



Legislation Text

File #: 0559-2022, **Version:** 1

Council Variance Application: CV21-076

APPLICANT: Maple Craft LLC; c/o Gary K. Dunn, Agent; 5863-C Zarley Street; New Albany, OH 43054.

PROPOSED USE: Three-unit dwelling and a carriage house.

NEAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of one undeveloped parcel zoned in the R-3, Residential District. The requested Council Variance will permit the construction of a three-unit dwelling and single-unit dwelling (carriage house) above a detached garage, a total of 4 dwelling units on one lot. A Council variance is necessary because the R-3 district permits only single-unit dwellings. The request includes variances to lot width, area district requirements, lot coverage, fronting, side and rear yards, and a parking reduction from 6 spaces to 2 spaces. The site is within the planning area of the *Near East Area Plan* (2005), which does not recommend a specific land use for this location, but does recommend 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 housing types and density in the surrounding area, and incorporates high quality building materials that are compatible with the Plan's design guidelines.

To grant a Variance from the provisions of Sections 3332.035, R-3 residential district; 3312.49, Minimum numbers of parking spaces required; 3332.05, Area district lot width requirements; 3332.13, R-3 area district requirements; 3332.18 (D), Basis of computing area; 3332.19, Fronting; 3332.26, Minimum side yard permitted; and 3332.27, Rear yard; of the Columbus City Codes; for the property located at **419 S. CHAMPION AVE. (43206)**, to permit a three-unit dwelling and a carriage house on one lot with reduced development standards in the R-3, Residential District (Council Variance #CV21-076).

WHEREAS, by application #CV21-076, the owner of the property at **419 S. CHAMPION AVE. (43206)**, is requesting a Variance to permit a three-unit dwelling and a carriage house on one lot with reduced development standards in the R-3, Residential District; and

WHEREAS, Section 3332.035, R-3 residential district, lists single-unit dwellings as the only permitted residential use, while the applicant proposes a three-unit dwelling and a carriage house above a detached garage, for a total of four dwelling units on one lot; and

WHEREAS, Section 3312.49, Minimum numbers of parking spaces required, requires 1.5 parking spaces per dwelling unit for a lot containing four or more dwelling units, or six parking spaces for the proposed three-unit dwelling and carriage house dwelling, while the applicant proposes a total of two parking spaces; 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 31.25 foot wide lot; 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 a three-unit dwelling and carriage house on a lot area of approximately 2,929.7 square feet in area pursuant to the lot area calculation in Section 3332.18(C); and

WHEREAS, Section 3332.18(D), Basis of computing area, limits lot coverage by buildings to 50 percent, while the applicant proposes an increased lot coverage of 51 percent; and

WHEREAS, Section 3332.19, Fronting, requires a dwelling unit to have frontage on a public street, while the applicant proposes a carriage house dwelling fronting on a rear public alley; and

WHEREAS, Section 3332.26, Minimum side yard permitted, requires a side yard that is one-sixth of the height of a building that exceeds two and one half stories, or 5.68 feet for a 34-foot and 1-inch building, while the applicant proposes a side yard of 3 feet along the southern property line and 3 feet 3 inches along the northern property line for the proposed three-unit dwelling; and

WHEREAS, Section 3332.27, Rear yard, requires a rear yard totaling no less than 25 percent of the total lot area for each dwelling, while the applicant proposes no rear yard for the rear carriage house dwelling, and a reduced rear yard of 19 percent for the three-unit dwelling; and

WHEREAS, the Near East Area Commission recommends approval; and

WHEREAS, City Departments recommend approval because the requested Council variance will permit residential development that is consistent with the housing types, density and development pattern found in the surrounding area and includes building materials that are compatible with the *Near East Area Plan's* design guidelines; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificates of Occupancy for the proposed uses; 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 **419 S. CHAMPION AVE. (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 3332.035, R-3 residential district; 3312.49, Minimum numbers of parking spaces required; 3332.05, Area district lot width requirements; 3332.13, R-3 area district requirements; 3332.18(D), Basis of computing area; 3332.19, Fronting; 3332.26, Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at **419 S. CHAMPION AVE. (43206)**, insofar as said sections prohibit a three-unit dwelling and a carriage house on the same lot in the R-3, Residential District; with a parking space reduction from six required parking spaces to two provided spaces; reduced lot width from 50 feet to 31.25 feet; reduced lot area from 5,000 square feet to 2,929.7 square feet; increased maximum lot coverage from 50 percent to 51 percent; no frontage on a public street for the rear carriage house dwelling; reduced minimum side yard from 5.83 feet to 3 feet along the southern property line and 3 feet 3 inches along the northern property line for the proposed three-unit dwelling; and reduced rear yard from 25 percent to 19 percent for the three-unit dwelling and no rear yard provided for the rear carriage house dwelling; said property being more particularly described as follows:

419 S. CHAMPION AVE. (43206), being 0.11± acres located on the west side of South Champion Avenue, 35± feet south of McAllister Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin and in the City of Columbus which is described as follows:

Being Lot No. Seventeen (17) of ADAM LUCKHAUPT'S SUBDIVISION OF LOT SEVENTEEN (17) and part of LOTS FIFTEEN (15) and SIXTEEN (16) OF CHAMPION SUBDIVISION OF HALF SECTION TWENTY-THREE (23), SSECTION FIFTEEN (15), TOWNSHIP FIVE (5), RANGE 22, REFUGEE LANDS, as the same are numbered and delineated upon the recorded plat thereof: of record in Plat Book 3, Page 378, Recorder's Office, Franklin County, Ohio.

Property Address: 419 S. Champion Ave., Columbus, Ohio 43205

Parcel Number 010-000537-00

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a dwelling containing up to three dwelling units and a single-unit carriage house on the same lot in accordance with the submitted site plan, 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, "**SITE PLAN**," dated February 14, 2022, and signed by Gary Dunn, the 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 on the applicant obtaining all applicable permits and Certificates of Occupancy for the proposed uses.

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