



## Legislation Text

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**File #:** 2387-2022, **Version:** 1

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**Council Variance Application: CV22-037**

**APPLICANT:** Abdallah Aljacksy; 3870 River Place Court; Columbus, OH 43221.

**PROPOSED USE:** Residential development.

**COLUMBUS SOUTH SIDE AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of one parcel developed with a single-unit dwelling in the R-2F, Residential District. The requested Council variance will allow the applicant to split the lot and construct a rear single-unit dwelling (carriage house) on Lot A, and a two-unit dwelling on Lot B. A Council variance is necessary because the R-2F district permits only one- and two-unit dwellings and does not permit the arrangement of two single-unit dwellings on the same lot, as proposed on Lot A. The request includes variances to lot width, lot area, fronting, rear yard, and a parking reduction from four spaces required to two spaces provided, on Lot A. The site is within the planning boundaries of the *Near Southside Plan* (2011), which recommends "Medium Density Mixed Residential" land uses at this location. The Plan includes early adoption of the *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018). Staff notes that the site was previously two separate lots that were combined into one lot in 2001. The proposal is consistent with the Plan's land use recommendation, does not add a new or intrusive use to the neighborhood, is compatible with the recent development pattern in historic urban neighborhoods, and restores the site to two individual lots.

To grant a Variance from the provisions of Sections 3332.037, R-2F residential district; 3312.49(C), Minimum numbers of parking spaces required; 3332.05(A)(4), Area district lot width requirements; 3332.14, R-2F area district requirements; 3332.26(C)(1), Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at **741 S. 17<sup>TH</sup> ST. (43206)**, to permit two single-unit dwellings on the same lot, and a two-unit dwelling on a new lot, with reduced development standards in the R-2F, Residential District (Council Variance #CV22-037).

**WHEREAS**, by application #CV22-037, the owner of the property at **741 S. 17<sup>TH</sup> ST. (43206)**, is requesting a Variance to permit two single-unit dwellings on the same lot, and a two-unit dwelling on a new lot, with reduced development standards in the R-2F, Residential District; and

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

**WHEREAS**, Section 3312.49, Minimum numbers of parking spaces required, requires two parking spaces per dwelling unit, or four spaces total for two units, while the applicant proposes two total parking spaces on Lot A; and

**WHEREAS**, Section 3332.05(A)(4), Area district lot width requirements, requires a minimum lot width of 50 feet in the R-2F, Residential District, while the applicant proposes a reduced lot width of 36.42 on Lot A feet; and

**WHEREAS**, Section 3332.14, R-2F area district requirements, requires that a principal building shall be situated on a lot

of no less than 6,000 square feet in area, while the applicant proposes two single-unit dwellings on Lot A that contains 3,979 square feet or 1,990 square feet per unit (pursuant to lot area calculation in 3332.18(C)); 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 on Lot A fronting on a rear alley; and

**WHEREAS**, Section 3332.26(C)(1), Minimum side yard permitted, requires a side yard of no less than three feet, while the applicant proposes to maintain a reduced minimum side yard of one foot along the northern property line for the existing dwelling; and

**WHEREAS**, Section 3332.27, Rear yard, requires a rear yard totaling no less than 25 percent of the lot area for each dwelling, while the applicant proposes no rear yard for the carriage house on Lot A; and

**WHEREAS**, the Columbus South Side Area Commission recommends approval; and

**WHEREAS**, City Departments recommend approval because the requested Council variance is consistent with the *Near Southside Plan*'s recommended land use for this property, does not add a new or intrusive use to the neighborhood, is compatible with the recent development pattern in historic urban neighborhoods, and restores the site to two individual lots; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and Certificates of Occupancy for the proposed two-unit dwelling and 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 **741 S. 17<sup>TH</sup> 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; 3312.49(C), Minimum numbers of parking spaces required; 3332.05(A)(4), Area district lot width requirements; 3332.14, R-2F area district requirements; 3332.26(C)(1), Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at **741 S. 17<sup>TH</sup> ST. (43206)**, insofar as said sections prohibit two single-unit dwellings on one lot in the R-2F, Residential District; with reduced parking from four to two spaces; reduced lot width from 50 feet to 36.42 feet; reduced lot area from 6,000 square feet per dwelling unit to 1,990 square feet per unit; no frontage of a public street for the carriage house dwelling; a reduced minimum side yard of one foot along the northern property line for the existing dwelling unit; and no rear yard to be provided for the carriage house; said property being more particularly described as follows:

**741 S. 17<sup>TH</sup> ST. (43206)**, being 0.28± acres located on the west side of South 17<sup>th</sup> Street, 45± feet north of East Sycamore 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 Two Hundred Fifteen (215) and Lot Number Two Hundred Fourteen (214) and 23 inches off of the North side of Lot Number Two Hundred Thirteen (213), in/of Swayne's Addition, to the City of Columbus, as the same is

numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, Page 35, Recorder's Office, Franklin County Ohio.

Parcel Number: 010-029052

Property Address: 741 S. 17th St. Columbus, OH 43206

**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 single-unit dwellings on Lot A and a two-unit dwelling on Lot B, 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, "**SITE PLAN**," dated August 5, 2022, and signed by Abdallah Aljacksy, 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 two-unit dwelling and carriage house.

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