

# ATTACHMENT 4

## ZONING INFO

COLUMBUS ZONING DISTRICT  
EXISTING R3 - RESIDENTIAL

FLOOD DESIGNATION:  
39044C0386K, JUNE 17, 2008  
ZONE X, FEMA MAP

TARA HALL, INC OWNS THREE ADJACENT PROPERTIES:

PARCEL # 010021216 91.00 SF (0.21 ACRES)  
PARCEL # 010007843 4500 SF (0.10 ACRES)  
PARCEL # 010024152 4500 SF (0.11 ACRES)

### PARKING SPACES REQUIRED

CERTAIN EXISTING PARKING SPACES ARE LEGAL NON-CONFORMING

ASSEMBLY AREA MAIN BUILDING	843 SF/30 =	30 SP
NON-ASSEMBLY MAIN BLDG	3107 SF/250 =	13 SP
EXISTING RESIDENCE MAIN BLDG	800 SF =	2 SP
ASSEMBLY AREA COTTAGE	444 SF/30 =	15 SP
NON-ASSEMBLY COTTAGE	335 SF/250 =	2 SP
ASSEMBLY AREA PATIO	780 SF/30 1/2 =	13 SP

TOTAL REQUIRED FOR PROPOSED USES

75 SP

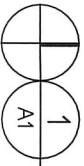
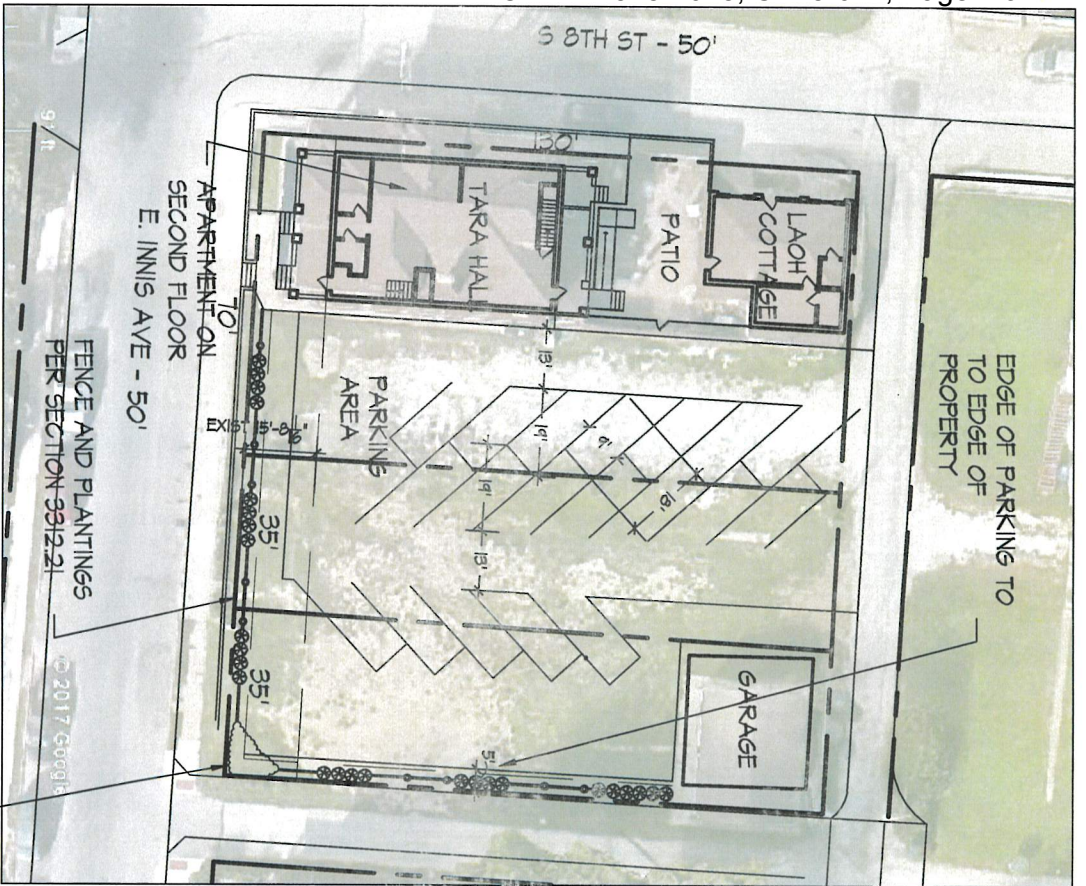
EXISTING GARAGE

2 SP

TOTAL PROVIDED SPACES ON PROPERTY OWNED BY TARA HALL, INC. = 21 SP  
DIFFERENCE BETWEEN TOTAL REQUIRED PARKING SPACES AND PROVIDED:  
75-21 = 54 SP

### BUILDING AREAS

MAIN BUILDING	3200 SF
BASEMENT(STORAGE)	1600 SF
COTTAGE	784 SF
PATIO	780 SF



1 SITE PLAN  
1" = 40'-0"

REVISED OCTOBER 19, 2018

CV18-014 Final Received 10/19/2018

*David Frank, attorney*  
*David Frank*



**MICHAEL W MURPHY**  
ARCHITECT, LEED AP  
2919 SOUTHFIELD VILLAGE DRIVE  
GROVE CITY, OHIO 43123  
PHONE: (614) 991-5811

DESIGN DEVELOPMENT:  
ISSUED FOR PERMIT:  
08.26.2018  
CONST. REVISIONS:

AOH - TARA HALL

274 E. INNIS RD  
COLUMBUS, OHIO



DEPARTMENT OF BUILDING  
AND ZONING SERVICES

## 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

Application Number: CV18-014

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 Attachment 1.

Signature of Applicant

*Ramona J. Hagan with Authority as Treasurer*

Date

*3/1/2018*

**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 checks payable to the Columbus City Treasurer



## **Attachment 1**

### **Revised Supporting Statement for Council Use Variance Application - CV18-014**

The three (3) parcels consisting of the subject property are commonly known as Franklin County Auditor Tax Parcel Id. No.:s 010-027276-00 (0.21 +/- acres); 010-007893-00 (0.10 +/- acres); and 010-024152-00 (0.11 +/- acres) with a street address of 274 and 290 and 292 East Innis Avenue, Columbus, Ohio 43207 (the "Property"). The applicant of this council variance application is Tara Hall, Inc. (the "Applicant"). The Applicant has been the owner of the Property since 2008 (the primary building), 2011 (vacant land), and 2013 (garage), respectively. Pursuant to staff's request, the Applicant is combining the three (3) tax parcels comprising the Property as one (1) tax parcel and will accomplish that in short order.

The Property has been used primarily for commercial uses for over fifty (50) years. The commercial uses have ranged from garage, auto repair shop, carryout, small grocery store, and more recently, as a meeting hall/assembly space for a civic and/or cultural fraternal organization. The Property has also been used as a one (1) unit residential apartment.

The Property, as part of a larger blanket re-zoning, was re-zoned on May 30, 1972, to an R-3 Residential District.

#### **Proposed Uses:**

The commercial uses that have been put to the Property, such as a meeting hall/assembly space for a civic and/or cultural fraternal organization are legal, non-conforming uses since they were established and in operation, and have been continuously operating on the Property through the present date and prior to the re-zoning in 1972, to an R-3 Residential District. However, the Applicant intends to establish zoning approvals for the Property relative to its expansion of a portion of the legal, non-conforming use as a "meeting hall/assembly space for a civic and/or cultural fraternal organization". The Applicant may also use – in the future, like it had in the past - the one (1) dwelling unit on the Property for a single-family residential use.

Please refer to the attached site plan dated October 19, 2018, attached hereto as Attachment 4 (collectively, the "Site Plan") for existing building configuration and parking areas on the Property.

The Applicant desires to bring this Property up to present-day applicable, land use standards and requirements, as is reasonable and necessary. Applicant has been working with City officials for over one (1) year on building occupancy standards. Applicant desires to continue working with the City on these building code matters and any land use/zoning matters.

#### **Hardship Standard – Use Variance:**

Applicant is requesting a use variance from Section 3332.035, R-3, Residential district, which prohibits fraternal organizations and private clubs, while the Applicant proposes to conform and expand a nonconforming fraternal organization/private club that is attached to a single dwelling unit. Applicant is requesting this council use variance under the hardship standard, as the minor expansion of the existing use as a "meeting hall/assembly space for a civic and/or cultural fraternal organization", which has been established and in operation for, at a minimum, ten (10) years will be contained within the existing buildings on the Property. There will be no new construction on the Property.

The Applicant is providing a meeting place for cultural and religious activities, which provides a service to the neighborhood as well as the community at large. Applicant is not aware of any complaints or issues relative to these commercial uses on the Property from the adjacent property owners. Therefore, the council variance may be granted without causing any adverse affects to the surrounding property or the neighborhood. Again, these commercial uses have been established and operating on the Property for over fifty (50) years.

The South Side Area Commission, which is charged with assisting in regulating, planning, and establishing future land use goals and objectives for the development of property in its jurisdiction, is supportive of this request and in terms of the uses put to the Property by Applicant as a positive use in the neighborhood.

The Applicant will experience great difficulty, or a hardship, if it were made to confine its use on the Property, or change its existing use, to only those uses specified (as permitted) in the R-3 Residential District. Applicant desires to merely expand its established uses in the confines of the existing buildings and structures and in keeping with the existing Property layout and configuration.

Applicant's uses on the Property have not caused, and will not cause in the future, any impairment of adequate supply of light and air to adjacent properties, unreasonably increased the congestion of public streets, endangered public safety, unreasonably diminished or impaired the public health, safety, comfort, morals, or welfare of the inhabitants of the City. Applicant desires to be a good neighbor to all adjacent property owners and the neighborhood and community as a whole. Applicant will continue to foster relationships and have direct and open lines of communication with both the adjacent property owners and neighborhood groups and City officials to allow for effective, collaborative, and positive solutions and outcomes for all parties involved.

Therefore, Applicant respectfully requests recommendation for approval, or approval of, this applicant for a council use variance.

#### **Area Variances Accompanying this Request/Application:**

- 1.) Sections 3312.21 of the Zoning Code, Landscaping and screening, requires certain landscaping and perimeter screening for parking lots, while the Applicant requests to maintain the existing gravel parking area with no landscaping and screening on the Property until the spring of 2019. In the spring of 2019, the Applicant will install landscaping and fence screening as depicted on the Site Plan.
- 2.) Section 3312.27(3) of the Zoning Code, Parking setback line, requires the minimum parking setback line to be ten feet, while the Applicant proposes to maintain the parking setback line of zero feet along East Innis Avenue.
- 4.) Section 3312.39 of the Zoning Code, Striping and marking, requires parking spaces to be striped and marked, while the Applicant proposes a gravel parking area with no striping or marking.
- 5.) Section 3312.43 of the Zoning Code, Surface, requires the surface of any parking area to be an approved hard surface other than gravel or loose fill, while the Applicant proposes to maintain a gravel parking surface.
- 6.) Section 3312.49(B) and (C) of the Zoning Code, Minimum number of parking spaces required, requires a total of 75 off street parking spaces for the existing fraternal organization/private club,

using the minimum parking requirement of 2 parking spaces per dwelling unit, 1 parking space per 30 feet of assembly space and patio space, and 1 parking space per 250 square feet of non-assembly space, while the Applicant proposes to maintain 21 parking spaces.

- 7.) Section 3321.07(B) of the Zoning Code, Landscaping, requires one tree per ten residential units, a requirement of 1 tree for the single dwelling unit on the Property, while the Applicant proposes to maintain zero trees.

**Practical Difficulties Standard – Area Variances:**

- 1.) Whether property will yield reasonable return or whether there can be any beneficial use of property without variance.

Applicant's proposed use of the Property is just to continue the commercial uses that have already been established on the Property for over 50 years. The uses are in conformance with the types of structures and uses that were put to the Property originally. The minor expansion of one of the existing uses as a "meeting hall/assembly space for a civic and/or cultural fraternal organization", which has been established and in operation for, at a minimum, 10 years, will be contained within the existing buildings on the Property. There will be no new construction on the Property.

The Applicant will experience great difficulty, or a hardship, if it were made to confine its use on the Property, or change its existing use, to only those uses specified (as permitted) in the R-3 Residential District. Applicant's uses are legal, non-conforming, and certain existing development conditions are legal, non-conforming. Applicant seeks the area variances listed in order to clean-up the land use approvals for the Property, which also meets land use objectives for the City of Columbus.

- 2.) Whether the variance is substantial.

These area variances are not substantial. The Applicant is not conducting any new construction necessitating the need for the area variances and is not directly causing the need for the area variances. In fact, the Applicant is being cooperative by seeking approval of these area variances, which clean-up existing lot development conditions.

- 3.) Whether the essential character of neighborhood would be substantially altered or whether adjoining properties would suffer substantial detriment as a result of variance.

The Applicant is providing a meeting place for cultural and religious activities, which provides a service to the neighborhood as well as the community at large. Applicant is not aware of any complaints or issues relative to these commercial uses on the Property from the adjacent property owners. Therefore, the council use variance and the area variances may be granted without causing any adverse affects to the surrounding property or the neighborhood. Again, these commercial uses have been established and operating on the Property for over fifty (50) years. These uses are well-established in, and are a part of the fabric of, the neighborhood.

In addition, the Applicant's use conforms to the stated future land use and planning goals and objectives of the South Side Plan. The South Side Area Commission, which is charged with assisting in regulating, planning, and establishing future land use goals and objectives for the development of property in its jurisdiction, is supportive of this request and in terms of the uses put to the Property by Applicant as a positive use in the neighborhood.

Lastly, the Applicant will install landscaping and a fence along two property lines and around the parking lot in order to provide for screening and buffering from the residential districts in accordance with the Site Plan.

- 4.) Whether the variance would adversely affect delivery of governmental services.

There will be no adverse affect on the delivery of governmental services to the Property if these variance requests are approved. There are adequate public services and facilities, as well as utilities to the Property, and fire and police safety responders and vehicles will have adequate ingress-egress and maneuverability in and out of the Property.

- 5.) Whether the property owner purchased property with knowledge of zoning restrictions.

The Applicant and owner of the Property relied upon the established uses on the Property at the time of purchase. The Applicant reasonably may rely on the established uses, and has no plans to establish new uses or conduct any new construction. The Applicant is a good neighbor by cleaning up the Property and conforming the Property to code standards by seeking and obtaining these variances.

- 6.) Whether the property owner's predicament feasibly can be obviated through some method other than variance.

There is no other way to obviate the Applicant's predicament without obtaining the area variances, unless Applicant merely continued the established uses and provided for the existing, legal non-conformities without seeking any land use approvals. Applicant desires to expand, on a minor basis, one of the uses that has been put to the Property for over 10 years; therefore, Applicant feels a duty to seek the area variances in order to clean up the land use approvals for the Property. This action benefits not only the Applicant, as property owner, but the City and neighborhood as a whole.

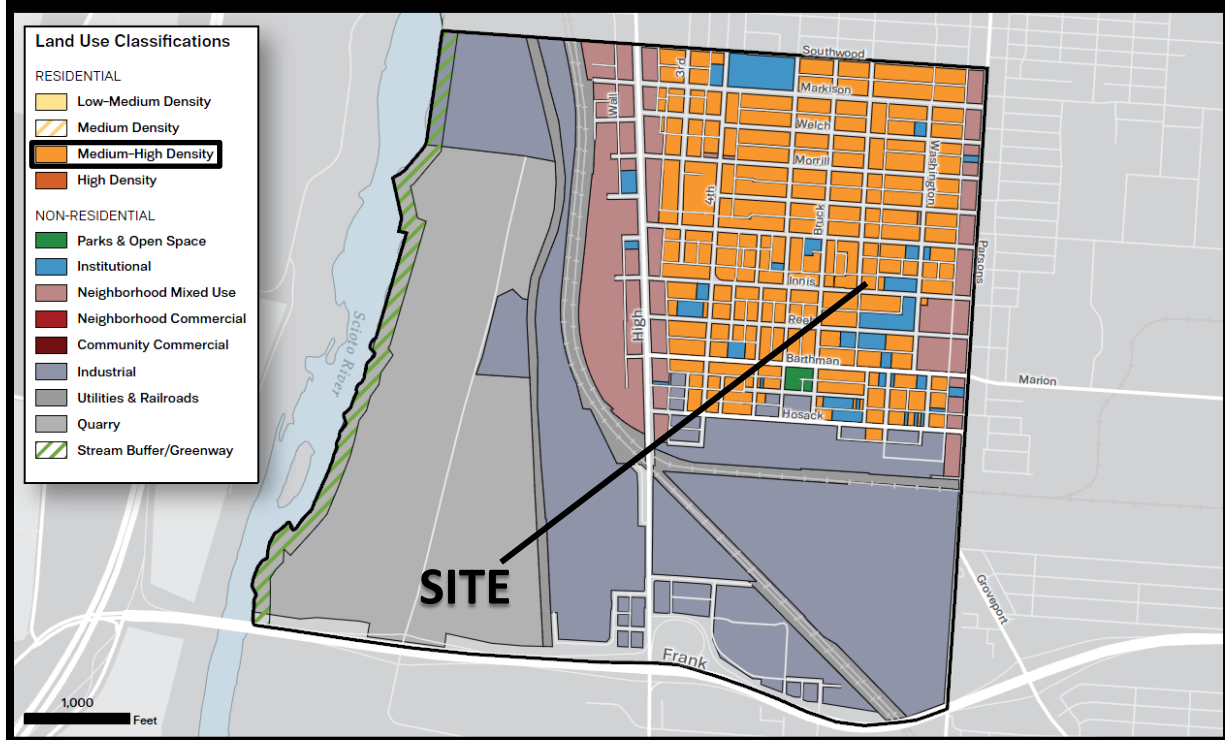
- 7.) Whether spirit and intent behind zoning requirement would be observed and substantial justice done by granting variance.

The spirit and intent behind the zoning requirements and substantial justice may only be done by granting the requested variances, as these variances are to clean-up certain existing, legal, non-conforming conditions and development standards, as well as request for variances for those development standards it cannot meet by the minor expansion of the existing use.

CV18-014  
280 East Innis Avenue  
Approximately 0.42 acres

South Side Plan (2014) – “Medium-High Density Residential” Recommended

**FIGURE 10: FUTURE LAND USE PLAN: QUADRANT 2**



CV18-014  
280 East Innis Avenue  
Approximately 0.42 acres





CV18-014  
280 East Innis Avenue  
Approximately 0.42 acres

**Department of Building & Zoning Services**  
Scott Messer, Director  
757 Carolyn Avenue, Columbus, Ohio 43224-3218  
Phone: 614-645-7433 www.columbus.gov

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

Case Number:

CV18-014

Address:

280 East Innis Avenue, Columbus, OH 43207

Group Name:

Tara Hall, Inc

Meeting Date:

April 24, 2018

Specify Case Type:

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

Recommendation:

(Check only one)

- ☒ Approval  
☐ Disapproval

**NOTES:**

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Vote:

12 FOR 0 AGAINST

Signature of Authorized Representative:

SIGNATURE

COLUMBUS SOUTHSIDE AREA COMMISSION

RECOMMENDING GROUP TITLE

614-285-4901 x1100

DAYTIME PHONE NUMBER

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, 757 Carolyn Avenue, Columbus, OH 43224.



### 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 #: \_\_\_\_\_

STATE OF OHIO  
 COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald T. Plank  
 of (COMPLETE ADDRESS) Plank Law Firm, LPA, 411 East Town Street, Floor 2, Columbus, Ohio 43215  
 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. Tara Hall, Inc. 274 East Innis Avenue Columbus, Ohio 43207 Employees: 0 Contact Name: Ron Hagan Phone Number: (614) 309-5539	2.
3.	4.

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

SIGNATURE OF AFFIANT

*Donald Plank*

Subscribed to me in my presence and before me this 7th day of September, in the year 2018

SIGNATURE OF NOTARY PUBLIC

*Rebecca J. Mott*

My Commission Expires:

*No expiration*

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

Notary Seal Here

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

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

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**Please make all checks payable to the Columbus City Treasurer**