



Legislation Details (With Text)

File #: 1364-2015 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 5/14/2015 **In control:** Zoning Committee

On agenda: 6/8/2015 **Final action:** 6/9/2015

Title: To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential District use; 3312.25, Maneuvering; 3312.49, Number of parking spaces required; 3332.19, Fronting on a public street; 3332.21(F), Building line; 3332.26(C)(1), Minimum side yard permitted; and 3332.27, Rear yard; of the City of Columbus codes, for the property located at 360 EAST STEWART AVENUE (43206), to permit a second dwelling above a detached garage (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 # CV15-010).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD#1364-2015.Attachments, 2. ORD#1364-2015.Labels, 3. Notice Of Public Hearing - Council Mtg20150608

| Date | Ver. | Action By | Action | Result |
|----------|------|-----------------------|-------------------------|--------|
| 6/9/2015 | 1 | MAYOR | Signed | |
| 6/9/2015 | 1 | CITY CLERK | Attest | |
| 6/8/2015 | 1 | COUNCIL PRESIDENT | Signed | |
| 6/8/2015 | 1 | Zoning Committee | Approved | Pass |
| 6/1/2015 | 1 | Columbus City Council | Read for the First Time | |

Council Variance Application: CV15-010

APPLICANT: Tina Goodman; 360 Stewart Avenue; Columbus, Ohio 43206.

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

SOUTH SIDE AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is zoned R-2F, Residential district, and is currently developed with a single-unit dwelling. The requested Council Variance will allow the construction of a rear second dwelling above a detached garage (a carriage house). Other variances are included for maneuvering, minimum number of parking spaces required, fronting on a public street with reductions to building line, side yards, and rear yard. A Council variance is necessary because the R-2F, Residential District permits a maximum of two units in one building, but does not permit two residential buildings on one lot. Staff finds that the proposal will not add incompatible uses to the area as there are other carriage houses within this neighborhood. The request is consistent with the development pattern in the area as there are other dwellings that front on Zimpfer Street.

To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential District use; 3312.25, Maneuvering; 3312.49, Number of parking spaces required; 3332.19, Fronting on a public street; 3332.21(F), Building line; 3332.26(C)

(1), Minimum side yard permitted; and 3332.27, Rear yard; of the City of Columbus codes, for the property located at **360 EAST STEWART AVENUE (43206)**, to permit a second dwelling above a detached garage (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 # CV15-010).

WHEREAS, by application No. CV15-010, the owner of property at **360 EAST STEWART AVENUE (43206)**, is requesting a Council variance to permit a second dwelling above a detached garage (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, allows a maximum of two units in one building, but does not permit two residential buildings on one lot, while the applicant proposes to construct a rear dwelling above a detached garage (a carriage house) on a lot developed with a single-unit dwelling; and

WHEREAS, Section 3312.25, Maneuvering, requires every parking space to have sufficient access and maneuvering area anywhere on a lot including aisles or circulation areas, while the applicant proposes to allow maneuvering over and through parking spaces in the garage and driveway connecting to Zimpfer Street; and

WHEREAS, Section 3312.49, Number of parking spaces required, requires two (2) parking spaces per unit for up to three (3) dwelling units, a total of four (4) required spaces, while the applicant proposes to provide a total of two (2) spaces; and

WHEREAS, Section 3332.19, Fronting on a public street, requires a dwelling to have frontage on a public street, while the applicant proposes no frontage for the rear dwelling; and

WHEREAS, Section 3332.21(F), Building lines, requires the building setback to be ten (10) feet from Stewart Avenue, while the applicant proposes a building line of seven (7) feet for the existing front dwelling; and

WHEREAS, Section 3332.26(C)(1), Minimum side yard permitted, requires dwellings in the R-2F, Residential District to have side yards of no less than three (3) feet, while the applicant proposes a minimum side yard of two (2) feet on the west side of the existing single-unit dwelling; and

WHEREAS, Section 3332.27, Rear yard, requires a rear yard totaling no less than twenty-five (25) percent of the total lot area, while the applicant proposes no rear yard for the rear dwelling; and

WHEREAS, the South Side Area Commission recommends approval; and

WHEREAS, the City Departments recommend approval of the requested variances because the proposal will not add incompatible uses to the area as there are other carriage houses within this neighborhood. The request is consistent with the recent development pattern in the area; 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 **360 EAST STEWART AVENUE (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 from the provisions of Sections 3332.037, R-2F, Residential District use; 3312.25, Maneuvering; 3312.49, Number of parking spaces required; 3332.19, Fronting on a public street; 3332.21(F), Building line; 3332.26(C)(1), Minimum side yard permitted; and 3332.27, Rear yard; of the City of Columbus codes, for the property located at **360 EAST STEWART AVENUE (43206)**, insofar as said sections prohibit two single-unit dwellings on one lot in the R-2F, Residential District, with maneuvering over and through parking spaces in the garage and driveway connecting to Zimpfer Street; a parking space reduction from four (4) spaces to two (2) spaces; no frontage on a public street for the carriage house dwelling ; a reduced building line from ten (10) feet to seven (7) feet for the existing front dwelling; reduced minimum side yard from three (3) feet to two (2) feet on the west side of the existing single-unit dwelling; and no rear yard for the rear single-unit dwelling; said property being more particularly described as follows:

360 EAST STEWART AVENUE (43206), being 0.12± acres located on the north side of Stewart Avenue, 190± feet east of Bruck Street, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, and being described as follows, all of Lot No.6 of Herman Wirth's Subdivision of Lot 48 to 52, 56-63, 65-68 and 74-78 as numbered and delineated upon Plat Book 4, Page 4 44 of the Franklin County Recorder's Office.

Auditor's Parcel No. 010-011415

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 (carriage house) on the rear of a lot developed with a single-unit dwelling, or those uses permitted in the R-2F, Residential District.

SECTION 3. That this ordinance is further conditioned on 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.