

LOT 1 PARTLY DETACHED  
 LOT AREA = 6263 SF  
 NET FLOOR AREA FOR  
 LIVING QUARTERS = 1122 SF  
 BUILDING HEIGHT = 41'-0"  
 PARKING: 2 CAR ATTACHED GARAGE

LOT 2  
 SINGLE FAMILY DETACHED  
 LOT AREA = 12616 SF  
 NET FLOOR AREA FOR  
 LIVING QUARTERS = 2819 SF  
 BUILDING HEIGHT = 41'-0"  
 PARKING: 1 CAR ATTACHED GARAGE  
 WITH LIFT TO ACCOMMODATE 2 CARS

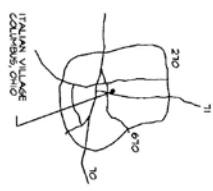
LOT 3  
 CONCRETE MULTY-UNIT RESIDENTIAL  
 CONDOMINIUMS (LOFTS)  
 NET FLOOR AREA FOR  
 LIVING QUARTERS = 6271 SF  
 BUILDING HEIGHT = 41'-0"  
 PARKING: 1 CAR ATTACHED GARAGE  
 WITH LIFT TO ACCOMMODATE 2 CARS

PARCEL ID # 010-052101-80  
 # 010-75446-40  
 MA NEELS SUB. RD 2, PLS 14

32ND DISTRICT C-4  
 ORIS C-4 H-20 MAP # 28  
 ITALIAN VILLAGE HISTORIC DISTRICT  
 # 610-040012 CONTROL AREA  
 # 010-052101-80  
 # 010-75446-40  
 LOT # 1, 2, 3  
 FIRE HAZ. # 304000001K  
 DATE 11, 2009

CV09-019 Final Revised 11/11/09  
 by Shannon Fleming

1 SITE PLAN  
 SCALE 1" = 10'-0"



1 VICINITY MAP  
 N.T.S.

PRELIMINARY  
 NOT FOR CONSTRUCTION

Lincoln Street Studio  
 architects & planners

45 east Lincoln street  
 columbus, ohio 43215-1515  
 telephone  
 614 461 1144  
 fax  
 614 461 8030

11/11/09  
 Connie Kleva  
 APPLICANT: CONNIE KLEVA  
 27 JULY 2009  
 30 SEPTEMBER 2009

TRINCLE HOUSES  
 AT RUSSELL AND KERR  
 Columbus, Ohio 43215

08012  
 A-100

CV09-019

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



**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 ATTACHED*

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Signature of Applicant Tom J. Klema Date 5/11/09

**STATEMENT OF HARDSHIP**

**COUNCIL VARIANCE**

**77 East Russell Street**

The subject property is zoned ~~7-1~~ F-4 and is located in a residential area of Italian Village. In 2001, Council approved variances to permit three dwelling units and residential garage space in the commercial district. As proposed in 2001 and approved by Council, the variances permitted a four story building with parking and office on the first floor and three dwelling units above. The Council variances approved (1) three residential units, (2) building lines in a commercial district to be zero, and (3) the minimum number of parking spaces required.

The approved four story building was not constructed. Since 2001, the neighborhood has continued to improve with residential development dominated by single family homes and condominiums. The owner of the property met with the Italian Village Commission to discuss altering the site plan to better adapt to the neighborhood.

The owner proposed:

To permit the division of the property into three (3) lots to accommodate the following:  
Lot 1: one three story single family home with first floor office and up to two car garage;

Lot 2: one three story single family home with first floor office and one car garage;

Lot 3: one three story single family home with one car garage.

The Italian Village Commission unanimously recommended the alteration to the site plan. With the alterations to the site plan, the only change to the variances approved in 2001 are due to the renumbering of the zoning districts in the code and the request for a seven foot (7') setback from Russell Street instead of 0 feet. The requested variances are:

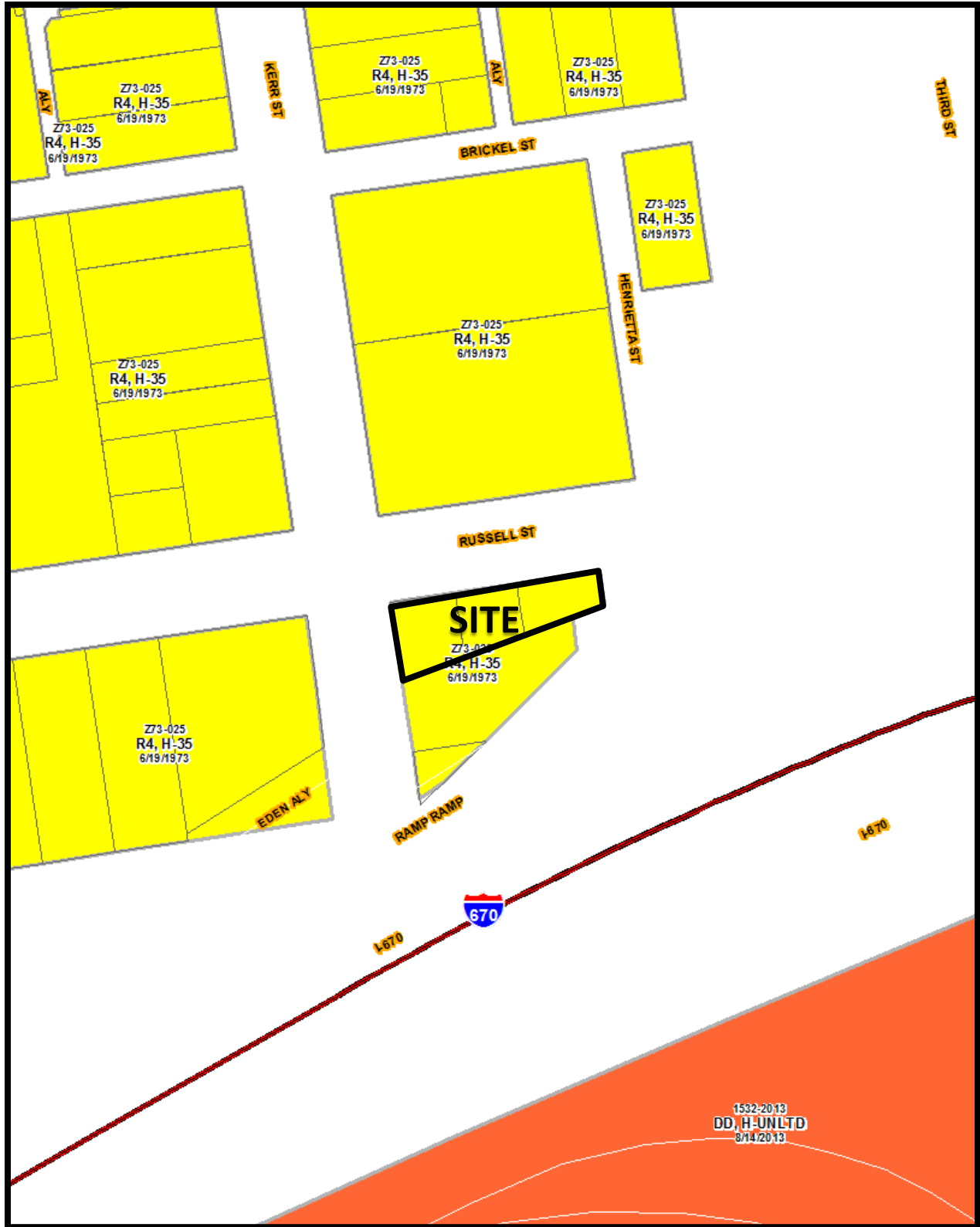
- ~~1) 3356.03: To permit dwelling units located above residential garage space and office space and not uses contained in the C-1, C-2, C-3, and C-4 Commercial Districts;~~
- ~~2) 3356.11: A variance from the C-4 District setback lines to permit zero setback lines on the east, south and west side of the property and a seven foot (7') setback on the north at Russell Street;~~
- ~~3) 3342.28: Minimum number of parking spaces required for single family and general office.~~

As in 2001, the alterations to the site plan will not impair the supply of light or air to the adjacent properties, nor will they 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. The proposed site plan permits more light to permeate the site and adjacent properties, provides more green space, more on-site parking, and less height than the site plan approved in 2001.

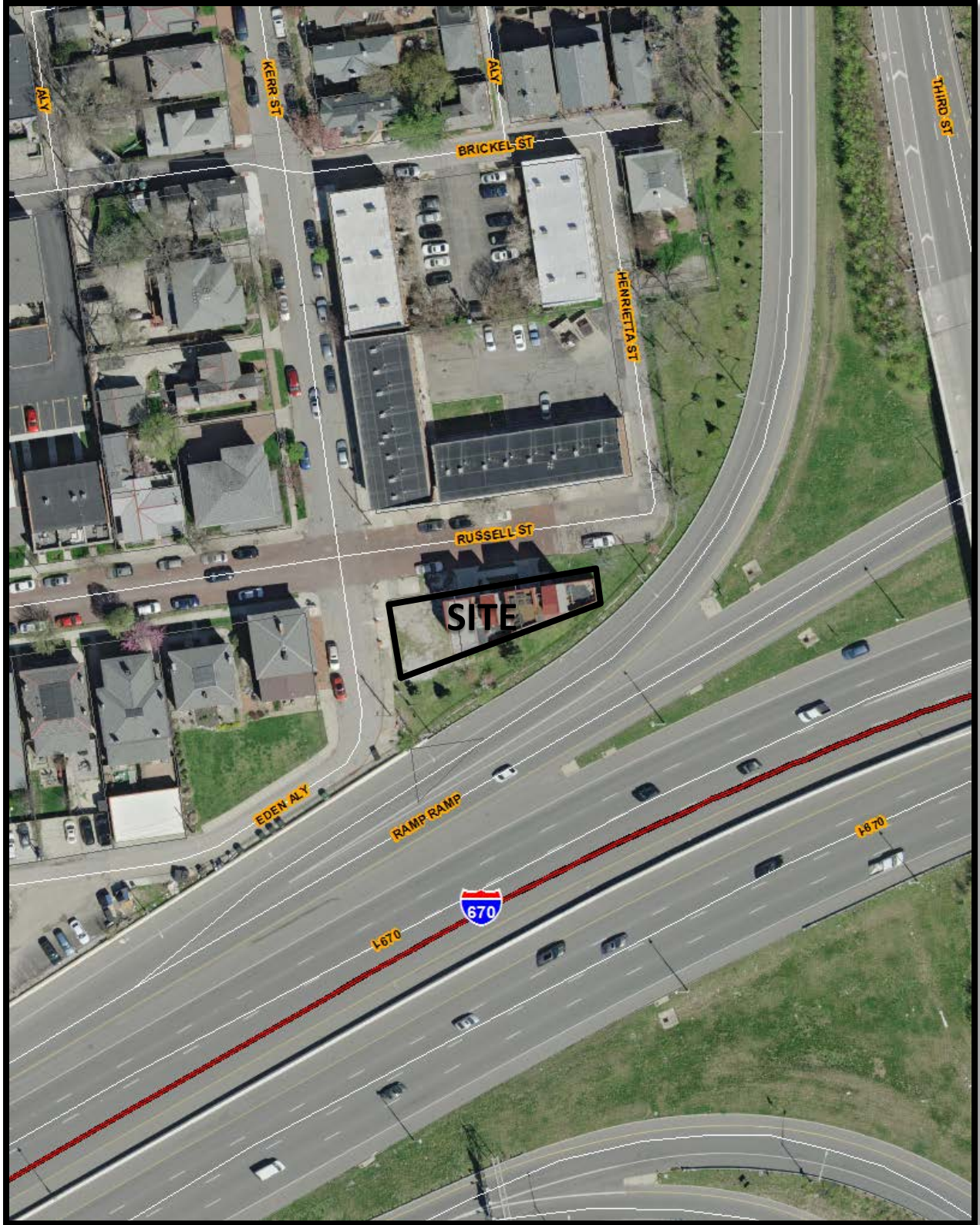
**CV09-019A****75-79 E Russell Street****Variance List**

- 3332.039: The applicant requests a Council variance to construct three single-unit dwellings on separate lots with the ability to have ground-floor offices in two of the dwellings.
  - Lot 1: 3-story single-unit dwelling with first floor office and 2-car garage
  - Lot 2: 3-story single-unit dwelling with first floor office and 1-car garage with lift system
  - Lot 3: 3-story single-unit dwelling with 1-car garage with lift system
- 3321.05(B)(2) 30-foot clear vision triangle: to allow the dwelling on Lot 1 to obstruct the 30-foot clear vision triangle
- 3332.05(A)(4) Lot Width: 50' required, provided as follows: Lot 1: 37.44', Lot 2: 36', Lot 3: 46.37'
- 3332.15 Lot Area: 5,000 sq' required, provided as follows: Lot 1: 1,698.8 sq', Lot 2: 1,306.8 sq', Lot 3: 1,219.7 sq'
- 3332.18(D) Building lot coverage max is 50%: Lot 1: 62%, Lot 2: 57%, Lot 3: 51%
- 3332.21(B) Front Setback: 25' required, all lots at 7'
- 3332.25 Maximum side yard required: 9.27' required for Lot 3, however it has 0'
- 3332.26 Minimum Side Yard: 3' required for Lots 1 and 2, however Lot 1 has 1' 8.5" and Lot 2 has 5.5" along the west property lines, respectively; Lot 3 is required to have a 5' min side yard, however it has 0' side yards
- 3332.27 Rear Yard: The rear yard needs to account for 25% of the lot; whereas all lots have 0% rear yard.
- 3332.29 Height district: Allow building height of 41' on each lot

Note: Parking variances not needed due to SNSPA: 0 parking spaces required for the single-unit dwellings because the property was subdivided prior to the effective date of the SNSPA ordinance. Lot 1 has 763 sq' first floor area and Lot 2 has 764 sq' first floor area which requires only 1 parking space for general office use on each lot under SNSPA requirements.



CV09-019A  
77 East Russell  
Approximately 0.1 acres



CV09-019A  
77 East Russell  
Approximately 0.1 acres

## HISTORIC DISTRICT COMMISSION RECOMMENDATION

### ITALIAN VILLAGE COMMISSION

*This is a recommendation to the appropriate regulatory body as identified per City Code. It 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 / 757 Carolyn Avenue) and following all other applicable codes and ordinances of the City of Columbus.*

**PROPERTY ADDRESS:** 75-79 E. Russell St.

**APPLICANT'S NAME:** City of Columbus Department of Building & Zoning Services (Applicant)  
Kerr Street Place et al (Owners)

**APPLICATION NO.:** 17-10-12

**COMMISSION HEARING DATE:** 10-10-17

The Italian Village Commission hereby certifies that the application for the above referenced property and a copy of this Recommendation 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 & 3119 and the architectural guidelines:

**Variance or Zoning Change Request**

- |   |  |
|---|--|
| <input type="checkbox"/> Rezoning         | <input type="checkbox"/> Special Permit      |
| <input type="checkbox"/> Parking Variance | <input checked="" type="checkbox"/> Setbacks |
| <input type="checkbox"/> Change of Use    | <input checked="" type="checkbox"/> Other    |
| <input type="checkbox"/> Lot Split        |  |

**TYPE(S) OF ACTION(S) REQUESTED:**

Recommend approval of application #17-10-12, 75-79 E. Russell St., as submitted:

Staff Recommended Application

Variance Recommendation Request

- CV09-19 (Ordinance # 1600-2009) was passed by Columbus City Council on December 7, 2009, and permitted 3 single-unit dwelling lots in the existing C4, Commercial District. Recently a zoning map error was discovered in the vicinity of the site which resulted in the zoning being corrected to R4, Residential District. An amendment to the ordinance is needed to accurately reflect the variances of the residential district.
- 3332.039: The applicant requests a Council variance to construct three single-unit dwellings on separate lots with the ability to have ground-floor offices in two of the dwellings.
  - Lot 1: 3-story single-unit dwelling with first floor office and 2-car garage
  - Lot 2: 3-story single-unit dwelling with first floor office and 1-car garage with lift system
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MOTION: Fergus/Christian (4-0-0) APPROVED.

**RECOMMENDATION:**

RECOMMEND APPROVAL                       RECOMMEND DENIAL                       NO ACTION TAKEN

THIS RECOMMENDATION IS FOR CONSIDERATION BY THE DESIGNATED REGULATORY AUTHORITY FOR THE ACTION(S) REQUESTED AS INDICATED.

  
\_\_\_\_\_  
Randy F. 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.

Application Number: \_\_\_\_\_

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Connie J. KLEMA ATTORNEY  
of (COMPLETE ADDRESS) PO Box 991 PATASKAWA OH 43062

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

<p>1. JOHN GALVIN 79 E RUSSELL ST. COLUMBUS OH 43215  614-581-8033</p>	<p>2. ROGER A. CARPER 77 E. RUSSELL ST. COLUMBUS OH 43215  614-329-1985</p>
<p>3. KERR STREET PLACE LTD. 75 E. RUSSELL ST. COLUMBUS OH 43215      <input checked="" type="checkbox"/> Employees Mainly Address: 100 ZELLEN LANE 614 374 8488      ETNA OH 43062</p>	<p>4.</p>

Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFILIANT Connie J. Klemm

Sworn to before me and signed in my presence this 15<sup>th</sup> day of February, in the year 2018

Marcy D. Green  
SIGNATURE OF NOTARY PUBLIC

2-29-20  
My Commission Expires

Notary Seal Here



MARCY D. GREEN  
Notary Public, State of Ohio  
My Commission Expires  
02-29-2020

**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