



## Legislation Details (With Text)

**File #:** 2677-2021      **Version:** 1

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

**File created:** 10/8/2021      **In control:** Zoning Committee

**On agenda:** 10/25/2021      **Final action:** 10/27/2021

**Title:** To grant a Variance from the provisions of Sections 3332.035 R-3, residential district; 3312.27, Parking setback line; 3312.29, Parking space; 3332.28, Side or rear yard obstruction; and 3332.38(F) (G), Private garage, of the Columbus City Codes; for the property located at 1479-1489 CORDELL AVE. (43211), to conform a four-unit dwelling and convert a storage building into a private detached garage with reduced development standards in the R-3, Residential District (Council Variance #CV20-122).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD2677-2021\_Attachments, 2. ORD2677-2021\_Labels

| Date       | Ver. | Action By             | Action   | Result |
|------------|------|-----------------------|--|--------|
| 10/27/2021 | 1    | CITY CLERK            | Attest   |        |
| 10/27/2021 | 1    | CITY CLERK            | Attest   |        |
| 10/26/2021 | 1    | MAYOR                 | Signed   |        |
| 10/25/2021 | 1    | Zoning Committee      | Adopt the findings of staff as the findings of Council | Pass   |
| 10/25/2021 | 1    | Zoning Committee      | Approved   | Pass   |
| 10/25/2021 | 1    | COUNCIL PRESIDENT     | Signed   |        |
| 10/18/2021 | 1    | Columbus City Council | Read for the First Time                                |        |

### Council Variance Application: CV20-122

**APPLICANT:** Go Maintenance Solutions LLC c/o Melva C. Williams-Argaw, Agent; XYZ Professional Services LTD; 166 Mayfair Boulevard; Columbus, OH 43213.

**PROPOSED USE:** Conform a four-unit dwelling and convert a storage building into a private detached garage.

**SOUTH LINDEN AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of one parcel developed with a four-unit dwelling and an abandoned storage building in the R-3, Residential District. The requested variance will conform the existing dwelling and will allow the storage building to be converted into a private detached garage. A Council variance is required because the R-3 district only permits one single-unit dwelling per lot. Variances are also included for reduced parking setback and parking space size, side yard obstruction, and increased size and height of a private detached garage. The site is located within the planning area of the *South Linden Land Use Plan Amendment* (2018), which recommends medium density residential (10-16 units/acre) development for this location. The proposal is consistent with the Plan's land use recommendation and will not add a new or incompatible use to the area.

To grant a Variance from the provisions of Sections 3332.035 R-3, residential district; 3312.27, Parking setback line; 3312.29, Parking space; 3332.28, Side or rear yard obstruction; and 3332.38(F)(G), Private garage, of the Columbus City Codes; for the property located at **1479-1489 CORDELL AVE. (43211)**, to conform a four-unit dwelling and convert a storage building into a private detached garage with reduced development standards in the R-3, Residential District (Council Variance #CV20-122).

**WHEREAS**, by application #CV20-122, the owner of property at **1479-1489 CORDELL AVE. (43211)**, is requesting a Council variance to conform an existing four-unit dwelling and convert an existing storage building into a private detached garage with reduced development standards in the R-3, Residential District; and

**WHEREAS**, Section 3332.035 R-3, residential district, permits a single-unit dwelling, while the applicant proposes to conform an existing four-unit dwelling; and

**WHEREAS**, Section 3312.27, Parking setback line, requires a minimum parking setback line of 25 feet along Cordell Avenue, while the applicant proposes to maintain a reduced parking setback line of zero feet; and

**WHEREAS**, Section 3312.29, Parking space, requires 90-degree parking spaces be a rectangular area not less than 9 by 18 feet, while the applicant proposes to maintain a reduced parking space length of one space north of the dumpster which slightly encroaches into the alley to the east of the site; 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 to maintain the encroachment of the dwelling, the private detached garage, and surface parking spaces into the required minimum side yards, as shown on the site plan; and

**WHEREAS**, Section 3332.38(F), Private garage, requires no portion of the lot area devoted to a private garage or a carport to exceed greater than one-third of the minimum net floor area for living quarters of the principal residence, or 1,213.33 square feet for the existing four-unit dwelling, while the applicant proposes to convert an existing storage building containing 2,837 square feet into a private detached garage; and

**WHEREAS**, Section 3332.38(G), Private garage, limits garage height to 15 feet, while the applicant proposes to maintain a height of 16 feet for the private detached garage; and

**WHEREAS**, the South Linden Area Commission recommends approval; and

**WHEREAS**, the City Departments recommend approval because this request will not add a new or incompatible use to the area. The requested variance will conform a four-unit dwelling in the R-3, Residential District, and will allow a storage building to be converted into a private detached garage. The request is consistent with the recommendation for medium density residential uses of the *South Linden Land Use Plan Amendment*; 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 **1479-1489 CORDELL AVE. (43211)**, 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, residential district; 3312.27, Parking setback line; 3312.29, Parking space; 3332.28, Side or rear yard obstruction; and 3332.38(F)(G), Private garage, of the Columbus City Codes, are hereby granted for the property located at **1479-1489 CORDELL AVE. (43211)**, insofar as said section prohibits a four-unit dwelling in the R-3, Residential District, with a reduced parking setback line from 25 feet to zero feet along Cordell Avenue; reduced parking space size due to one parking space encroaching into the east alley; obstruction of the required side yards by the existing dwelling in the west side yard and by the parking spaces and detached private garage in the east side yard; increased garage height from 15 feet to 16 feet; and increased garage size from 1,213.33 square feet to 2,837 square feet; said property being more particularly described as follows:

**1479-1489 CORDELL AVE. (43211)**, being 0.26± acres located on the south side of Cordell Avenue, 139± feet west of Cleveland Avenue, and being more particularly described as follows:

Situated in the City of Columbus, County of Franklin, State of Ohio, and know as being Lots Numbers 69,70,71 of the Weyant's Cleveland Avenue Addition as Recorded in Plat Book 8, Page 14B, of the Franklin County Recorder's Office and further described as lands conveyed to Go Maintenance Solution.LLC.by Instrument No.201904120042135 of the Franklin County Recorder's Office bound and described as follows:

Beginning for reference at a **mag nail found** at the centerline intersection of Cordell Ave. 50 feet wide and an Alley 20 feet wide;

Thence **North 86°34'07" West, 10.15 feet**; along the centerline of said Cordell Ave. to a point;

Thence **South 25°31'32" West, 26.98 feet** along the projected westerly line of said Alley to a railroad spike found at the northeast corner of lot 69 of said Weyant's Cleveland Avenue Addition and the **PRINCIPLE PLACE OF BEGINNING**;

Thence **South 25°31'32" West, 134.81 feet**, along said Alley westerly line to a 5/8" iron pin set in the southeast corner of lot 70 and the northerly line of an Alley 16' wide;

Thence **North 86°34'07" West, 64.26 feet** along said northerly line to a 5/8" iron pin set in the southeast corner of lot 72;

Thence **North 3°21'22" East, 125.00 feet** along the easterly line of lands conveyed to Ronald L. Banks by Instrument No.202003040032466 of the Franklin County Recorder's Office to a 3/4" iron pipe found on the south line of said Cordell Ave;

Thence **South 86°34'07" East, 115.13 feet**, along the south line of said Cordell Ave. passing thru a 3/4" iron pipe found at 70.00 feet to the **PRINCIPLE PLACE OF BEGINNING** containing 0.256 total acres and 11,151.36 sq ft. as surveyed by Bemba K. Jones, P.S. in November of 2020.

The above description was prepared by Bemba K Jones, P.S. #7343 in November 2020 and is based on existing records and an actual field survey performed by XYZ Professional Services LTD in November 2020. A drawing of the above description is attached hereto and made a part hereof.

Iron pins set are 5/8" diameter iron rebar 30" long with plastic cap inscribed BKJ 7343.

Bearings are based on the Ohio State Plane, South Zone Coordinate System NAD83, GEOID12A. A bearing of South 86° 34'07" East was observed and held for the south line of Cordell Ave.

All references used in this description can be found at the Recorder's Office of Franklin County, Ohio unless otherwise noted.

Parcel No.: 010-061170

Address: 1479-1489 Cordell Avenue, Columbus, OH 43211

**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 four 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**," dated February 26, 2021, and signed by Melva C. Williams-Argaw, Agent for the 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 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.