existing single-unit dwelling, and a minimum side yard of 2.3 feet along south property line for the carriage house; and

WHEREAS, Section 3332.27, Rear yard, requires a principal building to provide a rear yard totaling no less than twenty-five (25) percent of the total lot area, while the applicant proposes a rear yard of 0% for the carriage house; and

WHEREAS, the Italian Village Commission recommends approval; and

WHEREAS, City Departments recommend approval because the requested variance for a carriage house allows development that is characteristic of historic Columbus neighborhoods, and the building design conforms to the Italian Village Commission requirements. Staff supports the proposed use, which will not add a new or incompatible use to the area. Since the R-4 district permits two-unit dwellings, and the lot size is larger for this area, Staff has no objections to two separate single-unit dwellings on this lot; and

WHEREAS, said ordinance requires separate submission for all applicable permits and 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 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 **813 SUMMIT STREET (43215)**, in using said property as desired and; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That a variance from the provisions of Sections 3332.039, R-4, Residential District; 3312.49, Minimum numbers of parking spaces required; 3332.19, Fronting on a public street; 3332.25, Maximum side yards required; 3332.25, Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City Codes, is hereby granted for the property located at **813 SUMMIT STREET (43215)**, insofar as said sections prohibit two single-unit dwellings on one lot, with a parking space reduction from four (4) required spaces to two (2) spaces, with no frontage on a public street for the carriage house, a reduction in the maximum side yards from 10.25 feet to 7.3 feet, a reduction in the minimum side yard from five (5) feet to 2.3 feet along the north property line for the front dwelling, and 2.3 feet along the south property line for the carriage house, and no rear yard for the carriage house; said property being more particularly described as follows:

813 SUMMIT STREET (43215), being 0.22± acres located on the west side of Summit Street, 447± feet south of East First Avenue, and being more particularly described as follows:
Parcel # 010-047557

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

Being Lot Number Four (4) in Starr and Long's Addition or Subdivision a subdivision to Phelan's Mount Pleasant Addition to the City of Columbus, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 1, Page 143, Recorder's Office, Franklin County, Ohio.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used as a rear single-unit dwelling above a detached garage (a carriage house) on a lot developed with a single-family dwelling, or those uses permitted in the R-4, Residential District.

SECTION 3. That this ordinance is further conditioned upon the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

SECTION 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

SECTION 5. That Ordinance No. 0870-2007, passed on June 25, 2007, be and is hereby repealed.