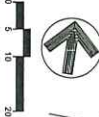


2. Rear Yard Area Calculation

3. Lot Area Calculation

1. Architectural Reference Site Plan



*Handwritten signature and date:*  
 8/23/18

4th Avenue Condominium  
 174 E 4th Avenue  
 4th & Ham, LLC  
 174 E 4th Avenue

PHILIP & BERTON  
 ARCHITECTS  
 1000 PINE STREET, SUITE 1000  
 SEASIDE, CA 92138  
 P: 619.434.8001  
 F: 619.434.8002  
 www.philipberton.com

P0.1  
 SHEET NO.  
 Site Plan  
 PROJECT NO. 11000-00  
 PROJECT NAME 4th & Ham



DEPARTMENT OF BUILDING  
AND ZONING SERVICES

### 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 #: CV-050

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):**

Please see attached.

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Signature of Applicant

Date

6/25/18

**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**  
**Columbus Chapter 3307.10**

**For: David M. Betz, AICP**  
**174 E. 4<sup>th</sup> Avenue**  
**Columbus OH 43201**

**Variance to Section 3332.039 A., and Section 3332.19 Columbus Zoning Code**

The variance is to Section 3332.039 A. will allow the construction of two, 2-family unit buildings on one lot rather than other allowed residential buildings, on property zoned within the R-4 District. The property will be developed as a condominium project. The property owner and developer is a 20 year resident on this property, and has been in the City Planning and Development field for 29 years.

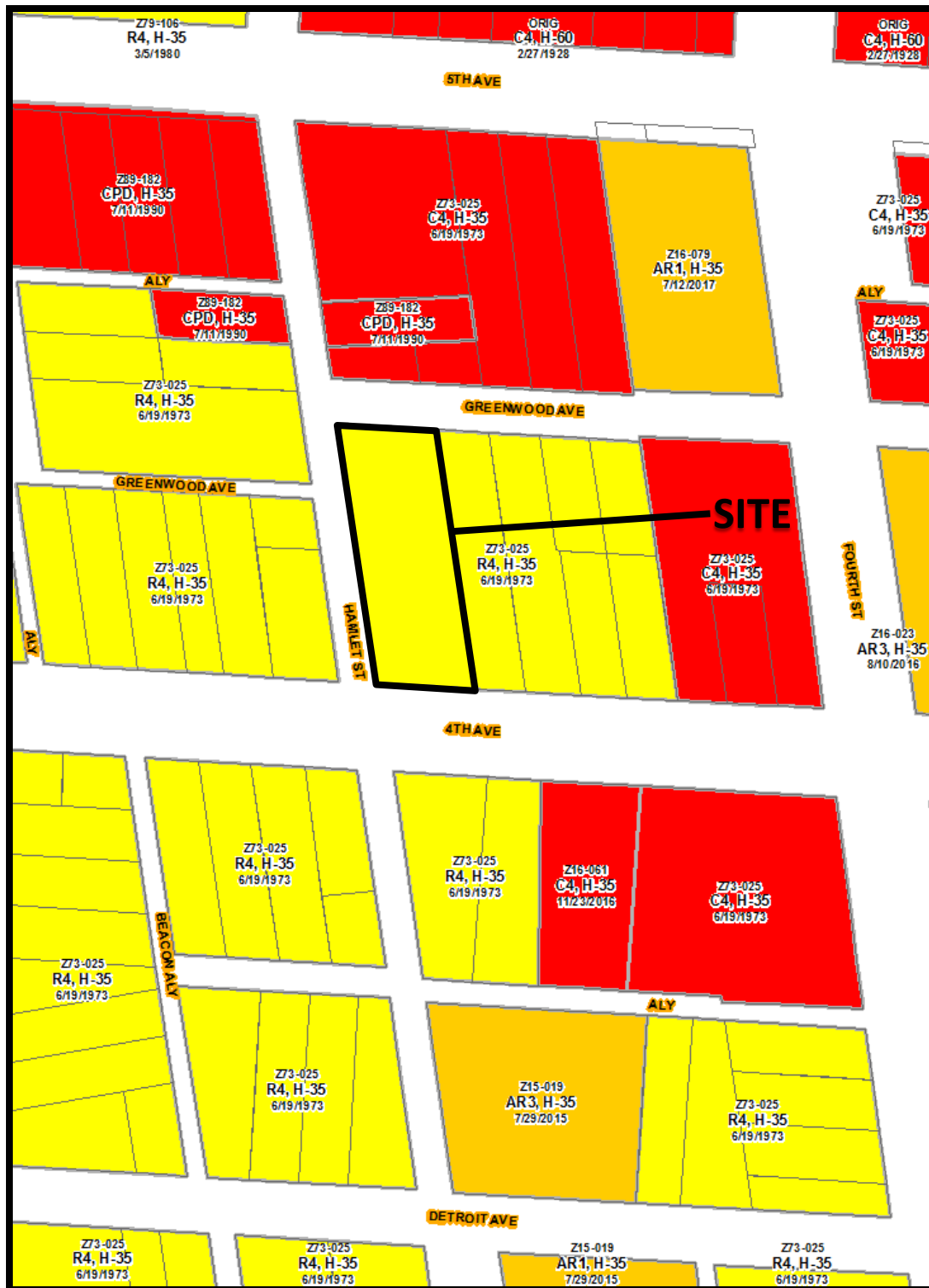
A hardship, or practical difficulty, relating to this proposal is that the R-4 District allows up to 4 units on a lot, but does not have a provision for two, 2-family residential units, which can be accommodated upon this larger than usual lot with minimal variances. As stated herein, the proposal allows for a greater amount of light and air to adjoining properties, fits in better to the scale of the neighborhood, does not seriously affect the adjoining properties or general welfare, does not increase congestion of the public streets, does not increase the danger of fires or otherwise endanger public safety, does not diminish or impair the public health, safety, comfort, morals, or welfare of the inhabitants of the neighborhood or the City of Columbus.

The R-4 District allows various types of residential buildings, including one 4-unit building, and allows up to 4 dwelling units. The subject property is rather large (12,420 sq. ft.) whereas other lots in the neighborhood are half that or smaller in size. The existing includes several types of housing, which is made up of a mix of single-family, 2-family, 4-family and heavy commercial users such as a micro-brewery (Seventh Son), a vehicle impound lot (Shamrock Towing) and a small vehicle repair shop. This mix of uses is typical of Italian Village, however rather impactful upon East 4<sup>th</sup> Avenue residences. This proposal keeps with the identity and scale of E. 4<sup>th</sup> Avenue, and establishes residential frontage on Hamlet Street.

The variance to Section 3332.19 will allow the property to continue to have access off of Greenwood Ave. to the 4 units via a common driveway, which will be established within the condominium association documents for common use, parking restrictions, and maintenance. This is the best way to provide access, enclosed and attached parking for 2 cars per each unit.

The proposed project will be the least impactful to the neighborhood yet still keep the highest and best use for the property owner to develop 4 units on the property as allowed by the R-4 District. Please note that no other variances, except the two cited herein, are being asked for or are needed with this request. The proposal is the best solution for the development of this property in keeping with the size and scale of the neighborhood, provides more off street parking that that required by code, allows the owner the highest and best use given the property size zoning, and is keeping with the character of the neighborhood in design.

CU18-050



CV18-050  
174 East Fourth Avenue  
Approximately 0.29 acres





CV18-050  
174 East Fourth Avenue  
Approximately 0.29 acres

STEVEN R. SCHOENY  
Director

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

DEPARTMENT OF  
DEVELOPMENT

## HISTORIC DISTRICT COMMISSION RECOMMENDATION

### ITALIAN 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:** 174 E. Fourth Ave.

**APPLICANT'S NAME:** Philip Herren (Applicant)

David Betz (Owner)

**APPLICATION NO.:** 18-7-17

**COMMISSION HEARING DATE:** 7-17-18

The Italian 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 and the architectural guidelines:

☒ **Variance or Zoning Change Request**

- |   |   |
|---|---|
| <input type="checkbox"/> Rezoning         | <input type="checkbox"/> Special Permit   |
| <input type="checkbox"/> Parking Variance | <input type="checkbox"/> Setbacks         |
| <input type="checkbox"/> Change of Use    | <input checked="" type="checkbox"/> Other |
| <input type="checkbox"/> Lot Split        |   |

### TYPE(S) OF ACTION(S) REQUESTED:

Recommend approval of application as submitted with any/all clarifications noted:

#### Variance Recommendation

- Proposed development would require a Council Variance.
- 3332.039: R-4 residential district - Will allow the construction of two, 2-family unit buildings on one lot rather than other allowed residential buildings, on property zoned within the R-4 District.
- 3332.19: Fronting - Will allow the property to continue to have access off of Greenwood Avenue to the 4 units via a common driveway, which will be established within the condominium association documents for common use, parking restrictions, and maintenance.

MOTION: Cooke/Goodman (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.

*Historic Preservation Office*  
Historic Preservation Office *SN.*

DEPARTMENT OF BUILDING  
AND ZONING SERVICES**Council Variance Application**

111 North Front Street, Columbus, Ohio 43215

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

**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 #: CV18-050

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) David M. Betz  
 of (COMPLETE ADDRESS) 174 E. 4th Avenue, 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 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. David M. Betz 174 E. 4th Avenue Columbus, OH 43201 614-202-0235	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 25<sup>th</sup> day of JUNE, in the year 2018

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

09/20/2019

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

**Notary Public, State of Ohio**  
 My Commission Expires 09/20/2019

**PLEASE NOTE: Incomplete information will result in the rejection of this submittal.**

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