

## STATEMENT OF HARDSHIP

**APPLICATION: CV22-067**

**ADDRESS: 47 Clark Place**

**PARCEL: 010-022157**

**ZONED: R-4**

**APPLICANT: Ryan McFadyen**

**OWNER: Ryan and Lacey McFadyen**

**ATTORNEY: David Hodge, Underhill & Hodge LLC**

**DATE: June 28, 2021**

This property is located at 47 Clark Place, on the south side of Clark Place between Dennison Avenue and North Wall Street. The property is zoned R-4 and developed with a two-family residence. The property is bordered by property zoned R-4 on the north, south, and east, and west. The neighborhood is mostly comprised of singles, double, and multifamily residential uses.

The property is within the boundary of the University Area Commission, the University District Zoning Overlay, and the University District Plan. The Site is not within a University Impact District. The University District Plan recommends lower intensity residential uses for this site. This is a land use category that is characterized by single and two-family homes with scattered-site row house-style multifamily uses.

The Applicant proposes remodeling the existing garage in the rear of the lot to create a carriage house. The proposed carriage house would make this property a three family site in accordance with the University District Plan. This would not be an introduction of a new use to the neighborhood because nearby properties have been approved for carriage house uses. To allow the development as proposed, the Applicant respectfully requests the following variances:

3332.039, R-4, Residential District, permits a maximum of four units in one building but does not permit two separate dwellings on one lot, while the Applicant proposes to build a single-family carriage house dwelling and maintain an existing two-family dwelling on the same lot.

3312.49, Minimum number of parking spaces required, requires two (2) parking spaces for each dwelling unit for a total of six (6) required parking spaces, while the Applicant proposes a total of two (2) parking spaces. Clark Place is a city permit parking zone.

3325.801 – Maximum lot coverage, requires buildings to not exceed more than 25% of the total lot area while the Applicant proposes a maximum lot coverage of 50%. This is an existing condition.

3325.805, Maximum Floor Area Ratio (FAR), requires that the maximum total calculated floor area permitted on any lot shall be no greater than that determined by a 0.40 FAR, while the Applicant proposes an increased FAR of .76.

3332.05(A)(4), Area district lot width requirements, requires a lot to be no less than 50 feet wide, while the Applicant proposes to maintain the existing 30-foot wide lot. This is an existing condition.

3332.15, R-4 area district requirements, requires a lot of 5,000 square feet for a single-unit dwelling, while the Applicant proposes three dwellings on a lot that is approximately 4,290 square feet, pursuant to lot area calculation in 3332.18(C), providing 1,430 square feet per dwelling unit.

3332.19, Fronting, requires a dwelling unit to have frontage on a public street, while the Applicant proposes a carriage house fronting on a rear public alley.

3332.26(C)(3), Minimum side yard permitted, requires a side yard of no less than 5 feet, while the Applicant proposes to maintain reduced side yards of 2 feet along the west and east sides of the existing dwelling, and proposes reduced side yards of 1 foot on the west side of the new carriage house

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 a reduced rear yard of approximately 17 percent for the existing two-unit dwelling (this is an existing condition), and no rear yard for the new carriage house.

A hardship exists because the Applicant cannot develop the property in a manner consistent with the land use plan while still conforming to the underlying zoning district established by the City's Zoning Code. Applicant's requested use variance will not adversely affect the surrounding property or surrounding neighborhood. The requested use variance will not impair supply of light or air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, nor unreasonably diminish or impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus.

Further, a practical difficulty exists because Applicant cannot develop the property as proposed while still meeting the underlying development standards established by the City's Zoning Code. Applicant's requested area variances will not seriously affect any adjoining property or the general welfare. Strict application of the R-4 standards neither work for the property as built, nor may they be appropriately applied to this proposed addition.

It is significant that the Applicant does not propose any changes to the property or new construction. Rather, the proposed carriage house will be accomplished by remodeling of the existing garage. Many of the requested variances are existing conditions to technical standards to allow the proposed use.

The requested area variances will not cause adjacent properties any detriment or substantially alter the character of the neighborhood. Reduced lot standards, reduced side yards, and garages that are located near the rear property line are common conditions within this neighborhood.

The Applicant respectfully requests the Columbus City Council weigh these factors in its consideration and find that this Applicant suffers from a practical difficulty. The variances will not

seriously affect any adjoining property or the general welfare. Further, the spirit and intent behind the zoning requirements would be observed and substantial justice done by granting the requested variances.

Respectfully submitted,

A handwritten signature in blue ink that reads "David Hodge". The signature is written in a cursive, flowing style.

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David Hodge



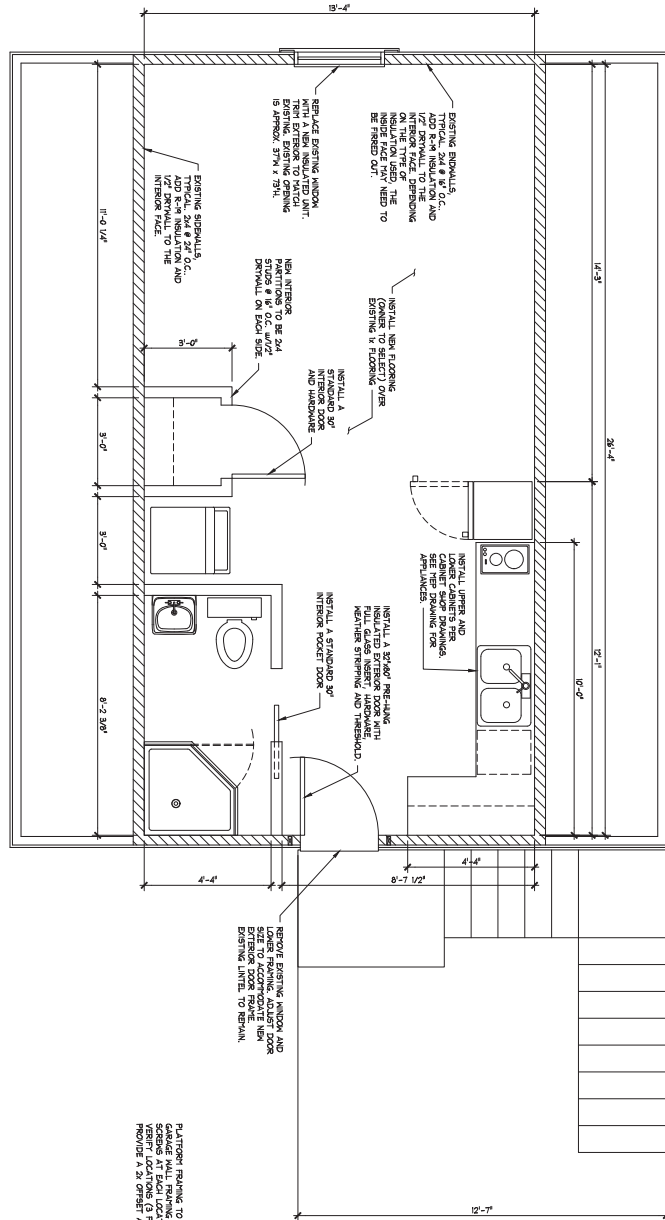


Albert & Aesthetic Services P.O. Box 802, Grove City, Ohio 43123 (614) 470-3932 [Albert@aandab.com](mailto:Albert@aandab.com)

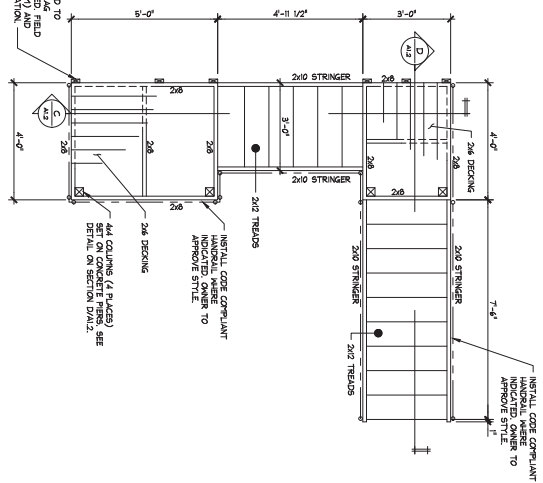
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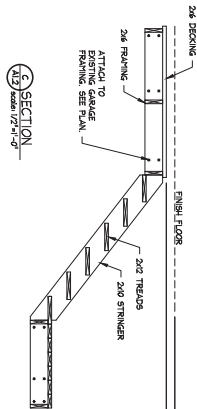
**FLOOR PLAN**



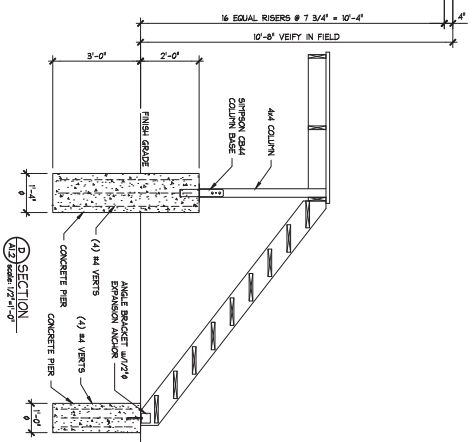
**B** STAIR FRAMING PLAN  
A1.2 scale: 1/2"=1'-0"



**SECTION**  
**c**  
**Al 2**  
scale:  $1/2" = 1' - 0"$



SECTION  
D  
A12 scale: 1/2"=1'-0"



**PROJECT:**  
**GARAGE LOFT  
REMODEL**

CONTRACTOR:[illegible]

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DATE:DATE:

	DATE:
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NO.	REVISION
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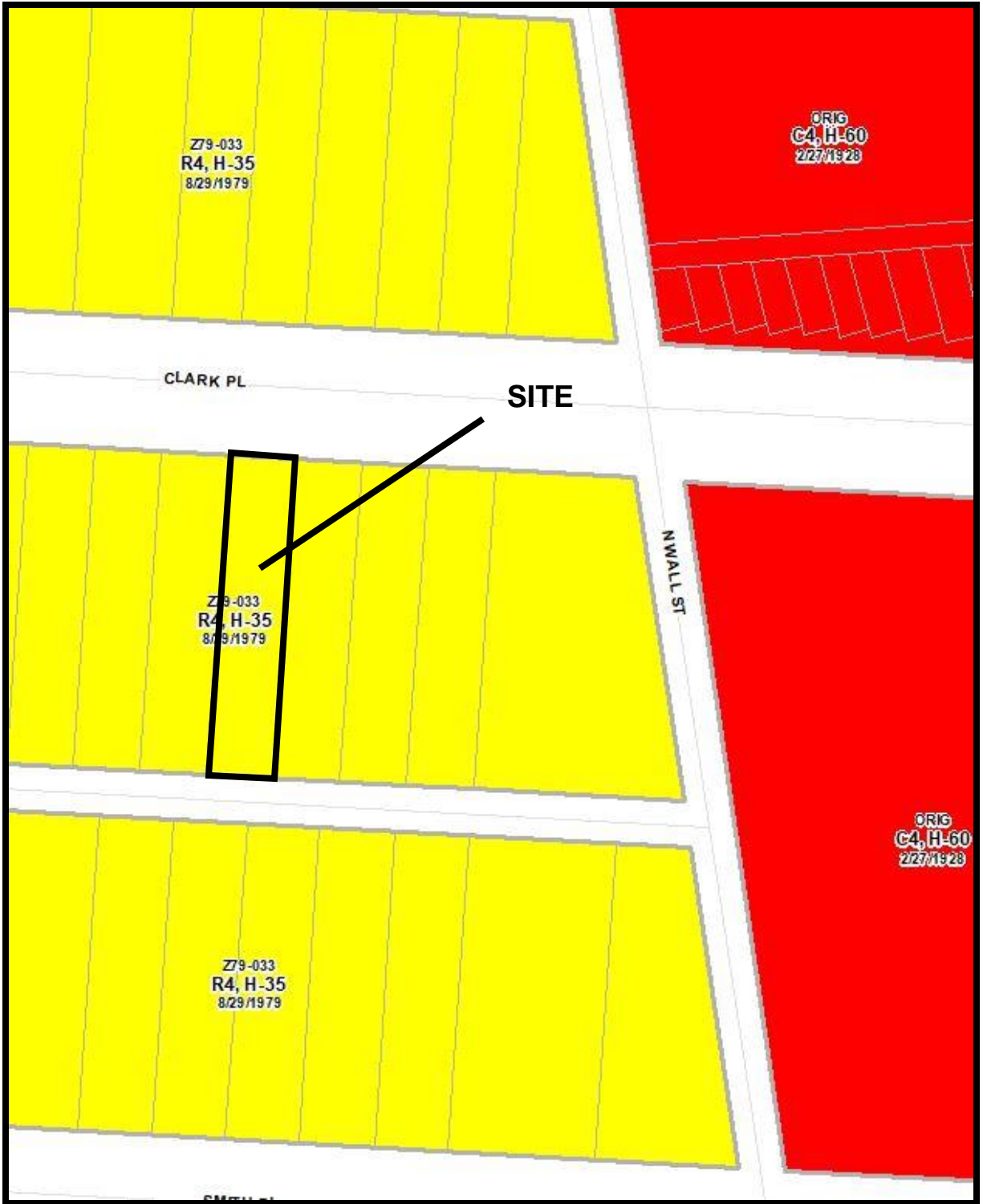
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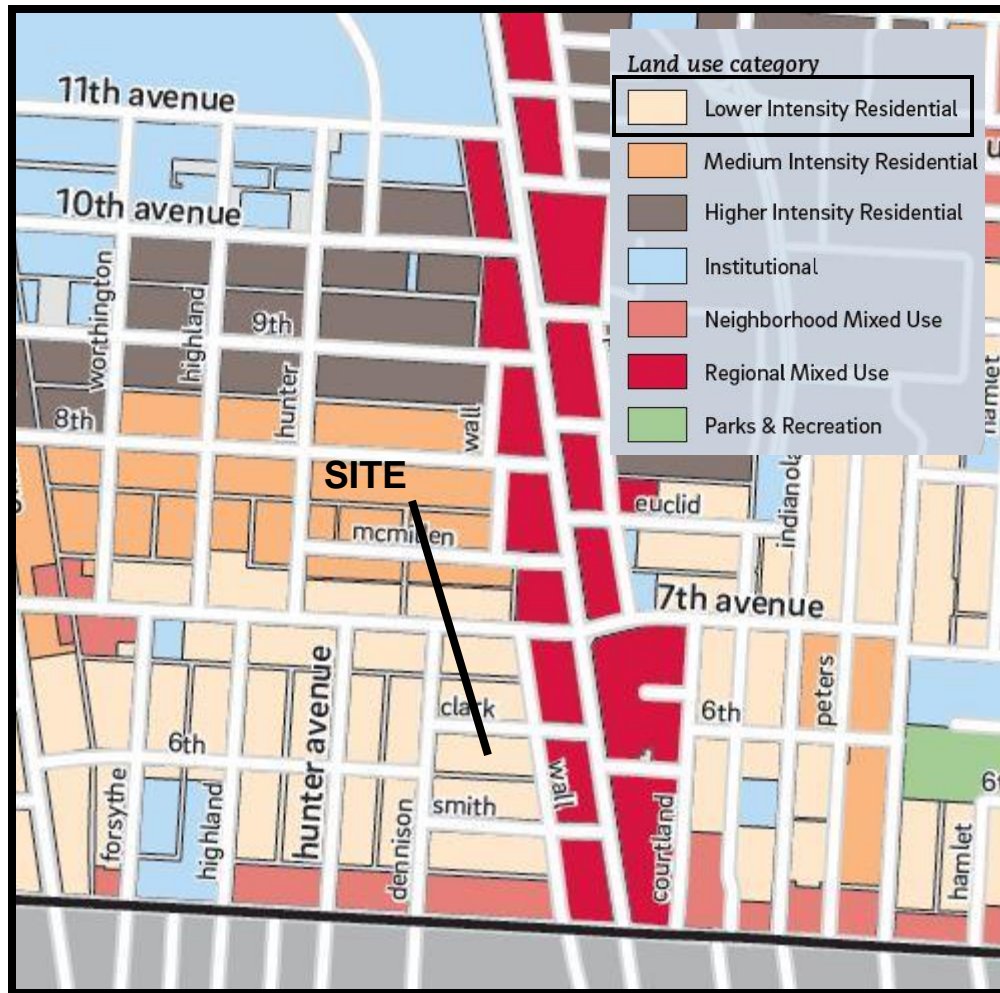
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A1.2  
CV22-06



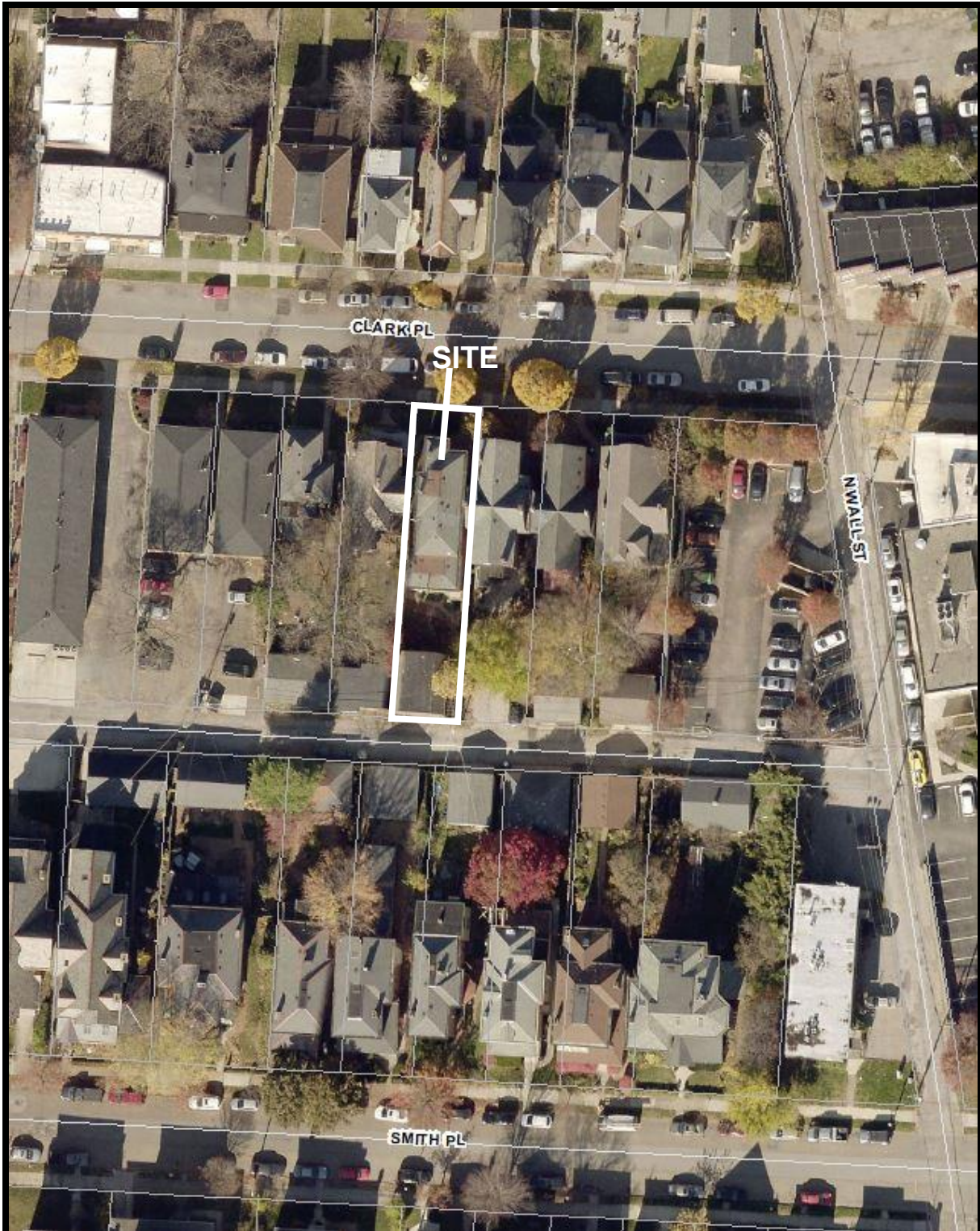
CV22-067  
47 Clark Place  
Approximately 0.10 acres





CV22-067  
47 Clark Place  
Approximately 0.10 acres





CV22-067  
47 Clark Place  
Approximately 0.10 acres



## Standardized Recommendation Form

111 N Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

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

Case Number	CV22-067
Address	47 CLARK PLACE
Group Name	UNIVERSITY AREA COMMISSION
Meeting Date	10/19/2022
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:**

The University Area Commission voted to approve this project at it's Oct. 19 meeting and at it's Oct. 3 Zoning Committee meeting. The committee approved the project with a vote of Yes 5 No 0 Abstain 1.

The commissioners liked the project because:

- No new structure will be built, all the renovations will be on the inside of the apartment.
- The applicant made several attempts to solve any parking issues, including adding to the apartment's lease the renters of the apartment will not be allowed to have cars.
- The applicant's representative went to the Dennison Place Neighborhood Association meeting and received it's approval.

Vote	Yes 13 No 1 Abstain 1
Signature of Authorized Representative	Michael Kehlmeier <small>Digitally signed by Michael Kehlmeier Date: 2022.10.26 16:54:13 -04'00'</small>
Recommending Group Title	University Area Commission Zoning Committee Chairman
Daytime Phone Number	614-352-7875

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.

## Council Variance Application

111 N Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

### PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV22-067

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) Eric Zartman

of (COMPLETE ADDRESS) 8000 Walton Parkway, Suite 260, New Albany, Ohio 43054

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. Ryan and Lacey McFadyen 47 Clark Place Columbus, Ohio 43201	2.
3.	4.

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

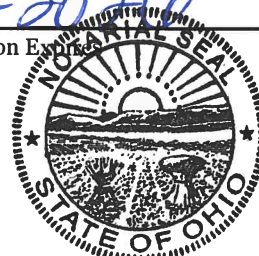
SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 20th day of June, in the year 2022

SIGNATURE OF NOTARY PUBLIC

My Commission Expires

Notary Seal Here



**KIMBERLY R. GRAYSON**  
Notary Public, State of Ohio  
My Commission Expires  
01-11-2026

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