





ANDREW J. GINTHER, MAYOR

DEPARTMENT OF BUILDING AND ZONING SERVICES

# Council Variance Application

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):**

See Attached.

Signature of Applicant

Date

9/22/22

CV22-098

### Statement in Support of Variances

We are proposing to build a 1 ½ story garage with office/guest suite with a bathroom but no kitchen atop the garage. There is precedent in this particular alley for single family homes as there are numerous one and one half and two-story family homes that front the alley. These German Village lots are unique in size and character and unique solutions are often required to provide any additional living space. The proposed living space over the garage is modest in size and allows us to maintain greenspace for the parcel by adding atop the garage. Working from home, the Owner will utilize this space for an office and occasionally for when family visits.

The proposed height is below the average height for this alley-scape and fits well within the fabric of neighborhood. This proposal will not modify the essential character of the neighborhood but rather enhance the alley-scape.

Side yard variances are required for the existing home; however these setbacks are typical for this urban neighborhood and the new proposed garage does not require any side yard variances. We are also asking for variances to legitimize the existing lot width and lot area, which while typical of this urban neighborhood do not meet suburban lot size requirements.

Furthermore, we agree that the second floor of the garage will not be converted to or used as a separate dwelling unit. The second floor of the garage will have no cooking facilities.

The delivery of government services should not be affected by this proposal. The owner purchased the property aware of the zoning restrictions but also with the knowledge that similar homes existing in the neighborhood.

**703 S. FIFTH STREET**

PARCEL ID 010-029741

ZONING R2-F

LOT AREA 5205.7 SF

LOT AREA INCLUDING ½ OF THE ALLEY SF (29.78x10) 5503.5 SF

GERMAN VILLAGE COMMISSION

HOUSE FOOTPRINT 1749.7 SF

GARAGE FOOTPRINT 669.9 SF GARAGE OCCUPIES 28.74% OF REAR YARD AREA

REAR YARD 2330.4 SF OR 44.76 %

TOTAL FOOTPRINT 2419.6 SF OR 43.96% OF LOT AREA

LOT AREA 3XWIDTH (BASED ON WIDTH OF 29.78) 29.78 X 89.34 SF OR 2660.54 SF

CONSTRUCTION NEW TWO CAR GARAGE WITH OFFICE/LIVING SPACE ABOVE

REQUIRED PARKING TWO SPACES

PROVIDED PARKING TWO SPACES

**VARIANCES**

3332.25 MAXIMUM SIDE YARDS REQUIRED: TO ALLOW FOR A SIDEYARD SUM 3.83' OF WHEREAS 6.07' IS REQUIRED FOR THE EXISTING HOME.

3332.26 (1) MINIMUM SIDE YARD PERMITTED. TO ALLOW FOR A 1.23' SETBACK ALONG THE SOUTH PROPERTY LINE AND 2.6' ALONG THE NORTH PROPERTY LINE FOR THE EXISTING HOME.

3332.38 (G) TO INCREASE THE ALLOWABLE HEIGHT OF A DETACHED GARAGE FROM 15' TO 22.6'

3332.38 (H) TO ALLOW FOR HABITABLE SPACE OVER THE GARAGE.



CV22-098  
703 S. Fifth St.  
Approximately 0.11 acres





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703 S. Fifth St.  
Approximately 0.11 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:** 703 S. Fifth St.

**APPLICANT'S NAME:** Juliet Bullock Architects (Applicant)/ Meredith Driscoll and Daniel Dietrich (Owners)

**APPLICATION NO.:** GV-22-11-034A

**MEETING OR STAFF APPROVED DATE:** 02/01/2023      **EXPIRATION:** 02/01/2024

The German 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/variance per APPROVED SPECIFICATIONS  
 **Recommended** or  **Not Recommended**

Recommend application GV-22-11-034A, 703 S. Fifth St., as submitted with clarification as noted:

Variance Recommendations

Variances not  
needed for  
request.

- **3332.05 area district lot width requirements:** to reduce the minimum lot width required at the front lot line from 50 feet to 30.5 feet for the existing lot
- **3332.14 r2-f area district requirements:** to reduce the minimum lot area from 6000 sf to 5205.7 sf for the existing lot.
- **3332.25 maximum side yards required:** to allow for a side yard sum 3.83' of whereas 4.96' is required for the existing home.
- **3332.26 (1) minimum side yard permitted:** To allow for a 1.23' setback along the south property line and 2.6' along the north property line for the existing home.
- **Note:** Variances being recommended since they are existing conditions.

MOTION: Ferriell/Durst (5-0-0) 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

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**Staff Notes:**



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DEVELOPMENT

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**PROPERTY ADDRESS:** 703 S. Fifth St.

**APPLICANT'S NAME:** Juliet Bullock Architects (Applicant)/ Meredith Driscoll and Daniel Dietrich (Owners)

**APPLICATION NO.:** GV-22-11-034B

**MEETING OR STAFF APPROVED DATE:** 02/01/2023      **EXPIRATION:** 02/01/2024

The German 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/variance per APPROVED SPECIFICATIONS  
 **Recommended** or  **Not Recommended**

Recommend application GV-22-11-034B, 703 S. Fifth St.:

Variance Recommendations

- **3332.38 (g):** to increase the allowable height of a detached garage from 15' to 22.6'
- **3332.38 (h):** to allow for habitable space over the garage.

MOTION: Ferriell/Durst (0-5-0) NOT RECOMMENDED.

Commissioner Comments

- Commissioners stated they were not comfortable recommending variances that were tied to the design of the carriage house.
- Commissioner Thiell stated that this is not typically what the Commission does, that the Commission usually does not pass variance for zoning that is conditional on the design. May go down a slippery slope that this may set a precedence that someone may question.

**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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**Staff Notes:**

DEPARTMENT OF  
DEVELOPMENT

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**PROPERTY ADDRESS:** 703 S. Fifth St.

**APPLICANT'S NAME:** Meredith Driscoll and Daniel Dietrich (Owners)

**APPLICATION NO.:** GV-22-11-034C

**MEETING OR STAFF APPROVED DATE:** 06-29-23      **EXPIRATION:** 06-29-24

The German 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:**

Appeal the February 1, 2023 denial of Certificate of Appropriateness #GV-22-11-034C by the German Village Commission pursuant to the provisions of Columbus City Code Title 31, Chapter 3116.10 (Procedure Following Denial of a Certificate) and Chapter 3118 (Board of Commission Appeals).

- Reason(s) for Appeal: The Commission decision to deny an Application for a Certificate of Appropriateness was arbitrary, capricious, and unreasonable.

*Upon conclusion of the discussion, a motion was made, vote taken, and results recorded, as follows:*

Motion for the Board of Commission Appeals to grant the Applicant's appeal based on the standard that the German Village Commission decision was arbitrary, capricious, and unreasonable.

MOTION: Farrell/Wolf (4-0-0) APPEAL AFFIRMED.

Pursuant to CC3118.09 (B) the German Village Commission is hereby instructed to issue a Certificate of Appropriateness for the request as submitted in coordination with the Historic Preservation Office.

Reasons For Decision On Appeal:

- German Village Commission failed to provide reasons for denial.
- Applicant has shown through evidence for reasoning to demolish the existing garage and construct a carriage house.
- The Board of Commission Appeals has additionally found that the applicant may choose to return to the German Village Commission to finalize the design elements, but that this is not required.


The Board of Commission Appeals grants the Applicant's appeal based on the standard that the German Village Commissions' decision was arbitrary, capricious, and unreasonable.

MOTION: Farrell/Wolf (4-0-0) APPEAL AFFIRMED.

Date Issued: **08/02/2023**

**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 #: CV22-098

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) Juliet Bullock  
of (COMPLETE ADDRESS) 4886 Olentangy Blvd. Columbus Ohio 43214  
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. Daniel Dietrich 703 S. Fifth Street Columbus Ohio 43206	2. Meredith Driscoll 703 S. Fifth Street Columbus Ohio 43206
3.	4.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT X Juliet Bullock

Sworn to before me and signed in my presence this 17<sup>th</sup> day of July, in the year 2023

Caroline Prettyman  
SIGNATURE OF NOTARY PUBLIC

12-13-2023  
My Commission Expires

Notary Seal Here



**CAROLINE PRETTYMAN**  
Notary Public, State of Ohio  
My Commission Expires 12-13-2027

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