Council Variance Application: CV20-035

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

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

NEAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of one undeveloped parcel zoned in the R-2F, Residential District. The requested Council variance will permit the redevelopment of the site with two two-unit dwellings. A Council variance is necessary because the R-2F, Residential District allows one two-unit dwelling on a single lot but two, two-unit dwellings are prohibited. Variances for reduced building lines, side yards, rear yard, and area district requirements are included in this request. The site is located within the boundaries of the *Near East Area Plan* (2005), which does not contain a land use recommendation for this location, but recommends that new housing be compatible with the architecture of surrounding structures. City staff supports the requested variance as the proposal is consistent with the housing types and density in the surrounding neighborhood.

To grant a Variance from the provisions of Sections 3332.037, R-2F, residential district; 3332.14, R-2F area district requirements; 3332.21(C)(D), Building lines; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at **80 N. WINNER AVE. (43203),** to permit two two-unit dwellings on one lot with reduced development standards in the R-2F, Residential District (Council Variance #CV20-035).

WHEREAS, by application #CV20-035, the owner of property at **80 N. WINNER AVE. (43203),** is requesting a Council Variance to permit two, two unit dwellings on one lot with reduced development standards in the R-2F, Residential District; and

WHEREAS, Section 3332.037, R-2F, residential district, permits a maximum of two units in one building, but prohibits two two-unit dwellings on one lot, while the applicant proposes to redevelop the site with two two-unit dwellings; and

WHEREAS, Section 3332.14, R-2F area district requirements, requires a two-story, two-unit dwelling to be situated on a lot of no less than 3,000 square feet per dwelling unit, while the applicant proposes two two-unit dwellings on a lot that contains 11,550 ± square feet for 2,875 square feet per dwelling unit; and

WHEREAS, Section 3332.21(C)(2), Building lines, requires the building setback line along Eastwood Avenue to be 25 feet, while the applicant proposes building setback lines of 9 feet 9 inches for the eastern dwelling fronting on Eastwood Avenue, and of 5 feet 7 inches for the western dwelling fronting on Winner Avenue; 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, a maximum requirement of 14 feet 6 inches, while the applicant proposes a maximum side yard of 10 feet 7 inches feet for the western dwelling fronting Winner Avenue; and

WHEREAS, Section 3332.26, 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 5.5 feet for a building with a height of 33 feet, while the applicant proposes a minimum side yard of 5 feet along the north property line for the western dwelling fronting Winner Avenue; 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 a rear year of approximately 27 percent for the two dwellings combined; and

WHEREAS, the Near East Area Commission recommends approval; and

WHEREAS, City Departments recommend approval because the requested variances would permit development of two two-unit dwellings in character and scale with the dwellings on the surrounding properties; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificates of Occupancy for the proposed dwellings; 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 **80 N. WINNER AVE. (43203),** in using said property as desired; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That a variance be granted from the provisions of Sections 3332.037, R-2F, residential district; 3332.14, R-2F area district requirements; 3332.21(C)(2), Building lines; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City Codes, is hereby granted for the property located at **80 N. WINNER AVE. (43203),** insofar as said sections prohibit two two-unit dwellings on one lot in the R-2F, Residential District, with a reduced lot area from 12,000 square feet and 3,000 square feet per dwelling unit to 11,500 square feet and 2,875± square feet per dwelling unit; reduced building lines from 25 feet along Eastwood Avenue to 9 feet 9 inches for the eastern two-unit dwelling and to 5 feet 7 inches for the western dwelling; maximum side yard from 14 feet 6 inches to 10 feet 7 inches for the western dwelling; a reduced minimum side yard from 5.5 feet to 5 feet on the north side of the proposed western dwelling; and a reduced rear yard from 25 percent for each dwelling to 27 percent for both dwellings combined; said property being more particularly described as follows:

80 N. WINNER AVE. (43203), being 0.28± acres located at the northeast corner of Winner Avenue and Eastwood Avenue, and being more particularly described as follows:

LOTS 16 - 17 of JOHN L WINNERS 2ND ADDN; Parcel# 010-033302; Plat Book 2 Page 305
0.28 ACRES; 70.3’ X 162.5’

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for two, two unit dwellings on the same lot, or those uses permitted in the R-2F, Residential District.

SECTION 3. That this ordinance is further conditioned on the subject site being developed in general conformance with the site plan titled, "**PROPOSED SITE PLAN**," signed by Juliet Bullock, Applicant, and dated April 21, 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 adjustments to the plan shall be subject to

review and approval 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 dwellings.

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