

Bexley Board of Zoning and Planning

Planning Staff Report – October 25, 2018



Residential Variance: 424 S Columbia

Application #: 17-040 Z

Location: 424 S. Columbia Avenue

Zoning: Medium Density Single-Family Residential District (R-3)

Request:

The applicant is seeking a variance:

- The applicant is seeking a variance is from Bexley Code Section 1262.06, which permits circular driveways on lots having a minimum front yard lot width at the street right-of-way of at least one hundred and fifty (150) feet, to allow a circular driveway to be located on this 133' wide lot.

Applicant: On Site Management

Owner: Dr. Summit and Lekha Shah

A. STAFF RECOMMENDATION

The applicant seeks a variance from site development code standards in an R-3 District. Previously, a Certificate of Appropriateness was recommended for the proposed house by the ARB, and the COA and a variance to allow an accessory use in the side yard for a swimming pool was approved by the BZAP in February of 2018. This applicant now seeks an additional variance that was not approved as part of the earlier application. The applicant proposes to create a circular driveway by adding a second approach and maintain the existing approach.

Note: This application was tabled at the June 28th meeting of the Board. If the BZAP determines that the requested variance for a circular driveway should be granted, the Board is also requested to approve a Certificate of Appropriateness for the landscape plan in association with "Option B" as presented. The BZAP previously approved the landscape plan for "Option A" so no further action is need by the Board if the variance request is denied.

B. BACKGROUND



The site is located on the east side of S Columbia Avenue, north of Bryden Road.

Zoning: The project is located in the Medium Density Single-Family Residential District (R-3) (1252.05).

C. CONSIDERATIONS

Site Considerations

This lot is approximately 133' in width. This street has a variation in lot widths. The typical narrower lots are about 66' in width, including the two lots to either side of this one. The lot across the street is the same width as this one.

Variance Criteria

Under the code, the following establishes the framework for consideration of variance requests:

From (1226.11(b): On a particular property extraordinary circumstances may exist, making a strict enforcement of the applicable requirements of this Code unreasonable, and therefore, the variance procedure is provided to allow the flexibility necessary to adapt to changed or unusual conditions that meet the standards of review for variances. In granting any variance, the BZAP or City Council shall prescribe appropriate conditions and safeguards to maintain the intent and spirit of the zoning district in conformity with the Zoning Code.

From (1226.11(c): BZAP and City Council shall only approve a request for an area (non-use) variance in cases where the evidence demonstrates that the literal enforcement of this Code will result in practical difficulty and the granting of a variance complies with the purpose and intent of this Code.

Area (Non Use) Variance Criteria
1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance.
2. Whether the variance is substantial.
3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.
4. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, garbage);
5. Whether the property owner purchased the property with knowledge of the zoning restriction
6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance
7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance

The intent of the R-3 district is described in the code as follows:

From (1252.05): This District, designated by the symbol "R-3" in this Zoning Code and on the official zoning map, is intended to preserve areas of existing single-family residential development at a medium density compatible with the existing scale and character of these sections of the City. These sections need to be protected from random new development or redevelopment of a higher density or incompatible use. The R-3 Zoning District is intended to preserve the established density and scale of these areas. Any development or redevelopment of a moderately higher residential density should generally be allowed only by planned unit development, as described in section 1256, in appropriate locations and carefully designed to harmonize with nearby development.

D. ADDITIONAL COMMENTS

Tree and Public Gardens Commission Recommendation

The T+PGC issued the following recommendation at their June 20, 2018 meeting:

- The Tree and Public Gardens Commission recommends design approval to the Board of Zoning and Planning with the conditions:
 1. That a tree preservation plan is prepared and attached to construction plans.

E. RECOMMENDED CONDITIONS

Should the Board of Zoning and Planning act on the requested variance, staff recommends the following conditions:

1. That a tree preservation plan is prepared and attached to construction plans, to the satisfaction of staff;
2. That the site modifications, design and materials will be in substantial conformance with the renderings and plans submitted to the Board of Zoning and Planning for the October 25, 2018 meeting, unless otherwise modified in collaboration with staff.

Prepared by:

Jason Sudy, AICP

OHM Advisors

jason.sudy@ohm-advisors.com