



# 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.

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):

Signature of Applicant



Date

2/18/21

**Statement of Hardship**  
**CV21-021, 1135 NEIL Avenue**

The site is located on the west side of Neil Avenue, 300 +/- feet north of West 3<sup>rd</sup> Avenue. The parcel is zoned R-4, Residential and is located in the Victorian Village Commission area. The site is a standalone lot. Applicant proposes to develop the site with a two-family dwelling fronting Neil Ave and a one-unit Carriage House at the rear on one lot. The Victorian Village Commission supports the proposed new construction of the two-family dwelling and carriage house. While the R-4 district permits a three (3) dwelling unit building, a variance is required for the proposed configuration of dwelling units with one detached dwelling on the same parcel. The proposed single-unit dwelling and two-unit dwelling is consistent with a wide range of land uses and houses in Victorian Village.

Applicant has a hardship in that there is no means other than a variance to permit one detached dwelling on the same parcel. Many variances have been supported for both new residential construction and carriage houses.

Applicant requests the following variances:

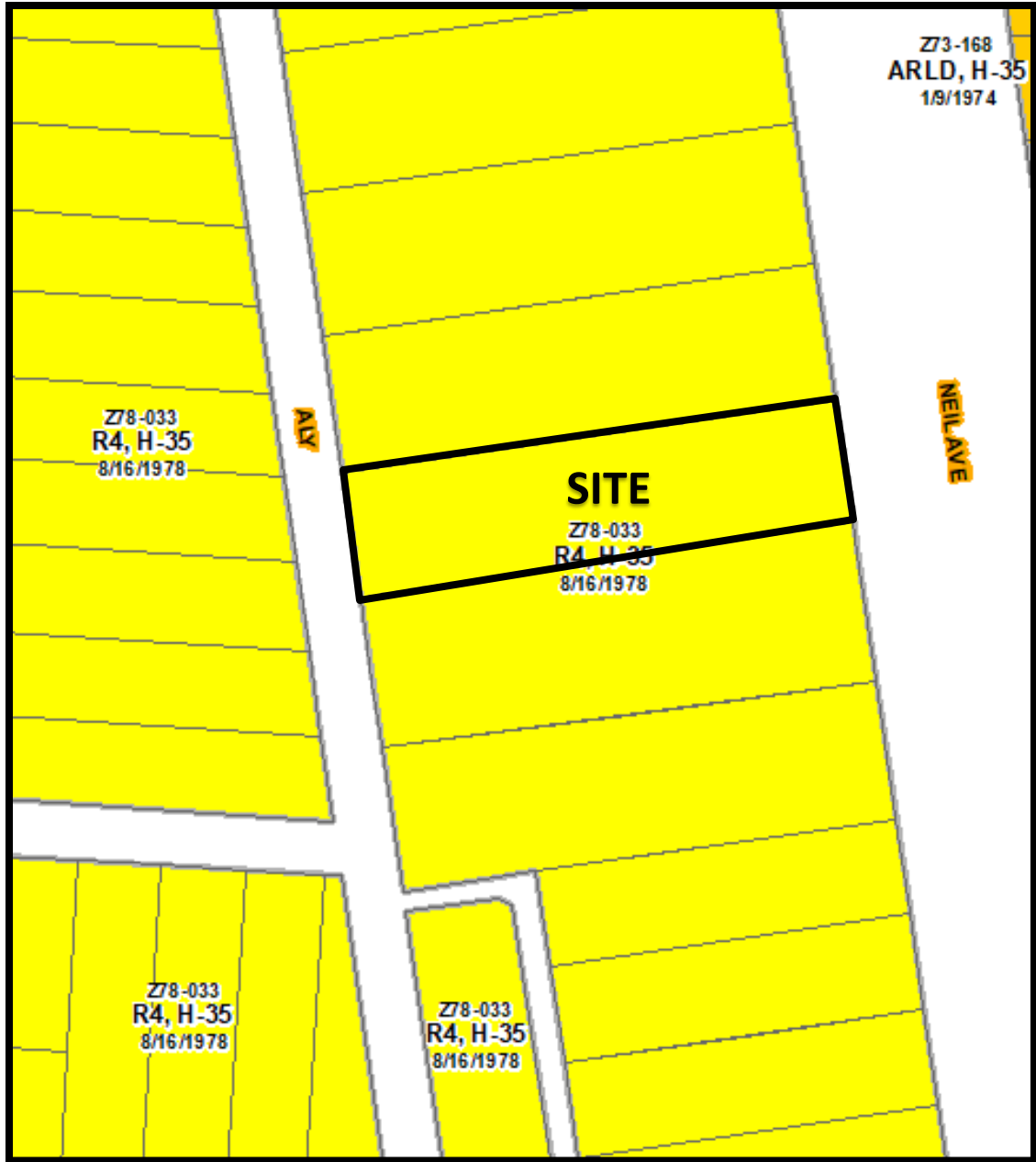
- Section 3332.039 – Unit Type, to allow an Accessory Unit in an R-4 Residential District
- Section 3332.05(4) – Lot Width, to reduce the minimum required lot width from 50ft to 45ft (Existing Condition).
- Section 3332.15 – Lot Area, to reduce the required lot area from 7,500sf min to 6,075sf (Existing Condition)
- Section 3332.19 – Fronting - [Carriage House], to allow a dwelling unit to front an alley.
- Section 3332.27 – Rear Yard - [Carriage House], to reduce the required rear yard for a dwelling unit from 25% to 0.
- Section 3312.49 – Parking -6 required spaces, 3 provided



09/27/2021

Duncan Factors:

1. Whether the property in question will yield a reasonable return or whether there can be beneficial use of the property without the variance.
  - The pattern of development along Neil Avenue has large homes with carriage houses. To keep up with real estate expectations in the area the variances are needed to construct the house and carriage house to be consistent with the established pattern.
2. Whether the variance is substantial.
  - The variances are not substantial but are necessary.
3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.
  - The essential character of the neighborhood will be maintained with the construction of the house and carriage house on this property since the adjacent properties also have similar arrangements.
4. Whether the variance would adversely affect the delivery of governmental services
  - The proposed variances do not adversely affect the delivery of governmental services to the site.
5. Whether the property owner purchased the property with the knowledge of the zoning restriction
  - The property owner did know that multiple units could be built on the property but was not aware of how carriage houses were handled by the zoning code.
6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.
  - There is not a feasible way to remove the need for these variances.
7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.
  - Considering the adjacent properties already have large homes and carriage houses and variances associated with several properties on the block with similar configurations, this proposal meets the intent of granting variances per the zoning code.



CV21-021  
1135 Neil Ave.  
Approximately 0.18 acres



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Approximately 0.18 acres

DEPARTMENT OF  
DEVELOPMENT

*This Certificate of Appropriateness is not a zoning clearance or a building permit. This document does not relieve the applicant from the responsibility of filing for and obtaining any required zoning clearance and/or building permit from the City of Columbus Department of Building & Zoning Services (645-6090 / 111 N. Front Street) and following all other applicable codes and ordinances of the City of Columbus.*

**PROPERTY ADDRESS:** 1135 Neil Avenue

**APPLICANT'S NAME:** Mike Navarro (Owner) / Daniel Ferdelman (Applicant)

**APPLICATION NO.:** VV-21-03-010A

**MEETING DATE:** 03-10-2021

**EXPIRATION:** 03-10-2022

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 & 3319 and the architectural guidelines:

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

**APPROVED SPECIFICATIONS:**

Recommend approval of variances for project VV-21-03-010A, 1135 Neil Avenue, as submitted:


Variances

- Section 3332.039 - Unit Type, to allow an Accessory Unit in an R-4 Residential District
- Section 3332.05(4) - Lot Width, to reduce the minimum required lot width from 50ft to 45ft (Existing Condition).
- Section 3332.15 - Lot Area, to reduce the required lot area from 7,500sf min to 6,075sf (Existing Condition)
- Section 3332.19 - Fronting - [Carriage House], to allow a dwelling unit to front an alley.
- Section 3332.27 - Rear Yard - [Carriage House], to reduce the required rear yard for a dwelling unit from 25% to 0.

MOTION: Siwo/Moriarty (4-0-0) APPROVED.

**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.

  
James A. Goodman, M.S.  
Historic Preservation Officer

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**PROPERTY ADDRESS:** 1135 Neil Avenue

**APPLICANT'S NAME:** Mike Navarro (Owner)/Bradley Blumenshied (Applicant)

**APPLICATION NO.:** VV18-11-19b

**MEETING DATE:** 9-8-21      **EXPIRATION:** 9-8-22

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 & 3319 and the architectural guidelines:

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

**APPROVED SPECIFICATIONS:**

Recommend approval of application VV-21-03-010C, 1135 Neil Avenue, as submitted with clarifications as noted:

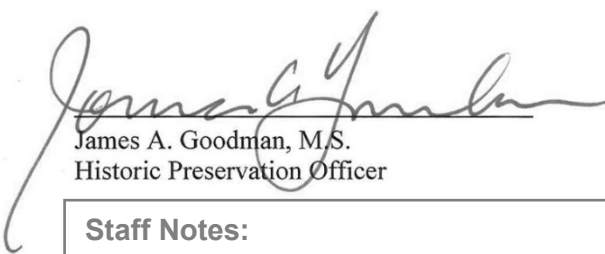
Variances

- Section 3312.49 –Parking -6 required spaces, 3 provided.
- Note: Similar parking variances have been granted in the Victorian Village by the Commission. Commissioners are being consistent.

MOTION: Conyers/Skinner (3-0-0) 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.

  
James A. Goodman, M.S.  
Historic Preservation Officer



**Staff Notes:**





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## PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV21-021

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) Peter M. Navarro

of (COMPLETE ADDRESS) 770 Hamlet Street, Columbus, Ohio 43215

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. Peter M. Navarro -Rowe House LLC 770 Hamlet Street, Columbus, Ohio 4321	2. Ingrid Navarro -Rowe House LLC 770 Hamlet Street, Columbus, Ohio 43215
3.	4.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFILIANT

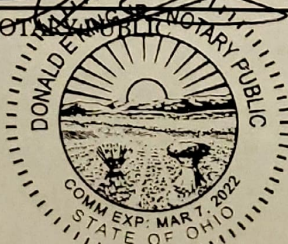
Sworn to before me and signed in my presence this 19 day of Nov, in the year 2021

SIGNATURE OF NOTARY PUBLIC

My Commission Expires

3/07/2022

Notary Seal Here



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