



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.

CV22-072

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 attached statement of hardship.

Signature of Applicant

Date

7/19/22

STATEMENT OF HARDSHIP

Property Owner: 5811 Olentangy River Road LLC
Applicant: Jill and Peter Dole
Property Address: 5811 Olentangy River Road, Columbus, OH 43235

The Applicant and Property Owner submits this Council Variance request for purposes of establishing, constructing, maintaining and operating a new boarding house addition within the Property located on approximately four acres of land formerly known as the Antrim family farmhouse. Per Council Variance 13-036, a variance was previously granted for this Property allowing for a “boarding house.” A “boarding house”, as defined under C.C. 3303.02, means “a residential building, other than a hotel, in which meals are served together for lodgings for hire to three or more persons.” CV13-036 allowed a variance from C.C. 3332.027, RR Rural Residential District, to allow a boarding house to be operated on the property. However, the language in CV13-036 permitted the maximum number of guest rooms on the Property to be capped at five (5); four (4) guest rooms within the main estate home, and one (1) guest room within the attached carriage house. With this request, the existing council variance will be revised to allow the total number of guest rooms on the Property to be increased accordingly with the Applicant’s proposed plans for the Property. Additionally, Applicant further requests a variance from C.C. 3312.27, allowing for a parking space to be located within the parking setback right-of-way line with a zero foot parking setback.

The Applicant has been operating a boarding house on the Property for several years and has been successful in providing short term rentals for business travelers, hospital patients, and other travelers looking to stay in town for a few days. Due to the success of the business, the Applicant engaged with an architect and engineer to draw up plans for an additional lodging structure to supplement their current boarding house business. The addition to the existing garage, when constructed, will allow for additional guests to visit and stay at the Property. Accordingly, once the new structure is completed, the Property will contain the following number of units: a maximum of six (6) of the guestroom accommodations will be provided within the main estate home; one (1) guest room provided in the carriage house; and one (1) additional bedroom unit to be constructed for an Owner’s suite. An additional three-car parking garage will be added to the property to accommodate guests, so that there is no impact to any surrounding property.

A hardship exists because the language contained in CV13-036 does not allow for the Applicant to proceed with constructing the gate house, as the new gate house would bring the total number of guest rooms on the Property above the maximum indicated in the text. Further, a hardship also exists because the language contained in C.C. 3312.27 does not permit the Applicant to allow a parking space within the parking setback right-of-way. The Applicant has had respected engineering and architectural firms look at the site, and given the layout and proposed additional construction, there is no other feasible location for the additional parking space besides within this setback.

A variance is necessary because only multi-family residential zoning districts would permit this use but rezoning the Property to a multi-family district to accommodate construction of the gate house is not. Comparable uses to the gatehouse, such as a bed and breakfast, are typically

integrated into residential neighborhoods in order for patrons to experience the ambiance and charm that the neighborhood can offer, as opposed to being located in high density multi-family residential districts where they are currently permitted. The proposed use is a low impact use that is residential in character and integrates well on this Property in this location. Further, the parking setback variance is necessary so as to allow guests on the property to park their cars during their stay in a manner that is less intrusive to other guests on the Property.

It has long been recognized that zoning is not “one size fits all,” and for that reason, the law has developed to allow variances as a tool to allow a larger family of uses under certain circumstances. Here, we have circumstances that warrant recognition that the use being proposed is appropriate, but the family of uses in the RR district does not allow it, and that is the difficulty that warrants the grant of these variances.

Further, the Applicant’s proposed use, given the surrounding unique circumstances, meets the City standard for grant of a use variance as provided under C.C. 3307.10. This use will not adversely affect the surrounding property or surrounding neighborhood. Employment of the council variance tool to implement this particular use under these unique circumstances is the only appropriate zoning methodology to use. Requesting a rezoning to a multi-family district just to implement such a low impact residential use would be inappropriate for this Property, the surrounding neighborhood, and the Northwest Community generally.

The grant of these requested variances will not impair an adequate supply of light and air to adjacent properties, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, or unreasonably diminish or impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus.

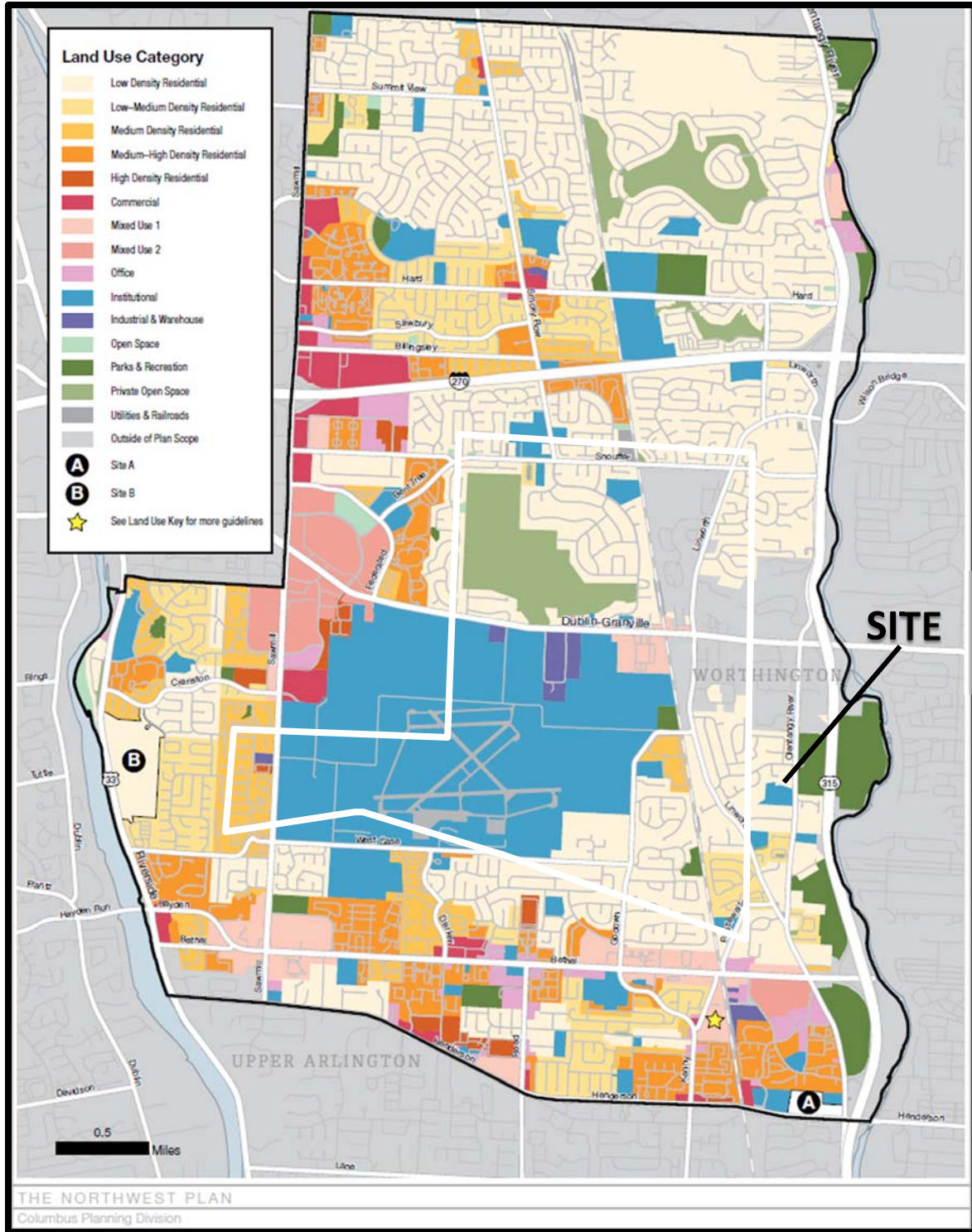
The Applicant respectfully requests that the variances be granted.

Respectfully,

Jill and Peter Dole



CV22-072
5811 Olentangy River Road
Approximately 3.94 acres



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Standardized Recommendation Form

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 AND ZONING SERVICES

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

Case Number CV22-072

Address 5811 OLENTANGY RIVER RD.

Group Name NORTHWEST CIVIC ASSOCIATION

Meeting Date 5 October 2022

Specify Case Type

- BZA Variance / Special Permit
- Council Variance
- Rezoning
- Graphics Variance / Plan / Special Permit

Recommendation (Check only one)

- Approval
- Disapproval

LIST BASIS FOR RECOMMENDATION:

NWCA continues to have concerns about the sewer system (The LOT will not be complete until September 2026.)

Vote 5-0 approval (1 abstention)

Signature of Authorized Representative [Signature]

Recommending Group Title NORTHWEST CIVIC ASSOCIATION

Daytime Phone Number 614-565-2407

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.



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PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV22-072

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, Columbus, OH 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. 5811 Olentangy River Road LLC 5811 Olentangy River Road, Columbus, OH 43235 2 Columbus based employees	2.
3.	4.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT [Signature]

Sworn to before me and signed in my presence this 3rd day of February, in the year 2023

[Signature]
SIGNATURE OF NOTARY PUBLIC

1-11-2026
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 the date of Notarization.