

CV19-040; Final Received 7/9/19



DEPARTMENT OF BUILDING AND ZORHNG 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 conjuction 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):

See attached Statement of hardship

Robert Fillia

Signature of Applicant_

Date 4 22 2019

CV19-040

534-536 Oakwood Ave Statement of Hardship

The 0.1289 +/- Acre Site is located on Oakwood Avenue in the South of Main submarket. Current zoning is R3 which allows for 1-2 family. Current use is a duplex.

The current site has been sitting vacant for years. The owner / applicant's desire is to convert the building into a 3 unit condo building. Each unit would have one garage parking space. In addition, allowing a 3rd unit would allow for the most affordable unit of the condo development encouraging home ownership. The area is surrounded by apartments and other mixed use buildings and is in line with the neighborhood.

In order to rehabilitate the existing building into a usable and profitable venture the City Council must grant the requested variances. The granting of the variances will not be injurious to neighboring properties and will not be contrary to the public interest nor the intent of the zoning code nor 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.

Variance List (5 Total)

3332.035, R-3 residential district: R3 does not permit 3-unit dwellings

3312.49 Minimum numbers of parking spaces required: to reduce the number of parking spaces required from 6 down to 3

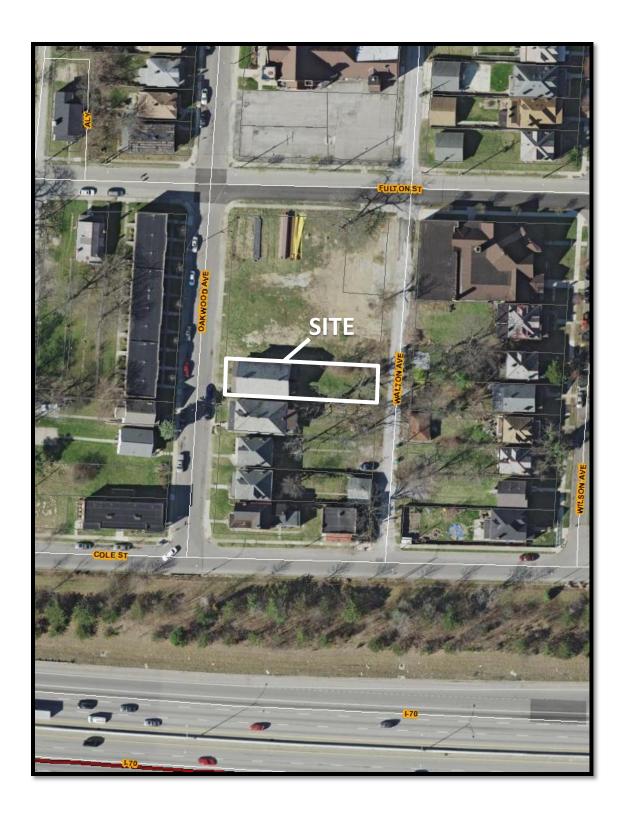
3332.05(A)(4) Area district lot width requirements: a lot is required to be 50' wide whereas the existing lot is 36.28

33332.13, R-3 area district requirements: In an R-3 area district a principal building shall be situated on a lot of no less than 5,000 square feet in area, whereas the applicant proposes to convert a 2-unit to a 3-unit on 3948 sq' that can count toward lot area

3332.26 (F) Minimum side yard permitted: Where a building exceeds two and one-half stories in height, the minimum side yard shall be not less than one-sixth of the height of the building (34', 6" – 5.75 feet); the current side yards the applicant proposes one side yard to be 3 '6"



CV19-040 534-536 Oakwood Avenue Approximately 0.13 acres



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FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW (PLEASE PRINT) Case Number: AN GAST ANGA COMMISSION Address: Group Name: **Meeting Date:** Specify Case Type: **BZA** Variance / Special Permit Council Variance Rezoning Graphics Variance / Plan / Special Permit Approval Recommendation: Disapproval (Check only one and list basis for recommendation below) NOTES: (3 disapproval - 8 approval - 0 abstentions) Vote: Signature of Authorized Representative

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.



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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#:
STATE OF OHIO COUNTY OF FRANKLIN
Being first duly cautioned and sworn (NAME) Robert Ellis of (COMPLETE ADDRESS) 1015 E Broad Street Suite 110 Columbus at 43205 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 4 lines per box)
1. Rober + Elli'S 614-400-8762 1015 E Broad Street Suite 110 Columbus, OH 43205 1 employee 2. Keuin Sage 1015 E Broad street suite 110 Columbus, OH 43205 0 employees
3. 4.
Check here if listing additional parties on a separate page. SIGNATURE OF AFFIANT
Subscribed to me in my presence and before me this 22 day of April , in the year 2019
SIGNATURE OF NOTARY PUBLIC OR ON NOTA OR OPPOSITE STORY OF THE PUBLIC OR OR OF THE PUBLIC

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