



## Legislation Text

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**File #:** 0681-2021, **Version:** 1

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### **Council Variance Application: CV20-123**

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

**PROPOSED USE:** Two-unit dwelling with a carriage house.

**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 applicant requests a Council variance to permit the construction of a carriage house. A Council variance is necessary because the R-2F district permits only one- and two-unit dwellings and does not permit the arrangement of a two-unit dwelling and carriage house on the same lot. The request includes variances to lot width, lot area, lot coverage, fronting, minimum and maximum side yards, rear yard, and side and rear yard obstruction. The site is within the planning boundaries of the *South Side Plan* (2014), which recommends "Medium-High Density" residential uses. Additionally, the Plan includes early adoption of the *Columbus Citywide Planning Policies (C2P2) Design Guidelines* (2018). The proposal is consistent with the Plan's land use recommendation and does not add a new or intrusive use to the neighborhood. Additionally, the request is compatible with the recent development pattern in historic urban neighborhoods.

To grant a Variance from the provisions of Sections 3332.037, R-2F residential district; 3332.05, Area district lot width requirements; 3332.14, R-2F area district requirements; 3332.18(D), Basis of computing area; 3332.19, Fronting; 3332.25, Maximum side yards required; 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 **798-800 BRUCK ST. (43206)**, to permit a two-unit dwelling and a single-unit carriage house on the same lot with reduced development standards in the R-2F, Residential District (Council Variance #CV20-123).

**WHEREAS**, by application #CV20-123, the owner of the property at **798-800 BRUCK ST. (43206)**, is requesting a Variance to permit a two-unit dwelling and a single-unit carriage house with reduced development standards in the R-2F, Residential District; and

**WHEREAS**, Section 3332.037, R-2F, residential district use, permits one single or one two-unit dwelling, while the applicant proposes to construct a rear single-unit dwelling above a detached garage (a carriage house), on a lot developed with an existing two-unit dwelling; and

**WHEREAS**, Section 3332.05 Area district lot width requirements, requires a lot width of no less than 50 feet, while the applicant proposes to maintain the existing lot width of 31.35 feet; and

**WHEREAS**, Section 3332.14, R-2F area district requirements, requires a two-unit dwelling to be situated on a lot of no less than 3,000 square feet in area, while the applicant proposes a two-unit dwelling and a carriage house on a lot containing 2,929 square feet, totaling 976 square feet of lot area per dwelling unit; and

**WHEREAS**, Section 3332.18(D), Basis of computing area, prohibits buildings from occupying more than 50 percent of the lot area, while the applicant proposes a lot coverage of 73.6 percent; and

**WHEREAS**, Section 3332.19, Fronting, requires a dwelling to have frontage on a public street, while the applicant proposes the carriage house to front on a public alley; 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 6.25 feet for a lot width of 31.25 feet, while the applicant proposes to maintain a reduced total maximum side yard of 5.38 feet for the existing two-unit dwelling; and

**WHEREAS**, Section 3332.26, Minimum side yard permitted, requires a side yard of no less than three feet, while the applicant proposes to maintain a reduced side yard of 2.69 feet along both the northern and southern property lines for the existing two-unit dwelling; 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 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 two parking spaces and a stairway to the second floor to encroach into the northern side yard of the carriage house; and

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

**WHEREAS**, City Departments recommend approval because the requested Council variance is consistent with the *South Side Plan's* recommended land use for this property. Additionally, the request is compatible with the recent development pattern in historic urban neighborhoods, and will not introduce a new or intrusive use; 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 **798-800 BRUCK 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; 3332.05, Area district lot width requirements; 3332.14, R-2F area district requirements; 3332.18(D), Basis of computing area; 3332.19, Fronting; 3332.25, Maximum side yards required; 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 **798-800 BRUCK ST. (43206)**, insofar as said sections prohibit a two-unit dwelling and single-unit carriage house on one lot in the R-2F, Residential District; with a reduced lot width from 50 feet to 31.25 feet; a reduced lot area from 3,000 square feet to 976 square feet per dwelling unit; an increase in lot coverage from 50 percent to 73.6 percent; no frontage on a public street for the carriage house; a reduced maximum side yard from 6.25 feet to 5.38 feet for the existing two-unit dwelling; a reduced minimum side yard from three feet to 2.69 feet along the northern and southern property lines of the

existing two-unit dwelling; a reduced rear yard from 25 percent to zero percent for the carriage house; and two parking spaces and a stairway to the second floor to encroach into the northern side yard of the carriage house; said property being more particularly described as follows:

**798-800 BRUCK ST. (43206)**, being 0.10± acres located on the east side of Bruck Street, 35± feet north of East Columbus Street, and being more particularly described as follows:

Situated in the City of Columbus, County of Franklin and State of Ohio: Being Lot number Two Hundred Thirty One (231) in Blesch & Kremer's Subdivision of part of Lot Number Five (5) and part of Lot Number Four (4) of C.F. Jaeger's Estates, Columbus Ohio as the same is numbered and delineated upon the recorded plat thereof, of record in plat Book 4, Page 24 Recorder's Office, Franklin County, Ohio.

Property Address: 798-800 Bruck Street, Columbus, Ohio 43206

Parcel No.: 010-040146.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used as a two-unit dwelling with a rear carriage house, 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, "**PROPOSED SITE PLAN**," dated February 28, 2021, and signed by Juliet Bullock, 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 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 applicant obtaining all applicable permits 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.