

CV15-027



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:

SEE ATTACHED EXHIBIT B

Signature of Applicant

Date

5/1/15

PLEASE NOTE: incomplete information will result in the rejection of this submittal.
For all questions regarding this form and fees please call: 614-645-4522
Please make all checks payable to the Columbus City Treasurer

Exhibit B – 856 N. Park Street - Statement of Hardship

The owner seeks to update the property to provide for a residential unit above the existing 2-car garage. This was a common construction practice when the primary residence was built. "Carriage Houses" were used as additional living space for extended family or unrelated persons who worked in the area, providing housing which was not available or affordable given single-family lot development and building standards.

The requested variance is in conformity with recent development patterns permitted on other properties in the area. Variances to permit construction of carriage houses have been granted at 76 W. 2nd Ave., 72 W. 2nd Ave., 743 Dennison Ave., 960 Hunter Ave., and 213 Wilber Ave., all in the Victorian Village area. Many other property owners in the same zoning district and in particular in the Victorian Village historical district have parcels containing carriage houses and simple garage structures which do not conform to the Zoning code. Granting Applicant's request will preserve a substantial property right—the right to develop the home in the manner required by and consistent with its historical nature, and further to allow applicant to develop and improve its home in a manner which other property owners have been granted variances for in the same historic zoning district.

The property is located in a Historic District (Victorian Village) and the lot was platted and the existing structure was built prior to implementation of the Zoning Code. The zoning code would not permit the construction of the "carriage house" living space without granting a variance as to the prohibition of a second living quarters detached from the main residence. The designation of this property as single-family was not the result of any action by Owner and granting the variance as to allow a carriage house will enable this lot to be used in a manner consistent with the residential character of the lot and also be in a manner similar to other properties in the Victorian Village historic district.

The variances other than permitting the carriage house relate to parking, yard dimension and location fronting on a public street. The construction of the stairway to the 2nd floor would leave only 2.3' setback on the north side of the garage. In addition, the total side yard minimum for the building if allowed to be a residence would be 8', and per the plans, a variance would be needed to allow the 7.3' sideyard. The permitting of the carriage house would create the need for a variance with respect to the number of parking spaces (3312.49 – Minimum number of required parking spaces.) The carriage house will not reduce the number of off-street parking spaces for this parcel. However, if two residences are permitted, the required number of parking spaces would total 4, so a variance reducing the parking to a total of 2 spaces would be required. Finally, the Zoning requires all residences to front on a public street. Owner requests variances to allow the carriage house to front on the public alley at the rear of the lot.

The requested variance will not interfere with any neighboring property owners' use of his/her property or otherwise prevent the further development of any neighboring property. Additionally, granting applicant's request will not be contrary to the public interest or the purpose of the Zoning Code as the requested variance will increase the value of the applicant's property and the value of neighboring properties; still provide for adequate light, air and open space; reinforce the residential nature of the district and enhance the historical nature of the neighborhood by building in a style, manner and location consistent with the historic location and the setback of the original house, and; would not prove a fire hazard as the new construction is not within 2' of any property boundary, will be fire-rated construction and is not unusual in the Victorian Village historical district.

Exhibit A – 853 N. Park St.

Proposal and List of Applicable Code Sections.

Summary: addition of living space above existing garage and expand existing garage footprint to allow construction of a staircase to access the carriage house.

Zoning variances for this project include the following:

3332.039 – applicant seeks a variance to permit separate residence to be constructed on single parcel, which is not permitted in a R-4 district.

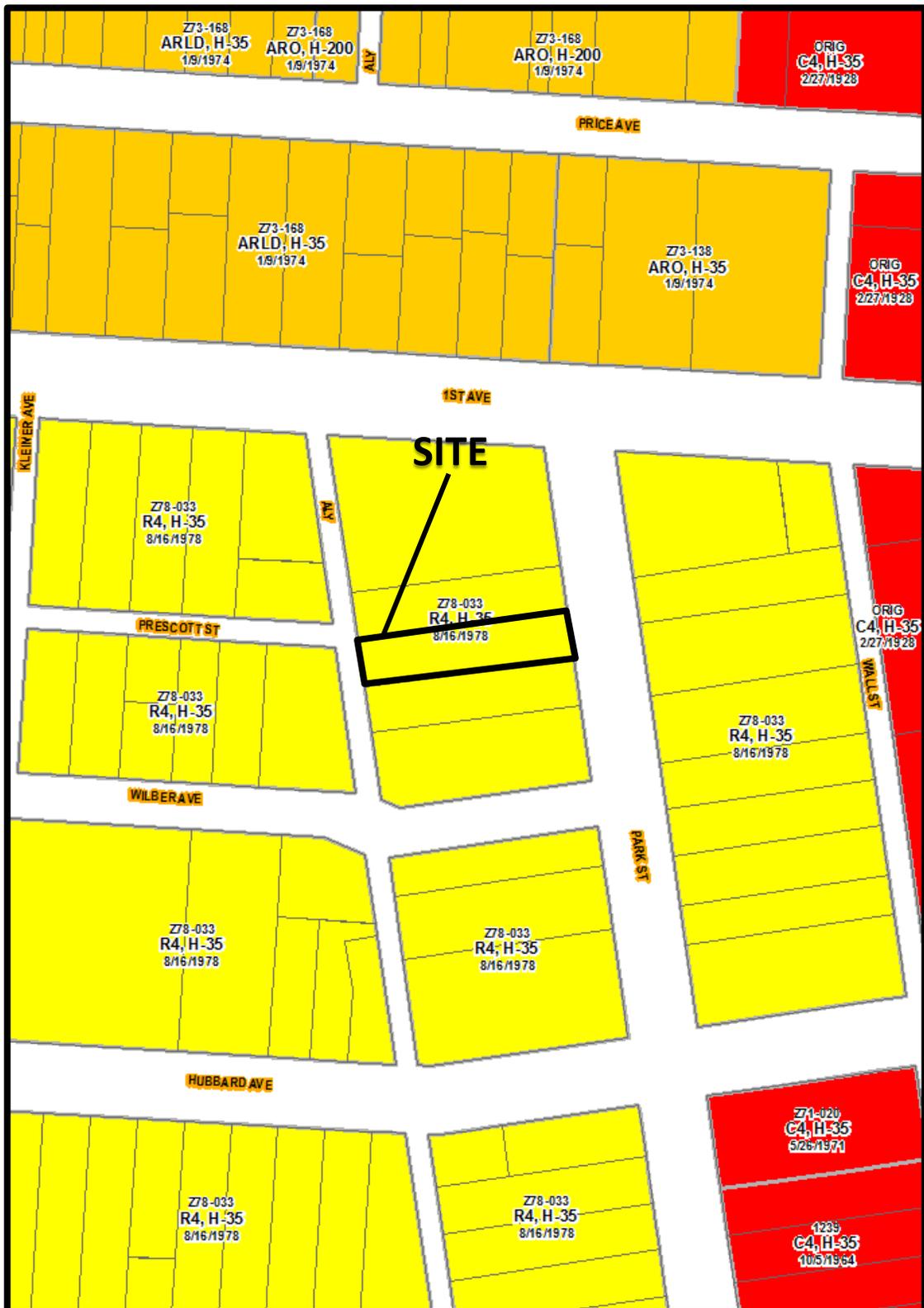
3332.19 – Fronting on a public street. Applicant seeks variance to allow the carriage house to front on the public alley.

3332.25 – Maximum Side Yard – as a residence, the carriage house would be required to have the sum of each side yard equal or exceed 20% lot width. The lot is 40' wide, which would require 8' of total side yard. Applicant seeks a variance to permit the carriage house to have a total side yard of 7.3'.

3332.26(c)(1) – Minimum side-yard. Under zoning code, the carriage house would be required to have a minimum side yard of 3'. Applicant seeks a variance to allow a side-yard on the north side of the garage to total 2.3'.

3333.27 - Rear yard. Zoning code requires each dwelling to have a rear yard equal to 25% of the gross lot area. 25% of the lot area equals 1,800 square feet. The yard between the carriage house and the original house is approximately 2,536 square feet. While a large area, this is not enough area to provide each residence with a rear-yard equal to 1,800 sf (25% of the lot area). Applicant seeks a variance to permit the carriage house to have a rear-yard of 736 square feet (18.4' x 40) which would leave the original house with the required 1,800 square feet.

3312.49 – Minimum number of required parking spaces. Applicant seeks a variance to allow for a reduction from 4 off-street parking spaces to 2. The current single-family house has two off-street parking spaces located in the garage. The project will not remove any off-street parking, but the Carriage House would normally require 2 additional parking spaces for a total of 4 spaces.



CV15-027
853 Park Street
Approximately 0.165 acres



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853 Park Street
Approximately 0.165 acres

STEVEN R. SCHOENY
Director

THE CITY OF
COLUMBUS
MICHAEL B. COLEMAN, MAYOR

DEPARTMENT OF
DEVELOPMENT

ATTN: STEVE HURTT
URBANORDER ARCHITECTURE
797 SUMMIT ST.
COLUMBUS, OH 43215

June 17, 2015

Office of the Director
50 West Gay Street
Columbus, OH 43215-9040
(614) 645-7795
(614) 645-6295 [FAX]

Mr. Hurtt,

I am writing to you on behalf of the Victorian Village Commission in regard to Application #15-6-19a for the proposed project located at 853 N. Park St. **This is not a Certificate of Appropriateness and does not authorize the issuance of a building permit.**

Code Enforcement Division
757 Carolyn Avenue
Columbus, OH 43224-3218
(614) 645-2202
(614) 645-2462 [FAX]

The following information is for your reference and is taken from the Unapproved Minutes of the June 11, 2015 Victorian Village Commission Meeting:

Economic Development Division
150 South Front Street Suite 220
Columbus, OH 43215-4418
(614) 645-8616
(614) 645-2486 [FAX]

15-6-19

853 N. Park St.

**Urban Order Architecture (Applicant)
(Owners)**

Haley Boehning & Charlie Goodlad

After presentation by the Applicant and discussion by the Victorian Village Commission, Application #15-6-19 was divided into items 'a' and 'b' for clarity of review and the following motions were made, votes taken, and results recorded:

Approve application #15-6-19a, 853 N. Park St., as submitted with the following clarifications:

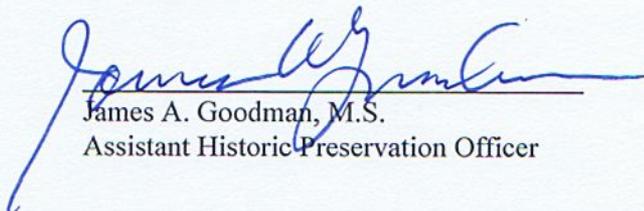
Exterior Building Alteration

- Add a second floor to existing garage to create a carriage house.
- Cover existing concrete block and new addition with siding to match the house addition.
- Windows to be aluminum-clad wood, doors to be 4-panel smooth fiberglass.
- All colors to match main house.
- The skylight is to be moved to the roof of the east elevation.
- The garage doors and door are to be clad in a manner that obscures the door location and balances the elevation visually.
- A gooseneck fixture is to be installed over the entry door.
- Revised drawings are to be submitted to HPO Staff for review by the Architectural Subcommittee.

MOTION: Decker/Kotheimer (6-0-0) APPROVED.

As the Minutes indicate, your application was continued. Revised drawings are to be submitted to HPO for final review by the Architectural Subcommittee and approval prior to issuance of certificate. If you need further assistance, please contact me at 645-7920.

Sincerely,



James A. Goodman, M.S.
Assistant Historic Preservation Officer



STEVEN R. SCHOENY
Director

THE CITY OF
COLUMBUS
MICHAEL B. COLEMAN, MAYOR

DEPARTMENT OF
DEVELOPMENT

**HISTORIC DISTRICT COMMISSION
RECOMMENDATION
VICTORIAN 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: 853 N. Park St.

APPLICANT'S NAME: Urban Order Architecture (Applicant)

Haley Boehning & Charlie Goodlad (Owners)

APPLICATION NO.: 15-6-19b

COMMISSION HEARING DATE: 6-11-15

The Victorian 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 & 3319 and the architectural guidelines:

Variance or Zoning Change Request

- Rezoning
- Parking Variance
- Change of Use
- Lot Split
- Special permit
- Setbacks
- Other

ACTION:

Recommend approval of application #15-6-19b, 853 N. Park St., as submitted:

Variance Recommendation

- CC3332.039: R-4 residential district - applicant seeks a variance to permit separate residence to be constructed on single parcel, which is not permitted in a R-4 district.
- CC3332.19: Fronting on a public street - Applicant seeks variance to allow the carriage house to front on the public alley.
- CC3332.25: Maximum Side Yard - as a residence, the carriage house would be required to have the sum of each side yard equal or exceed 20% lot width. The lot is 40' wide, which would require 8' of total side yard. Applicant seeks a variance to permit the carriage house to have a total side yard of 7.3'.
- CC3332.26(c): (1) Minimum side-yard - Under zoning code, the carriage house would be required to have a minimum side yard of 3'. Applicant seeks a variance to allow a side-yard on the north side of the garage to total 2.3'.
- CC3333.27: Rear yard - Zoning code requires each dwelling to have a rear yard equal to 25% of the gross lot area. 25% of the lot area equals 1,800 square feet. The yard between the carriage house and the original house is approximately 2,536 square feet. While a large area, this is not enough area to provide each residence with a rear-yard equal to 1,800 sf (25% of the lot area). Applicant seeks a variance to permit the carriage house to have a rear-yard of 736 square feet (18.4' x 40) which would leave the original house with the required 1,800 square feet.
- CC3312.49: Minimum number of required parking spaces - Applicant seeks a variance to allow for a reduction from 4 off-street parking spaces to 2. The current single-family house has two off-street parking spaces located in the garage. The project will not remove any off-street parking, but the Carriage House would normally require 2 additional parking spaces for a total of 4 spaces.

MOTION: Decker/Kotheimer (6-0-0) RECOMMEND APPROVAL.



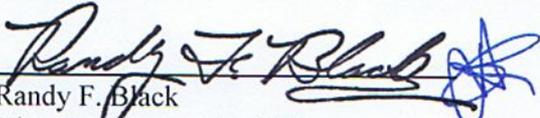
RECOMMENDATION:

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



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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 # CV15-027

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] ERIC D. MARTINEAU

Of [COMPLETE ADDRESS] 22 E 4th Ave, Suite 1A, Columbus OH 43201
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. M. HALEY BOEHNING 853 W. PARK ST COLUMBUS OH 43215 Contact: Haley Boehning 614/519-7510	2.
3.	4.

Check here if listing additional parties on a separate page.

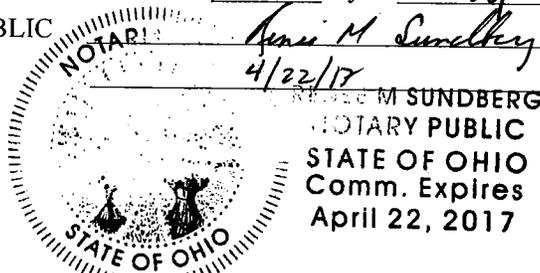
SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 1st day of May, in the year 2015

SIGNATURE OF NOTARY PUBLIC Denise M. Sundberg

My Commission Expires: 4/22/17

Notary Seal Here



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

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