



## Legislation Details (With Text)

**File #:** 1996-2019 **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 3332.037, R-2F, Residential district; 3312.27(3), Parking setback line; 3312.49, Minimum numbers of parking spaces required; 3332.05(A)(4), Area district lot width requirements; 3332.14 R-2F, Area district requirements; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; and 3332.28, Side or rear yard obstruction, of the Columbus City Code; for the property located at 835-837 CHAMPION AVE (43206), to permit a three-unit dwelling with reduced development standards in the R-2F, Residential District (Council Variance #CV19-039).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1996-2019.Attachments.pdf, 2. ORD1996-2019.Labels.pdf

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: CV19-039**

**APPLICANT:** Arch City Investment Properties LLC; c/o Rob Ellis; 1015 East Broad Street, Suite 110; Columbus, OH 43205.

**PROPOSED USE:** Three-unit dwelling.

**COLUMBUS SOUTHSIDE AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of one parcel developed with a two-unit dwelling in the R-2F, Residential District. The requested Council variance will permit a three-unit dwelling. The variance is necessary because the R-2F district permits a maximum of two dwelling units in one building. Variances to parking setback, minimum numbers of parking spaces required, lot width, lot area, minimum and maximum side yards, and side yard obstruction are included in this request. The site is located within the boundaries of the *Near Southside Plan* (2011), which recommends "Medium Density Mixed Residential" land uses at this location. Staff is in support of the proposal as it is consistent with the Plan's land use recommendation and the request has design elements that are compatible with surrounding structures.

To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential district; 3312.27(3), Parking setback line; 3312.49, Minimum numbers of parking spaces required; 3332.05(A)(4), Area district lot width requirements;

3332.14 R-2F, Area district requirements; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; and 3332.28, Side or rear yard obstruction, of the Columbus City Code; for the property located at **835-837 CHAMPION AVE (43206)**, to permit a three-unit dwelling with reduced development standards in the R-2F, Residential District (Council Variance #CV19-039).

**WHEREAS**, by application #CV19-039, the owner of the property at **835-837 CHAMPION AVE. (43206)**, is requesting a Council variance to permit a three-unit dwelling with reduced development standards in the R-2F, Residential District; and

**WHEREAS**, Section 3332.037, R-2F residential district, does not permit a three-unit dwelling, while the applicant proposes to convert the existing two-unit dwelling into a three-unit dwelling; and

**WHEREAS**, Section 3312.27(3), Parking setback line, requires a minimum parking setback line of ten feet along public streets; while the applicant proposes to reduce the minimum parking setback from Sycamore Street to 1 foot; and

**WHEREAS**, Section 3312.49, Minimum numbers of parking spaces required, requires 2 parking spaces per residential unit, or 6 parking space for a three-unit dwelling, while the applicant proposes 3 parking spaces; and

**WHEREAS**, Section 3332.05(A)(4), Area district lot width requirements, requires a minimum lot width of 50 feet in the R-2F, Residential District, while the applicant proposes to maintain a lot width of 32± feet; and

**WHEREAS**, Section 3332.14 R-2F, Area district requirements, requires a single-unit dwelling or other principal building to be situated on a lot of no less than 6,000 square feet in area, while the applicant proposes to maintain the existing lot area of 3,072 square feet for the three-unit dwelling; and

**WHEREAS**, Section 3332.25, Maximum side yards required, requires the sum of the widths of the side yards to be 20 percent of the lot width, or 6.4 feet, while the applicant proposes to maintain a maximum side yard of 5.83 feet; and

**WHEREAS**, Section 3332.26, Minimum side yard permitted, requires a side yard of no less than 5.82 feet for the dwelling and 3 feet for the detached garage, while the applicant proposes to maintain a minimum side yard of 1 foot along the south property line and 4.83 feet along the north property line for the dwelling, and proposes 1 foot along both the north and south property lines for the detached garage; and

**WHEREAS**, Section 3332.28, Side or rear yard obstruction, requires the area in the side or rear yard to be open from the finished grade to the sky, while the applicant proposes a stairway to the third floor dwelling unit to encroach into the north side yard; and

**WHEREAS**, the Columbus Southside Area Commission recommends approval; and

**WHEREAS**, the City Departments recommend approval of the requested Council variance because the proposed three-unit dwelling is consistent the *Near Southside Plan* land use recommendation and includes design elements that are compatible with surrounding structures; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and a 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 **835-837 CHAMPION AVE. (43206)**, 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 3332.037, R-2F, Residential district; 3312.27(3), Parking setback line; 3312.49, Minimum numbers of parking spaces required; 3332.05(A)(4), Area district lot width requirements; 3332.14 R-2F, Area district requirements; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; and 3332.28, Side or rear yard obstruction, of the Columbus City Codes; is hereby granted for the property located at **835-837 CHAMPION AVE. (43206)**, insofar as said sections prohibit a three-unit dwelling in the R-2F, Residential District; a reduced parking setback from 10 feet to 1 foot; a parking space reduction from 6 required spaces to 3 provided spaces; a reduced lot width from 50 to 32 feet; a reduced lot area from 6,000 to 3,072 square feet; a reduced maximum side yard from 6.4 to 5.83 feet; reduced minimum side yards from 5.82 for the dwelling and 3 feet for the detached garage to 1 foot along the south property line and 4.83 feet along the north property line for the dwelling, and 1 foot along both the north and south property lines for the detached garage; and an obstruction of the required north side yard of the dwelling for a stairway to the third floor dwelling unit; said property being more particularly described as follows:

**835-837 CHAMPION AVE (43206)**, being 0.12± acres located at the southwest corner of Champion Avenue and Sycamore Street, and being more particularly described as follows:

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

Being Lot Number Two Hundred Eighteen (218) in OLD OCHARD, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 5, Page 170, Recorder's Office, Franklin County, Ohio.

Parcel Number - 010-041589-00

Address: 835-837 S Champion Avenue, Columbus OH 43206

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

**SECTION 3.** That this ordinance is further conditioned on the Subject Site being developed in general conformance with the site plan titled "**SITE PLAN**," and elevations titled "**ELEVATIONS 1**" and "**ELEVATIONS 2**," all signed by Rob Ellis, Applicant, and dated June 19, 2019. 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 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 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.