

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):

Please see Exhibit A.

Signature of Applicant

Donald Plank

Date

8/22/19

CV19-086

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

Exhibit A

80 Hosack Street, Columbus, Ohio 43207

A. Kathryn Schirtzinger, Trustee of the Robert L. Schirtzinger Trust, is the owner of property located at 80 Hosack Street, Columbus, Ohio 43207 (the “Property”). The Property is known as Franklin County Auditor Tax Parcel Id. No.’s 010-045362 and 010-070253. The owner proposes to combine the parcels and install an asphalt parking lot and driveway on the Property.

Area Variances

- Columbus Zoning Code (the “Zoning Code”) Section 3312.17(4) – In C-1, C-2, C-3, C-4 and C-5 Commercial Districts and for commercial uses located in M- Manufacturing Districts, the parking setback line shall be established 10 feet from the street right-of-way line without respect to the building line.
 - As depicted on the site plan, dated August 22, 2019 (the “Site Plan”), the parking setback facing South 4th Street is 7.69 feet.
- Zoning Code Section 3312.09 – A parallel parking space shall have a minimum aisle width of 13 feet for one way travel.
 - As depicted on the Site Plan, the two (2) parking spaces north of the existing building have 7.6 feet of aisle width on the Property.
- Zoning Code Section 3356.11 – In a C-4 Regional Scale Commercial District, if the site does not abut a designated Columbus Thoroughfare Plan street, the setback shall be no less than 25 feet.
 - As depicted on the Site Plan, the existing building is 9.95 feet from the Hosack Street right-of-way line and 10.29’ feet from the Bucher Street right-of-way line.

Partial Termination

The variance from Zoning Code Section 3356.11 is required due to changes to the Columbus Zoning Code after the construction of the building on the Property. The variance shall terminate when the owner of the Property voluntary demolishes the building.

Supporting Statement

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variances.

The Property is already developed with a building. Due to the location of the building, the Property does not have enough land adjacent to South 4th Street to satisfy the parking setback and aisle width requirements under the Zoning Code. The variances will allow for customer parking and two-way travel to eight (8) of the parking spaces.

Without the building setback variance, the Property will contain a non-conforming building. Non-conformities decrease the value of property and potentially hinder the owner’s ability to find new tenants and acquire insurance.

2. Whether the variances are substantial.

The variances are not substantial. As depicted on the Site Plan, the proposed parking setback area adjacent to South 4th Street will include ample landscaping. The aisle width and maneuvering variances are technical in nature since the two (2) parking spaces are adjacent to a rarely used 13.7 foot alley.

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 variances.

The essential character of the neighborhood will not be substantially altered. Installing an asphalt parking lot and landscaping will improve the aesthetics and reduce the need for on-street parking in the neighborhood.

4. Whether the variances would adversely affect delivery of government services.

There will be no adverse affect on the delivery of governmental services to the Property if the variances are approved. There are adequate public services and facilities, as well as utilities to the Property, and fire and police safety responders and vehicles will have adequate ingress-egress and maneuverability in and out of the Property.

5. Whether the property owner purchased the property with knowledge of the zoning restrictions.

The owner acquired 80 Hosack Street, Franklin County Auditor Tax Parcel Id. No. 010-070253, in 2006, long after the building on the Property was constructed. The owner acquired 1924 South Fourth Street, Franklin County Auditor Tax Parcel Id. No. 010-045362, in 2017. As part of this process, Applicant will combine the two parcels to create one (1) site with appropriate parking and access.

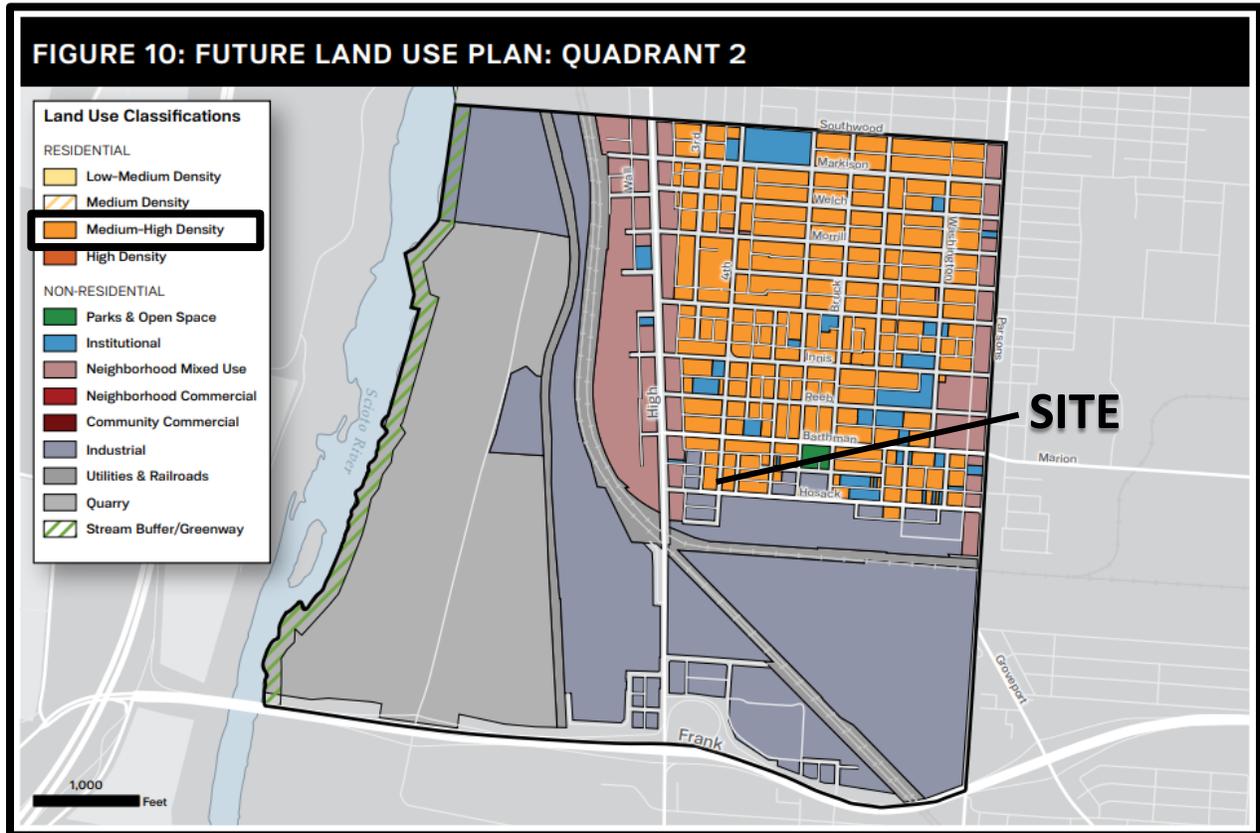
6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.

The Applicant's predicament will not be obviated through some method other than a variance. The Property does not have enough land surrounding the existing building to meet all requirements under the Zoning Code.

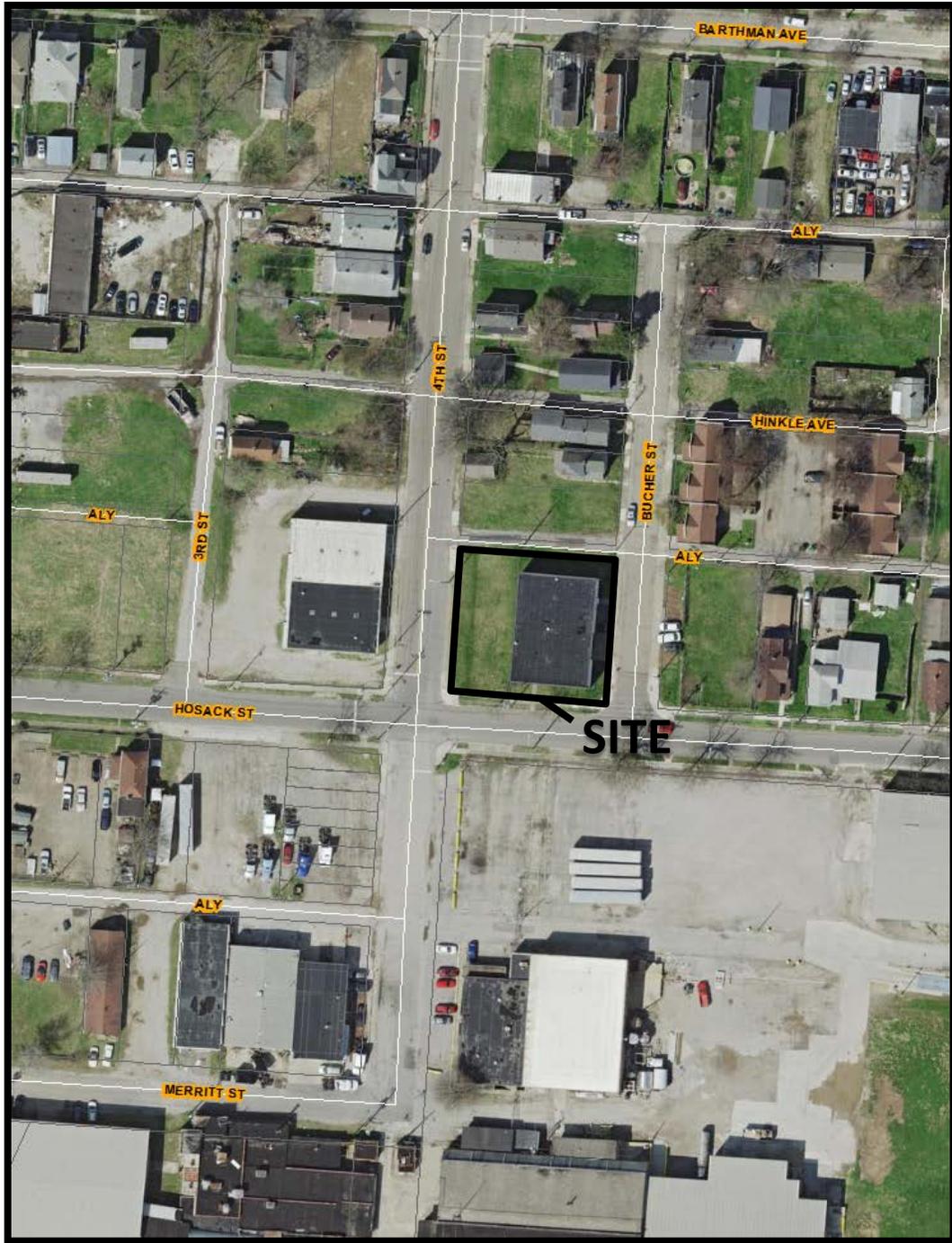
7. Whether the spirit and intent behind the zoning requirements would be observed and substantial justice done by granting the variances.

The parking lot setback requirement intends to buffer off-street parking lots for pedestrian safety and traffic separation and visually screen off-street parking lots. With the variances, the owner will still have the necessary space to screen the off-street parking lot. While the two (2) parking spaces north of the existing building will not have the requisite aisle width and maneuverability area, the alley north of the parking spaces is rarely used and can provide an additional 13.7 feet for maneuvering. Therefore, the variances are merely technical in nature and will have minimal effect on the use of the parking lot.

South Side Plan (2014)



CV19-086
80 Hosack St.
Approximately 0.29 acres



CV19-086
80 Hosack St.
Approximately 0.29 acres



DEPARTMENT OF BUILDING AND ZONING SERVICES

Standardized Recommendation Form

111 N. Front Street, Columbus, Ohio 43215

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

FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW (PLEASE PRINT)

Case Number: Z19-066 and CV19-086

Address: 50 Hosack Street

Group Name: Columbus Southside Area Commission

Meeting Date: December 17, 2019

- Specify Case Type: [] BZA Variance / Special Permit, [] Council Variance, [x] Rezoning, [] Graphics Variance / Plan / Special Permit

- Recommendation: [x] Approval, [] Disapproval (Check only one and list basis for recommendation below)

NOTES: [Blank lines for notes]

Vote: 13-0

Signature of Authorized Representative: [Handwritten signature]

SIGNATURE SOUTHSIDE AREA Commission

RECOMMENDING GROUP TITLE

614-285-4901 x1100 DAYTIME PHONE NUMBER

Please e-mail this form to the assigned planner within 48 hours of your meeting day; or FAX to Zoning at 614-645-2463; or MAIL to: Assigned Planner, City of Columbus, Department of Building & Zoning Services, 111 N. Front St, Columbus, OH 43215.

Rezoning Application

111 North Front Street, Columbus, Ohio 43215

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

PROJECT DISCLOSURE STATEMENT

All parties having a 5% or more interest in the project that is the subject of this application should be listed.
THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION #: CV19-086

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald T. Plank, Plank Law Firm, LPA
of (COMPLETE ADDRESS) Plank Law Firm, LPA, 411 E. Town Street, Floor 2, 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 (include 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. A. Kathryn Schirtzinger, Trustee of the Robert L. Schirtzinger Trust under agreement dated 10/9/95 2272 Canterbury Road, Columbus, Ohio 43221	2.
3.	4.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Donald Plank

Subscribed to me in my presence and before me this 9th day of March, in the year 2020

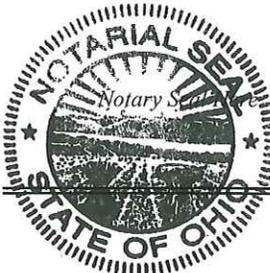
SIGNATURE OF NOTARY PUBLIC

[Signature]

My Commission Expires:

Never

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



Craig J. Moncrief, Attorney At Law
NOTARY PUBLIC-STATE OF OHIO
My Commission has no expiration date
Sec 147.03 R.C.

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