



## Legislation Text

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**File #:** 1412-2019, **Version:** 1

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### **Council Variance Application: CV19-030**

**APPLICANT:** Eric D. Martineau; 3006 North High Street, Suite 1A; Columbus, OH 43202.

**PROPOSED USE:** Carriage house on a lot developed with a single-unit dwelling.

**ITALIAN VILLAGE COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is zoned R-4, Residential District, and developed with a single-unit dwelling. The requested Council variance will permit the construction of a rear carriage house on the property and an addition to the principal dwelling. The variance is necessary because the R-4, Residential District permits a maximum of four dwelling units in one building, but does not permit two separate dwellings on one lot. Variances for lot width, lot area, fronting, maximum and minimum side yards, and rear yard are included in this request. The site is within the boundaries of the *Italian Village East Redevelopment Plan* (2005), which recommends residential (1-2 units) at this location. The proposal is consistent with the Plan's land use recommendation and with recent development patterns in historic urban neighborhoods. Additionally, Staff finds the proposal will not add incompatible uses to the area as there are other carriage houses within this neighborhood.

To grant a Variance from the provisions of Sections 3332.039, R-4, Residential District; 3332.05(A)(4), Area district lot width requirements; 3332.15, R-4, area district requirements; 3332.19, Fronting; 3332.25, Maximum side yards required; 3332.26(C)(1), Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at **1047 HAMLET ST (43201)**, to permit a single-unit dwelling (carriage house) on the rear of a lot developed with a single-unit dwelling with reduced development standards in the R-4, Residential District (Council Variance #CV19-030).

**WHEREAS**, by application #CV19-030, the owner of the property at **1047 HAMLET ST (43201)**, is requesting a Variance to permit a single-unit dwelling (carriage house) on the rear of a lot developed with a single-unit dwelling with reduced development standards in the R-4, Residential District; and

**WHEREAS**, Section 3332.039, R-4, Residential District, permits a maximum of four units in one building, but does not permit two separate dwellings 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 single-unit dwelling; and

**WHEREAS**, Section 3332.05(A)(4), Area district lot width requirements, requires a lot no less than 50 feet wide, while the applicant proposes to maintain the existing 25 foot wide lot; and

**WHEREAS**, Section 3332.15, R-4 area district requirements, requires a lot of 5,000 square feet for a single-unit dwelling, while the applicant proposes to maintain an existing single-unit dwelling and construct a carriage house on a lot area of 1,950± square feet (pursuant to lot area calculation in 3332.18(C)); and

**WHEREAS**, Section 3332.19, Fronting, 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 3332.25, Maximum side yards required, requires the sum of the widths of the side yards to equal or exceed 20 percent of the width of the lot, or 5 feet, while the applicant proposes a maximum side yard of 4± feet for the carriage house; and

**WHEREAS**, Section 3332.26(C)(1), Minimum side yard permitted, requires a minimum side yard of three feet on a lot width of 40 feet or less, while the applicant proposes a northern side yard of 1± foot for the existing dwelling and 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 no rear yard for the carriage house dwelling; and

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

**WHEREAS**, City Departments recommend approval of the requested variance because the proposal is consistent with the *Italian Village East Redevelopment Plan's* land use recommendation and recent development patterns in historic urban neighborhoods, and does not add incompatible uses to the area; 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 **1047 HAMLET ST (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 3332.039, R-4, Residential District; 3332.05(A)(4), Area district lot width requirements; 3332.15, R-4, area district requirements; 3332.19, Fronting; 3332.25, Maximum side yards required; 3332.26(C)(1), Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at **1047 HAMLET ST (43201)**, insofar as said sections prohibit two single-unit dwellings on one lot in the R-4, Residential District; with a reduced lot width from 50 to 25 feet; reduced lot area from 5,000 square feet per dwelling unit to 1,950 square feet for two single-unit dwellings; no frontage on a public street for the carriage house; a reduced maximum side yard from 5 feet to 4 feet; a reduced minimum side yard on the north side of the existing dwelling and carriage house from 3 feet to 1 foot; and a reduced rear yard from 25 percent to 0 percent for the rear carriage house dwelling; said property being more particularly described as follows:

**1047 HAMLET ST (43201)**, being 0.1± acres located on the west side of Hamlet Street, 180± feet north of East Third Avenue, and being more particularly described as follows:

Situated in the County of Franklin, State of Ohio and City of Columbus: Being the North half and the South half of Lot Number Eleven (11) of E. Sorin's Subdivision, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 1, Page 286, Recorder's Office, Franklin County, Ohio.

Property Address: 1047 Hamlet St., Columbus, OH 43201  
Parcel Number: 010-215491

**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 with a rear single-unit carriage house, or those uses permitted in the R-4, Residential District.

**SECTION 3.** That this ordinance is further conditioned on substantial compliance with the site plan drawing titled, "**ADDITION AND NEW CARRIAGE HOUSE AT: 1047 HAMLET STREET**," dated May 13, 2019, drawn by Urbanorder Architecture., and signed by Eric D. Martineau, Attorney. 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 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 upon 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.