

**CITY COUNCIL – ZONING COMMITTEE
STAFF REPORT
COUNCIL VARIANCE**

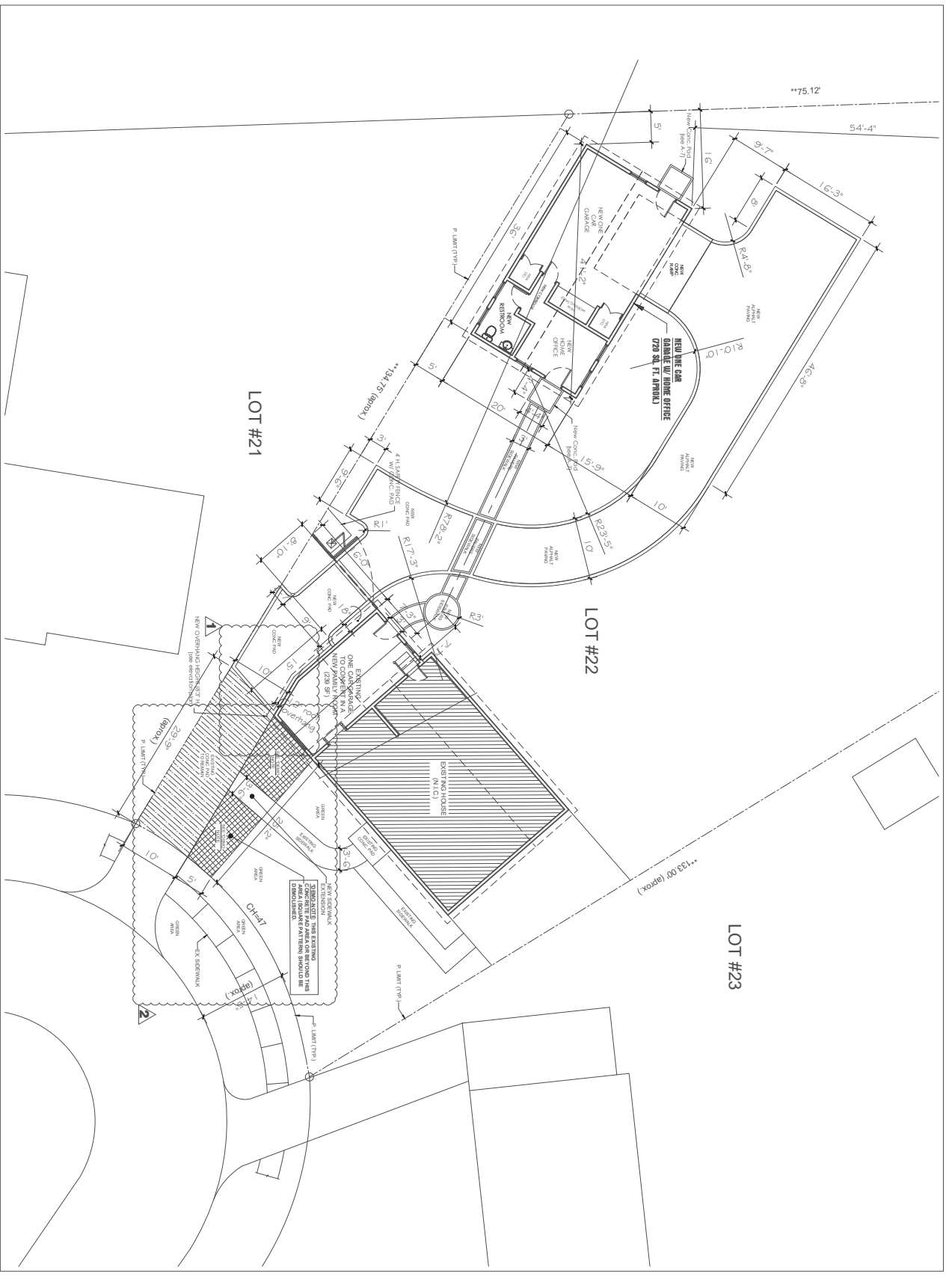
APPLICATION:	CV24-027
Location:	1056 BILLIE DR. (43227) , being 0.30± acres on the north side of Billie Drive, 230± feet north of McAllister Avenue (010-099723; Mideast Area Commission).
Existing Zoning:	SR, Suburban Residential District.
Proposed Use:	Habitable space within a detached garage.
Applicant(s):	Luis A. Rodriguez; 620 Brave Drive; Galloway, OH 43119.
Property Owner(s):	Gilberto Rodriguez; 1056 Billie Drive; Columbus, OH 43227.
Planner:	Joe Rose; 614-645-3526; jmrose@columbus.gov

BACKGROUND:

- The site consists of one parcel developed with a single-unit dwelling in the SR, Suburban Residential District. The requested Council variance will allow habitable space within a detached garage at this location.
- A Council variance is required because habitable space within a garage is only allowed when connected directly to habitable space within a dwelling.
- To the north is a commercial building in the CAC, Community Activity Center District. To the south and east are single-unit dwellings in the SR, Suburban Residential District. To the west are single-unit dwellings in the City of Whitehall.
- The site is located within the planning boundaries of the *Livingston East Area Plan* (2009), which recommends “Residential (Single-Family)” land uses at this location, consistent with the proposed use. The Plan includes the early adoption of *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018).
- The site is located within the boundaries of the Mideast Area Commission, whose recommendation is for approval.

CITY DEPARTMENTS’ RECOMMENDATION: Approval

The requested Council variance will allow habitable space within a detached garage at this location. Staff support the proposal as it is consistent with the Plan’s land use recommendation and does not add an incompatible use to the neighborhood.



NEW SITE PLAN

ESCALA: 3/32" = 1'-0"

CV24-027; FINAL RECEIVED 5/29/2024; PAGE 1 OF 1

SITE DEMO. LEGEND:

- EXISTING CONCRETE AND ON TOP OF THE CONCRETE THE CURB, DRIVE, AND SIDEWALKS, TO BE DEMOLISHED, REMOVED AND REPAIRED TO ORIGINAL CONDITIONS, AS PER CODES.
- EXISTING CONCRETE PAVEMENT ON TOP OF THE CONCRETE THE CURB, DRIVE, AND SIDEWALKS, TO BE DEMOLISHED, REMOVED AND REPAIRED TO ORIGINAL CONDITIONS, AS PER CODES.

HOMEOWNER IMP. NOTE

Moisture control is fundamental to the proper functioning of any building. Controlling moisture is important to protect occupants from adverse health effects and to protect the building, its mechanical systems and its contents from physical or chemical damage.

DOCUMENTS SHALL BE CONSIDERED FOR MAINTENANCE AND TO CHECK AND MAINTAIN ALL FLASHING AND DRAINAGE SYSTEMS AND THE CALLING AT ALL JOINTS TO AVOID MOISTURE PENETRATION INTO THE BUILDING SYSTEMS.

BEFORE YOU DIG
CALL TOLL FREE 1-800-4-A-FLUSH (4 or 8) or 800-4-A-FLUSH (4 or 8) OR UTILITIES PROTECTION SERVICE

MANUFACTURED BY: ESCALAS, TOPGANGING PLAN, EXISTING GARAGE, SITE PLAN, WELL, SEPTIC TANK, ETC. SHOULD BE REMOVED BY A QUALIFIED PROFESSIONAL ENGINEER.

Project:
New Garage/Home Improvements

Drawing by:
SSO

Revised by:
LR (MAY-20-24)

STATE OF OHIO
REGISTERED ARCHITECT
JOAQUIN RODRIGUEZ
08-14-182

DRAWING TITLE
SITE PLAN

PROJECT:
"New Garage/Home Improvements"

REVISIONS
01, Building Department 4 Zoning Office (Gen. Rev.)
01, Building Department 4 Zoning Office (Gen. Rev.)

SYMBOLS
01, Building Department 4 Zoning Office (Gen. Rev.)
01, Building Department 4 Zoning Office (Gen. Rev.)

DATE
25/29/2024
01/17/2024

BY
LAR
LAR

"New Garage/Home Improvements"

1056 Billie Dr, Columbus, Ohio 43227

Mr. Gilberto Rodríguez

1056 Billie Dr, Columbus, Ohio 43227

design & build LLC

Council Variance Application

111 N Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

STATEMENT OF HARDSHIP

Columbus City Code Section 3307.10 - Variances by City Council.

City council may grant the following zoning variances:

- A.** Permit a variation in the yard, height or parking requirements of any district only in conjunction with a change in zoning or a use variance and only where there are unusual and practical difficulties in the carrying out of the zoning district provisions due to an irregular shape of lot, topography, or other conditions, providing such variance will not seriously affect any adjoining property or the general welfare.
- B.** Permit a use of the property not permitted by the zoning district established on the property if such use will not adversely affect the surrounding property or surrounding neighborhood and if council is satisfied that the granting of such variance will alleviate some hardship or difficulty which warrants a variance from the comprehensive plan.

Before authorizing any variance from the Zoning Code in a specific case, city council shall first determine that such variance will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the city.

In granting a variance pursuant to this section, council may impose such requirements and conditions regarding the location, character, duration, and other features of the variance proposal as council deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.

List all sections of Code to be varied and explain your reasoning as to why this request should be granted.

NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are not included, a new application (and applicable fees) will be required.

I have read the foregoing and believe my application for relief from the requirements of the Zoning Code contains the necessary hardship, will not adversely affect surrounding property owners, and will comply with the variance(s) requested as detailed below (use separate page if needed or desired):

See attached Exhibit "A" for statement.

Signature of Applicant



Date

March 04. 2024

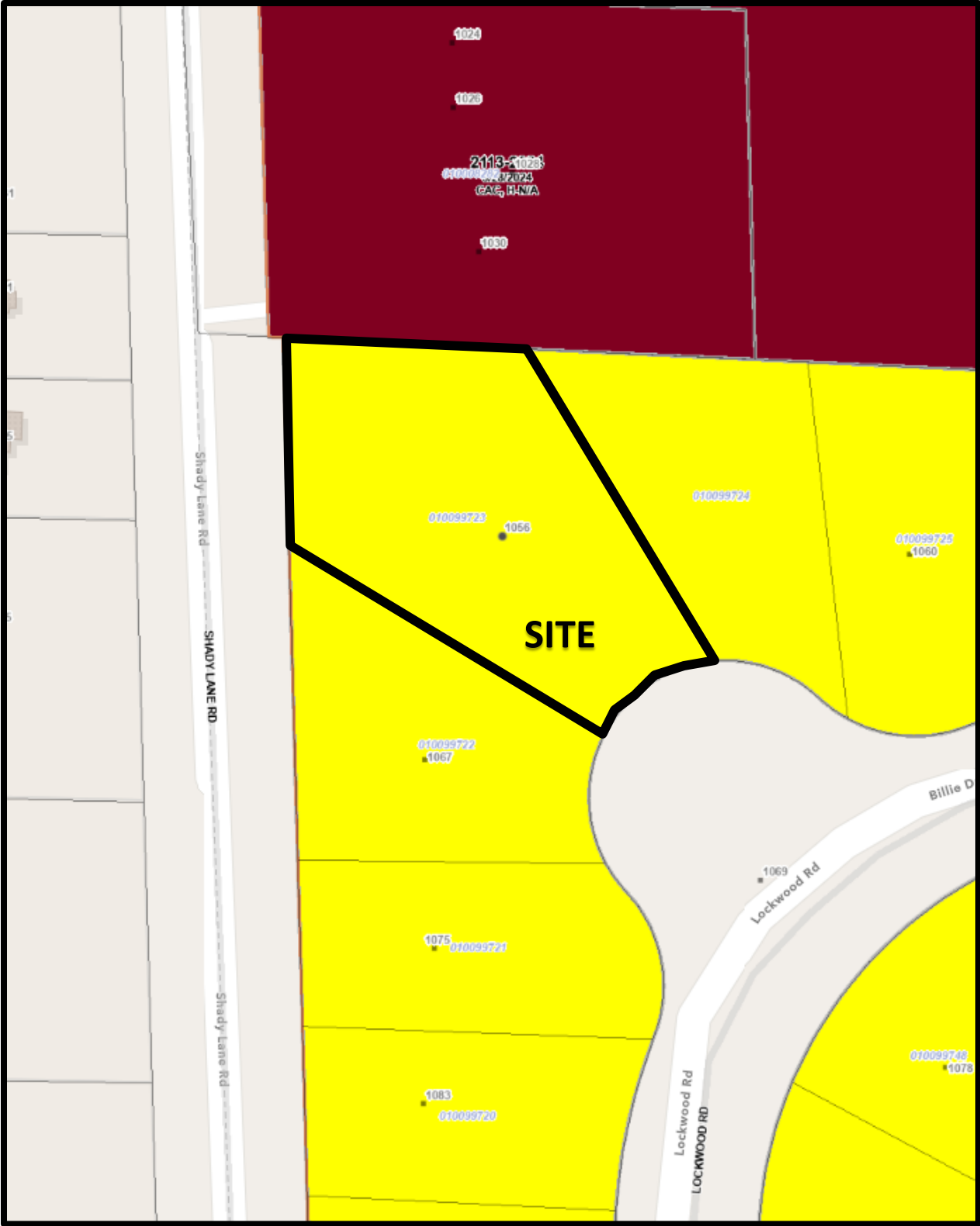
EXHIBIT A
STATEMENT IN SUPPORT OF VARIANCE

Code Section for Variance:

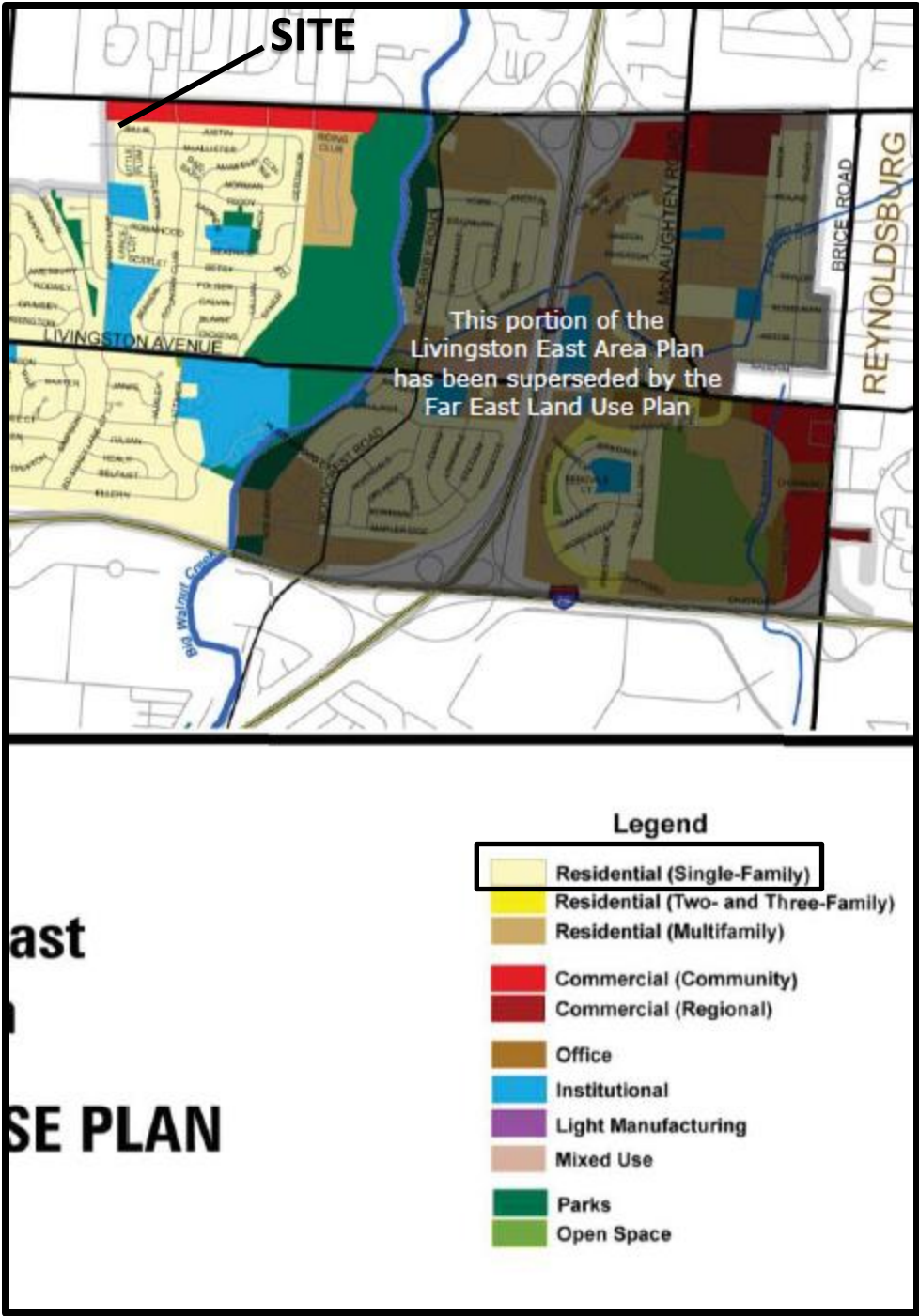
1. 3332.38(H) - To allow a habitable Workshop, within the New Detached Garage.

Reasoning for Variance:

1. The owner of the property is proposing to construct a Detached Garage with a Workshop, which will yield a reasonable return to the value of said property.
2. The requested variance will not affect the clearance of the City of Columbus and variances such as this are often granted. The variance will have no real or significant adverse impact on the adjoining property owner or other properties in the neighborhood.
3. The requested variance will not affect the delivery of governmental services to the property or surrounding property owners.
4. The property owner did not have knowledge of the zoning restrictions when the property was purchased.
5. The only way to construct this Detached Garage with Workshop is to obtain a variance.
6. The granting of these variance is not contrary to the public interest or the intent and purpose of the Zoning Code and is not contrary to the public health, safety, and welfare of the neighborhood.



CV24-027
1056 Billie Dr.
Approximately 0.30 acres



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FOR USE BY: AREA COMMISSION / NEIGHBORHOOD GROUP
(PLEASE PRINT)

Case Number	CV24-027
Address	1056 BILLIE DRIVE
Group Name	MID-EAST AREA COMMISSION
Meeting Date	September 17, 2024
Specify Case Type	<input type="checkbox"/> BZA Variance / Special Permit <input checked="" type="checkbox"/> Council Variance <input type="checkbox"/> Rezoning <input type="checkbox"/> Graphics Variance / Plan / Special Permit
Recommendation (Check only one)	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Disapproval

LIST BASIS FOR RECOMMENDATION:

The Mideast Area Commission (MAC) had a quorum of 13 Commissioners with 11 voting "yes" and 2 voting "no" the variance application was approved to be used as a home office in the new detached garage.

Vote	Approved with a majority vote of yes.
Signature of Authorized Representative	<i>Felicia A. Saunders</i>
Recommending Group Title	Chair
Daytime Phone Number	614-432-7702

Please **e-mail** this form to **the assigned planner within 48 hours of meeting day**; OR **MAIL** to: Zoning, City of Columbus, Department of Building & Zoning Services, 111 N Front Street, Columbus, Ohio 43215.

Council Variance Application

111 N Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

PROJECT DISCLOSURE STATEMENT

APPLICATION #: **CV24-027**

Parties having a 5% or more interest in the project that is the subject of this application.

THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Mr. Gilberto Rodriguez

of (COMPLETE ADDRESS) 1056 Billie Dr, Columbus, OH 43227

deposes and states that they are the APPLICANT, AGENT, OR DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application in the following format:

For Example: Name of Business or individual
 Contact name and number
 Business or individual's address; City, State, Zip Code
 Number of Columbus-based employees

1. Mr. Gilberto Rodriguez 1056 Billie Dr, Columbus, OH 43227 939-439-9451 # of Columbus-Based Employees: 0	2.
3.	4.

☐ Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this

8th

day of

October

, in the year

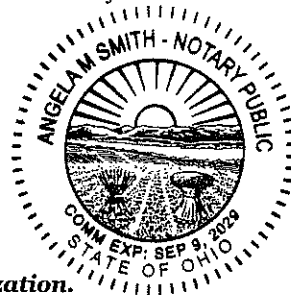
2024

SIGNATURE OF NOTARY PUBLIC

My Commission Expires

09/09/2024

Notary Seal Here



This Project Disclosure Statement expires six (6) months after date of notarization.