



Legislation Text

File #: 2356-2021, **Version:** 2

Council Variance Application: CV21-065

APPLICANT: DJuan Armstead; 2088 Stone Valley Place; Reynoldsburg, OH 43068.

PROPOSED USE: A two-unit dwelling and a carriage house on one lot.

NEAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is developed with a two-unit dwelling in the R-2F, Residential District. The applicant requests a Council variance to permit a carriage house and a two-unit dwelling on one parcel. The variance is necessary because while the R-2F district permits two-unit dwellings, a two-unit dwelling and a single-unit dwelling on the same lot are prohibited. Variances to minimum number of parking spaces required, area district requirements, lot width, lot coverage, fronting, maximum and minimum side yard, and rear yard are included in this request. The site is within the boundaries of the *Near East Area Plan* (2005), which recommends "Higher Density Residential/ Mixed Use Development" at this location. The plan also recommends that accessory dwelling units be compatible with the primary residence. Planning Division staff has determined that the proposed building elevations include design elements that are compatible with the primary residence and surrounding structures.

To grant a Variance from the provisions of Sections 3332.037, R-2F, residential district; 3312.49, Minimum numbers of parking spaces required; 3332.05(A), Area district lot width requirements; 3332.14, R-2F area district requirements; 3332.19, Fronting on a public street; 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 **1146-1148 E. LONG ST. (43203)**, to permit a single-unit dwelling (a carriage house) on the rear of a lot developed with a two-unit dwelling with reduced development standards in the R-2F, Residential District (Council Variance #CV21-065) **and to declare an emergency.**

WHEREAS, by application #CV21-065, the owner of property at **1146-1148 E. LONG ST. (43203)**, is requesting a Council variance to permit a two-unit dwelling and a carriage house 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 a two-unit dwelling and a single-unit dwelling on the same lot, while the applicant proposes to develop a dwelling unit above a garage (carriage house) on a lot developed with a two-unit dwelling; and

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

WHEREAS, Section 3332.05(A), Area district lot width requirements, requires a minimum lot width of 50 feet in the R-2F, Residential District, while the applicant proposes to conform the existing lot width of 38.3 feet; 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 two-unit dwelling and a carriage house on one lot that contains 4,401 square feet per 3332.18(C) totaling 1,467 square feet of lot area per dwelling

unit; and

WHEREAS, Section 3332.19, Fronting on a public street, requires a dwelling unit to have frontage on a public street, while the applicant proposes for the rear carriage house dwelling to front on the 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 7.7 feet, while the applicant proposes maximum side yards of 6 feet for the existing two-unit dwelling and carriage house; and

WHEREAS, Section 3332.26, Minimum side yard permitted, requires a minimum side yard of five feet for the existing two-unit dwelling and three feet for the proposed carriage house, while the applicant proposes to maintain a minimum side yard of three feet on the east side of the two-unit dwelling and no minimum side yard for the parking space along the west property line; and

WHEREAS, Section 3332.27, Rear yard, requires a rear yard totaling no less than 25 percent of the total lot area, while the applicant proposes 22 percent rear yard for the existing two-unit dwelling and no rear yard for the rear carriage house dwelling; and

WHEREAS, the Near East Area Commission recommends approval; and

WHEREAS, City Departments recommend approval because the requested variances would permit development of a carriage house in character and scale with the primary residence and dwellings on the surrounding properties; and

WHEREAS, said ordinance requires separate submission for all applicable permits and a Certificate of Occupancy for the proposed carriage house; 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 **1146-1148 E. LONG ST. (43203)**, 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 allow the tenants to have needed off-street parking available, and allow our company to proceed with the upgrades needed for the residence for the immediate preservation of the public peace, property, health and safety; 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; 3312.49, Minimum numbers of parking spaces required; 3332.05(A), Area district lot width requirements; 3332.14, R-2F area district requirements; 3332.19, Fronting on a public street; 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 **1146-1148 E. LONG ST. (43203)**, insofar as said sections prohibit a two-unit dwelling and a single-unit dwelling on the same lot in the R-2F, Residential District; with a parking space reduction from six spaces to three spaces; a reduction in the lot width from 50 feet to 38.3 feet; a reduction in the required lot area from 6,000 square feet to 1,467± square feet per dwelling unit; no frontage on a public street for the rear carriage house dwelling; a reduction in the maximum side yard from 7.7

feet to 6 feet; a reduction in the minimum side yard from five feet to three feet on the east side of the two-unit dwelling and three feet to zero feet for the parking space along the west property line; and a reduction in the rear yard from 25 percent to 22 percent for the existing two-unit dwelling, and no rear yard for the rear carriage house dwelling; said property being more particularly described as follows:

1146-1148 E. LONG ST. (43203), being 0.12± acres located on the north side of East Long Street, 104± feet east of North Twenty-Second Street, and being more particularly described as follows:

Situated in the City of Columbus, County of Franklin and the State of Ohio: Lot Number 04, Columbus Ohio as the same is numbered and delineated upon the recorded plat thereof, of record in plat Book 3, Page 371, Recorder's Office, Franklin County, Ohio.

Parcel: 010-010579

Address: 1146-1148 East Long Street

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a two-unit dwelling and a rear single-unit carriage house 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, "**1146-1148 E LONG STREET**," and building elevations titled, "**1146-1148 E LONG STREET ELEVATIONS**," all signed by Ron Stokes, Agent for the Owner, and dated September 1, 2021. 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 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 a Certificate of Occupancy for the proposed carriage house.

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.