

0007-011



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:

SEE ATTACHED

Signature of Applicant Corinne J. Klema Date 2.23.07

STATEMENT OF HARDSHIP

813 Summit Street, Columbus

Owner: Wright/Sabioni

Date: February 27, 2007

The Owner requests variances to the side yard and rear yard requirements of the R-4 District to permit the yards of the existing single family home and detached garage to continue. The Owner purchased the improved lot and cannot change side yards and the rear yards of existing structures without removing the existing structures or portions thereof. Practical difficulties prevent the carrying out of the zoning district yard provisions and the variances will not seriously affect any adjoining property or the general welfare but will permit the existing yards to continue as permitted yard areas.

The Owner requests a use of a portion of the property not permitted in the R-4 District. The Owner requests a variance to permit use of the detached garage for general office purposes. The office use will be fully accommodated within the garage area and will not adversely affect the surrounding property or surrounding neighborhood. Office uses will not alter the height or size of the existing structure and therefore, will not impair an adequate supply of light and air to the adjacent property, 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.

The Owner requests a parking variance so to accommodate required on-site parking off site in a public parking lot by means of a written parking agreement with a church. With said parking arrangement, the parking variance does not unreasonably increase the congestion of public streets and alleys but fully accommodates required parking in a publicly planned and constructed parking lot.

LIST OF VARIANCES

813 Summit Street, Columbus

Owners: Wright/Sabioni

Date: February 27, 2007

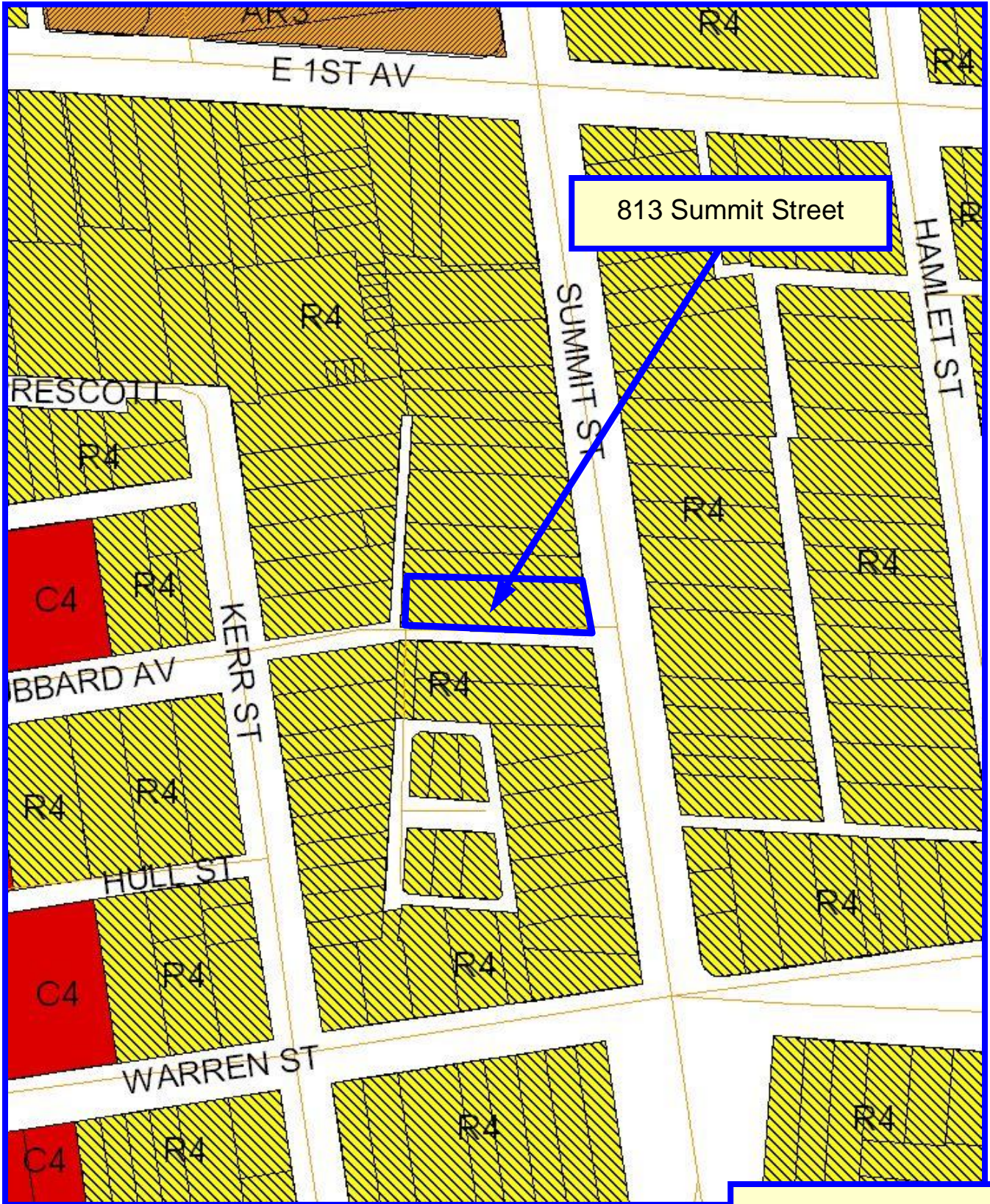
1. 3332.039 R-4 Residential District: To permit the existing, detached garage to be used for office purposes in an R-4 District, said office purpose to include general office uses;
2. 3332.19 Fronting: To permit a principal building to not front on a public street;
3. 3332.25 Maximum Side Yards Required: To permit the sum of the widths of the garage side yards to equal less than 20% of the width of the lot (which would be 10.25') and to equal 7.3';
4. 3332.26 Minimum Side Yard permitted: To permit side yards on a lot more than 40' wide, to be less than 5' and be 2.3' on the north side of the dwelling, and 2.3' on the south side of the detached garage;
5. 3332.27 Rear Yard: To permit the rear yard of a principal building (the garage) to be less than 25% of the total lot area and to be 0%;
6. 3342.28 Minimum Number of Parking Spaces Required: To permit the number of off-street parking spaces for the office use to be less than required:
 (#6) Single Family-Required: 2-----Provided: 2 (to be located in the garage);
 (#11) General Office-Required: 3-----Provided: 0

(Two (2) on-site parking places are provided in the existing garage. Public on-street parking exists at Summit Street. In addition, the Owner has confirmed parking lot use of St. John the Baptist Italian Catholic Church. A signed, written agreement has been submitted.)

Conditions to Use:

The office use shall be subject to the following conditions:

1. The office use shall be confined to the foyer, stairway, and second (2nd) floor of the existing, detached garage of 813 Summit Street and shall be excluded from the dwelling, yard, and any accessory buildings;
2. No alteration shall be made on the external garage structure for purpose of the office use;
3. No evidence of any office use shall be visible from off the lot including no signage;
4. No persons other than the permanent residents of the dwelling at 813 Summit may operate the business and no more than two (2) employees not residing at the dwelling may use the office space, said use by employees being limited to no more than four (4) days per week per employee;
5. No storage of equipment or materials used in the office shall be outside the building or obstruct the garage parking spaces;
6. No equipment or process shall be used in the office which emits radiation or creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses or which creates visual or audible interference;
7. No traffic, whether by foot or vehicle, shall be generated by the office use unreasonably greater in volume or different in nature than would otherwise normally occur in the residential neighborhood;
8. No wholesale or retail business shall be conducted in the office space.
9. Access to and from the office shall be from the east side of the garage.



813 Summit Street

CV07-011



CV07-011



City of Columbus
Mayor Michael B. Coleman

Department of Development
Mark Barbash, Director

Certificate of Appropriateness

ITALIAN VILLAGE COMMISSION

This Certificate of Appropriateness is not a zoning clearance nor a building permit. This document does not relieve the applicant from the responsibility of filing for and obtaining any required zoning clearance (645-7314) and/or building permit (645-7433) from the City of Columbus Building & Development Services Division (757 Carolyn Ave.) and following all other applicable codes and ordinances of the City of Columbus.

PROPERTY ADDRESS: 813 Summit Street
APPLICANT'S NAME: Connie Klema (Applicant)

APPLICATION NO.: 07-3-8 **HEARING DATE:** 5/15/07 **EXPIRATION:** 5/15/08

The Italian 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 & 3327 and the architectural guidelines:

- Approved:** Exterior alterations per APPROVED SPECIFICATIONS
- Recommendation for Approval:** Requested re-zoning/special permit/variance per APPROVED SPECIFICATIONS

APPROVED SPECIFICATIONS:

The Italian Village Commission recommends approval of the variances in Application #07-3-8, 813 Summit Street as presented, with the conditions as noted.

1. 3332.039 R-4 Residential District: To permit the existing, detached garage to be used for office purposes in an R-4 District, said office purpose to include general office uses;
2. 3332.19 Fronting: To permit a principal building to not front on a public street;
3. 3332.25 Maximum Side Yards Required: To permit the sum of the widths of the garage side yards to equal less than 20% of the width of the lot (which would be 10.25') and to equal 7.3';
4. 3332.26 Minimum Side Yard permitted: To permit side yards on a lot more than 40' wide, to be less than 5' and be 2.3' on the north side of the dwelling, and 2.3' on the south side of the detached garage;
5. 3332.27 Rear Yard: To permit the rear yard of a principal building (the garage) to be less than 25% of the total lot area and to be 0%;
6. 3342.28 Minimum Number of Parking Spaces Required: To permit the number of off-street parking spaces for the office use to be less than required:
 - (#6) Single Family-Required: 2-----Provided: 2 (to be located in the garage);
 - (#11) General Office-Required: 3-----Provided: 0
 (Two (2) on-site parking places are provided in the existing garage. Public on-street parking exists at Summit Street. In addition, the Owner has confirmed parking lot use of St. John the Baptist Italian Catholic Church. A signed, written agreement has been submitted.)

Motion: Cooke/ Baker (4-2-0) [Cooke, Wood] Recommended for Approval

Conditions to Use:

The office use shall be subject to the following conditions:

1. The office use shall be confined to the foyer, stairway, and second (2nd) floor of the existing, detached garage of 813 Summit Street and shall be excluded from the dwelling, yard, and any accessory buildings;
2. No alteration shall be made on the external garage structure for purpose of the office use;
3. No evidence of any office use shall be visible from off the lot including no signage;

4. No persons other than the permanent residents of the dwelling at 813 Summit may operate the business and no more than two (2) part time employees not residing at the dwelling may use the office space, said use by employees being limited to no more than four (4) days per week per employee;
5. No storage of equipment or materials used in the office shall be outside the garage space or obstruct the two garage parking spaces;
6. No equipment or process shall be used in the office which emits radiation or creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses or which creates visual or audible interference;
7. No traffic, whether by foot or vehicle, shall be generated by the office use unreasonably greater in volume or different in nature than would otherwise normally occur in the residential neighborhood;
8. No wholesale or retail business shall be conducted in the office space.
9. Access to and from the office shall be from the east side of the garage.

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.

Randy F. Black (PA)

Randy F. Black
Historic Preservation Officer



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 # CW07-011

Being first duly cautioned and sworn (NAME) CONNIE J. KLEMA, ATTORNEY
of (COMPLETE ADDRESS) P.O. Box 991 PATASKALA OH 43062-0991
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

ERIN L. WRIGHT RICCARDO SABIONI	

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

SIGNATURE OF AFFIANT Connie J. Klemma, Attorney
Subscribed to me in my presence and before me this 26th day
of FEBRUARY, in the year 2007

SIGNATURE OF NOTARY PUBLIC Karen L. Shipley
My Commission Expires: 2011

This Project Disclosure Statement expires six months after date of notarization.



KAREN SHIPLEY
Notary Public
IN AND FOR THE STATE OF OHIO
MY COMMISSION EXPIRES
AUGUST 20, 2011