



Council Variance Application

DEPARTMENT OF BUILDING AND ZONING SERVICES

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

STATEMENT OF HARDSHIP

CV 15-020

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:

See Exhibit B

Signature of Applicant

Date

3/30/15

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 B

Statement of Hardship

CV15-020

180 Detroit Avenue

The development site consists of 0.42 +/- acres located at the northeast corner of Detroit Avenue (50') and Hamlet Street (25' north of Detroit Avenue) and 0.12 +/- acres located at the southwest corner of Detroit Avenue (50') and Hamlet Street (50'). Hamlet Street is a street, as defined, south of Detroit Avenue. The 0.42 +/- acre parcel shall hereafter be referred to as "Site A" and the 0.12 +/- acre parcel shall hereafter be referred to as "Site B". A rezoning application (Z15-019) is pending to rezone Site A from M, Manufacturing to AR-3, Apartment Residential and Site B from R-4, Residential to AR-1, Apartment Residential. Rezoning for both Sites A and B is to conform the sites to the proposed use and density. The site is in Italian Village. The Italian Village Commission recommends approval of the rezoning and variance applications.

SITE A

The existing building closest to Hamlet Street (25') is a former manufacturing facility proposed to be converted to 18 apartments with interior parking. On the east side of the manufacturing building, a one story building will be razed and replaced with a three (3) story apartment building with 13 dwelling units, also with interior parking. The buildings will be connected, so the total development on this site will be 31 dwelling units with total of 30 parking spaces provided inside the building.

The following variances are requested:

- 1) 3333.15(C), Basis of Computing Area, to permit 90% lot coverage.
- 2) 3333.18, Building Lines, to reduce the Detroit Avenue building setback line from ten (10) feet to two (2) feet for the existing and proposed buildings.
- 3) 3333.22, Maximum Side Yard Required, to permit total side yard of 2' at the narrowest point of the sum of the side yards.
- 4) 3333.23(b), Minimum Side Yard Permitted, to reduce the 5' minimum side yard to permit the existing zero (0') foot side yard on the west wall of the existing building along Hamlet Street (25' ROW) and permit a two (2) foot side yard on the east wall of the new building.
- 5) 3333.25, Rear Yard, to reduce required rear yard from 25% of lot area to 1.5% of lot area.
- 6) 3312.13, Driveway, to permit separate 12' two-way driveways for access to first floor and lower level interior parking levels.

- 7) 3312.49, Minimum Numbers of Parking Spaces Required to reduce code required parking for 31 dwelling units from 47 spaces to 30 spaces.
- 8) 3321.05, Vision Clearance, to reduce the 10' vision clearance triangle for the Detroit Avenue entrance to the lower parking level to 3' and to permit the existing building to be located in the 10' clear vision triangle at the intersection of Detroit Avenue and Hamlet Street (25'), as depicted on the Site Plan.

Site A includes a below grade parking level accessed from a two-way, 12 foot wide ramp from Detroit Avenue. The variance ordinance shall be conditioned upon the following:

Section 4. That this ordinance is further conditioned upon the applicant installing and maintaining a system to control the two-way traffic operations on the twelve-foot wide ramp from Detroit Avenue to the lower level parking area for Site A, as designated on the Site Plan. The traffic control system shall be designed and reviewed in conjunction with the Site Compliance Plan process and is subject to approval by the Public Service Department.

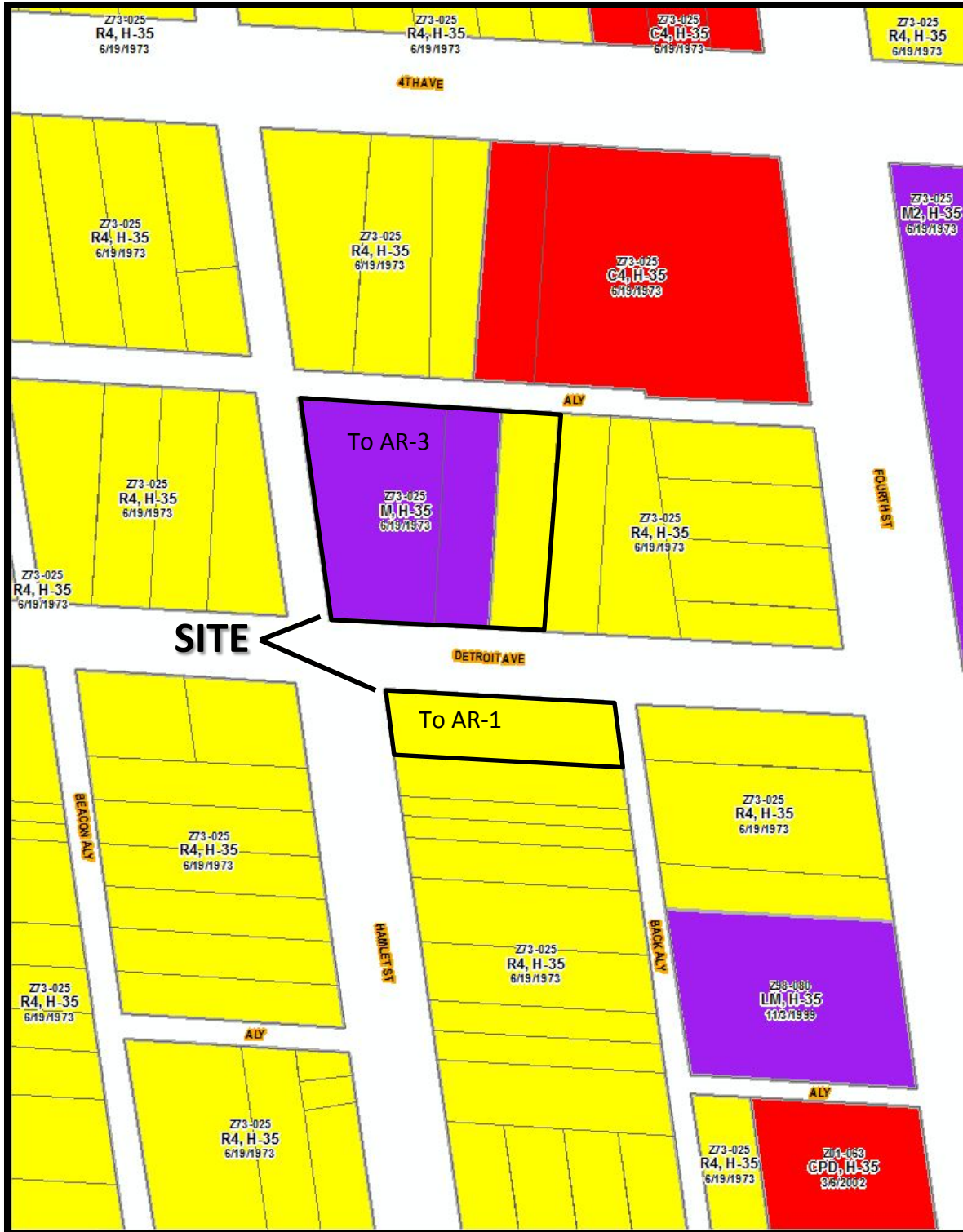
SITE B

This site is a vacant lot and is directly across (south of) Detroit Avenue from Site A. The parcel is a corner lot and is 5,081 SF. Rezoning to the AR-1 District is pending to conform zoning for the construction of a four (4) dwelling unit building and detached four (4) car garage.

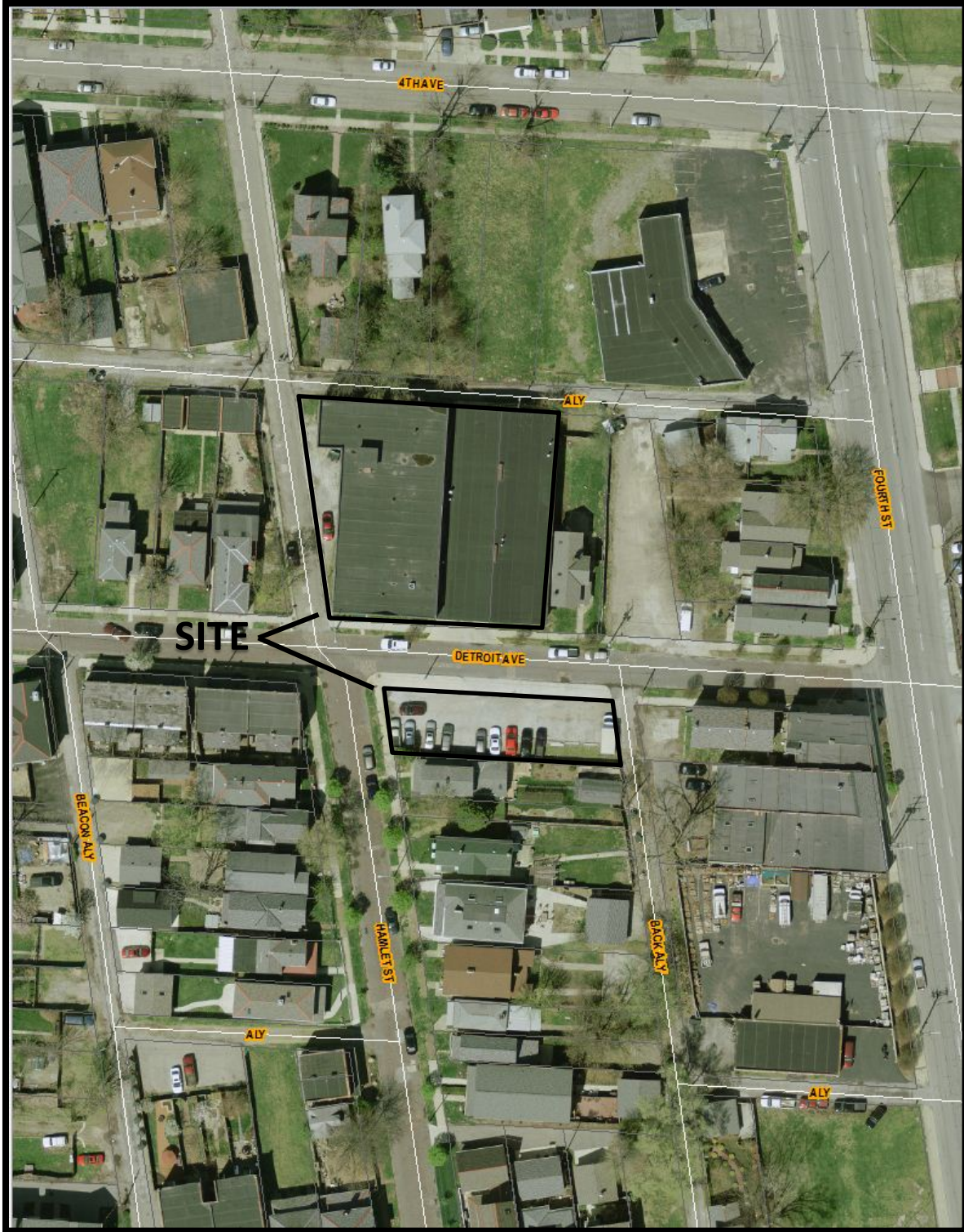
The following variances are requested:

- 1) 3332.18(D), Basis of Computing Area, to permit 90% lot coverage.
- 2) 3332.21, Building Lines, to reduce the Hamlet Street building setback line to 8' and the Detroit Avenue building setback line to zero (0) feet.
- 3) 3332.27, Rear Yard, to reduce required rear yard from 25% of lot area to 3% of lot area.
- 4) 3312.49, Minimum Numbers of Parking Spaces Required to reduce required parking from 6 spaces to 4 spaces for the 4 DU building.
- 5) 3321.05, Vision Clearance, to reduce the 30' vision clearance triangle for the intersection of Hamlet Street and Detroit Avenue to 14' and to reduce the vision clearance triangle at the intersection of Detroit Avenue and the alley east of the site to 5'.

Italian Village is a dense, historic urban neighborhood, built long before Columbus had a zoning code. The proposed development is appropriate for the neighborhood. Applicant has a hardship and practical difficulty with complying with suburban development standards being applied to an urban in-fill development in a historic district. There are many examples of non-compliance with current development standards in this and other City of Columbus historic districts.



CV15-020
180 Detroit Avenue
Approximately 0.54 acres



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180 Detroit Avenue
Approximately 0.54 acres

STEVEN R. SCHOENY
Director

COPY

THE CITY OF
COLUMBUS
MICHAEL B. COLEMAN, MAYOR
DEPARTMENT OF
DEVELOPMENT

**HISTORIC DISTRICT COMMISSION
RECOMMENDATION**

ITALIAN VILLAGE 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: 180 Detroit Avenue

APPLICANT'S NAME: Lykens Companies c/o Dave Perry (Applicant) LS Development 174 Detroit, LLC (Owner)

APPLICATION NO.: 15-4-25a

COMMISSION HEARING DATE: 4-21-2015

The Italian Village 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

- Rezoning
- Parking Variance
- Change of Use
- Lot Split

- Special permit
- Setbacks
- Other

TYPE(S) OF ACTION(S) REQUESTED:

Request for Variance Recommendation

Upon review of Application #15-4-25a, 180 Detroit Avenue, the Italian Village Commission recommends approval of the proposed rezoning, as follows:

SITE A:

- 1) The existing building closest to Hamlet Street (25') is a former manufacturing facility proposed to be converted to 18 apartments with interior parking. On the east side of the manufacturing building, a one story building will be razed and replaced with a three (3) story apartment building with 13 dwelling units, also with interior parking. The buildings will be connected, so the total development on this site will be 31 dwelling units with 31 interior parking spaces.
- 2) 3333.15(C), Basis of Computing Area, to permit 90% lot coverage.
- 3) 3333.18, Building Lines, to reduce the Detroit Avenue building setback line from ten (10) feet to two (2) feet for the existing and proposed buildings.
- 4) 3333.23(b)(d), Minimum Side Yard Permitted, to reduce the 5' minimum side yard to permit the existing zero (0') foot side yard on the west wall of the existing building along Hamlet Street (25') and permit a two (2) foot side yard on the east wall of the new building.
- 5) 3333.25, Rear Yard, to reduce required rear yard from 25% of lot area to 5.0% of lot area.
- 6) 3312.13, Driveway, to permit separate 12' two-way driveways for access to first floor and lower level interior parking levels.
- 7) 3312.21(A), Landscaping and Screening, to not provide interior parking lot landscaping, since all parking is within the building.



- 8) 3312.49, Minimum Numbers of Parking Spaces Required to reduce required parking for the new 13 DU portion of the 31 DU apartment building from 20 spaces to 15 spaces.
- 9) 3321.05, Vision Clearance, to reduce the 10' vision clearance triangle for the Detroit Avenue entrance to the lower parking level to 3' and to permit the location of the existing building in the 10' clear vision triangle at the intersection of Detroit Avenue and Hamlet Street (25').

SITE B

This site is a vacant lot and is directly across (south of) Detroit Avenue from Site A. The parcel is a corner lot and is 5,081 SF. Rezoning to the AR-1 District is pending to conform zoning and density for the construction of a four (4) dwelling unit building and detached four (4) car garage.

The following variances are requested:

- 1) 3333.15(C), Basis of Computing Area, to permit 90% lot coverage.
- 2) 3333.18, Building Lines, to reduce the Hamlet Street building setback line to 8' and the Detroit Avenue building setback to zero (0) feet.
- 3) 3333.23(b)(d), Minimum Side Yard Permitted, to reduce the 5' minimum side yard on the east side of the proposed building to 4'.
- 4) 3333.25, Rear Yard, to reduce required rear yard from 25% of lot area to 7.0% of lot area.
- 5) 3312.21(A), Landscaping and Screening, to not provide interior parking lot landscaping, since all parking is within the proposed detached garage building.
- 6) 3312.25, Maneuvering, to reduce the required 20 feet of maneuvering area to 18.5 feet for the north parking space of the detached garage, due to the angle of the alley, while the south 3 spaces will meet or exceed 20' of maneuvering area.
- 7) 3312.27, Parking Setback Line, to reduce the Detroit Avenue parking setback from 10 feet to zero (0) feet for the detached garage.
- 8) 3312.49, Minimum Numbers of Parking Spaces Required to reduce required parking from 6 spaces to 4 spaces for the 4 DU building.
- 9) 3321.05, Vision Clearance, to reduce the 30' vision clearance triangle for the intersection of Hamlet Street and Detroit Avenue to 15' +/- and to reduce the vision clearance triangle at the intersection of Detroit Avenue and the alley east of the site to 4'.

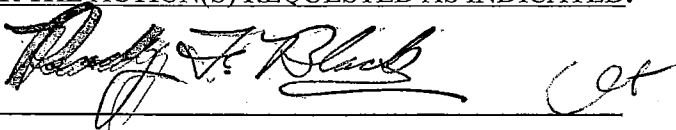
Note: The Commission notes that this kind of close-to-lot-line construction is consistent with the fabric of the neighborhood, especially in alleyways.

MOTION: Lapp/Goodman (4-0-0) APPROVAL RECOMMENDED

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



Council Variance Application

DEPARTMENT OF BUILDING AND ZONING SERVICES

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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 # CV15-020

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald Plank
of (COMPLETE ADDRESS) Plank Law Firm, 145 E. Rich Street, FL 3, 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

<p>1. LS development - 174 Detroit, LLC 1020 Dennison Avenue, Suite 102 Columbus, OH 43201 # Columbus based employees: 0 Contact: Kevin Lykens (614) 565-4209</p>	<p>2. Lykens Companies 1020 Dennison Avenue, Suite 102 Columbus, OH 43201 # Columbus based employees: 5 Contact: Kevin Lykens (614) 565-4209</p>
<p>3.</p>	<p>4.</p>

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

SIGNATURE OF AFFIANT Donald Plank

Sworn to before me and signed in my presence this 30th day of March, 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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