



Legislation Details (With Text)

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On agenda: 3/27/2017 **Final action:** 3/29/2017

Title: To grant a Variance from the provisions of Sections 3332.033, R-2, residential district; and 3332.26 (B), Minimum side yard permitted, of the Columbus City Codes; for the property located at 305 RUMSEY ROAD (43207), to permit two existing single-unit dwellings on one lot with a reduced minimum side yard in the R-2, Residential District (Council Variance # CV17-005).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD0637-2017 Attachments, 2. ORD0637-2017 Labels

Date	Ver.	Action By	Action	Result
3/29/2017	1	CITY CLERK	Attest	
3/28/2017	1	MAYOR	Signed	
3/27/2017	1	COUNCIL PRESIDENT	Signed	
3/27/2017	1	Zoning Committee	Waive the 2nd Reading	Pass
3/27/2017	1	Zoning Committee	Approved	Pass

Council Variance Application: CV17-005

APPLICANT: David A. Efaw and Laura K. Efaw; 2655 Sherwood Road; Columbus, OH 43209.

PROPOSED USE: Two single-unit dwellings on one lot.

FAR SOUTH COLUMBUS AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of a single parcel developed with two single-unit dwellings in the R-2, Residential District. The existing development occurred prior to annexation from the county and establishment of the neighborhood-wide zoning in 1958. A Council variance is necessary because the R-2 district only permits one single-unit dwelling per lot, while the applicant would like to maintain two single-unit dwellings on one lot. A variance to maintain a reduced minimum side yard is included in the request. The site is within the planning area of the *Scioto Southland Plan* (2007), which recommends single-unit residential land use at this location. The two single-unit dwellings are consistent with the development patterns in the surrounding neighborhood and will not add a new or incompatible land use to the area.

To grant a Variance from the provisions of Sections 3332.033, R-2, residential district; and 3332.26(B), Minimum side yard permitted, of the Columbus City Codes; for the property located at **305 RUMSEY ROAD (43207)**, to permit two existing single-unit dwellings on one lot with a reduced minimum side yard in the R-2, Residential District (Council Variance # CV17-005).

WHEREAS, by application #CV17-005, the owner of the property at **305 RUMSEY ROAD (43207)**, is requesting a Variance to permit two existing single-unit dwellings on one lot with a reduced minimum side yard in the R-2, Residential District; and

WHEREAS, Section 3332.033, R-2, residential district, does not permit two separate single-unit dwellings on one lot, while the applicant proposes to conform two existing single-unit dwelling on the same lot; and

WHEREAS, Section 3332.26(B), Minimum side yard permitted, requires a side yard of no less than five feet for lots greater than 40 feet wide, while the applicant proposes to maintain a minimum side yard of 2.5± feet along the west property line; and

WHEREAS, this variance will permit two single-unit dwellings on one lot with a reduced minimum side yard in the R-2, Residential District; and

WHEREAS, the Far South Columbus Area Commission approval; and

WHEREAS, City Departments recommend approval because the requested Council variance to maintain two single-unit dwellings on one lot is consistent with the surrounding development pattern in the neighborhood and will not add a new or incompatible land use to the area, 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 **305 RUMSEY ROAD (43207)**, in using said property as desired; 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 3332.033, R-2, residential district; and 3332.26(B), Minimum side yard permitted, of the Columbus City Codes; for the property located at **305 RUMSEY ROAD (43207)**, insofar as said sections prohibit two single-unit dwellings on one lot in the R-2, Residential District; with a reduction in the minimum side yard required from 5 feet to 2.5± feet along the west property line; said property being more particularly described as follows:

305 RUMSEY ROAD (43207), being 0.37± acres located on the south side of Rumsey Road, 218± feet east of South Eighth Street, and being more particularly described as follows:

Legal Description of a 0.371 acre parcel of land for zoning purposes

Situated in the State of Ohio, County of Franklin, and City of Columbus, known as being a part of Lot 126 of the Home Acres Addition by plat of record in Plat Book 16, Page 23, also known as being all of the parcel of land conveyed to David A. Efaw and Laura K. Efaw (Parcel No. 010-113962) by deed of record in Instrument No. 199310120236248, all references to records are on file in the Recorder's Office, Franklin County, Ohio, said parcel being more particularly bounded and described as follows:

COMMENCING, at the Northeast corner of said Lot 126 and the Northeast corner of said land conveyed to Efaw, the same being a point in the Southern Right-of-Way line of Rumsey Road, having a 50-foot width and being the TRUE POINT OF BEGINNING for said parcel herein to be described;

Thence along the Eastern line of said Lot 126, bearing South 04°16' West, a distance of 190.00 feet to the Southeast corner thereof;

Thence along the Southern line of said Lot 126, bearing North 85°44' West, a distance of 85.00 feet to a point thereon, the same being the Southeast corner of land conveyed to Todd W. Stamper by deed of record in Instrument No. 200905190071718;

Thence along the Eastern line of said land conveyed to Stamper, bearing North 04°16' East, a distance of 190.00 feet to the Northeast corner thereof, the same being a point in the Southern Right-of-Way line of said Rumsey Road;

Thence along the Southern Right-of-Way line of said Rumsey Road, bearing South 85°44' East, a distance of 85.00 feet to the TRUE PLACE OF BEGINNING, containing 0.371 acres, more or less.

Basis of Bearings: Bearings are based on the same meridian as the Northern line of said Lot 126, having a bearing of North 85°44' West, as delineated on the plat for said Home Acres Addition.

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 or those uses permitted in the R-2, Residential District.

SECTION 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.