



Legislation Details (With Text)

File #: 2042-2018 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 7/10/2018 **In control:** Zoning Committee

On agenda: 7/30/2018 **Final action:** 8/3/2018

Title: To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, Apartment residential district use; 3312.03(D), Administrative requirements; 3333.18(D), Building lines; 3333.22, Maximum side yard required; 3333.23, Minimum side yard permitted; 3333.24, Rear yard; and 3333.35(F)(1), Private garage, of the Columbus City Codes; for the properties located at 994 AND 1002 DENNISON AVENUE (43201), to permit single-unit dwellings with reduced development standards in the ARLD, Apartment Residential District, and to repeal Ordinance #2041-2003, passed September 29, 2003 (Council Variance # CV18-033).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD2042-2018_Attachments, 2. ORD2042-2018_Labels

Date	Ver.	Action By	Action	Result
8/3/2018	1	ACTING CITY CLERK	Attest	
8/2/2018	1	MAYOR	Signed	
7/30/2018	1	COUNCIL PRESIDENT	Signed	
7/30/2018	1	Zoning Committee	Approved	Pass
7/23/2018	1	Columbus City Council	Read for the First Time	

Council Variance Application: CV18-033

APPLICANT: Juliet Bullock, Architect; 1182 Wyandotte Road; Columbus, OH 43212.

PROPOSED USE: Two single-unit dwellings.

VICTORIAN VILLAGE COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is zoned in the ARLD, Apartment Residential District and consists of four parcels: two that are vacant; and two that are each developed with a single-unit dwelling pursuant a previous Council variance (Ordinance #2041-2003/CV03-022). The applicant proposes to combine each developed lot with each adjacent vacant lot and desires to expand one of the dwellings with a new second attached garage. This request carries over the previous variances to permit the single-unit dwellings with reduced setbacks and side and rear yards, provides for a new attached garage on one lot to include two off-site parking spaces for the other dwelling, and commits to a new site plan. The Council variance is required because these lots do not meet the exception (3333.055) for single-unit dwellings in the ARLD district, and the current CV03-022 did not contemplate expansion of these single-unit dwelling lots. Staff views these variances as negligible, noting that single-unit dwelling use is already permitted by the existing Council Variance, and this request increases the lot sizes and eliminates the need for some of the approved variances.

To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, Apartment residential district use; 3333.03(D), Administrative requirements; 3333.18(D), Building lines; 3333.22, Maximum side yard required; 3333.23, Minimum side yard permitted; 3333.24, Rear yard; and 3333.35(F)(1), Private garage, of the Columbus City Codes; for the properties located at **994 AND 1002 DENNISON AVENUE (43201)**, to permit single-unit dwellings with reduced development standards in the ARLD, Apartment Residential District, and to repeal Ordinance #2041-2003, passed September 29, 2003 (Council Variance # CV18-033).

WHEREAS, by application # CV18-033, the owner of properties at **994 AND 1002 DENNISON AVENUE (43201)**, is requesting a Variance to permit two single-unit dwellings with reduced development standards in the ARLD, Apartment Residential District; and

WHEREAS, Section 3333.02, AR-12, ARLD and AR-1, Apartment residential district use, does not permit single-unit dwellings on parcels that do not meet the platting exception criteria contained in Section 3333.055, while the applicant proposes to expand the lot containing an existing single-unit dwelling by combining it with the undeveloped parcel to the south (994 Dennison Avenue), and to expand both the lot and the single-unit dwelling it contains by combining the lot with the undeveloped parcel to the north and by building an attached two-car garage (1002 Dennison Avenue); and

WHEREAS, Section 3333.03(D), Administrative requirements, requires parking spaces to be provided on the same lot as the use they are intended to serve, while applicant will be providing two parking spaces for 994 Dennison Avenue within an attached garage located at 1002 Dennison Avenue, noting that off-street parking is not required at 994 Dennison Avenue since the adoption of the Short North Special Parking Area; and

WHEREAS, Section 3333.18(D), Building lines, requires a building line of no less than 10 feet, while the applicant proposes to maintain a building line of 7± feet for the dwelling at 994 Dennison Avenue; and

WHEREAS, Section 3333.22, Maximum side yard required, requires that the sum of the widths of each side yard shall equal or exceed 20% of the width of the lot, while the applicant proposes a maximum side yard of 12.5± feet for the dwelling at 1002 Dennison Avenue where 16 feet is required; and

WHEREAS, Section 3333.23, Minimum side yard permitted, requires a side yard of no less than 5 feet, while the applicant proposes a 3 foot side yard along the north property line for the proposed garage attached to the dwelling at 1002 Dennison Avenue; and

WHEREAS, Section 3333.24, Rear yard, requires a rear yard totaling no less than 25% of the total lot area, while the applicant proposes a 23% rear yard for the dwelling at 994 Dennison Avenue, and a 10.13% rear yard for the dwelling at 1002 Dennison Avenue; and

WHEREAS, Section 3333.35(F)(1), 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 to maintain an attached garage containing 863.8± square feet, and to build an attached garage that contains 536.4± square feet on the dwelling located at 1002 Dennison Avenue; and

WHEREAS, the Victorian Village Commission recommends approval; and

WHEREAS, City Departments recommend approval of the requested variances because they allow the expansion of two single-unit dwelling lots with additional garage parking. Staff views these variances as negligible, noting that single-unit dwelling use is already permitted by the existing Council Variance, and this request eliminates the need for some of the approved variances; 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 **994 AND 1002 DENNISON AVENUE (43201)**, in using said property as desired and; now, therefore:

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

SECTION 1. That a variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, Apartment residential district use; 3312.03(D), Administrative requirements; 3333.18(D), Building lines; 3333.22, Maximum side yard required; 3333.23, Minimum side yard permitted; 3333.24, Rear yard; and 3333.35(F)(1), Private garage, of the Columbus City Codes, is hereby granted for the property located at **994 AND 1002 DENNISON AVENUE (43201)**, insofar as said sections prohibit single-unit dwelling use for both properties in the ARLD, Apartment Residential District, with parking spaces for 994 Dennison Avenue being provided in one of the attached garages at 1002 Dennison Avenue, noting these parking spaces are not required; a reduced building line from 10 feet to 7± feet along Dennison Avenue at 994 Dennison Avenue; a reduced maximum side yard from 16 feet to 12.5± feet, and a reduced minimum side yard from 5 feet to 3 feet along the north property line at 1002 Dennison Avenue; reduced rear yards from 25% to 23% at 994 Dennison Avenue, and to 10.13% at 1002 Dennison Avenue; and increased private garage size from 720 square feet to 1,400.2± square feet at 1002 Dennison Avenue; said properties being more particularly described as follows:

994 AND 1002 DENNISON AVENUE (43201), being 0.17± acres located at the northeast corner of Dennison Avenue and West Second Avenue, and being more particularly described as follows:

994 DENNISON AVENUE

PARCEL 1 (010-132378):

Being a part of Lot 17 of the J.R. Starr Farms Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 1, Page 229, Recorder's Office, Franklin County, Ohio, and being part of the land conveyed by deed of record in Deed Book 206, Page 83, said Recorder's Office and being more particularly described as follows:

Beginning at a cross cut in a concrete sidewalk in the east line of Dennison Avenue and the west line of said land conveyed by deed of record in Deed Book 206, Page 83, said cross cut being 27.10 feet northerly measured along said east line and said west line from an "I" shaped cut in a concrete step at the northeast corner of Second Avenue and Dennison Avenue, both 60 foot streets; thence from said beginning cross cut northerly along said east line and said west line a distance of 55.50 feet to an iron pin; thence easterly and parallel to the north line of Second Avenue a distance of 45.00 feet to a cross cut in a concrete wall and in the east line of said land conveyed by deed of record in Deed Book 206, Page 83; thence southerly along said east line a distance of 55.50 feet to a cross cut in a concrete wall; thence westerly and parallel to the north line of Second Avenue a distance of 45.00 feet to the place of beginning, containing 2497.5 square feet of land, more or less.

PARCEL 2 (010-026540)

Being a part of Lot 17 of the J.R. Starr Farms Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 1, Page 229, Recorder's Office, Franklin County, Ohio, and being part of the land conveyed by deed of record in Deed Book 206, Page 83, said Recorder's Office and being more particularly described as follows:

Beginning at the intersection of the north line of Second Avenue (60 feet wide) and the east line of Dennison Avenue (60 feet wide), thence, along the east line of Dennison Avenue North 2 Degrees 56 Minutes 48 Seconds East, 27.10 Feet To A P.K. Nail; thence parallel to the north line of Second Avenue South 86 Degrees 55 Minutes 30 Seconds East 45.00 feet to a P.K. nail, thence parallel to the east line of Dennison Avenue South 2 degrees 56 minutes 48 seconds West 27.10 feet, to an iron pin in the north line of Second Avenue, thence along the north line of Second Avenue North 86 degrees 55 minutes 30 Seconds West 45.00 feet to the point of beginning, containing 0.028 acres, more or less.

1002 DENNISON AVENUE

PARCEL 1 & 2 (010-101166 & 010-002654):

Being a part of Lot 17 of the J.R. Starr Farms Addition, as recorded in Plat Book 1, page 229, Franklin County Recorder's Office, and more particularly described as follows: Beginning at an iron pin on the east side of Dennison Avenue (60 foot wide), located N. 2 degrees 56' 48" E., 82.60 feet from the intersection of the north line of Second Avenue (60 feet wide) and the east line of Dennison Avenue; thence, along the east side of Dennison Avenue, N. 2 degrees 56' 48" E., 72.04 feet to an iron pin at the south line of a proposed alley (28 foot wide); thence, along the south line of the proposed (28 foot wide) alley, S. 86 degrees 59' 30" E., 45.10 feet to an iron pin on the west line of lands, now or formerly owned by Nina E. Green; thence along the west line of lands of Nina E. Green, S. 2 degrees 59' 12" W., 72.08 feet, to a cross cut on a concrete wall at the northeast corner of lands now or formerly owned by Lottie C. Reed; thence, along the north line of lands of Lottie C. Reed, N. 86 degrees 55' 30" W., 45.00 feet to the point of beginning, containing 0.0745 acres.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said properties are used as single-unit dwellings or those uses permitted in the ARLD, Apartment Residential District.

SECTION 3. That this ordinance is further conditioned on the Subject Site being developed in general conformance with the site plan titled "**1002 DENNISON AVENUE - PROPOSED SITE PLAN,**" dated July 6, 2018, and drawn and signed by Juliet Bullock, Architect. 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 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 upon the applicant obtaining all applicable permits and Certificates of Occupancy for the proposed uses.

SECTION 5. That this ordinance is further conditioned upon the combination of Franklin County Parcels 010-132378 and 010-026540 into one lot (994 Dennison Avenue), and 010-101166 and 010-002654 into one lot (1002 Dennison Avenue) prior to the issuance of the building permit for the proposed attached garage.

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

SECTION 7. That Ordinance #215-93 (CV92-076), passed March 13, 1993, be and is hereby repealed on the subject site.

SECTION 8. That Ordinance #2041-2003 (CV03-022), passed September, 29, 2003, be and is hereby repealed.