



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 1/23/2020 **In control:** Zoning Committee

On agenda: 2/10/2020 **Final action:** 2/13/2020

Title: To grant a Variance from the provisions of Sections 3332.039, R-4 residential district; 3332.15, R-4 area district requirements; 3332.19, Fronting; 3332.25, Maximum side yards required; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at 283 DETROIT AVE. (43201), to permit two single-unit dwellings on one lot with reduced development standards in the R-4, Residential District (Council Variance #CV19-127) and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD0302-2020_Attachments, 2. ORD0302-2020_Labels

Date	Ver.	Action By	Action	Result
2/13/2020	2	CITY CLERK	Attest	
2/12/2020	2	MAYOR	Signed	
2/10/2020	2	COUNCIL PRESIDENT	Signed	
2/10/2020	1	Zoning Committee	Approved as Amended	Pass
2/10/2020	1	Zoning Committee	Amended to Emergency	Pass
2/3/2020	1	Columbus City Council	Read for the First Time	

Council Variance Application: CV19-127

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

PROPOSED USE: Two single-unit dwellings on one lot.

ITALIAN VILLAGE COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of two undeveloped parcels in the R-4, Residential District. The requested Council variance will permit the Applicant to combine the parcels and construct two single-unit dwellings. Variances for area district requirements, fronting, maximum side yards, and rear yard are included in this request. The site is within the planning boundaries of the *Italian Village East Redevelopment Plan* (2000), which recommends "Residential (1-2 units)" for this location. Staff finds that the proposal will not add incompatible uses to the area, is consistent with the recent development pattern in this historic urban neighborhood, and notes that building design will conform to the Italian Village Commission requirements.

To grant a Variance from the provisions of Sections 3332.039, R-4 residential district; 3332.15, R-4 area district requirements; 3332.19, Fronting; 3332.25, Maximum side yards required; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at **283 DETROIT AVE. (43201)**, to permit two single-unit dwellings on one lot with reduced development standards in the R-4, Residential District (Council Variance #CV19-127) **and to declare an**

emergency.

WHEREAS, by application #CV19-127, the owner of the property at **283 DETROIT AVE. (43201)**, is requesting a Variance to permit two single-unit dwellings on one lot with reduced development standards in the R-4, Residential District; and

WHEREAS, Section 3332.039, R-4 residential district, allows a maximum of four units in one building, but does not permit two residential buildings on one lot, while the applicant proposes two single-unit dwellings on one lot; and

WHEREAS, Section 3332.15 R-4 area district requirements, requires a lot of 5,000 square feet for a single-unit dwelling or other principle building, while the applicant proposes two single-unit dwellings on a lot area of 4,171 square feet, or 2,085 square feet per dwelling unit; and

WHEREAS, Section 3332.19, Fronting, requires a dwelling to have frontage on a public street, while the applicant proposes both dwelling units to front on Detroit Avenue which is not considered to be a public street because it is less than 35 feet wide; 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 maximum of 16 feet for a lot that is greater than 80 feet wide, while the applicant proposes a maximum side yard of 11 feet and 4 inches; 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 a reduced rear yard of 18.5 percent for both dwelling units combined; and

WHEREAS, the Italian 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, is consistent with the recent development pattern in this historic urban neighborhood, and notes that building design will conform to the Italian Village Commission requirements; 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 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 **283 DETROIT AVE. (43201)**, 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 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 is hereby granted from the provisions of Sections 3332.039, R-4, residential district; 3332.15 R-4 area district requirements; 3332.19, Fronting; 3332.25, Maximum side yards required; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at **283 DETROIT AVE. (43201)**, insofar as said sections

prohibit two single-unit dwellings on one lot in the R-4, Residential District; with reduced lot area from 5,000 square feet to 2,805 square feet per dwelling unit; no frontage on a public street for either dwelling unit; reduced maximum side yard from 16 feet to 11 feet and 4 inches; and a reduction in rear yard from 25 percent per dwelling unit to 18.5 percent for both dwelling units combined; said property being more particularly described as follows:

283 DETROIT AVE. (43201), being 0.10± acres located on the south side of Detroit Avenue, 58± feet east of North Sixth Street, and being more particularly described as follows:

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF COLUMBUS, AND BOUNDED AND DESCRIBED AS FOLLOWS BEING LOT NUMBER THIRTY (30) OF RICKLY AND GRAHAM SUBDIVISION, AS THE SAME IS NUMBERED AND DELINEATED UPON THE RECORDED PLAT THEREOF, P/T PB 2 PG 158-159 EXCLUDING SIXTY (60) FEET OFF THE WESTERNMOST PORTION THEREOF.

Parcel Nos. 010-040457 & 010-031575

Property Address: 283 Detroit Ave., Columbus, OH 43201

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for two single-unit dwellings on one lot or those uses permitted in the R-4, Residential District.

SECTION 3. That this ordinance is further conditioned on substantial compliance with the site plan drawing titled, "**PROPOSED SITE PLAN**," signed by Juliet Bullock, Architect, dated January 20, 2020. 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 adjustment to the plan shall be reviewed and may be approved 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 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.**