



Legislation Details (With Text)

File #: 1705-2022 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 6/8/2022 **In control:** Zoning Committee

On agenda: 6/27/2022 **Final action:** 6/30/2022

Title: To grant a Variance from the provisions of Sections 3332.38(H), Private garage; and 3332.38(G), Private garage, of the Columbus City Codes; for the property located at 253 LANSING ST. (43206), to permit habitable space above a detached garage with increased height in the R-2F, Residential District (Council Variance #CV22-020).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1705-2022_Attachments, 2. ORD1705-2022_Labels

Date	Ver.	Action By	Action	Result
6/30/2022	1	CITY CLERK	Attest	
6/29/2022	1	MAYOR	Signed	
6/27/2022	1	COUNCIL PRESIDENT	Signed	
6/27/2022	1	Zoning Committee	Waive the 2nd Reading	Pass
6/27/2022	1	Zoning Committee	Accept entire staff report into evidence as an exhibit	Pass
6/27/2022	1	Zoning Committee	Approved	Pass
6/27/2022	1	Zoning Committee	Adopt the findings of staff as the findings of Council	Pass

Council Variance Application: CV22-020

APPLICANT: Patrick & Sarah Ahern; 253 Lansing Street; Columbus, OH 43206.

PROPOSED USE: Habitable space/guest suite above a detached garage.

GERMAN VILLAGE COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of a single-unit dwelling zoned in the R-2F, Residential District. The requested Council variance will permit the construction of a detached garage with habitable space above. A Council variance is necessary because the zoning code only permits habitable space above a garage when connected directly to habitable space in a dwelling. Included in the request is a variance to increase the garage height. Staff supports the proposed use and garage height variance as the request is consistent with similar proposals that have been approved in the area.

To grant a Variance from the provisions of Sections 3332.38(H), Private garage; and 3332.38(G), Private garage, of the Columbus City Codes; for the property located at **253 LANSING ST. (43206)**, to permit habitable space above a detached garage with increased height in the R-2F, Residential District (Council Variance #CV22-020).

WHEREAS, by application #CV22-022, the owner of the property at **253 LANSING ST. (43206)**, is requesting a Variance to permit habitable space above a detached garage with increased height in the R-2F, Residential District; and

WHEREAS, Section 3332.38(H), Private garage, requires habitable space in a garage to connect directly with habitable space in a dwelling, while the applicant proposes habitable space above a detached garage that is not connected to habitable space within the single-unit dwelling; and

WHEREAS, Section 3332.38(G), Private garage, limits garage height to 15 feet, while the applicant proposes an increased garage height of 22 feet; and

WHEREAS, the German Village Commission recommends approval; and

WHEREAS, City Departments recommend approval of the requested Council variance because the request is consistent with similar proposals that have been approved in the area; and

WHEREAS, said ordinance requires separate submission for all applicable permits and a 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 **253 LANSING 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 3332.38(H), Private garage; and 3332.38 (G), Private garage, of the Columbus City Codes; for the property located at **253 LANSING ST. (43206)**, insofar as said sections prohibit habitable space above a detached garage that does not connect directly with habitable space in a dwelling in the R-2F, Residential District; and an increased height of the detached garage from 15 feet to 22 feet; said property being more particularly described as follows:

253 LANSING ST. (43206), being 0.08± acres located on the south side of Lansing Street, 65± feet west of Jaeger 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 Forty-Nine (49), of Maria W. Selbach's Section Addition to said City (being a subdivision of Lot Number E, C.F. Jaeger's Estate), as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 3, Page 310, Recorder's Office, Franklin County, Ohio.

Parcel Number: 010-015088

Property Address: 253 Lansing Street, 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 as a single-unit dwelling and habitable space above a detached garage, 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 "**SITE PLAN**," dated June 8, 2022, and drawn by John McKay, and signed by Patrick Ahern, 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 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 following: The second floor of the garage will not be converted to, or used as, a separate dwelling unit. The second floor of the garage will have no cooking facilities.

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