

*CV07-028
Final Received 9/23/09
by Shannon Firo*

Dw 304509

Final Bill
VARIANCE LOT SPILT EXHIBIT
AT THE SOUTHWEST CORNER OF
SIXTH AVENUE & SUMMIT STREET
CITY OF COLUMBUS, FRANKLIN CO., OHIO

PAUL & COLLEEN BALDUZZI
INVESTMENT MANAGEMENT

528 Powell St., Ste. 210
Columbus, OH 43215
614.233.1114

Address: 1283 Summit Street
Columbus, OH 43201

Zone: ARI
Area: A-22.2
Final Date: 03/15/2009
(Effective Date: March 15, 2009)

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STATEMENT OF HARDSHIP

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

- A. Permit a variance 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 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 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 the public health, safety, comfort, morals, or welfare of the inhabitants 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:

SEE ATTACHMENT NO. 1, ATTACHED HERETO, FOR STATEMENT

Signature of Applicant Colleen Boldreza Date 9/10/09

ATTACHMENT NO. 1

STATEMENT OF HARDSHIP

The purpose of this application is to obtain variances so that the subject property can be split into three (3) parcels. The reason that the property desires these splits, is that the subject property has three separate houses on it, and it would be better for each house, and the area surrounding it, to be a separate tax parcel.

The existing parcel has an area of 0.27 acres, more or less. The property owner has had surveys done, and proposes to divide it into parcels of 0.104, 0.124, and 0.049 acres respectively. Drawings and legal descriptions of the proposed parcels are included with the application. The houses were all built before the City of Columbus had zoning, and the City Staff has advised the property owner that variances will be required of a number of City Zoning Code provisions, including those pertaining to front, side, and rear yards, provisions regarding parking spaces and vehicle maneuvering across property lines, and the area of a lot that is occupied by structures.

The hardship in this matter is created by the conflict between the provisions of the Zoning Code, and the development practices that were followed in this neighborhood at the time the houses were built. Unless there is a variance, the rationale objective that separate structures have separate tax bills cannot be achieved.

Requested Council Variances to Tax Parcel No. 010-23164-00 (1283 Summit Street. Lot 8 of the D. Horlocker’s subdivision) for the purposes of obtaining a lot split in order to create three (3) separate fee simple lots, referred to herein as Lots 1,2, and 3. (Refer to Exhibit A for Lot Depictions)

1. LOT 1 (containing a House having an address of 1283 Summit Street)

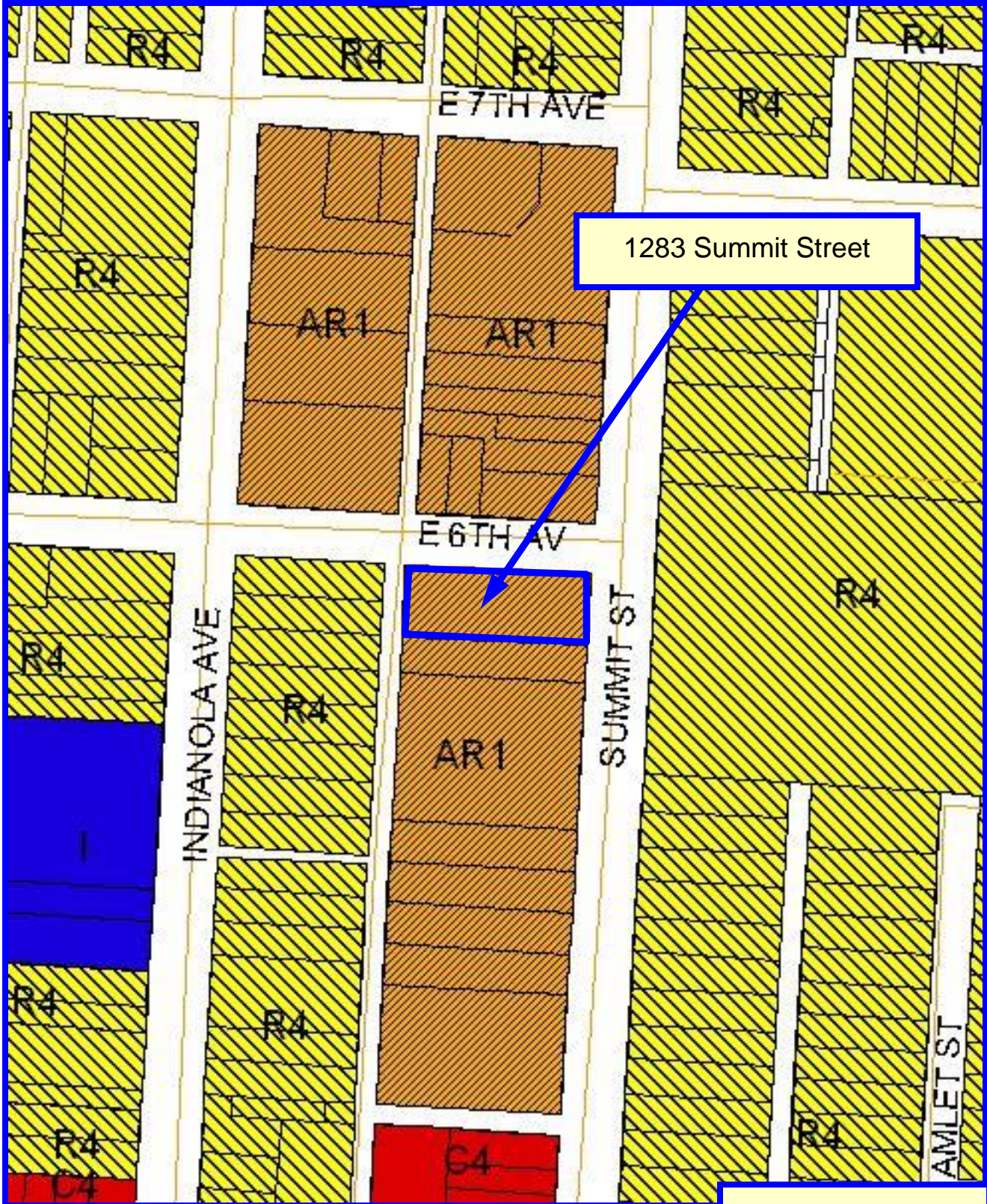
<u>Code Section Ref.</u>	<u>Variance Needed</u>
3333.02	Allow a single family dwelling in the AR-1 district on a lot created after January 14, 1959 (structure constructed before 1959)
3333.09	Reduce lot width from 50.0’ to 31.12’.
3333.18	Reduce front yard setback from 25.0’ to 17.9’ along Summit Street and 0’ along East Sixth Avenue
3342.15	Allow surface parking and maneuvering for the subject Lot and Lot 3 and access and maneuvering for Lot 2.
3342.18	Reduce parking setback on south property line from 10.0’ to 0.0’
3372.521 (A) & (E)	Allow parking in required side yard and eliminate requirement that parking area be separated from required yards or landscaped areas by a continuous eight inch curb or other permanent barrier.

2. LOT 2 (containing a House having an address of 1279 Summit Street)

<u>Code Section Ref.</u>	<u>Variance Needed</u>
3333.02	Allow a single family dwelling in the AR-1 district on a lot created after January 14, 1959 (structure constructed before 1959)
3333.09	Reduce lot width from 50.0’ to 37.15’.
3333.18	Reduce front yard setback from 25.0’ to 17.9’
3333.23	Reduce minimum side yard from 5.0’ to 3.0’.
3372.521 (A) & (E)	Allow parking in required side yard and eliminate requirement that parking area be separated from required yards or landscaped areas by a continuous eight inch curb or other permanent barrier.

3. LOT 3 (containing a House having an address of 117 6th Ave)

<u>Code Section Ref.</u>	<u>Variance Needed</u>
3333.02	Allow a single family dwelling in the AR-1 district on a lot created after January 14, 1959 (structure constructed before 1959)
3333.09	Reduce lot width from 50.0’ to 31.0’.
3333.18	Reduce front yard setback from 25.0’ to 9.6’
3333.23	Reduce minimum side yard from 5.0’ to 1.8’.
3342.28	Reduce required parking from 2 spaces to zero spaces.



1283 Summit Street

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1283 Summit Street

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From: Hupman, Ron
Sent: Monday, June 29, 2009 12:26 PM
To: 'slpine@columbus.gov'
Subject: UAC Zoning Recommendations - June 2007

Shannon,

I think these are all your cases but if not please pass along.

At its regular meeting on June 20, 2007, the University Area commission took the following actions:

2040 N. High Street, Larry's Bar

Motion: To recommend approval of a patio at the rear of 2040 N. High St. that will displace 4 existing parking spaces with the conditions that the High St. façade will be restored to a traditional storefront appearance, there shall be no outdoor amplification and the patio shall never be enclosed. **Motion passed.** Vote: 11 yes 5 No

1283 Summit St.

Motion: To recommend approval of the variances required to permit a lot split at 1283 Summit St. **Motion Passed.** Vote: Unanimous

1564 Highland St.

Motion: To recommend approval of the variances required to permit a change of use from duplex to single-family in AR-4 zoning district at 1564 Highland St. **Motion passed.** Vote: Unanimous.

Please let me know if you have questions.

Ron Hupman
Zoning Chair, UAC

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Ronald L. Hupman
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1366 Dublin Rd.
Columbus, OH 43215
(614) 485-6234
(614) 487-9418 Fax
rhupman@ohliq.com



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 # CV07-028

Being first duly cautioned and sworn (NAME) COLLEEN BOLDIZAR
of (COMPLETE ADDRESS) 1273 SUMMIT STREET COLUMBUS OH 43201
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 formats

Name of business or individual
Business of individual's address
Address of corporate headquarters
City, State, Zip
Number of Columbus based employees
Contact name and number

COLLEEN BOLDIZAR 1273 SUMMIT STREET COLUMBUS OH 43201 614 832 5066	

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

SIGNATURE OF AFFIANT

Colleen Boldizar

Subscribed to me in my presence and before me this 15 day
of SEPTEMBER, in the year 2009

SIGNATURE OF NOTARY PUBLIC

My Commission Expires: 7/6/12 *[Signature]*

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

Notary Seal Here