



## Legislation Text

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**File #:** 1596-2018, **Version:** 1

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### **Council Variance Application: CV18-024**

**APPLICANT:** Compton Construction; c/o Jeremy Miller; 2323 West Fifth Avenue, Suite 215; Columbus, OH 43204.

**PROPOSED USE:** A carriage house on a lot developed with a two-unit dwelling.

**COLUMBUS SOUTH SIDE AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is developed with a two-unit dwelling zoned in the R-2F, Residential District. The requested Council variance will permit the addition of a carriage house on the rear of the property. The variance is necessary because the R-2F district prohibits a two-unit dwelling and a single-unit dwelling on the same lot. Variances for reduced number of parking spaces, vision clearance, lot width, lot area, maximum and minimum side yards, and rear yard are included in this request. The site is located within the boundaries of the *South Side Plan* (2014), which recommends "Medium High Density (10-16 du/ac)" land uses at this location. While the proposal is slightly higher in density (20 du/ac), the Plan states that somewhat higher densities may be considered provided a high-quality design is proposed that can demonstrate that it will not adversely impact the existing development pattern of the area. The Plan also states that parking needs should be balanced with the goals of reducing development's impact on the built environment, creating walkable and bikeable neighborhoods, and encouraging the use of public transit. This area is pedestrian and bike friendly and is within a short distance of public transit. The Planning Division has determined that the proposed carriage house is consistent with the Plan's recommendations, and is in character and scale with the existing dwelling units.

To grant a Variance from the provisions of Sections 3332.037, R-2F, residential district; 3312.49, Minimum numbers of parking spaces required; 3321.05(B)(2), Vision clearance; 3332.05, Area district lot width requirements; 3332.14, R-2F area district requirements; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at **311-313 EAST DESHLER AVENUE (43206)**, to permit a two-unit dwelling and a single-unit dwelling on one lot with reduced development standards in the R-2F, Residential District (Council Variance # CV18-024).

**WHEREAS**, by application # CV18-024, the owner of property at **311-313 EAST DESHLER AVENUE (43206)**, is requesting a Council Variance to permit a single-unit dwelling (a carriage house) on the rear of a lot developed with a two-unit dwelling with reduced development standards in the R-2F, Residential District; and

**WHEREAS**, Section 3332.037, R-2F, residential district, prohibits a two-unit dwelling and a single-unit dwelling on one lot, while the applicant proposes to develop a dwelling unit above a garage (carriage house) on a lot developed with a two-unit dwelling; and

**WHEREAS**, Section 3312.49, Minimum numbers of parking spaces required, requires 2 parking spaces per dwelling unit, or 6 spaces total for 3 units, while the applicant proposes 2 parking spaces; and

**WHEREAS**, Section 3321.05(B)(2), Vision clearance, requires a thirty-foot vision clearance triangle at the intersection of East Deshler Avenue and Bruck Street, while the applicant proposes to maintain encroachment into the vision

clearance triangle with the existing building as shown on the site plan; and

**WHEREAS**, Section 3332.05, Area district lot width requirements, requires a minimum lot width of 50 feet in the R-2F, Residential District, while the applicant proposes to maintain a lot width of 33.8 feet; 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 than 6,000 square feet in area and a two-story, two-family dwelling to be situated on a lot of no less than 3,000 square feet, while the applicant proposes a two-unit dwelling and a single-unit dwelling on a lot that contains 5,746  $\pm$  square feet; and

**WHEREAS**, Section 3332.25, Maximum side yards required, requires the sum of the widths of the side yards to be a minimum of 6.77 feet, while the applicant proposes to maintain a maximum side yard of approximately 5.97 feet for the two-unit dwelling; and

**WHEREAS**, Section 3332.26, Minimum side yard permitted, requires a minimum side yard of 3 feet, while the applicant proposes to maintain the existing side yard of 2.3 feet on the east side of the two-unit dwelling; and

**WHEREAS**, Section 3332.27, Rear yard, requires a rear yard totaling no less than 25 percent of the total lot area, while the applicant proposes no rear yard for the rear carriage house dwelling; and

**WHEREAS**, the Columbus South Side Area Commission recommends approval; and

**WHEREAS**, City Departments recommend approval because the requested variances would permit development of a carriage house in character and scale with the dwellings in the surrounding neighborhood; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and a Certificate of Occupancy for the proposed carriage house; 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 **311-313 EAST DESHLER AVENUE (43206)**, in using said property as desired; now, therefore:

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

**SECTION 1.** That a variance be granted from the provisions of Sections 3332.037, R-2F, residential district; 3312.49, Minimum numbers of parking spaces required; 3321.05(B)(2), Vision clearance; 3332.05, Area district lot width requirements; 3332.14, R-2F area district requirements; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; and 3332.27, Rear yard, for the property located at **311-313 EAST DESHLER AVENUE (43206)**, insofar as said sections prohibit a two-unit dwelling and a single-unit dwelling on one lot in the R-2F, Residential District; with a parking space reduction from 6 spaces to 2 spaces; an existing building that encroaches into the required vision clearance triangle; a reduced lot width from 50 feet to 33.8 $\pm$  feet; a reduction in the required lot area from 9,000 square feet to 5,746 $\pm$  square feet; a reduced maximum side yard from 6.77 feet to 5.97 $\pm$  feet for the existing two-unit dwelling; a reduced minimum side yard from 3 feet to 2.3 $\pm$  feet on the east side of the existing two-unit dwelling; and no rear yard for the carriage house; said property being more particularly described as follows:

**311-313 EAST DESHLER AVENUE (43206)**, being 0.13 $\pm$  acres located at the southwest corner of East Deshler

Avenue and Bruck Street, and being more particularly described as follows:

Situated in The State of Ohio, County of Franklin, City of Columbus, Being Lot 1 and Part of Lot 2, John W. Lilleys Subdivision Plat Book 2, Page 176.

Known as Parcel # 010044144

Addressed as 311-313 East Deshler Avenue

**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 and a rear single-unit carriage house on the same lot, 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 and elevation drawings titled, "**CARRIAGE HOUSE - REVISED**," signed by Jeremy Miller, Applicant, and dated May 22, 2018. 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 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 on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed carriage house.

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