



Legislation Text

File #: 2906-2022, **Version:** 1

Council Variance Application: CV21-113

APPLICANT: Pejmaan Fallah; 1437 Fair Avenue; Columbus, OH 43205.

PROPOSED USE: Two two-unit dwellings on one lot.

COLUMBUS SOUTH SIDE AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is undeveloped in the R-2F, Residential District. The applicant proposes to develop the site with two two-unit dwellings. A Council variance is necessary because the R-2F district only permits one two-unit dwelling per lot. The request includes variances to required surface for parking, minimum numbers of parking spaces required, lot width, lot area, building lines, minimum side yard, rear yard, and private garage. The site is located within the boundaries of the *Near Southside Plan* (2011), which recommends "Medium Density Mixed Residential" land uses for this location. Additionally, the Plan includes early adoption of the *Columbus Citywide Planning Policies (C2P2) Design Guidelines* (2018). The Plan states that multi-unit residential uses should be compatible with the neighborhood in which they are to be located relative to height, setback, design, materials, landscaping, parking, and design elements. The Planning Division has determined that the proposed two-unit dwellings are consistent with the Plan's recommendations, *Columbus Citywide Planning Policies (C2P2) Design Guidelines*, and are in character and scale with adjacent dwelling units.

To grant a Variance from the provisions of Sections 3332.037, R-2F, residential district; 3312.43, Required surface for parking; 3312.49, Minimum numbers of parking spaces required; 3332.05, Area district lot width requirements; 3332.14, R-2F area district requirements; 3332.21(F), Building lines; 3332.26(F), Minimum side yard permitted; 3332.27, Rear yard; and 3332.38(G), Private garage, of the Columbus City Codes; for the property located at **921 S. CHAMPION AVE. (43206)**, to permit two two-unit dwellings on one lot with reduced development standards in the R-2F, Residential District (Council Variance #CV21-113).

WHEREAS, by application #CV21-113, the owner of property at **921 S. CHAMPION AVE. (43206)**, is requesting a Council Variance to permit two two-unit dwellings on one lot with reduced development standards in the R-2F, Residential District; and

WHEREAS, Section 3332.037, R-2F, residential district, prohibits two two-unit dwellings on one lot, while the applicant proposes to develop a two-unit dwelling fronting South Champion Avenue during Phase 1 and a two-unit dwelling unit above a garage (carriage house) during Phase 2 on an undeveloped lot; and

WHEREAS, Section 3312.43, Required surface for parking, requires the surface of any parking or loading space, parking lot, aisle or driveway be designed to control storm water runoff and be improved with Portland cement, or other approved hard surface other than gravel or loose fill, while the applicant proposes temporary gravel surface parking during Phase 1; and

WHEREAS, Section 3312.49, Minimum numbers of parking spaces required, requires 2 parking spaces per dwelling unit, or 4 spaces total for 2 units in Phase 1, and 8 spaces total for 4 units in Phase 2, while the applicant proposes 2

parking spaces in Phase 1, and 4 parking spaces upon completion of Phase 2; and

WHEREAS, Section 3332.05, Area district lot width requirements, requires a minimum lot width of 50 feet in the R-2F, Residential District, while the applicant proposes to maintain a lot width of 47.25 feet; and

WHEREAS, Section 3332.14, R-2F area district requirements, requires a two-story, two-unit dwelling to be situated on a lot of no less than 3,000 square feet per dwelling unit, while the applicant proposes two two-unit dwellings on a lot that contains 7,465.5± square feet (pursuant to lot area calculation in 3332.18(C)) totaling 1,674.4± square feet of lot area per dwelling unit; and

WHEREAS, Section 3332.21(F), Building lines, requires the building setback line to be the average distance of building setbacks on contiguous lot or parcels, or 25 feet, while the applicant proposes a building line of 15 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 5.83 feet for a building with a height of 35 feet, while the applicant proposes a minimum side yard of 5.1 feet during Phase 1, and 3 feet upon completion of Phase 2; 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 no rear yard for the rear two-unit dwelling; and

WHEREAS, Section 3332.38(G), Private garage, limits garage height to 15 feet, while the applicant proposes a detached garage with a height of 21 feet; and

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

WHEREAS, City Departments recommend approval because the requested variances would permit development of two two-unit dwellings that are consistent with the *Near Southside Plan's* recommendations and the *Columbus Citywide Planning Policies (C2P2)* 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 **921 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 be granted from the provisions of Sections 3332.037, R-2F, residential district; 3312.43, Required surface for parking; 3312.49, Minimum numbers of parking spaces required; 3332.05, Area district lot width requirements; 3332.14, R-2F area district requirements; 3332.21(F), Building lines; 3332.26(F), Minimum side yard permitted; 3332.27, Rear yard; and 3332.38(G), Private garage, for the property located at **921 S. CHAMPION AVE. (43206)**, insofar as said sections prohibit two two-unit dwellings on one lot in the R-2F, Residential District, with a temporary gravel surface for parking and maneuvering during Phase 1; a parking space reduction from 4 spaces to 2 spaces during Phase 1, and from 8 spaces to 4 spaces upon completion of Phase 2; a reduced lot width from 50 feet to

47.25± feet; a reduction in the required lot area from 3,000 square feet per dwelling unit to 7,465.5± square feet or 1,674.4± square feet per dwelling unit, a reduced building line from 25 feet to 15 feet; a reduced minimum side yard from 5.83 feet to 5.1± feet during Phase 1, and 3 feet upon completion of Phase 2; no rear yard for the rear two-unit dwelling; and an increase in the detached garage height from 15 feet to 21 feet; said property being more particularly described as follows:

921 S. CHAMPION AVE. (43206), being 0.17± acres located on the west side of South Champion Avenue, 80± feet north of East Columbus Street, and being more particularly described as follows:

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

Being Lot Number One Hundred and Ninety-Nine (199) and the South half of Lot Number Two Hundred (200) of Old Orchard Addition to the City of Columbus, Ohio, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 5, Pages 170 and 171, Recorder's Office, Franklin County, Ohio.

Parcel Number: 010-017203

Property Address: 921 South Champion Avenue, Columbus, Ohio 43205

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for two two-unit dwellings on one 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, "**LANDSCAPE PLAN**," signed by Pejmaan Fallah, Applicant, and dated August 19, 2022. 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 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 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.