



## Legislation Text

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**File #:** 2337-2017, **Version:** 1

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**Council Variance Application: CV17-027**

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

**PROPOSED USE:** Two-unit dwelling.

**VICTORIAN VILLAGE COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of one undeveloped parcel zoned in the ARLD, Apartment Residential District. The requested Council variance will allow the development of a two-unit dwelling. The variance is necessary because the ARLD, Apartment Residential District only permits a two-unit dwelling when the lot meets specific platting and area district exception criteria. Variances for maneuvering, lot width, lot area, building lines, side yards, garage height, are included in this proposal. The request will allow development that fits the characteristics of this historic neighborhood and will not add a new or incompatible use to the area.

To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD, and AR-1 apartment residential district use; 3312.25, Maneuvering; 3333.09, Area requirements; 3333.11, ARLD area district requirements; 3333.18(D), Building lines; 3333.22, Maximum side yard required; 3333.23, Minimum side yard permitted; and 3333.35(G)(H), Private garage, of the Columbus City Codes; for the property located at **1018 NEIL AVENUE (43201)**, to permit a two-unit dwelling with reduced development standards in the ARLD, Apartment Residential District (Council Variance # CV17-027).

**WHEREAS**, by application #CV17-027, the owner of the property at **1018 NEIL AVENUE (43201)**, is requesting a Variance to permit a two-unit dwelling 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 two-unit dwellings on parcels that do not meet the platting and area district exception criteria contained in Section 3333.055, while the applicant proposes a two-unit dwelling on such a lot; and

**WHEREAS**, Section 3312.25, Maneuvering, requires the maneuvering area for 90 degree parking spaces to be 20 feet, while the applicant proposes a reduced maneuvering area of 17 feet; and

**WHEREAS**, Section 3333.09, Area requirements, requires that no building shall be erected or altered on a lot with a width of less than 50 feet, while the applicant proposes to maintain lot width of 43.12± 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 1,811.5± square feet per dwelling unit; and

**WHEREAS**, Section 3333.18(D), Building lines, requires a building line of no less than 10 feet along Neil Avenue, while the applicant proposes a reduced building line of 8 feet; and

**WHEREAS**, Section 3333.22, Maximum side yard required, requires that the sum of the widths of each side yard shall

equal or exceed 20 percent of the width of the lot, or 8.6± feet, while the applicant proposes a reduced total side yard of 6 feet; and

**WHEREAS**, Section 3333.23, Minimum side yard permitted, requires a side yard of no less than 5feet, while the applicant proposes a reduced side yard of 3feet on both the north and south property lines; and

**WHEREAS**, Section 3333.35(G), Private garage, restricts the height of a private detached garage to 15 feet, while the applicant proposes to increase the permitted height to 25 feet, and proposes finished space above a detached private garage; and

**WHEREAS**, this variance will permit a two-unit dwelling 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 will not add a new or incompatible use to the area, and will allow development of a two-unit dwelling on a lot that is characteristic with the surrounding historic neighborhood; 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 **1018 NEIL AVENUE (43201)**, 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 3333.02, AR-12, ARLD, and AR-1 apartment residential district use; 3312.25, Maneuvering; 3333.09, Area requirements; 3333.11, ARLD area district requirements; 3333.18(D), Building lines; 3333.22, Maximum side yard required; 3333.23, Minimum side yard permitted; and 3333.35(G)(H), Private garage, of the Columbus City Codes; for the property located at **1018 NEIL AVENUE (43201)**, insofar as said sections prohibit a two-unit dwelling; with a reduced maneuvering area from 20 feet to 17 feet; reduced lot width from 50 feet to 43.12± feet; reduced lot area per dwelling unit of 1,811.5± square feet; reduced building line from 10 feet to 8 feet; reduced total side yard from 8.6± feet to 6 feet; reduced minimum side yards from 5 feet to 3 feet; an increased private garage height from 15 feet to 25 feet; and finished space above a detached private garage; said property being more particularly described as follows:

**1018 NEIL AVENUE (43201)**, being 0.08± acres located on the east side of Neil Avenue, 44± feet north of West Second Avenue and being more particularly described as follows:

Situated in the City of Columbus, County of Franklin, and in the State of Ohio and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Lot 107 of “COLLINS, ATKINSON AND GUITNER’S 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 easterly right-of-way line of Neil Avenue (80 feet in width), said iron pin being located N 8 degrees 41' 06" W, 44.06 feet from the intersection of said easterly right-of-way line of Second Avenue (60 feet in width);

Thence along said easterly right-of-way line of Neil Avenue, N 8 degrees 41' 06" W, 44.07 feet to an iron pin at the northwesterly corner of Lot 107;

Thence along the northerly line of said Lot 107, S 86 degrees 47' 06" E, 88.70 feet to an iron pin in the westerly right-of-way line of Sunside Alley (10 feet in width);

Thence along said westerly right-of-way line of Sunside Alley, S 3 degrees 33' 54" W, 43.12 feet to a nail;

Thence crossing Lot 107, N 86 degrees 47' 06" W, 79.35 feet to the place of beginning, containing 3,623 square feet or 0.083 acre, more or less.

Subject to all easements of previous record.

Parcel Number: 010-047976-00

Commonly Known As: 1018 Neil Avenue, Columbus, Ohio 43201

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a two-unit dwelling in accordance with the submitted site plan, 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, "**1018 NEIL AVENUE COLUMBUS OHIO**," dated August 17, 2017, and drawn and signed by Juliet Bullock, Architect. 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 upon 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.