



① SITE PLAN  
1" = 10'-0"

N

**STATEMENT OF HARDSHIP**

Application #: CV22-\_\_\_\_\_

**Columbus City Code Section 3307.10 - Variances by City Council.**

City council may grant the following zoning variances:

- A. Permit a variation in the yard, height or parking requirements of any district only in conjunction with a change in zoning or a use variance and only where there are unusual and practical difficulties in the carrying out of the zoning district provisions due to an irregular shape of lot, topography, or other conditions, providing such variance will not seriously affect any adjoining property or the general welfare.
- B. Permit a use of the property not permitted by the zoning district established on the property if such use will not adversely affect the surrounding property or surrounding neighborhood and if council is satisfied that the granting of such variance will alleviate some hardship or difficulty which warrants a variance from the comprehensive plan.

Before authorizing any variance from the Zoning Code in a specific case, city council shall first determine that such variance will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the city.

In granting a variance pursuant to this section, council may impose such requirements and conditions regarding the location, character, duration, and other features of the variance proposal as council deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.

**List all sections of Code to be varied and explain your reasoning as to why this request should be granted.**

**PLEASE NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are not included, a new application (and applicable fees) will be required.**

**I have read the foregoing and believe my application for relief from the requirements of the Zoning Code contains the necessary hardship, will not adversely affect surrounding property owners, and will comply with the variance(s) requested as detailed below (use separate page if needed or desired):**

See Exhibit B

Signature of Applicant

*21 East LLC by David B. Perry, Agent*

Date

*2-21-22*

Signature of Attorney

*Donald Plank*

Date

*2/21/22*

**Exhibit B****Statement of Hardship****CV22-\_\_\_\_, 21 E Arcadia Avenue, Columbus, OH 43202**

The site is located on the south side of E. Arcadia Avenue, 150' +/- east of N. High Street. The site is zoned R-2F, Residential (Z17-030) and is subject to CV17-054. By CV17-054 variances were granted to permit two (2) single family dwellings on the same parcel and is subject to the site plan referenced in the CV17-054 ordinance. Applicant purchased the property June 2021 and proposes certain changes to the CV17-054 ordinance site plan as proposed by this application. The project is still two (2) single family dwellings on the same parcel but with a different site plan. The site is subject to University Interim Design Review Board (UIDRB) review, which is pending. City staff, the University Area Commission and UIDRB all supported the 2017 variance application and site plan. All variances granted with CV17-054 are repeated with this application with the new ordinance to be conditioned on the new site plan.

Applicant has a hardship and practical difficulty with compliance with the referenced code sections. All variances have been previously granted (CV17-054). The arrangement of two dwellings on one parcel exists in the older Columbus neighborhoods. In this case the two buildings were former car barns of the Columbus streetcar system. In 2017 there was strong interest in preservation of the buildings and change of use to single family dwellings. The current site plan proposes four (4) parking spaces in front of the buildings, between the buildings and East Arcadia Avenue rather than two (2) spaces shown on the 2017 site plan. There is no means of permitting the arrangement under the current Zoning Code other than by variance. The requested variances are not substantial, represent existing and/or similar conditions as existing construction pre-dating the current Zoning Code or by variance, other than the change in parking spaces represent variances already approved by CV17-054, will not alter the essential character of the neighborhood, will not affect the delivery of government services, the variances are required for reasonable use of the property and are consistent with the spirit of the zoning requirement.

Applicant requests the following variances:

- 1). Section 3332.037, R-2F, Residential district use, permits one single or one two-unit dwelling, while the applicant proposes to repurpose two existing utility buildings into separate single-unit dwellings on the same lot.
- 2). Section 3325.231, Setback Requirements, prohibits parking between a principle building and street right-of-way line, and requires that area to be maintained as landscaped areas, while the applicant proposes four (4) parking spaces and the maneuvering area to be located between the principle building and the street right-of-way line.
- 3). Section 3325.241(D), Building Design Standards, requires that for each primary building frontage, at least 60 percent of the area between the height of two feet and ten feet above grade shall be clear/non-tinted window glass permitting a view of the building's interior to a minimum depth of four feet; and that for a secondary building frontage, the pattern of window glass shall continue from the primary frontage a minimum distance of ten feet, while the applicant proposes to maintain the existing building façade of the western building with zero percent window glass and include window glass on the building façade of the eastern building totaling less than 60 percent.

4). Section 3325.261, Landscaping and Screening, requires parking lot screening and landscaping for all uses in the Neighborhood Commercial subarea, and prohibits walls or fences higher than four feet, while the applicant proposes no landscaping and screening for the on-site parking spaces, and an eight (8) foot tall fence along Grau Alley.

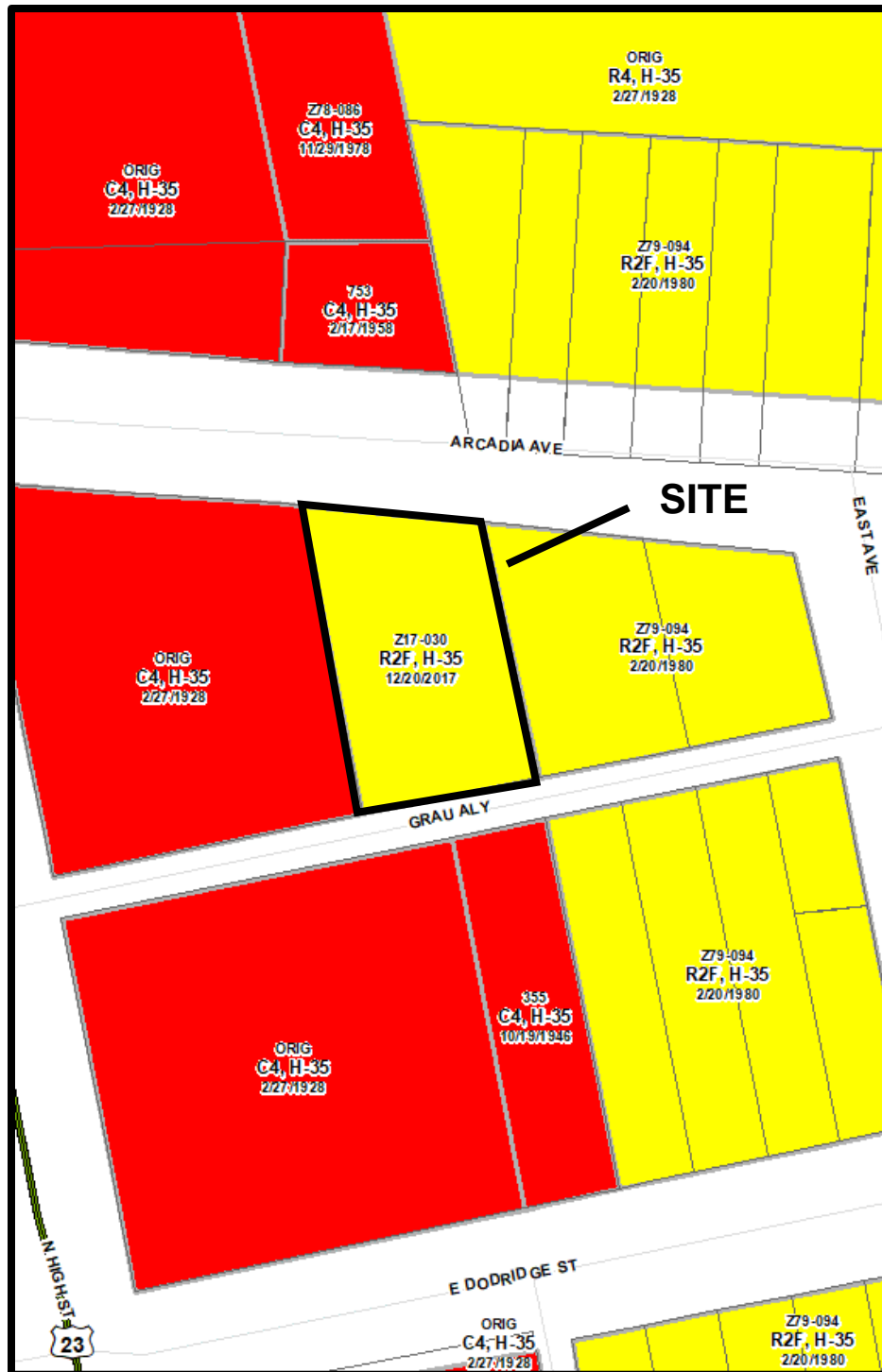
5) Section 3325.281(A), Parking and Circulation, prohibits parking, stacking, and circulation aisles between a principle building and the street right-of-way line, while the applicant proposes four (4) parking spaces and the maneuvering area to be located between the principle building and the street right-of-way line.

6). Section 3332.14 R-2F, Area district requirements, requires a single-unit dwelling or other principal building to be situated on a lot of no less 6,000 square feet in area, while the applicant proposes to maintain lot area of 10,000± square feet or 5,000± square feet per dwelling unit.

7). Section 3332.25(B), Maximum side yards required, requires the sum of the widths of each side yard to equal or exceed 20 percent of the width of the lot, or 15.75 feet, while the applicant proposes a reduced maximum side yard of 7.6± percent of the width, or 6± feet.

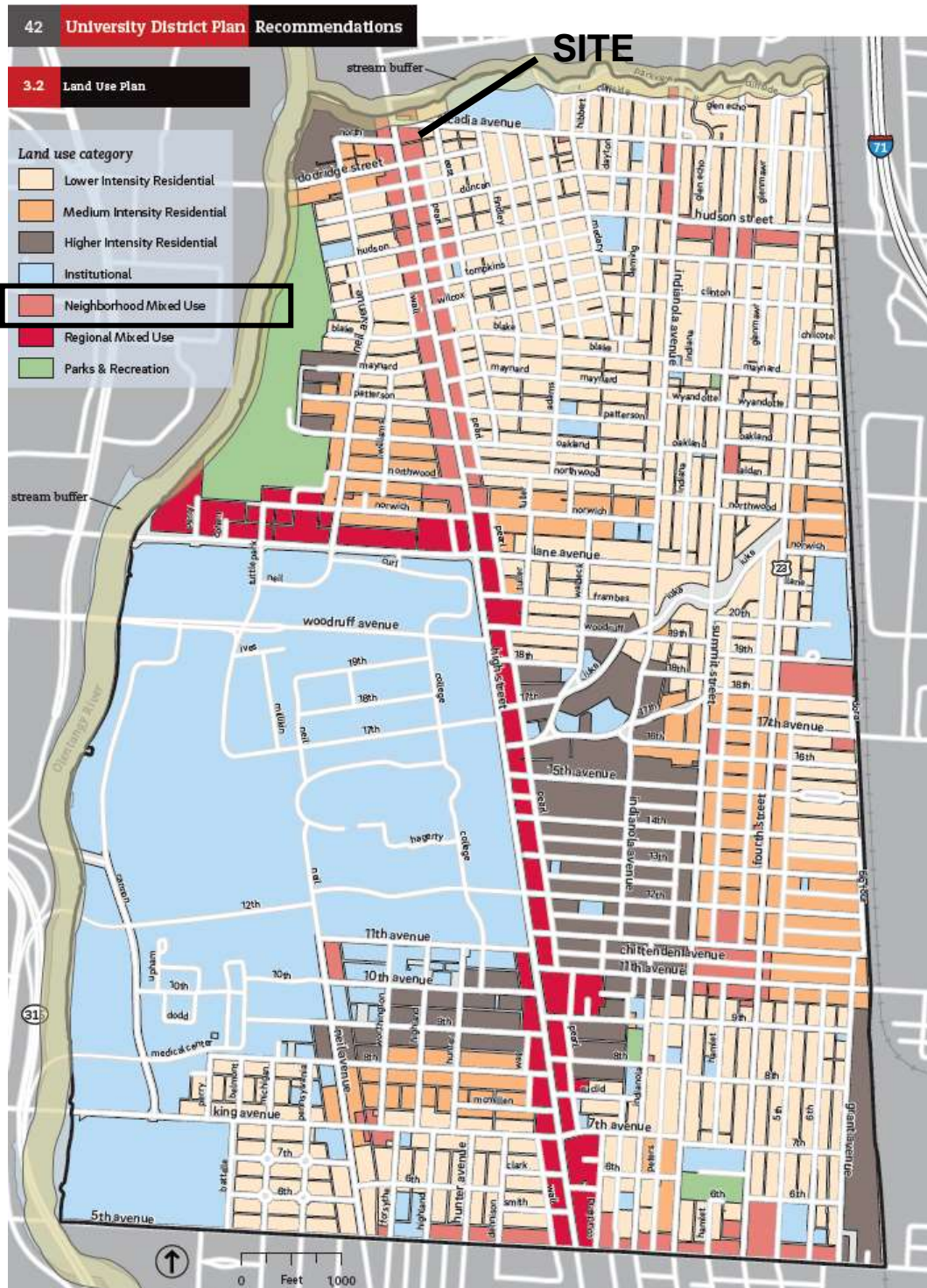
8). Section 3332.26(C)(2), Minimum side yard permitted, requires a minimum side yard of no less than five (5) feet on lots that are 40 feet wide or more in the R-2F, Residential District, while the applicant proposes to maintain a minimum side yard of 2.5 feet along the east property line, and 3.5 feet along the western property line for the existing buildings.

9). Section 3332.27, Rear yard, requires a rear yard totaling no less than 25 percent of the lot area for each dwelling, while the applicant proposes to maintain no rear yard for either dwelling.



CV22-016  
21 E. Arcadia Ave.  
Approximately 0.23 Acres





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Approximately 0.23 Acres



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Approximately 0.23 Acres



**FOR USE BY: AREA COMMISSION / NEIGHBORHOOD GROUP**  
(PLEASE PRINT)

Case Number	<u>CV22-016</u>
Address	<u>21 E Arcadia Ave</u>
Group Name	<u>University Area Commission</u>
Meeting Date	<u>April 20, 2022</u>
Specify Case Type	<input type="checkbox"/> BZA Variance / Special Permit <input checked="" type="checkbox"/> Council Variance <input type="checkbox"/> Rezoning <input type="checkbox"/> Graphics Variance / Plan / Special Permit
Recommendation (Check only one)	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Disapproval

**LIST BASIS FOR RECOMMENDATION:**

Approved by both the Zoning Committee and full University Area Commission.

Zoning Committee vote: Yes 6 No 0 Abstain 1

Commissioners like the preservation of the two buildings, saying they anchor the neighborhood and are a major contributing factor to its aesthetic. Most were happy the buildings will remain. They also appreciated the plans for the new houses and their preservation of many key features. The variances had already been approved by the commission with a previous project and the requested parking variance change seems minimal.

Vote	<u>Yes 13 No 0 Abstain 2</u>
Signature of Authorized Representative	<u>michael.kehlmeier</u> <small>Digitally signed by michael.kehlmeier Date: 2022.04.27 17:41:54 -04'00'</small>
Recommending Group Title	<u>University Area Commission Zoning Committee Chairman</u>
Daytime Phone Number	<u>614-352-7875</u>

Please e-mail this form to **the assigned planner within 48 hours of meeting day**; OR FAX to Zoning at (614) 645-2463; OR MAIL to: Zoning, City of Columbus, Department of Building & Zoning Services, 111 N Front Street, Columbus, Ohio 43215.



**UNIVERSITY IMPACT DISTRICT REVIEW BOARD**

111 North Front Street, Third Floor  
Columbus, Ohio 43215  
(614) 645-8062

THE CITY OF  
**COLUMBUS**  
ANDREW J. GINTHER, MAYOR

DEPARTMENT OF  
DEVELOPMENT

**RECOMMENDATION**

Case no. **UID-22-01-006**  
property address **21 E. Arcadia Avenue**  
hearing date **March 24, 2022**  
applicant **Laurie Gunzelman (Applicant)/ 21 East LLC (Owner)**  
issue date **March 29, 2022**

*This is a recommendation to the appropriate regulatory body as identified per City Code. It is not a zoning clearance or a building permit. This document does not relieve the applicant from the responsibility of filing for and obtaining any required zoning clearance and/or building permit from the City of Columbus Department of Building & Zoning Services (614-645-4522 / 111 North Front Street, First Floor) and following all other applicable codes and ordinances of the City of Columbus.*

The University Impact District Review Board hereby certifies that the application for the above referenced property and a copy of this Recommendation are on file with the City of Columbus Planning Division within the Development of Department. The Board has reviewed the application and taken the following action(s) in accordance with Columbus City Code 3325.115.

**Variance or Zoning Change Request**

- ☐ Rezoning  
☒ Parking Variance  
☐ Change of Use  
☐ Lot Split

- ☐ Graphics  
☐ Special permit  
☐ Setbacks  
☒ Other

**TYPE(S) OF ACTION(S) REQUESTED:**

Variances to:

1. Section 3332.037, R-2F, Residential district use, permits one single or one two-unit dwelling, while the applicant proposes two single-unit dwellings on the same lot.
2. Section 3325.231, Setback Requirements, prohibits parking between a principle building and street right-of [1] way line, and requires that area to be maintained as landscaped areas, while the applicant proposes four (4) parking spaces and the maneuvering area to be located between the principle building and the street right-of-way line.
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**RECOMMENDATION:**



SUPPORT REQUESTED VARIANCES OR  
ZONING CHANGE



DO NOT SUPPORT REQUESTED  
VARIANCE OR ZONING CHANGE



NO ACTION TAKEN

THIS RECOMMENDATION IS FOR CONSIDERATION BY THE DESIGNATED REGULATORY AUTHORITY FOR THE ACTION(S) REQUESTED AS INDICATED.



Belkis Schoenhals  
University Impact District Review Board, Staff

**PROJECT DISCLOSURE STATEMENT**

APPLICATION #: CV22- 016

Parties having a 5% or more interest in the project that is the subject of this application.

**THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED.** Do not indicate 'NONE' in the space provided.

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald Plank  
of (COMPLETE ADDRESS) Plank Law Firm, 411 East Town Street, Floor 2, Columbus, OH 43215  
deposes and states that (he/she) is the APPLICANT, AGENT, OR DULY AUTHORIZED ATTORNEY FOR SAME and the following is  
a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this  
application in the following format:

Name of Business or individual (including contact name and number)  
Business or individual's address; City, State, Zip Code  
Number of Columbus-based employees  
(Limited to 3 lines per box)

1. 21 East, LLC; 875 North High Street, 3rd Floor, Columbus, OH 43215; # Cols based emps: Zero (0) Contact: Chad Seiber, (480) 652-8455	2. -----
3. -----	4. -----

☐ Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT Donald Plank

Sworn to before me and signed in my presence this 21<sup>st</sup> day of February, in the year 2022

MaryAlice Wolf  
SIGNATURE OF NOTARY PUBLIC

Notary Seal Here

My Commission Expires



MaryAlice Wolf  
Notary Public, State of Ohio  
My Commission Expires October 24, 2023

**This Project Disclosure Statement expires six (6) months after date of notarization.**