

ORD # 1875-2018; CV17-081; Page 1 of 9



DEPARTMENT OF BUILDING AND ZONING SERVICES

STATEMENT OF HARDSHIP

Chapter 3307 of the Columbus Zoning Code

Section 3307.10 Variances by City Council

ORD # 1875-2018; CV17-081; Page 2 of 9 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

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

List all sections of Code to be varied and explain your reasoning as to why this request should be granted.

PLEASE NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are discovered after your application is approved, a new application will be required.

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(s) requested as detailed below (use separate page if needed or desired):

See Exhibit B
· · · · · · · · · · · · · · · · · · ·
Signature of Applicant Date
Attorney Attorney (Donald Plank, Plank Law Firm) Date 7
Consultant (Dave Perry, David Perry Company, Inc.) Date 11-27-17

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

CV17-081

Exhibit B

Statement of Hardship

CV17-081, 1337 and 1345 Hunter Avenue, Columbus, OH 43201

The site is two (2) abutting parcels on the west side of Hunter Avenue, 260' +/- south of King Avenue. Both parcels are zoned R-4, Residential. Both parcels are currently developed with a two-family dwelling on each parcel. Applicant proposes to change the use of the two family dwellings to single family dwellings and build a detached carriage house on each parcel, as depicted on the Site Plan. Section 3332.16, Exception for Single or Two Family Dwelling permits a two-family dwelling on lots of record on January 14, 1959. Both of these parcels meet the lot of record date. Given the provisions of Section 3332.16 and applicant converting the existing two-family dwellings to single family dwellings, this application is about form of two dwelling units rather than density. The project is density neutral with changing the existing two-family dwellings to single family dwellings and provides a desirable alternate style of dwelling unit with the carriage houses.

Applicant has a hardship in that there is no zoning district to which the property could be rezoned for the proposed development and not also need variances. Applicant has a practical difficulty with compliance to develop the property in a comprehensive, coordinated way, as proposed.

Applicant requests variances from the following sections of the Columbus Zoning Code:

1). Section 3332.039, R-4 Residential District, to permit two detached single family dwellings on each parcel, consisting of the change of use of the existing two-family dwelling on each parcel to a single-family dwelling and a new carriage house with a single dwelling unit on the second floor and ground level parking on the first floor.

2). Section 3312.49, Minimum Numbers of Parking Spaces Required, to reduce required parking from four (4) spaces for each parcel for two (2) detached dwelling units on each parcel to three (3) spaces on each parcel.

3). Section 3332.05(A)(4), Area District lot Width Standards, to reduce the required lot width from 50 feet to the existing 31.4 feet.

4). Section 3332.15, R-4 Area District Requirements, to permit two (2) detached single family dwellings on the existing 4,710 square foot lot.

5). Section 3332.19, Fronting, to permit the rear carriage house dwelling units to not front on a public street.

6). Section 3332.25, Maximum Side Yards Required, to reduce maximum side yard from 6.28 feet (20%) to 6.16 feet existing total side yard for 1337 Hunter Avenue, from 6.28 feet (20%) to

5.0 feet existing total side yard for 1345 Hunter Avenue and maximum side yard for each carriage house from 6.28 feet (20%) to 4.7 feet.

7). Section 3332.26, Minimum Side Yard permitted, to reduce the minimum side yard from three (3) feet to 1.4' (north side of 1337 Hunter Avenue), 1.0' (north side of 1345 Hunter Avenue), and to 1.7 feet for each of the detached carriage houses.

8). Section 3332.27, Rear Yard, to reduce rear yard for each carriage house from 25% of lot area to 0% lot area, subject to providing rear yard as depicted on the Site Plan.

9). Section 3325.801, Maximum Lot Coverage, to increase the permitted lot coverage from 25% of lot area to 49% for each parcel.

10). Section 3325.805, Maximum Floor Area Ratio (FAR), to increase the permitted FAR from 0.40 to 0.62.



CV17-081 1337 & 1345 Hunter Avenue Approximately 0.21 acres



CV17-081 1337 & 1345 Hunter Avenue Approximately 0.21 acres



CV17-081 1337 & 1345 Hunter Avenue Approximately 0.21 acres



Doreen Uhas-Sauer President

Susan Keeny 1st Vice President

David Hegley 2nd Vice President

Aaron Marshall Corr. Secretary

Brian Williams Recording Secretary

Seth Golding Treasurer

Matt Beaton

Craig Bouska

Mario Cespedes

Amy Elbaor Andrew Frankhouser

Pasquale Grado

Abby Kravitz

Rory Krupp

Michael Sharvin

Lauren Squires

Steve Volkmann

Tom Wildman

City of Columbus Mayor Andrew J. Ginther

ORD # 1875-2018; CV17-081; Page 8 of 9 University Area Commission

Northwood High Building 2231 North High Street Columbus, Ohio 43201 (614) 441-8174 www.universityareacommission.org

Serving the University Community for over 30 Years

March 3. 2018

TO: Tim Dietrich 757 Carolyn Ave. Columbus, OH 43224 Ph: 614-645-6665 tedietrich@columbus.gov

RE: CV17-081 Tim:

This letter is to inform you that on Feb. 21, 2018, the University Area Commission voted to approve the council variance for the properties located at 1337 & 1345 Hunter Avenue.

The project includes the renovation of two (2) 2-unit apartments into two single family houses. Two carriage houses are to be constructed on the property with a single dwelling unit above a garage. The multiple variances are as follows:

1) <u>Section 3332.039, R-4 Residential District</u>, to permit two detached single family dwellings on each parcel, consisting of the change of use of the existing two-family dwelling on each parcel to a single-family dwelling and a new carriage house with a single dwelling unit on the second floor and ground level parking on the first floor.

2) <u>Section 3312.49, Minimum Numbers of Parking Spaces Required</u>: to reduce required parking from four (4) spaces for each parcel for two (2) detached dwelling units on each parcel to three (3) spaces on each parcel.

3) <u>Section 3332.05(A)(4), Area District lot Width Standards</u>: to reduce the required lot width from 50 feet to the existing 31.4 feet.

4) <u>Section 3332.15, R-4 Area District Requirements</u>: to permit two (2) detached single family dwellings on the existing 4,710 square foot lot.

5) <u>Section 3332.19, Fronting</u>: to permit the rear carriage house dwelling unit to not front on a public street.

6) <u>Section 3332.25, Maximum Side Yards Required</u>: to reduce maximum side yard from 6 feet to 4 feet for the existing dwelling at 1345 Hunter Avenue and from 6 feet to 4.7 feet for the two carriage houses.

7) <u>Section 3332.26, Minimum Side Yard permitted</u>: to reduce the minimum side yard from three (3) feet to 1.4', 1.0' and 0' for the existing dwellings at 1337 Hunter Avenue, 1345 Hunter Avenue and to 1.7 feet for each of the detached carriage houses, respectively.

8) <u>Section 3332.27, Rear Yard</u>: to reduce rear yard for each carriage house from 25% of lot area to 0% lot area, subject to providing rear yard as depicted on the Site Plan.

9) <u>Section 3325.801, Maximum Lot Coverage</u>: to increase the permitted lot coverage from 25% of lot area to 49% for each parcel.

10) <u>Section 3325.805, Max. Floor Area Ratio (FAR)</u>: to increase the permitted FAR from 0.40 to 0.62. The applicant met twice with the zoning committee, and in the process revised the one large 6-car garage with dwelling units above into 2 separate carriage houses with a single dwelling unit each. This change was more in scale with the residential neighborhood. The UAC appreciated the fact that 2 historic houses were turned from 2-unit apartments to single family houses. Two neighbors attended the meeting and opposed the added dwelling units above the new garages, expressing concerns for added parking in an already over-parked neighborhood. One neighbor voiced support for the project in that the renovations showed better care & maintenance of this property, which was a benefit to the neighborhood.

In terms of parking, the UAC felt the new garages would provide better off-street parking where now there was no real parking pad – only the grassy rear yard. The UAC expressed a desire that the trompe l'oeil painting on the front façade of 1345 be maintained. The applicant stated that the owner is willing to preserve this façade. Overall, there was support for the project and its requested variances.

The vote to approve the above variance request was: For – 12; Against – 2; Abstentions – 1.

Respectfully Submitted, Susan Keeny UAC Zoning Committee Chair C: 937-479-0201

ORD # 1875-2018; CV17-081; Page 9 of 9



Council Variance Application

111 North Front Street, Columbus, Ohio 43215 Phone: 614-645-4522 • www.columbus.gov • zoninginfo@columbus.gov

DEPARTMENT OF BUILDING AND ZONING SERVICES

PROJECT DISCLOSURE STATEMENT

All parties having a 5% or more interest in the project that is the subject of this application should be listed. THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION #: ____ CV 17 - 081

STATE OF OHIO COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald Plank (Plank Law Firm)

of (COMPLETE ADDRESS) 411 East Town Street, 2nd FL, Columbus, OH 43215 deposes and states that (he/shor) is the ARREACENTRON 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.	Lykens Companies 1020 Dennison Avenue, Suite 102 Columbus, Ohio 43201 Number of Columbus-based Employees: Ten (10) Contact: Kevin Lykens; Telephone: 614.653.1212	2.	LS Development Systems, LLC 1020 Dennison Avenue, Suite 102 Columbus, Ohio 43201 Number of Columbus-based Employees: Zero (0) Contact: Kevin Lykens; Telephone: 614.653.1212
3.		4.	

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT	male / Cant	Donald Plank
Subscribed to me in my presence and before me this	1/12_ day of June	, in the year 2018
SIGNATURE OF NOTARY PUBLIC	- MaryDeice Work	MaryAlice Wolf
My Commission Expires:		
This Project Disclosure Stat	* NOTARY PUL	KILCE WOLF BLIC, STATE OF ONIO NPIRES SEPTEMBER 2, 2018

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