



Legislation Details (With Text)

File #: 0468-2021 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 2/19/2021 **In control:** Zoning Committee

On agenda: 3/8/2021 **Final action:** 3/11/2021

Title: To grant a Variance from the provisions of Sections 3332.035, R-3 permitted uses; 3312.49, Minimum numbers of parking spaces required; 3332.05, Area district lot width requirements; 3332.13, R-3 area district requirements; and 3332.26, Minimum side yard permitted, of the Columbus City Codes; for the property located at 1662-1664 BRYDEN RD. (43205), to permit a three-unit dwelling with reduced development standards in the R-3, Residential District (Council Variance #CV20-056).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD#0468-2021_Attachments, 2. ORD#0468-2021_Labels

Date	Ver.	Action By	Action	Result
3/11/2021	1	CITY CLERK	Attest	
3/10/2021	1	MAYOR	Signed	
3/8/2021	1	COUNCIL PRESIDENT	Signed	
3/8/2021	1	Zoning Committee	Approved	Pass
3/1/2021	1	Columbus City Council	Read for the First Time	

Council Variance Application: CV20-056

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 consists of one parcel developed with a two-unit dwelling in the R-3, Residential District that is being used as a three-unit dwelling. The requested Council variance will legitimize the three-unit dwelling, thus addressing an active Zoning Code violation. A Council variance is required because the R-3 district only permits single-unit dwellings. Variances are also included for reduced parking (from 6 spaces to 3), lot width, area district requirements, and minimum side yard. The site is located within the planning area 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 this proposal has been approved by the Historic Resources Commission.

To grant a Variance from the provisions of Sections 3332.035, R-3 permitted uses; 3312.49, Minimum numbers of parking spaces required; 3332.05, Area district lot width requirements; 3332.13, R-3 area district requirements; and 3332.26, Minimum side yard permitted, of the Columbus City Codes; for the property located at **1662-1664 BRYDEN RD. (43205)**, to permit a three-unit dwelling with reduced development standards in the R-3, Residential District (Council Variance #CV20-056).

WHEREAS, by application #CV20-056, the owner of property at **1662-1664 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, Permitted Uses, does not permit a three-unit dwelling, while the applicant proposes to legitimize a non-compliant three-unit dwelling; and

WHEREAS, Section 3312.49, Minimum numbers of parking spaces required, requires 2 parking spaces per dwelling unit, or 6 parking spaces for a three-unit dwelling, while the applicant proposes 3 parking spaces; and

WHEREAS, Section 3332.05, Area district lot width requirements, requires a lot width of no less than 50 feet, while the applicant proposes to maintain the existing lot width of 38 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 a three-unit dwelling on a lot area of 4,332 square feet in area pursuant to the lot area calculation in Section 3332.18(C); and

WHEREAS, Section 3332.26(F), Minimum side yard permitted, requires a minimum side yard of five feet, while the applicant proposes to maintain the existing side yard of 3.5 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, the City Departments recommend approval because the requested Council variance will legitimize a 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 the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect 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 owner of the property located at **1662-1664 BRYDEN RD. (43205)**, in using said property as desired; 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 permitted uses; 3312.49, Minimum numbers of parking spaces required; 3332.05, Area district lot width requirements; 3332.13, R-3 area district requirements, and 3332.26, Minimum side yard permitted, of the Columbus City Codes, are hereby granted for the property located at **1662-1664 BRYDEN RD. (43205)**, insofar as said section prohibits a three-unit dwelling in the R-3, Residential District;

a parking space reduction from 6 required spaces to 3 provided spaces; reduced lot width from 50 feet to 38 feet; reduced lot area from 5,000 square feet to 4,332± feet; and a reduced minimum side yard from 5 feet to 3.5 feet; said property being more particularly described as follows:

1662-1664 BRYDEN RD. (43205), being 0.14± acres located on the north side of Bryden Road, 50± feet west of Morrison Avenue, and being more particularly described as follows:

PARCEL NO 010-055720-00

PROPERTY ADDRESS 1662-1664 BRYDEN ROAD COLUMBUS OHIO 43205

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF COLUMBUS BEING PART OF LOT 143, MORRISON PARK ADDITION, IN PLAT BOOK 5, PAGE 200 RECORDERS OFFICE FRANKLIN COUNTY OHIO

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a dwelling containing up to three units, 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 February 17, 2021. 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 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.