

PROPOSED
SITE PLAN

1295-1299
KUTCHINS PLACE
EASTERN
PARCEL

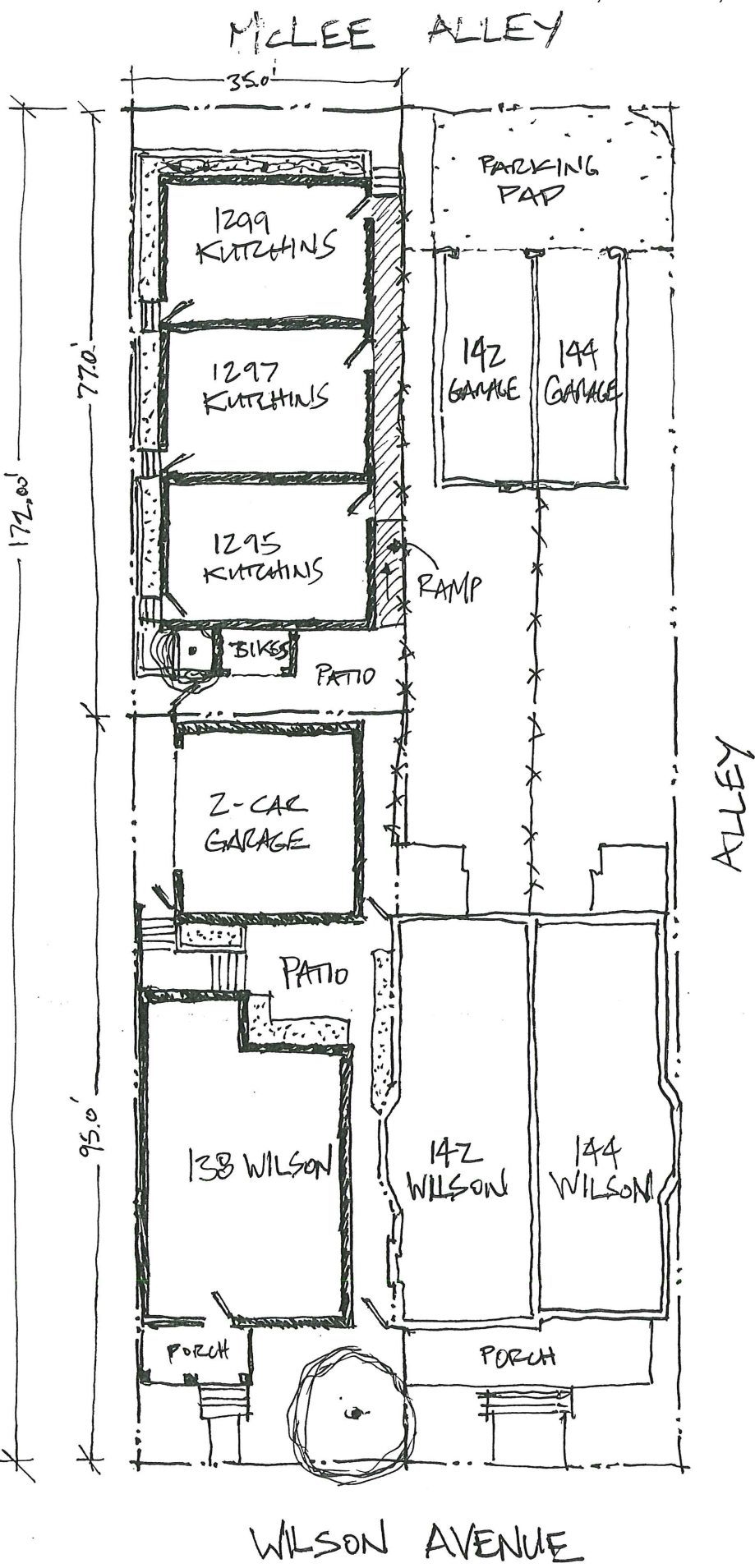
138 WILSON AVE.
WESTERN PARCEL

PARCEL
138 WILSON



1"=20'-0"

KUTCHINS PLACE



CV18-041

BERNIE FRANKL 7/16/18



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 #: CV18-041

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):

1. Use in ARLD (3333.02) for single unit dwelling on newly created lot.
2. Parking (3312.49) From 6 required spaces to 0 on Lot 2.
3. Lot Width (3333.09) From 50' to 35'- Lot 1
4. Area allowances (3333.11) To permit 960 sq ft of lot area per dwelling – Lot 2
5. Maximum lot coverage (3333.15c) 68% lot coverage on Lot 2; 60% lot coverage on Lot 1
6. Fronting on Public Street (3333.16) to maintain frontage on Kutchins Place alley- Lot 2
7. Maximum Side Yard (3333.22) From 7' to 2.5' (south property line) on Lot 1
8. Minimum Side Yard (3333.23) Side yard from 5' to 0' on N and 2.5' on S of Lot 1
9. Private Garage (3333.35 E & G) Lot 1 to occupy 50% of rear yard and increases height from 15' to 25'

SEE ATTACHED STATEMENT OF HARDSHIP

Signature of Applicant

Date

5/29/18

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

Property Address: 138 Wilson Avenue
Tax Parcel Number: 010-018724-00

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 the proposed rehabilitation of two existing residential structures on a single tax parcel in Olde Towne East/Franklin Park neighborhood.

Site Area - Background

The project that is the subject of this council variance application is located on the east side of Wilson Avenue between Oak Street and Fair Avenue, specifically on the southwest corner of the intersection Wilson Avenue and Kutchins Place, and is commonly known as 138 Wilson Avenue (the "**Site Area**"). The Site Area totals slightly less than 6,000 square feet, and has an overall length of 172 feet and a width of 35 feet. The adjoining property to the south (142-144 Wilson) slightly encroaches on the subject property, which causes some loss of lot area due to this anomaly. A recent survey of 142-144 Wilson is attached showing this encroachment, and the easement created to recognize this existing condition. Although the Site Area has two separate residential structures with certified addresses it only consists of one tax parcel, which is zoned ARLD. There is an existing single-family home on the western third of the Site Area (known as "**138 Wilson**"), a three-unit townhome on the eastern third (known as "**1295-1297 Kutchins**"), and two off-street parking spots located between the two structures where there is evidence of pre-existing garage floor.

The Project - Overview

The contemplated project (the "**Project**") proposes to:

- (1) Split the Site Area into two separate tax parcels, the western parcel containing the existing single-family home, 138 Wilson, with dimensions of 95.00 feet by 35.00 feet (known as the "**Western Parcel**") and the eastern parcel containing the existing three-unit townhome, 1295-1297 Kutchins, with dimensions of 77.00 feet by 35.00 feet (known as the "**Eastern Parcel**")
- (2) Allow for a detached 2 car garage on the Western Parcel to accompany the single-family residence, 138 Wilson; with similar proportions and roof pitch to that of 138 Wilson.
- (3) Allow for an accessible route to be constructed leading to the existing rear doors of 1295-127 Kutchins.
- (4) Per City Zoning comments no part of the proposed garage is to have habitable space.

In order to accomplish the above, this proposal respectfully requests that variances be granted to bring the existing buildings and proposed new construction into compliance with the Zoning Code and so that the proposed renovation the Project may begin.

The Project – Specifics

The West Parcel for the existing single-family house is designed to create a space that is adequate for a two-car garage and small courtyard-like backyard between the house and garage. The height variance for the garage would allow for a pitched roof similar to that of the house, and would be designed in a way to best reflect the architectural character of the neighborhood.

The East Parcel would leave enough space for extensive landscaping around the publicly fronting sides of the three-unit townhome. At the rear of the building an accessible route would allow for ease of movement for those with accessibility issues, as well as furniture and appliances. At the west side of the East Parcel would be

a small accessory structure for weather protected and secure bike parking. A bike rack would also be added at the east end of the parcel of visiting guests. The proposed design for the three-unit building is meant to cater to urban-oriented tenants that are not heavily car reliant. Through bike ridership, car-sharing, and proximity to developing public transportation modes it is feasible to reside in this building without need for car, and therefore the required parking allowance.

Benefits v. Existing Conditions

The existing Site Area is in need of further renovation, and the owner does not have the finances available to complete the project. In the Site Area's current configuration it is difficult to conventionally finance the construction, or sell part of property to an owner-occupant. The three-unit building currently has an active building permit, and approximately 50,000 dollars has already spent to replace the entire roof system as well as some of the floor systems. The building is now stabilized and saved from threat of demolition, but the owner does not have the working capital to move forward to complete the project. Once the property is split into parcels that make sense, and they are conforming to required zoning requirements, each building will be more likely to secure financing and be completed. Currently the owner is working with a developer to move forward with a specific plan that will entirely renovate the single-family house (138 Wilson) and complete the structural and exterior elements of the three-unit building (1295-1299 Kutchins). This plan can begin once the lot split and required zoning variances are approved.

Variances Requested for Western Parcel

Section 3333.02 – Use in ARLD – To permit a single family dwelling where this section permits a dwelling of no fewer than three dwelling units.

Section 3333.09 – Lot width – To permit a building to be erected or altered on a lot with a width of approximately 35 feet where this section requires that lots contain a width of no less than 50 feet.

Section 3333.15(C) – Maximum lot coverage – To permit lot coverage of 60%.

Section 3333.22 – Maximum side yard – To permit from 7' to 2.5' on south property line.

Section 3333.23 – Minimum side yard – To permit side yard from 5' to 0' to the north and 2.5' to the south.

Section 3333.35 (E and G) – Private garage – To permit garage to occupy 50% of rear yard and increased height from 15' to 25'

Variances Requested for Eastern Parcel

Section 3312.49 – Parking – To reduce the minimum number of parking spaces from 6 parking spaces required (based on 2 per dwelling unit) to 0 parking spaces.

Section 3333.09 – Lot width – To permit a building to be erected or altered on a lot with a width of approximately 35 feet where this section requires that lots contain a width of no less than 50 feet.

Section 3333.11 – Area allowances – To permit a building to be erected or altered on a lot with an area of ~ 960 square feet where this section requires that the area equal or exceed 2,500 square feet per dwelling unit.

Section 3333.15(C) – Maximum lot coverage – To permit a lot coverage of 68%.

Section 3333.16 – Frontage on public street – To maintain frontage on Kutchins Place alley

Section 3333.24 – Rear yard – To permit no rear yard

Appropriateness

The variances requested for this Project will not be injurious to neighboring properties, nor are they contrary to public interest or the intent of the Zoning Code. To the contrary, the applicant believes that the proposed variance requests will help to create a project that is architecturally consistent with the neighborhood, one which will add value to the surrounding properties.

A hardship exists in that the proposed Project cannot completely conform to the underlying zoning specifications established by the Zoning Code. The Project will enhance the existing neighborhood, benefit surrounding property owners, and alleviate a hardship which requires 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 the Near East and the City of Columbus.

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



CV18-041
138 Wilson Avenue
Approximately 0.14 acres



CV18-041
138 Wilson Avenue
Approximately 0.14 acres

THE CITY OF
COLUMBUS
ANDREW J. GANTHER, MAYOR

DEPARTMENT OF BUILDING
AND ZONING SERVICES

Standardized Recommendation Form

757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov

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

Case Number

CV18-041

Address

138 WILSON AVE

Group Name

NEAR EAST AREA COMMISSION

Meeting Date

9/13/18

Specify Case Type

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

Recommendation
(Check only one)

- ☒ Approval
☐ Disapproval

NOTES:

Vote

10-0-0

Signature of Authorized Representative

Kathleen D. Bueh

Recommending Group Title

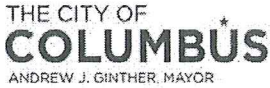
CHAIR Near East Area Comm

Daytime Phone Number

614-582-3053

Please e-mail this form to the assigned planner within 48 hours of meeting day; OR FAX to Zoning at (614) 645-2463; OR MAIL to: Zoning, City of Columbus, Department of Building & Zoning Services, 757 Carolyn Avenue, Columbus, Ohio 43224.

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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 #: CV18-041

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) BERNARD C. FRANKL
of (COMPLETE ADDRESS) 917 OAK ST. 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. Bernard Frankl 917 Oak Street Columbus, OH 43205 (614) 499-5620	2.
3.	4.

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

SIGNATURE OF AFFIANT

[Signature]

Subscribed to me in my presence and before me this 29TH day of MAY, in the year 2018

SIGNATURE OF NOTARY PUBLIC

Pamela J. Dawley

My Commission Expires:

4-28-19

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



PAMELA J. DAWLEY
NOTARY PUBLIC
STATE OF OHIO

RECORDED IN
FRANKLIN COUNTY

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