



Legislation Details (With Text)

File #: 1174-2024 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 4/17/2024 **In control:** Zoning Committee

On agenda: 5/6/2024 **Final action:** 5/9/2024

Title: To grant a Variance from the provisions of Sections 3332.035, R-3 residential district; 3312.49, Required parking; 3332.05(A)(4), Area district lot width requirements; 3332.13, R-3 area district requirements, 3332.19 Fronting; 3332.25(B), Maximum side yards required; 3332.26(B)(1), Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at 1454 FRANKLIN AVE. (43205), to allow two single-unit dwellings on one lot with reduced development standards in the R-3, residential district (Council Variance #CV23-158).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD#1174-2024_Attachments, 2. ORD#1174-2024_Labels

Date	Ver.	Action By	Action	Result
5/9/2024	1	ACTING CITY CLERK	Attest	
5/7/2024	1	MAYOR	Signed	
5/6/2024	1	Zoning Committee	Accept entire staff report into evidence as an exhibit	Pass
5/6/2024	1	Zoning Committee	Approved	Pass
5/6/2024	1	Zoning Committee	Adopt the findings of staff as the findings of Council	Pass
5/6/2024	1	COUNCIL PRESIDENT	Signed	

Council Variance Application: CV23-158

APPLICANT: Kiran Ahmad; 1454 Franklin Avenue; Columbus, OH 43205.

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

NEAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of a single-unit dwelling within the R-3, Residential District. The requested Council variance will allow a second dwelling-unit above a detached garage (carriage house). A variance is required because the R-3 district does not permit two single-unit dwellings on one lot. Variances for fronting, minimum and maximum side yards, rear yard, lot width and size, and required parking are included in this request. The site is located within the planning boundaries of the *Near East Area Plan* (2005), which does not contain a recommended land use at this location, but does state that, in general, housing types and density should be consistent with the housing types and densities found in the surrounding area. Staff supports the requested uses and design standards as they are consistent with the Plan's recommendation for new housing construction compatible to surrounding housing structures in the area.

To grant a Variance from the provisions of Sections 3332.035, R-3 residential district; 3312.49, Required parking; 3332.05(A)(4), Area district lot width requirements; 3332.13, R-3 area district requirements, 3332.19 Fronting; 3332.25 (B), Maximum side yards required; 3332.26(B)(1), Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at **1454 FRANKLIN AVE. (43205)**, to allow two single-unit dwellings on one lot with reduced development standards in the R-3, residential district (Council Variance #CV23-158).

WHEREAS, by application #CV23-158, the owner of property at **1454 FRANKLIN AVE. (43205)**, is requesting a Council variance to allow two single-unit dwellings on one lot with reduced development standards in the R-3, residential district; and

WHEREAS, Section 3332.035, R-3 residential district, only allows one single-unit dwelling per lot, while the applicant proposes to construct a single-unit dwelling above a detached garage (carriage house); and

WHEREAS, Section 3312.49, Required parking, requires two parking spaces per dwelling unit, or four spaces for a three-unit dwelling, while the applicant proposes a total of two parking spaces; and

WHEREAS, Section 3332.05(A)(4), Area district lot width requirements, requires a minimum lot width of fifty feet in the R-3, Residential District, while the applicant proposes to maintain reduced lot width of 36 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 two single-unit dwellings on a lot that contains 3,888± feet pursuant to the lot area calculation in Section 3332.18(C); and

WHEREAS, Section 3332.19, Fronting, requires a dwelling unit to front on a public street, while the applicant proposes that the carriage house dwelling front upon a public alley; and

WHEREAS, Section 3332.25(B), Maximum side yards required, requires a maximum side yard of 7.2 feet, while the applicant proposes a reduced required maximum side yard 5 feet; and

WHEREAS, Section 3332.26(B)(1), Minimum side yard permitted, requires that the minimum side yard be no less than three feet, while the applicant proposes a reduced side yard of two feet along the western property line for the proposed carriage house; 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 dwelling; and

WHEREAS, the Near East Area Commission recommends approval; and

WHEREAS, the City Departments recommend approval because this request is consistent with the housing types and densities found in the surrounding area and with similar infill development in the neighborhood; and

WHEREAS, said ordinance requires separate submission for all applicable permits and a Certificate of Occupancy for the 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 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 **1454 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 from the provisions of Sections 3332.035, R-3 residential district; 3312.49, Require Parking; 3332.05(A)(4), Area district lot width requirements; 3332.13, R-3 area district requirements, 3332.19 Fronting; 3332.25(B), Maximum side yards required; 3332.26(B)(1), Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City Codes; is hereby granted for the property located at **1454 FRANKLIN AVE. (43205)**, insofar as said sections prohibit two single-unit dwellings on one lot in the R-3, Residential District; with a reduction in required parking from four spaces to two spaces; reduced lot width from 50 to 36 feet; reduced lot area from 5,000 square feet per dwelling to 3,888± square feet per dwelling; no frontage on a public street for the rear dwelling; reduced maximum side yards from 7.2 feet to five feet; reduced minimum side yard from five feet to two feet along the western property line of the proposed carriage house; and no rear yard provided for the rear carriage house; said property being more particularly described as follows:

1454 FRANKLIN AVE. (43205), being 0.13± acres located on the north side of Franklin Avenue, 145± feet west of Miller Avenue, and being more particularly described as follows:

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

BEING LOT NUMBER ONE HUNDRED ELEVEN (111), JAMES NELSON'S ADDITION TO SAID CITY, AS THE SAME IS NUMBERED AND DELINEATED UPON THE RECORDED PLAT THEREOF, OF RECORD IN PLAT BOOK 2, PAGE 322, RECORDERS'S OFFICE, FRANKLIN COUNTY, OHIO.

Parcel No.: 010-008000

Address: 1454 Franklin Avenue, Columbus, OH 43205

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 one lot, or those uses allowed 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 April 16, 2024, and signed by Anisa Ahmad, 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 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 upon the applicant obtaining all applicable permits and a Certificate 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.