



## Legislation Details (With Text)

**File #:** 1081-2020      **Version:** 2

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

**File created:** 4/27/2020      **In control:** Zoning Committee

**On agenda:** 5/18/2020      **Final action:** 5/21/2020

**Title:** To grant a Variance from the provisions of Sections 3332.039, R-4 residential district; 3321.05(B) (1), Vision clearance; 3332.15 R-4 area district requirements; 3332.21, Building lines; 3332.25, Maximum side yards required; 3332.26(F), Minimum side yard permitted; 3332.27, Rear yard; 3332.29, Height district; and 3332.38(C), Private garage, of the Columbus City Codes; for the property located at 994 N. 6th ST. (43201), to permit two two-unit dwellings and an accessory garage on one lot with reduced development standards in the R-4, Residential District (Council Variance # CV19-129) and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1081-2020.Attachments, 2. ORD1081-2020.Labels

Date	Ver.	Action By	Action	Result
5/21/2020	2	CITY CLERK	Attest	
5/20/2020	2	MAYOR	Signed	
5/18/2020	2	COUNCIL PRESIDENT	Signed	
5/18/2020	1	Zoning Committee	Amended to Emergency	Pass
5/18/2020	1	Zoning Committee	Approved as Amended	Pass

**Council Variance Application: CV19-129**

**APPLICANT:** Juliet Bullock Architects; c/o Juliet Bullock; 1182 Wyandotte Road; Columbus, OH 43212.

**PROPOSED USE:** Two two-unit dwellings and a private garage 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 two-unit dwellings and a private two-car garage. Variances for vision clearance, area district requirements, building lines, maximum and minimum side yards, rear yard, height district, and private garage 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; 3321.05(B)(1), Vision clearance; 3332.15 R-4 area district requirements; 3332.21, Building lines; 3332.25, Maximum side yards required; 3332.26(F), Minimum side yard permitted; 3332.27, Rear yard; 3332.29, Height district; and 3332.38(C), Private garage, of the

Columbus City Codes; for the property located at **994 N. 6<sup>th</sup> ST. (43201)**, to permit two two-unit dwellings and an accessory garage on one lot with reduced development standards in the R-4, Residential District (Council Variance # CV19-129) **and to declare an emergency.**

**WHEREAS**, by application #CV19-129, the owner of the property at **994 N. 6<sup>th</sup> ST. (43201)**, is requesting a Variance to permit two two-unit dwellings and a private garage 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 two-unit dwellings and a private garage on one lot; and

**WHEREAS**, Section 3321.05(B)(1), Vision clearance, requires a clear vision triangle of 10 feet at the intersection of an alley and a street, while the applicant proposes to reduce the clear vision triangle for the intersection of East Alley with East 3<sup>rd</sup> Avenue to 7 feet;

**WHEREAS**, Section 3332.15, R-4 area district requirements, requires a lot of 6,000 square feet for a two-unit dwelling or other principle building, while the applicant proposes two two-unit dwellings on a lot area of 8,996 square feet, or 4,498 square feet per each two-unit dwelling; and

**WHEREAS**, Section 3332.21, Building lines, requires a building line of 25 feet along East 3<sup>rd</sup> Avenue and North 6<sup>th</sup> Street, while the applicant proposes a reduced building line of 3 feet 4 inches along East 3<sup>rd</sup> Avenue, and 15 feet 11 inches along North 6<sup>th</sup> Street; 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 13 feet 2 inches, while the applicant proposes a maximum side yard of 4 feet 4 inches; 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 6.28 feet for a building with a height of 37.7 feet, while the applicant proposes a minimum side yard of 3 feet along the south property line and 1 foot 4 inches along the north property line; 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 27.8 percent for both dwelling units combined; and

**WHEREAS**, Section 3332.29, Height district, requires that within a 35-foot height district, no building or structure shall be erected to a height in excess of 35 feet, while the applicant proposes two two-unit dwellings with a height of 37 feet 8 inches; and

**WHEREAS**, Section 3332.38(C), Private garage, requires that the separate private garage building shall not be closer than the minimum side yard requirement to an adjoining lot line, or 3 feet, while the proposes the garage to be located 6 inches from the south property line; 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 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 **994 N. 6<sup>th</sup> ST. (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; 3321.05(B)(1), Vision clearance; 3332.15 R-4 area district requirements; 3332.21, Building lines; 3332.25, Maximum side yards required; 3332.26(F), Minimum side yard permitted; 3332.27, Rear yard; 3332.29, Height district; and 3332.38(C), Private garage, of the Columbus City Codes, for the property located at **994 N. 6<sup>th</sup> ST. (43201)**, insofar as said sections prohibit two two-unit dwellings and a private garage on one lot in the R-4, Residential District; with a reduced clear vision triangle from 10 feet to 7 feet at the intersection of East Alley with East 3<sup>rd</sup> Avenue; reduced lot area from 6,000 square feet to 4,498 square feet per two-unit dwelling; reduced building lines from 25 feet to 3 feet 4 inches along East 3<sup>rd</sup> Avenue and 15 feet 11 inches along North 6<sup>th</sup> Street; reduced maximum side yard from 13 feet 2 inches to 4 feet 4 inches; a reduced minimum side yard from 6.28 feet to 3 feet along the south property line and to 1 foot 4 inches along the north property line; a reduction in rear yard from 25 percent per dwelling unit to 27.8 percent for both dwelling units combined; an increased height from 35 feet to 37 feet 8 inches; and a reduced side yard for the private garage from 3 feet to 6 inches along the south property line; said property being more particularly described as follows:

**994 N. 6<sup>th</sup> ST. (43201)**, being 0.21± acres located at the southeast corner of North Sixth Street and East Third Avenue, and being more particularly described as follows:

Lot 1 Situated in the State of Ohio, County of Franklin, City of Columbus, and Bounded and Described as Follows Being Lot Number Sixty Eight (68) of Phelans Mt Pleasant Subdivision, .09 Acres Parcel Number 010-030461

Lot 2 Situated in the State of Ohio, County of Franklin, City of Columbus, and Bounded and Described as Follows Being Lots Numbers 6-7 of Phelans Mt Pleasant Subdivision, 998-990 North Sixth Street, .13 Acres Parcel Number 010-030462

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

**SECTION 3.** That this ordinance is further conditioned on the subject site being developed in general conformance with the site plan titled, "**N SIXTH STREET CONDOMINIUM**," dated April 21, 2020, and signed by Juliet Bullock, 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 on 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.**