

COUNCIL VARIANCE APPLICATION

Department of Building & Zoning Services

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224

Phone: 614-645-7433 • www.bzs.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.

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 checks payable to the Columbus City Treasurer

Statement of Hardship

Property Address: 951 Hunter Avenue
Tax Parcel Number: 010-003126

This Statement of Hardship is submitted in support of the Applicant's request for variances from the Zoning Code which are necessary and appropriate for a proposed new residential home in Victorian Village.

Site Area - Background

The project that is the subject of this variance application is located in Victorian Village on the West side of Hunter Avenue and is commonly known as 951 Hunter Avenue (the "**Site Area**"). The Site Area totals about 5,995 square feet, has dimensions of 100 feet by 59.95 feet and consists of one tax parcel which will be split out into two tax parcels as a part of this proposed plan. The entire Site Area is zoned ARLD. There is an existing single family home on the northern third of the Site Area with zero off-street parking spots (the "**Existing Building**").

The Project - Overview

The contemplated project (the "**Project**") will (1) split the Site Area into two separate tax parcels, the northern parcel containing the Existing Building and containing dimensions of 100 feet by 22.95 feet (the "**Northern Parcel**") and the southern parcel containing dimensions of 100 feet by 37 feet (the "**Southern Parcel**"); and (2) construct a single family home (the "**New Building**") on the Southern Parcel.

In order to accomplish the above, the Project respectfully must request that variances be granted to bring the Existing Building into compliance with the Zoning Code and so that the New Building contemplated in the Project may be built.

The Project – Specifics

The New Building will be designed in a way to best reflect the architectural character of the neighborhood. Transitions and other design elements will be utilized to best fit the New Building into the neighborhood. The building will be designed with many Victorian features, shapes, and elements to match the surrounding homes and the other homes in Victorian Village.

The Existing Building exterior will be restored and the interior of the residence will be renovated and improved. The benefits of this are twofold. First, this preserves the integrity and historic features of a building which has long been part of the fabric of the neighborhood. Second, it transforms the property from an aging home into a rejuvenated home that will add to the vibrancy of the Victorian Village neighborhood.

We are not requesting any curb cuts with this Project.

Benefits v. Existing Conditions

The existing Site Area is holistically inadequate to meet the needs of Victorian Village today. The existing Site Area is a worn down home adjacent to vacant land without any current productive use. The contemplated Project both adds one new home to the productive benefit and use of the neighborhood and renovates an existing home.

Variances Requested

Northern Parcel

Section 3333.02(3) – To permit a single family dwelling where this section permits one a dwelling of no fewer than three dwelling units.

Note: This is an existing condition on the property as it exists today.

Section 3333.09 – To permit a building to be erected or altered on a lot with a width of 22.95 feet where this section requires that lots contain a width of no less than 50 feet.

Section 3333.11 – To permit a building to be erected or altered on a lot with an area of 2,295 square feet where this section requires that the area equal or exceed 2,500 square feet per dwelling unit.

Section 3333.18(F) – To permit a building to be erected or extended on a subject lot where there are buildings on both of the contiguous lots and the building is five feet from the Street Property Line where this section requires that the minimum distance to the Street Property Line be 10 feet.

Note: This is an existing condition on the property as it exists today.

Section 3333.23 – To permit a portion of a building structure to be 2 feet from a side lot line (the northern property line) where this section requires that a building be at least 5 feet between any part of a building structure and the side lot line.

Note: This is an existing condition on the property as it exists today.

Section 3312.49 – To reduce the minimum number of parking spaces from 2 parking spaces required (based on 2 per dwelling unit) to 0 parking spaces.

Note: This is an existing condition on the property as it exists today.

Southern Parcel

Section 3333.02(3) – To permit a single family dwelling where this section permits one a dwelling of no fewer than three dwelling units.

Section 3333.09 – To permit a building to be erected or altered on a lot with a width of 37 feet where this section requires that lots contain a width of no less than 50 feet.

Section 3312.49 – To reduce the minimum number of parking spaces from 2 parking spaces required (based on 2 per dwelling unit) to 0 parking spaces.

Appropriateness

Northern Parcel

Existing Conditions. As noted above, almost all of the variances requested for the Northern Parcel relate to the Existing Building which was built before the current zoning laws that are in place. The purpose of those variances is bring the Existing Building, which was on the property before the existing zoning laws were in place, in compliance with existing zoning law.

The variances that arise for the Northern Parcel due to the contemplated project are limited to Section 3333.09 (50 foot lot width) and Section 3333.11 (2,500 square foot lot size).

Lot Width. The requirement in 3333.09 for a 50 foot wide lot contemplates the ARLD use and is inconsistent with single family homes in Victorian Village. Examples of similar (or smaller) lot widths in the area include 969 Hunter Avenue (three family building) (22 feet), 961 Hunter Avenue (27.12 feet), 965 Hunter Avenue (27.12 feet), and 933 Hunter Avenue (vacant lot) (32.8 feet).

Lot Size. As is the case with the prior variance, the requirement in 3333.11 to have 2,500 square feet of lot size for each residential unit reflects a contemplated ARLD use and is inconsistent with the single family homes in Victorian Village. Examples of similar (or smaller) lot sizes in the area include 919 Hunter Avenue (1,310 square feet), 921 Hunter Avenue (duplex) (2,390 square feet), 929 Hunter Avenue (duplex) (2,390 square feet).

Southern Parcel

The variances requested on the Southern Property are Section 3333.02(3) (use), Section 3333.09 (lot width), and Section 3312.49 (parking).

Use. Despite the zoning classification, this part of Victorian Village is primarily a low-density residential neighborhood. The requirement to have a property that is no fewer than three dwelling units is inconsistent with almost all properties in the immediate surrounding area. Every lot that touches or is adjacent to the Site Area is either a single family home or a duplex. Examples of similar uses to the proposed Project nearby include 941 Hunter Avenue (duplex), 942 Hunter Avenue (single family home), 946 Hunter Avenue (single family home), 952 Hunter Avenue (single family home), and 955 Hunter Avenue (duplex).

Lot Width. As noted above, the requirement in 3333.09 for a 50 foot wide lot contemplates the ARLD use and is inconsistent with single family homes in Victorian Village. Examples of similar (or smaller) lot widths in the area include 969 Hunter Avenue (three family building) (22

feet), 961 Hunter Avenue (27.12 feet), 965 Hunter Avenue (27.12 feet), and 933 Hunter Avenue (vacant lot) (32.8 feet).

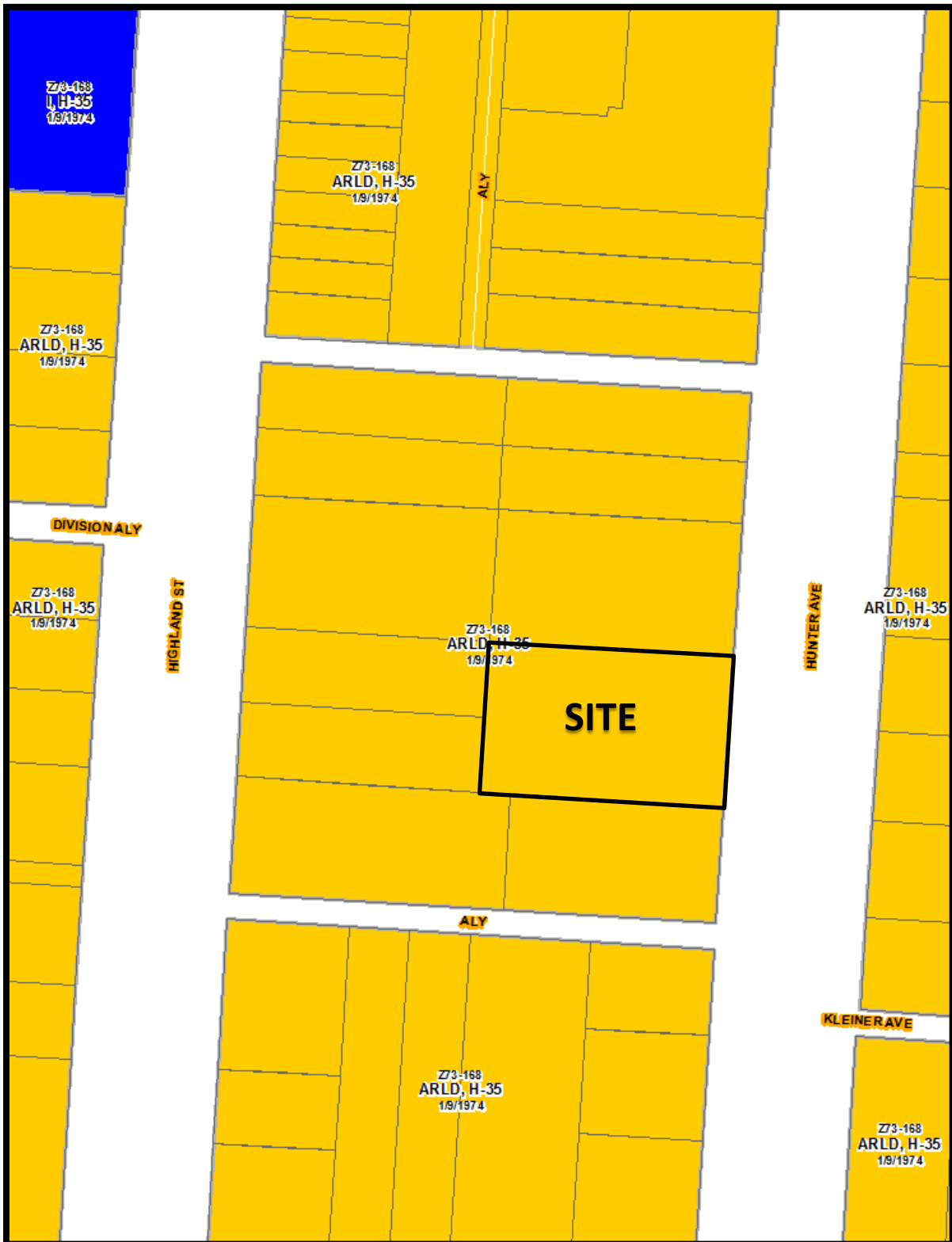
Parking. The Victorian Village Commission does not want to add curb cuts to this neighborhood. We respect the Commission's position to not allow curb cuts, which creates the need for a variance for parking. There are numerous other nearby homes that do not have any parking. Examples of these nearby include 919 Hunter Avenue, 941 Hunter Avenue, 955 Hunter Avenue, and 961 Hunter Avenue.

The Project will not be injurious to neighboring properties, nor will it be contrary to public interest or the intent of the Zoning Code. In this situation, the zoning reflected on the property does not match the neighborhood that exists today and this variance process allows for thoughtful projects that match the spirit of the neighborhood to be presented for your consideration and approval.

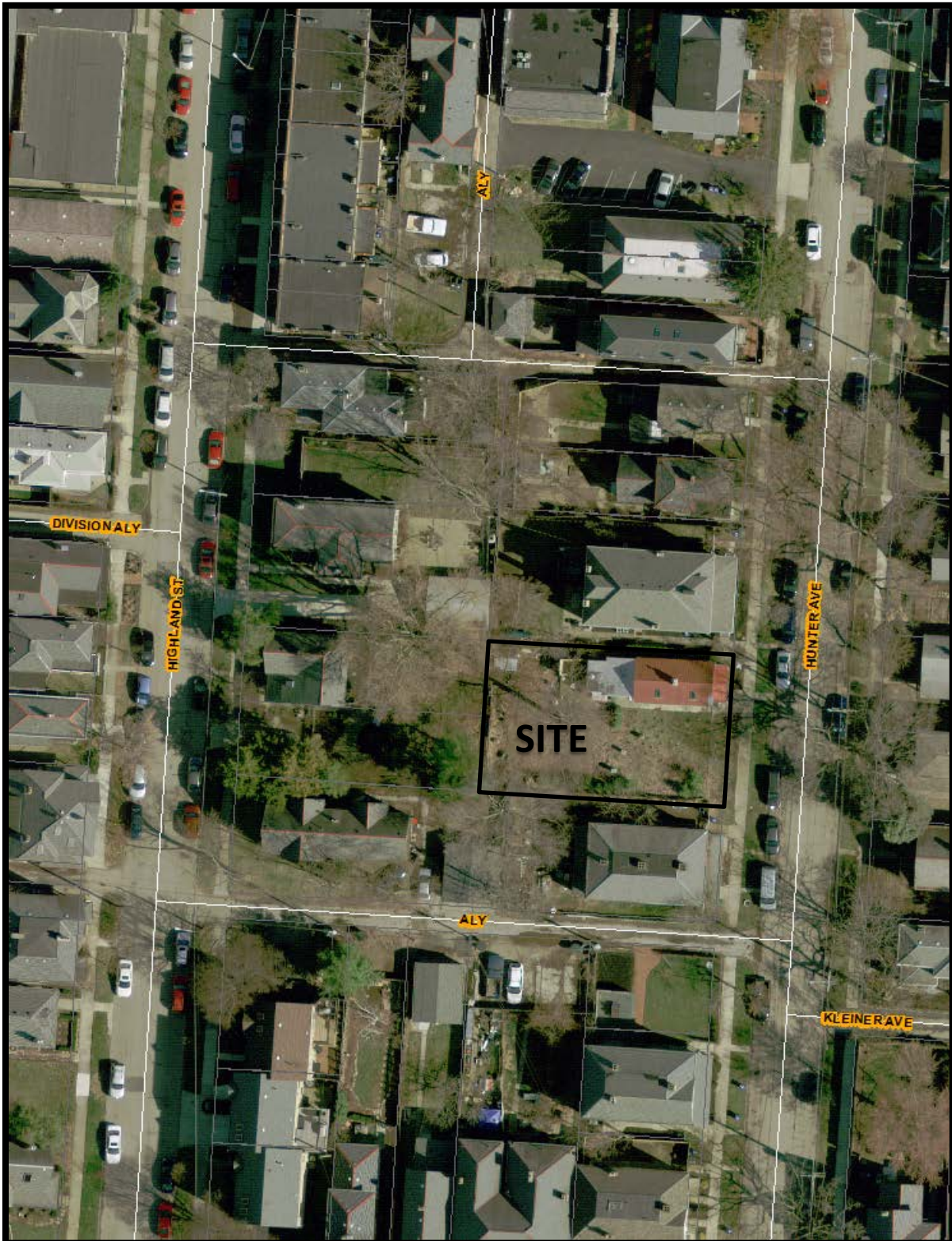
A hardship exists in that the proposed Project cannot completely conform to the underlying zoning specifications established by the Zoning Code. The Project will appreciate and enhance the existing neighborhood, benefit surrounding property owners and the surrounding neighborhood, and alleviate a hardship which warrants variances from the Zoning Code.

The Project 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, or in any other respect impair the public health, safety, comfort, morals, or welfare of the inhabitants of Victorian Village and the City of Columbus.

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

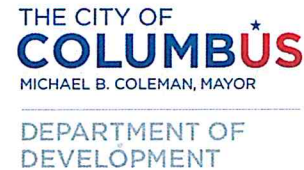


CV16-060
951 Hunter Avenue
Approximately 0.14 acres



CV16-060
951 Hunter Avenue
Approximately 0.14 acres

STEVEN R. SCHOENY
Director



Office of the Director
50 West Gay Street
Columbus, OH 43215-9040
(614) 645.7795
(614) 645.6675 [FAX]

BRADLEY BLUMENSHEID
DKB ARCHITECTS
52 E. LYNN ST., 3RD FL
COLUMBUS, OH 43215

Code Enforcement Division
757 Carolyn Ave.
Columbus, OH 43224-3218
(614) 645.2202
(614) 645.2462 [FAX]

October 24, 2016

Economic Development Division
150 South Front Street Suite 220
Columbus, OH 43215-4418
(614) 645.8616
(614) 645.2486 [FAX]

Mr. Blumensheid,

I am writing to you on behalf of the Victorian Village Commission in regard to Application #16-10-26a for the proposed project located at 951 Hunter Ave. **This is not a Certificate of Appropriateness and does not authorize the issuance of a building permit.**

Housing Division
50 West Gay Street
Columbus, OH 43215-9040
(614) 645.7795
(614) 645.6675 [FAX]

The following information is for your reference and is taken from the Minutes of the October 13, 2016 Victorian Village Commission Meeting:

16-10-26a

951 Hunter Ave.

DKB Architects (Applicant)

Scott Hartley (Owner)

Approve application #16-10-26a, 951 Hunter Ave., as submitted with the following clarifications:

New Construction

- Split existing lot along old property line to the north (20-ft from northernmost property line).
- Construct new single-family home.
- Install patio in rear yard with indoor/outdoor fireplace attached to the house (indoor great room and screened in porch).
- The porch railings are to be returned to the previous design with a simple wrought iron handrail down the steps.

MOTION: Decker/Hissem (7-0-0) APPROVED.

Revised drawings are to be submitted to HPO Staff for final review and approval. If you need further assistance, please contact me at 645-7920.

Sincerely,

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

THE CITY OF
COLUMBUS
ANDREW J. GINTHER, MAYOR

DEPARTMENT OF BUILDING
AND ZONING SERVICES

COUNCIL VARIANCE APPLICATION**Department of Building & Zoning Services**

Scott Messer, Director
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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 # CV16-060

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Scott L. Hartley

of (COMPLETE ADDRESS) 8717 Chevington Chase Drive, Pickerington, OH 43147

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. Scott L. Hartley 8717 Chevington Chase Drive Pickerington, OH 43147 0 Columbus based employees 740-963-1083 | 2. |
| 3. | 4. |

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

SIGNATURE OF AFFIANT

[Signature]

Sworn to before me and signed in my presence this 28th day of September, in the year 2016

SIGNATURE OF NOTARY PUBLIC

Thomas A. Vetter

My Commission Expires

NA

Notary Seal Here



Thomas A. Vetter, Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Sec. 147.03 R.C.

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