



## Legislation Text

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**File #:** 0334-2021, **Version:** 1

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### **Council Variance Application: CV20-082**

**APPLICANT:** LGR Investments, LLC; c/o David Hodge, Atty.; 8000 Walton Parkway; New Albany, OH 43209.

**PROPOSED USE:** Four-unit dwelling.

**COLUMBUS SOUTHSIDE AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of one parcel developed with a two-unit dwelling in the R-2F, Residential District. The requested Council variance will permit redevelopment of the site with a four-unit dwelling. A Council variance is necessary because the R-2F district only permits single- and two-unit dwellings. The request includes variances to area district requirements, building lines, minimum and maximum side yards, and rear yard. The site is within the planning boundaries of the *South Side Plan* (2014), which recommends medium-high density residential land uses for this location. Additionally, the Plan includes adoption of the *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018). Although the proposed density exceeds the maximum density recommend by one unit, Staff can support the increased density due to the inclusion of C2P2 Design Guidelines such as permeable pavers in the drive aisle, additional street trees and bicycle parking, a commitment to building materials, and a commitment to building elevations.

To grant a Variance from the provisions of Sections 3332.037, R-2F residential district; 3332.14, R-2F area district requirements; 3332.21(D)(2), Building lines; 3332.25, Maximum side yards required; 3332.26(F), Minimum side yard permitted; and 3332.27, Rear yard; of the Columbus City Codes; for the property located at **424 JACKSON ST. (43206)**, to permit a four-unit dwelling with reduced development standards in the R-2F, Residential District (Council Variance #CV20-082).

**WHEREAS**, by application #CV20-082, the owner of the property at **424 JACKSON ST. (43206)**, is requesting a Variance to permit a four-unit dwelling with reduced development standards in the R-2F, Residential District; and

**WHEREAS**, Section 3332.037, R-2F, residential district, permits one single-unit or one two-unit dwelling on a lot, while the applicant proposes a four-unit dwelling; and

**WHEREAS**, Section 3332.14, R-2F area district requirements, requires a single-unit dwelling or other principal building to be situated on a lot of no less than 6,000 square feet in area, while the applicant proposes a four-unit dwelling on a lot containing 7,500 square feet totaling 1,875 square feet of lot area per dwelling unit; and

**WHEREAS**, Section 3332.21(D)(2), Building lines, requires a minimum setback from the right-of-way line of 10 feet, while the applicant proposes a four foot setback from Jackson Street; 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, or 10 feet for a lot width of 50 feet, while the applicant proposes a reduced total maximum side yard of two feet; 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 5.8 feet for a building with a height of 35 feet, while the applicant proposes a minimum side yard of two feet along the west property line and 0 feet along the east property line; and

**WHEREAS**, Section 3332.27, Rear yard, requires that each dwelling, apartment house, or other principal building shall be erected so as to provide a rear yard totaling not less than 25 percent of the total lot area, while the applicant proposes a reduced rear yard totaling three percent of the total lot area; and

**WHEREAS**, the Columbus Southside Area Commission recommends approval; and

**WHEREAS**, City Departments recommend approval of the requested Council variance, though the proposed four-unit dwelling exceeds the recommended density for this site by the *South Side Area Plan* by one unit, the inclusion of permeable pavers, additional trees and bicycle parking, as well as commitments to building materials and building elevations mitigate the increased density and are consistent with C2P2 Design Guidelines; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and Certificates 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 **424 JACKSON ST. (43206)**, 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; 3332.14, R-2F area district requirements; 3332.21(D)(2), Building lines; 3332.25, Maximum side yards required; 3332.26 (F), Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at **424 JACKSON ST. (43206)**, insofar as said sections prohibit a four-unit dwelling in the R-2F, Residential District, with a reduced lot area from 6,000 square feet to 1,875 square feet per dwelling unit; a reduced building setback line from 10 feet to 4 feet along Jackson Street; a reduced maximum side yard from 10 feet to 2 feet; a reduced minimum side yard from 5.8 feet to two feet along the west property line and 0 feet along the east property line; and a reduced rear yard from 25 percent to 3 percent; said property being more particularly described as follows:

**424 JACKSON ST. (43206)**, being 0.17± acres located on the north side of Jackson Street, 50± feet west of South Ninth Street, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin and in the City of Columbus: Being Lot Number Thirteen (13) of JAMES BRYDEN'S SECOND ADDITION to the City of Columbus, Ohio, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 38, Page 275, Recorder's Office, Franklin County, Ohio.

Property Address: 424 Jackson Street, Columbus, Ohio 43206  
Parcel No.: 010-045005-00

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used as a four-unit dwelling in accordance with the submitted site plan, 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, "**JACKSON MEWS - SHEET A-0.2,**" dated February 3, 2021, signed by Eric J. Zartman, Attorney for the Applicant, and exhibits titled, "**JACKSON MEWS - SHEETS DD-4, DD-5, DD-6, DD-7, & DD-13,**" all dated December 2, 2020, and signed by David Hodge, Attorney 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 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 upon the traffic access point to the site from Jackson Street be restricted to entrance-only.

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