

PARCEL/RESERVE	USE	AREA (SF) (MIN)	WIDTH (FT) (MIN)	DEPTH (FT) (MIN)	LOT COVERAGE	PARKING SPACES	TREES	REAR YARD (SF)
1	PROPOSED SINGLE FAMILY DWELLING AND DETACHED GARAGE	3615	31	114	57%	2	1	1603 (44%)
2	PROPOSED SINGLE FAMILY DWELLING, DETACHED GARAGE	3615	31	114	48%	2	1	1605 (44%)
3	PROPOSED SINGLE FAMILY DWELLING AND DETACHED GARAGE	3615	31	114	46%	2	2	1649 (45%)
4	EXISTING SINGLE FAMILY DWELLING, NEW DETACHED GARAGE	3615	31	114	46%	2	1	1675 (46%)
5	PROPOSED SINGLE FAMILY DWELLING AND DETACHED GARAGE	4399	38	114	44%	3	1	1885 (42%)
6	EXISTING SINGLE FAMILY DWELLING, NEW DETACHED GARAGE	5140	44	114	33%	3	1	2146 (41%)
A	PROPOSED SHARED ACCESS & UTILITIES	4268	20	208	-	-	-	-
7	PROPOSED SINGLE FAMILY DWELLING AND DETACHED GARAGE	1916	25	77	52%	2	1	801 (41%)
8	PROPOSED SINGLE FAMILY DWELLING AND DETACHED GARAGE	1916	25	77	52%	2	1	801 (41%)
9	PROPOSED SINGLE FAMILY DWELLING AND DETACHED GARAGE	1916	25	77	52%	2	1	801 (41%)
10	PROPOSED SINGLE FAMILY DWELLING AND DETACHED GARAGE	1916	25	77	52%	2	1	801 (41%)
11	PROPOSED PARKING	1698	23	74	-	8	1	-
12	PROPOSED SINGLE FAMILY DWELLING AND ATTACHED GARAGE	2221	26	86	35%	2	1	284 (12%)
13	PROPOSED SINGLE FAMILY DWELLING AND ATTACHED GARAGE	2221	26	86	50%	2	1	284 (12%)
14	PROPOSED SINGLE FAMILY DWELLING AND ATTACHED GARAGE	2134	25	66	52%	2	1	272 (12%)

Council Variance Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

111 N Front Street, Columbus, Ohio 43215
Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

STATEMENT OF HARDSHIP

Columbus City Code Section 3307.10 - Variances by City Council.

CV21- 096

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

*Lykens Companies by
David B. Perry, Agent*

Date

8/23/2021

Signature of Attorney

Donald Plank

Date

8/23/21

Exhibit B**Statement of Hardship****CV21-096, 133 Thurman Avenue**

The site, addressed as 133 Thurman Avenue for this application, is 1.016 acres generally located at the southeast corner of Thurman Avenue and S. 4th Street in German Village and consisting of Franklin County Auditor Tax parcels: 010-010232, 010-017760, 010-029311, 010-040231, 010-044113, 010-044114, 010-052156, 010-057226, and 010-248198. The site is zoned R-2F, Residential District. Two (2) existing dwellings (147 Thurman Avenue and 159 Thurman Avenue) on the site will remain. Part of the site is developed with a parking lot built in approximately 1973 when 121 Thurman Avenue was proposed to be used as a restaurant ("Engine House No. 5"). 121 Thurman Avenue is no longer a restaurant and is now used for offices.

Applicant proposes zoning variances to permit 14 parcels including the two (2) existing single-family dwellings, proposed new single family dwellings, Reserve A and Parcel 11 (parking lot). It is anticipated the single-family dwellings will have detached garages. Reserve A is for shared access and utilities. Site development is depicted on the site plan titled "Zoning Plan for Thurman and S 4th", dated May 8, 2023, hereafter "Site Plan".

Much of German Village is zoned R-2F, Residential from a 1972 area rezoning. R-2F is representative of predominant land use of single and two-family dwellings but not development standards. Most of the R-2F parcels in German Village don't comply with lot area, lot width, yards and other standards of the Columbus Zoning Code. German Village is a historic district built long before Columbus adopted a Zoning Code, there are many existing structures with comparable site standards and there have been numerous variances granted for uses and development standards comparable to the variances cited with this application. Applicant has a practical difficulty to comply with current code standards in this historic neighborhood.

Applicant requests the following variances:

- 1). Section 3332.037, R-2F, Residential District, to permit Reserve A for vehicular access to multiple parcels and utilities and to permit Parcel 11 for primary use as 8 parking spaces to be used by residents within the site and for commercial office parking for 121 Thurman Avenue.
- 2). Section 3312.25, Maneuvering, to reduce maneuvering for garage parking spaces from 20' to 2', 3' and 4' for Parcels 1 – 10, inclusive, due to garage and/or surface parking spaces maneuvering across the property line of Reserve A, subject to an easement for vehicular access to all parcels (1 – 14, inclusive), thereby providing a minimum of 20' of maneuvering area for garage and/or surface parking for every parcel developed with a single family dwelling; and to reduce maneuvering on Parcel 11 from 20' to 0' to permit maneuvering area for 8 parking spaces to be on Parcels 12, 13, and 14 in a 20' access easement that provides access to garage parking on Parcels 12, 13 and 14 as well as access and maneuvering area for the 8 parking spaces on Parcel 11, subject to an easement on Parcel 12, 13 and 14, as depicted on the Site Plan.
- 3). Section 3321.05(A)(1),(B)(2), Vision Clearance, to reduce the 30'x30' clear vision triangle at the intersection of Thurman Avenue and S. 4th Street on Parcel 1 to 10'x10'.
- 4). Section 3312.21(D)(1), Landscaping and Screening, to reduce the north, east and south buffer strip where abutting residentially zoned property from 4' to 3', while the north 3' abuts Reserve A, the Reserve for vehicular access within the development, the east setback will abut

a future dwelling within the development and the south 3' abuts Nursery Lane (alley), and to reduce required screening height on the north and south side from 5' to 3'.

5). Section 3332.05, Area District Lot Width Requirements, to reduce lot width from 50 feet to 20' – 44'.

6). Section 3332.14, R-2F Area District Requirements, to reduce lot area from 6,000 SF to 1,698 SF to 5,140 SF for Parcels 1 – 14, inclusive, and Reserve A, and from 6,000 SF to 1,200 SF – 4,332 SF based on lot area limitation (Section 3332.18(C)) of area calculation of width times three times the width.

7). Section 3332.18(D), Basis of Computing Area, to increase permitted lot coverage from 50% to 57% for Parcels 1, 7, 8, 9, 10 and 14.

8). Section 3332.19, Fronting, to permit Parcels 7, 8, 9, 10 and 11 to not front on a public street (Nursery Lane, 20' public ROW).

9). Section 3332.21, Building Lines, to reduce the Thurman Avenue building setback line for Parcel 1, 2, 3, 4, and 5 from 24' (existing dwelling on Parcel 6) to 4', 12', 10', 7' and 15', respectively, and to reduce the S. 4th Street building setback from 10' to 2' for the Parcel 1 single family dwelling and from 10' to 6' for the Parcel 1 detached garage.

10). Section 3332.25, Maximum Side Yards Required, to reduce total side yard (20% of lot width) for Parcel 1 from 6.2' to 5, Parcel 4 from 6.2' to 4'.

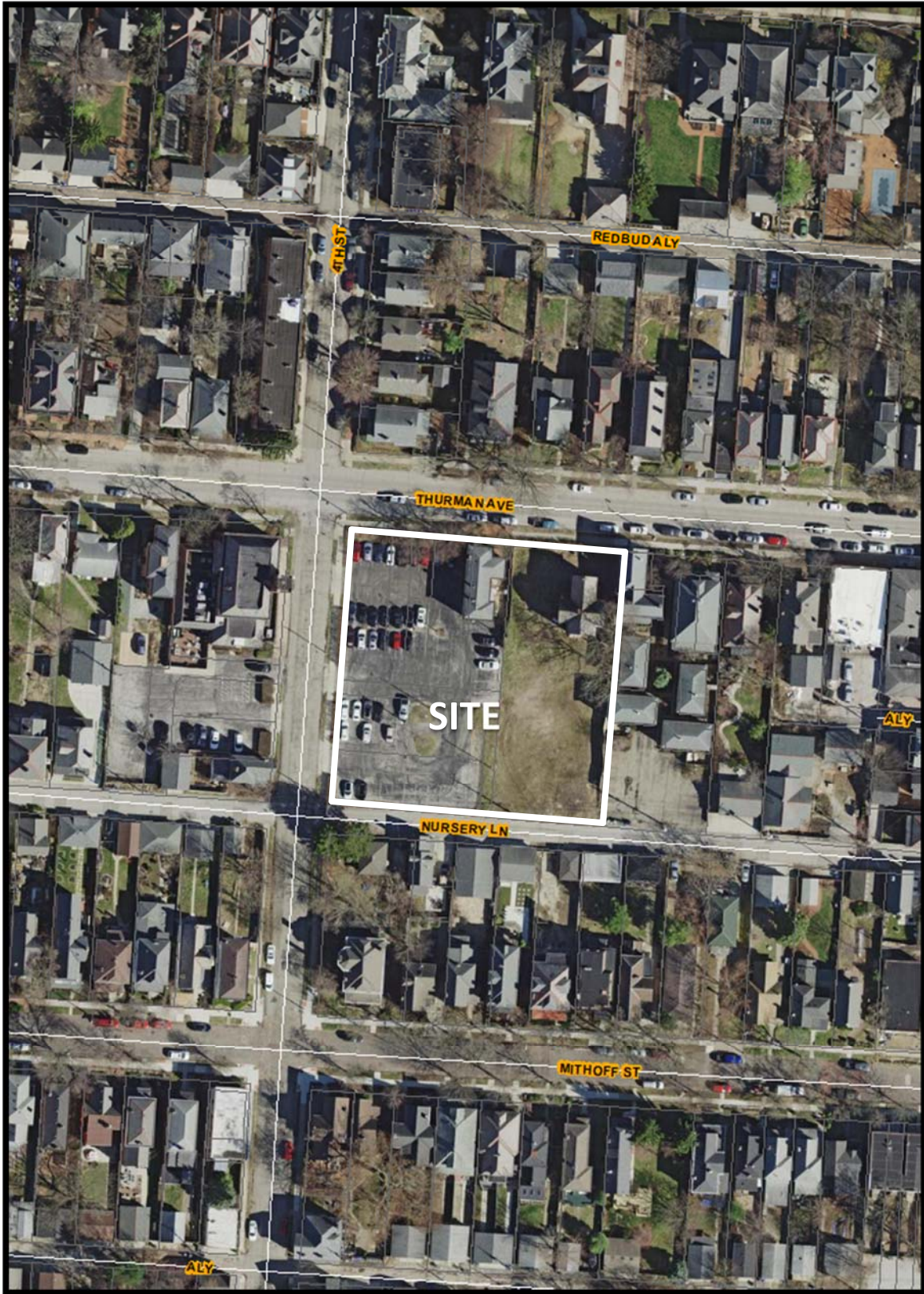
11). Section 3332.26, Minimum Side Yard Permitted, to reduce the minimum side yard from 3' to 1' (Parcel 4) and 2' (Parcel 14).

12). Section 3332.27, Rear Yard, to reduce rear yard from 25% of lot area to 12% of lot area for Parcels 12, 13, and 14.

13). Section 3332.38(E), Private Garage, to increase the permitted area of a rear yard a detached garage may occupy from 45% to 51% for Parcels 7, 8, 9, and 10, inclusive.



CV21-096
133 Thurman Ave.
Approximately 1.06 acres



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Approximately 1.06 acres

This Certificate of Appropriateness 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 (645-6090 / 111 N. Front Street) and following all other applicable codes and ordinances of the City of Columbus.

PROPERTY ADDRESS: 133 Thurman Ave.

APPLICANT'S NAME: Columbus Design LLC (Karrick Sherrill) (Applicant)/ Lykens Companies (Owner)

APPLICATION NO.: GV-23-08-021

MEETING OR STAFF APPROVED DATE: 07-12-23 **EXPIRATION:** 07-12-24

The German Village Commission hereby certifies that the application for the above referenced property and a copy of this Certificate of Appropriateness are on file with the city's Historic Preservation Office. The Commission has reviewed the application and taken the following action(s) in accordance with Columbus City Code 3116 & 3319 and the architectural guidelines:

- Approved: Commission** **or Staff** Exterior alterations per APPROVED SPECIFICATIONS
 Recommendation for Approval: Requested re-zoning/special permit/variance per APPROVED SPECIFICATIONS

APPROVED SPECIFICATIONS:

Recommend application GV-23-08-021, 133 Thurman Ave., for renewal of COA# GV-21-12-030 (Expired 12/01/2022) as previously recommended, for a period of one (1) year.

Recommend application GV-21-12-030, 133 Thurman Avenue, as submitted with clarifications as noted and the adoption of the language that was supplied by applicant at beginning of presentation and incorporate into the motion:

Variance Recommendations

- *Application seen as a conceptual during the October and November hearing.*
- *Applicant is seeking support and recommendation for the Parcel Splits and Combinations shown in the masterplan.*
- *All lots are proposed to be single family homes (with the exception of one parcel that will remain to provide parking for the Commercial Building at the Southwest corner of Thurman Avenue and South Fourth St.)*
- *Some parcels are proposed to have dwelling units above detached garages.*
- *It is understood by applicant that the support/approval of the parcel arrangements does not infer support or approval of the building designs.*
- ~~***3332.037, R-2F - Residential District:** to permit two (2) detached single family dwelling units on the same parcel (Parcels 1, 3, 5, 6), consisting of a detached single family dwelling fronting Thurman Avenue and a detached carriage house/garage with one (1) dwelling unit; and to permit Reserve A for vehicular access to multiple parcels and utilities; and to permit eight (8) parking spaces on Parcel 11.*~~
- ***3312.25 – Maneuvering:** to reduce maneuvering for garage and surface parking spaces from 20' to 0' to 3' for Parcels 1 – 10, and for Parcel 11 from 20' to 2', subject to an easement on Reserve A, and subject to easements on Parcels 12-14 for Parcel 11, to provide not less than 20' total maneuvering.*
- ***3321.05(A)(1),(B)(2) - Vision Clearance:** to reduce the 30'x30' clear vision triangle at the intersection of Thurman Avenue and S. 4th Street on Parcel 1 to 10'x10'.*
- ***3332.05 - Area District Lot Width Requirements:** to reduce lot width from 50 feet to 22' – 41'.*

- **3332.14, R-2F - Area District Requirements:** to reduce lot area from 6,000 SF to 1,540 – 5,162 SF and from 6,000 SF to 1,200 SF – 4,332 SF based on lot area limitation (Section 3332.18(C)) based on area being three times the width.
- **3332.18(D) - Basis of Computing Area:** to increase permitted lot coverage from 50% to 60% for Parcels 1 and 7-10 and 75% for Parcels 11-14.
- **3332.19 – Fronting:** to permit Parcels 7-11 to not front on a public street (Nursery Lane, 20’ public ROW).
- **3332.21 - Building Lines:** to reduce the Thurman Avenue building setback line for Parcel 1 from 10’ to 4’; to reduce the S. 4th Street building setback from 10’ to 2’ and 1’ for Parcel 1, for the proposed single family dwelling and carriage house, respectively.
- **3332.25 - Maximum Side Yards Required:** to reduce total side yard (20% of lot width) for Parcel 1 from 6.2’ to 3’, and Parcel 4 from 6.2’ to 4’.
- **3333.26 - Minimum Side Yard Permitted:** to reduce the minimum side yard from 3’ to 1’ (Parcel 1), 2’ (Parcel 2) and 2’ (Parcel 14).
- **3332.27 - Rear Yard:** to reduce rear yard from 25% of lot area to 20% for Parcels 12, 13, 14 for the primary dwelling and to 0% for the carriage houses on Parcels 1, 3, 5, 6.
- **3332.28(E) - Private Garage:** to increase the permitted area of a rear yard a detached garage may occupy from 45% to 50% for Parcels 7-10.
- **Note:** Certificates of Appropriateness for buildings on any parcel will not be issued until the/an applicant has satisfied the German Village Commission Architectural Review process.
- **Note:** Variance Recommendations are granted to allow the Applicant to proceed with Zoning, Engineering and Platting of the parcels through both the Franklin County and City of Columbus processes with the understanding the scale of this particular project and the number of parcels involved create this unique and unavoidable necessity. It isn’t possible to process this project on a parcel by parcel basis because of zoning, platting and engineering processes with City.
- **Note:** Variance Recommendations with regard to setbacks, building lines, and lot coverage do not infer that architecture meeting those “maximums” will be approvable”
- **Note:** to strike “to permit two (2) detached single family dwelling units on the same parcel (Parcels 1, 3, 5, 6), consisting of a detached single family dwelling fronting Thurman Avenue and a detached carriage house/garage with one (1) dwelling unit; and to permit Reserve A for vehicular access to multiple parcels and utilities; and to permit eight (8) parking spaces on Parcel 11” from 3332.037. Instead “to permit (1) single family dwelling unit on parcel (Parcels 1,3,5,6), consisting of a single family dwelling unit fronting Thurman Avenue and a detached garage with a non-dwelling unit above and habitable space.”
- **Note:** None of the Carriage Houses proposed shall have both a kitchenette and a bathroom.

MOTION: Hartke/Thiell (5-0-0) RECOMMENDED

Commissioner Comments:

- Applicant’s zoning consultant was unable to attend the hearing but provided a documented which was read to Commissioner to assuage previous concerns:
 - “Motion for recommendation of the variances with the following conditions:
 - Certificates of Appropriateness for buildings on any parcel will not be issued until the/an applicant has satisfied the German Village Commission Architectural Review process.
 - Variance Recommendations are granted to allow the Applicant to proceed with Zoning, Engineering and Platting of the parcels through both the Franklin County and City of Columbus processes with the understanding the scale of this particular project and the number of parcels involved create this unique and unavoidable necessity. It isn’t possible to process this project on a parcel by parcel basis because of zoning, platting and engineering processes with City.

- *Variance Recommendations with regard to setbacks, building lines, and lot coverage do not infer that architecture meeting those “maximums” will be approvable”*
- *Commissioners asked about Variance 3332.037, R-2F - Residential District. Commissioners asked if this variance included one parcel with two separate houses. Commissioner states when a Carriage house is approved, they do not allow them to have both a bathroom and a kitchenette, it would be either/or. That there function is an extension of the main house and not a separate residence.*
- *Commissioners asked if these proposed Carriage houses would be available to rent by the owner. Applicant responded that the Carriage houses are added amenities and that it is still part of the main house to be separate for in-laws and such, which would make it not a separate dwelling unit.*
- *Commissioners asked that getting the variance recommendations from the Commission is a predecessor to getting the platting for the parcels. Applicant responds that City can’t grant them a platted lot that goes against their zoning code so variances are needed in advance.*
- *Applicant states that footprint shown is what is maximum to the lots.*
- *Commissioner states that Commission is creating a set of subset zoning for this development that is compatible to what is found in German Village.*
- *Commission will adopt the language that was supplied by applicant at beginning of presentation and incorporate into the motion.*

Drawings Required

This Certificate of Appropriateness is only valid for work performed in accordance with the motion so passed and approved by the Commission, and shall accompany plans submitted for zoning clearance and/or building permit.


James A. Goodman, M.S.
Historic Preservation Officer

NC

Staff Notes:

Council Variance Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

111 N Front Street, Columbus, Ohio 43215
Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV21-096

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. 121 Thurman, LLC; 217 S Dawson Ave, Columbus, OH 43209; # Cols-based emps: Zero (0) Contact: Kevin Lykens, (614) 565-4209	2. Lykens Cos., 1086 N 4th St, Ste 109, Columbus, OH 43201; # Cols-based emps: 15 Contact: Kevin Lykens, (614) 565-4209
3. -----	4. -----

Check here if listing additional parties on a separate page.

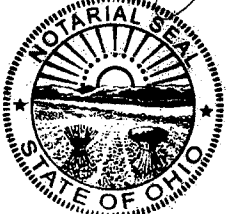
SIGNATURE OF AFFIANT Donald Plank

Sworn to before me and signed in my presence this 28th day of June, in the year 2023

SIGNATURE OF NOTARY PUBLIC MaryAlice Wolf

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.