



# PLANNING REPORT

## Board of Zoning Appeals

Thursday, May 25, 2023

# HELFRICH RESIDENCE

## 23-027V

<https://dublinohiousa.gov/bza/23-037/>

### Case Summary

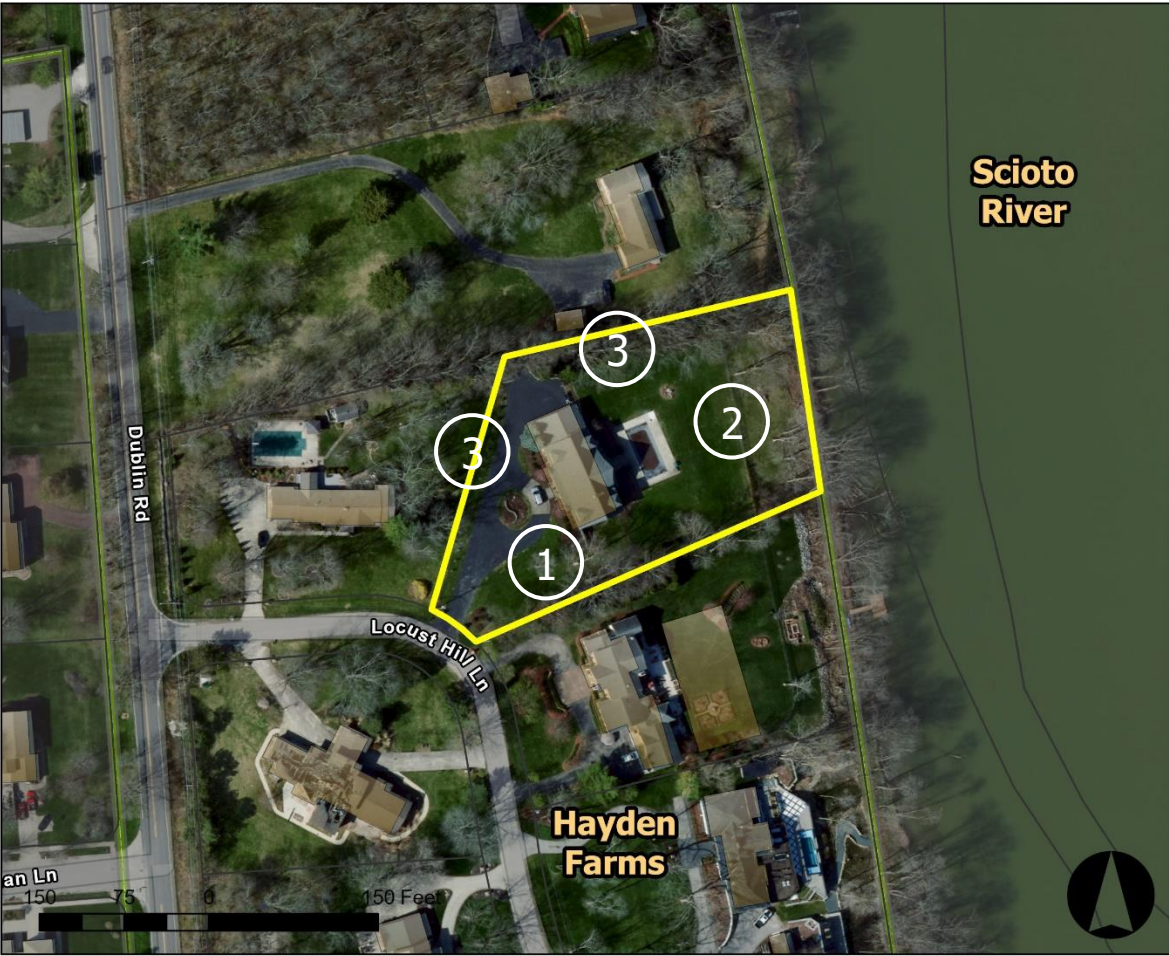
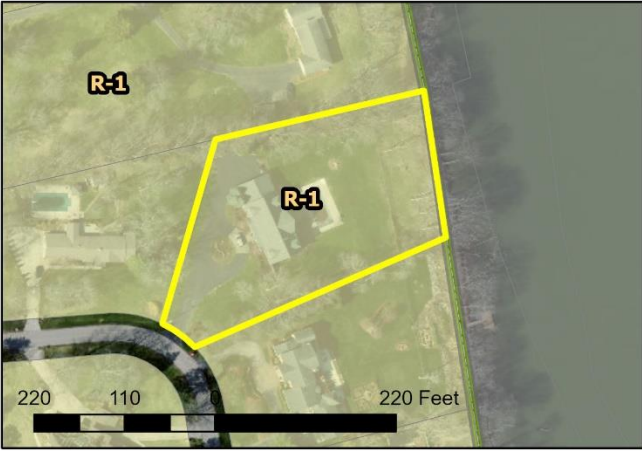
Address	5290 Locust Hill Lane, Dublin, OH 43017
Proposal	A Non-Use (Area) Variance to Zoning Code Section 153.190(E)(1)(f)(3)(d) to allow two garage doors to exceed the 9-foot maximum height requirement. The site is located east of the intersection of Locust Hill Lane with Dublin Road.
Request	Review and approval for Non-Use (Area) Variances under the provisions of Zoning Code Section §153.231(H).
Zoning	R-1, Restricted Suburban Residential District
Planning Recommendation	<u>Approval of the Non-Use (Area) Variance.</u> Planning recommends Approval with 1 condition.
Next Steps	The Board of Zoning Appeals (BZA) is the final reviewing body for this application. If approved by the BZA, the applicant may apply for a building permit. If denied, the applicant will need to revise the proposal to conform to all development standards.
Applicant	Joseph Mess, Property Owner
Case Manager	Elizabeth Fields, AICP McBride Dale Clarion

### Site Location Map

# 23-037V Helfrich Residence - Garage Door Height



- Site Features**
- 1 Existing tree stand and tree row.
  - 2 Significant grade change from W to E
  - 3 Mature vegetation



# 1. Overview

## Background

The site is a 1.5-acre lot bordered to the southwest by Locust Hill Lane and to the east by the Scioto River. The site has one permanent access point stemming from Locust Hill Lane to the existing single-family dwelling. The site is zoned R-1, Restricted Suburban Residential and is located east of the intersection with Dublin Road.

## Site Information

### *Lot Layout*

The site is an irregular shaped lot with ±50 feet of frontage on Locust Hill Lane. The existing single-family property is set back approximately 140 feet from Locust Hill Lane (southwest property line), 55 feet from the north property line, 170 feet from the east property line, and 55 feet from the south property line. The home is located centrally on the site, with an existing attached garage located on the north end of the building.

### *Natural Features*

The site is located directly west of the Scioto River and contains floodplain designations in the rear of the property. Additionally, the boundaries of the site features significant mature vegetation, which screens the site from adjacent properties. Finally, the site contains a significant grade that slopes from Locust Hill Lane to the Scioto River.

## Code Requirements

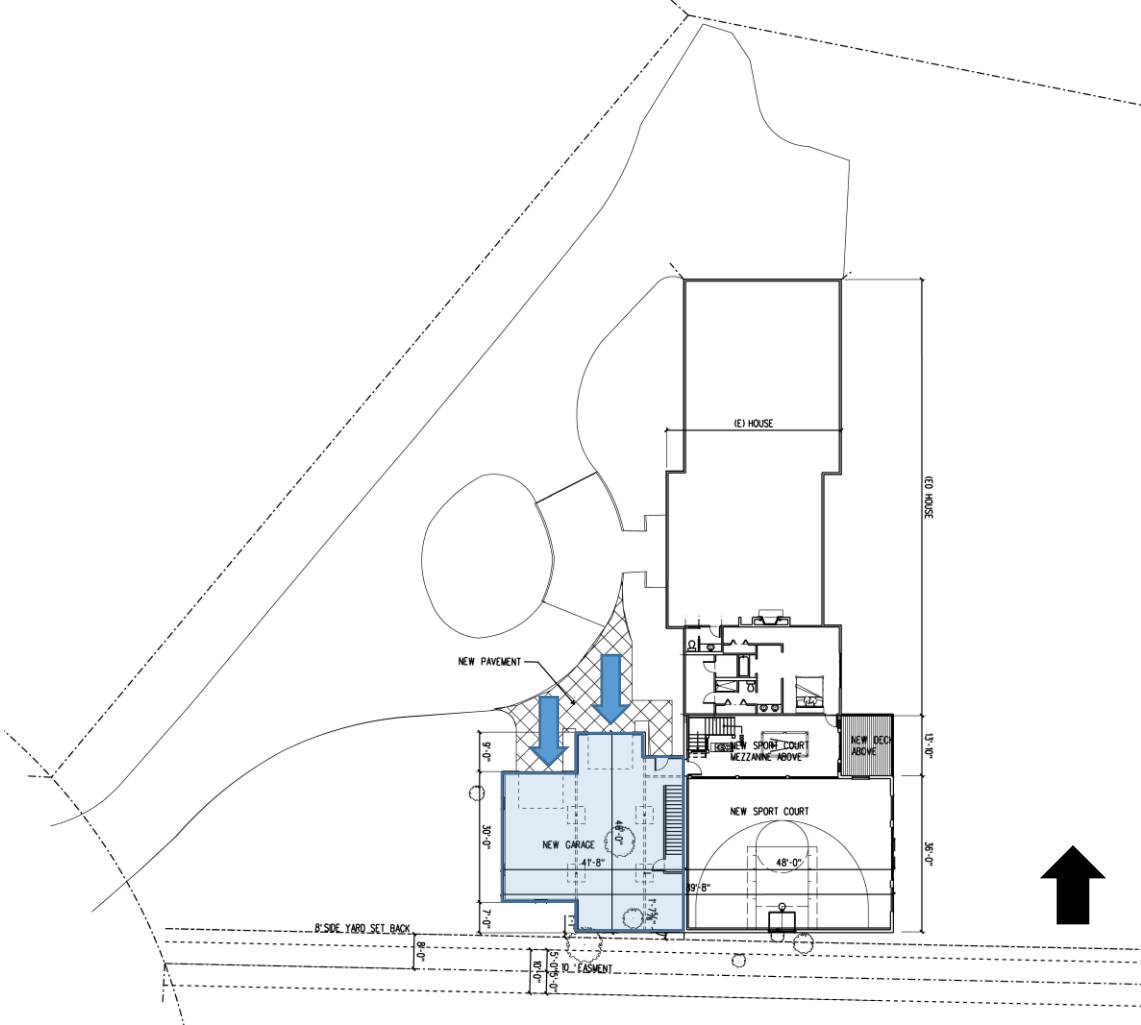
The following code requirements are applicable to the application. The requirement is stated along with the request from the applicant.

Code Section	Requirement	Request
153.190(E)(1)(f)(3)(d)	Garage door openings shall not be higher than 9 feet.	A 12-foot-tall garage door to accommodate a handicap accessible van and a 10-foot-tall garage door.

# 2. Proposal

The applicant is requesting a Variance that would allow a future side-loaded attached garage addition to have two garage doors that exceed the maximum garage door height requirement of 9 feet. One door is proposed to be 12 feet and the other door will be 10 feet. Per the applicant, the 12-foot tall garage door is to accommodate a 10.5-foot tall handicap accessible vehicle for a family member. The 10-foot tall garage door is proposed to reduce the height differential between the 2 new garage doors, not to accommodate the handicap vehicle. The proposed garage is located on the southwest corner of the existing home, and the garage doors will be facing north towards the north property line. The proposed garage doors will not be visible from Locust Hill Lane, or from adjacent properties due to existing vegetation and grade changes.

3. Drawings



North Elevation

## 4. Plan Review

### Criteria A | Non-Use (Area) Variance Analysis - Section 153.231(H)(2)(a)

All three criteria are required to be met:

Criteria	Review
1. That special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the same zoning district whereby the literal enforcement of the requirements of this chapter would involve practical difficulties.	<b>Criteria Met:</b> The site is larger than a typical suburban lot, irregularly shaped, and is in a wooded area. Additionally, the home is angled towards the west property line, allowing for the proposed side-loaded garage doors to be screened from the street. Based on the geometry of the lot and the form of the house, the garage doors will not be disproportionate or out of character with the existing house.
2. That the variance is not necessitated because of any action or inaction of the applicant.	<b>Criteria Met:</b> The variance request for the 12-foot door is necessitated due to medical needs of the applicant, as the garage is proposed to accommodate a handicap accessible vehicle for a family member. The proposed 10-foot-door does not meet this standard as it is the result of the applicant's desire to reduce the height differential between the two doors.
3. Granting the variance will not cause a substantial adverse effect to the property or improvements in the vicinity or will not materially impair the intent and purposes of the requirement being varied.	<b>Criteria Met:</b> The proposed addition meets all setback requirements for the lot. Due to the location of the garage doors, visibility from the right-of-way will be minimal, if visible at all. The Variance will not adversely affect the surrounding properties.

**Criteria B | Non-Use (Area) Variance Analysis - Section 153.231(H)(2)(b)**

At least two of the following criteria are required to be met:

Criteria	Review
1. That a literal interpretation of the provisions of the Zoning Code would not confer on the applicant any special privilege or deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter.	<b>Criteria Met:</b> Lots of this size and shape are uncommon within city boundaries, and a similar consideration would be granted towards other requests for handicap accessible building components. As such, granting a variance would not confer special privileges to the applicant.
2. The variance request is not one where the specific conditions pertaining to the property are so general or recurrent in nature as to make the formulation of a general regulation for those conditions reasonably practicable.	<b>Criteria Met:</b> The request is unique in character and not recurrent in nature.
3. The variance would not adversely affect the delivery of governmental services.	<b>Criteria Met:</b> The requested variance would not affect the delivery of governmental services.
4. The practical difficulty could not be eliminated by some other method, even if the solution is less convenient or most costly to achieve.	<b>Criteria Not Met:</b> The vehicle could be stored off-site or on the driveway, providing an alternative method available to the applicant.

**5. Recommendation**

**Planning Recommendation:** Approval of the Non-Use (Area) Variance to Zoning Code Section 153.190(E)(1)(f)(3)(d) to allow a garage door to exceed the 9-foot maximum height requirement with 1 condition:

- 1) The applicant bring the 10-foot tall garage door into compliance with the height requirements.