



## Legislation Details (With Text)

**File #:** 1836-2004      **Version:** 1

**Type:** Ordinance      **Status:** Defeated

**File created:** 10/6/2004      **In control:** Zoning Committee

**On agenda:** 11/19/2018      **Final action:** 11/19/2018

**Title:** To grant a Variance from the provisions of Sections 3332.029, SR, Suburban Residential District; and 3332.38(A), Private garage; of the Columbus City codes for the property located at 2618 THORNDALE AVENUE (43207), to permit a private garage as the principal use of a lot in the SR, Suburban Residential District (Council Variance # CV04-027).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1836-2004Hardship&Maps.pdf, 2. ORD1836-2004Data Sheet.pdf, 3. ORD1836-2004Labels.pdf

Date	Ver.	Action By	Action	Result
11/19/2018	1	Zoning Committee	Taken from the Table	Pass
11/19/2018	1	Zoning Committee	Defeated	Fail
11/29/2004	1	Zoning Committee	Tabled Indefinitely	Pass
11/29/2004	1	Zoning Committee	Reconsidered	Pass
11/22/2004	1	Zoning Committee	Approved	Fail
11/22/2004	1	Zoning Committee	Taken from the Table	Pass
11/15/2004	1	Zoning Committee	Tabled to Certain Date	Pass
11/8/2004	1	Columbus City Council	Read for the First Time	
10/25/2004	1	Dev Zoning Drafter	Sent to Clerk's Office for Council	
10/22/2004	1	Dev Zoning Reviewer	Reviewed and Approved	
10/22/2004	1	Dev Zoning Drafter	Sent for Approval	
10/22/2004	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
10/21/2004	1	Dev Zoning Drafter	Sent for Approval	

**Council Variance Application: CV04-027**

**APPLICANT:** Terry Brodnax; 2600 Thorndale Avenue; Columbus, Ohio 43207.

**PROPOSED USE:** Private garage as a principal use.

**CITY DEPARTMENTS' RECOMMENDATION:** Disapproval. The lot is zoned SR, Suburban Residential District, and was once developed with a single-family dwelling that has been demolished. A fire-damaged garage had remained on the lot, but was recently demolished to comply with a Zoning code violation. The applicant is requesting a Council variance to construct a new 720 square foot private garage as the only use on the lot. The applicant lives in the home directly north of the lot and desires an additional garage for the storage of lawn equipment and motor vehicles. Staff does not support a garage as the only use on a parcel within a single-family subdivision. The Code specifically states that "a private garage shall not be an accessory use to a lot in a residential district unless such lot is occupied by a dwelling..."

To grant a Variance from the provisions of Sections 3332.029, SR, Suburban Residential District; and 3332.38(A), Private garage; of the Columbus City codes for the property located at **2618 THORNDALE AVENUE (43207)**, to permit a private garage as the principal use of a lot in the SR, Suburban Residential District (Council Variance # CV04-027).

**WHEREAS**, by application #CV04-027, the owner of the property at **2618 THORNDALE AVENUE (43207)**, is requesting a Variance to permit a private garage as a principal use of a lot in the SR, Suburban Residential District; and

**WHEREAS**, Section 3332.029, SR, Suburban Residential District, does not permit a garage as a principal use of a lot within the district, while the applicant proposes to construct a private garage as the only use on the property; and

**WHEREAS**, Section 3332.38(A), Private garage, states that a private garage shall not be an accessory use to a lot in a residential district unless such lot is occupied by a dwelling, while the applicant proposes no dwelling; and

**WHEREAS**, City Departments recommend disapproval because the requested Council variance will allow a 720 square foot private garage as the only use on the lot. The applicant lives in the home directly north of the lot and desires an additional garage for the storage of lawn equipment and motor vehicles. Staff does not support a garage as the only use on a parcel within a single-family subdivision. The Code specifically states that "a private garage shall not be an accessory use to a lot in a residential district unless such lot is occupied by a dwelling..."; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed use; 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 **2618 THORNDALE AVENUE (43207)**, in using said property as desired and; now, therefore:

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That a variance from the provisions of Sections 3332.029, SR, Suburban Residential District; and 3332.038(A), Private garage; of the City codes for the property located at **2618 THORNDALE AVENUE (43207)**, insofar as said sections prohibit a private garage as a principal use on a lot in the SR, Suburban Residential District; said property being more particularly described as follows:

**2618 THORNDALE AVENUE (43207)**, being 0.11± acres located on the east side of Thorndale Avenue, 80± feet north of Landers Avenue, and being more particularly described as follows:

Situated in the County of Franklin in the State of Ohio, and in the City of Columbus:

Being Lot Number 29 on a certain plat of lots called Castle Terrace Boulevard Subdivision, as the same are numbered and delineated upon the recorded plat thereof, Of record in Plat Book No. 7, pages 378 and 379, Recorder's Office, Franklin County, Ohio.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used as a private garage as the principal use, or those uses permitted in the SR, Suburban Residential District.

**SECTION 3.** That this ordinance is further conditioned upon compliance with SR, Suburban Residential District standards as they apply to private garages.

**SECTION 4.** That this ordinance is further conditioned upon the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

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