



Legislation Text

File #: 2357-2018, **Version:** 1

Council Variance Application: CV18-046

APPLICANT: Michael P. Herman; 633 Linwood Avenue; Columbus, OH 43205.

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

LIVINGSTON AVENUE AREA COMMISSION RECOMMENDATION: Approval.

HISTORIC RESOURCES COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is developed with a single-unit dwelling and a two-story detached garage in the R-3, Residential District. The requested Council variance will permit the space above the existing three-car garage to be converted into a dwelling unit (carriage house). In addition to the use variance, lot area and rear yard reduction variances are included in this request. The site is located within the boundaries of the Old Oaks Historic District and the *Near Southside Area Plan* (2011), which recommends "Medium Density Mixed Residential (6-10 du/ac)" land uses at this location. The proposed density is consistent with the Plan's recommendation, and the Planning Division recognizes that the additional unit is within an existing carriage house building, that the site is adjacent to a major interstate, and that the area is composed of a mix of single- and multi-unit housing with similar densities.

To grant a Variance from the provisions of Sections 3332.035, R-3 residential district; 3332.13, R-3 area district requirements; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at **633 LINWOOD AVENUE (43205)**, to permit two single-unit dwellings on one lot with reduced development standards in the R-3, Residential District (Council Variance # CV18-046).

WHEREAS, by application # CV18-046, the owner of the property at **633 LINWOOD AVENUE (43205)**, is requesting a Variance to permit two single-unit dwellings on one lot with reduced development standards in the R-3, Residential District; and

WHEREAS, Section 3332.035, R-3 residential district, does not permit two dwellings on one parcel, while the applicant proposes to develop a dwelling unit above a garage (carriage house) on a lot developed with a single-unit dwelling; and

WHEREAS, Section 3332.13, R-3 area district requirements, requires that a single-unit dwelling or other principal building shall be situated on a lot of not less than 5,000 square feet in area, while the applicant proposes two single-unit dwellings on a lot that contains 9,300± feet (approximately 4,650 square feet per dwelling unit); and

WHEREAS, Section 3332.27, Rear yard, requires that each dwelling, apartment house, or other principal building shall be erected so as to provide a rear yard totaling not less than 25 percent of the total lot area, while the applicant proposes no rear yard for the carriage house; and

WHEREAS, the Livingston Avenue Area Commission recommends approval; and

WHEREAS, the Historic Resources 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 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 **633 LINWOOD AVENUE (43205)**, 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 Sections 3332.035, R-3 residential district; 3332.13, R-3 area district requirements; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at **633 LINWOOD AVENUE (43205)**, insofar as said sections prohibit two single-unit dwellings on the same parcel in the R-3, Residential District; a reduced lot area of approximately 4,650 square feet per dwelling unit; and no rear yard for the carriage house; said property being more particularly described as follows:

633 LINWOOD AVENUE (43205), being 0.22± acres located at the southwest corner of Linwood Avenue and Mooberry Street, and being more particularly described as follows:

Being Lot #311-312 of Oakwoods Addition East, of record in Plat Book 5, Page 152, Franklin County Recorder's Office.

Property Known As: 633 Linwood Avenue

Parcel Number: 010-044523

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for two single-unit dwellings on the same lot, or those uses permitted in the R-3, Residential District.

SECTION 3. That this ordinance is further conditioned upon the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

SECTION 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.