



## Legislation Details (With Text)

**File #:** 3112-2019      **Version:** 2

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

**File created:** 11/20/2019      **In control:** Zoning Committee

**On agenda:** 12/9/2019      **Final action:** 12/12/2019

**Title:** To grant a Variance from the provisions of Sections 3333.04, Permitted uses in AR-O apartment office district; 3312.21(D)(1), Landscaping and screening; 3312.27, Parking setback line; 3312.49(C), Minimum numbers of parking spaces required; 3333.18, Building lines; 3333.23(b), Minimum side yard permitted; and 3333.24, Rear yard, of the Columbus City Codes; for the property located at 1640 E. BROAD ST. (43203), to permit a single-unit dwelling and an office on one lot with reduced development standards in the AR-O, Apartment Office District (Council Variance #CV19-102) and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD3112-2019\_Attachments, 2. ORD3112-2019\_Labels

Date	Ver.	Action By	Action	Result
12/12/2019	2	CITY CLERK	Attest	
12/11/2019	2	MAYOR	Signed	
12/9/2019	2	COUNCIL PRESIDENT	Signed	
12/9/2019	1	Zoning Committee	Waive the 2nd Reading	
12/9/2019	1	Zoning Committee	Amended to Emergency	Pass
12/9/2019	1	Zoning Committee	Approved as Amended	Pass

**Council Variance Application: CV19-102**

**APPLICANT:** Quattro Venti Ltd.; c/o Matthew Cull, Atty.; Kephart Fisher LLC; 207 North 4<sup>th</sup> Street; Columbus, OH 43215.

**PROPOSED USE:** Single-unit dwelling and an office on one lot.

**NEAR EAST AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is developed with a single-unit dwelling and a detached office building in the AR-O, Apartment Office District. The requested Council variance will allow a 1,094± square foot addition to the office building while retaining the single-unit dwelling. A variance is necessary because the single-unit dwelling is only permitted in the AR-O district as a sole use when in compliance with Section 3333.055. Variances for reduced parking lot screening width, number of parking spaces (from 10 to 6), setbacks, and side and rear yards are included in the request. The site is within the planning area of the *Near East Area Plan* (2005), which recommends medium-high density housing and office uses along the East Broad Street corridor. The proposed variance is consistent with these land use recommendations and will not add new or incompatible uses to the area.

To grant a Variance from the provisions of Sections 3333.04, Permitted uses in AR-O apartment office district; 3312.21 (D)(1), Landscaping and screening; 3312.27, Parking setback line; 3312.49(C), Minimum numbers of parking spaces required; 3333.18, Building lines; 3333.23(b), Minimum side yard permitted; and 3333.24, Rear yard, of the Columbus City Codes; for the property located at **1640 E. BROAD ST. (43203)**, to permit a single-unit dwelling and an office on one lot with reduced development standards in the AR-O, Apartment Office District (Council Variance #CV19-102) **and to declare an emergency.**

**WHEREAS**, by application #CV19-102, the owner of property at **1640 E. BROAD ST. (43203)**, is requesting a Council variance to permit a single-unit dwelling and an office on one lot with reduced development standards in the AR-O, Apartment Office District; and

**WHEREAS**, Section 3333.04, Permitted uses in AR-O apartment office district, permits office uses and permits single-unit dwellings per the exception in Section 3333.055, but only as the sole use of the property, while the applicant proposes to maintain a single-unit dwelling and an office on one lot; and

**WHEREAS**, Section 3312.21(D)(1), Landscaping and screening, requires parking lot screening from residentially zoned property be 4 feet in width, while the applicant proposes parking lot screening within a two-foot wide area as shown on the submitted site plan, with no parking lot landscaping along the western side of the spaces that face East Broad Street; and

**WHEREAS**, Section 3312.27, Parking setback line, requires a minimum parking setback line of 25 feet from public streets, while the applicant proposes a parking setback line of 0 feet along Woodland Avenue for the spaces that face East Broad Street, noting a setback of 2 feet for the spaces that face Woodland Avenue; and

**WHEREAS**, Section 3312.49(C), Minimum numbers of parking spaces required, requires 1 parking space per 450 square feet of general office space and 2 parking spaces for the single-unit dwelling for a total requirement of 10 parking spaces, while the applicant proposes 6 spaces; and

**WHEREAS**, Section 3333.18, Building lines, requires a minimum building setback line of 25 feet from Woodland Avenue, while the applicant proposes a building setback line of 5 feet for the office building; and

**WHEREAS**, Section 3333.23(b), Minimum side yard permitted, requires a side yard of no less than 5 feet per building code requirements, while the applicant proposes to maintain the 0 foot side yard along the east property line for the office building; and

**WHEREAS**, Section 3333.24, Rear yard, requires a rear yard totaling no less than 25 percent of the total lot area, while the applicant proposes no a rear yard for the office building; and

**WHEREAS**, the Near East Area Commission recommends approval; and

**WHEREAS**, City Departments recommend approval because this request will not add new or incompatible uses to the area. The requested variance will allow an office building expansion while conforming an existing single-unit dwelling. The request is consistent with the *Near East Area Plan's* recommendation for medium-high density housing and office uses; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and Certificates of Occupancy for the proposed uses; 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 **1640 E. BROAD ST. (43203)**, in using said property as desired;

**WHEREAS**, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to allow completion of carriage house expansion prior to expiration/termination of Applicant/Property Owner's current office lease for her business (Mosaic) at the end of May, 2020; now, therefore:

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

**SECTION 1.** That a variance from the provisions of Sections 3333.04, Permitted uses in AR-O apartment office district; 3312.21(D)(1), Landscaping and screening; 3312.27, Parking setback line; 3312.49(C), Minimum numbers of parking spaces required; 3333.18, Building lines; 3333.23(b), Minimum side yard permitted; and 3333.24, Rear yard, of the Columbus City Codes, is hereby granted for the property located at **1640 E. BROAD ST. (43203)**, insofar as said sections prohibit a single-unit dwelling and an office building on the same lot in the AR-O, Apartment Office District; with reduced parking lot screening width from 4 feet to 2 feet, and no parking lot screening on the western side of the parking spaces that face East Broad Street; a reduced parking setback line from 25 feet to 0 feet along Woodland Avenue for the parking spaces that face East Broad Street, noting a setback of 2 feet for the spaces that face Woodland Avenue; a parking space reduction from 10 spaces to 6 spaces; a reduced building setback line from 25 feet to 5 feet along Woodland Avenue for the office building; a reduced side yard from 5 feet to 0 feet along the east property line for the office building; and no rear yard for the office building; said property being more particularly described as follows:

**1640 E. BROAD ST. (43203)**, being 0.44± acres located at the northeast corner of East Broad Street and Woodland Avenue, and being more particularly described as follows:

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

Being Lots Numbered One (1) And Two (2) In John Stone's Broad Street and Woodland Avenue Subdivision of Lot Number 23 of Samuel Barr's Heirs Northern Addition to Eastwood, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 5, Page 301, Recorder's Office, Franklin County, Ohio.

PPN: 010 - 054490

Commonly Known as: 1640 E. Broad Street, Columbus, Ohio 43203

**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 and an office building on the same lot, or those uses permitted in the AR-O, Apartment Office 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**," dated November 18, 2019, and signed by Matthew Cull, Attorney for the 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 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 shall take effect and be in force from and after the earliest period allowed by law.~~  
**That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval**

**by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.**