



## Legislation Details (With Text)

**File #:** 1816-2021      **Version:** 1

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

**File created:** 6/28/2021      **In control:** Zoning Committee

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

**Title:** To grant a Variance from the provisions of Sections 3332.037, R-2F residential district; 3332.14, R-2F area district requirements; 3332.27, Rear yard; and 3332.28, Side or rear yard obstruction, of the Columbus City Codes; for the property located at 130 MITHOFF ST. (43206), to permit two single-unit dwellings on the same lot with reduced development standards in the R-2F, Residential District (Council Variance #CV21-042).

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. ORD1816-2021\_Attachments, 2. ORD1816-2021\_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: CV21-042

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

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

**COLUMBUS SOUTHSIDE AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of one parcel developed with a single-unit dwelling in the R-2F, Residential District. The applicant requests a Council variance to permit the construction of a carriage house. A Council variance is necessary because the R-2F district permits only one- and two-unit dwellings and does not permit the arrangement of two single-unit dwellings on the same lot. The request includes variances to lot area, rear yard, and side and rear yard obstruction. The site is within the planning boundaries of the *South Side Plan* (2014), which recommends "Medium-High Density" residential uses. Additionally, the Plan includes adoption of the *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018). The proposal is consistent with the Plan's land use recommendation and does not add a new or intrusive use to the neighborhood and is compatible with the recent development pattern in historic urban neighborhoods.

To grant a Variance from the provisions of Sections 3332.037, R-2F residential district; 3332.14, R-2F area district requirements; 3332.27, Rear yard; and 3332.28, Side or rear yard obstruction, of the Columbus City Codes; for the property located at **130 MITHOFF ST. (43206)**, to permit two single-unit dwellings on the same lot with reduced

development standards in the R-2F, Residential District (Council Variance #CV21-042).

**WHEREAS**, by application #CV21-042, the owner of the property at **130 MITHOFF ST. (43206)**, is requesting a Variance to permit two single-unit dwellings on the same lot with reduced development standards in the R-2F, Residential District; and

**WHEREAS**, Section 3332.037, R-2F, residential district use, permits one single or one two-unit dwelling, while the applicant proposes to construct a rear single-unit dwelling above a detached garage (a carriage house), on a lot developed with an existing single-unit dwelling; and

**WHEREAS**, Section 3332.14, R-2F area district requirements, requires a single-unit dwelling or other principal building to be situated on a lot of no less than 6,000 square feet in area, while the applicant proposes two single-unit dwellings on a lot containing 9,144 square feet, totaling 4,572 square feet of lot area per dwelling unit; and

**WHEREAS**, Section 3332.27, Rear yard, requires that each dwelling shall be erected so as to provide a rear yard totaling not less than 25 percent of the total lot area, while the applicant proposes no rear yard for the carriage house; and

**WHEREAS**, Section 3332.28, Side or rear yard obstruction, requires the area in the side or rear yard to be open from the finished grade to the sky, while the applicant proposes two parking spaces to encroach into the eastern side yard of the carriage house; and

**WHEREAS**, the Columbus Southside Area Commission recommends approval; and

**WHEREAS**, City Departments recommend approval of the requested Council variance because the request is consistent with the *South Side Plan's* land use recommendation and the recent development pattern in historic urban neighborhoods; 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 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 **130 MITHOFF ST. (43206)**, 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 3332.037, R-2F residential district; 3332.14, R-2F area district requirements; 3332.27, Rear yard; and 3332.28, Side or rear yard obstruction, of the Columbus City Codes; for the property located at **130 MITHOFF ST. (43206)**, insofar as said sections prohibit two single-unit dwellings on the same lot in the R-2F, Residential District; a reduced lot area from 6,000 square feet to 4,572 square feet per dwelling unit; a reduced rear yard from 25 percent to zero percent for the carriage house; and two parking spaces to encroach into the eastern side yard of the carriage house; said property being more particularly described as follows:

**130 MITHOFF ST. (43206)**, being 0.21± acres located at the northeast corner of Mithoff Street and South Fourth Street, and being more particularly described as follows:

Situated in the City of Columbus, County of Franklin and State of Ohio: Being Lot number 53 and 54 of the Mithoff Addition, Columbus Ohio as the same is numbered and delineated upon the recorded plat thereof, of record in plat Book 3, Page 371 Recorder's Office, Franklin County, Ohio.

Parcel Number: 010-023936

Property Address: 130 Mithoff St., Columbus, OH 43206.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used as two single-unit dwellings on one lot, or those uses permitted in the R-2F, 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 February 9, 2021, drawn 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 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 upon the applicant obtaining all applicable permits 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.