



Legislation Text

File #: 2668-2017, **Version:** 1

Council Variance Application: CV17-029

APPLICANT: Laura Kaldy; 4740 Reed Road, Suite 201; Columbus, OH 43220.

PROPOSED USE: Residential development.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of one parcel developed with a single-unit dwelling in the R-2F, Residential District. The applicant proposes to split the property into two parcels. The southern parcel, containing the existing single-unit dwelling, will be developed with an additional dwelling above a detached garage (carriage house). The northern parcel will be developed with a two-unit dwelling, for a total of four dwelling units on two parcels. A Council variance is necessary because the existing zoning district only permits one single or one two-unit dwelling per lot. Variances for lot width, area district requirements, fronting, maximum side yards, minimum side yard, and rear yard are included. The site is within the planning area of the *Harrison West Plan* (2005), which recommends single and two-unit dwellings at this location. Staff supports the proposed density for each lot, noting that it is consistent with the Plan's recommendation. Additionally, Staff notes the applicant is preserving an existing contributing building and incorporating it into the development proposal. The request is compatible with the recent development pattern in historic urban neighborhoods and will not introduce a new or intrusive use.

To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential District; 3332.05, Area district lot width requirements; 3332.14, R-2F area district requirements; 3332.19, Fronting; 3332.25(B), Maximum side yards required; 3332.26(C), Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at **989 PENNSYLVANIA AVENUE (43201)**, to permit two single-unit dwellings on one lot and a two-unit dwelling on a new lot, with reduced development standards in the R-2F, Residential District (Council Variance # CV17-029).

WHEREAS, by application #CV17-029, the owner of the property at **989 PENNSYLVANIA AVENUE (43201)**, is requesting a Variance to permit two single-unit dwellings on one lot and a two unit dwelling on a new lot, with reduced development standards in the R-2F, Residential District for both lots; and

WHEREAS, Section 3332.037, R-2F, Residential District use, permits one single or one two-unit dwelling, while the applicant proposes to construct a rear single-unit dwelling above a detached garage (a carriage house) on Lot #341, along with an existing single-unit dwelling; and

WHEREAS, Section 3332.05, Area district lot width requirements, requires a lot no less than 50 feet wide in the R-2F, Residential District, while the applicant proposes to split one parcel into two with lot widths of 33 feet for Lot # 341 and 27 feet for Lot # 342; and

WHEREAS, Section 3332.14 R-2F Area District Requirements, requires a single-unit dwelling or other principal building to be situated on a lot of no less 6,000 square feet in area, while the applicant proposes Lot # 341 to have a reduced lot area of 4,725 square feet or 2,362± square feet per dwelling unit, and Lot # 342 to have a reduced lot area of 4,275 square feet or 2,137± square feet per dwelling unit; and

WHEREAS, Section 3332.19, Fronting, requires a dwelling to have frontage on a public street, while the applicant

proposes a rear dwelling (carriage house) on Lot # 341 to front on an alley; and

WHEREAS, Section 3332.25(B), Maximum side yards required, requires the sum of the widths of each side yard to equal or exceed 20 percent of the width of the lot, or 6.6 feet for Lot # 341, while the applicant proposes a reduced maximum side yard of 15.15 percent of the width, or 5 feet; and

WHEREAS, Section 3332.26(C), Minimum side yard permitted, requires a minimum side yard of no less than 3 feet on lots that are 40 feet wide or less in the R-2F, Residential District, while the applicant proposes to maintain a minimum side yard of 2 feet along the south property line of Lot # 341 for the existing dwelling; and

WHEREAS, Section 3332.27, Rear yard, requires a rear yard totaling no less than 25 percent of the lot area for each dwelling, while the applicant proposes no rear yard for the rear dwelling (carriage house) and a reduced rear yard of 20 percent for the existing dwelling both on Lot # 341; and

WHEREAS, this variance will permit two single-unit dwellings on Lot # 341 and a two-unit dwelling on Lot # 342, with reduced development standards in the R-2F, Residential District ; and

WHEREAS, City Departments recommend approval because the requested Council variance will allow a total of four dwellings on two parcels which is consistent with the *Harrison West Plan*'s recommended land use for this property. Additionally, the development will preserve an existing contributing building, is compatible with the recent development pattern in historic urban neighborhoods, and will not introduce a new or intrusive use; 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 **989 PENNSYLVANIA 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 3332.037, R-2F, Residential District; 3332.05, Area district lot width requirements; 3332.14, R-2F area district requirements; 3332.19, Fronting; 3332.25(B); Maximum side yards required; 3332.26(C), Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at **989 PENNSYLVANIA AVENUE (43201)**, insofar as said sections prohibit two single-unit dwellings on Lot # 341 in the R-2F, Residential District, with reduced lot widths from 50 feet to 33 feet on Lot # 341 and 27 feet on Lot # 342; 2,362± square feet of lot area per dwelling unit for Lot # 341 and 2,137± of lot area per dwelling unit for Lot # 342, where 6,000 square feet is required for each lot; no frontage on a public street for the rear dwelling (carriage house) on Lot # 341; a reduction in the maximum side yard from 6.6 feet to 5 feet for Lot # 341; a reduction in the minimum side yard from 3 feet to 2 feet along the south property line of Lot # 341 for the existing dwelling; and a reduction in rear yard from 25 to 0 percent for the rear dwelling (carriage house) and 25 to 20 percent for the existing dwelling both on Lot # 341; said property being more particularly described as follows:

989 PENNSYLVANIA AVENUE (43201), being 0.21± acres located on the west side of Pennsylvania Avenue, 184± feet north of West First Avenue, and being more particularly described as follows:

State of Ohio, County of Franklin, City of Columbus:

Lots 341 and 342 of Collins, Atkinson & Guitner's 2nd Addition
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Parcel: 010-055427

Address: 989 Pennsylvania 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 a single-unit dwelling and a single-unit carriage house on Lot # 341 and a two-unit dwelling on Lot # 342 in accordance with the submitted site plan, or those uses permitted in the R-2F, 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 - SHEET SP1.0**," drawn by New Avenue Architects-Engineers, dated September 29, 2017, and signed by Laura Kaldy, Applicant. The plans 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 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.