

CV19-095; Final Received 1/16/20

- Classification -



DEPARTMENT OF BUILDING AND ZONING SERVICES

#### STATEMENT OF HARDSHIP

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 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.

**Council Variance Application** 

111 North Front Street, Columbus, Ohio 43215

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

**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 Applican Date Signature of Attorney (

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

W19-095 Rev 2/19.slp

#### 70 N. 21<sup>st</sup> Street, CV19-095

### **Statement of Hardship**

### CV19-095, 70 N. Twenty-First Street

The site is located on the east side of N. Twenty-First Street, 75 +/- feet north of E. Gay Street. The parcel is zoned R-2F, Residential and is located in the Near East Commission area. The site is developed with a single family dwelling fronting N. Twenty-First Street and a rear detached garage. Applicant proposes to raze the detached garage and build a detached carriage house with ground level parking and second level dwelling unit. While the R-2F district permits a two dwelling unit building, two detached dwelling units on the same parcel requires a variance. The proposed carriage house is consistent with a wide range of uses and density in the area.

Applicant has a hardship in that there is no means other than a variance to permit two detached dwellings on the same parcel. Many variances have been supported to add a carriage house.

Applicant requests the following variances:

1). Section 3332.037, R-2F, Residential District, to permit two (2) detached dwelling units on the same parcel, consisting of the existing single family dwelling (70 N. Twenty-First Street) and the proposed carriage house/garage with one (1) dwelling unit.

2). Section 3312.49, Minimum Numbers of Parking Spaces Required, to reduce parking from four (4) spaces to two (2) spaces.

3). Section 3332.05, Area District Lot Width Requirements, to reduce the lot width from 50 feet to 30.5 feet (existing).

4). Section 3332.14, R-2F Area District Requirements, to reduce lot area from 6,000 square feet required for a principal building to actual existing lot area of 3,934 square feet (30.5'x129') and lot area of 2,790 square feet based on Section 3332.18(C), using depth of three times the lot width (30'x90').

5). Section 3331.18(D), to increase lot coverage from 50% to 57%.

6). Section 3332.19, Fronting, to permit the carriage house to not front on a public street.

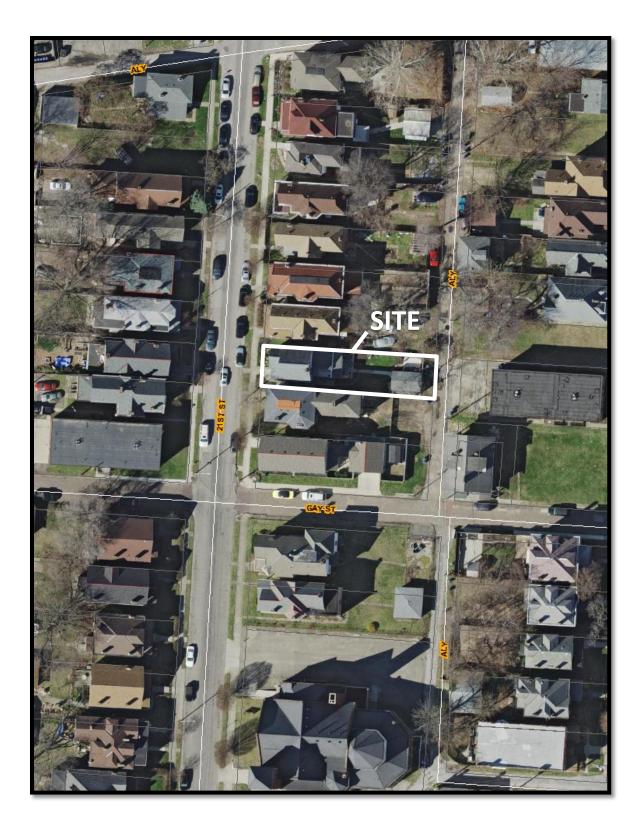
7). Section 3332.25, Maximum Side Yards Required, to reduce the maximum side yard from 6.1 feet (20% of 30.5 feet) to four (4) feet for both the existing dwelling and the carriage house

8). Section 3332.26, Minimum Side Yard Permitted, to reduce the south side yard of the proposed carriage house from three (3) feet to one (1) foot and the existing north side yard of the existing house to one (1) foot.

9). Section 3332.27, Rear Yard, to reduce rear yard from 25% of lot area behind each dwelling to 0% rear yard for the carriage house and 21% for the existing dwelling.



CV19-095 70 N. 21<sup>st</sup> St. Approximately 0.09 acres



CV19-095 70 N. 21<sup>st</sup> St. Approximately 0.09 acres



# Standardized Recommendation Form<sup>6</sup> Page 6 of 7

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# FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW (PLEASE PRINT)

Case Number:	CV19-095	
Address:	70 N. 21st Street	
Group Name:	Near East Area Commission	
Meeting Date:	December 12, 2019	
Specify Case Type:	<ul> <li>BZA Variance / Special Permit</li> <li>Council Variance</li> <li>Rezoning</li> <li>Graphics Variance / Plan / Special Permit</li> </ul>	
<b>Recommendation:</b> (Check only one and list basis for recommendation below)	Approval Disapproval	
NOTES:	· · · · · · · · · · · · · · · · · · ·	
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Vote: 8 - 1 - 0		
Signature of Authorized Represents	SIGNATURE	
	$\frac{CNIZIR}{614 - 582 - 3053}$	
	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, 111 N. Front St, Columbus, OH 43215.

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DEPARTMENT OF BUILDING AND ZONING SERVICES

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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 #:

119-09

STATE OF OHIO COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) \_\_\_\_\_ Donald Plank

of (COMPLETE ADDRESS) Plank Law Firm, 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 (include contact name and number) Business or individual's address City, State, Zip Code Number of Columbus based employees (Limited to 4 lines per box)

1. John A. Bryan 70 North Twenty-First Street, Columbus, Ohio 43203 # Columbus based Employees: Zero (0) Contact: John A. Bryan, 740-463-6830	<ol> <li>New Heights Contracting</li> <li>750 Cross Pointe Road, Suite K, Gahanna, Ohio 43230</li> <li># Columbus based Employees: Zero (0)</li> <li>Contact: Ben Vause, 614-526-4410</li> </ol>
3.	4.

Check here if listing additional parties on a separate page.

nale SIGNATURE OF AFFIANT Subscribed to me in my presence and before me this\_ day in the year  $\sim 20$ SIGNATURE OF NOTARY PUBLIC My Commission Exp MarvAlice Wolf Disclosing Spusie Spaces for six months after date of notarization. My Commission Expires October 24, 2023 Notary Seal Here

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