

CV07-001

City of Columbus | Department of Development | Building Services Division | 757 Gayden 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:

Signature of Applicant Donald Kark Date 9/9/07

EXHIBIT B

STATEMENT OF HARDSHIP

1453 North Star Avenue

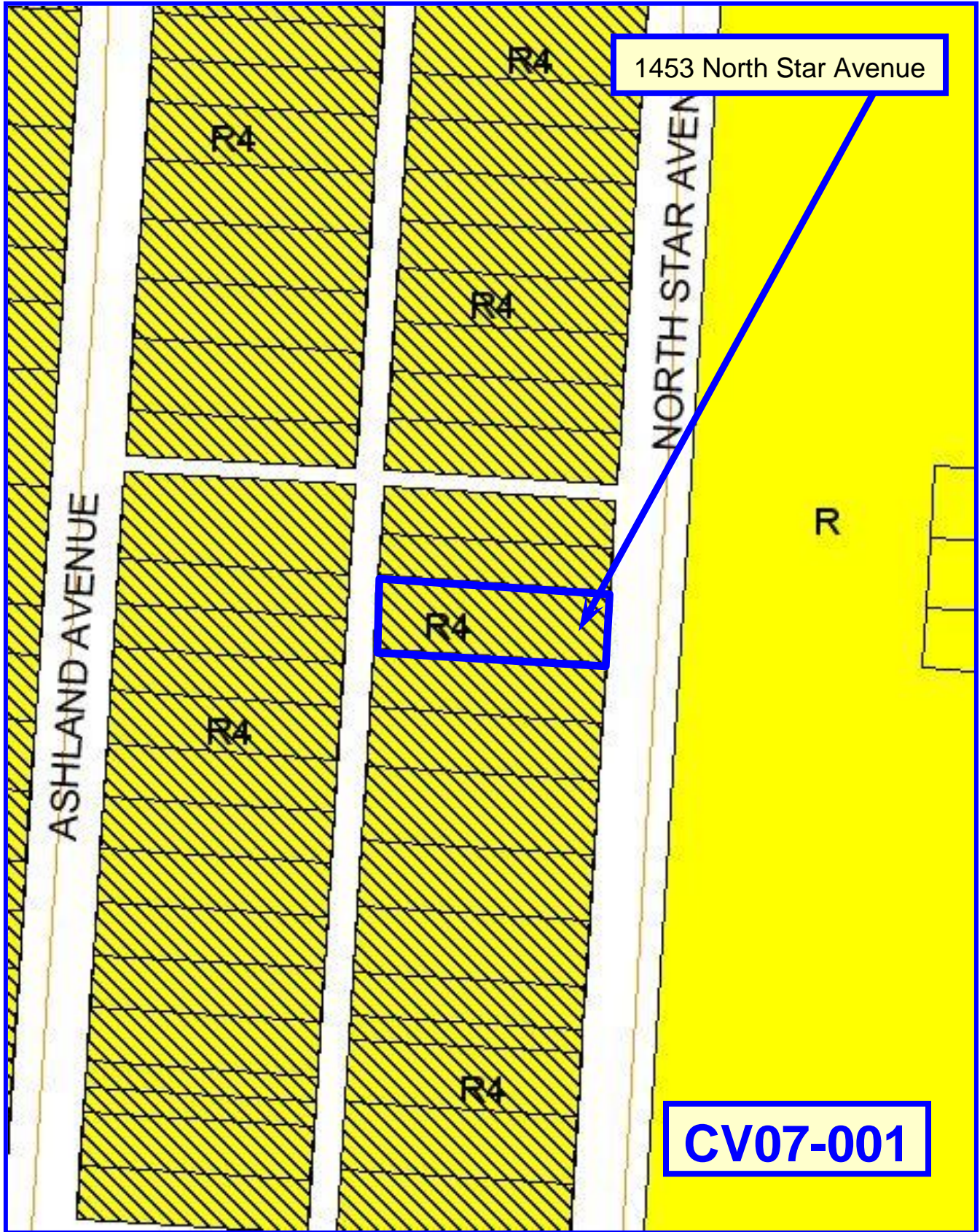
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The site is 0.181 +/- acres (7,875 sq ft) and is zoned R-4. Section 3331.18(B), Basis of Computing Area, permits including one-half the area of an abutting alley, so for lot area purposes, the lot is 8,375 sq ft due adjacent 20 foot alley to the west. The property is zoned R-4, Residential, as are large areas in all directions from the site. The R-4 area is characterized by a mix of dwellings consisting of 2, 3 and 4 dwelling units. Higher density development (AR-1 and Commercial) exist along the West Third Avenue and West Fifth Avenue corridors.

Applicant proposes to build a three (3) dwelling unit building fronting on North Star Avenue and also a detached carriage house with a 4 car garage and second level dwelling unit. A total of eight (8) off-street parking spaces will be provided with four (4) garage spaces and a stack parking space behind each garage bay (total of 4 stack spaces). The form of the proposed development with a three (3) family dwelling and a detached carriage house with a dwelling unit requires this application to be processed as a council variance application. However, four dwelling units are a permitted use under the R-4 zoning and, if all attached, this application would be made to the Board of Zoning Adjustment (BZA) for standards variances. There are four (4) family dwellings in the R-4 area and there are also other developments with primary buildings fronting the public street and rear carriage houses approved by council variance. Applicant has a practical difficulty in complying with applicable development standards. A detached garage is permitted to have a three (3) foot side yard. Many variances have been approved to permit stack parking.

Applicant requests the following variances:

- 1) Section 3332.039, R-4, Residential District, which section permits a single-family dwelling and a three (3) family dwelling, but requires that they be on separate lots, and also permits a four-family dwelling, while applicant proposes to build a three (3) family dwelling and a detached carriage house consisting of a four bay garage and second level dwelling unit.
- 2) Section 3332.25, Maximum Side Yards Required, to reduce total combined side yard from ten (10) feet to six (6) feet, with three (3) foot side yards on each side of the rear carriage house.
- 3) Section 3332.26, Minimum Side Yard Permitted, to reduce the minimum side yard from five (5) feet to three (3) feet on each side of the rear carriage house.
- 4) Section 3342.15, Maneuvering, to permit one (1) stack parking space behind each bay of the proposed four (4) bay garage.





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STANDARDIZED RECOMMENDATION FORM

FOR USE BY: AREA COMMISSIONS / CIVIC ASSOCIATIONS / ACCORD PARTNERS



GROUP NAME Dave Perry MEETING DATE 8/14/07

CASE NUMBER _____ Case type Council Variance Rezoning

ZONING ADDRESS 1453 North Star APPLICANT Dave Perry

PERSON(S) REPRESENTING APPLICANT AT MEETING _____

Referencing the site plan in the ord. sandstone

CONDITIONS REQUESTED BY GROUP (Add continuation sheet if needed)	Applicant Response	
	Yes	No
Area commission see note at the bottom.		
1. <u>Stone at treatment to the front - motor</u> <u>matching</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. <u>Earth-tones siding vinyl</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. <u>Approve the varian over the garage</u> <u>for the app</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. <u>Change in side yards have been adjusted</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. <u>in 3' to 5' on the 3 unit building</u>	<input type="checkbox"/>	<input type="checkbox"/>
7. _____	<input type="checkbox"/>	<input type="checkbox"/>
8. _____	<input type="checkbox"/>	<input type="checkbox"/>

Recommendations

Approval Disapproval Conditional approval (list conditions and applicant response)
 Explain the basis for the Approval, Disapproval or Conditional Approval below (Add continuation sheet if needed.) See above

Recommending Commission / Association / Accord Partner Vote: For 7 Against 0

Signature / Title of Authorized Representative [Signature]
 Daytime phone number 614/478-0163 cell

Andy Byerly Andy Byerly, Chair

NOTE TO AREA COMMISSIONS; Ordinances sent Council will contain only recommendations for "Approval" or "Disapproval." Recommendations for "Conditional Approval" will be treated as a "Disapproval." If, at the time the ordinance is sent to Council, any condition that has checked "No" on the Standardized Recommendation Form has not been resolved as documented in writing by the recommending body or party.

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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.

STATE OF OHIO
COUNTY OF FRANKLIN

APPLICATION # CV07-001

Being first duly cautioned and sworn (NAME) Donald Plank
of (COMPLETE ADDRESS) Plank & Brahm, 145 E. Rich St, 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 formats

Name of business or individual
Business of individual's address
Address of corporate headquarters
City, State, Zip
Number of Columbus based employees
Contact name and number

Home Designs, Ltd. C/o Matt Cooper 3805 North High Street Suite 302 Columbus, Ohio 43214 # of Employees: 1 Contact: Matt Cooper (614) 332-7305	

If applicable, check here if listing additional parties on a separate page (required)

SIGNATURE OF AFFIANT Donald Plank
Subscribed to me in my presence and before me this 6th day
of June, in the year 2007
SIGNATURE OF NOTARY PUBLIC Stacey L. Danza
My Commission Expires: 11-05-08



This Project Disclosure Statement expires six months after date of notarization.
Notary Here STACEY L. DANZA
Notary Public, State of Ohio
My Commission Expires 11-05-08