Legislation Details (With Text)

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Type:	Ordinance	**Status:**	Passed
File created:	11/26/2019	**In control:**	Zoning Committee
On agenda:	12/16/2019	**Final action:**	12/18/2019
Title:	To grant a Variance from the provisions of Sections 3332.035, R-3, residential district; 3312.49(C), Minimum numbers of parking spaces required; 3332.05(A)(4), Area district lot width requirements; 3332.13, R-3 area district requirements; 3333.16, Fronting; and 3333.24, Rear yard, of the Columbus City Codes; for the property located at 1550 CLIFTON AVE. (43203), to permit a two-unit dwelling or two single-unit dwellings on one lot with reduced development standards in the R-3, Residential District (Council Variance #CV19-027).		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. ORD3178-2019.Attachments.pdf, 2. ORD3178-2019.Labels.pdf		

Date	Ver.	Action By	Action	Result
12/18/2019	1	CITY CLERK	Attest	
12/17/2019	1	MAYOR	Signed	
12/16/2019	1	COUNCIL PRESIDENT	Signed	
12/16/2019	1	Zoning Committee	Approved	Pass
12/9/2019	1	Columbus City Council	Read for the First Time	

Council Variance Application: CV19-027

APPLICANT: Double Bogey Holdings LLC; c/o David Hodge, Atty.; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

PROPOSED USE: A two-unit dwelling or two single-unit dwellings on one lot.

NEAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of an undeveloped parcel in the R-3, Residential District per a city-sponsored down-zoning of the Near East Area in 1974 (Z73-197). The applicant is requesting a Council variance to provide for the option to build either the two-unit dwelling or two single-unit dwellings on one lot. A Council variance is necessary because the current zoning district permits only one single-unit dwelling. Variances to lot width requirements, area district requirements, fronting, rear yard and a parking space reduction from 4 required to 2 provided spaces are included in the request. The site is within the planning area of the *Near East Area Plan* (2005), which does not recommend a land use for this location. The Plan does state that, in general, housing types and density should be consistent with the housing types and densities found in the surrounding area. Staff believes the proposal is compatible with the urban character of the neighborhood as recommended by the Plan and does not introduce incompatible uses to the area as there are numerous two-unit dwellings in this neighborhood.

To grant a Variance from the provisions of Sections 3332.035, R-3, residential district; 3312.49(C), Minimum numbers of

parking spaces required; 3332.05(A)(4), Area district lot width requirements; 3332.13, R-3 area district requirements; 3333.16, Fronting; and 3333.24, Rear yard, of the Columbus City Codes; for the property located at **1550 CLIFTON AVE. (43203)**, to permit a two-unit dwelling or two single-unit dwellings on one lot with reduced development standards in the R-3, Residential District (Council Variance #CV19-027).

WHEREAS, by application #CV19-027, the owner of the property at **1550 CLIFTON AVE. (43203)**, is requesting a Variance to permit a two-unit dwelling or two single-unit dwellings on one lot with reduced development standards in the R-3, Residential District; and

WHEREAS, Section 3332.035, R-3, residential district, lists single-unit dwellings as the only permitted residential use, while the applicant proposes a two-unit dwelling or two single-unit dwellings on one lot; and

WHEREAS, Section 3312.49 Minimum numbers of parking spaces required, requires two parking spaces per dwelling unit, or four spaces for two dwelling units, while the applicant proposes a total of two 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-3, Residential District, while the applicant proposes to maintain a lot width of 40 feet; and

WHEREAS, Section 3332.13, R-3 area district requirements, requires that a single-unit dwelling or other principal building shall be situated on a lot of not less than 5,000 square feet in area, while the applicant proposes two dwelling units on a lot that is 5,988 square feet in area (2,994 per dwelling); 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 3333.24, Rear yard, requires that each dwelling, apartment house, or other principal building shall be erected so as to provide a rear yard totaling no less than 25 percent of the total lot area, while the applicant proposes no rear yard for the carriage house; and

WHEREAS, the Near East Area Commission recommends approval; and

WHEREAS, City Departments recommend approval because the requested Council will allow a two-unit dwelling or two single-unit dwellings on one lot that are compatible with the neighborhood as recommended by the *Near East Area Plan*. The request does not introduce incompatible uses to the area; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificates 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 **1550 CLIFTON AVE. (43203)**, 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 3332.035, R-3, residential district; 3312.49(C), Minimum numbers of parking spaces required; 3332.05(A)(4), Area district lot width requirements; 3332.13,

R-3 area district requirements; 3333.16, Fronting; and 3333.24, Rear yard, of the Columbus City Codes; for the property located at **1550 CLIFTON AVE. (43203)**, insofar as said sections prohibit a two-unit dwelling or two single-unit dwellings on one lot in the R-3, Residential District; with a parking space reduction from 4 spaces to 2 spaces; reduced lot width from 50 to 40 feet; reduced lot area from 5,000 to 2,994 square feet per dwelling; no frontage on a public street for the carriage house; and no rear yard for the carriage house; said property being more particularly described as follows:

1550 CLIFTON AVE. (43203), being 0.14± acres located on the north side of Clifton Avenue, 235± feet east of Taylor Avenue, and being more particularly described as follows:

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

Being Lot Number Seven (7) in Levi R. and Hugh E. Smith's Woodland Park Addition, to said City, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 7, Pages 132 and 133, Recorder's Office, Franklin County, Ohio.

Parcel Number: 010-041987
Also Known as: 1550 Clifton Avenue, Columbus, OH 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 two-unit dwelling or two single-unit dwellings on one lot in accordance with the submitted site plans, or those uses permitted in the R-3, Residential District.

SECTION 3. That this ordinance is further conditioned on the subject site being developed in general conformance with the site plans titled, **"CLIFTON RESIDENCE CONCEPTUAL DESIGN FOR DUPLEX"** and **"CLIFTON RESIDENCE CONCEPTUAL DESIGN FOR CARRIAGE HOUSE,"** and elevations titled **"FRONT HOUSE RENDERING"** and **"CARRIAGE HOUSE RENDERING,"** all dated November 19, 2019, and signed by Eric Zartman, Attorney for the Applicant. 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 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 on the applicant obtaining all applicable permits and Certificates 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.