



## Legislation Text

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**File #:** 2187-2019, **Version:** 1

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**Council Variance Application: CV19-042**

**APPLICANT:** Todd Hinze; 4892 Galway Drive; Dublin, OH 43017.

**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 in the ARLD, Apartment Residential District, and developed with a two-unit dwelling. The requested Council variance will permit the addition of a carriage house dwelling, while legitimizing the existing two-unit dwelling as building permit records indicate the current use as a single-unit dwelling on the site. The variance is necessary because the ARLD, Apartment Residential District prohibits one two-unit dwelling and one single-unit dwelling on the same lot. Variances for lot width, lot area, lot coverage, fronting, side yards, and rear yard are included in the request. Staff supports the proposal because the request 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 3333.02, AR-12, ARLD and AR-1 apartment residential district use; 3333.09, Area requirements; 3333.11, ARLD area district requirements; 3333.15(C), Basis of computing area; 3333.16, Fronting; 3333.22, Maximum side yard required; 3333.23, Minimum side yard permitted; and 3333.24, Rear yard, of the Columbus City Codes; for the property located at **76 W. STARR AVE. (43201)**, 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 ARLD, Apartment Residential District (Council Variance # CV19-042).

**WHEREAS**, by application #CV19-042, the owner of the property at **76 W. STARR AVE. (43201)**, is requesting a 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 ARLD, Apartment Residential District; and

**WHEREAS**, Section 3333.02, AR-12, ARLD and AR-1 apartment residential district use, requires a separate lot for each principal use, while the applicant proposes to build a single-unit dwelling above a detached garage (carriage house) on the rear of a lot developed with a two-unit dwelling; and

**WHEREAS**, Section 3333.09, Area requirements, requires that no building shall be erected or altered on a lot with a width of less than 50 feet, while the applicant proposes to maintain the existing lot width of 38 feet; and

**WHEREAS**, Section 3333.11, ARLD area district requirements, requires 2,500 square feet per dwelling unit on interior lots, while the applicant proposes a total of 3 dwelling units resulting in 1,583 square feet per dwelling unit on the lot; and

**WHEREAS**, Section 3333.15(C), Basis of computing area, limits buildings from occupying more than 50 percent of the lot area, while the applicant proposes to increase the lot coverage to 59.5 percent; and

**WHEREAS**, Section 3333.16, Fronting, requires each 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 3333.22, Maximum side yard required, requires that the sum of the widths of each side yard shall equal or exceed 20 percent of the width of the lot, provided that no more than 16 feet need be so devoted, while the applicant proposes to maintain a reduced total side yard from 7.6 to 5 feet for the existing two-unit dwelling, and proposes a reduced total side yard of 7.3 feet for the new carriage house; and

**WHEREAS**, Section 3333.23, Minimum side yard permitted, requires a side yard of no less than 5 feet, while the applicant proposes to maintain 2 and 3 feet side yards along the eastern and western property lines, respectively, for the existing two-unit dwelling, and proposes a reduced side yard of 2.5 feet along the western property line for new carriage house; and

**WHEREAS**, Section 3333.24, Rear yard, requires that each dwelling, apartment house, or other principal building shall be erected so as to provide a rear yard totaling no less than 25 percent of the total lot area, while the applicant proposes a rear yard of 21.5 percent for the existing two-unit dwelling, and no rear yard for the new carriage house; and

**WHEREAS**, the Victorian Village Commission recommends 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 uses; 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 **76 W. STARR 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 from the provisions of Sections 3333.02, AR-12, ARLD and AR-1 apartment residential district use; 3333.09, Area requirements; 3333.11, ARLD area district requirements; 3333.15(C), Basis of computing area; 3333.16, Fronting; 3333.22, Maximum side yard required; 3333.23, Minimum side yard permitted; and 3333.24, Rear yard, of the Columbus City Codes, is hereby granted for the property located at **76 W. STARR AVE. (43201)**, insofar as said sections prohibit one two-unit dwelling and one single-unit dwelling on the same lot in the ARLD, Apartment Residential District; with a reduced lot width from 50 feet to 38 feet; a reduced lot area requirement from 2,500 square feet per dwelling unit to 1,583 square feet; an increased lot coverage from 50 to 59.5 percent; no frontage on a public street for the rear carriage house dwelling; reduced maximum side yard from 7.6 feet to 5 feet for the existing two-unit dwelling, and to 7.3 feet for the new carriage house; reduced minimum side yards from 5 feet to 2 and 3 feet along the eastern and western property lines, respectively, for the existing two-unit dwelling, and to 2.5 feet along the western property line for the new carriage house; and a reduced rear yard from 25 to 21.5 percent for the existing two-unit dwelling, and no rear yard for the new carriage house; said property being more particularly described as follows:

**76 W. STARR AVE. (43201)**, being 0.12± acres located on the north side of West Starr Avenue, 395± feet east of

Dennison Avenue, and being more particularly described as follows:

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

Being Lot Number Fifteen (15) of JACOB LABER'S SUBDIVISION of Lot Number Six (6) of the Subdivision of the Starr Farm made by the Administrator of the Joseph R. Starr, deceased as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 3, Page 82, Recorder's Office, Franklin County, Ohio.

Parcel No: 010-008132

Known as address: 76 Starr Ave, Columbus, OH 43201

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a primary dwelling unit containing up to three units and a rear single-unit carriage house, or those uses permitted in the ARLD, Apartment Residential District.

**SECTION 3.** That this ordinance is further conditioned on substantial compliance with the site plan drawing titled, "**76 W. STARR AVENUE - SITE PLAN**," dated August 22, 2019, and signed by Kara McCoy, Architect 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 is further conditioned on the applicant obtaining all applicable permits and Certificates of Occupancy for the proposed uses.

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