



COUNCIL VARIANCE APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.columbus.gov

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:

Please see attached statement.

Signature of Applicant _____ Date _____

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 all checks payable to the Columbus City Treasurer

Statement of Hardship

5811 Olentangy River Road

The applicant / property owner submits this Council Variance request for the purpose of establishing and maintaining a guesthouse within their estate home and attached carriage house, located on approximately four acres, formerly the Antrim family farmhouse. The proposed guesthouse use meets the definition of “boarding house,” as provided by C.C. § 3303.02 which states, “[b]oarding house means a residential building, other than a hotel, in which meals are served together with lodgings for hire to three or more persons.” This guesthouse use is appropriate within this neighborhood and will allow visitors to experience a neighborhood and estate home setting during their stay in Columbus rather than being located within strictly commercial areas, or in “extended stay” hotels. This guesthouse use is low intensity, is located across from the wonderful amenity of Antrim Park, and will integrate well with the surrounding neighborhood. The applicant therefore requests a variance to C.C. § 3332.027, RR, Rural Residential District, to allow a guesthouse to be operated on the property, where this use is not among the permitted uses in that zoning classification.

Further, in 1996 by Columbus Ordinance 1396-1996, a council variance was granted for this property allowing two single-family dwellings on one residential lot, with a rental restriction on the new / relocated carriage house. With this request that existing council variance will be repealed, allowing rental of the carriage house as one, of the five total, guestroom accommodations.

The applicant’s envision significant demand for the guesthouse use from professional business travelers, patients at local hospitals, among others. Four of the guestroom accommodations will be provided within the main estate home, the fifth will be located within the existing carriage house, which is attached to the home by a breezeway. Additional parking will be added to the property to accommodate guests, which will be located along the Olentangy River Road side of the property so that there is no impact to any surrounding property and which will be planned and installed with the assistance of a landscape architect.

A hardship exists because this request will allow an existing single-family dwelling and carriage house to be used as a guesthouse with living quarters for the owners in the main home, and a maximum of five guest rooms in the RR, Rural Residential district. A variance is necessary because only multi-family residential zoning districts would permit the use, the applicant’s proposed use is appropriate on this property in this neighborhood, but rezoning it to a multi-family district to accommodate the addition of this particular low impact use is not. Comparable uses to the applicant’s guesthouse, such as a bed and breakfast, are typically integrated into residential neighborhoods in order for patrons to experience the ambiance and charm that the neighborhood can offer, as opposed to being located in high density multi-family residential districts where they are currently permitted. The proposed use is a low impact use that is residential in character and integrates well on this property in this location. It has long been recognized that zoning

is not "one size fits all," and for that reason the law has developed to allow variances as a tool to allow a larger family of uses under certain circumstances, uses that were not originally contemplated in zoning code development, or due to trend changes, etc. Here, we have circumstances that warrant recognition that the use being proposed is appropriate, but the family of uses in the RR district does not allow it, and that is the difficulty that warrants the grant of this variance.

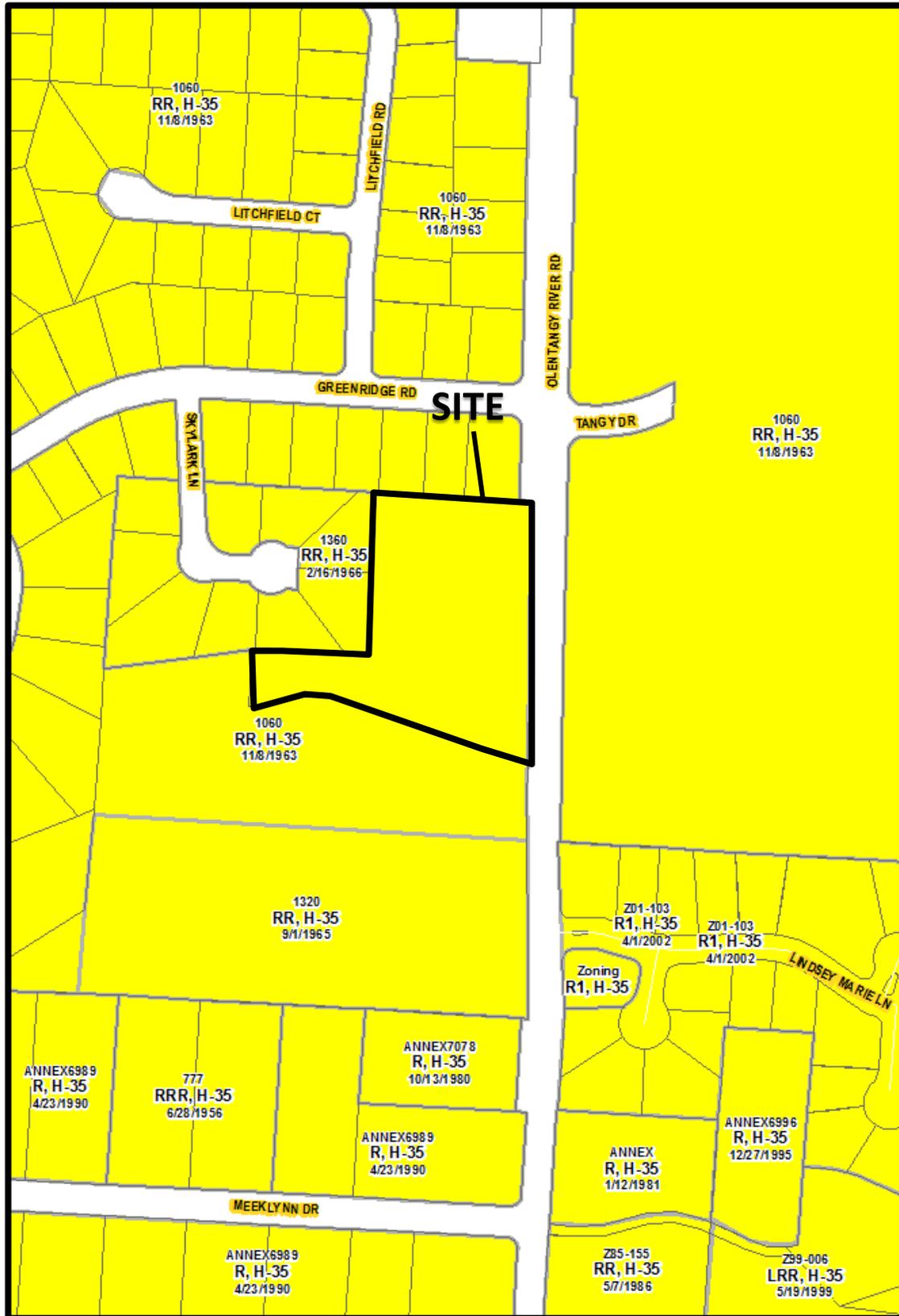
Further, the applicant's proposed use, given the surrounding unique circumstances, meets the City standard for grant of a use variance as provided by C.C. 3307.10, Variances by city council. This use will not adversely affect the surrounding property or surrounding neighborhood. Employment of the council variance tool to implement this particular use under these unique surrounding circumstances is the only appropriate zoning methodology to use. Requesting a rezoning to a multi-family district just to implement such a low impact residential use would be inappropriate for this property, the surrounding neighborhood, and the Northwest Community generally.

The grant of these requested variances will not impair an adequate supply of light and air to adjacent properties, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, or unreasonably diminish or impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus.

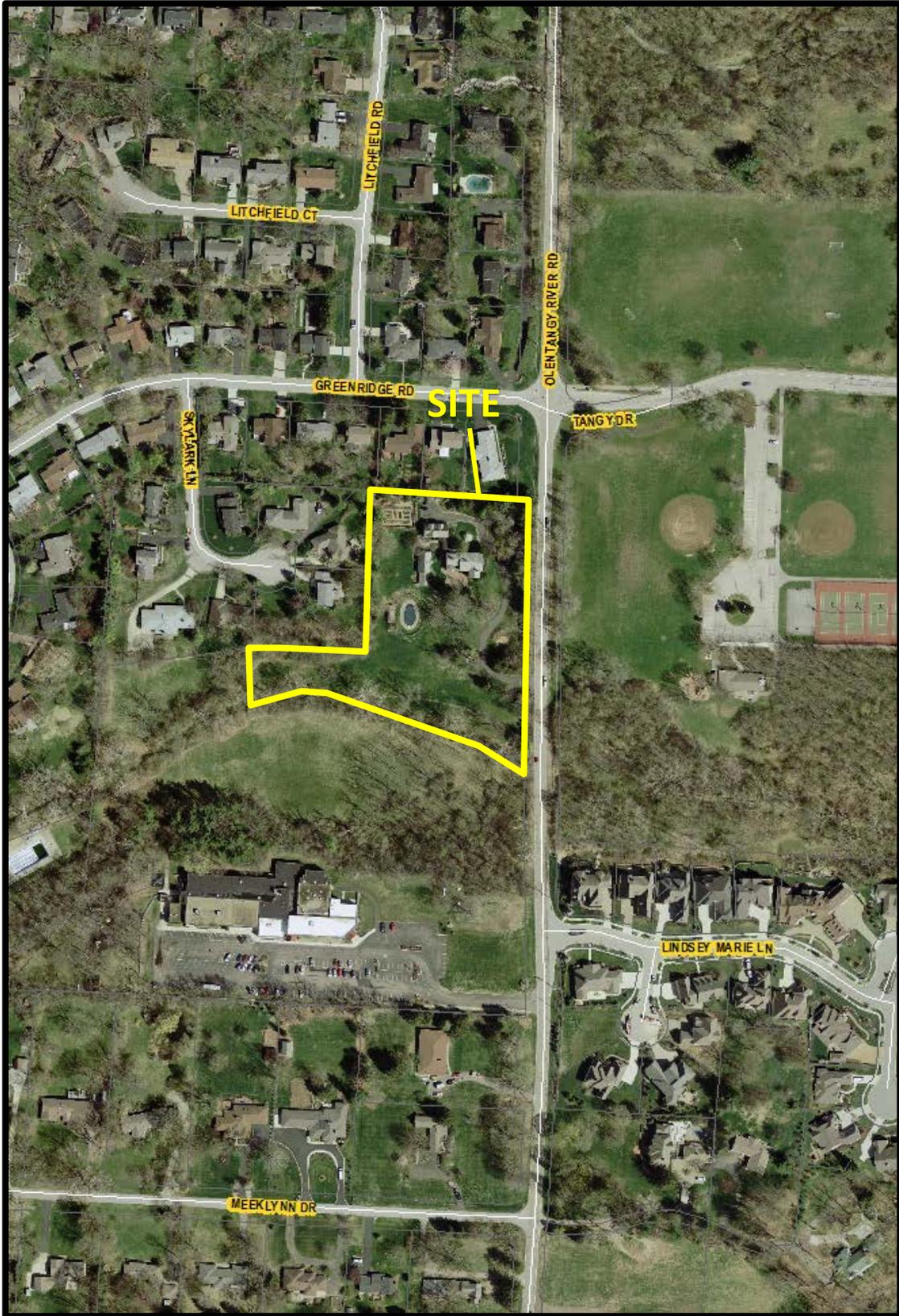
The applicants respectfully request that the variance be granted.

Peter and Jill Dole

Signature of Applicant: By: David L. Hodge NCT
Date: 11/22/13



CV13-036
5811 Olentangy River Road
Approximately 3.9 acres
Request: Council variance to allow
a guesthouse in a RR district.



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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 # CV13-036

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] David Hodge

Of [COMPLETE ADDRESS] 37 W. Broad St., Suite 725, 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 or individual's address
- Address of corporate headquarters
- City, State, Zip
- Number of Columbus based employees
- Contact name and number

1. Peter and Jill Dole 5811 Olentangy River Rd. Columbus, OH 43235 Zero employees, 975-3883	2.
3.	4.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 13th day of October, in the year 2013

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

David Hodge
Natalie Timmons
9/4/15



Natalie C. Timmons
Notary Public, State of Ohio
My Commission Expires 09-04-2015

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

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