



## Legislation Details (With Text)

**File #:** 2395-2018      **Version:** 1

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

**File created:** 8/28/2018      **In control:** Zoning Committee

**On agenda:** 9/17/2018      **Final action:** 9/19/2018

**Title:** To grant a Variance from the provisions of Sections 3332.035, R-3 permitted uses; 3312.49, Minimum numbers of parking spaces required; 3332.25, Maximum side yards required; and 3332.26(B), Minimum side yard permitted, for the property located at 660 SOUTH CHAMPION AVENUE (43205), to conform a four-unit dwelling with reduced development standards in the R-3, Residential District (Council Variance # CV18-036).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD2395-2018.Attachments.pdf, 2. ORD2395-2018.Labels.pdf

Date	Ver.	Action By	Action	Result
9/19/2018	1	CITY CLERK	Attest	
9/18/2018	1	MAYOR	Signed	
9/17/2018	1	COUNCIL PRESIDENT	Signed	
9/17/2018	1	Zoning Committee	Waive the 2nd Reading	Pass
9/17/2018	1	Zoning Committee	Approved	Pass

### Council Variance Application CV18-036

**APPLICANT:** Kyle Davis; 185 Miller Avenue; Columbus, OH 43205.

**PROPOSED USE:** Conform existing four-unit dwelling.

**LIVINGSTON AVENUE AREA COMMISSION RECOMMENDATION:** Approval.

**HISTORIC RESOURCE COMMISSION RECOMMENDATION:** Approval

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The requested variance will conform an existing four-unit dwelling in the R-3, Residential District. The R-3, Residential District was established as part of a 1998 City sponsored down-zoning of the neighborhood which rendered many multi-unit properties non-conforming. A Council variance is necessary because a four-unit dwelling is not a permitted use in the R-3, Residential District which limits residential development to single-unit dwellings. Variances for reduced number of parking spaces, maximum side yard, and minimum side yard are included in this request. The site is located within the planning area of the *Near Southside Plan* (2011), which recommends medium density mixed residential uses at this location. The four-unit dwelling has been long established on this lot and is consistent with the residential uses that are prevalent in the surrounding neighborhood. A hardship exists because the non-conforming nature of the site precludes financing options. Approval of this request will not add a new or incompatible use to the area.

To grant a Variance from the provisions of Sections 3332.035, R-3 permitted uses; 3312.49, Minimum numbers of parking spaces required; 3332.25, Maximum side yards required; and 3332.26(B), Minimum side yard permitted, for the property located at **660 SOUTH CHAMPION AVENUE (43205)**, to conform a four-unit dwelling with reduced development standards in the R-3, Residential District (Council Variance # CV18-036).

**WHEREAS**, by application # CV18-036, the owner of property at **660 SOUTH CHAMPION AVENUE (43205)**, is requesting a Council variance to conform a four-unit dwelling with reduced development standards in the R-3, Residential District; and

**WHEREAS**, Section 3332.035 R-3, Permitted Uses, permits a single-unit dwelling, while the applicant proposes to conform an existing four-unit dwelling; and

**WHEREAS**, Section 3312.49, Minimum numbers of parking spaces required, requires 1.5 parking spaces per dwelling unit, or 6 spaces total for 4 units, while the applicant proposes to maintain 5 parking spaces; and

**WHEREAS**, Section 3332.25, Maximum side yards required, requires the sum of the widths of the side yards to equal or exceed 20 percent of the width of the lot, a requirement of 12 feet for a 60 foot wide lot, while the applicant proposes to maintain a maximum side yard of 7 feet; 2 feet along the north property line and 5 feet along the south property line; and

**WHEREAS**, Section 3332.26(B), Minimum side yard permitted, requires a minimum side yard of 5 feet, while the applicant proposes to conform an existing side yard of 2± feet along the north property line; and

**WHEREAS**, the Livingston Avenue Area Commission recommends approval; and

**WHEREAS**, the Historic Resource Commission recommends approval; and

**WHEREAS**, The City Departments recommend approval because this request will not add a new or incompatible use to the area. The requested variance will conform an existing four-unit dwelling in the R-3, Residential District, and the *Near Southside Plan* recommends medium density mixed residential uses at this and surrounding locations; 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 the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect 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 owner of the property located at **660 SOUTH CHAMPION AVENUE (43205)**, 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 3332.035, R-3 permitted uses; 3312.49, Minimum numbers of parking spaces required; 3332.25, Maximum side yards required; and 3332.26(B), Minimum side yard permitted, of the Columbus City Codes, are hereby granted for the property located at **660 SOUTH CHAMPION AVENUE (43205)**, insofar as said section prohibits a four-unit dwelling in the R-3, Residential District; a parking reduction from 6 to 5 spaces; reduced maximum side yards from 12 feet to 7 feet; and reduced minimum side yard from 5 feet to 2 feet along the north property line; said property being more particularly described as follows:

**660 SOUTH CHAMPION AVENUE (43205)**, being 0.21± acres located on the east side of Champion Avenue, 125± feet north of Newton Street, and being more particularly described as follows:

Being Lot Number Twenty-seven (27) and a strip of land 29 feet in width, extending the entire length of the lot off of the North side of lot Twenty-eight (28) of the OAKWOOD ADDITION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, Page 422, Recorder's office Franklin County, Ohio.

Parcel Number: 010-002366

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a four-unit dwelling or those uses permitted in the R-3, Residential District.

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