

DEPARTMENT OF BUILDING AND ZONING SERVICES

Council Variance Application

111 North Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • www.columbus.gov/bzs • zoninginfo@columbus.gov

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

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 discovered after your application is approved, a new application 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):

Signature of Applicant Rocio Norato

Date NOV/21/19

CV19-125

PLEASE NOTE: Incomplete information will result in the rejection of this submittal. Applications must be submitted by appointment. Call 614-645-4522 to schedule. Please make checks payable to the Columbus City Treasurer

Statement of Hardship

The property owner of 2803 Fern Avenue, Columbus, Ohio 43211 requests a council variance to permit the conversion of a detached 2-car garage to an accessory dwelling unit (ADU) located behind the existing residence. The former owner turned the garage into a dwelling-unit without permits, and as current property owner I'm trying to legitimize that rear dwelling-unit.

The primary request is to allow for a second dwelling unit on a property zoned R-3, which allows for one single-family structure. Additional requests include variances necessary to modify the zoning attributes of the property for the proposed development, and those variances necessary for all nonconforming existing conditions of the property, which pre-dates the Columbus Zoning Code.

The vision for the proposed ADU is to promote simple, sustainable, and affordable living, which includes the intentional reduction of vehicle reliance, and making use of existing infrastructure instead of building new.

Summary of Variance requested

Code Section 3332.035 – R-3, Residential District does not allow two dwelling-units on one lot.

CV19-125

ADDENDUM TO STATEMENT OF HARDSHIP
CV19-125
2803 Fern Ave. (43211)

3312.25 Maneuvering: to allow maneuvering through a parking space for two sets of stacked parking spaces on the property

3312.29 Parking space: to allow permit two sets of stacked parking spaces on the property

3332.13 R-3 area district requirements: requires 5,000 square feet per dwelling unit, the lot is 7,500 square feet per density calculation in 3332.18(C) resulting in 3,750 square feet per dwelling.

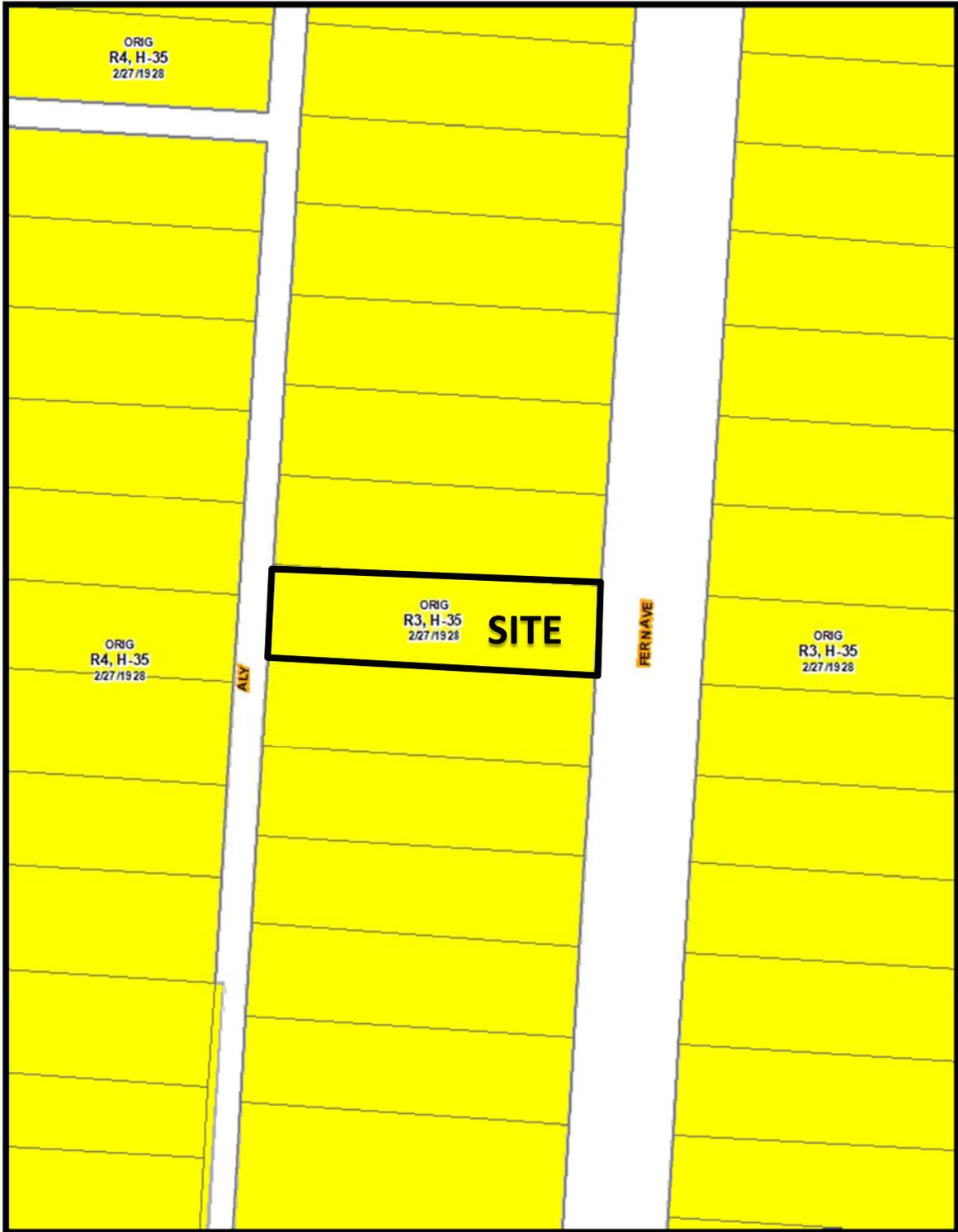
3332.19 Fronting: the rear unit will not front on a public street, but rather a public alley.

3332.25 Maximum side yards required: 50 foot wide lot requires side yards totaling 10 feet, while 6.5 feet is provided

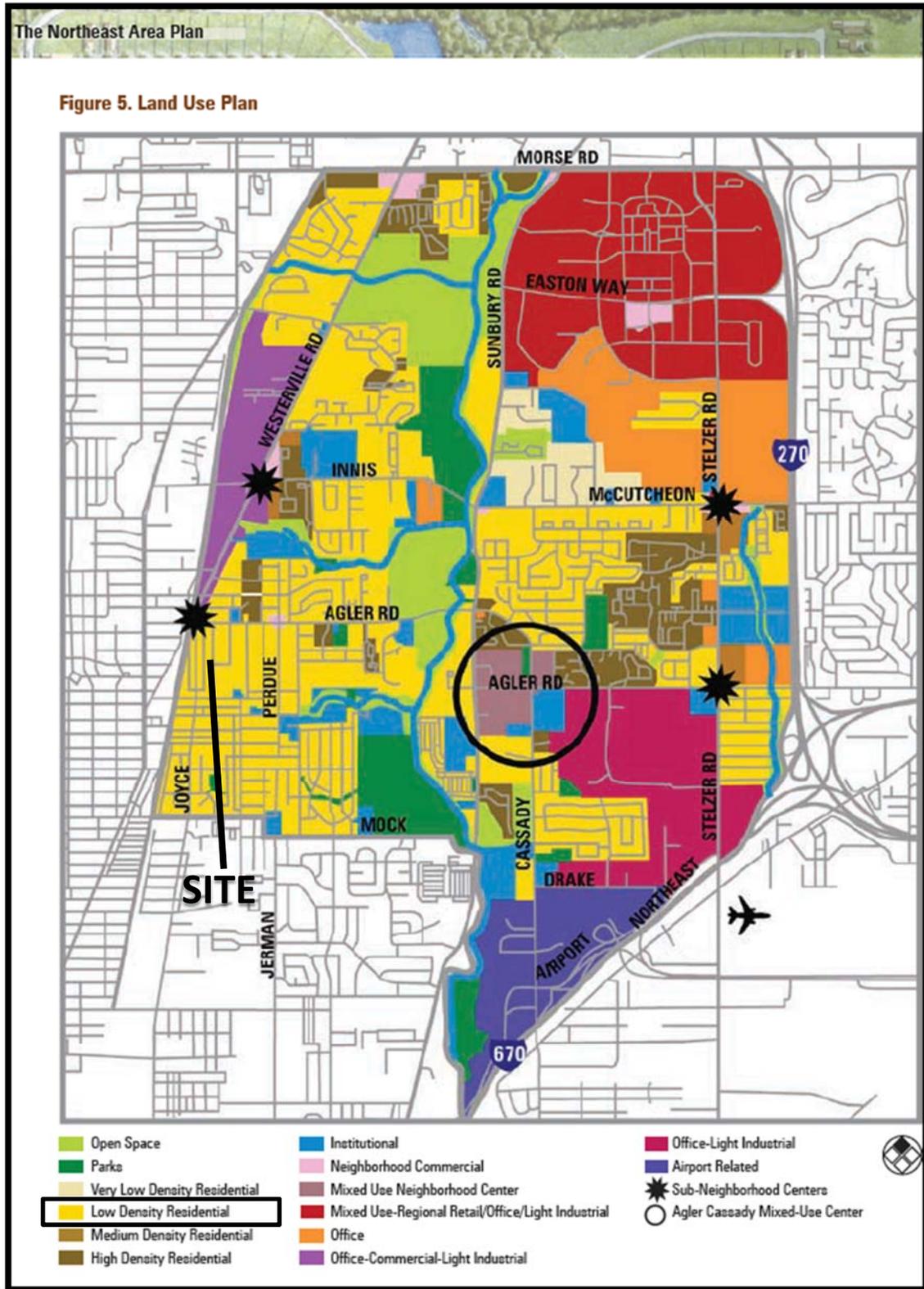
3332.26 Minimum side yard permitted: on a 50 foot wide lot, the minimum side yard is 5 feet, while the existing front dwelling unit has a reduced northern side yard of 2.5 feet, and the rear dwelling unit has a reduced southern side yard of 4 feet.

3332.27 Rear Yard: each dwelling unit is required 25% of the lot designated as the rear yard, while the rear dwelling unit will have no rear yard.

3332.28 Side or rear yard obstruction: two stacked parking spaces located between the northern wall of the rear dwelling unit and the northern property line, and between the southern wall of the front dwelling unit and southern property line, both within the required side yards.



CV19-125
2803 Fern Ave.
Approximately 0.21 acres



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North East Area Commission

"Together we can build a stronger community"

April 5, 2021

Mr. Tim Dietrich
Department of Building & Zoning
111 North Front Street
Columbus, OH 43215

Mr. Dietrich:

Subject CV19-125, property known as 2803 Fern Ave,
Columbus, OH 43211. The North East Area Commission at public virtual
meeting on April 1, 2021 voted to disapprove the above application.

Sincerely,



Commissioner Porter

Cc: Robert Hill – Chairperson
Rico Nonato - Applicant

Council Variance Application

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PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV19-125

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) Rocio Nonato
of (COMPLETE ADDRESS) 2803 Fern ave columbus ohio 43211

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. Rocio Nonato 2803 Fern Ave. Columbus, OH 43211 # of employees 0 614-787-1592	2. /
3.	4.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT Rocio Nonato

Sworn to before me and signed in my presence this 13th day of March, in the year 2021

Diana L Rawch
SIGNATURE OF NOTARY PUBLIC

01-23-22
My Commission Expires



This Project Disclosure Statement expires six (6) months after date of notarization.