



Legislation Details (With Text)

File #: 2984-2016 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 11/14/2016 **In control:** Zoning Committee

On agenda: 12/5/2016 **Final action:** 12/7/2016

Title: To grant a Variance from the provisions of Sections 3332.039, R-4, Residential District; 3312.49(C), Minimum numbers of parking spaces required; 3332.05(A)(4), Area district lot width requirements; Section 3332.15, R-4 Area district requirements; 3332.19, Fronting; 3332.25, Maximum side yards required; 3332.26(C)(1), Minimum side yard permitted; 3332.27, Rear yard; 3372.542, Maximum Lot coverage; and 3372.544, Maximum floor area, of the Columbus City codes; for the property located at 360 WEST SIXTH AVENUE (43201), to permit a single-unit dwelling (a carriage house) on the rear of a lot developed with a single-unit dwelling, with reduced development standards in the R-4, Residential District (Council variance # CV16-039).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD2984-2016 Attachments, 2. ORD2984-2016 Labels

Date	Ver.	Action By	Action	Result
12/7/2016	1	CITY CLERK	Attest	
12/7/2016	1	MAYOR	Signed	
12/5/2016	1	COUNCIL PRESIDENT	Signed	
12/5/2016	1	Zoning Committee	Waive the 2nd Reading	Pass
12/5/2016	1	Zoning Committee	Approved	Pass

Council Variance Application: CV16-039

APPLICANT: Donald A. Stenta; c/o Charles M. Paros, Agent; 357 West Seventh Avenue; Columbus, OH 43201

PROPOSED USE: A carriage house on a lot developed with a single-unit dwelling.

UNIVERSITY AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is zoned R-4, Residential District, and is developed with a single-unit dwelling. The requested Council variance will permit the construction of a single-unit dwelling above a garage (carriage house) on the rear of the lot, while conforming the lot width and side yards of the existing single-unit dwelling. A Council variance is necessary because the R-4, Residential District permits a maximum of four dwelling units in one building, but does not permit two residential buildings on the same lot. Variances for reduced required parking spaces, lot width, area district requirements, fronting, maximum side yard required, minimum side yard permitted, rear yard, maximum lot coverage, and maximum floor area are also included in the request. The site is located within the planning area of the *University District Plan* (2015) which recommends "lower intensity residential" uses for this location. Staff finds that the proposal is consistent with the Plan's land use recommendation, and will not add incompatible uses to the area. Additionally, Staff notes that the proposal will improve the streetscape along the alley, will preserve an existing contributing structure, and supports a wider variety of housing opportunities that fits within the context of the established neighborhood. This request is consistent with the recent development pattern in historic urban

neighborhoods.

To grant a Variance from the provisions of Sections 3332.039, R-4, Residential District; 3312.49(C), Minimum numbers of parking spaces required; 3332.05(A)(4), Area district lot width requirements; Section 3332.15, R-4 Area district requirements; 3332.19, Fronting; 3332.25, Maximum side yards required; 3332.26(C)(1), Minimum side yard permitted; 3332.27, Rear yard; 3372.542, Maximum Lot coverage; and 3372.544, Maximum floor area, of the Columbus City codes; for the property located at **360 WEST SIXTH AVENUE (43201)**, to permit a single-unit dwelling (a carriage house) on the rear of a lot developed with a single-unit dwelling, with reduced development standards in the R-4, Residential District (Council variance # CV16-039).

WHEREAS, by application No. CV16-039, the owner of property at **360 WEST SIXTH AVENUE (43201)**, is requesting a Council variance to permit a single-unit dwelling above a garage (a carriage house) on the rear of a lot developed with a single-unit dwelling, 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 rear single-unit dwelling above a detached garage (a carriage house) on a lot developed with a single-unit dwelling; and

WHEREAS, Section 3312.49(C), Minimum numbers of parking spaces required, requires 2 parking spaces per dwelling unit, or 4 spaces total for the two single-unit dwellings, while the applicant proposes 3 parking spaces; 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 40-foot wide lot; 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 second single-unit dwelling (a carriage house) on a lot that is approximately 5,840 square feet (2,920 square feet per dwelling); and

WHEREAS, Section 3332.19, Fronting, requires a dwelling unit to have frontage on a public street, while the applicant proposes a carriage house fronting on a rear public alley; and

WHEREAS, Section 3332.25, Maximum side yards required, requires the sum of the widths of the side yards to be 20 percent of the lot width, or 8 feet, while the applicant proposes to maintain a maximum side yard of 7.5± feet for the existing dwelling; and

WHEREAS, Section 3332.26(C)(1), Minimum side yard permitted, requires a minimum side yard of three (3) feet on a lot width of forty (40) feet or less, while the applicant proposes to maintain a western side yard of 2 feet for the existing dwelling and a western side yard of 0 feet for the new carriage house 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 no rear yard for the carriage house dwelling; and

WHEREAS, Section 3372.542, Maximum lot coverage, requires that a building or combination of buildings shall cover no more than 25 percent (1,460 square feet) of the lot area, while the applicant proposes 41.7 percent (2,437 square feet) lot coverage by the existing dwelling and new carriage house dwelling; and

WHEREAS, Section 3372.544, Maximum floor area, requires a maximum calculated floor area ratio (F.A.R) of not greater than 0.40, while the applicant proposes a floor area ratio of 0.59; and

WHEREAS, the University Area Commission recommends approval; and

WHEREAS, the City Departments recommend approval of the requested variances because the proposal is consistent with *University District Plan*'s recommendation for lower intensity residential uses, will not add incompatible uses to the area, will improve the streetscape of the alley, will preserve an existing contributing structure, and will support a wider variety of housing opportunities that fits within the context of the established neighborhood. The request is consistent with the recent development pattern in historic urban neighborhoods; 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 WEST SIXTH AVENUE (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 from the provisions of Sections 3332.039, R-4, Residential District; 3312.49(C), Minimum numbers of parking spaces required; 3332.05(A)(4), Area district lot width requirements; Section 3332.15, R-4 Area district requirements; 3332.19, Fronting; 3332.25, Maximum side yards required; 3332.26(C)(1), Minimum side yard permitted; 3332.27, Rear yard; 3372.542, Maximum Lot coverage; and 3372.544, Maximum floor area of the City of Columbus codes, is hereby granted for the property located at **360 WEST SIXTH AVENUE (43201)**, insofar as said sections prohibit two single-unit dwellings on one lot in the R-4, Residential District, reduced required parking spaces from 4 to 3; a reduced lot width from 50 to 40 feet; a reduced lot area from 5,000 square feet to 2,920 square feet per dwelling unit; no frontage on a public street for the carriage house; a reduced maximum required side yard from 8 feet to 7.5± feet for the existing dwelling; a reduced side yard from 3 feet to 2.5 feet on the west side of the existing dwelling, and from 3 feet to 0 on the west side of the rear carriage dwelling; a reduced rear yard from 25 percent to 0 percent for the rear carriage dwelling; an increased maximum lot coverage from 25 to 41.7 percent; and an increased maximum floor area ratio from 0.40 to 0.59 percent; said property being more particularly described as follows:

360 WEST SIXTH AVENUE (43201), being 0.13± acres located on the north side of West Sixth Avenue, approximately 100 feet west of Pennsylvania Avenue, and being more particularly described as follows:

Situated in The State of Ohio, County of Franklin, City of Columbus Being Lot 139 Dennison Park Addition Plat Book 4, Page 106.

Address: 360 West Sixth Avenue, Columbus, OH 43201
Parcel ID: 010-023866

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 with a rear single-unit carriage house, or those uses permitted in the R-4, Residential District.

SECTION 3. That this ordinance is further conditioned on substantial compliance with the site plan drawing titled, "**SITE PLAN**," signed by Charles M. Paros, Agent for the Applicant, dated October 31, 2016. 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 a Certificate of Occupancy for the proposed use.

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