



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 4/11/2019 **In control:** Zoning Committee

On agenda: 4/29/2019 **Final action:** 5/2/2019

Title: To grant a Variance from the provisions of Sections 3332.039, R-4, Residential District; 3332.05(A)(4), Area district lot width requirements; 3332.15, R-4, area district requirements; 3332.19, Fronting; 3332.26(C)(1), Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at 919 NORTH FOURTH STREET (43201), to permit a single-unit dwelling (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 #CV19-015).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1073-2019_Attachments, 2. ORD1073-2019_Labels

Date	Ver.	Action By	Action	Result
5/2/2019	1	CITY CLERK	Attest	
5/1/2019	1	ACTING MAYOR	Signed	
4/29/2019	1	COUNCIL PRESIDENT	Signed	
4/29/2019	1	Zoning Committee	Waive the 2nd Reading	Pass
4/29/2019	1	Zoning Committee	Approved	Pass

Council Variance Application: CV19-015

APPLICANT: Eric D. Martineau; 3006 North High Street, Suite 1A; Columbus, OH 43202.

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

ITALIAN VILLAGE COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of one parcel developed with a single-unit dwelling in the R-4, Residential District. The requested Council variance will permit the conversion of an existing two-story garage to a carriage house, while bringing the existing dwelling unit and parcel into conformance. The variance is necessary because the R-4, Residential District permits a maximum of four dwelling units in one building, but does not permit two separate dwellings on one lot. Variances for lot width, lot area, fronting, minimum side yard, and rear yard are included in this request. The site is within the boundaries of the *Italian Village East Redevelopment Plan* (2005), which recommends residential (1-2 units) at this location. The proposal is consistent with the Plan's land use recommendation and with recent development patterns in historic urban neighborhoods. Additionally, Staff finds the proposal will not add incompatible uses to area as there are other carriage houses within this neighborhood.

To grant a Variance from the provisions of Sections 3332.039, R-4, Residential District; 3332.05(A)(4), Area district lot width requirements; 3332.15, R-4, area district requirements; 3332.19, Fronting; 3332.26(C)(1), Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at **919 NORTH FOURTH**

STREET (43201), to permit a single-unit dwelling (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 #CV19-015).

WHEREAS, by application #CV19-015, the owner of the property at **919 NORTH FOURTH STREET (43201)**, is requesting a Variance to permit a single-unit dwelling (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 convert the second story of an existing detached garage into a single-unit carriage house on a lot developed with a single-unit dwelling; 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 28.5-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 carriage house on a lot area of 2,437 square feet (pursuant to lot area calculation in 3332.18(C)); 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 3332.26(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 a northern side yard of 2.27± 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 no rear yard for the carriage house dwelling; and

WHEREAS, the Italian Village Commission recommends approval; and

WHEREAS, City Departments recommend approval of the requested variance because the proposal is consistent with the *Italian Village East Redevelopment Plan's* land use recommendation, recent development patterns in historic urban neighborhoods, and does not add incompatible uses to the area; 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 **919 NORTH FOURTH STREET (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 is hereby granted from the provisions of Sections 3332.039, R-4, Residential District; 3332.05(A)(4), Area district lot width requirements; 3332.15, R-4, area district requirements; 3332.19, Fronting; 3332.26 (C)(1), Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at

919 NORTH FOURTH STREET (43201), insofar as said sections prohibit two single-unit dwellings on one lot in the R-4, Residential District; with a reduced lot width from 50 to 28.5 feet; reduced lot area from 5,000 square feet per dwelling unit to 2,437 square feet for two single-unit dwellings; no frontage on a public street for the carriage house; a reduced side yard on the north side of the existing dwelling from 3 feet to 2.27 feet; and a reduced rear yard from 25 percent to 0 percent for the rear carriage house dwelling; said property being more particularly described as follows:

919 NORTH FOURTH STREET (43201), being 0.09± acres located on the west side of North Fourth Street, 170± feet south of East Second Avenue, and being more particularly described as follows:

Situated in the County of Franklin, State of Ohio and City of Columbus: Being the north ½ of Lot Number Fourteen (14) of E. Sorin's Subdivision of Lots Numbered 49, 50, 51 and 52 of William Phelan's Mount Pleasant Addition to said City, as said Lot 14 is numbered and delineated upon the recorded plat thereof, of record in Plat Book 1 Page 286, Recorder's Office, Franklin County, Ohio.

Property Address: 919 N. Fourth St., Columbus, OH 43201
Parcel Number: 010-009648

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, "**919 N. FOURTH STREET**," dated March 25, 2019, drawn by Urbanorder Architecture., and signed by Eric D. Martineau, Attorney. 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 upon 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.