



DEPARTMENT OF BUILDING AND ZONING 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

Application #: CV19-001

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

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 Attachment A

Multiple horizontal lines for providing details of the variance request.

Signature of Applicant [Handwritten Signature] Date 1/17/19

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

Attachment A – Statement of Hardship

On September 7, 2018, I purchased the subject property at a Franklin County Sheriff's Sale. My fiancé and I are currently residents of Columbus, and hope to remain so by building our future home on this lot. We were attracted to this lot, and Weinland Park, because of the recent development in the area, ease of access to major thoroughfares, and proximity to bars, restaurants, and entertainment. When we purchased the property, there already existed the garage to which this variance relates.¹ It is the only structure on the property. The garage is in decent condition, but there does exist some graffiti, and litter, presumably because of the perceived abandoned condition.² With little expense, and with great benefit to the community, this garage can be rehabilitated to an appealing, useful condition. This application is being submitted to use, and improve, the garage, so as to be in conformity with the Zoning Code.

§3332.38 governs private garages. Subsection (A) provides that "a private garage shall not be an accessory use to a lot in a residential district unless such lot is occupied by a dwelling or unless a building permit has been issued for and construction started on a dwelling on such lot". The subject property is in conformity with every other section of the Zoning Code. I would like to use the property for **strictly** residential, non-commercial, use. Granting this variance would benefit all parties involved, including neighbors and prospective entrants to the community. I intend to clean the graffiti, repair the roof, and install new windows and doors on the existing structure.

THEREFORE, I respectfully request a variance from §3332.38(A) and §3332.039 of the Zoning Code, to allow for non-commercial use of a private garage in an R-4 district. Per prior agreement with the Department Director, and Chief Zoning Officer, this variance will be effective for no longer than 2 years from the date of passage.³

¹ Exhibit A – Franklin County Auditor's site.

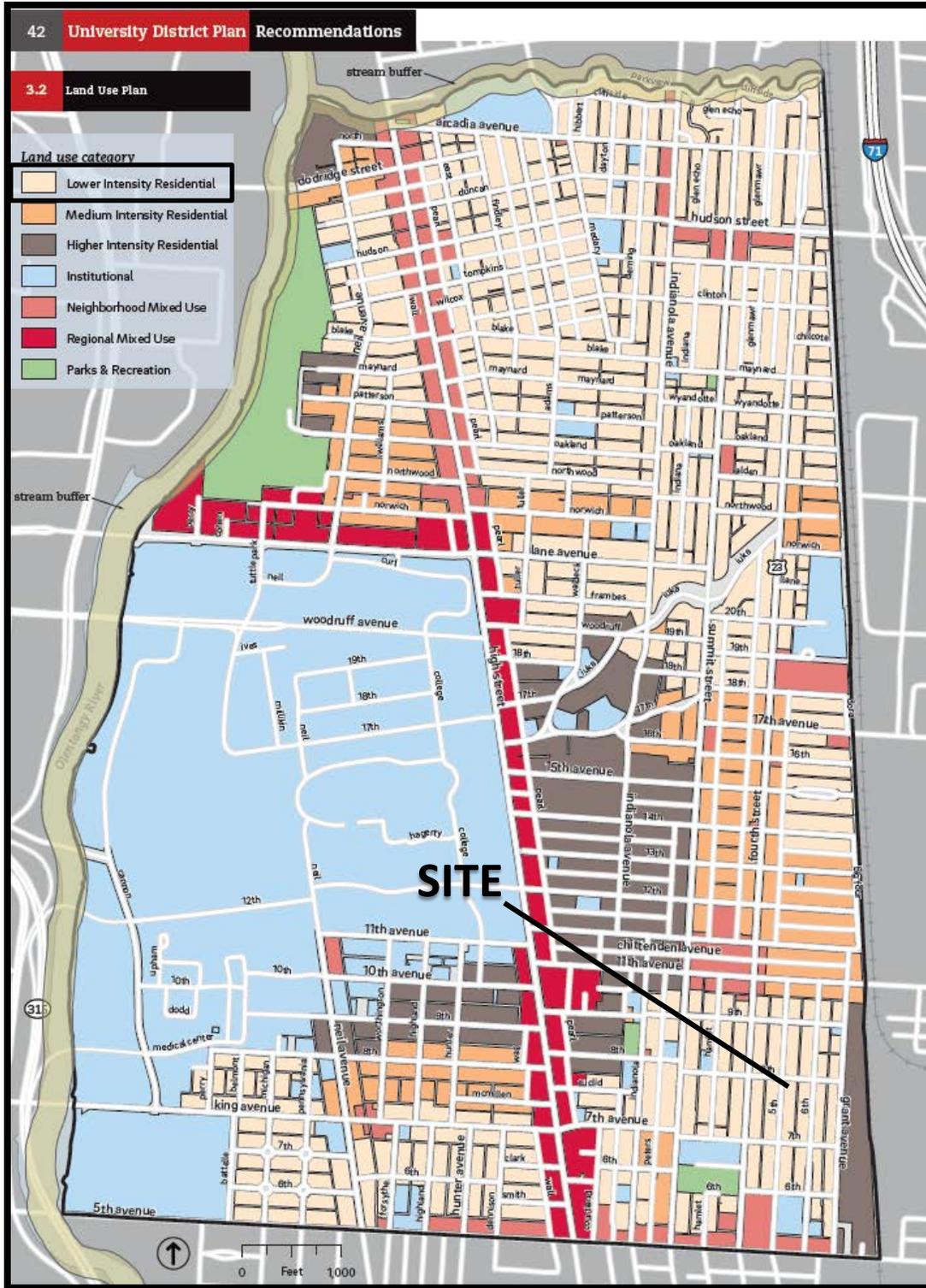
² Exhibit B – Photos of the existing garage.

³ Exhibit C – Email from Shannon Pine on January 15, 2019

CV19-001



CV19-001
1374 North Fifth Street
Approximately 0.10 acres



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City of Columbus
Mayor Andrew J. Ginther

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University Area Commission

Northwood High Building
2231 North High Street
Columbus, Ohio 43201
(614) 441-8174
www.universityareacommission.org

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TO: Tim Dietrich
111 N. Front Street
Columbus, OH 43215
Ph: 614-645-6665
tedietrich@columbus.gov

February 20, 2019

RE: 1374 N. 5th Street:
CV19-001

Tim:

This letter is to inform you that on February 20, 2019 the University Area Commission voted to approve the council variance for the project located at 1374 N. 5th Street. The proposed variance would allow the existing garage that is an accessory use and the only structure on a residential property, to be used for storage. There is no dwelling unit currently on the parcel. The variance is needed to allow for private non-commercial use of an accessory structure.

1. Section 3332.38(A): to permit a private garage to be an accessory use to a lot in a residential district unless such lot that is *not* is occupied by a dwelling and has building permit issued for and construction started on a dwelling on such lot
2. Section 3332.039: to permit a garage to be used as a storage building on a property that is in an R4 residential district.

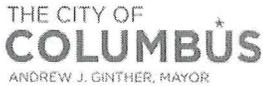
The intention of the applicant is to use the existing garage for storage until he can begin construction on his new residence. The Commission had some concern that the garage will be used as storage indefinitely. But the applicant stated in the "Attachment A – Statement of Hardship" that the variance will be effective for no more than 2 years. The intention is that construction of the house must begin within 2 years.

The Commission appreciated that the applicant met with and had secured the support of the Weinland Park Housing Committee. It was also appreciated that the applicant went through proper procedures to ask for 'permission rather than blessing' to use the existing garage for storage. The Commission gave its unanimous approval to this variance request.

The vote to approve the above council was: For – 14; Against – 0; Abstentions – 0.

Respectfully Submitted,
Susan LM Keeny

Susan Keeny
UAC Zoning Committee Chair
C: 937-479-0201



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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 #: CM9-001

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Davide V. Cugini
of (COMPLETE ADDRESS) 815 Park 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 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

Table with 2 columns and 2 rows for listing parties with interest in the project.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

[Handwritten signature of Davide V. Cugini]

Subscribed to me in my presence and before me this 13th day of JANUARY, in the year 2019

SIGNATURE OF NOTARY PUBLIC

[Handwritten signature of Emily K. Gibson]

My Commission Expires:



Emily K Gibson
Notary Public, State of Ohio
My Commission Expires 11-13-2022
This Project Disclosure Statement expires six months after date of notarization.

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