



## Legislation Details (With Text)

**File #:** 1307-2018      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 5/1/2018      **In control:** Zoning Committee

**On agenda:** 6/4/2018      **Final action:** 6/7/2018

**Title:** To grant a Variance from the provisions of Sections 3332.039, R-4 residential district; 3332.15, R-4 area district requirements; 3332.19, Fronting; 3332.26(C)(1), Minimum side yard permitted; 3332.27, Rear yard; and 3332.38(F), Private garage, of the City of Columbus codes; for the property located at 834 HAMLET STREET (43215), 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 # CV18-017).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1307-2018.Attachments, 2. ORD1307-2018.Labels

Date	Ver.	Action By	Action	Result
6/7/2018	1	CITY CLERK	Attest	
6/6/2018	1	MAYOR	Signed	
6/4/2018	1	COUNCIL PRESIDENT	Signed	
6/4/2018	1	Zoning Committee	Waive the 2nd Reading	Pass
6/4/2018	1	Zoning Committee	Approved	Pass

**Council Variance Application: CV18-017**

**APPLICANT:** Adam Ward and Kristin Boggs; c/o Jack Reynolds, Atty.; Smith & Hale LLC; 37 West Broad Street, Suite 460, Columbus, OH 43215.

**PROPOSED USE:** Two single-unit dwellings on one parcel.

**ITALIAN VILLAGE COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is zoned R-4, Residential District, and developed with a single-unit dwelling. The requested Council variance will permit the construction of a rear carriage house on the property. 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 single-unit dwellings on one lot. The applicant also requests variances to area district requirements, fronting on a public street, minimum side yard, rear yard, and private garage. Staff finds that the proposal will not add incompatible uses to the area as there are other carriage houses within this community. The request is consistent with the recent development pattern in historic urban neighborhoods, and building design will conform to the Italian Village Commission requirements.

To grant a Variance from the provisions of Sections 3332.039, R-4 residential district; 3332.15, R-4 area district requirements; 3332.19, Fronting; 3332.26(C)(1), Minimum side yard permitted; 3332.27, Rear yard; and 3332.38(F), Private garage, of the City of Columbus codes; for the property located at **834 HAMLET STREET (43215)**, 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 # CV18-017).

**WHEREAS**, by application # CV18-017, the owner of property at **834 HAMLET STREET (43215)**, 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 3333.039, R-4, Residential District, allows a maximum of four units in one building, but does not permit two single-unit residential buildings 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 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 4,791 square feet; and

**WHEREAS**, Section 3332.19, Fronting on a public street, requires a dwelling to have frontage on a public street, while the applicant proposes for the rear single-unit dwelling to front on an alley; and

**WHEREAS**, Section 3332.26(C)(1), Minimum side yard permitted, requires a minimum side yard of three feet on a lot width of 40 feet or less, while the applicant proposes to maintain the north side yard of zero feet for the existing 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 to provide no rear yard for the rear carriage house; and

**WHEREAS**, Section 3332.38(F), Private garage, requires no portion of the lot area devoted to a private garage or a carport to exceed the greater of 720 square feet, or one-third of the minimum net floor area for living quarters of the principal residence, while the applicant proposes a garage that contains 735 square feet; and

**WHEREAS**, the Italian Village 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 community. 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 **834 HAMLET STREET (43215)**, 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; 3332.15, R-4 area district requirements; 3332.19, Fronting; 3332.26(C)(1), Minimum side yard permitted; 3332.27, Rear yard; and 3332.38

(F), Private garage, of the City of Columbus codes, is hereby granted for the property located at **834 HAMLET STREET (43215)**, insofar as said sections prohibit two single-unit dwellings on one lot in the R-4, Residential District; with a reduced lot size from 5,000 square feet per dwelling unit to 4,791± square feet for two single-unit dwellings; no frontage on a public street for the rear carriage house dwelling; a reduced side yard on the north side of the existing dwelling from three feet to zero feet; no rear yard for the rear carriage house; and an increased garage size from 720 square feet to 735 square feet; said property being more particularly described as follows:

**834 HAMLET STREET (43215)**, being 0.11± acres located on the west side of Hamlet Street, 250± feet south of East First Street, and being more particularly described as follows:

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

Being Lot Number Thirteen (13) of CHARLES W. RICE'S SUBDIVISION of Lots Numbers 53 and 54 of William Phelan's Mt. Pleasant Addition to the City of Columbus, Franklin County, Ohio; said lots fronts 37 feet on College Street and extends east 134 feet 8 inches equal width to a twenty foot alley, as per plat of said Subdivision, recorded in Recorder's Office, Franklin County, Ohio in Plat Book 1, page 393.

**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-4, Residential District.

**SECTION 3.** That this ordinance is further conditioned on the subject site being developed in general conformance with the exhibit titled, "**834 HAMLET STREET CARRIAGE HOUSE**," signed by Jack Reynolds, Attorney for the Applicant, and dated May 1, 2018. The plan 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 adjustments to the plans shall be subject to review and approval 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.