



Legislation Text

File #: 2753-2020, Version: 1

Council Variance Application: CV20-089

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

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

NEAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of one parcel developed with a single-unit dwelling in the R-3, Residential District. The requested Council variance will permit the development of a second dwelling unit and garage located at the north end of the property. A Council variance is necessary because the current zoning district prohibits more than one dwelling unit on a lot. Variances for reduced number of parking spaces, area district requirements, building lines, side yards, and rear yard are included in this request. The site is within the planning area of the *Near East Area Plan* (2005), which does not contain a land use recommendation for this location, but recommends that new housing be consistent with the housing types, density, and development pattern of the neighborhood. City staff supports the requested variance as the proposal is consistent with the design recommendations of the Plan, and will not add an incompatible use to the area.

To grant a Variance from the provisions of Sections 3332.035, R-3, residential district; 3312.49(C), Minimum numbers of parking spaces required; 3332.05(A)(4), Area district lot width requirements; 3332.13, R-3 area district requirements; 3332.22, Building lines on corner lots - Exceptions; 3332.26, 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 **133 S. MONROE AVE. (43205)**, to permit two single-unit dwellings on one lot with reduced development standards in the R-3, Residential District (Council Variance #CV20-089).

WHEREAS, by application #CV20-089, the owner of the property at **133 S. MONROE AVE. (43205)**, is requesting a Variance to permit two single-unit dwellings on one lot with reduced development standards in the R-3, Residential District; and

WHEREAS, Section 3332.035, R-3, residential district, permits only one single-unit dwelling on a lot, while the applicant proposes two single-unit dwellings on one lot; and

WHEREAS, Section 3312.49(C), Minimum numbers of parking spaces required, requires two parking spaces per dwelling unit, or four spaces for two dwelling units, while the applicant proposes a total of three parking spaces; and

WHEREAS, Section 3332.05(A)(4), Area district lot width requirements, requires a minimum lot width of 50 feet in the R-3, Residential District, while the applicant proposes to maintain a lot width of 40.25± feet; and

WHEREAS, Section 3332.13, R-3 Area District Requirements, requires that a single-unit dwelling or other principal building shall be situated on a lot of not less than 5,000 square feet in area, while the applicant proposes two single-unit dwellings on a lot that contains 4,860± feet pursuant to the lot area calculation in Section 3332.18(C); and

WHEREAS, Section 3332.22, Building lines on corner lots - Exceptions, requires new construction on a corner property with a width of not over 65 feet and not under 40 feet to have a setback of at least 20 percent of the property width, in this case being equal to 8.05 feet along Monroe Avenue, while the applicant proposes to maintain the existing building setback of 8 feet for the existing dwelling; and

WHEREAS, Section 3332.26, Minimum side yard permitted, requires a minimum side yard of five feet, while the applicant proposes to conform the existing side yard of approximately 0.3 feet on the south side of the existing single-unit dwelling; and

WHEREAS, Section 3332.27, Rear yard, requires that each dwelling, residence, 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 22% for the existing dwelling, and no rear yard for the proposed dwelling fronting Franklin Avenue; 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 northern side yard of the existing dwelling; and

WHEREAS, the Near East Area Commission recommends approval; and

WHEREAS, City Departments recommend approval because the request is consistent with the housing types and density in the surrounding neighborhood as recommended by the *Near East Area Plan*, and is reflective of the recent infill development pattern in urban neighborhoods; and

WHEREAS, said ordinance requires separate submission for all applicable permits and a 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 **133 S. MONROE AVE. (43205)**, 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 3332.035, R-3, residential district; 3312.49(C), Minimum numbers of parking spaces required; 3332.05(A)(4), Area district lot width requirements; 3332.13, R-3 area district requirements; 3332.22, Building lines on corner lots - Exceptions; 3332.26, 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 **133 S. MONROE AVE. (43205)**, insofar as said sections prohibit two single-unit dwellings on one lot in the R-3, Residential District; with a parking space reduction from 4 spaces to 3 spaces; reduced lot width from 50 feet to approximately 40.25 feet; reduced lot area from 5,000 square feet to 4,860± feet; reduced building line along Monroe Avenue from 8.05 feet to 8 feet; a reduced minimum side yard from 5 feet to approximately 0.3 feet on the south side of the existing single-unit dwelling; reduced rear yard from 25% to 22% for the existing dwelling, and no rear yard for the proposed dwelling fronting Franklin Avenue; and an obstruction of the required northern side yard of the existing dwelling for parking and maneuvering; said property being more particularly described as follows:

133 S. MONROE AVE. (43205), being 0.12± acres located on the southwest corner of Franklin Avenue and South Monroe Avenue, and being more particularly described as follows:

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, AND IN THE CITY OF COLUMBUS BEING FORTY (40) FEET OFF THE SOUTH END OF LOT NUMBER TWENTY FOUR (24), OF DESHLER AND SINKS SUBDIVISION, AS THE SAME IS NUMBERED AND DELINEATED UPON THE RECORDED PLAT THEREOF, OF RECORD IN PLAT BOOK 3, PAGE 423, RECORDERS OFFICE, FRANKLIN COUNTY, OHIO. BEING NINETY FIVE (95) FEET OFF OF THE NORTH END OF LOT NUMBER TWENTY FOUR (24), OF DESHLER AND SINKS SUBDIVISION, AS THE SAME IS NUMBERED AND DELINEATED UPON THE RECORDED PLAT THEREOF, AS RECORD IN PLAT BOOK 3, PAGE 423, RECORDERS OFFICE, FRANKLIN COUNTY, OHIO.

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 in accordance with the submitted site plans, or those uses permitted in the R-3, 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**," dated November 11, 2020, and signed by Juliet Bullock, 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 adjustments to the plans shall be subject to review and approval by the Director of the Department 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 a Certificate of Occupancy for the proposed use.

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