

VARIANCE STATEMENT

The application is proposing to construct an attached garage that has two garage doors that exceed the 9-foot maximum height requirement. Dublin Code 153.190 Residential Appearance Standards specifies that “garage door openings shall not be higher than nine feet.” We are requesting to construct an attached garage with two doors – 12 feet high and 10 feet high. The purpose of the increased height is to accommodate the future parking and the loading and unloading of handicap accessible vans.

The property is located in the Hayden Farms subdivision that consists of Locust Hill Lane and Thornhill Lane. These lots are larger than most lots in a suburban community. The lot has a considerable steep slope that would not feasibly allow for the construction of a garage on the east side of the property. Consequently, it was decided that the only suitable location for a garage addition would be on the street side of the property. A variance in the same subdivision was approved by the Board of Zoning Appeals in 2019 at 5170 Locust Hill Lane for 3 front loading garage doors exceeding nine feet. We are proposing to build 2 side loading garage doors exceeding the maximum height requirement. Side loading garage bays are proposed to reduce visibility and to blend in with the existing house and neighboring properties.

CRITERIA ANALYSIS

All three of the following criteria must be met:

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.*

The site is larger than a typical suburban lot, and the garage doors will not be disproportionate with the large size of the house. A garage cannot be feasibly constructed behind the existing house due to the significant slope of the property.

2. *That the variance is not necessitated because of any action or inaction of the applicant.*

The variance has no bearing on the action or inaction of the applicant.

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 or of this chapter.*

The proposed garage is setback significantly from the right-of-way. Visibility to the side-loading garage doors will be minimal, if visible at all, and will not adversely affect the surrounding properties.

At least two of the following findings are made:

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.*

Granting a variance would not confer special privileges as this is a larger lot and similar variances were granted to neighboring properties within the same subdivision.

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.*
3. *The variance would not adversely affect the delivery of governmental services (e.g. water, sewer, garbage).*

Water and sewer are private utilities on the property and would not be affected. The property is serviced with natural gas, garbage, and electric but these services would also not be affected.

4. *The practical difficulty could not be eliminated by some other method, even if the solution is less convenient or most costly to achieve.*

Vehicles could be stored outside on driveway but would face difficulty loading and unloading during adverse weather conditions.