



Legislation Details (With Text)

File #: 0017-2020 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 12/23/2019 **In control:** Zoning Committee

On agenda: 1/27/2020 **Final action:** 1/30/2020

Title: To grant a Variance from the provisions of Sections 3332.035, R-3 residential district; 3312.49, Minimum numbers of parking spaces required; 3332.05(A)(4), Area district lot width requirements; 3332.13, R-3 area district requirements; and 3332.26(F), Minimum side yard permitted, of the Columbus City Codes; for the property located at 1610-1612 BRYDEN RD. (43205), to permit a three-unit dwelling with reduced development standards in the R-3, Residential District (Council Variance #CV19-092) and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD0017-2020.Attachments, 2. ORD0017-2020.Labels

Date	Ver.	Action By	Action	Result
1/30/2020	2	CITY CLERK	Attest	
1/29/2020	2	MAYOR	Signed	
1/27/2020	2	COUNCIL PRESIDENT	Signed	
1/27/2020	1	Zoning Committee	Amended to Emergency	Pass
1/27/2020	1	Zoning Committee	Approved as Amended	Pass

Council Variance Application: CV19-092

APPLICANT: Lauerhass Architecture; c/o Amy Lauerhass; 753 Francis Avenue; Bexley, OH 43209.

PROPOSED USE: Three-unit dwelling.

NEAR EAST AREA COMMISSION RECOMMENDATION: Approval.

HISTORIC RESOURCES COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is developed with a two-unit dwelling in the R-3, Residential District. The requested Council variance will permit the existing building to be converted into a three-unit dwelling. Variances to minimum numbers of parking spaces required, lot width, area district requirements, and minimum side yard are included in this request. The site is located within the boundaries of the *Near East Area Plan* (2005) which does not contain a land use recommendation for this location, but recommends that new housing be consistent with the housing types, density, and development pattern of the neighborhood. City staff supports the requested variance as the proposal is consistent with the housing types and density along Bryden Road. Additionally, the site is within the Bryden Road Historic District, and has been approved by the Historic Resources Commission.

To grant a Variance from the provisions of Sections 3332.035, R-3 residential district; 3312.49, Minimum numbers of parking spaces required; 3332.05(A)(4), Area district lot width requirements; 3332.13, R-3 area district requirements; and

3332.26(F), Minimum side yard permitted, of the Columbus City Codes; for the property located at **1610-1612 BRYDEN RD. (43205)**, to permit a three-unit dwelling with reduced development standards in the R-3, Residential District (Council Variance #CV19-092) **and to declare an emergency.**

WHEREAS, by application #CV19-092, the owner of the property at **1610-1612 BRYDEN RD. (43205)** is requesting a Council variance to permit a three-unit dwelling with reduced development standards in the R-3, Residential District; and

WHEREAS, Section 3332.035, R-3 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 3312.49, 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 fifty (50) feet in the R-3, Residential District, while the applicant proposes to maintain a lot width of 39± feet; and

WHEREAS, Section 3332.13, R-3 area district requirements, requires that a principal building shall be situated on a lot of no less than 5,000 square feet in area, while the applicant proposes a three-unit dwelling on a lot area of 4,563 square feet (pursuant to lot area calculation in 3332.18(C)); and

WHEREAS, Section 3332.26(F), Minimum side yard permitted, requires a side yard of no less than one-sixth of the height of the building for buildings over two and one-half stories in height, or 4.87 feet for a building with a height of 29.2 feet, while the applicant proposes a minimum side yard 1.5 feet along the west property line; and

WHEREAS, the Near East Area Commission recommends approval; and

WHEREAS, the Historic Resources Commission recommends approval; and

WHEREAS, City Departments recommend approval because the requested Council variance will permit residential development that is consistent with the housing types, density, and development pattern found along Bryden Road; 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 **1610-1612 BRYDEN RD. (43205)**, in using said property as desired and;

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 begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; now, therefore:**

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

SECTION 1. That a variance from the provisions of Sections 3332.035, R-3 residential district; 3312.49, Minimum numbers of parking spaces required; 3332.05(A)(4), Area district lot width requirements; 3332.13, R-3 area district

requirements; and 3332.26(F), Minimum side yard permitted, of the Columbus City Codes, is hereby granted for the property located at **1610-1612 BRYDEN RD. (43205)**, insofar as said sections prohibit a three-unit dwelling in the R-3, Residential District; with a parking space reduction from 6 required spaces to 3 provided spaces; a reduced lot width from 50 to 39 feet; reduced lot area from 5,000 to 4,563 square feet; and a reduced minimum side yard from 4.87 feet to 1.5 feet; said property being more particularly described as follows:

1610-1612 BRYDEN RD. (43205), being 0.14± acres located on the north side of Bryden Road, 450± feet west of Morrison Avenue, and being more particularly described as follows:

Situated in the State of Ohio County of Franklin and in the City of Columbus being Lot No. 2 of Axline Subdivision that the same is numbered and delineated upon the recorded plat thereof of record in Plat Book 4, Page 293, Recorder's Office, Franklin County, Ohio.

Parcel Number: 010-005036-00

Property Address: 1610-1612 Bryden Road Columbus Ohio 43205

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-3, 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**," signed by Amy Lauerhass, Applicant, and dated December 17, 2019. 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 use.

~~**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.