



## Legislation Text

---

**File #:** 1797-2018, **Version:** 1

---

### **Council Variance Application: CV18-029**

**APPLICANT:** Jarrod Share; 974 North Fourth Street; Columbus, OH 43201.

**PROPOSED USE:** One two-unit dwelling and one single-unit dwelling on one lot.

**ITALIAN VILLAGE COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is zoned in the R-4, Residential District, and developed with a two-unit dwelling. The requested Council variance will permit the construction of a rear carriage house on the property. A Council variance is necessary because the R-4, Residential District permits a maximum of four dwelling units in one building, but does not permit a two-unit dwelling and single-unit dwelling on one lot. The applicant also requests variances to area district requirements, fronting on a public street, maximum and minimum side yards, and rear yard. The site is within the boundaries of the *Italian Village East Redevelopment Plan* (2000), which recommends "residential (1-2 units)" at this location. Staff finds that the proposal will not add incompatible uses to the area as there are other carriage houses within this community. The request is consistent with the recent development pattern in historic urban neighborhoods and building design will conform to the Italian Village Commission requirements.

To grant a Variance from the provisions of Sections 3332.039, R-4 residential district; 3332.15, R-4 area district requirements; 3332.19, Fronting; 3332.25(B), Maximum side yards required; 3332.26(C)(2), Minimum side yard permitted; and 3332.27, Rear yard, of the City of Columbus codes; for the property located at **972 NORTH FOURTH STREET (43201)**, to permit a single-unit dwelling above a garage (a carriage house) on the rear of a lot developed with a two-unit dwelling, with reduced development standards in the R-4, Residential District (Council Variance # CV18-029).

**WHEREAS**, by application # CV18-029, the owner of property at **972 NORTH FOURTH STREET (43201)**, is requesting a Council variance to permit a single-unit dwelling above a garage (a carriage house) on the rear of a lot developed with a two-unit dwelling, with reduced development standards in the R-4, Residential District; and

**WHEREAS**, Section 3333.039, R-4, Residential District, allows a maximum of four units in one building, but does not permit a two-unit and single-unit residential building on one lot, while the applicant proposes to construct a rear single-unit dwelling above a detached garage (a carriage house) on a lot developed with a two-unit dwelling; and

**WHEREAS**, Section 3332.15 R-4 area district requirements, requires a lot of 6,000 square feet for a two-unit dwelling and a lot of 5,000 square feet for a single-unit dwelling, while the applicant proposes to maintain an existing two-unit dwelling and construct a second single-unit dwelling (a carriage house) on a lot that is approximately 6,412.5 square feet; and

**WHEREAS**, Section 3332.19, Fronting on a public street, requires a dwelling to have frontage on a public street, while the applicant proposes the rear single-unit dwelling 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 8.5± feet, while the applicant proposes a reduced maximum side

yard of 0± percent of the width, or 0± feet for awnings on the north and south side of the carriage house; and

**WHEREAS**, Section 3332.26(C)(2), Minimum side yard permitted, requires a minimum side yard of no less than five feet on lots that are 40 feet wide or more in the R-4, Residential District, while the applicant proposes to reduce the minimum side yard to 0± feet for awnings on the north and south side of the carriage house; 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 to provide no rear yard for the rear carriage house; and

**WHEREAS**, the Italian Village Commission recommends approval; and

**WHEREAS**, the City Departments recommend approval of the requested variances because the proposal will not add incompatible uses to the area as there are other carriage houses within this community. 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 **972 NORTH FOURTH 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 3332.039, R-4 residential district; 3332.15, R-4 area district requirements; 3332.19, Fronting; 3332.25(B), Maximum side yards required; 3332.26(C)(2), Minimum side yard permitted; and 3332.27, Rear yard, of the City of Columbus codes, are hereby granted for the property located at **972 NORTH FOURTH STREET (43201)**, insofar as said sections prohibit a two-unit dwelling and single-unit dwelling on one lot in the R-4, Residential District; with a reduced lot size from 6,000 square feet for a two-unit dwelling and 5,000 square feet for a single-unit dwelling to 6,412.5 square feet for both; no frontage on a public street for the rear carriage house dwelling; a reduction to maximum side yards from 20 percent of the width of the lot to zero percent; a reduced side yard on the north and south sides of the proposed carriage house from three feet to zero feet; and no rear yard for the rear carriage house; said property being more particularly described as follows:

**972 NORTH FOURTH STREET (43201)**, being 0.15± acres located on the east side of North Fourth Street, 130± feet north of East Second Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, and in the City of Columbus:

Being Lot Nos. One (1) of Sorins Sub-Division of Lot No. Sixty-Two of Phelan's Mt. Pleasant Addition, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 1, Page 286, recorder's Office, Franklin County, Ohio.

Parcel Number: 010-037993

**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 (carriage house) on the rear of a lot developed with a two-unit dwelling, 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 exhibit titled, “**972-974 N FOURTH ST.,**” signed by Jarrod Share, Applicant, and dated June 21, 2018. 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 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.