Legislation Details (With Text)

File #:	1997-2019 **Version:** 1		
Type:	Ordinance	**Status:**	Passed
File created:	7/10/2019	**In control:**	Zoning Committee
On agenda:	7/29/2019	**Final action:**	7/31/2019
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, Area district requirements; 3332.18(D), Basis of computing area; 3332.19, Fronting; 3332.25(B), Maximum side yards required; 3332.26(C)(3), Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City codes; for the property located at 609 DENNISON AVE. (43215), to permit a four-unit dwelling and a two-unit dwelling on one lot with reduced development standards in the R-4, Residential District (Council Variance #CV19-054).		
Sponsors:			
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Date	Ver.	Action By	Action	Result
7/31/2019	1	CITY CLERK	Attest	
7/30/2019	1	MAYOR	Signed	
7/29/2019	1	COUNCIL PRESIDENT	Signed	
7/29/2019	1	Zoning Committee	Approved	Pass
7/22/2019	1	Columbus City Council	Read for the First Time	

Council Variance Application: CV19-054

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

PROPOSED USE: To conform an existing four-unit dwelling and a two-unit dwelling on the same lot.

VICTORIAN VILLAGE COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is zoned R-4, Residential District, and is developed with a four-unit dwelling (609 Dennison Avenue) and a rear two-unit dwelling (614-616 Hunter Avenue) on the same lot. The requested Council variance will conform the existing development and permit an addition to the two-unit dwelling. Other variances are included for increased lot coverage and fronting on a public street with reductions in lot width, lot area, side yards, and rear yard. A Council variance is necessary because the R-4, Residential District permits a maximum of four dwelling units in one building, and does not permit two residential buildings on one lot. Staff finds that the proposal is compatible with surrounding development as there are other rear dwellings and multi-unit residential uses within this neighborhood. The request is consistent with the recent development pattern in historic urban neighborhoods, and building design will conform to the Victorian Village Commission requirements.

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, Area district requirements; 3332.18(D), Basis of computing area; 3332.19, Fronting;

3332.25(B), Maximum side yards required; 3332.26(C)(3), Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City codes; for the property located at **609 DENNISON AVE. (43215)**, to permit a four-unit dwelling and a two-unit dwelling on one lot with reduced development standards in the R-4, Residential District (Council Variance #CV19-054).

WHEREAS, by application #CV19-054, the owner of property at **609 DENNISON AVE. (43215)**, is requesting a Council variance to permit a four-unit dwelling and a two-unit dwelling on one lot 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, and does not permit two residential buildings on one lot, while the applicant proposes to conform existing four-unit and two-unit dwellings on the same lot and to permit an addition to the two-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 40-foot wide lot; and

WHEREAS, Section 3332.15, R-4 area district requirements, requires that a dwelling containing three or four dwelling units shall be situated on a lot with an area which equals or exceeds 2,500 square feet of lot area per dwelling unit, and a two-unit dwelling shall be situated on a lot with an area which equals or exceeds 3,000 square feet of lot area per dwelling unit, while applicant proposes to maintain 800± square feet of lot area per dwelling unit; and

WHEREAS, Section 3332.18(D), Basis of computing area, requires that a residential building shall occupy alone or together with any other building no greater than 50 percent of the lot area, while the applicant proposes 55.17 percent lot coverage; and

WHEREAS, Section 3332.19, Fronting on a public street, requires a dwelling unit to have frontage on a public street, while the applicant proposes to maintain no frontage for the rear two-unit dwelling; and

WHEREAS, Section 3332.25(B), Maximum side yards required, requires the sum of the widths of the side yards to be a maximum of 8 feet, while the applicant proposes to maintain a maximum side yard of 5 feet 11 inches for the four-unit dwelling; and

WHEREAS, Section 3332.26(C)(3), Minimum side yard permitted, requires multi-unit dwellings in the R-4 district to have side yards of no less than 5 feet on a minimum lot width of 50 feet, while the applicant proposes to maintain minimum side yards of 2 feet 9 inches along the northern property line and 3 feet 2 inches along the southern property line for the four-unit dwelling; and

WHEREAS, Section 3332.27, Rear yard, requires a rear yard totaling no less than 25 percent of the total lot area, while the applicant proposes to maintain a reduced rear yard for the four-unit dwelling of 17.8 percent, and no rear yard area for the two-unit dwelling; and

WHEREAS, the Victorian 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 rear dwellings and multi-unit residential uses within this neighborhood. 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 addition to the two-unit dwelling; and

WHEREAS, said variance will not adversely affect the surrounding property or surrounding neighborhood; and

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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 **609 DENNISON AVE. (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; 3332.05(A)(4), Area district lot width requirements; 3332.15, Area district requirements; 3332.18(D), Basis of computing area; 3332.19, Fronting; 3332.25(B), Maximum side yards required; 3332.26(C)(3), Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City codes; is hereby granted for the property located at **609 DENNISON AVE. (43215)**, in so far as said sections prohibit a four-unit dwelling and a two-unit dwelling on one lot in the R-4, Residential District; with a reduced minimum lot width from 50 feet to 40 feet; reduced lot area from 2,500 square feet per dwelling unit for a four-unit dwelling and 3,000 square feet per dwelling unit for a two-unit dwelling to 800 square feet per dwelling unit; increased lot coverage from 50 percent to 55.17 percent; no frontage on a public street for the two-unit dwelling; a reduced maximum side yard from 8 feet to 5 feet 11 inches for the four-unit dwelling; reduced minimum side yards from 5 feet to 2 feet 9 inches along the northern property line and 3 feet 2 inches along the southern property line for the four-unit dwelling; and reduced rear yard from 25 percent to 17.8 percent for the four-unit dwelling and no rear yard for the two-unit dwelling; said property being more particularly described as follows:

609 DENNISON AVE. (43215), being 0.14± acres located on the west side of Dennison Avenue, 37± feet north of West Goodale Street, and being more particularly described as follows:

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

Being Lot Number 132 of JAMES N. AND ROBERT E. NEIL'S PLACE ADDITION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 3, Pages 362, Recorder's Office, Franklin County, Ohio.

Addressed as 609 Dennison Avenue and 614-616 Hunter Avenue, Columbus, Ohio 43215.
Commonly known as: Franklin County parcel 010-034260.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is developed with a four-unit dwelling and a two-unit dwelling on one lot, or those uses 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 site plan titled, "**609 DENNISON AVENUE / 614-616 HUNTER AVE.,**" dated May 15, 2019, and drawn and signed by Juliet Bullock, Applicant. 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 plan 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 upon the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed addition to the two-unit dwelling.

SECTION 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.