



Legislation Details (With Text)

File #: 1863-2015 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 7/1/2015 **In control:** Zoning Committee

On agenda: 7/27/2015 **Final action:** 7/30/2015

Title: To grant a variance from the provisions of Sections 3333.025, AR-2 apartment residential district use; 3312.13, Driveway; 3312.25, Maneuvering; 3312.49, Minimum number of parking spaces required; 3321.01 (A), Dumpster area; 3333.13, AR-2 area district requirements; 3333.15 (C), Basis of computing area; 3333.16, Fronting; 3333.18 (D), Building lines; and 3333.25, Perimeter yard, of the City of Columbus codes; for the property located at 285 EAST FOURTH AVENUE (43201), to permit a single-unit carriage house and reduced development standards for multi-unit residential development in the AR-2, Apartment Residential District (Council Variance # CV15-019).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD#1863-2015.Attachments, 2. Notice Of Public Hearing - Council Mtg20150727

Date	Ver.	Action By	Action	Result
7/30/2015	1	CITY CLERK	Attest	
7/29/2015	1	MAYOR	Signed	
7/27/2015	1	COUNCIL PRESIDENT	Signed	
7/27/2015	1	Zoning Committee	Approved	Pass
7/20/2015	1	Columbus City Council	Read for the First Time	

Council Variance Application: CV15-019

APPLICANT: Connie J. Klema; 145 East Rich Street, 2nd Floor; Columbus, OH 43215.

PROPOSED USE: Carriage house and reduced development standards for multi-unit residential development.

ITALIAN VILLAGE COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant has received a recommendation of approval from the Development Commission on June 11, 2015, for a concurrent application to rezone the property (Ordinance No. 1859-2015, Z15-016) to the AR-2, Apartment Residential District. The requested variances will allow conversion of a former church to a seven-unit apartment building with a new single-unit carriage house (Lot 1), and two new apartment buildings containing a total of fourteen units (Lot 2), for a total of twenty-two units on two separate lots. This Council variance is necessary to permit the carriage house in conjunction with the renovated former church, and to permit 14 units contained in two separate apartment buildings on one lot that is less than 20,000 square feet in area. Other necessary variances include driveway width, maneuvering, required number of parking spaces, dumpster area, lot size, lot coverage, fronting on a public street, building lines, and perimeter yard. A hardship exists due to the existing non-conforming features of the former church structure and the lot size constraints of the adjacent vacant parcel, which formerly accommodated low-density residential uses. The proposed variances are supported because multi-unit residential development is an appropriate transition between existing residential and industrial development, the applicant proposes appropriate reuse of an existing historic church, and the configuration of the lots necessitate variances to use and

development standards. Approval of this request will not introduce incompatible uses to the area, and will result in a project that is consistent with emerging neighborhood development patterns.

To grant a variance from the provisions of Sections 3333.025, AR-2 apartment residential district use; 3312.13, Driveway; 3312.25, Maneuvering; 3312.49, Minimum number of parking spaces required; 3321.01 (A), Dumpster area; 3333.13, AR-2 area district requirements; 3333.15 (C), Basis of computing area; 3333.16, Fronting; 3333.18 (D), Building lines; and 3333.25, Perimeter yard, of the City of Columbus codes; for the property located at **285 EAST FOURTH AVENUE (43201)**, to permit a single-unit carriage house and reduced development standards for multi-unit residential development in the AR-2, Apartment Residential District (Council Variance # CV15-019).

WHEREAS, by application No. CV15-019, the owner of property at **285 EAST FOURTH AVENUE (43201)**, is requesting a Council variance to permit a single-unit carriage house and reduced development standards for multi-unit residential development in the AR-2, Apartment Residential District; and

WHEREAS, 3333.025, AR-2 apartment residential district use, does not permit both an apartment house and a single-unit dwelling on one lot, and permits an apartment complex on a minimum lot size of 20,000 square feet, while the applicant proposes a seven-unit apartment building and a single-unit carriage house on one lot (Lot 1), and to construct fourteen units in two buildings on a lot which contains 15,960 square feet (Lot 2); and

WHEREAS, Section 3312.13(B), Driveway, requires a driveway width of 20 feet at the street right of way on each lot, while the applicant proposes the driveway width to be 12.46 feet wide on Lot 1 and 0.54 feet wide on Lot 2 for a combined width of thirteen (13) feet; and

WHEREAS, Section 3312.25, Maneuvering, requires every parking space to have sufficient maneuvering area, while the applicant proposes that space "C8" as shown on the site plan share maneuvering space with adjacent parking spaces, and to allow maneuvering for parking spaces on both lots to extend over the lot lines; and

WHEREAS, Section 3312.49, Minimum number of parking spaces required, requires two (2) parking spaces for the carriage house unit, and 1.5 parking spaces per apartment unit, for a total of thirteen (13) parking spaces on Lot 1 and twenty-one (21) parking spaces on Lot 2, while the applicant proposes eleven (11) spaces on Lot 1 and twenty (20) spaces on Lot 2; and

WHEREAS, Section 3321.01, Dumpster area, requires that a dumpster not be located in any required yard, while the applicant proposes a dumpster to be located in the required perimeter yard as shown on the site plan; and

WHEREAS, Section 3333.13, AR-2 area district requirements, requires that an apartment complex be located on a single lot of 20,000 square feet or more in area, while the applicant proposes to maintain the present size of Lot 2 consisting of 15,960 square feet; and

WHEREAS, Section 3333.15 (C), Basis of computing area, requires a residential building together or alone to cover no more than fifty (50) percent of the total lot area, while the applicant proposes to cover fifty-one (51) percent of the total area on Lot 2; and

WHEREAS, Section 3333.16, Fronting, requires all residential buildings to front upon a public street, while the applicant proposes one eight (8) unit apartment on Lot 2 to not have frontage on a public street; and

WHEREAS, Section 3333.18, Building lines, requires building lines of no less than 10 feet along East Fourth Avenue and North Sixth Street, while the applicant proposes building lines of 5.41 feet along East Fourth Avenue and seven (7) feet along North Sixth Street on Lot 1, and a building line of 6.68 feet along East Fourth Avenue on Lot 2; and

WHEREAS, Section 3333.255, Perimeter yard, requires a perimeter yard of no less than 10 feet, while the applicant

proposes reduced perimeter yards of zero (0) feet along the east side, and three (3) feet along the south side of Lot 1; and zero (0) feet along the west side, 5.07 feet along the east side, and 5.21 feet along the south side of Lot 2, with a dumpster being located in the required perimeter yard of Lot 2; and

WHEREAS, the Italian Village Commission recommends approval; and

WHEREAS, the City Departments recommend approval because this request will not add new or incompatible uses to the area. While the *Italian Village East Redevelopment Plan* recommends lower density residential development, this proposal will allow a former historic church to be reused as an apartment building and will allow a vacant lot to be developed in a manner consistent with an emerging pattern of development in the area. Multi-unit residential development is an appropriate transition between existing residential development and industrial development; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificates of Occupancy for the proposed uses; 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 **285 EAST FOURTH AVENUE (43201)**, in using said property as desired;

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

SECTION 1. That a variance from the provisions of Sections 3333.025, AR-2 apartment residential district use; 3312.13, Driveway; 3312.25, Maneuvering; 3312.49, Minimum number of parking spaces required; 3321.01 (A), Dumpster area; 3333.13, AR-2 area district requirements; 3333.15 (C), Basis of computing area; 3333.16, Fronting; 3333.18 (D), Building lines; and 3333.25, Perimeter yard, of the Columbus City codes, is hereby granted for the property located at **285 EAST FOURTH AVENUE (43201)**, insofar as said sections prohibit one seven-unit apartment building and a single unit carriage house on one lot (Lot 1) and two apartment buildings on a 15,960 square-foot lot (Lot 2) in the AR-2, Apartment Residential District, with a reduced driveway width from twenty (20) feet to thirteen (13) feet spanning both Lots 1 and 2; vehicle maneuvering over a parking space and parcel lines; a reduction of two (2) required parking spaces on Lot 1 and one (1) required parking space on Lot 2; a dumpster which occupies a portion of the required perimeter yard; an increased lot coverage of fifty-one (51) percent on Lot 2; no frontage on a public street for the rear apartment building on Lot 2; reduced building lines from ten (10) feet to 5.41 feet along East Fourth Avenue and 7.01 feet along North Sixth Street on Lot 1, and 6.68 feet along East Fourth Avenue on Lot 2; and reduced perimeter yards from ten (10) feet to zero (0) feet along the east side and three (3) feet along the south side of Lot 1, zero (0) feet along the west side, 5.07 feet along the east side, and 5.21 feet along the south side of Lot 2, said property being more particularly described as follows:

285 EAST FOURTH AVENUE (43201), being 0.61± acres located at the southeast corner of East Fourth Avenue and North Sixth Street, and being more particularly described as follows:

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

Parcel 010-066674:

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

Being Lots Number Seven (7) and Eight (8) of RICKLEY AND GRAHAM'S SUBDIVISION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, Page 158, Recorder's Office, Franklin County,

Ohio.

Parcel 010-024407:

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

Being Lot Number Nine (9) of RICKLEY & GRAHAM'S ADD., as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, Page 158 and 159, Recorder's Office, Franklin County, Ohio.

Parcel 010-005466:

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

Being Lot Number Ten (10) and Eleven (11) of RICKLEY & GRAHAM'S ADD., as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, Page 158 and 159, Recorder's Office, Franklin County, Ohio.

Parcel Numbers: 010-005466, 010-024407, 010-066674

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a seven (7) unit apartment building with a single-unit carriage house on Lot 1, and one six (6) unit and one eight (8) unit apartment building on Lot 2, or those uses permitted in the AR-2, Apartment Residential District.

SECTION 3. That this ordinance is further conditioned on substantial compliance with the site plan titled, "**PROPOSED SITE PLAN**," signed by Juliet Bullock, Architect, dated June 25, 2015. 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 on the applicant obtaining all applicable permits and Certificates of Occupancy for the proposed uses.

SECTION 5. That this ordinance is further conditioned on the applicant combining tax parcels 010-005466 and 010-024407 into one parcel to form Lot 2 prior to site compliance review.

SECTION 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.