



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Text

File #: 1978-2019, **Version:** 1

Council Variance Application: CV19-057

APPLICANT: Gary J. Alexander, Agent; 1265 Neil Avenue; Columbus, OH 43201.

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

VICTORIAN VILLAGE COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is zoned R-4, Residential District, and developed with a two-unit dwelling. The requested Council variance will permit the construction of a single-unit dwelling above a garage (carriage house) in the rear yard of the lot with reduced development standards. The 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 a single-unit dwelling on one lot. Variances for lot width, area district requirements, fronting, and rear yard are also included in the request. Staff finds that the proposal will not add incompatible uses to the area as there are other carriage houses within this neighborhood. The request is consistent with the recent development pattern in historic urban neighborhoods, and building design will conform to the Victorian Village Commission requirements.

To grant a Variance from the provisions of Sections 3332.039, R-4, Residential District; 3332.05, Area district lot width requirements; 3332.15, R-4 area district requirements; 3332.19, Fronting; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at **172 BUTTLES AVE. (43201)**, to permit a single-unit dwelling (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 # CV19-057).

WHEREAS, by application #CV19-057, the owner of the property at **172 BUTTLES AVE. (43201)**, is requesting a Variance to permit a single-unit dwelling (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 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 a rear single-unit dwelling above a detached garage (carriage house) on a lot developed with a two-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 40-foot wide lot; and

WHEREAS, Section 3332.15 R-4 area district requirements, requires that a dwelling containing three or four dwelling units shall be situated on a lot with an area which equals or exceeds 2,500 square feet of lot area per dwelling unit, while the applicant proposes to maintain an existing two-unit dwelling and construct a carriage house on a lot area of 4,800 square feet (pursuant to lot area calculation in 3332.18(C)) totaling 1,600 square feet of lot area per dwelling unit; 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 3332.27, Rear yard, requires a rear yard totaling no less than 25 percent of the total lot area for each dwelling, while the applicant proposes a reduced rear yard of 23.7 percent for the existing two-unit dwelling and no rear yard for the carriage house; and

WHEREAS, the Victorian Village Commission approval; and

WHEREAS, 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 neighborhood. The request is consistent with the recent development pattern in historic urban neighborhoods, and building design will conform to the Victorian Village Commission requirements; 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 **172 BUTTLES AVE. (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, Area district lot width requirements; 3332.15, R-4 area district requirements; 3332.19, Fronting; and 3332.27, Rear yard of the Columbus City Codes, is hereby granted for the property located at **172 BUTTLES AVE. (43201)**, insofar as said sections prohibit a two-unit dwelling and a single-unit dwelling on one lot in the R-4, Residential District; with a reduced lot width from 50 to 40 feet; reduced lot area from 2,500 square feet per dwelling unit to 1,600 square feet per dwelling unit; no frontage on a public street for the carriage house; and a reduced rear yard from 25 percent to 23.7 percent for the two-unit dwelling and no rear yard for the carriage house; said property being more particularly described as follows:

172 BUTTLES AVE. (43201), being 0.17± acres located on the north side of Buttles Avenue, 120± feet east of Dennison Avenue, and being more particularly described as follows:

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

Being Lot Number Four (4) of H.M. Hubbard's Heirs Subdivision of the Hubbard Property, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 3, page 426, Recorder's Office, Franklin County, Ohio.

Parcel No: 010-056571

Known as address: 172-174 Buttles Avenue, Columbus, OH 43215

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 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 general conformance with the site plan drawing titled, "**SITE PLAN**," dated July 9, 2019 drawn and signed by Gary J. Alexander, Agent for the Applicant. 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 shall take effect and be in force from and after the earliest period allowed by law.