



## Legislation Text

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**File #:** 2542-2020, **Version:** 1

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**Council Variance Application: CV20-077**

**APPLICANT:** Brenda Parker; 405 North Front Street; Columbus, OH 43215.

**PROPOSED USE:** Habitable space 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 applicant requests a Council variance to permit the construction of habitable space above a detached garage. 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. The request also includes a variance to garage height. Staff supports the proposed variances 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 **183 ALEXANDER ALLEY (43206)**, to permit habitable space above a detached garage with reduced development standards in the R-2F, Residential District (Council Variance #CV20-077).

**WHEREAS**, by application #CV20-077, the owner of the property at **183 ALEXANDER ALLEY (43206)**, is requesting a Variance to permit habitable space above a detached garage with reduced development standards 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 a garage height of 20.6 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 **183 ALEXANDER ALLEY (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 **183 ALEXANDER ALLEY (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; with an increased height of the detached garage from 15 feet to 20.6 feet; said property being more particularly described as follows:

**183 ALEXANDER ALY. (43206)**, being 0.09± acres located at the southeast corner of Alexander Alley and Macon Alley, and being more particularly described as follows:

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

Being a part of Lots 5 and 6 of B.F. Stage's Subdivision, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 1, Page 399, Records Office, Franklin County, Ohio and being more particularly described as follows:

Beginning at an iron pin set at the Northeast corner of Lot 5, said pin being the intersection of the west line of South Fifth Street (50 feet wide) with South line of Alexander Alley (13 feet wide);

Thence, North 86 degrees 1' West, along part of the North line of Lot 5 and along the South line of Alexander Alley, a distance of 90.80 feet to an iron pin, said pin being the True Point of Beginning of this description;

Thence, South 2 degrees 57' 12" West, across Lot 5, and across part of Lot 6, a distance of 51.48 feet to an iron pin;

Thence, North 86 degrees, 35' 5" West, across part of Lot 6, a distance of 74.05 feet to an iron pin in the East line Macon Alley (20 feet wide);

Thence, North 8 degrees 00' West, along part of the West line of Lot 6, and along the West line of Lot 5, and along the East line of Macon Alley, a distance of 53.37 feet to an iron pin at the Northwest corner of Lot 5, said pin being the Intersection of the West line of Macon Alley with the South line of Alexander Alley;

Thence, South 86 degrees 1' East, along part of the North line of Lot 5, and along the South line of Alexander Alley, a distance of 84.20 feet to the place of beginning.

Parcel Number: 010-213483-00

Address: 183 Alexander Alley, Columbus, Ohio 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 "**183 ALEXANDER ALLEY**," dated August 26, 2020, and drawn and signed by Brenda Parker, 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.