



Legislation Details (With Text)

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On agenda: 4/19/2021 **Final action:** 4/22/2021

Title: To grant a Variance from the provisions of Sections 3332.035, R-3 residential district; 3332.13, R-3 area district requirements; 3332.25(B), Maximum side yards required; 3332.26, Minimum side yard permitted; and 3332.27, Rear yard, for the property located at 847 FRANKLIN AVE. (43205), to permit two single-unit dwellings on one lot with reduced development standards in the R-3, Residential District (Council Variance #CV20-106).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD0848-2021.Attachments, 2. ORD0848-2021.Labels

Date	Ver.	Action By	Action	Result
4/22/2021	1	CITY CLERK	Attest	
4/21/2021	1	MAYOR	Signed	
4/19/2021	1	COUNCIL PRESIDENT	Signed	
4/19/2021	1	Zoning Committee	Waive the 2nd Reading	Pass
4/19/2021	1	Zoning Committee	Approved	Pass

Council Variance Application: CV20-106

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

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

NEAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of one undeveloped parcel in the R-3, Residential District. The applicant requests a Council variance to permit two single-unit dwellings on one parcel. The variance is necessary because the R-3 district only permits one single-unit dwelling per lot. Variances to lot size, maximum and minimum side yard, and rear 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. However, the Plan does include design recommendations, and Planning Division staff has determined that the proposal includes design elements that are compatible with surrounding structures.

To grant a Variance from the provisions of Sections 3332.035, R-3 residential district; 3332.13, R-3 area district requirements; 3332.25(B), Maximum side yards required; 3332.26, Minimum side yard permitted; and 3332.27, Rear yard, for the property located at **847 FRANKLIN AVE. (43205)**, to permit two single-unit dwellings on one lot with reduced development standards in the R-3, Residential District (Council Variance #CV20-106).

WHEREAS, by application #CV20-106, the owner of property at **847 FRANKLIN AVE. (43205)**, is requesting a Council variance to permit a single-unit dwelling and a rear carriage house dwelling on one lot with reduced development standards in the R-3, Residential District; and

WHEREAS, Section 3332.035, R-3 residential district, lists single-unit dwellings as the only permitted residential use, while the applicant proposes a single-unit dwelling and a rear carriage house dwelling; 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 two single-unit dwellings on a lot that contains 6,691.8 ± feet; and

WHEREAS, Section 3332.25(B), Maximum side yards required, requires the sum of the widths of the side yards to equal or exceed 20 percent of the width of the lot, a maximum requirement of 16.32 feet, while the applicant proposes a maximum side yard of 8.93 feet; and

WHEREAS, Section 3332.26, Minimum side yard permitted, requires a minimum side yard of five feet, while the applicant proposes a minimum side yard of three feet along the west property line; and

WHEREAS, Section 3332.27, Rear yard, requires a rear yard totaling no less than 25 percent of the lot area for each dwelling, while the applicant proposes a shared rear yard of 40.94 percent; and

WHEREAS, the Near East Area Commission recommends approval; and

WHEREAS, City Departments recommend approval because the requested variances would permit development of a single-unit dwelling and carriage house in character and scale with the dwellings on the surrounding properties; 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 **847 FRANKLIN AVE. (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 be granted from the provisions of Sections 3332.035, R-3 residential district; 3332.13, R-3 area district requirements; 3332.25(B), Maximum side yards required; 3332.26, Minimum side yard permitted; and 3332.27, Rear yard, for the property located at **847 FRANKLIN AVE. (43205)**, insofar as said sections prohibit two single-unit dwellings on one lot in the R-3, Residential District; with a reduced lot area from 5,000 square feet for one dwelling unit to 6,691.8 square feet for two dwelling units (3,346± square feet per dwelling unit); a reduced maximum side yard from 16.32 feet to 8.93 feet; a reduced minimum side yard from 5 feet to 3 feet along the west property line; and a reduced rear yard from 25 percent to 40.94 percent for both dwelling units; said property being more particularly described as follows:

847 FRANKLIN AVE. (43205), being 0.15± acres located at the southeast corner of Franklin Avenue and South Seventeenth Street, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, and in the City of Columbus bounded and described as follows:

Being lots nos. thirty three (33) and thirty four (34) in Deshler and Sinks Subdivision, as the said lots are numbered and delineated upon the recorded plat thereof, of record in plat book 3, page 423, Recorder's office, Franklin County, Ohio, excepting 53' off the entire southerly end of said lot no. 33 and lot no. 34.

Parcel No. 010-040442

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 the same lot, 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, "**PROPOSED SITE PLAN**," signed by Julie Bullock, Architect, and dated March 23, 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 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 on the applicant obtaining all applicable permits and a Certificate 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.