



Legislation Text

File #: 2564-2016, **Version:** 1

Council Variance Application: CV16-047

APPLICANT: Lauren & Sheldon Johnson; 5740 Echo Court; Columbus, OH 43230.

PROPOSED USE: An office building and single-unit dwelling or two single-unit dwellings on the same parcel.

UNIVERSITY AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is zoned AR-1, Apartment Residential District and is currently undeveloped. The applicant proposes a general office building and carriage house dwelling on the same parcel, with the future option of converting the office building into a second dwelling unit. The proposal includes variances for reduced required parking spaces, minimum lot width, fronting on a public street, maximum and minimum side yards, and rear yard for the carriage house. A Council variance is necessary because the AR-1, Apartment Residential District does not permit office uses or the proposed arrangement of single-unit dwellings. The site is located within the planning area of the *University District Plan* (2015), which recommends medium intensity residential uses at this location. Staff finds this proposal consistent with the Plan's recommendation because the proposed office building will be designed to appear as a dwelling-unit, and will potentially be converted into a dwelling-unit in the future. The request is consistent with the recent redevelopment pattern in historic urban neighborhoods, particularly with smaller infill projects.

To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, apartment residential district use; 3312.49(C), Minimum numbers of parking spaces required; 3333.09, Area requirements; 3333.16, Fronting; 3333.22, Maximum side yard required; Section 3333.23(A), Minimum side yard permitted; and 3333.24, Rear yard, of the Columbus City codes; for the property located at **1311 SUMMIT STREET (43201)**, to permit a general office building and a single-unit dwelling (a carriage house) or two single-unit dwellings, to be developed on one parcel, with reduced development standards in the AR-1, Apartment Residential District (Council Variance # CV16-047).

WHEREAS, by application No. CV16-047, the owner of property at **1311 SUMMIT STREET (43201)**, is requesting a Council variance to permit a general office building and a single-unit dwelling (a carriage house) or two single-unit dwellings, to be developed on one parcel, with reduced development standards in the AR-1, Apartment Residential District; and

WHEREAS, Section 3333.02, AR-12, ARLD and AR-1, apartment residential district use, prohibits office commercial uses and the proposed arrangement of single-unit dwellings, while the applicant proposes an office building and a single-unit dwelling (a carriage house), or two single-unit dwellings, to be developed on one parcel; and

WHEREAS, Section 3312.49(C), Minimum numbers of parking spaces required, requires 1 parking space for every 450 square feet of general office space and 2 parking spaces per dwelling unit for a total requirement of 7 parking spaces, and two single-unit dwellings require a total of 4 parking spaces, while the applicant proposes a total of 2 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 maintain the existing lot width of 34 feet; and

WHEREAS, Section 3333.16, Fronting on a public street, requires a dwelling unit to have frontage on a public street, while the applicant proposes a carriage house fronting on a rear public alley; 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 lot width, thereby requiring 6.8 feet of total side yard for a 34-foot wide lot, while the applicant proposes a maximum side yard of 3.5 feet for the building fronting Summit Street; and

WHEREAS, Section 3333.23(A), Minimum side yard permitted, requires a minimum side yard of 5 feet, while the applicant proposes the following reduced minimum side yards: 3.5 feet on the north side of the front building; 4 feet on the north side of the carriage house; 0 feet on the south side of the front building, and 4 feet on the south side of the carriage house; and

WHEREAS, Section 3333.24, Rear yard, requires a rear yard of 25% of lot area, while the applicant proposes no rear yard for the carriage house; and

WHEREAS, the University Area Commission recommends approval; and

WHEREAS, the City Departments recommend approval of the requested variances because the proposal is compatible with *University District Plan*'s recommendation for medium intensity residential uses. The request is consistent with the recent development pattern 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 **1311 SUMMIT 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 from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, apartment residential district use; 3312.49(C), Minimum numbers of parking spaces required; 3333.09, Area requirements; 3333.16, Fronting; 3333.22, Maximum side yard required; Section 3333.23(A), Minimum side yard permitted; and 3333.24, Rear yard, of the City of Columbus codes, is hereby granted for the property located at **1311 SUMMIT STREET (43201)**, insofar as said sections prohibit a a general office building and a single-unit dwelling (a carriage house) or two single-unit dwellings on one lot in the AR-1, Apartment Residential District; with a parking space reduction from up to 7 required spaces to 2 spaces provided; a reduced lot width of 37 feet; no fronting on an a public street for the carriage house; a reduced maximum side yard from 6.8 feet to 3.5 feet; a reduced side yard from 5 feet to 3.5 feet on the north side of the front building; 4 feet on the north side of the carriage house; 0 feet on the south side of the front building, and 4 feet on the south side of the carriage house; and no rear yard for the carriage house; said property being more particularly described as follows:

1311 SUMMIT STREET (43201), being 0.13± acres located on the west side of Summit Street, 204± feet south of East Seventh Avenue, and being more particularly described as follows:

Being Lot Number Twenty-six (26) of JOHN RUDISILL'S SEVENTH AVENUE TERRACE AMENDED ADDITION TO THE CITY OF COLUMBUS, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 5, page 478, Recorder's Office, Franklin County, Ohio.

Parcel No: 010-024394

Property Address: 1311 Summit Street; 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 general office building and a single-unit dwelling (a carriage house) or two single-unit dwellings, or those uses permitted in the AR-1, Apartment Residential District.

SECTION 3. That this ordinance is further conditioned on substantial compliance with the site titled, "**PLOT PLAN**," signed by David B. McCoy surveyor, dated August 12, 2016, and elevations titled "**JOHNSON RESIDENCE**," and "**JOHNSON CARRIAGE HOUSE**," signed by Gary K. Dunn architect, dated September 26, 2016. 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 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 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.