



## Legislation Details (With Text)

**File #:** 1812-2021      **Version:** 1

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

**File created:** 6/27/2021      **In control:** Zoning Committee

**On agenda:** 7/19/2021      **Final action:** 7/22/2021

**Title:** To grant a Variance from the provisions of Sections 3332.039, R-4 residential district; 3332.05(4), Area district lot width requirements; 3332.15, R-4 area district requirements; 3332.19, Fronting; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at 783 SUMMIT ST. (43215), to permit two single-unit dwellings on one lot with reduced development standards in the R-4, Residential District (Council Variance # CV21-048).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1812-2021.Attachments, 2. ORD1812-2021.Labels

Date	Ver.	Action By	Action	Result
7/22/2021	1	CITY CLERK	Attest	
7/20/2021	1	MAYOR	Signed	
7/19/2021	1	COUNCIL PRESIDENT	Signed	
7/19/2021	1	Zoning Committee	Approved	Pass
7/12/2021	1	Columbus City Council	Read for the First Time	

**Council Variance Application: CV21-048**

**APPLICANT:** Mike Navarro; c/o Bradley Blumensheid; 679 North High Street, Suite D, Worthington, OH 43085.

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

**ITALIAN VILLAGE COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is zoned R-4, Residential District, and is developed with a single-unit dwelling and detached garage that are subject of prior area variances approved by the Board of Zoning Adjustment (BZA14310-00236). The applicant proposes to add a dwelling unit above the existing garage (a carriage house), thereby providing two unattached single-unit dwellings on one lot. A Council variance is necessary because the R-4, Residential District permits a maximum of four dwelling units in one building, but does not permit two single-unit dwellings on one lot. Variances to lot width, lot area, fronting, and rear yard are included in this request. Staff finds that the proposal will not add an incompatible use to the area as there are other carriage houses within this area. The request is consistent with the recent development pattern in historic urban neighborhoods, and 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; 3332.05(4), Area district lot width requirements; 3332.15, R-4 area district requirements; 3332.19, Fronting; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at **783 SUMMIT ST. (43215)**, to permit two single-unit dwellings on one lot with

reduced development standards in the R-4, Residential District (Council Variance # CV21-048).

**WHEREAS**, by application #CV21-048, the owner of the property at **783 SUMMIT ST. (43215)**, is requesting a Variance to permit two single-unit dwellings on the same 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 separate dwellings on the same lot, while the applicant proposes to convert an existing detached garage into a single-unit carriage house on a lot developed with a single-unit dwelling; and

**WHEREAS**, Section 3332.05(4), R-4 Area district lot width requirements, requires a minimum lot width of 50 feet, while the applicant proposes to maintain the existing lot width of 32.5 feet; 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 principal building, while the applicant proposes two single-unit dwellings on a lot area of 3,168 square feet pursuant to the lot area calculation in Section 3318.18(C), providing 1,584 square feet of lot area per dwelling; and

**WHEREAS**, Section 3332.19, Fronting, requires a dwelling unit to have frontage on a public street, while the applicant proposes a carriage house fronting on a rear alley; and

**WHEREAS**, Section 3332.27, Rear yard, requires a rear yard totaling no less than 25 percent of the total lot area for each dwelling, while the applicant proposes no rear yard for the carriage house; 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 an incompatible use to the area as there are other carriage houses within this area. The request is consistent with the recent development pattern in historic urban neighborhoods, and 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 carriage house; 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 **783 SUMMIT ST. (43215)**, in using said property as desired; 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; 3332.05(4), Area district lot width requirements; 3332.15, R-4 area district requirements; 3332.19, Fronting; and 3332.27, Rear yard, of the Columbus City Codes, for the property located at **783 SUMMIT ST. (43215)**, insofar as said sections prohibit two single-unit dwellings on the same lot in the R-4, Residential District; with a reduced lot width from 50 to 32.5 feet; a reduced lot area from 5,000 square feet per dwelling unit to 1,584 square feet per dwelling unit; no frontage on a public street for the rear carriage house; and no rear yard for the carriage house; said property being more particularly described as follows:

**783 SUMMIT ST. (43215)**, being 0.8± acres located on the west side of Summit Street, 138± feet north of Warren Street, and being more particularly described as follows:

Situated in the City of Columbus, County of Franklin and State of Ohio:

Being Lot Number Three (3) in C.W. BALDWIN'S SUBDIVISION, as the same is numbered and delineated upon the recorded plat thereof, of record, in Plat Book No. 3, Page 396, Recorder's Office, Franklin County, Ohio and 3.5-foot alley vacated together with any and all interest the Grantor(s) may have in that portion of right of way as vacated by the City of Columbus by Vac. Ord. 15479 on July 24, 1899.

Tax Parcel Number: 010-039858-00

Property Address: 783 Summit St., Columbus OH 43215

Prior Instrument Reference: 201605270066896

**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-4, Residential District.

**SECTION 3.** That this ordinance is further conditioned on the subject site being developed in general conformance with the site plans and elevation titled, "**VARIANCE SITE PLAN**" dated April 22, 2021, and signed by Bradley Blumensheid, the Applicant. The plans 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 Certificates of Occupancy for the proposed carriage house.

**SECTION 5.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.