



Legislation Text

File #: 1285-2020, **Version:** 2

Council Variance Application: CV19-128

APPLICANT: Juliet Bullock; 1182 Wyandotte Road; Columbus, OH 43212.

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

ITALIAN VILLAGE COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of an undeveloped parcel in the R-4, Residential District. The applicant proposes to construct a single-unit dwelling with a rear single-unit dwelling above a detached garage (a carriage house). A Council variance is required 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, area district requirements, fronting, minimum side yards, rear yard, and side or rear yard obstruction are included in this request. The site is within the planning boundaries of the *Italian Village East Redevelopment Plan* (2000), which recommends residential (1-2 units) land uses at this location. The site is also located within the Short North Special Parking Area. Staff finds the proposal to be consistent with the Plan's land use recommendation and the recent development pattern in historic urban neighborhoods, and notes that building design will conform to Italian Village Commission requirements.

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; 3332.26(F), Minimum side yard permitted; 3332.27, Rear yard; and 3332.28, Side or rear yard obstruction, of the Columbus City Codes; for the property located at **1042 N. 6TH ST. (43201)**, to permit two single-unit dwellings on one lot with reduced development standards in the R-4, Residential District (Council Variance #CV19-128) **and to declare an emergency.**

WHEREAS, by application #CV19-128, the owner of the property at **1042 N. 6TH ST. (43201)**, is requesting a Variance to permit two single-unit dwellings on one lot with reduced development standards in the R-4, Residential District; and

WHEREAS, Section 3332.039, R-4 residential district, allows a maximum of four units in one building, but does not permit two residential buildings on one lot, while the applicant proposes two single-unit dwellings on one lot; and

WHEREAS, Section 3332.05(A)(4), Area district lot width requirements, requires a lot to be no less than 50 feet wide, while the applicant proposes to maintain the existing 36.14 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 two single-unit dwellings on a lot that is approximately 3,947.6 square feet, pursuant to lot area calculation in 3332.18(C), providing 1,973.8 square feet per dwelling unit; and

WHEREAS, Section 3332.19, Fronting, requires a dwelling to have frontage on a public street, while the applicant proposes a carriage house fronting on a rear public alley; and

WHEREAS, Section 3332.26(F), Minimum side yard permitted, requires a side yard of no less than one-sixth of the

height of the building for buildings over two and one-half stories in height, or 5.93 feet for a building with a height of 35.6 feet, while the applicant proposes a minimum side yard of 4.28 feet along the northern property line and 4.07 feet along the southern property line for the principal dwelling; and

WHEREAS, Section 3332.27, Rear yard, requires a rear yard totaling no less than 25 percent of the lot area for each dwelling, while the applicant proposes no rear yard for the carriage house; and

WHEREAS, Section 3332.28, Side or rear yard obstruction, requires the area in the side or rear yard to be open from the finished grade to the sky, while the applicant proposes pavement for parking and maneuvering in the required southern side yard of the carriage house; and

WHEREAS, the Italian Village Commission recommends approval; and

WHEREAS, the City Departments recommend approval of the requested variances because the proposal will not add incompatible uses to the area, is consistent with the recent development pattern in this historic urban neighborhood, and notes that building design will conform to Italian Village Commission requirements; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificates 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 **1042 N. 6TH ST. (43201)**, in using said property as desired;

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; With the delays due to the shutdowns, we are concerned that delaying for an additional 30 days prior to submission for permit would not allow us to get our project under roof prior to bad weather in fall/early winter; 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; 3332.26 (F), Minimum side yard permitted; 3332.27, Rear yard; and 3332.28, Side or rear yard obstruction of the Columbus City Codes; for the property located at **1042 N. 6TH 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 feet to 36.14 feet; reduced lot area from 5,000 square feet to 1,973.8 square feet per dwelling unit; no frontage on a public street for the carriage house; reduced minimum side yards for the principal dwelling from 5.93 feet to 4.28 feet along the northern property line and to 4.07 feet along the southern property line; no rear yard for the carriage house; and an obstruction of the required southern side yard of the carriage house for parking and maneuvering; said property being more particularly described as follows:

1042 N. 6TH ST. (43201), being 0.15± acres located on the east side of North Sixth Street, 35± feet south of Detroit Avenue, and being more particularly described as follows:

Lot 1 situated in the State of Ohio, County of Franklin, City of Columbus, and bounded and described as follows: Being

Lot Number Thirty (31) of Rickly and Graham Subdivision, as the same is numbered and delineated upon the recorded plat thereof consisting of 0.15 acres and 36.14' wide and 178' long.

Parcel No. 010-019991

Property Address: 1042 N. 6th St., 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 two single-unit dwellings on one lot, 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 titled, "**BROWN RESIDENCE 1046 NORTH SIXTH STREET**," signed by Juliet Bullock, Architect, and dated May 15, 2020. 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 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.~~
That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same