



Legislation Text

File #: 2749-2019, **Version:** 1

Council Variance Application: CV18-045

APPLICANT: Matthew Dietrich; c/o David Hodge, Atty.; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

PROPOSED USE: Rooming house.

UNIVERSITY AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is developed with a two-unit dwelling in the R-2F, Residential District that is being used as a non-compliant rooming house. The requested Council variance will permit the rooming house, thus addressing a current Zoning Code violation. The variance is necessary because the R-2F district permits only single- and two-unit dwellings. Variances for aisle, driveway, maneuvering, striping and marking, required surface for parking, minimum side yard, and a parking space reduction from 7 required to 2 provided spaces are included in the request. Additionally, a time-limit condition for the rooming house use which will expire in 2040 has been incorporated as requested by the University Area Commission. The site is within the planning boundaries of the *University District Plan* (2015), which recommends lower-intensity residential land uses at this location. The request is supportable as the Plan does not address rooming houses, while the variances are acceptable due to the low parking demand and unique features of the proposed use.

To grant a Variance from the provisions of Sections 3332.037, R-2F, residential district; 3312.09, Aisle; 3312.13(A), Driveway; 3312.25, Maneuvering; 3312.39(A), Striping and marking; 3312.43, Required surface for parking; 3312.49(C), Minimum numbers of parking spaces required; and 3332.26, Minimum side yard permitted, of the Columbus City Codes; for the property located at **2407 INDIANA AVE. (43202)**, to permit a rooming house with reduced development standards in the R-2F, Residential District (Council Variance #CV18-045).

WHEREAS, by application #CV18-045, the owner of the property at **2407 INDIANA AVE. (43202)**, is requesting a Variance to permit a rooming house with reduced development standards in the R-2F, Residential District; and

WHEREAS, Section 3332.037, R-2F, residential district, permits single- and two-unit dwellings, while the applicant proposes a 2,412 square foot rooming house; and

WHEREAS, Section 3312.09, Aisle, requires aisle width and maneuvering to be 20 feet for 90 degree parking spaces, while the applicant proposes a reduced aisle width of 15 feet; and

WHEREAS, Section 3312.13(A), Driveway, requires a minimum driveway width of 10 feet for residential parking areas containing 1 to 8 parking spaces, while the applicant proposes to maintain the existing driveway from Indiana Avenue with a reduced total width of approximately 7 feet 7 inches, with the driveway being divided by the parcel lines as shown on the site plan; and

WHEREAS, Section 3312.25, Maneuvering, requires parking spaces to have sufficient access and maneuvering area on the lot where the parking spaces are located, while the applicant proposes to allow maneuvering over property lines for required parking spaces; and

WHEREAS, Section 3312.39, Striping and marking, requires parking spaces to be striped, while the applicant proposes to maintain a gravel parking area with no striping; and

WHEREAS, Section 3312.43, Required surface for parking, requires the surface of any parking area to be improved with Portland cement, asphaltic concrete, or other approved hard surface other than gravel or loose fill, while the applicant proposes to maintain a gravel parking and maneuvering area with no hard surface; and

WHEREAS, Section 3312.49 Minimum numbers of parking spaces required, requires 1 space per 400 square feet of rooming house, or 7 total spaces for a 2,412 square foot rooming house, while the applicant proposes 2 spaces; and

WHEREAS, Section 3332.26, Minimum side yard permitted, requires a minimum side yard of 3 feet, while the applicant proposes to maintain a minimum side yard of 2 feet 6 inches as shown on the site plan; and

WHEREAS, the University Area Commission approval; and

WHEREAS, City Departments recommend approval of the proposed use as the University District Plan does not address rooming houses, and support the additional variances due to the low parking demand and unique features of the proposed use; 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 **2407 INDIANA AVE. (43202)**, 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 3332.037, R-2F, residential district; 3312.09, Aisle; 3312.13(A), Driveway; 3312.25, Maneuvering; 3312.39(A), Striping and marking; 3312.43, Required surface for parking; 3312.49(C), Minimum numbers of parking spaces required; and 3332.26, Minimum side yard permitted, of the Columbus City Codes, is hereby granted for the property located at **2407 INDIANA AVE. (43202)**, insofar as said sections prohibit a rooming house in the R-2F, Residential District; with reduced aisle width from 20 feet to 15 feet; reduced driveway width from 10 feet to 7 feet 7 inches; maneuvering for required parking spaces over parcel lines; a gravel parking and maneuvering area with no striping or marking; a parking space reduction from 7 spaces to 2 spaces; and a reduced minimum side yard from 3 feet to 2 feet 6 inches along the southern property line; said property being more particularly described as follows:

2407 INDIANA AVE. (43202), being 0.10± acres located on the west side of Indiana Avenue 135± feet south of Clinton Street, and being more particularly described as follows:

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

Being fifteen feet (15') off the south side of lot number seventy-three (73) and twenty feet (20') off the north side of lot number seventy-four (74) of Samuel Doyle's Summit Street Addition, as the same is numbered and delineated upon the

recorded plat thereof, of record in Plat Book 2, Page 282, Recorder's Office, Franklin County, Ohio.

Parcel No: 010-001226

Known as address: 2407 Indiana Ave., Columbus, OH 43202

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a 2,412 square foot rooming house, or those uses permitted in the R-2F, Residential District.

SECTION 3. That this ordinance is further conditioned on substantial compliance with the site plan drawing titled, "**SITE DIMENSION PLAN**," dated October 7, 2019, drawn by Faris Planning and Design and signed by David Hodge, Attorney for the Applicant. 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 shall expire on December 31, 2040.

SECTION 5. That this ordinance is further conditioned on the applicant obtaining all applicable permits and Certificates of Occupancy for the proposed uses.

SECTION 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.