Staff Report

Bexley City Council
May 9, 2016 Hearing

Address: 2121 Clifton Avenue
Type of Improvement: New Single-family dwelling for a lot created under Amended Ordinance No. 42-12

Background:

Originally proposed Lot: 50' x 159.44' = 7,972sq'
Final approved Lot: 47.27' x 159'= 7,515sq'

The property at 2121 Clifton Avenue is zoned R-3. This is 1 of 3 lots located on Clifton Avenue that are zoned R-3 and are surrounded by 3 different Planned Unit Residential Districts (PUR) and an Open Space District (Exhibit II).

Parcel No. 020-004857 at 2121 Clifton Avenue was created by splitting it from the adjacent property known as 2115 Clifton (Parcel No. 020-000067). The proposed lot split required Council approval because the proposed lot at 2121 Clifton did not meet the minimum lot requirements for the R-3 Zoning district (area, width, or depth). City Council has exclusive authority to grant a variation in the lot or yard requirements of any district. (Bexley Code Section 1264.14(c)(1)).

The lot split, when it was originally submitted, was proposed to be 50' x 159.44' = 7,972sq' lot area. The minimum lot requirements in the R-3 District are 90' x 160' = 14,400sq', except for corner lots, in accordance with Bexley Code Section 1252.3(c).

The lot split was approved by Ordinance No. 42-12, subject to the August 27, 2012 Decision of the Planning Commission and the September 13, 2012 Decision of the Board of Zoning Appeals, which contained the following 6 conditions:

1. This is an isolated case in that the original plat was for 3 separate lots.

2. This is a unique situation and the Board and Commission supports it on its own merits, being surrounded by 3 Planned Unit Residential (PUR) districts.

3. The new east lot line for 2115 Clifton be shifted 1 foot to the east in order to maintain the minimum fire safety code setback of the existing principal structure at 2115 Clifton Avenue, making the newly created lot (2121 Clifton Ave.)

approximately 49' in width – adjustments to accommodate safety code and existing sidewalk – to be verified by Zoning Officer.

4. The foot print of the new home is to be substantially similar to the proposed conceptual footprint.

5. The proposed setback for the new dwelling is maintained.

6. The mature trees on the newly created lot are preserved to the best extent possible.

The Background information on each condition is as follows:

1. This is an isolated case in that the original plat was for 3 separate lots.

The properties at 2115, 2121, and 2125 Clifton Avenue were originally platted as 3 lots each approximately 63.5' x 159.44= 10,124sq'. Over the years the number of lots and their dimensions have changed.

2. This is a unique situation and the Board and Commission supports it on its own merits, being surrounded by 3 Planned Unit Residential (PUR) districts.

These are 3 isolated lots surrounded by 3 different PUR Districts, varying in lot sizes, setbacks, and lot coverage. *see zoning map and/or Exhibit II

3. The new east lot line for 2115 Clifton be shifted 1 foot to the east in order to maintain the minimum fire safety code setback of the existing principal structure at 2115 Clifton Avenue, making the newly created lot (2121 Clifton Ave.) approximately 49' in width – adjustments to accommodate safety code and existing sidewalk – to be verified by Zoning Officer.

The 2013 (RCO) Residential Code of Ohio requires a 5' minimum fire separation distance from a property line for Principal and accessory structures. There was also an existing sidewalk along the eastern side of the residence at 2115 Clifton that was intended to remain.

It was originally expected that the lot would be around 49' in width. A field survey located the existing sidewalk along the new eastern side lot line of 2115 Clifton Avenue and the surveyor adjusted the lot width of 2121 Clifton to 47.27' to accommodate the sidewalk as verified by the zoning officer. The size of lot 2121 Clifton was reduced 2.73' from the originally proposed 50'. Following the adjustment, the lot at 2121 Clifton became 47.27' in width by 159' deep with a lot area of 7,515 sq'.

4. The footprint of the new home is to be substantially similar to the proposed conceptual footprint.

The original proposed conceptual footprint is attached to Amended Ord. 42-12. and has an unusual, and irregular shape (Exhibit P).

5. The proposed setback for the new dwelling is maintained (Exhibit N).

The setbacks for the newly created lot were identified on the originally proposed 50' x 159' lot in Amend. Ord. 42-12 and are:
13' side yard setback from the west property line,
8' side yard setback from the east property line,
30' front yard setback.
50' rear yard setback.

6. The mature trees on the newly created lot are preserved to the best extent possible.

Mature trees were identified on the "Existing Conditions Proposed Lot" and "Proposed Conceptual Footprint" (Exhibit L) to Amended Ord. 42-12.

Applicants Proposal

Conditons of Amended Ordinance 42-12

Condition No. 5 - Setbacks:

The setbacks proposed in the application are:

8' side yard setback from the west property line,
8' side yard setback from the east property line,
30' front yard setback
50' rear yard setback

The proposed 8' side yard setback from the west property line does not meet the 13' west side yard setback established in condition No. 5 identified in Amended Ord. 42-12. All other setbacks meet the ordinance conditions (Exhibit N).

When the originally proposed 50' lot width for 2121 Clifton was reduced by 2.73', the side yard setbacks from the new lot lines remained the same. This reduced the building area on the lot. If the west side yard setback were adjusted with the reduction in the lot width, 10.27' would be the new west side yard setback for 2121 Clifton. The side yard setback required in an R-3 Residential Zoning District is 1/6th of the lot width, which in this case for a 47.27' wide lot would be 8'.

There is a 2nd floor balcony on the east side of the existing dwelling at 2115 Clifton that was 2'2" from the originally proposed east lot line of 2121 Clifton. This reduction of the width of the 2121 Clifton lot from 50' to 47.27' places the 2nd floor balcony of 2115 Clifton 2.73' further away from the new east property line, making the balcony 4.83' from the east side property line.

Condition No. 4 - Footprint:

The proposed conceptual footprint established in Amended Ord. 42-12 (Exhibit P) is irregular and included a courtyard on it's east side. It also shows a pre-existing detached pergola. The pergola has since been removed. The footprint was within the buildable area established by the Condition No. 5 setbacks (Exhibit N).

The applicant proposes a rectangular footprint without a courtyard. The applicant's footprint fits within the buildable area established by the applicants proposed setbacks. The applicant's footprint encroaches upon the west side yard setback established in Amd. Ordinance 42-12.

Condition No. 6 – Mature Trees

The City Arborist has verified that 3 mature trees on the lot identified in Amd. Ordinance 42-12 have been removed. Staff has received no information from the applicant on the extent that it was necessary to remove mature trees (Exhibit JJ).

Additional R-3 Zoning Standards

There are lot coverage and driveway standards in the R-3 Zoning District (Exhibit KK).

Bexley Code Section 1252.03(c) requires a maximum lot coverage of 25%.

The Applicant is proposing a house with a 1,948sq' which is a lot coverage of 26%. There is also an 80sq'accessory structure on site, making total lot coverage 2,028sq' = 27%

The 25% lot coverage limit is required for an R-3 lot, which has a minimum lot area of 14,000sq'. The current lot is 7,515sq', which is similar to the 6,000sq' minimum lot size in the R-6 Zoning District, which allows a maximum 35% lot coverage.

Bexley City Code requires that an access drive in the R-3 district shall not be less than 8 feet and no more than 12.5 feet in width. This is the typical width for a single drive isle leading to a typical detached garage in a rear yard. The applicant is proposing a driveway that is approximately 22' in width and leads to the two-car attached garage

that faces the street. The adjacent properties at 2115 Clifton and 2125 Clifton have similar circumstances.

Staff Recommendation:

The application presents a series of unique challenges, given the very specific history of this lot. As the councilmatic variance was created for a specific architectural design with specific placement on the lot, any variation from the previously submitted design is likely to require one or more councilmatic variances. Staff provides the following recommendations regarding the subject proposal.

Staff Recommendation Regarding Setback Requirements
The setbacks that were established in Amended Ordinance 42-12 were carefully established to provide adequate space between the proposed single family residential design and the adjacent homes to the east and west.

The final lot size was narrower than anticipated in Amended Ordinance 42-12, due to the accommodation of the sidewalk on the south side of the lot at 2115 Clifton Ave. Staff recommends reducing the west sideyard setback by 2.73', in order to reflect the change in lot dimensions from the lot that was approved by Amended Ordinance 42-12. This would bring the west sideyard setback from 13' to 10.27'. This new setback, while reduced, would ensure the same placement of the western boundary of any improvements as was allowed in Amended Ordinance 42-12.

Staff Recommendation Regarding Building Footprint Requirements
Amended Ordinance 42-12 prescribed a specific building footprint for the subject parcel. As can be seen on Exhibit P, an otherwise rectangular footprint features a courtyard cutout on the east side of the proposed structure.

Standard R-3 zoning in Bexley does not prescribe building footprint, but rather provides setbacks to determine placement upon the lot. Setbacks on a rectangular lot such as this result in a rectangular area within which architects can determine appropriate building shape given the preferences of the client. Staff is not aware of any other conditions within the City in which an R-3 parcel has a prescribed footprint. However, there are other zoning conditions in Bexley where prescribed footprints exist. For example, some existing PURs, such as the nearby Lyon's Gate development, prescribe building footprints. The difference in that condition is that many of the parcels are zero lot line or nearly zero lot line, and, to staff's best knowledge, changes to prescribed building footprints have historically been allowed by ordinance of Council.

The courtyard feature was specific to the design and preference of the original applicant, and Council should consider the extent to which a more rectangular design would negatively impact the property to the east. As the setback on the east side of the lot is preserved by the proposed application, and is an appropriate setback for a

standard parcel within the R-3 zoning district, staff believes that a variance to allow a rectangular building footprint is appropriate.

Staff Recommendation Regarding Mature Trees

A condition of Amended Ordinance 42-12 is that identified mature trees on the site be preserved to the best extent possible. At the time of the hearing, Council should determine if the trees that have been removed to date were preserved to the best extent possible.

If Council determines that the mature trees were preserved to the best extent possible, then it is the recommendation of Staff that this condition of the variance has, to date, been satisfied. If Council determines that the mature trees were not preserved to the best extent possible, then Staff recommends that the applicant be required to plant replacement trees elsewhere on the lot.

Staff Recommendation Regarding Lot Coverage Ratio

The Applicant is proposing a house with a lot coverage of 26%, which exceeds the maximum lot coverage ratio per the R-3 zoning district at 25%. Inclusive of the portable accessory structure currently on site, the lot coverage ratio would be 27%.

It should be noted that the parcel to the west exceeds the R-3 lot coverage ratio, and the parcel to the east is within the R-3 lot coverage ratio. Regardless, the site is zoned R-3 and staff recommends that any development on the site not exceed a 25% lot coverage ratio, inclusive of accessory structures. As this lot and the lot to the east are substandard lots for R-3, and as the lot to the west exceeds the lot coverage ratio requirement for R-3, staff also recommends that Council consider, in the future, a rezoning of the subject lot and the lots adjacent to the east and west to R-6.

Staff Recommendation Regarding Access Drive Width

Bexley City Code requires that an access drive in the R-3 district shall not be less than 8 feet and no more than 12.5 feet in width. This is the typical width for a single drive isle leading to a typical detached garage in a rear yard. The applicant is proposing a driveway that is approximately 22' in width and leads to the two-car attached garage that faces the street. The adjacent properties at 2115 Clifton and 2125 Clifton have similar circumstances, and as this is a consistent condition with the adjacent properties, staff recommends in favor of providing a variance to the access drive width requirement.

Kathy Rose 5/2/2016

Kathy Rose
Zoning Officer

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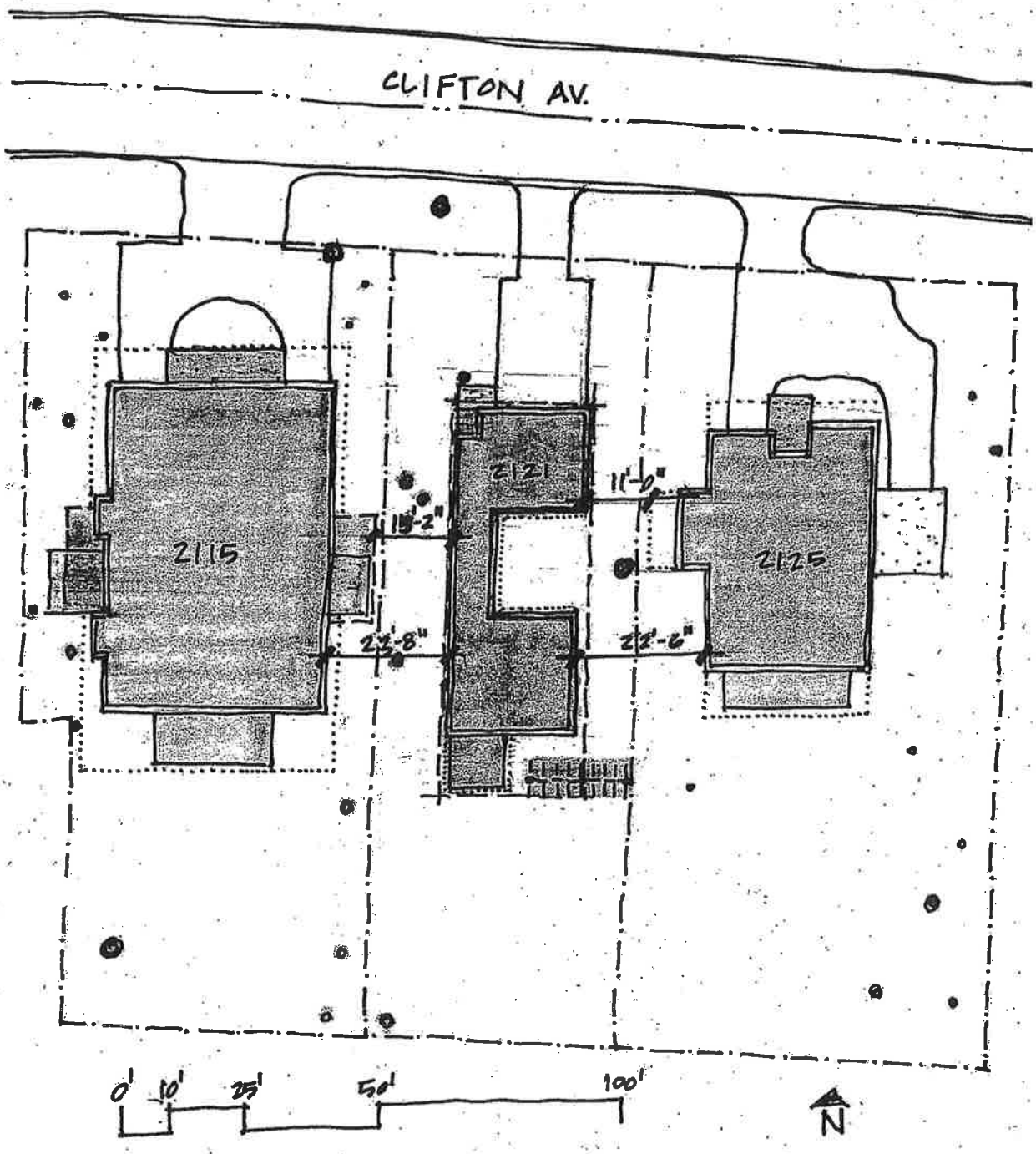
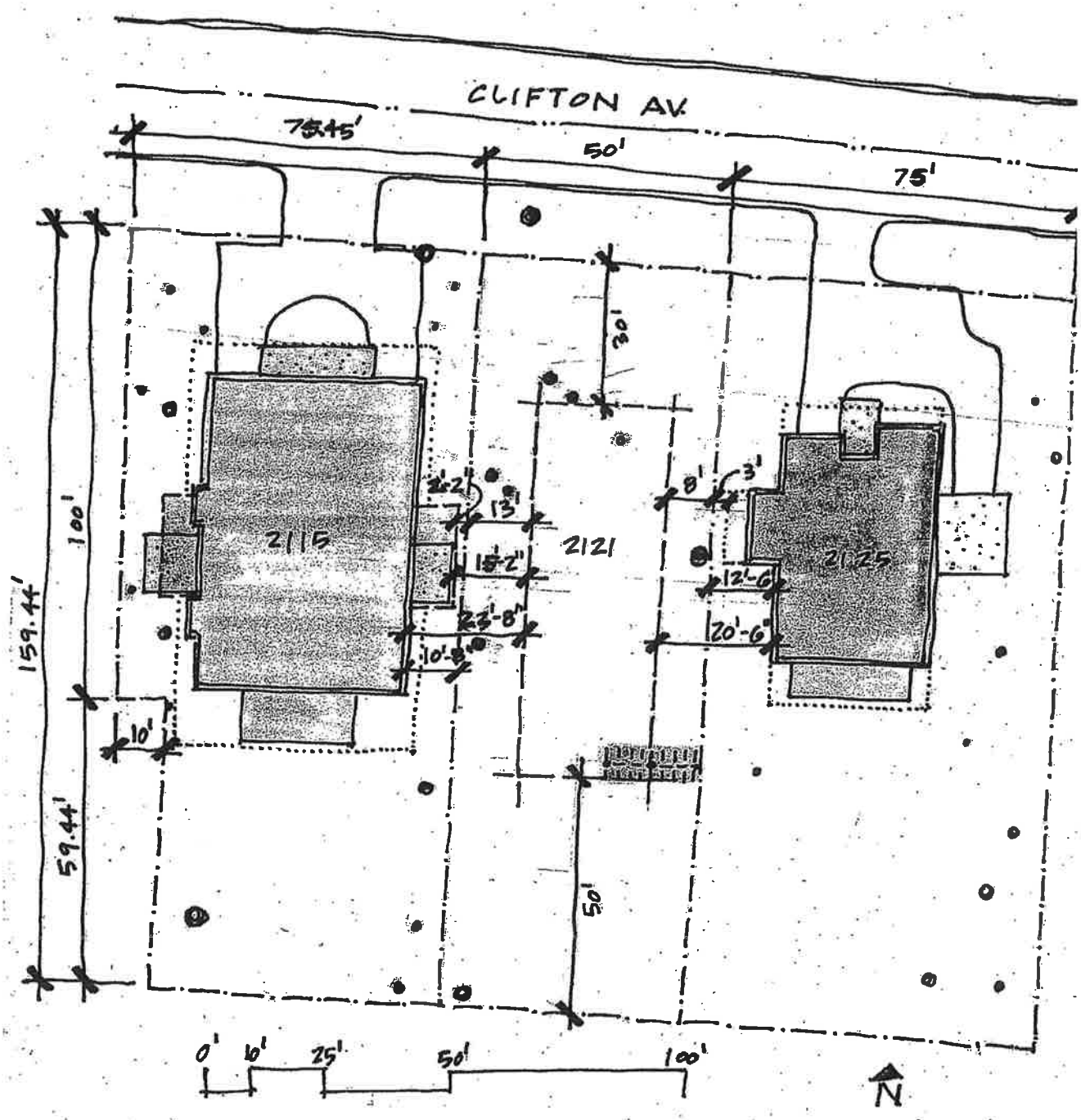


PROPOSED CONCEPTUAL FOOTPRINT
FOR 2121 CLIFTON AV.

● MATURE TREES

AREAS IN LOT COVERAGE CALCULATIONS

P



PROPOSED LOT - 2121 CLIFTON AV.
WITH PROPOSED SETBACKS FOR NEW LOT

● MATURE TREES

— — — PROPOSED SETBACKS

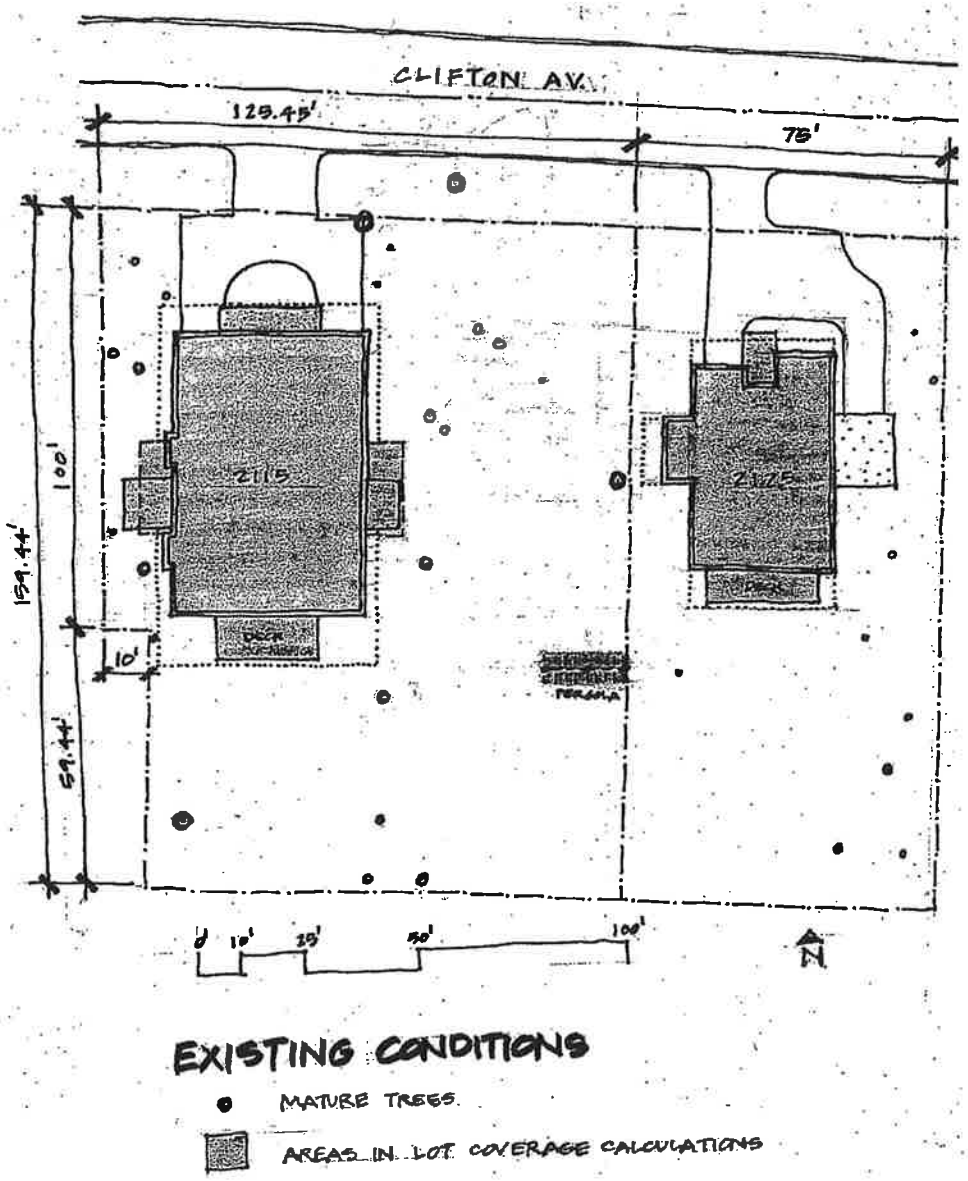
N

EXISTING CONDITIONS

The house at 2115 does not comply with the setback requirements for R-3 on its west side.

The existing lot at 2125 does not comply with the width nor the area requirements for R-3 medium density single family residential development. The house's west setback also does not comply with R-3.

2115 Clifton Avenue - 4014 sf house & pergola on 19,405 sf lot = 20.7 % lot coverage
2125 Clifton Avenue - 2073 sf house on 11,958 sf lot = 17.3% lot coverage



Tree species
Highlighted dot

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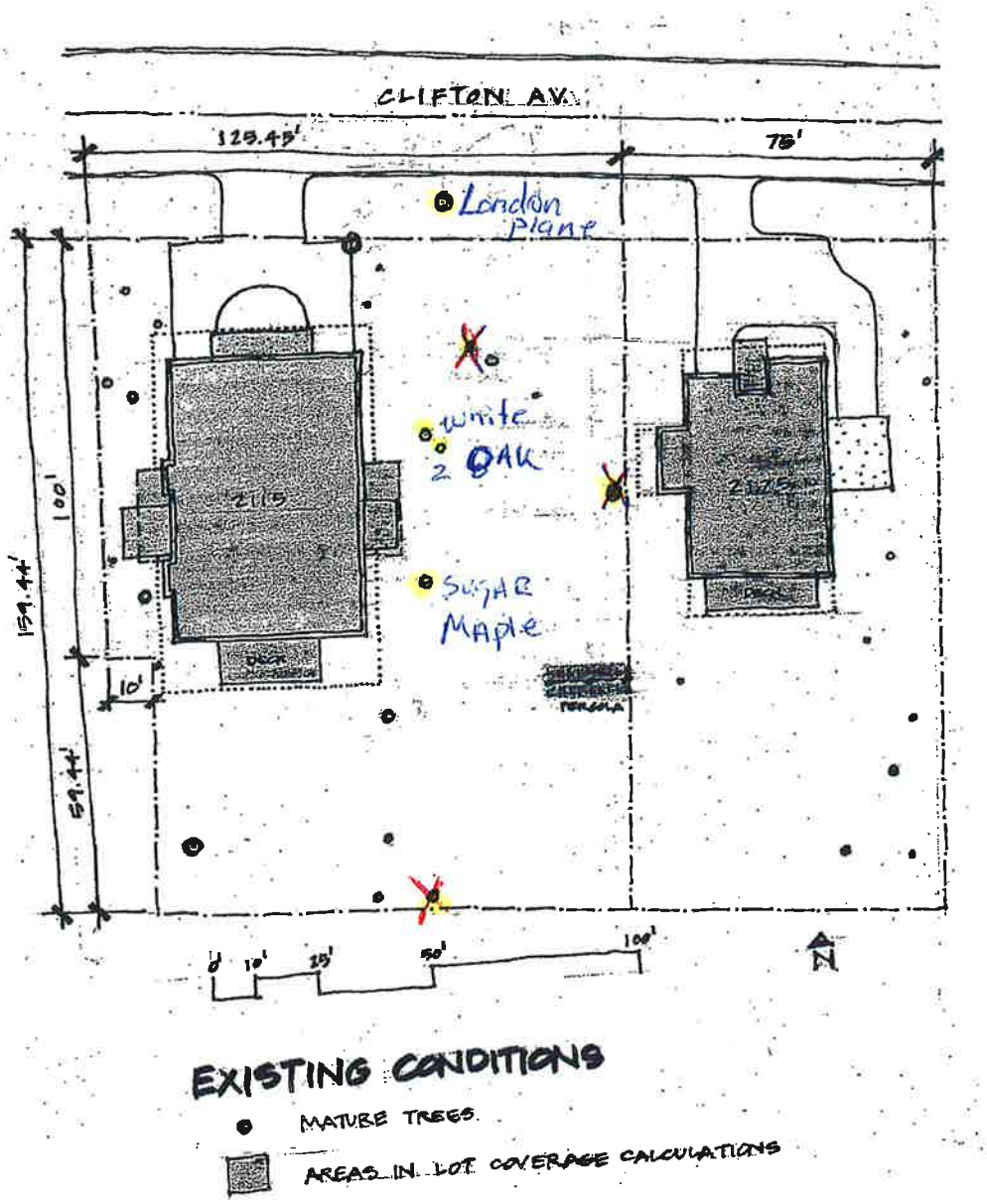

JJ

(b) Intermediate Density Single-Family Residential District (Cont.)

Conditional Uses	Public uses Quasipublic uses Public service facility Home occupation
Minimum Lot Requirements	
Area	24,000 feet
Width	120 feet
Depth	200 feet
Minimum Depth Requirements	
Front	30 feet or average existing dwelling setback, whichever is greater
Rear	30 percent of lot depth, but need not exceed 65 feet
Each Side	One-sixth of lot width, but not exceed 25 feet. However, corner lots must meet additional requirements as stated in Section 1260.03.
Maximum Lot Coverage	25 percent
Maximum Height of Principal Building	2-1/2 stories, and shall not exceed 40 feet
Requirements for New Private Streets	No new private street, which must be approved by Council, shall be constructed closer than 200 feet to an existing adjacent lot line. However, this requirement shall not apply to lot lines on the opposite side of any existing public right of way.

(c) Medium Density Single-Family Residential District.

Zoning Map Symbol	R-3
Permitted Uses	Single-family dwellings Accessory uses and structures Essential services
Conditional Uses	Public uses Quasipublic uses Public service facility Home occupation
Minimum Lot Requirements	
Area	14,400 square feet or 19,200 square feet for corner lots
Width	90 feet, or 120 feet for corner lots
Depth	160 feet
Minimum Depth Requirements	
Front	30 feet or average existing dwelling setback, whichever is greater
Rear	30 percent of lot depth, but need not exceed 50 feet
Each Side	One-sixth of lot width, but not exceed 15 feet. However, corner lots must meet additional requirements as stated in Section 1260.03
Maximum Lot Coverage	25 percent
Maximum Height of Principal Building	2-1/2 stories, and shall not exceed 40 feet
Requirements for New Private Streets	No new private street, which must be approved by Council, shall be constructed closer than 120 feet to an existing adjacent lot line. However, this requirement shall not apply to lot lines on the opposite side of any existing public right of way.

REAR
30 % of
159' =
47.7'
SIDE
1/6 of 47.2
= 7.87'

(d) High Density Single-Family Residential District.

Zoning Map Symbol	R-6
Permitted Uses	Single-family dwellings

KK