



Legislation Text

File #: 2723-2022, **Version:** 1

Council Variance Application: CV22-082

APPLICANT: Casey Byrnes and Brent Foley; TRIAD Architects; 172 East State Street, Suite 600; 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 habitable space above a newly constructed 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 and to conform the existing lot width. 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; 3332.05(A)(4), Area district lot width requirements; and 3332.38(G), Private garage, of the Columbus City Codes; for the property located at **35 E.**

SYCAMORE ST. (43206), to permit habitable space above a detached garage with reduced development standards in the R-2F, Residential District (Council Variance #CV22-082).

WHEREAS, by application #CV22-082, the owner of the property at **35 E. SYCAMORE ST. (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 newly constructed detached garage that is not directly connected to habitable space in the single-unit dwelling; and

WHEREAS, Section 3332.05(A)(4), Area district lot width requirements, requires a minimum lot width of 50 feet in the R-2F, Residential District, while the applicant proposes to maintain a reduced lot width of 31.25± feet; and

WHEREAS, Section 3332.38(G), Private garage, limits garage height to 15 feet, while the applicant proposes a garage height of 27.5 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 **35 E. SYCAMORE 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; 3332.05(A) (4), Area district lot width requirements; and 3332.38(G), Private garage, of the Columbus City Codes; for the property located at **35 E. SYCAMORE ST. (43206)**, insofar as said sections prohibit habitable space above a detached garage that is not directly connected with habitable space in a dwelling; to maintain a reduced lot width from 50 to 31.25± feet; and with an increased height of the detached garage from 15 feet to 27.5 feet; said property being more particularly described as follows:

35 E. SYCAMORE ST. (43206), being 0.14± acres located on the south side of East Sycamore Street, 38± feet east of South Pearl Street, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin and City of Columbus and being more particularly described as follows being the east one-half of lot number eight (8) of the M. J. Gilberts addition, as the same is numbered and delineated upon the recorded plat thereof, of record in deed book 14, pages 346-1/2 and 347, Records Office, Franklin County, Ohio. Said property is commonly known as 35 E. Sycamore Street, Columbus Ohio. Said property is also identified as being parcel number 010-002485-00 by the Franklin County Auditor, 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 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 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 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.