



**STATEMENT OF HARDSHIP**

Chapter 3307 of Columbus Zoning Code  
Section 3307.10 Variances by City Council

A. Permit a variance in the yard, height, or parking requirement of any district only in conjunction with a change in zoning or a use variance and only where there are unusual and practical difficulties or unusual hardships 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 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 the public health safety, comfort, morals, or welfare of the City of Columbus.

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.

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 requested as detailed below:

Subject building is approximately 100 years old and has always been used commercially. For over 50 years the ground floor was used as a store. For over 20 years after that, the ground floor was used as a retail store and office. While retail is somewhat viable, it is not as likely or possible as it was years ago, whereas an office occupancy may be more desirable. The BZA order in 1999 permitted a ground floor apartment and retail and office occupancy. Applicant desires zoning to offer the choice of either retail as now used, or a second office occupancy. Applicant desires zoning to offer the choice of either retail, as now used, or a second office occupancy in addition to the apartment currently located on the ground floor. The second floor has always been apartments. The BZA order allowed for the parking conditions.

Signature of Applicant (Signed in BLUE INK) \_\_\_\_\_ Date \_\_\_\_\_

# Myers Surveying Company, Inc.

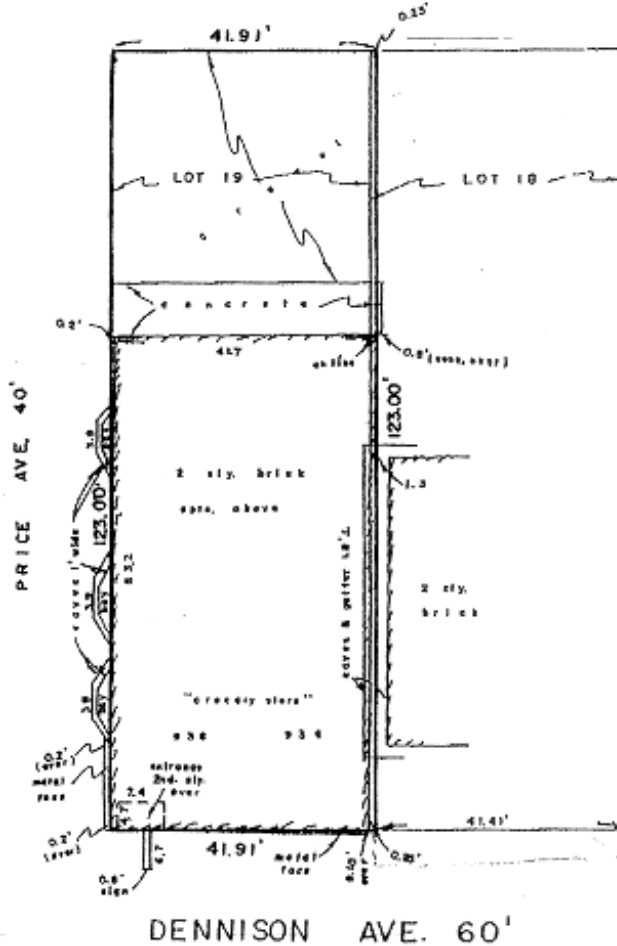
2740 East Main Street, Columbus 43209 (Bexley), Ohio  
 614-235-8677 FAX: 614-235-4559

A Mortgage Location Survey prepared for and certified to:  
**Chicago Title Insurance Company, Inc. and/or National City Bank, Columbus**  
 Legal Description: Situated in Ohio, County of Franklin, City of Columbus, Being Lot 19 and part Lot 18 Stewart and  
 Greener's Subdivision, Plat Book 2, Page 78

Applicant: Phillips  
 Posted Address: 936-938 Dennison Avenue, Columbus, Ohio  
 F.E.M.A. Flood Zone Designation: Flood Zone "C" as per F.I.R.M. 390170 0065B  
 Apparent Encroachments: 1) Concrete Over Property Line. 2) House Over Property Line. 3) Eaves and Gutters Over  
 Property Line.  
 4) 2nd Story Bays Over Property Line. 5) Sign over Property Line.

10' ALLEY (Unimproved)

Scale 1" = 20'  
 Date: 10-25-'93



We hereby certify that the foregoing Mortgage Location survey was prepared from actual field measurements in accordance with Chapter 4733-38 Ohio Administrative Code, and is not a boundary survey pursuant to Chapter 4733-37 of said code. THE INFORMATION SHOWN HEREON IS NOT TO BE UTILIZED FOR THE INSTALLATION OF BUILDINGS, FENCES, LANDSCAPING OR OTHER PERMANENT IMPROVEMENTS.

Myers Surveying Co., Inc.  
 By *Aldert J. Myers*  
 Professional Surveyor

Myers Order No. - 38-10/22/93 Rec. Field 6 DWG 11 Ltr. CK.

*FINAL PLAN*  
*David N. Phillips 03-20-06*  
*Final Plan*  
*Received 3/10/06*  
*CV06-003*  
*Alton Green*



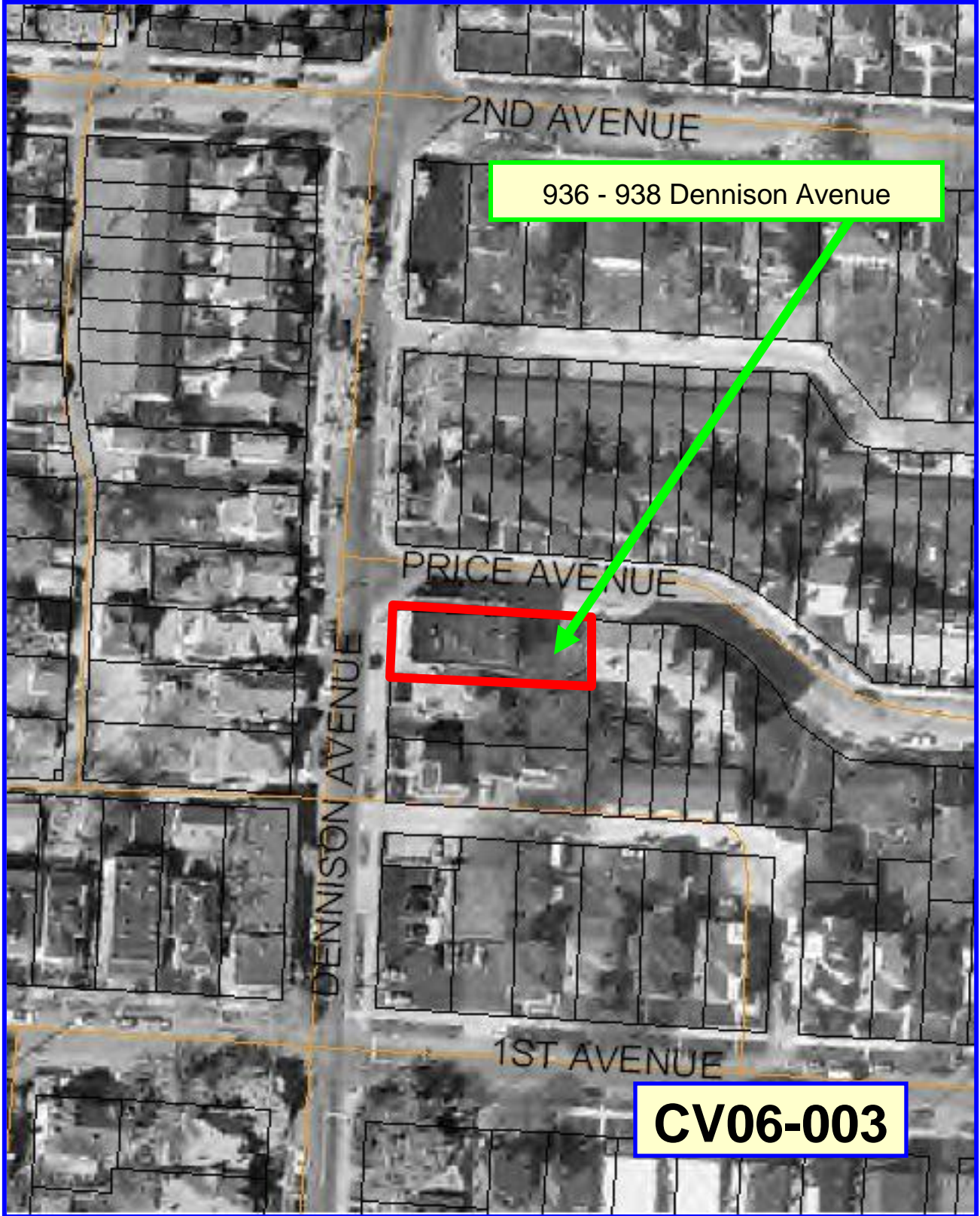






936 - 938 Dennison Avenue

**CV06-003**



936 - 938 Dennison Avenue

**CV06-003**





City of Columbus  
Mayor Michael B. Coleman

Department of Development  
Mark Barbash, Director

## Certificate of Appropriateness

### VICTORIAN VILLAGE COMMISSION

*This Certificate of Appropriateness is not a zoning clearance nor a building permit. This document does not relieve the applicant from the responsibility of filing for and obtaining any required zoning clearance (645-7314) and/or building permit (645-7433) from the City of Columbus Building & Development Services Division (757 Carolyn Ave.) and following all other applicable codes and ordinances of the City of Columbus.*

**PROPERTY ADDRESS:** 936-938 Dennison Avenue  
**APPLICANT'S NAME:** David N. Phillips (Owner)

**APPLICATION NO.:** 06-1-4

**HEARING DATE:** 1-12-06

**EXPIRATION:** 1-12-07

The Victorian 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 & 3325 and the architectural guidelines:

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

#### APPROVED SPECIFICATIONS:

Recommend the approval of proposed variance application #06-1-4, 936-938 Dennison Avenue, as submitted:

- CCC3333.02 – To permit the use of approximately 2000-sq.ft. for office/retail use on the first floor in an existing 2-story building of approximately 6400-sq.ft. with 4 dwelling units.
- CCC3333.11 – To reduce the lot area from 7500-sq.ft. to 5154.93-sq.ft. for a 4-family apartment building including approximately 2000-sq.ft. for office/retail use.
- CCC3333.15 (c) – To increase lot coverage to 67.3% (3469.44 sq.ft.).
- CCC3333.18 (F) – Building lines to allow a zero building setback along Dennison Avenue and Price Avenue, a reduction of ten (10) feet.
- CCC3333.22 - Maximum side yard – to reduce from required 8382-ft. to 0.25-ft.
- CCC3333.23 – Minimum side yard – to reduce from required 5-ft. to 0.25-ft.
- CCC3333.24 – Rear yard – to reduce required rear yard from 25% (1291.5-sq.ft) to 7.75% (400-sq.ft.) for existing parking and loading space.
- CCC3333.27 (b) – Vision clearance at intersection – to provide zero clearance at Dennison and Price Avenues.
- CCC3333.19 – To permit stacked parking for 3 vehicles behind 3 legal parking spaces.

MOTION: Brownstein/Decker (7-0-0) RECOMMENDED.

- 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 permits.

  
Randy V. Black  
Historic Preservation Officer



### PROJECT DISCLOSURE STATEMENT

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

APPLICATION # CV06-003

Being first duly cautioned and sworn (NAME) David N. Phillips, Trustee  
of (COMPLETE ADDRESS) 5478 Glasgow Pl., Columbus, Ohio 43235  
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
- Business or individual's address
- Address of corporate headquarters
- City, State, Zip
- Number of Columbus based employees
- Contact name and number

If applicable, check here if listing additional parties on a separate page (REQUIRED)

1. Phillips Family Trust David N. Phillips & Ann Marie Phillips Co-Trustees 5478 Glasgow Place Columbus, Ohio 43235 PH: 614-457-6606	2.
3.	4.

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 25<sup>th</sup> day of January, in the year 2006

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

*David N. Phillips*  
*Anthony J. Salamon*  
March 19, 2008

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

Notary Seal Here

ANTHONY J. SALAMON  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES 03-19-08