

ZONING CODE CHAPTER

- 1) Zoning Code 3332.037, Variance to Use
- 2) Zoning Code 3332.05, minimum lot width
- 3) Zoning Code 3332.21D, minimum building setback from City Park Avenue
- 4) Zoning Code 3321.05 B1, minimum Vision Clearance Triangle
- 5) Zoning Code 3332.25, Maximum Side Yard
- 6) Zoning Code 3332.26 (C2), Minimum Side Yard
- 7) Zoning Code 3312.49C, Minimum Number of Parking Spaces
- 8) Zoning Code 3312.43, required Parking Surface
- 9) Zoning Code 332.14, R-2F area district requirements

LOT COVERAGE CALCULATIONS:

Lot is 31.25' x 100' = 3125 sq. ft.
 House = 1648 sq. ft.
 Porch = 1204 sq. ft.
 Parking = 576 sq. ft.
 Landscape area = 617 sq. ft.
 R-2F YARD:
 Rear yard is 28' out of 100' lot.

NOTE: This property is in a combination of zoning districts. The applicant is requesting a variance to use the R-2F area district. Approved backwater prevention devices are recommended to be installed on all buildings in need of sanitary service.

FROM MAP # 1 IS 3048000000, EFFECTIVE 6-17-04, ZONE X - AREAS DETERMINED TO BE OUTSIDE THE 0.25 ANNUAL CHANCE FLOODPLAIN.

REQUESTED COUNCIL VARIANCES:

EXISTING ZONING/CONDITION

R-2F Residential
 31.25' (50' minimum for R-4)
 0' existing setback (10' minimum per code)
 0' existing vision clearance triangle (10' by 10' minimum per code)
 The sum of the widths of each side yard shall equal or exceed 20 percent of the width of lot (width of lot = 31.25', 20% = 6.25') but not more than 16 feet.
 16.25' for south side/Willow Street Right of Way). 0' for north side (24' minimum each side per code)
 2 Parking Spaces (6 spaces required, 2 spaces per unit)
 Existing gravel parking area (code requires asphalt or concrete parking area)
 In an R-2F area district a single-family dwelling or other principal building shall be situated on a lot of no less than 6,000 square feet in area, a one-story, detached building shall be situated on a lot of no less than 3,600 square feet in area per dwelling unit, and a two-story, detached building shall be situated on a lot of no less than 5,000 square feet per dwelling unit.

PROPOSED ZONING/CONDITION VARIANCE

R-2F Residential
 31.25' lot width
 0' building setback from City Park Avenue
 0' vision clearance triangle
 0' maximum side yard
 16.25' for south side/Willow Street Right of Way). 0' for north side
 2 Parking Spaces
 Keep existing gravel parking area
 3125 square foot lot for three units = 1041.6 square feet per unit.



Handwritten signature: Phil Brown 3-30-16
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 Phil Brown
 3-30-16

SITE PLAN FOR COUNCIL VARIANCE
FOR
639 CITY PARK AVENUE
PID: 010-033830-00
FOR THE CITY OF FRANKLIN, INDIANA
PREPARED BY:
ROCKAWAY AND ASSOCIATES, INC.
 402 West County Avenue
 Franklin, Indiana 47940
 Tel: (317) 225-0044
 Fax: (317) 225-0444

STATEMENT OF HARDSHIP

PROPERTY ADDRESS: 593 City Park Avenue, Columbus, Ohio 43215

APPLICANT: Smith Kids LLC, c/o
Michael T. Shannon, Esq.
CRABBE, BROWN & JAMES, LLP
500 South Front Street, Suite 1200
Columbus, Ohio 43215
mshannon@cbjlawyers.com

DATE OF TEXT: March 30, 2016

The Site (PID: 010-033330) is located at 593 City Park Avenue. Specifically, the Site is located on the north-west corner of the intersection of City Park Avenue and East Willow Street. The Site is located within the German Village Historic District. The Site is not subject to a commercial overlay, graphic commission, area commission, or planning overlay. The Site is currently used as a three-family dwelling.

The Site and all surrounding parcels are under the R-2F zoning classification.

Applicant requests the following variances so that the Site's existing use may become compliant and allow the Applicant to maintain the Site:

1. 3332.037 – R-2F Residential District Permitted Uses – The R-2F residential district does not permit three-family dwellings. Applicant requests a variance to allow a three-family dwelling.
2. 3332.05(A)(4) – Area District Lot Width Requirements – No buildings shall be erected or altered on a lot with a width measured at the front line of no less than 50 feet in an R-2F residential district. Applicant requests a variance to allow buildings to be erected or altered on a lot with a minimum width of 31.25 feet.
3. 3332.21(D) – Building Lines – In the R-2F residential district the minimum building line is ten feet. Applicant requests a variance to allow a minimum building line of zero feet from City Park Avenue.
4. 3321.05(B) – Vision Clearance – Property owners shall maintain ten feet of unobstructed vision clearance at the intersections of streets and alleys. Applicant requests a variance to allow zero feet of vision clearance at the intersection of City Park Avenue and East Willow Street.
5. 3332.25 – Maximum Side Yards Required – The sum of the widths of each side yard shall equal or exceed 20 percent of the width of the lot (6.25 feet) but not more than 16 feet. Applicant requests a variance to allow a maximum side yard of 0 feet.

6. 3332.26 (c3) – Minimum Side Yard Requirement – The minimum side yard in an R-2F district on a lot 40 feet wide or less is three feet. Applicant requests a variance to allow a minimum side yard of zero feet on the north side of the Site.
7. 3312.49(C) – Parking Requirements for Residential Uses – The minimum vehicle parking spaces for residential uses with three dwelling units is two parking spaces per unit. Applicant requests a variance to allow two parking spaces.
8. 3312.43 – Required Surface for Parking – The surface of any parking area shall be an approved hard surface other than gravel or loose fill. Applicant requests a variance to allow a gravel parking surface.
9. 3332.14 Area District Requirements. Applicant requests a variance to allow three units on a lot of 3125 sq. ft.

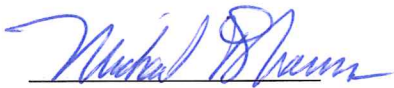
A hardship exists in that the R-2F Residential Zoning District does not permit a three-family dwelling. The requested use variance is necessary because the Applicant has no other means to develop or maintain the Site and cannot conform to the underlying zoning district established by the City's Zoning Code. The proposed variance will not adversely affect the surrounding property or surrounding neighborhood. Accordingly, the requested use variance from the R-2F zoning classification will alleviate a hardship.

Additionally, a practical difficulty exists because the Applicant cannot meet the underlying development standards required by the City's Zoning Code. Accordingly, the above development standard variances are necessary in order for the Applicant to maintain the three-family dwelling.

The requested variances will not impair an adequate supply of light or 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 established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals, or welfare of the inhabitants of the city.

For the reasons stated above, Applicant respectfully requests approval of the requested variances.

Respectfully submitted,



Michael T. Shannon, Esq.

Attorney for Applicant



CV16-005
593 City Park Avenue
Approximately .07 Acres



CV16-005
593 City Park Avenue
Approximately .07 Acres

HISTORIC DISTRICT COMMISSION RECOMMENDATION

GERMAN 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: 593 City Park Avenue

APPLICANT'S NAME: Smith Kids, LLC/Mike Shannon, Crabbe, Brown & James (Applicant) Smith Kids, LLC (Owner)

APPLICATION NO.: 16-2-13

COMMISSION HEARING DATE: 2-2-16

The German 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.

☒ **Variance or Zoning Change Request**

- ☐ Rezoning
- ☐ Parking Variance
- ☐ Change of Use
- ☐ Lot Split

- ☐ Special permit
- ☒ Setbacks
- ☒ Other

TYPE(S) OF ACTION(S) REQUESTED:

Recommend Variance Request #16-2-13, 593 City Park Avenue, as submitted.

Variance Request

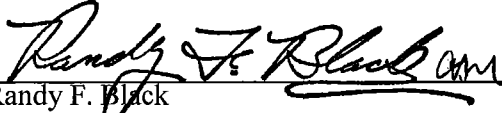
- C.C. 3332.037 – to allow a three family dwelling (not permitted in R-2F).
- C.C. 3332.05(A)(4) – to allow buildings to be erected or altered on a lot with a minimum width of 31.25 feet (lot to be no less than 50 feet).
- C.C. 3332.21(D) – to allow a building line setback of 0 feet from City Park Avenue (10 feet required).
- C.C. 3321.05(B) – to allow 0 feet vision clearance at the intersection (10 feet vision clearance required).
- C.C. 3332.25 – to allow 16.25 feet total combined side yards (16 foot maximum allowed).
- C.C. 3332.26(c3) – to allow 0 foot side yard on north side of lot (minimum side yard is 3 feet).
- C.C. 3312.49(C) – to allow 2 parking spaces on the site (2 per dwelling unit required, 6 total).
- C.C. 3312.43 – to allow gravel surface for parking area (hard surface other than gravel required).

MOTION: O'Donnell/Thiell (5-0-0) RECOMMENDED.

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



Council Variance Application

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 is the subject of this application.

THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION # CV16-665

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Michael T. Shannon
of (COMPLETE ADDRESS) 500 S. Front St., Ste. 1200, Columbus, Ohio 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

1. Smith Kids LLC 929 Harrison Avenue, Suite 300 Columbus, Ohio 43215 Lee Smith (614.464.1626)	2.
3.	4.

☐ Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT

Michael T. Shannon
Michael T. Shannon, Esq.

Sworn to before me and signed in my presence this 5th day of January, in the year 2016

SIGNATURE OF NOTARY PUBLIC

Carol A. Stewart

Notary Seal Here

My Commission Expires

CAROL A. STEWART
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES 06/28/2019

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

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