



Legislation Text

File #: 2338-2017, **Version:** 1

Council Variance Application: CV17-041

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

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

UNIVERSITY AREA COMMISSION RECOMMENDATION: Approval.

HISTORIC RESOURCES COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is developed with a single-unit dwelling zoned in the R-4, Residential District. The requested Council variance will permit the conversion of an existing detached garage into a dwelling unit, resulting in two single-unit dwellings on one lot. Variances for required parking spaces, lot coverage, floor area ratio, area district requirements, fronting, maximum side yard, minimum side yard, and rear yard are included in this request. The site is located within the planning area of the *University District Plan* (2015) which recommends "lower intensity residential" uses for this location. Staff finds the proposal is consistent with the Plan's land use recommendation and will not add incompatible uses to the area. This request is consistent with the recent development pattern in historic urban neighborhoods. Additionally, this site is located in the Indianola Forest Historical District and is subject to design approval from the Historic Resources Commission.

To grant a Variance from the provisions of Sections 3332.039, R-4, Residential District; 3312.49, Minimum numbers of parking spaces required; 3325.801, Maximum Lot Coverage; 3325.805, Maximum Floor Area Ratio (FAR); 3332.15, R-4 Area district requirements; 3332.19, Fronting; 3332.25, Maximum side yards required; 3332.26(C)(1), Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at **2060 TULLER STREET (43201)**, to permit two single-unit dwellings on one lot with reduced development standards in the R-4, Residential District (Council Variance # CV17-041).

WHEREAS, by application #CV17-041, the owner of the property at **2060 TULLER STREET (43201)**, is requesting a Variance to permit two single-unit dwellings on one lot with reduced development standards in the R-4, Residential District; and

WHEREAS, Section 3332.039, R-4, Residential District, permits a maximum of four units in one building, but does not permit two separate dwellings on one lot, while the applicant proposes two single-unit dwellings on one lot; and

WHEREAS, Section 3312.49, Minimum numbers of parking spaces required, requires two parking spaces per dwelling unit for a total requirement of four spaces, while the applicant proposes zero parking spaces; and

WHEREAS, Section 3325.801, Maximum Lot Coverage, requires that a building including any rear or side porch or roofed stairs but excluding any balcony, walkway, deck, front porch, carport or garage, shall cover no more than 25 percent of the lot area, while the applicant proposes to maintain coverage of 63.9 percent of the lot area; and

WHEREAS, Section 3325.805, Maximum Floor Area Ratio (FAR), requires that the maximum total calculated floor area

permitted on any lot shall be no greater than that determined by a 0.40 FAR, while the applicant proposes an increased FAR of 0.66; and

WHEREAS, Section 3332.15, R-4 Area district requirements, requires a lot of 5,000 square feet for a single-unit dwelling, while the applicant proposes to maintain an existing single-unit dwelling and develop a second single-unit dwelling on a lot that is approximately 2,112.5± square feet (1,057± square feet per dwelling); and

WHEREAS, Section 3332.19, Fronting, requires a dwelling unit to have frontage on a public street, while the applicant proposes a rear dwelling fronting on a public alley; 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 6.5 feet, while the applicant proposes to maintain a maximum side yard of 5.9± feet for the existing dwelling; and

WHEREAS, Section 3332.26(C)(1), Minimum side yard permitted, requires a minimum side yard of three feet on a lot width of 40 feet or less, while the applicant proposes to maintain a southern side yard of 1± foot; 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 a 4.7 percent rear yard for the western dwelling, and 3.3 percent rear yard for the eastern dwelling; and

WHEREAS, this variance will permit two single-unit dwellings on one lot with reduced development standards in the R-4, Residential District; and

WHEREAS, the University Area Commission recommends approval; and

WHEREAS, the Historic Resources Commission recommends approval; and

WHEREAS, City Departments recommend approval because the requested variance is consistent with the *University District Plan*'s recommendation of lower intensity residential land use, and will not add a new or incompatible use to the area; 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 **2060 TULLER STREET (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 3332.039, R-4, Residential District; 3312.49, Minimum numbers of parking spaces required; 3325.801, Maximum Lot Coverage; 3325.805, Maximum Floor Area Ratio (FAR); 3332.15, R-4 Area district requirements; 3332.19, Fronting; 3332.25, Maximum side yards required; 3332.26(C)(1), Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at **2060 TULLER STREET (43201)**, insofar as said sections prohibit two single-unit dwellings on one lot, with a

parking space reduction from four required spaces to zero spaces; increased lot coverage from 25 percent to 63.9 percent; increased FAR from 0.4 to 0.66; a reduced lot area from 5,000 square feet per dwelling unit to 1,057± square feet; no frontage on a public street for the rear dwelling unit; a reduced maximum side yard from 6.5 feet to 5.9± feet for the existing dwelling; a reduced southern side yard of 1± foot; and reduced rear yards from 25 percent to 4.7 percent and 3.3 percent for the eastern dwelling and western dwelling respectively; said property being more particularly described as follows:

2060 TULLER STREET (43201), being 0.05± acres located on the east side of Tuller Street, 130± feet north of East Woodruff Avenue, and being more particularly described as follows:

SITUATED IN THE COUNTY OF FRANKLIN, IN THE STATE OF OHIO AND IN THE CITY OF COLUMBUS, AND BOUNDED AND DESCRIBED AS FOLLOWS AND BEING PARTS OF LOTS THIRTEEN AND FOURTEEN OF TULLER BROTHERS ADDITION TO THE CITY OF COLUMBUS, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS BEGINNING AT THE SOUTHWEST CORNER OF LOT NO. 13 WHICH MARKS THE INTERSECTION OF TULLER STREET AND THE ALLEY IN THE REAR OF AFORESAID LOTS

THENCE IN AN EASTERLY DIRECTION 65 FEET ON THE SOUTH LINE OF LOTS 13 AND 14

THENCE IN A NORTHERLY DIRECTION ON A LINE PARALLEL WITH THE WEST LINE OF SAID LOT 13. 32 FEET TO A POINT THENCE IN A WESTERLY DIRECTION PARALLEL WITH THE SOUTH LINE OF SAID LOTS 13 AND 14, 65 FEET TO THE WEST LINE OF SAID LOT NO. 13

THENCE IN A SOUTHERLY DIRECTION ALONG THE WEST LINE OF SAID LOT NO. 13, 32 FEET TO THE PLACE OF BEGINNING. SAID LOTS NO. 13 AND 14 ARE NUMBERED AND DELINEATED UPON THE RECORDED PLAT IN SAID ADDITION IN PLAT BOOK NO. 2, PAGE 303, RECORDERS OFFICE. FRANKLIN COUNTY, OHIO. PARCEL NO. 010-023438-00 &-OZ5 PROPERTY ADDRESS 2060 TULLER STREET, COLUMBUS, OH 43201 AI-O HO) 0Z3F6

Parcel Number: 010-023438-00

Commonly Known As: 2060 Tuller Street, 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 single-unit dwellings in accordance with the submitted site plan, or those uses permitted in the R-4, Residential District.

SECTION 3. That this ordinance is further conditioned on the Subject Site being developed in general conformance with the site plan titled, "**NORTH STEP REALTY 2060 TULLER STREET COLUMBUS OHIO**" dated August 29, 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.