

STAFF REPORT

BOARD OF ZONING ADJUSTMENT CITY OF COLUMBUS, OHIO JANUARY 24, 2012

5. **Application No.:** **11310-00495**
 Location: **5453 REDWOOD ROAD (43229)**, located on the west side of Redwood Rd., approximately 222 ft. north of Sandalwood Pl.
- Area Comm./Civic:** Northland Community Council
 Existing Zoning: SR, Suburban Residential District
 Request: Variance to Section:
 3312.27, Parking setback line.
 To reduce the minimum setback for parking from 25 ft. to 7 ft.
- Proposal:** To reduce the required parking setback and to legalize an approximate 266 sq. ft. driveway expansion.
- Applicant(s):** David E. & Mary B. Jones
 5433 Redwood Rd.
 Columbus, Ohio 43229
- Property Owner(s):** Same as applicant.
 Case Planner: Dave Reiss, 645-7973
 E-mail: DJReiss@Columbus.gov

RELEVANT DATA

- The site is developed with a single-family, frame, tri-level dwelling, located in a single-family dwelling subdivision, established in 1963.
- The applicant proposes to allow a 9.5 ft. wide, 27 ft. 9-1/2 in. long driveway expansion to an existing, approximately 10 ft. wide, 31 ft. long, existing driveway to remain.
- Section 3312.27 requires that the minimum setback for parking be established at 25 ft. in a residential neighborhood, while the applicant proposes to reduce the parking setback to 7 ft. for an expansion to a single-lane driveway to be used for parking that does not lead to a legal parking space.
- The site was developed in 1963. At that time, single-lane driveways and one-car garages were common. The code does allow for one on-site parking space to be stacked behind a legal parking space and extend into the required parking setback of 25 ft., but does not allow the same for a vehicle not stacked directly behind the one in the legal space that is already behind the building setback line. For the record, it should be noted that several homes in this area have similar driveway expansions.
- The area plan does not address this issue.

- The Division of Planning & Operations (Transportation) does not have any issues with this application or the fact that a portion of the driveway apron has been expanded in the right-of-way
- The Northland Community Council recommends approval of this request.
- This case was tabled at the November, 2011 hearing in order for the Northland Community Council to make a recommendation before the matter is decided by the Board.

CITY DEPARTMENTS' RECOMMENDATION: DISAPPROVAL

SUMMARY OF POSITION AND OUTSTANDING ISSUES, IF ANY:

In July of 2011, Code Enforcement issued orders to the applicant for expanding their driveway without zoning clearance and for the parking of a semi tractor on their driveway. The semi tractor has since been removed and that portion of the code order is complied. The remaining issue is the lack of zoning clearance for the driveway expansion.

The code allows the second required parking space for a single-family residence to be legally stack-parked behind the first space that is legally behind the parking setback line. Because of that, staff is unable to support a driveway widening that enables a second vehicle to park beside the legal stacking space.

Staff understands that the applicant has experienced damage to their vehicles by parking on the street and recognizes the inconvenience caused by stacked parking in having to constantly move one vehicle to enable the first-parked vehicle to have ingress and egress.

Finally, several other property owners have similar situations in this neighborhood; there are many driveway expansions for which zoning clearance could not have been issued without a variance, similar to the one requested by this applicant. It is obvious to the casual observer that several of the expansions appear relatively new, never-the-less, no variance applications for any such expansion has been filed for Board action for any of the others on this street or in this neighborhood.

CONDITION(S) RECOMMENDED: None

THE DEVELOPMENT PROPOSED IN THIS APPLICATION IS SUBJECT TO COMPLIANCE WITH ALL OTHER CITY CODES.

PROPOSED HEARING TIME: 6:00 p.m. agenda

STAFF REPRESENTATIVE: Dave Reiss, 645-7973
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