

THE CITY OF
COLUMBUS
MICHAEL B. COLEMAN, MAYOR

Council Variance Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov

CV15-008

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:

Please see attached

Signature of Applicant

Angela K. Hall for

Date

3/31/15

Applicant

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

C.A.S. 008

The property is a single family home that is over 150 years old. It is located in an area that is predominately residential but many of the parcels are zoned manufacturing. This is a hold-over from early years when residences and manufacturing or commercial properties were located together in neighborhoods. In recent years, mortgage lenders will not approve properties for loans if they are not zoned residential or have been granted use variances.

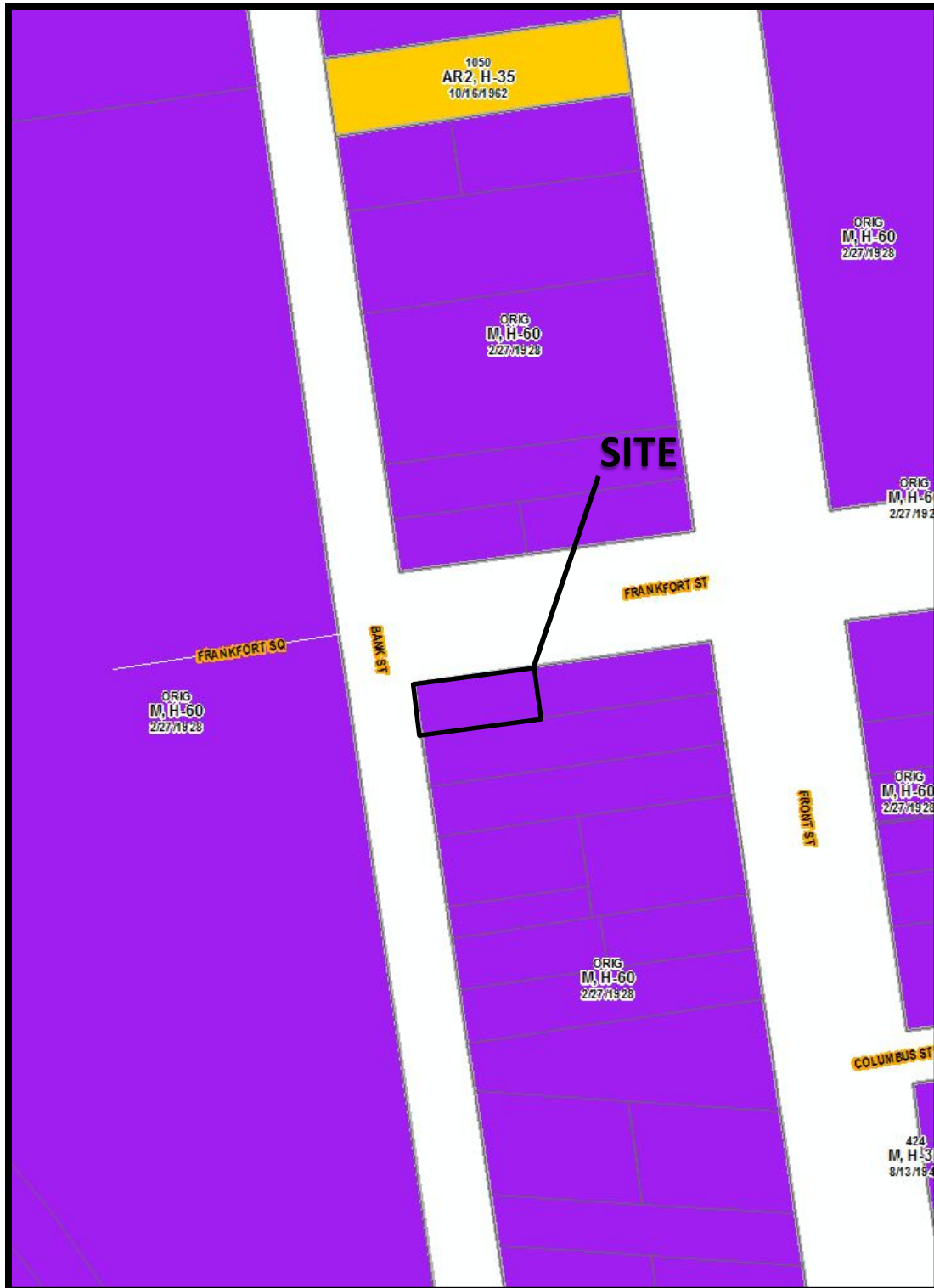
The property is under contract for sale but the lender will not fund the loan until a use variance is granted. In addition, the property does not conform to the current setback and yard standards. The site is in the "Southern Tier," as identified in the Brewery District Plan. The "Southern Tier" strategies include preserving the residential character of the area and preserving and establishing the area as a residential/mixed use district. This variance request is consistent with the goals of the Brewery District Plan (Southern Tier).

The following variances are requested:

Section 3363.01, M, Manufacturing districts. Variance to permit a single family dwelling in a manufacturing district. This section of the code permits residential use for security or special housing (disabled, etc.) and does not permit residential use for an individual single family home.

Section 3363.24, Building lines in an M, Manufacturing district. Variance to allow existing street side yard and front yard facing the street to remain. The property is a corner parcel and has 0 set back on both Frankfort and Bank Streets. The Frankfort Street setback is permitted by 3363.25, Buildings Lines on Corner Lots - Exceptions. The Bank Street setback is presently required to be 25'.

Section 3312.49, Minimum number of parking spaces required. Variance to reduce code required parking from two spaces to one space.



CV15-008
87 West Frankfort Street
Approximately 0.05 acres



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87 West Frankfort Street
Approximately 0.05 acres

STEVEN R. SCHOENY
Director

THE CITY OF
COLUMBUS
MICHAEL B. COLEMAN, MAYOR

HISTORIC DISTRICT COMMISSION RECOMMENDATION

DEPARTMENT OF
DEVELOPMENT

BREWERY DISTRICT 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: 87 W. Frankfort St.
APPLICANT'S NAME: George Herbst (Owner)

APPLICATION NO.: 15-3-1

COMMISSION HEARING DATE: 3-5-15

The Brewery District 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 checked="" type="checkbox"/> Parking Variance | <input 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 #15-3-1, 87 W. Frankfort St., as submitted:

Staff Recommended Application

Variance Recommendation Request

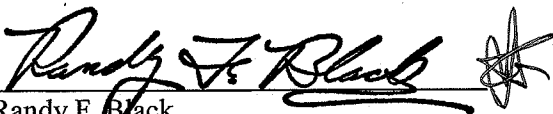
- CC3363.01, M, Manufacturing districts: Variance to permit a single family dwelling in a manufacturing district. This section of the code permits residential use for security or special housing (disabled, etc.) and does not permit residential use for an individual single family home.
- CC3363.24, Building lines in an M, Manufacturing district: Variance to allow existing street side yard and front yard facing the street to remain. The property is a corner parcel and has 0 set back on both Frankfort and Bank Streets. The Frankfort Street setback is permitted by 3363.25, Buildings Lines on Corner Lots -Exceptions. The Bank Street setback is presently required to be 25'.
- CC3312.49, Minimum number of parking spaces required: Variance to reduce code required parking from two spaces to one space.

MOTION: Gibson/Pongonis (7-0-0) RECOMMEND APPROVAL.

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



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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 # CM15-008

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Amy K. Kuhn, of counsel, Plank Law Firm LPA
of (COMPLETE ADDRESS) 145 E Rich Street, 3rd flr., Columbus, OH 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
Business or individual's address
Address of corporate headquarters
City, State, Zip
Number of Columbus based employees
Contact name and number

1. George F. Herbst - sole owner 1412 Preston Court Bossier, LA 71111 No employees -- residential Atty: Amy Kuhn 614 947 8600	2.
3.	4.

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

SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this

17th day of February, in the year 2015

Barbara A. Painter

SIGNATURE OF NOTARY PUBLIC

AUGUST 3, 2015
My Commission Expires



Notary Seal Here

BARBARA A. PAINTER
Notary Public, State of Ohio
My Commission Expires AUGUST 3, 2015

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

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