



Legislation Text

File #: 2436-2020, **Version:** 1

Council Variance Application: CV20-076

APPLICANT: CBA Professionals LLC; c/o Aubrey Finn, Agent; P.O. Box 80; Blacklick, OH 43004.

PROPOSED USE: Residential private garage.

FAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is undeveloped and zoned in the R-1, Residential District. The applicant proposes to build a single-unit dwelling and a private garage, however, the construction will occur in phases, with the garage to be built first. A Council variance is required because a private garage cannot be a principal use on a residential lot. The site is located within the boundaries of the *Far East Land Use Plan* (2018), which recommends "Very Low Density Residential" land uses for this location. Additionally, the Plan includes adoption of the *Columbus Citywide Planning Policies (C2P2) Design Guidelines* (2018). The requested variance is supported with the applicant's commitment to initiate the construction of a dwelling on this property within two years of the effective date of this ordinance, or a new Council variance will be required. Elevation renderings of both the garage and dwelling were reviewed by the Planning Division and have been determined to meet C2P2 Design Guidelines.

To grant a Variance from the provisions of Sections 3332.039 R-1 residential district; and 3332.38(A), Private garage, of the Columbus City Codes; for the property located at **6164 ROSELAWN AVE. (43232)**, to permit a private garage on a residential lot not occupied with a dwelling in the R-1, Residential District for a two-year period (Council Variance #CV20-076).

WHEREAS, by application #CV20-076, the owner of the property at **6164 ROSELAWN AVE. (43232)**, is requesting a Variance to permit a private garage on a residential lot not occupied with a dwelling in the R-1, Residential District for a two-year period; and

WHEREAS, Section 3332.039 R-1 residential district, does not permit a residential private garage to be the primary use of a residential lot, while the applicant proposes to construct a residential private garage on a lot not occupied by a dwelling for a period of two years; and

WHEREAS, Section 3332.38(A), Private garage, states a private garage shall not be an accessory use to a lot in a residential district unless such a lot is occupied by a dwelling or unless a building permit has been issued for and construction started on a dwelling on such a lot, while the applicant proposes to construct a residential private garage on a lot not occupied by a dwelling for a period of two years; and

WHEREAS, the Far East Area Commission recommends approval; and

WHEREAS, City Departments recommend approval because the proposed Council variance does not introduce an incompatible use to the surrounding neighborhood. The applicant will have two years to initiate the construction of a single-unit dwelling on the site, and the proposed private garage will secure materials during the construction process; and

WHEREAS, said ordinance requires separate submission for all applicable permits 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 **6164 ROSELAWN AVE. (43232)**, 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 3332.03, R-1 residential district; and 3332.38(A), Private garage, of the Columbus City Codes; for the property located at **6164 ROSELAWN AVE. (43232)**, insofar as said sections prohibit a residential private garage on a lot that is not occupied with a dwelling, said property being more particularly described as follows:

6164 ROSELAWN AVE. (43232), being 0.26± acres located on the north side of Roselawn Avenue, 330± feet east of Idlewild Drive, and being more particularly described as follows:

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

Being Lot Number 64 of Idlewild Subdivision, being the same as delineated on the recorded plat thereof; of record in Plat Book 15, Page 18, Recorder's Office, Franklin County, Ohio.

Subject Address: 6164 Roselawn Avenue, Columbus, OH 43232

Subject Parcel Number: 550-155966

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a residential private garage, or those uses permitted in the R-1, Residential District.

SECTION 3. That this ordinance is further conditioned on general conformance with the plan titled, "**SITE PLAN**," dated October 21, 2020, and signed by Aubry Finn, Agent, as it applies to the construction of the private garage. 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 adjustment to the plan shall be reviewed and may be approved 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 upon the applicant or property owner initiating the construction of a dwelling on this property within two years of the effective date of this ordinance, or a new Council variance is required.

SECTION 5. That this ordinance is further conditioned upon the applicant obtaining all applicable permits for the proposed use.

SECTION 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.