

## PLANNING REPORT

# Board of Zoning Appeals

Thursday May 28, 2026

## Shuback Residence Garage Addition 26-023V

<https://dublinohiousa.gov/bza/26-023/>

### Case Summary

Address	6151 Wigeon Court
Proposal	Request to allow a garage addition to encroach into the side yard setback.
Request	Review and approval of a Non-Use (Area) Variance under the provisions of Zoning Code Section 153.231(H).
Zoning	R-3, Suburban Residential District
Planning Recommendation	<u>Disapproval of the Non-Use (Area) Variance</u>
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.
Applicant	Heidi Bolyard, Simplified Living Architecture
Case Manager	Tori Brubaker, Planner I (614) 410-4632 <a href="mailto:tbrubaker@dublin.oh.us">tbrubaker@dublin.oh.us</a>



### Community Planning and Development



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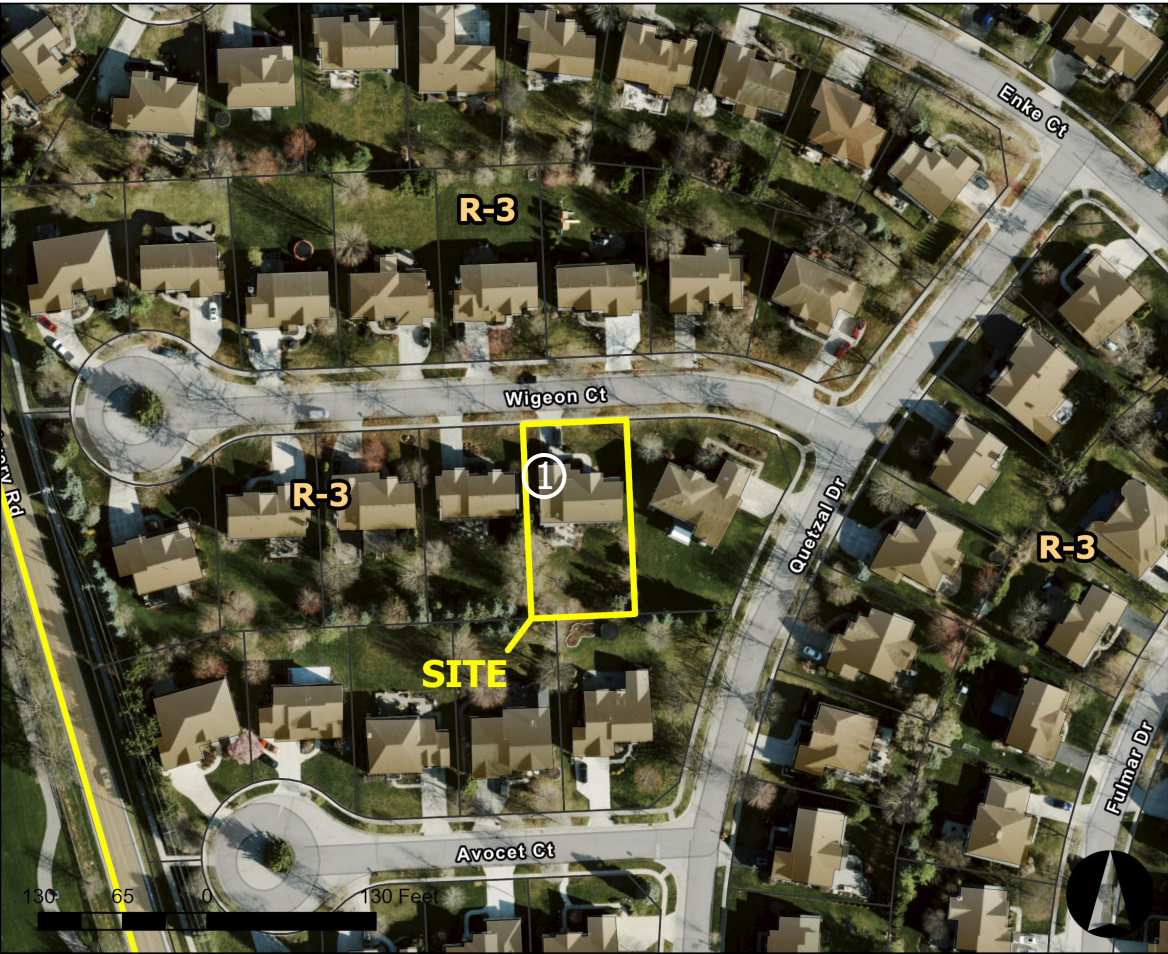
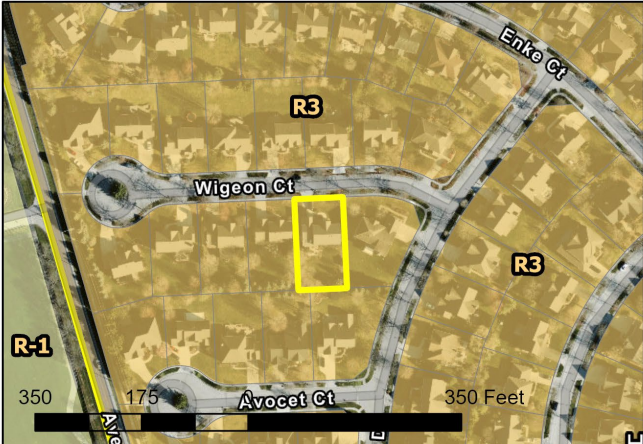
Site Location Map

# 26-023V - Shuback Residence - Addition



**Site Features**

- ① Proposed Addition



# 1. Background

## Site Summary

The site contains a single-family residential structure of 2,863 square feet on a 0.28-acre lot. The home was constructed in 2000. The site is zoned R-3, Suburban Residential District and is located in the Hawk’s Nest subdivision. The subdivision is located east of Avery Road and south of Brand Road. The lot is #171 of the Hawk’s Nest Section 2 Phase 3 plat, and all the lots contain single-family homes.

## Site Information

The property is rectangular in shape, with the lot being 80 feet in width and 150 feet in depth, consistent with the majority of the properties in the Hawk’s Nest neighborhood. The site has a 30-foot building line and storm and sanitary easement at the front of the property and a 20-foot no build zone at the rear of the property.

## Process

A *Non-Use (Area) Variance* is an application intended for properties where strict enforcement of the applicable development standard is unreasonable, and there is evidence of practical difficulty in meeting the requirement. Variance applications should be reviewed on a case-by-case basis and based on the merits of the subject property/structure. This type of application is reviewed and determined by the BZA, which is the final determining body. Criteria are split between two different categories: A and B. All criteria of Category A are required to be met, while two of the four criteria in Category B are required to be met.

Should the Variance be approved, the applicant would be required to submit a building permit application and receive approval prior to construction. Should the Variance be disapproved, the applicant would be required to meet the requirements of the Zoning Code and modify the addition to meet all applicable setbacks.

# 2. Project

## Summary

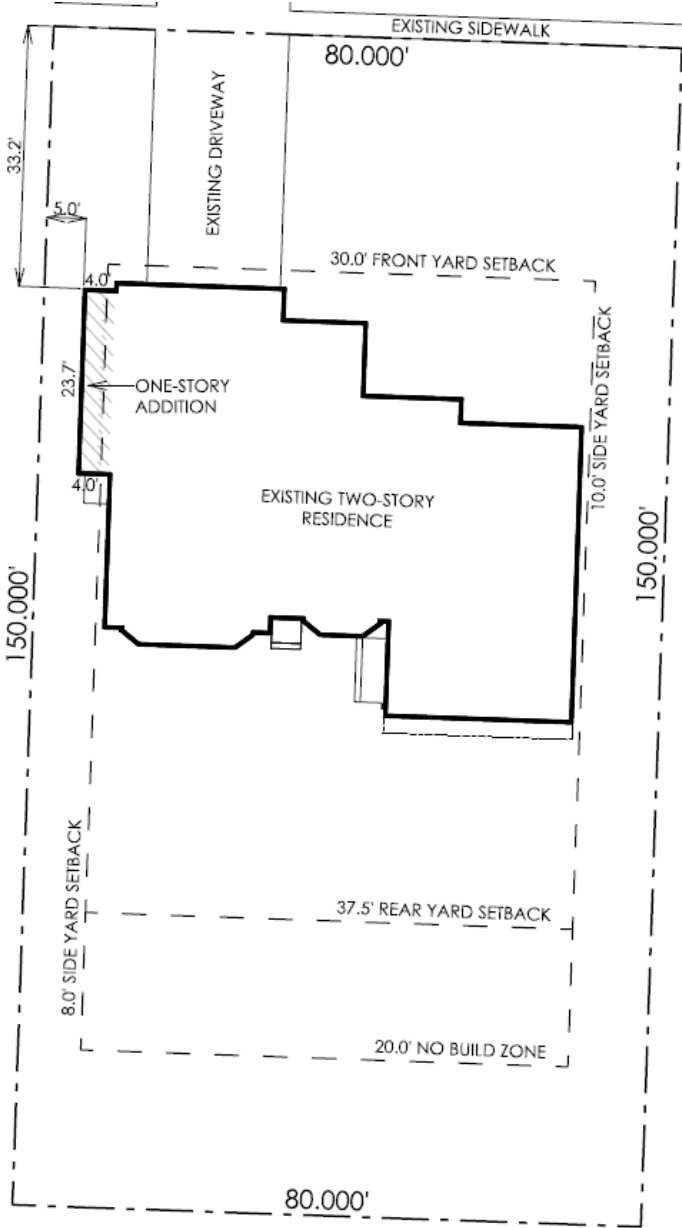
The applicant is requesting the following Variance for an existing single-family home:

Variance #	Code Section	Requirement	Request
#1	153.022(C)(3)	There shall be a total of side yards of 18 feet or more with a minimum of 8 feet on one side.	To allow a garage addition to encroach 3 feet into the 8-foot minimum side yard setback.

The applicant is proposing to construct an addition to the west side of their garage that would be 4 feet in width. The west side of the home is currently 9 feet from the property line and 1-foot from the minimum side yard setback. The addition would require a variance for a 3-foot encroachment into the side yard setback and for a reduction of the total side yard setback to be approximately 16 feet.

The applicant has provided a statement addressing the reasoning for the request. The applicant states they would like to add storage space in their garage due to the existing garage being narrow in width for a 2-car garage at 20.7'. They state this cannot be accomplished without a variance. Without the variance, only 1 foot could be added to the west side of the existing garage, which will not allow enough storage space for trash cans and bikes. Due to the existing wall at the right side of the garage being flush to the back of the home, there is not an option of adding any additional space to the garage at the rear.

### 3. Site Plan



## 4. Plan Review

### Non-Use (Area) Variance

All three of the following criteria are required to be met:

Criteria A	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>Criterion Not Met:</b> The site is similar in shape and size to other lots in the subdivision, and the same zoning requirements are applied throughout the neighborhood. There are no special conditions or circumstances applicable to this land or structure.
2. That the Variance is not necessitated because of any action or inaction of the applicant.	<b>Criterion Not Met:</b> The variance request is necessitated by the applicant requesting to construct a non-compliant garage addition within the required setback.
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>Criterion Not Met:</b> Side yard setbacks are intended to allow for adequate separation between homes. Granting this request would impair the intent of the Code requirement and minimize the distance between homes that is consistent in the neighborhood.

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

Criteria B	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>Criterion Not Met:</b> Providing an addition that does not meet requirements of the zoning district will confer special privileges to the applicant not provided to other properties in the neighborhood.
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>Criterion Met:</b> The request is not recurrent in nature and does not require modifications to the Code.

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

Criteria B	Review
3. The Variance would not adversely affect the delivery of governmental services.	<b>Criterion Met:</b> This request would not impact 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>Criterion Not Met:</b> The addition can be modified to meet the requirements of the Code, or the applicant could explore other storage options that meet Code requirements.

**Recommendation**

**Planning Recommendation:** Disapproval of the Non-Use (Area) Variance to allow a garage addition to encroach into the side yard setback.