



## Legislation Details (With Text)

**File #:** 0488-2020      **Version:** 1

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

**File created:** 2/13/2020      **In control:** Zoning Committee

**On agenda:** 3/2/2020      **Final action:** 3/5/2020

**Title:** To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, Apartment residential district use; Section 3333.09, Area Requirements; Section 3333.11, ARLD area district requirements; Section 3333.16, Fronting; 3333.22, Maximum side yard required; 3333.23, Minimum side yard permitted; 3333.24, Rear yard; and 3333.25, Side or rear yard obstruction, of the Columbus City Codes, for the property located at 960-966 HUNTER AVE. (43201), to permit single-unit and two-unit dwellings with reduced development standards in the ARLD, Apartment Residential District, and to repeal Ordinance #2005-2014, passed September 22, 2014 (Council Variance #CV19-130).

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. ORD0488-2020\_Attachments, 2. ORD0488-2020\_Labels

Date	Ver.	Action By	Action	Result
3/5/2020	1	CITY CLERK	Attest	
3/4/2020	1	MAYOR	Signed	
3/2/2020	1	COUNCIL PRESIDENT	Signed	
3/2/2020	1	Zoning Committee	Approved	Pass
2/24/2020	1	Columbus City Council	Read for the First Time	

### Council Variance Application: CV19-130

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

**PROPOSED USE:** Single-unit and two-unit dwelling development.

**VICTORIAN VILLAGE COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is comprised of three parcels: two parcels that are developed with a single-unit dwelling which straddles the parcel line and a detached garage, and one parcel that is developed with a single-unit dwelling and carriage house subject to Ordinance #2005-2014 (CV14-035), all zoned in the ARLD, Apartment Residential District. The applicant is requesting a Council variance to reconfigure the three parcels to construct an addition to convert the existing single-unit dwelling into a two-unit dwelling with the existing detached garage on Lot A (966 Hunter Avenue); create a buildable center parcel for a new single-unit dwelling and detached garage on Lot B (962 Hunter Avenue); and to construct an addition to convert the existing single-unit dwelling into a two-unit dwelling with the existing carriage house on Lot C (960 Hunter Avenue). The request includes variances to lot width, area district requirements, side yard, and side yard obstruction; and variances for fronting and rear yard will be carried over from #2005-2014. The variance is required because these lots do not meet the exception (Section 3333.055) for single-unit or two-unit dwellings in the ARLD district, and also because the ARLD district does not allow two dwellings on the same lot. Staff supports the proposal because the request will not add incompatible uses to the area, and it is consistent with the recent development pattern in historic urban neighborhoods.

To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, Apartment residential district use; Section 3333.09, Area Requirements; Section 3333.11, ARLD area district requirements; Section 3333.16, Fronting; 3333.22, Maximum side yard required; 3333.23, Minimum side yard permitted; 3333.24, Rear yard; and 3333.25, Side or rear yard obstruction, of the Columbus City Codes, for the property located at **960-966 HUNTER AVE. (43201)**, to permit single-unit and two-unit dwellings with reduced development standards in the ARLD, Apartment Residential District, and to repeal Ordinance #2005-2014, passed September 22, 2014 (Council Variance #CV19-130).

**WHEREAS**, by application #CV19-130, the owner of properties at **960-966 HUNTER AVE. (43201)**, is requesting a Variance to permit single-unit and two-unit dwellings with reduced development standards in the ARLD, Apartment Residential District; and

**WHEREAS**, Section 3333.02, AR-12, ARLD and AR-1, Apartment residential district use, does not permit single-unit or two-unit dwellings on parcels that do not meet the platting exception criteria contained in Section 3333.055, and does not permit two separate dwellings on one lot, while the applicant proposes to reconfigure the existing three parcels and convert the existing single-unit dwelling on Lot A into a two-unit dwelling; construct a new single-unit dwelling and detached garage on the reconfigured center parcel Lot B; and convert the existing single-unit dwelling into a two-unit dwelling with an existing carriage house on Lot C; and

**WHEREAS**, Section 3333.09, Area Requirements, requires that no building shall be erected or altered on a lot with a width of less than 50 feet, while the applicant proposes a lot width of 49.22 feet for Lot A, 21.11 feet for Lot B, and 38.66 feet for Lot C; and

**WHEREAS**, Section 3333.11, ARLD area district requirements, requires 2,500 square feet in area per dwelling unit on interior lots, while the applicant proposes 2,152.6 square feet per dwelling unit on Lot A, and 1,579 square feet per dwelling unit on Lot C; and

**WHEREAS**, Section 3333.16, Fronting, requires each dwelling unit to have frontage on a public street, while the applicant proposes to maintain a carriage house fronting on a rear public alley on Lot C; and

**WHEREAS**, Section 3333.22, Maximum side yard required, requires that the sum of the widths of each side yard shall equal or exceed 20% of the width of the lot, while the applicant proposes a maximum side yard of 8.33± feet where 9.84 feet is required for Lot A; and

**WHEREAS**, Section 3333.23, Minimum side yard permitted, requires a side yard of no less than 5 feet, while the applicant proposes side yards of 3.33 feet along the north property line for the existing dwelling on Lot A; 3 feet along the north and south property lines for the proposed dwelling on Lot B; and 4.52 feet along the north property line and 3.33 feet along the south property line on Lot C;

**WHEREAS**, Section 3333.24, Rear yard, requires a rear yard totaling no less than 25% of the total lot area, while the applicant proposes no rear yard for the carriage house on Lot C; and

**WHEREAS**, Section 3333.25, Side or rear yard obstruction, requires side and rear yards to be open to the sky, while the applicant proposes a parking pad in the south side yard of the existing garage on Lot A; and

**WHEREAS**, the Victorian Village Commission recommends approval; and

**WHEREAS**, City Departments recommend approval because the requested variances would permit development in character with the surrounding neighborhood. Staff finds that the proposal will not add incompatible uses to the area as the request is consistent with recent residential infill development proposals in historic urban neighborhoods; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and 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 **960-966 HUNTER AVE. (43201)**, 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 3333.02, AR-12, ARLD and AR-1, Apartment residential district use; Section 3333.09, Area Requirements; Section 3333.11, ARLD area district requirements; Section 3333.16, Fronting; 3333.22, Maximum side yard required; 3333.23, Minimum side yard permitted; 3333.24, Rear yard; and Section 3333.25, Side or rear yard obstruction, of the Columbus City Codes, is hereby granted for the property located at **960-966 HUNTER AVE. (43201)**, insofar as said sections prohibit single-unit and two-unit dwellings on reconfigured lots and two dwellings on one lot in the ARLD, Apartment Residential District; with reduced lot widths from 50 feet to 49.22 feet for Lot A, 21.11 feet for Lot B, and 38.66 feet for Lot C; a reduced lot area requirement from 2,500 square feet per dwelling unit to 2,152.6 square feet on Lot A and to 1,579 square feet on Lot C; a reduced maximum side yard from 9.84 feet to 8.33± feet for Lot A; reduced minimum side yards from 5 feet to 3.33 feet along the north property line for the existing dwelling on Lot A; to 3 feet along the north and south property lines on Lot B; and to 4.52 feet along the north property line and to 3.33 feet along the south property line on Lot C; no rear yard for the carriage house on Lot C; and a parking pad in the required side yard of Lot A; said properties being more particularly described as follows:

**960-966 HUNTER AVE. (43201)**, being 0.28± acres located on the east side of Hunter Avenue, 150± feet south of West 2<sup>nd</sup> Avenue, and being more particularly described as follows:

**LOT 1 AND LOT 2**

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF COLUMBUS, AND BOUNDED AND DESCRIBED AS FOLLOWS BEING GREENERS 2<sup>ND</sup> SUB 5 LT/UN 4-5 ANDREW GREENERS PLT PB 2 PG 191 PT4 AS THE SAME IS NUMBERED AND DELINEATED UPON THE RECORDED PLAT THEREOF CONSISTING OF .10 ACRES FOR LOT 1 AND .05 ACRES FOR LOT 2.

PROPERTY ADDRESS 966 HUNTER AVENUE  
PARCEL NUMBERS 010-047485 AND 010-180791.

LOT 1 BEING 35.85' WIDE AND 122.3' DEEP ON THE SOUTH PROPERTY LINE AND 114.85' DEEP ON THE NORTH PROPERTY LINE. LOT 2 BEING 18.5' WIDE AND 122.3' DEEP ON THE NORTH PROPERTY LINE AND 126.12' DEEP ON THE SOUTH PROPERTY LINE.

**LOT 3**

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN AND CITY OF COLUMBUS AND BEING ALL OF LOT NO. 42 OF STEWART AND GREENERS SUBDIVISION OF RECORD IN PLAT BOOK NO. 2, PAGE 78, OF THE RECORDER'S OFFICE, FRANKLIN COUNTY OHIO; ALSO BEING PART OF LOT NO. 4 OF ANDREW GREENERS SUBDIVISION OF RECORD IN PLAT BOOK 2, PAGE 191, OF THE AFOREMENTIONED RECORDS. ALSO BEING PART OF THAT DISPOSAL PARCEL 64, DANNISON AVENUE CONSERVATION AREA (OHIO R-

10) QUIT CLAIMED TO CHARLESTON INC BY QUIT CLAIM DEED OF RECORD IN DEED BOOK 36669 PAGE 724 OF THE AFOREMENTIONED RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN AT THE SOUTHWESTERLY CORNER OF THE ABOVE MENTIONED LOT NO. 42 AND SOUTHWESTERLY CORNER OF THE ABOVE MENTIONED DISPOSAL PARCEL 64, SAID POINT BEING NORTH 288.8' FROM AN IRON PIN SET IN CONCRETE AT THE INTERSECTION OF THE EASERLY LINE OF HUNTER AVENEU AND THE NORTHERLY LINE OF FIRST AVENUE; THENCE NORTH ALONG THE EASTERLY LINE OF HUNTER AVENUE AND WESTERLY LINE OF THE ABOVE MENTIONED DISPOSAL PARCEL 64 A LOTS NOS. 42 AND 4 AND THE WESTERLY LINE OF THE ABOVE MENTIONED DISPOSAL PARCEL 64 A DISTANCE OF 54.5 FEET TO AN IRON PIN SAID IRON PIN BEING SOUTH 54.5 FEET FROM THE NORTHWESTERLY CORNER OF SAID DISPOSAL PARCEL: THENCE SOUTH 89 DEGREES 30' EAST ACROSS SAID LOT NO4 AND SAID DISPOSAL PARCEL 126.45' TO AN IRON PIN IN THE WESTERLY LINE OF A 13 FT ALLEY AND THE EASTERLY LINE OF SAID LOT NO. 4 AND SAID DISPOSAL PARCEL. SAID IRON PIN BEING S 11 DEGREES 25' 49"E A DISTANCE OF 57.78' FROM THE NORTHEASTERLY CORNER OF SAID DISPOSAL PARCEL; THENCE S 11 DEGRESS 25' 49" EALONG THE WESTERLY LINE OF SAID ALLEY AND THE WESTERLY LINE OF SAID LOT NO. 4 AND SAID DISPOSAL PARCEL 17.90 FEET TO AN ANGLE POINT AT THE SOUTHEASTERLY CORNER OF SAID LOT NO. 4. THENCE SOUTH CONTINUING ALONG THE WESTERLY LINE OF SAID ALLEY AND THE EASTERLY LINE OF SAID LOT NO. 42 AND SAID DISPOSAL PARCEL 37' TO AN IRON PIN AT THE SOUTHEASTERLY CORNER OF SAID LOT NO. 62 AND SAID DISPOSAL PARCEL; THEN N 89 DEGREES 30' W ALONG THE SOUTHERLY LINE OF SAID LOT NO. 42 AND SAID DISPOSAL PARCEL AND PASSING AN IRON PIN ON LINE AT 1.0 FEET A DISTANCE OF 130 FEET TO THE PLACE OF BEGINNING. CONTAINING 7,055 SF MORE OR LESS; SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

PROPERTY ADDRESS 958 & 960 HUNTER AVENUE.  
PARCEL NO. 010-030187

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said properties are used as single-unit dwellings or those uses permitted in the ARLD, Apartment Residential District.

**SECTION 3.** That this ordinance is further conditioned on the Subject Site being developed in general conformance with the site plan titled "**PROPOSED SITE PLAN,**" dated January 24, 2020, and drawn and signed by Juliet Bullock, Architect. 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 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 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.

**SECTION 6.** That Ordinance #2005-2014, passed September 22, 2014, be and is hereby repealed.