

May 27, 2009
C.V.09-007 Final Received 5/27/09
by Summer King

Improvement to
 374 E. Tompkins St.
 Columbus, Ohio 43202

Chris W. Murrick
 Licensed Professional Engineer
 License No. 10000
 State of Ohio

State of Ohio
 Board of Professional Engineers
 License No. 10000
 State of Ohio

DATE: 5/27/09
 SHEET: A-1

CV09-007



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.

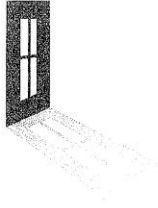
In granting a variance pursuant to this section, Council may impose such requirements and conditions regarding the location, character, duration, and other features of the variance proposal as Council deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the 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 #1

Signature of Applicant Gus M Date 03/30/09

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Craig W. Murdick, Architect, Ltd.

1441 Kingsgate Road, Columbus, Ohio 43221
614-273-0101 craig@murdick-arch.com

March 30, 2009

Attachment #1
Statement of Hardship

Applicant: Craig W. Murdick
Owner: Christopher Freiheit
Subject Property: 374 E. Tompkins

The subject property consists of one (1) parcel. The parcel consists of lot 14 and part of lot 15 of Doyles Summit Subdivision. The parcel consists of one (1) building with 8 (eight) residential apartment units. The parcel is zoned R2-F.

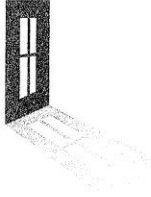
Under the present R2-F regulations, a dwelling cannot contain more than two (2) dwelling units. However because the eight (8) unit building was constructed prior to the present R2-F regulations being applicable to the site, the existing building is permitted as a "nonconforming use".

A nonconforming building is not permitted to continue if the use of the building is enlarged, expanded, reconstructed, or structurally altered in any lawful manner under C.C. 3391.01. A nonconforming use also cannot be extended, so as to increase the floor space over the existing floor space.

Therefore, the applicant requests a use variance, and related variances, to preserve the right to continue the use of the building as an 8 (eight) unit apartment building and the right to restore such units in the event of damage or destruction, including to the extent of 50% (fifty percent) or more of the value of the existing building. Given the fact the fact that the variance will not alter the actual "use" of the site (residential), or the number of the dwelling units in the building (8), such use variance will not adversely affect the surrounding properties or neighborhood. Furthermore the variances will allow the construction of a covered front porch which will improve the character of the building and will therefore be an improvement for the neighborhood.

Furthermore the variances will not impair an adequate supply of light and air to the adjacent property and the building will better blend with architecture, and character of the neighboring homes. Because no increase in density is requested, the variance will not increase the congestion of public streets or increase the danger of fires. In addition, it will not endanger the public safety or unreasonably diminish or impair the public health, safety, comfort, morals, or welfare of the people of the City of Columbus.

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Craig W. Murdick, Architect, Ltd.

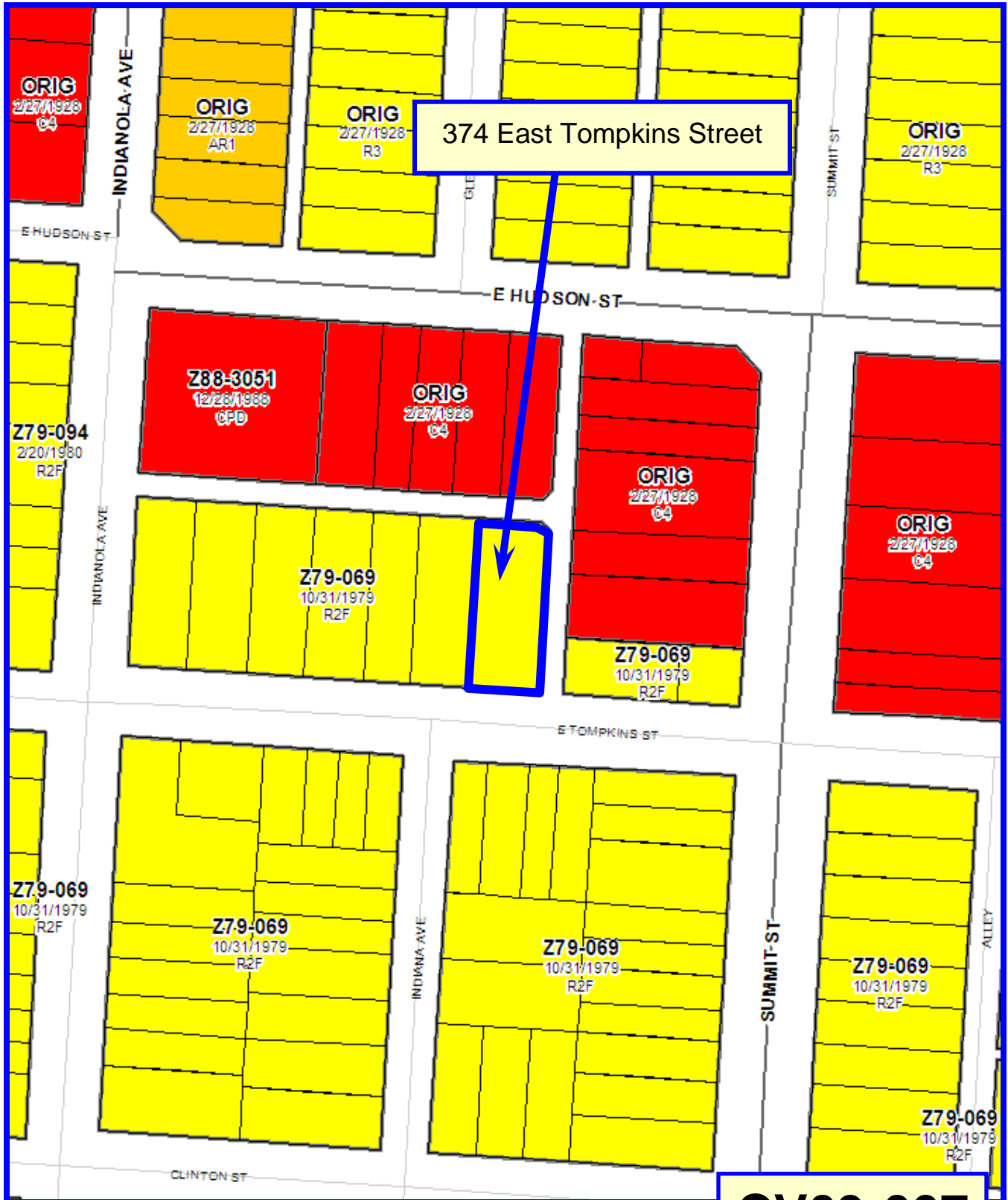
1441 Kingsgate Road, Columbus, Ohio 43221
614-273-0101 craig@murdick-arch.com

March 31, 2008

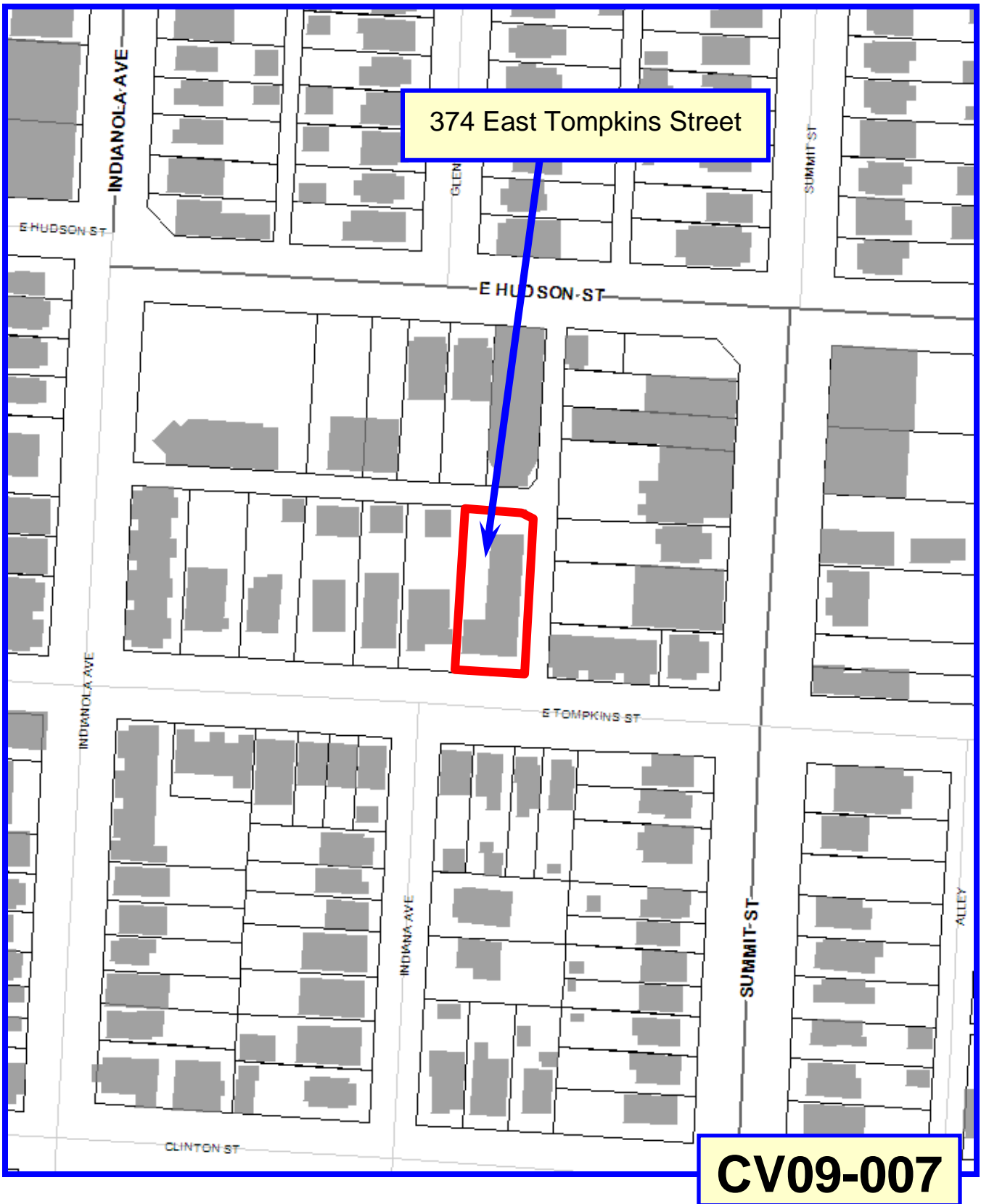
Attachment #2

**List of requested variances for:
374 E. Tompkins St., Columbus, Ohio 43202**

- 3332.037 R2-F Residential use district -Variance to allow an 8 unit apartment building in an R2-F district.
- 3332.21 Building line - variance to reduce the building line from 25 feet to 21.2' at the existing building front.
- 3332.27 A variance to reduce the rear yard requirement from 25% to zero as it is currently all paved.
- 3332.24 Sideyard
- 3332.25 Maximum sideyard reduction to 2'-0" to allow for existing building line/location on the west side of the building.
- 3332.26 Minimum sideyard reduction to 0'-0" from 5' to allow for sideyard parking to the property line on the east side of the building.
- 3342.06 Variance to allow reduction in aisle width from 13' to 7'-9". Also the variance should allow for two way travel such that cars may back out using the aisle for backward motion travel.
- 3342.19 A variance to permit a reduction in parking space size for the angled parking at the west side of the building. Said parking spaces to be reduced from 9'x18' to 7'-6"x14'. Said variance shall also allow a 20 degree angle of parking (refer. the site plan drawing A-1 dated 03/30/09).
- 3342.08 Driveway. Variance to permit other than forward motion only.
- 3342.28 Parking variance to allow reduction from the required 16 spaces (at 2 per unit) to 13 parking spaces.
- 3342.09 Dumpster area. Variance to permit screening on one side only where the proposed shrubs provide screening at the west property line. Also, a variance to permit the dumpster to be located within the sideyard setback (refer. Site plan drawing A-1 dated 03/30/09).

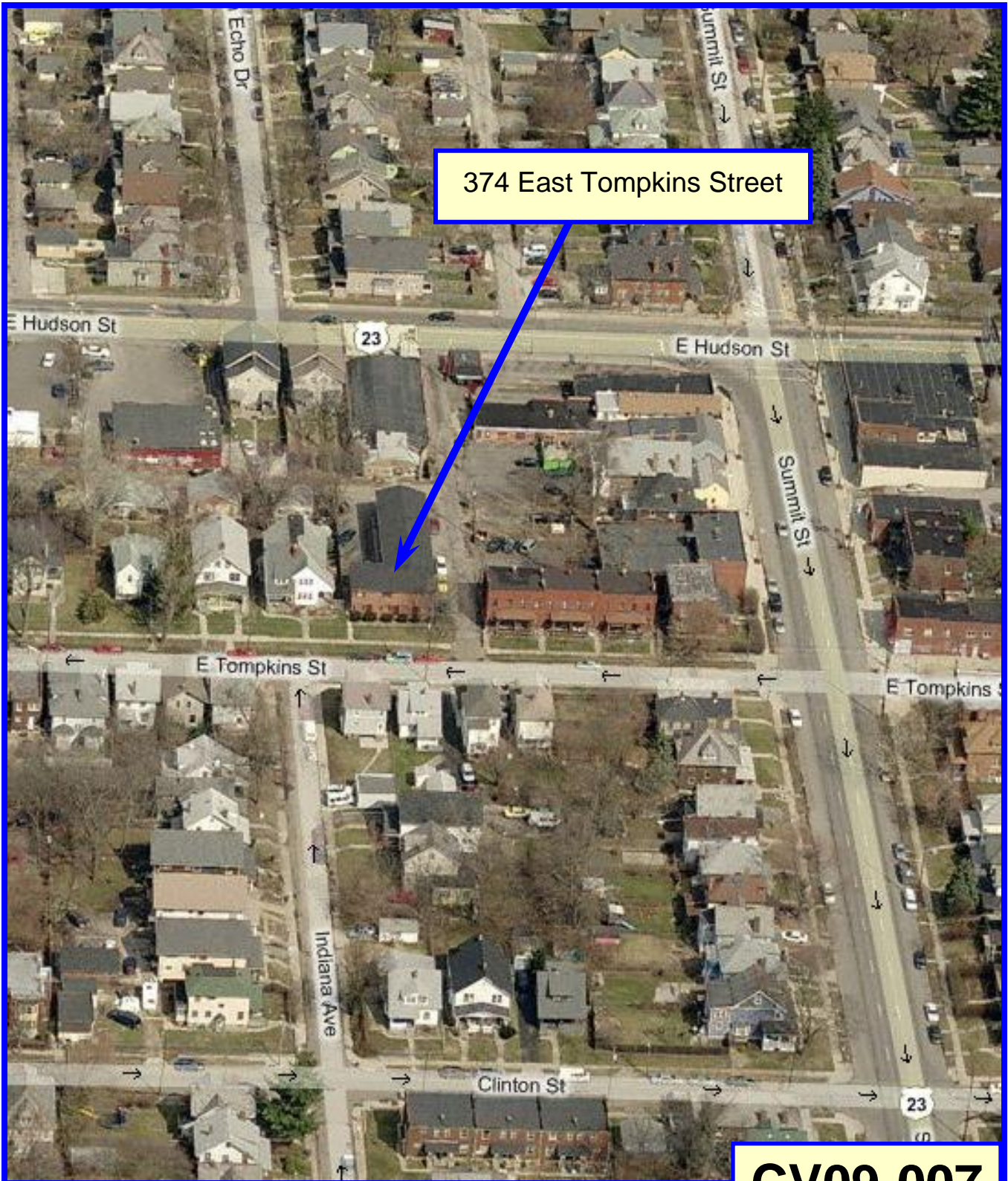


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374 East Tompkins Street

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374 East Tompkins Street

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During its regular meeting on May 20, 2006, the University Area Commission adopted the following recommendations:

374 E. Tompkins Applicant: Craig Murdick, Architect Council variance to permit existing non-conforming use.

Recommendation: **Approval**

Motion: The UAC recommend approval of the list of variances as requested by applicant plus any other variances identified that are required to permit like-for-like reconstruction of the existing structure. Vote: **Unanimous approval**

Ronald L. Hupman

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Fax 614-487-9418
rhupman@ohliq.com

City of Columbus | Department of Development | Building Services Division | 757 Cardyn Avenue, Columbus, Ohio 43224



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 # CV09-007

Being first duly cautioned and sworn (NAME) CRAIG W. MURDICK
of (COMPLETE ADDRESS) 1441 KINGSGATE RD. COLUMBUS OH 43221
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

CHRIS FREIHEIT 1662 DOLLIVOR DR. WOODINGTON OH 43235	

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

SIGNATURE OF AFFIANT [Signature]
Subscribed to me in my presence and before me this 30th day
of March, in the year 2009
SIGNATURE OF NOTARY PUBLIC [Signature]
My Commission Expires: 09-14-2013



Kendra Hardrick
Notary Public, State of Ohio
My Commission Expires 09-14-2013

Notary Seal Here