

**Council Variance Application**

111 North Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • www.columbus.gov/bzs • zoninginfo@columbus.gov

**STATEMENT OF HARDSHIP**

Application #: CV18-046

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

**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 separate page )

Signature of Applicant



Date 06/21/18

**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

I seek to update my property to provide for a residential unit on the second floor of my 3-car carriage house.

The proposed improvements to my carriage house would update the existing building while maintaining its unique character and historic nature. Since my property lies within the boundaries of the Old Oaks Historic District, the exterior improvements have already been approved by the Columbus Historic Resources Commission. As a long time steward to this property, I am committed to respecting the aesthetics of the property and the historic Old Oaks neighborhood while enhancing the carriage house in a way that will unlock its productive potential and better provide for the structure's long term maintenance.

The requested variance will not interfere with any neighboring property owners' use of their property or otherwise prevent the further development of any neighboring property. Additionally, granting this variance 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 property and the value of neighboring properties; still provide for adequate light, air and open space; reinforce the residential nature of the renovating district and enhance the historical nature of the neighborhood by building in a style and manner consistent with the historic location and the setback of the original house, and would not impair the public safety, comfort, morals, or welfare of the inhabitants of the City of Columbus.

Specifically, I request a variance from the following City Code sections:

**Section 3332.035**, R3 residential district, does not permit two dwelling units on one lot, while I propose to develop a dwelling unit above a garage (carriage house) on a single parcel comprised of two lots developed with a single unit dwelling; and

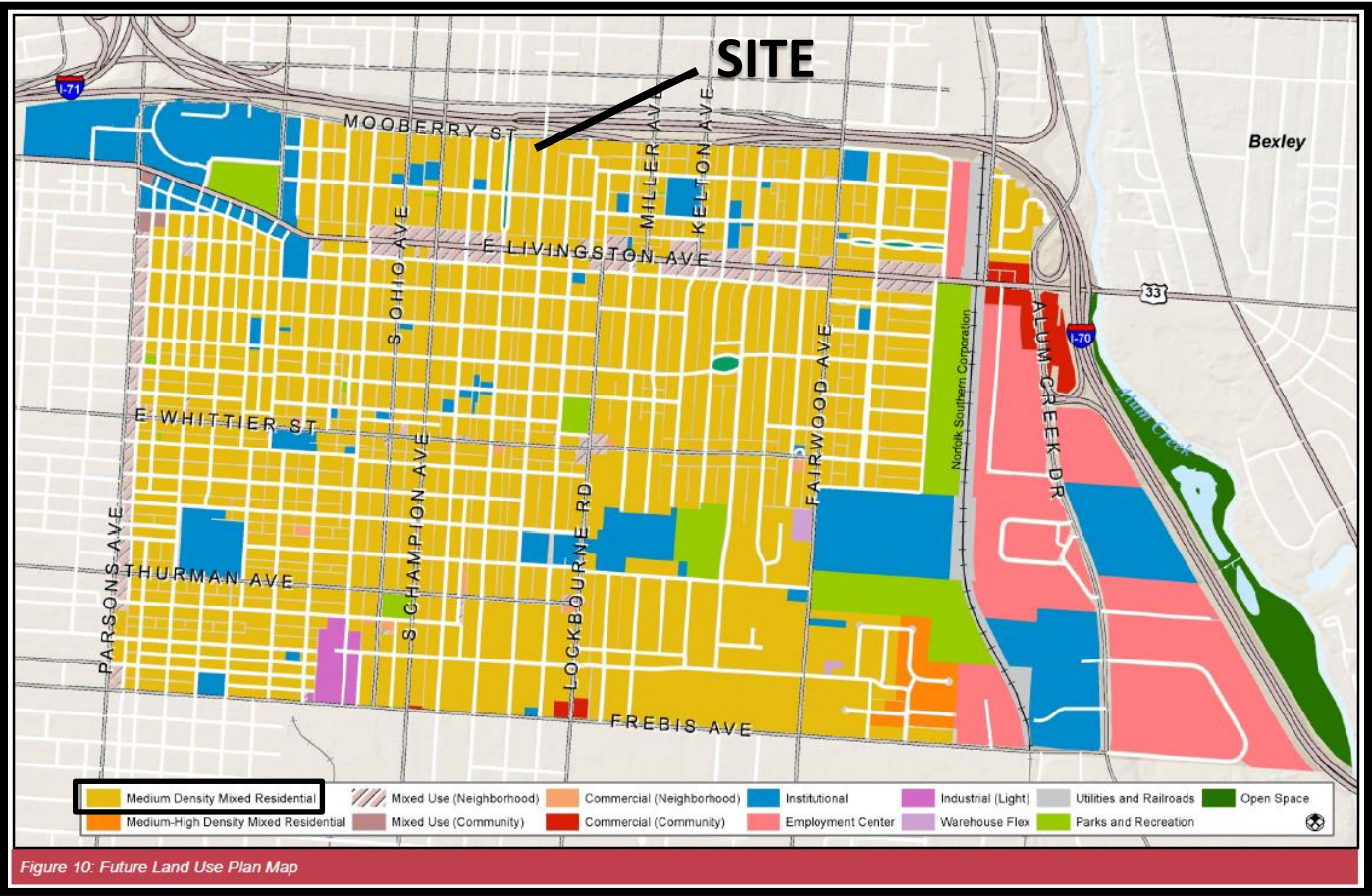
**Section 3332.13**, R-3 area district requirements, requires that a single-unit dwelling or other principal building shall be situated on a lot not less than 5,000 square feet in area, while I propose two single unit dwellings on an existing parcel that contains two lots that comprise 9,300± feet (approximately 4,650 square feet per dwelling unit); and

**Section 3332.27**, Rear yard, requires that each dwelling, apartment house, or other principal building shall be erected so as to provide a rear yard totaling not less than 25 percent of the total lot area, while I propose a 25% rear yard for the existing dwelling and no rear yard for the rear carriage house. However, since my parcel contains two lots, with one being situated on a street corner, by adding the additional side yard on the south lot [ Lot #312; additional 1,034 sq. ft. ] and the additional side yard on the north lot due to it being on a street corner [ Lot # 311; additional 673 sq. ft. ], the total rear yard and side yards make up 44% of the total parcel area. If you also include the open terrace attached to the front of the house, [ 342 sq. ft. ] and the front yard [ 1,916 sq. ft. ], the total open yard space for the entire parcel (front, two side yards and rear yard) is 68% of the total area (34% per dwelling unit).



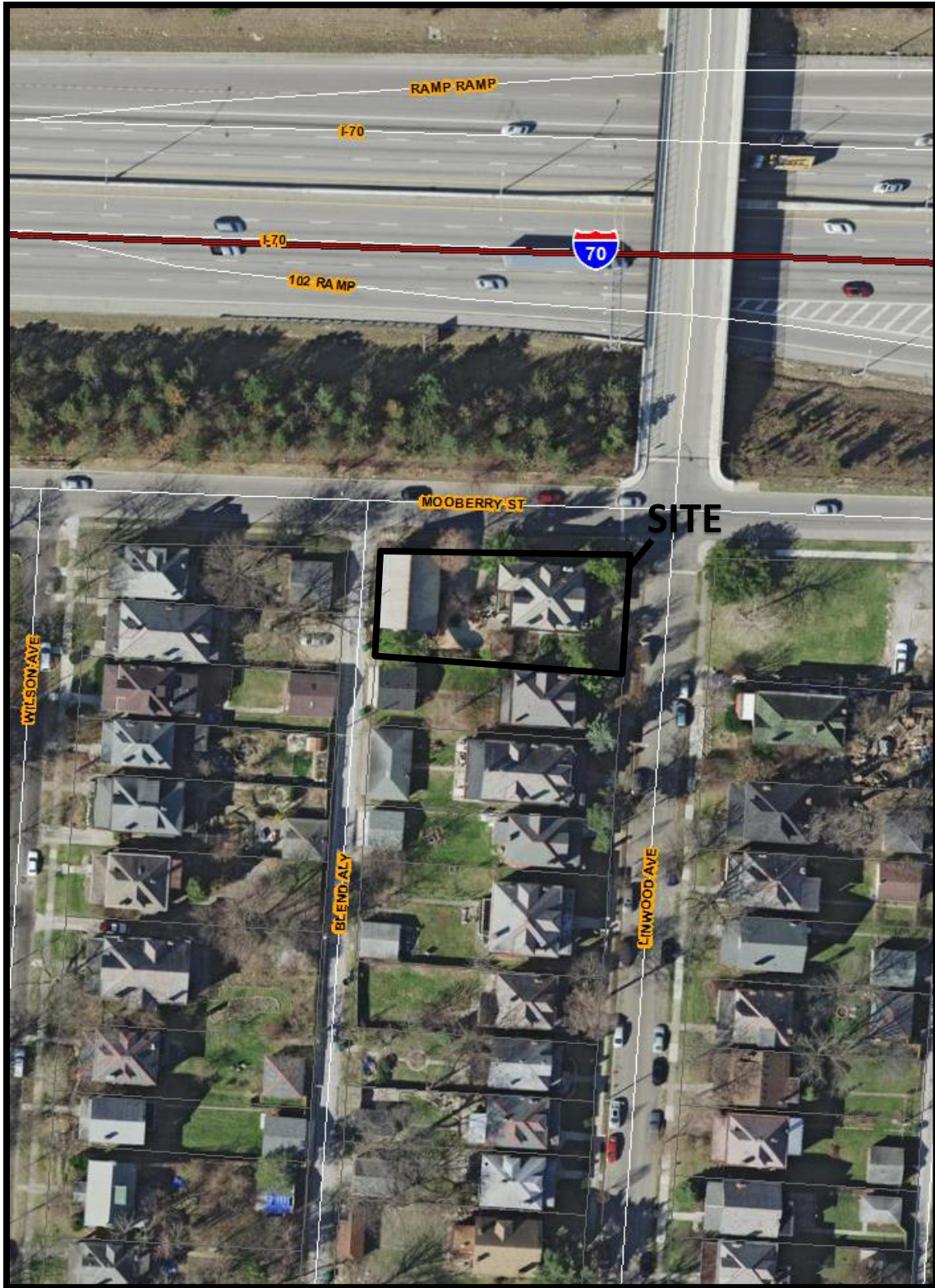
CV18-046  
633 Linwood Avenue  
Approximately 0.22 acres

Near Southside Area Plan (2011)



CV18-046  
633 Linwood Avenue  
Approximately 0.22 acres





CV18-046  
633 Linwood Avenue  
Approximately 0.22 acres

THE CITY OF  
**COLUMBUS**  
ANDREW J. GINTHER, MAYOR

DEPARTMENT OF BUILDING  
AND ZONING SERVICES

### Standardized Recommendation Form

111 North Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • www.columbus.gov/bzs • zoninginfo@columbus.gov

**FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW**

(PLEASE PRINT)

Case Number:

CV18-046

Address:

633 LINWOOD AVE Cols Oh 43205

Group Name:

LIVINGSTON AVE AREA COMMISSION

Meeting Date:

7.17.2018

Specify Case Type:

- ☐ BZA Variance / Special Permit  
☒ Council Variance  
☐ Rezoning  
☐ Graphics Variance / Plan / Special Permit

Recommendation:

(Check only one and list basis  
for recommendation below)

- ☒ Approval  
☐ Disapproval

**NOTES:**

Vote:

Signature of Authorized Representative:

SIGNATURE

RECOMMENDING GROUP TITLE

DAYTIME PHONE NUMBER

5 YES / 2 ABST  
Jerry J. Elchall  
CHAIR LAVA-C  
614 296-4418

Please e-mail this form to the assigned planner within 48 hours of your meeting day; or FAX to Zoning at 614-645-2463; or  
MAIL to: Assigned Planner, City of Columbus, Department of Building & Zoning Services, 111 N. Front St., Columbus, OH 43215.

**HISTORIC DISTRICT COMMISSION  
RECOMMENDATION  
HISTORIC RESOURCES 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:** 633 Linwood Avenue

Old Oaks Historic District

**APPLICANT'S NAME:** Michael P. Herman (Owner)**APPLICATION NO.:** 18-8-12**COMMISSION HEARING DATE:** 8-16-2018

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:**

Upon review of Application #18-8-12, 633 Linwood Avenue, Old Oaks Historic District, the Historic Resources Commission recommends approval of the proposed variances, as submitted:

- Section 3332.035, R-3 residential district, does not permit two dwelling units on one lot, while I propose to develop a dwelling unit above a garage (carriage house) on a single parcel comprised of two lots developed with a single unit dwelling; and
- Section 3332.13, R-3 area district requirements, requires that a single-unit dwelling or other principal building shall be situated on a lot not less than 5,000 square feet in area, while I propose two single unit dwellings on an existing parcel that contains two lots that comprise 9,300± feet (approximately 4,650 square feet per dwelling unit); and
- Section 3332.27, Rear yard, requires that each dwelling, apartment house, or other principal building shall be erected so as to provide a rear yard totaling not less than 25 percent of the total lot area, while I propose a 25% rear yard for the existing dwelling and no rear yard for the rear carriage house. However, since my parcel contains two lots, with one being situated on a street corner, by adding the additional side yard on the south lot (Lot #312; additional 1,334 sq.ft.) and the additional side yard on the north lot due to it being on a street corner (Lot #311; additional 673 sq.ft.), the total rear yard and side yards make up 44% of the total parcel area. If you also include the open terrace attached to the front of the house, (342 sq.ft.) and the front yard (1,916 sq.ft.), the total open yard space for the entire parcel (front, two side yards and rear yard) is 68% of the total area (34% per dwelling unit).

MOTION: Prosser/McCabe (4-0-0) 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.

Historic Preservation Office

*Cet*

Historic Preservation Office





DEPARTMENT OF BUILDING  
AND ZONING SERVICES

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**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 #: CV18-046

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Michael P. Herman  
of (COMPLETE ADDRESS) 633 Linwood Ave. Columbus, OH 43205  
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. Michael P. Herman 633 Linwood Ave. Columbus, OH 43205 (614) 580-8365 100%	2. n/a
3. n/a	4. n/a

☐ Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 22 day of JUNE, in the year 2018

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

3/16/2019  
LINDSAY BOYER



Notary Public, State of Ohio  
My Comm. Expires 03/16/2019  
Recorded in Franklin County

Notary Seal Here

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