





## **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

CV15-619

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 conjuction 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

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Signature of Applicant_	(our J. Klema ATTORN	$\ell_h$ Date $3 \cdot 30 \cdot /5$

### STATEMENT OF HARDSHIP

CV15-019

The Property is composed of three parcels, one that is improved with a church that is very old and two that are unimproved. The church parcel is zoned M-2 and the two unimproved parcels are zoned R-4. The parcels are bordered on the north by E. Fourth Avenue, on the west by Sixth Street, and on the south by a 20' wide alley.

The parcels are in an area that is rapidly regenerating with new residential and commercial buildings being constructed and old structures being renovated. The owner proposes to renovate the old church and have eight (8) residential units and parking and to combine the unimproved two parcels into one and construct 14 new residences and 22 parking spaces.

The variances requested will permit the old church to remain in its location as-is and be renovated for seven residential units and to construct a new garage structure with a single residential unit above. A one —way access driveway will be developed on the east border of the church parcel to provide access from the 20' alley to the church parcel and to the newly constructed units on the remaining two parcels.

The applicant is rezoning the parcels to AR-2 which permits buildings with five or more units. The applicant requests a variance on the Church parcel to permit a building with only one unit and on the combined parcels to construct two buildings on a lot that is less than 20,000 square feet.

The proposed residential use and density are in the spirit of the area improvements.

The area's manufacturing uses mixed with low density residential structures is converting to a denser neighborhood that preserves historical structures through renovation and improves vacant land with new structures for residential and commercial uses. The practical difficulties of maintaining older structures and mixing in new buildings requires variances from zoning requirements that once accommodated the area's uses.

The use of the Property for residential dwellings will not adversely affect the surrounding neighborhood. The development will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of the 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.

The requested area variances address the practical difficulties of improving the Property.

CV15-019

#### 285-295 E. Fourth Avenue

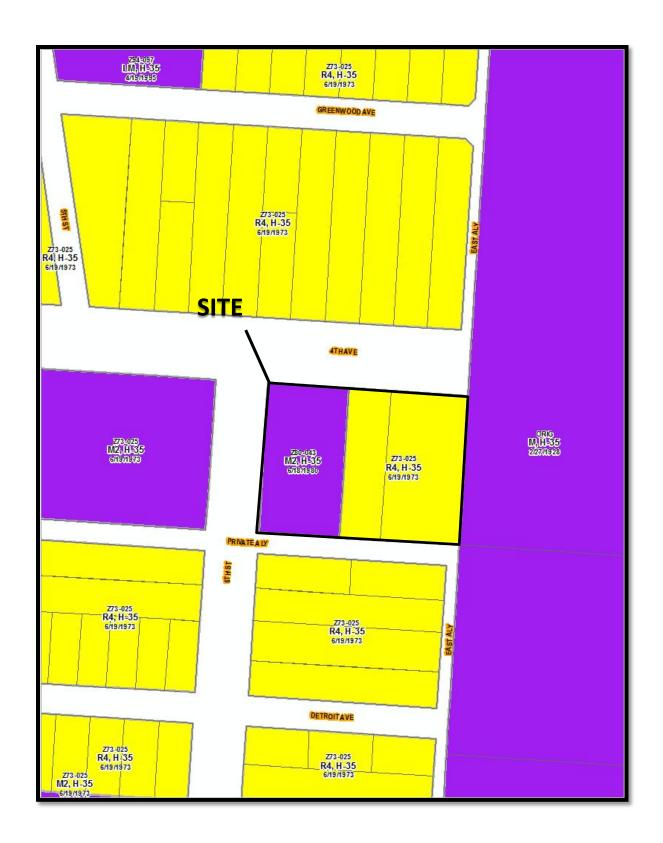
#### LIST OF VARIANCES

References are to proposed lots as follows:

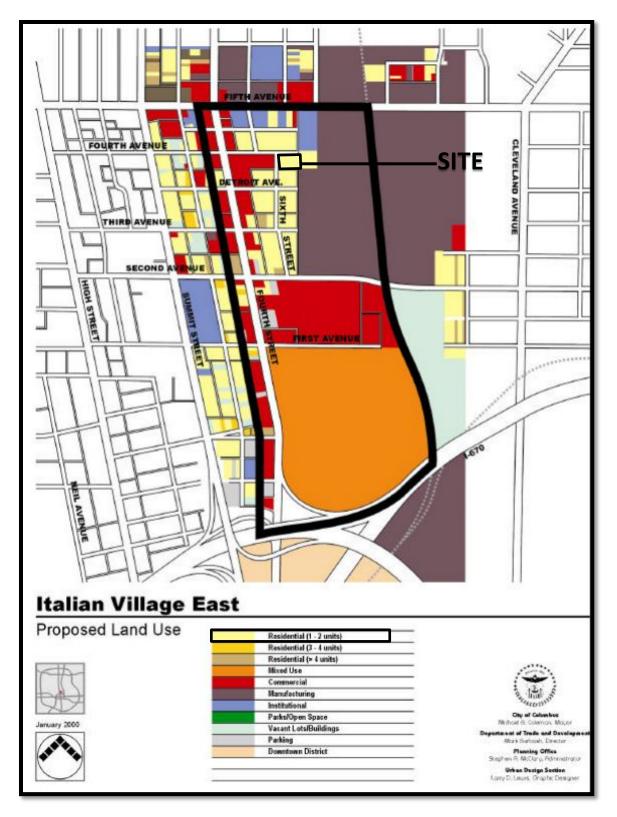
West lot that will be 10,640 sq. ft. "Lot #1"

East lot that will be 15,960 sq. ft. "Lot #2"

- 1. 3333.025 AR-2 apartment residential district use: To permit a dwelling containing fewer than three dwelling units and to permit one dwelling unit on Lot #1.
- 2. 3333.13 AR-2 area district requirements: To permit an apartment complex on a single lot that is less than 20,000 square feet and to be 15,960 square feet on Lot #2.
- 3. 3333.15(c) <u>Basis of computing area:</u> To permit residential buildings to be erected and occupy together greater than 50 percent of the lot area and to be 51% of the lot area on Lot #2.
- 4. 3333.16 Fronting: To permit an apartment house to not front on a public street on Lot #2.
- 5. 3333.18(D) <u>Building lines:</u> To permit setbacks to be less than ten feet (10') and to be 7' 1/8" along Sixth Avenue and 5' 4 7/8" along Fourth Avenue on Lot #1 and 6' 8 ½" along Fourth Avenue on Lot #2.
- 6. 3333.25 <u>Perimeter yard</u>: To permit a perimeter yard to be less than ten feet and to be zero feet along the south and east property line of Lot #1, and to be 5' 2 ½" along the south property line and 0 feet along the east property line of Lot #2 and to permit a dumpster to be located in the east perimeter yard of Lot #2.
- 7. 3312.13 <u>Driveway:</u> To permit a one way driveway serving more than eight parking spaces to be less than 20' wide and to be 12' 5.5" wide.
- 8. 3312.25 <u>Maneuvering:</u> To permit maneuvering for one car (noted as C8 on site plan) to not be exclusive and to be shared on Lot #1 and to permit maneuvering to occur over the property line on Lot #2.
- 9. 3312.49 Off street parking: To permit less than 13 parking spaces on Lot #1 and to permit 11.
- 10. 3321.01(A) <u>Dumpster:</u> To permit a dumpster to be located in a perimeter yard.



CV15-019 285 & 295 East Fourth Avenue Approximately 0.61 acres

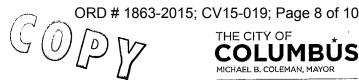


CV15-019 285 East Fourth Avenue Approximately 0.61 acres Italian Village East Redevelopment Plan (2000)



CV15-019 285 & 295 East Fourth Avenue Approximately 0.61 acres

STEVEN R. SCHOENY Director





## 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:** 285-295 East Fourth Avenue **APPLICANT'S NAME:** Connie Klema (Applicant)

The New Victorians, Inc. (Owner)

APPLICATION NO.: 15-5-18

**COMMISSION HEARING DATE: 5-19-2015** 

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:

⊠ Varianc	e or Zoning Change Request	
	Rezoning Parking Variance Change of Use Lot Split	Special permit Setbacks Other

### TYPE(S) OF ACTION(S) REQUESTED:

Upon review of Application #15-5-18, 285-295 East Fourth Avenue, the Italian Village Commission recommends approval of the proposed rezoning and variances, as follows:

Request for Rezoning Recommendation

Request for recommendation for rezoning from R-4 Residential Use and M-2 Manufacturing Use to AR-2 Apartment Residential Use.

Request for Variance Recommendation

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East lot that will be 15,960 sq. ft. "Lot #2"

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MOTION: Cooke/Lapp (5-0-1[Sudy]) APPROVAL RECOMMENDED

RECOMMENDATION:		
RECOMMEND APPROVAL	RECOMMEND DENIAL	☐ NO ACTION TAKEN
THIS RECOMMENDATION IS FOR CONFORTHE ACTION(S) REQUESTED AS I		O REGULATORY AUTHORITY
Randy F. Black	Clt	

Randy F. Black

Historic Preservation Officer



# **Council Variance Application**

DEPARTMENT OF BUILDING AND ZONING SERVICES

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

### PROJECT DISCLOSURE STATEMENT

Parties having a	5% or more	interest in the	project that i	is the subi	ect of this a	polication.
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THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not in	dicate 'NONE' in the space provided.
APPLICATION #(	CV15-019
STATE OF OHIO COUNTY OF FRANKLIN  Being first duly cautioned and sworn (NAME) Connie J. Klema of (COMPLETE ADDRESS) 175 E RICH ST ZND Fl - CD/S deposes and states that (he/she) is the APPLICANT, AGENT, OR DULY AUTHORIZED AT	
is a list of all persons, other partnerships, corporations or entities having a $5\%$ or more into this application in the following format:	erest in the project which is the subject of
Name of business or indi Business or individual's a Address of corporate hea City, State, Zip Number of Columbus ba Contact name and numb	address .dguarters
1. THE NEW VICTORIANS INC. 455 W. 3RD AUE COIS OH 43201 HOF COLS Based Employees: 6 JOSEPH ARMENI - 614 291 9555	
3. 4.	
Check here if listing additional property owners on a separate page.	
IGNATURE OF AFFIANT Low J. Kle	
worn to before me and signed in my presence this	in the year 2015
IGNATURE OF NOTARY PUBLIC My Communission Expire	Notary Seal Here
MOTATION OF NOTARI TODDIC	of Online Relation Date

This Project Disclosure expires six (6) months after the date of notarization.