



## Legislation Text

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**File #:** 3002-2016, **Version:** 1

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### **Council Variance Application: CV16-060**

**APPLICANT:** Scott L. Hartley; c/o Thomas A. Vetter, Atty.; 52 East Gay Street; Columbus, OH 43215.

**PROPOSED USE:** Single-unit residential development.

**VICTORIAN VILLAGE COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is developed with a single-unit dwelling zoned in the ARLD, Apartment Residential District. The requested Council Variance will permit a split of the property into two parcels, with a new single-unit dwelling being constructed on the vacant parcel. The ARLD, Apartment Residential District allows single-unit dwellings only on lots established prior to January 14, 1959, or lots that were platted before July 16, 1986. The requested variance would permit development and lot sizes in character with the surrounding neighborhood. Variances include reduced parking, front and side-yard setbacks, and lot width. Staff finds that the proposal will not add incompatible uses to the area as the request is consistent with recent residential infill development proposals in historic urban neighborhoods.

To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, Apartment residential district use; 3312.49, Minimum numbers of parking spaces required; 3333.09, Area requirements; 3333.11 ARLD area district requirements; 3333.18(F), Building lines; and 3333.23, Minimum side yard permitted, of the Columbus City Codes; for the property located at **951 HUNTER AVENUE (43201)**, to permit single-unit residential development with reduced development standards in the ARLD, Apartment Residential District (Council Variance #CV16-060).

**WHEREAS**, by application #CV16-060, the owner of the property at **951 HUNTER AVENUE (43201)**, is requesting a Variance to permit two separate single-unit dwellings with reduced development standards in the ARLD, Apartment Residential District; and

**WHEREAS**, Section 3333.02, AR-12, ARLD and AR-1, Apartment residential district use, does not permit single-unit dwelling use on newly-created parcels, while the applicant proposes to split a lot developed with an existing single-unit dwelling, and construct a new single-unit dwelling with reduced development standards on the newly-created southern parcel; and

**WHEREAS**, Section 3312.49 Minimum numbers of parking spaces required, requires two parking spaces per dwelling unit, or four spaces total for the two single-unit dwellings, while the applicant proposes zero parking spaces; and

**WHEREAS**, Section 3333.09, Area requirements, requires that no building shall be erected or altered on a lot with a width of no less than 50 feet, while the applicant proposes to keep an existing single-unit dwelling on the northern parcel with a lot width of 22.95 feet, and construct a new single-unit dwelling on the southern parcel with a lot width of 37 feet; and

**WHEREAS**, Section 3333.11, ARLD area district requirements, requires 2,500 square feet per dwelling unit on interior lots, while the applicant proposes 2,295 square feet per dwelling unit on the northern parcel;

**WHEREAS**, Section 3333.18(F), Building lines, requires buildings to have a setback of not less than 10 feet from the right-of-way, while the applicant proposes to maintain a building line of five feet on the northern parcel; and

**WHEREAS**, Section 3333.23, Minimum side yard permitted, requires a side yard of no less than five feet, while the applicant proposes to maintain a two foot side yard along the north property line on the northern parcel; and

**WHEREAS**, this variance will permit two separate single-unit dwellings with reduced development standards in the ARLD, Apartment Residential District; and

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

**WHEREAS**, City Departments recommend approval because the requested variance would permit development and lot sizes in character with the surrounding neighborhood. Staff finds that the proposal will not add incompatible uses to the area as the request is consistent with recent residential infill development proposals in historic urban neighborhoods; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and 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 **951 HUNTER AVENUE (43201)**, in using said property as desired and; now, therefore:

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That a variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, Apartment residential district use; 3312.49, Minimum numbers of parking spaces required; 3333.09, Area requirements; 3333.11 ARLD area district requirements; 3333.18(F), Building lines; and 3333.23, Minimum side yard permitted, of the Columbus City Codes, is hereby granted for the property located at **951 HUNTER AVENUE (43201)**, insofar as said sections prohibit single-unit dwelling use for both parcels in the ARLD, Apartment Residential District, with a reduced lot width from 50 feet to 37 feet for the southern parcel and 22.95 feet for the northern parcel; a reduced lot area requirement from 2,500 square feet per dwelling unit to 2,295 square feet for the northern parcel; a reduced building setback line along Hunter Avenue from ten feet to five feet on the northern parcel; and reduced minimum side yard from five feet to two feet along the north property line of the northern parcel; said property being more particularly described as follows:

**951 HUNTER AVENUE (43201)**, being 0.14± acres located on the west side of Hunter Avenue, 207± feet north of West First Avenue, and being more particularly described as follows:

Tract 1:

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

Being part of Lots Numbered One Hundred Forty-four (144) and One Hundred Forty-five (145) of COLLINS, ATKINSON AND GUITNER'S FIRST ADDITION of record in Plat Book 2, Page 84, Recorder's Office, Franklin County, Ohio and bounded and described as follows:

Beginning at an iron pin in the Westerly right-of-way line of Hunter Avenue (60.00 feet in width), said iron pin being

located North 210.75 feet from the intersection of said Westerly right-of-way line with the Northerly right-of-way line of First Avenue; thence South 89 deg. 42' West, 100.10 feet to an iron pin; thence North (being parallel to the Westerly right-of-way line of Hunter Avenue), 40.01 feet to an iron pin; thence North 89 deg. 42' East, 100.10 feet to a cut cross in the Westerly right-of-way line of Hunter Avenue; thence along said Westerly right-of-way line, South 40.01 feet to the place of beginning, containing 4.005 square feet, or 0.092 acre, more or less.

Tract 2:

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

Being 20 feet off the North side of the East one half of Lot Number One Hundred Forty -four (144) of COLLINS, ATKINSON AND GUITNER'S FIRST ADDITION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, Page 84, Recorder's Office, Franklin County, Ohio.

Tax Parcel No: 010-003126

Property Address: 951 Hunter Avenue, Columbus, OH 43201

**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 separate lots, or those uses permitted in the ARLD, Apartment 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 A**," drawn by DKB Architects, dated October 28, 2016, and signed by Thomas Vetter, Attorney 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 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 and a Certificate of Occupancy for the proposed single-family dwelling.

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