

**CITY OF DUBLIN  
USE VARIANCE REQUIREMENT CHECKLIST**

**VARIANCE STATEMENT**

1A) We have submitted for a 2,400 sf accessory building with a future porch of 288 sf. We were told that the square footage limit is 2,000 sf leaving us 400 sf over the zoning limit for the accessory building or 688 sf over if porch would be included.

2A) Code 153.074 gives a development size of 2,000 sf.

3A) The property has been in two parcels but appears that a garage was added to the residence. They did a lot combination. We believe that the two parcels would allow for a total of 4,000 sf dependent upon zoning interpretation. The size of our variance request fits 153.074 Accessory Uses & Structures. This building would cover 2% of the total lot size.

4A) We were told that we exceeded the Accessory Building Size Limitation.

Based on what we have experienced due to the CoVid virus, we need to take steps to protect and establish the ongoing education of our children. If there are further school shut downs and limitations, this building is one part of what our family needs to continue learning within the confines of our home and property.

5A) With the shape of the lot and the function of the building, the accessory building has been positioned in close proximity of the house and pool allowing maximum distance from the neighbor's property to the south, specifically from their living space. Since the residence is two

stories and with recessing the accessory building 60” into the grade, we are able to minimize the height appearance. There is also substantial foliage and trees that diminish the building’s size and impact upon the neighborhood.

**ADDRESS THE FOLLOWING REVIEW CRITERIA**

1B) The single lot size of other properties naturally limits the size of any accessory buildings. Since we have the equivalent of two lots, a larger structure is feasible without cluttering the property.

2B) We didn’t request or pursue the lot combination which limited the building opportunity. We did not place the residence, drive or pool but would like to supply privacy for our family and children as they play and entertain.

3B) The enclosed accessory building will supply an indoor activity space for our family while providing privacy for the Tu family and our neighbors. Because of the adjusted elevations and natural exterior finishes this building will be hidden from many.

4B) The desired use of the building will be for sports activities (volleyball, basketball, etc.). If the building is sized down, it will limit how effective that space may be. Having six children there will also be times in the future that our family will park a car inside to keep from filling up the driveway. To have the land but not be able to use it for our individual and community benefit would be a shame.

## **USE VARIANCE**

There has been careful consideration of the lot size, lot depth and accessibility of this accessory building. With the street curving around the entire front-north side and east side, the placement of the building between the road and the residence would be out of sorts. The rear-south side is the best placement of the building because it supplies the least impact to the neighborhood. As previously stated, we are balancing the site and inseting the building into the north elevation approximately 5' deep. This inset will soften the size appearance of the building. The trees on the property are approximately 50' in height and the residence is a full two stories all of which diminishes the appearance of the building. The residence positioning and the lot combination were not the decision of the Tu family. The decision to try to supply a positive and active atmosphere for our family is our responsibility. A lesser sized building would negatively impact our hope and use of our property.



Approx Scale 1" = 100'

Tu Project 7605 Bellairz Ave., Dublin

2.693 AC





Parcel ID: 273-006692-00  
TU ELIAS

Map Routing: 273-N105A -026-00  
7605 BELLAIRE AV

## SALES SUMMARY

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Date	Grantee	Convey No	Inst Type	# of Parcels	Sale Price
DEC-21-2015	TU ELIAS TU KRISTEN M	00025538	SU	1	\$660,000
JAN-11-2002	BURTON LINDA S	(273)3-M	CB	1	\$0
AUG-13-1993	BURTON LINDA S	906933-D	QC	2	\$0
JUN-16-1992		9799		2	\$197,500
JUL-01-1984				1	\$167,900

## TRANSFER HISTORY

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[Historical Parcel Sheets \(PDF\)](#)





## USE VARIANCE REQUIREMENT CHECKLIST

**I. NARRATIVES & DOCUMENTS:** Please submit all documents digitally into the Documents folder on ProjectDox, these documents may consist of multiple pages. Documents typically include project summaries, stormwater report, traffic memo, etc.

1-5 A

**VARIANCE STATEMENT**

- 1  Please explain the requested variance
- 2  Please identify the development text requirement or Code Section from which the proposal is varying
- 3  Please explain how the requested variance relates to the development standards applicable to the property
- 4  If the applicant has been denied a Certificate of Zoning Compliance for the property in question, explain why the request was denied
- 5  Please provide any other information that would be helpful to the Board of Zoning Appeals in making their decision

1-4 B

**ADDRESS THE FOLLOWING REVIEW CRITERIA**

- Explain the existing special circumstances or conditions that are peculiar to this land or structure that are NOT applicable to other properties or structures in the same zoning district.
- Explain how the special conditions are NOT a result of the applicant's actions or inactions.
- Explain how the proposed use will NOT alter the essential character of or be detrimental to adjacent properties and the surrounding neighborhood.
- Explain how the building, structure, or land cannot be reasonably used for a use allowed in its current zoning district.

**II. PLANS & DRAWINGS:** Please submit all drawings and plans digitally into the Drawings folder on ProjectDox, these drawings must be single sheets and named using the naming convention discussed in the ProjectDox guide.

**SCALED SITE PLANS**

- One (1) copy, indicating the boundaries and dimensions of the lot as well as all current sizes and locations of existing and proposed structures, access ways, walks, off-street parking and loading spaces, landscaping, lighting, and signs. The plans must also indicate all proposed existing uses of all parts of the lot and structures in addition to the uses of land and locations of structures within 100 feet of the subject property. Please include any other information that the Board of Zoning Appeals deems necessary to make a decision on the application.

**DENIED CERTIFICATE OF ZONING COMPLIANCE (IF APPLICABLE)**



**§153.231(H) USE VARIANCE (PRACTICAL DIFFICULTY) REVIEW CRITERIA**

- (3) Use variances. Final approval of a use variance shall be granted by the City Council, following review of the findings of the Board of Zoning Appeals. Upon application, the Board of Zoning Appeals shall only recommend to the City Council approval of a request for a use variance only in cases where there is evidence of an unnecessary hardship imposed on the property in the official record of the hearing and a finding is made that all of the following standards of review are met::
- (a) That there are unnecessary hardships in the way of carrying out the strict letter of these regulations which are caused by exceptional or extraordinary circumstances or conditions applying to the property involved, or to the intended use of the property, that do not generally apply to other property or uses in the vicinity in the same zoning district. Exceptional or extraordinary circumstances or conditions include:
    - 1. Exceptional narrowness, shallowness or shape of a specific property on the effective date of this chapter;
    - 2. Exceptional topographic conditions;
    - 3. By reason of the use or development of the property immediately adjoining the property in question; or
    - 4. Any other physical situation on the land, building or structure deemed by the Board of Appeals to be extraordinary.
  - (b) That the proposed use will not alter the essential character of or be detrimental to adjacent property and the surrounding neighborhood.
  - (c) That the building, structure, or land cannot reasonably be used for a use allowed in the zone district in which it is located.
  - (d) That the variance is not necessitated because of any action or inaction of the applicant.

