



## Legislation Text

---

**File #:** 1930-2016, **Version:** 1

---

### **Council Variance Application: CV16-021**

**APPLICANT:** John A. Gleason, Atty.; 41 South High Street, Suite 3100; Columbus, OH 43215.

**PROPOSED USE:** A three-unit dwelling and a four-unit dwelling on the same lot.

**ITALIAN VILLAGE COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. This site is currently undeveloped and zoned in the R-4, Residential District. The requested Council variance will permit the construction of a three-unit dwelling and a four-unit dwelling, for a total of seven units on one parcel. The variance is necessary because the R-4, Residential District permits only one, or three or more four-unit dwellings on a parcel. Variances for required parking spaces, area district requirements, basis of computing area, fronting, building lines, side yards, and rear yard are also included in the request. The site is located within the boundaries of the *Italian Village East Redevelopment Plan* (2000), which recommends commercial use for this location. The Plan further recommends that the North Fourth Street corridor should have a mix of commercial, residential, and office land uses. Staff finds the proposal to be compatible with the recommendations made in the Plan and also consistent with recent urban infill along the North Fourth Street corridor. 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 use; 3312.49(C), Minimum numbers of parking spaces required; 3332.15, R-4 area district requirements; 3332.18(D), Basis of computing area; 3332.19, Fronting on a public street; 3332.21(D), Building lines; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City codes; for the property located at **911 NORTH FOURTH STREET (43215)**, to permit a three-unit dwelling and a four-unit dwelling on the same lot with reduced development standards in the R-4, Residential District (Council Variance # CV16-021).

**WHEREAS**, by application No. CV16-021, the owner of property at **911 NORTH FOURTH STREET (43215)**, is requesting a Council variance to permit a three-unit dwelling and a four-unit dwelling on the same lot, with reduced development standards in the R-4, Residential District; and

**WHEREAS**, Section 3332.039, R-4, Residential District, requires a separate lot for each principle use, while the applicant proposes to construct a three-unit dwelling and a four-unit dwelling on the same lot; and

**WHEREAS**, Section 3312.49(C), Minimum numbers of parking spaces required, requires 1.5 parking spaces per dwelling unit for the four-unit dwelling, and 2 parking spaces per unit for the three-unit dwelling, totaling 12 spaces, while the applicant proposes 7 parking spaces; and

**WHEREAS**, Section 3332.15, R-4 area district requirements, requires a lot of no less than 2,500 square feet per dwelling unit, while the applicant proposes 7 dwelling units on a 7,405± square foot lot totaling 1,058± square feet per dwelling unit; and

**WHEREAS**, Section 3332.18(D), Basis of computing area, limits buildings from occupying more than 50 percent of the

lot area, while the applicant proposes a lot coverage of 85 percent for the two buildings; and

**WHEREAS**, Section 3332.19, Fronting on a public street, requires a dwelling unit to have frontage on a public street, while the applicant proposes the four-unit dwelling front on an alley; and

**WHEREAS**, Section 3332.21(D), Building lines, requires a minimum distance from the street property line of 10 feet, while the applicant proposes to construct the three-unit dwelling with a setback of 5.5 feet along North Fourth Street; and

**WHEREAS**, Section 3332.25, Maximum side yards required, requires the sum of the widths of the side yards to be 20 percent of the lot width, or 11.4± feet, while the applicant proposes a maximum side yard of 4± feet; and

**WHEREAS**, Section 3332.26, Minimum side yard permitted, requires a minimum side yard of 5 feet, while the applicant proposes the north side yard to be 3.5 feet and the south side yard to be 0.5 feet; and

**WHEREAS**, Section 3332.27, Rear yard, requires a rear yard totaling no less than 25 percent of the total lot area, while the applicant proposes no rear yard; and

**WHEREAS**, the Italian Village Commission recommends approval; and

**WHEREAS**, the City Departments recommend approval of the requested variances because the proposal is compatible with the land use recommendations of the *Italian Village East Redevelopment Plan* (2000), and is consistent with recent urban infill along the North Fourth Street corridor; 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 at **911 NORTH FOURTH STREET (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 from the provisions of Sections 3332.039, R-4, Residential District; 3312.49(C), Minimum numbers of parking spaces required; 3332.15, R-4 area district requirements; 3332.18(D), Basis of computing area; 3332.19, Fronting on a public street; 3332.21(D), Building lines; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; and 3332.27, Rear yard, of the City of Columbus codes, is hereby granted for the property located at **911 NORTH FOURTH STREET (43215)**, insofar as said sections prohibit a three-unit dwelling and a four-unit dwelling on the same lot in the R-4, Residential District; a parking space reduction from 12 to 7 spaces; a reduction in lot area per dwelling unit from 2,500 to 1,058± square feet; an increase in maximum lot coverage from 50 to 85 percent; no frontage on a public street for the rear (western) building; reduced building lines from 10 to 5.5 feet along North Fourth Street; reduced maximum required side yard from 11.4 to 4 feet; reduced minimum side yard from 5 feet to 3.5 feet along the north property line and 0.5 feet along the south property line; and a reduction in rear yard from 25 to 0 percent; said property being more particularly described as follows:

**911 NORTH FOURTH STREET (43215)**, being 0.17± acres located on the northwest corner of North Fourth Street and College Alley, and being more particularly described as follows:

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

Being Lot Number Fifteen (15) of E. SORIN'S SUBDIVISION of Lots Nos. 49-52 of William Phelan's Mount Pleasant Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 1, page 286, Recorder's Office, Franklin County, Ohio.

Parcel No: 010-009792

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a three-unit dwelling and a four-unit dwelling on the same lot, or those uses permitted in the R-4, Residential District.

**SECTION 3.** That this ordinance is further conditioned on substantial compliance with the site plan titled, "**SITE PLAN FOR THE CHRISTOPHER**," signed by Thomas M. Warner, Professional Engineer, dated June 28, 2016. 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 adjustment to the plan shall be reviewed and may be approved 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 Certificates 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.