



COUNCIL VARIANCE APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.columbus.gov

OFFICE USE ONLY

Application Number: CV16-012
Date Received: 2-2-16
Application Accepted By: JB+TD Fee: \$1,600
Comments: Assigned to Shannon Pine; 614-645-2208; spine@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 601 South 9th Street Zip 43206
Is this property currently being annexed into the City of Columbus Yes No
If the site is pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.

Parcel Number for Certified Address: 010-049752
 Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s): R-2F
Recognized Civic Association or Area Commission: Columbus Southside Area Commission
Proposed use or reason for Council Variance request: Construct two 5-unit multi-family buildings
Acreage: .52

APPLICANT: Name ZBP Properties

Address 621 South Grant Avenue City/State Columbus, OH Zip 43206
Phone # (614) 354-7707 Fax # _____ Email: ebuchenroth@gmail.com

PROPERTY OWNER(S): Name Nathan Sampson and Charmaine Sutton

Address 601 South 9th Street City/State Columbus, OH Zip 43206
Phone # _____ Fax # _____ Email: _____
 Check here if listing additional property owners on a separate page.

ATTORNEY / AGENT Attorney Agent

Name Jeffrey L. Brown, c/o Smith & Hale LLC
Address 37 West Broad Street, Suite 460 City/State Columbus, OH Zip 43215
Phone # (614) 221-4255 Fax # (614) 221-4409 Email: jlbrown@smithandhale.com

SIGNATURES (ALL SIGNATURES MUST BE SIGNED IN BLUE INK)

APPLICANT SIGNATURE _____
PROPERTY OWNER SIGNATURE _____
ATTORNEY / AGENT SIGNATURE _____

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that the City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc. may delay the review of this application.

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



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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 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.

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 requested as detailed below:

See attached sheet.

Signature of Applicant

[Handwritten signature]

Date

1/24/16

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CV16-012

STATEMENT OF HARDSHIP

The applicant wants to construct two five-unit multi-family buildings on the existing parcel. A series of yard variances, in addition to the use variance, are required to construct these residential units. The variances include bicycles parking, vision clearance triangle, lot covering second building on a parcel, privacy walls into the front yard setback, reduction of minimum and maximum side yard, rear yard, and area requirement. These yard variances are typical of infill development in the City's urban core.

The residential use is compatible with the area and the design elements of the development are consistent with the guidelines of the South Side Plan.

The granting of these variances 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.

Variances Requested

Section 3332.037 – To permit (2) 5 unit dwelling where this section permits the following uses; one, two-family dwelling.

Section 3312.49 B – To reduce number of required bicycle spaces to zero, where code requires a minimum of two bicycle spaces shall be provided.

Note: Project provides a two-car garage per dwelling unit to be used for bicycle parking.

Section 3321.05B (1) – To reduce vision clearance triangles at street and alley (figure 3). See site plan.

Section 3332.14 – To permit 10 dwelling units where code permits 8 dwelling units or as stated otherwise, code requires that a two-story, two-family dwelling shall be situated on a lot of no less than 3,000sf per DU.

Section 3332.18 B – To permit an increase in lot coverage to 52%, where code requires that no dwelling shall occupy alone or together with any other building greater than 50% of the lot area.

Section 3332.19 – To permit (1) 5 unit dwelling to front on Lathrop St. where code requires each dwelling or principal building shall front upon a public street.

Section 3332.21 D – To permit site privacy walls to encroach on front yard setback, where code requires that distance as determined by extending a line which is the same distance from the street property line as the existing building and parallel with the street property line but in no case less than ten feet.

Section 3332.25 B – To permit the sum of the widths of each side yard to equal 0 feet, where code requires that they shall equal or exceed 20% of the width of the lot, provided that no more than the following need to be so devoted; (B) R-2F – 16 feet.

Section 3332.26 C (3) – To reduce the minimum side yard setback from 5ft to 0 ft where code requires for a two-, three-, or four-family dwelling on a lot 50 feet wide or more, no less than – five feet.

Note: This side yard setback reduction is for along South Lane (not an adjacent property owner) and property line abutment at Lot 15 to the North (an adjacent property owner).

Section 3332.26 F – To reduce the minimum side yard setback from 5.83ft to 0 ft where code requires where a building exceeds two and one-half stories in height, the minimum side yard shall be not less than one-sixth of the height of the building (35ft) and never less than the minimum requirement of subsections (A), (B), (C) or (D), whichever is appropriate, and (E) above.

Section 3332.27 – To reduce the required rear yard from 25% to 0% (to be determined based on definition of rear yard), where code requires for each dwelling, residence or principal building shall be erected so as to provide a rear yard totaling no less than 25 percent of the total lot area.

Note: Each dwelling unit to have its own secure and private street level patio and garden.



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AFFIDAVIT

(See next page for instructions)

APPLICATION # CU16-012

STATE OF OHIO _____
COUNTY OF FRANKLIN _____

Being first duly cautioned and sworn (1) NAME Jeffrey L. Brown
of (1) MAILING ADDRESS 37 West Broad Street, Suite 460, Columbus, OH 43215

deposed and states that (he/she) is the applicant, agent, or duly authorized attorney for same and the following is a list of the name(s) and mailing address(es) of all the owners of record of the property located at

(2) per CERTIFIED ADDRESS FOR ZONING PURPOSES 601 South 9th Street, Columbus, OH 43206

for which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 2-2-16

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME AND MAILING ADDRESS (4) Nathan T. Sampson and Charmaine Sutton
601 South 9th Street
Columbus, OH 43206

APPLICANT'S NAME AND PHONE # (same as listed on front of application) ZBP Properties
(614) 354-7707

AREA COMMISSION OR CIVIC GROUP AREA COMMISSION ZONING CHAIR OR CONTACT PERSON AND ADDRESS (5) Columbus Southside Area Commission, Attn: Curtis Davis
584 Moler Road
Columbus, OH 43207

and that the attached document (6) is a list of the names and complete mailing addresses, including zip codes, as shown on the County Auditor's Current Tax List or the County Treasurer's Mailing List, of all the owners of record of property within 125 feet of the exterior boundaries of the property for which the application was filed, and all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property(7)

(7) Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT (8) [Signature]

Subscribed to me in my presence and before me this 29th day of January in the year 2016

SIGNATURE OF NOTARY PUBLIC (8) [Signature]

My Commission Expires: attorney at law my notary does not expire
state of Ohio

Notary Seal Here

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APPLICANT

ZBP Properties
Attn: Elizabeth Buchenroth
621 S Grant Avenue
Columbus, OH 43206

PROPERTY OWNER

Nathan T Sampson & Charmaine Sutton
601 S 9th Street
Columbus, OH 43206

ATTORNEY

Jeff Brown
Smith & Hale LLC
37 West Broad Street, Suite 460
Columbus, OH 43215

AREA COMMISSION

Columbus Southside Area Commission
Attn: Curtis Davis
584 Moler Road
Columbus, OH 43207

SURROUNDING PROPERTY OWNERS

Walter F Thieman
676 Neil Avenue
Columbus, OH 43215

Brooke W & Eric J Albrecht
390 Beck Street
Columbus, OH 43206

Charles A Mandator II
617 Lathrop Street
Columbus, OH 43206

William Thieman
613 Lathrop Street
Columbus, OH 43206

Scott Gaudi Bernard
611 Lathrop Street
Columbus, OH 43206

Schiller Park Partners LLC
180 Reinhard Avenue
Columbus, OH 43206

Jonathan R & Anna M Striker
581 Lathrop Street
Columbus, OH 43206

Patrick S & Patricia A Phillips TR
247 Lear Street
Columbus, OH 43206

Nichole M Reiss
577 Lathrop Street
Columbus, OH 43206

Andrew R Hanas
9872 Camelot Street
Pickerington, OH 43147

James R Roemke
404 E Beck Street
Columbus, OH 43206

Edward J Straub, et al.
3152 Scioto Trace
Columbus, OH 43221

PGI Enterprises LLC
2841 La Mancha Court
Punta Gorda, FL 33950

Martin Hynes
436 Beck Street
Columbus, OH 43206

Declan Smithies & Janet Beard
442 E Beck Street
Columbus, OH 43206

Christopher W Flynn
451 Jackson Street
Columbus, OH 43206

TPBES LLC
437 Jackson Street
Columbus, OH 43206

Judith Herr
600 Ninth Street
Columbus, OH 43206

Richard Jardiolin
602 S 9th Street
Columbus, OH 43206

Thomas B Fenzl
208 Reinhard Avenue, Apt B
Columbus, OH 43206

Bryce A & Amy L Glass
610 S Ninth Street
Columbus, OH 43206

James A Yappel
616 S 9th Street
Columbus, OH 43206

Travis Comstock
618 S Ninth Street
Columbus, OH 43206

Marilyn A & Richard M Schmidt TR
597 S Ninth Street
Columbus, OH 43206

Fred Marcum Jr.
416 Jackson Street
Columbus, OH 43206

Robert L & Betty Messer
424 Jackson Street
Columbus, OH 43206

Marion Elisabeth Mast
9827 Schlottman Road
Loveland, OH 45140

Erika & Jacob T Garber
9338 Wayne Brown Drive
Powell, OH 43065

Steven M & Teresa R Morbitzer
603 Lathrop Street
Columbus, OH 43206

Mary L Bishop
605 Lathrop Street
Columbus, OH 43206



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PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application. THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION # CV16-012

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] Jeffrey L. Brown

Of [COMPLETE ADDRESS] 37 West Broad Street, Suite 460, Columbus, OH 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 formats

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. Nathan T Sampson Charmaine Sutton 601 South 9th Street Columbus, OH 43206 ___ Columbus based employees	2. ZBP Properties 621 South Grant Avenue Columbus, OH 43206 Elizabeth Buchenroth (614) 354-7707 ___ Columbus based employees
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 22nd day of January, in the year 2016

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

Jeffrey L. Brown
attorney at law, my notary does not expire
State of Ohio

Notary Seal Here

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

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QUIT CLAIM DEED

Know all men by these presents, that **Margaret Ruth Naegele** (hereinafter referred to as Grantor) who claim title by or through instrument, for valuable consideration of One Dollar, **Margaret Ruth Naegele, Trustee of The Margaret Ruth Naegele Revocable Living Trust, UAD** June 27, 2002 (hereinafter referred to as Grantee) and other valuable considerations whose **TAX MAILING ADDRESS** is **601 S. 9th Street, Columbus, Ohio 43206** has **Given, Executed, Remised, Released and Forever Quit-Claimed** and do by these presents absolutely give, grant remise, release and forever quit-claim unto the said grantee its heirs and assigns forever, all such right and title as the said grantors, have or ought to have in and to the following described piece or parcel of land:

Situated in the County of Franklin, and in the City of Columbus and bounded and described as follows:

Being In Lots Sixteen (16), Seventeen (17) and Eighteen (18) of James Bryden's Second Addition to the City of Columbus, Ohio, as the same are numbered and delineated upon the recorded plat thereof, of record in DEED BOOK 38, page 275, Recorder's Office, Franklin County, Ohio.

DIST/PARCEL: 010-049752
Address of Property: 601 S. 9th St. Columbus, OH 43206
Subject to all easements, conditions and restrictions of record and public highways.

Last Transfer: Deed Record Volume 2411, Page 80.

To Have and to Hold the premises with the appurtenances thereunto belong to the said Grantee, its heirs and assigns, so that neither the said grantor, nor their heirs, nor any other persons claiming title through or under them, shall or will hereafter claim or demand any right to title to the premises, or any part thereof; but they and every one of them shall by these presents be excluded and forever barred.

In Witness Whereof, we have hereunto set our hands, this 27 day of June, 2002.

Signed and acknowledged in presence of:

Margaret Ruth Naegele
Margaret Ruth Naegele

Romina A. Huff
Witness Romina A. Huff

Lee W. Sheppelman
Witness

LEE W SHEPPELMAN

TRANSFERRED
SEP 04 2002
JOSEPH W. TESTA
AUDITOR
FRANKLIN COUNTY, OHIO

910206
CONVEYANCE TAX
EXEMPT
J. W. Testa
JOSEPH W. TESTA
FRANKLIN COUNTY AUDITOR



City of Columbus Zoning Plat



ZONING NUMBER

The Zoning Number Contained on This Form
is Herein Certified to Obtain Zoning, Rezoning,
and Variances, and is NOT to be Used for
the Securing of Building & Utility Permits

Parcel ID: 010049752

Zoning Number: 601

Street Name: S 9TH ST

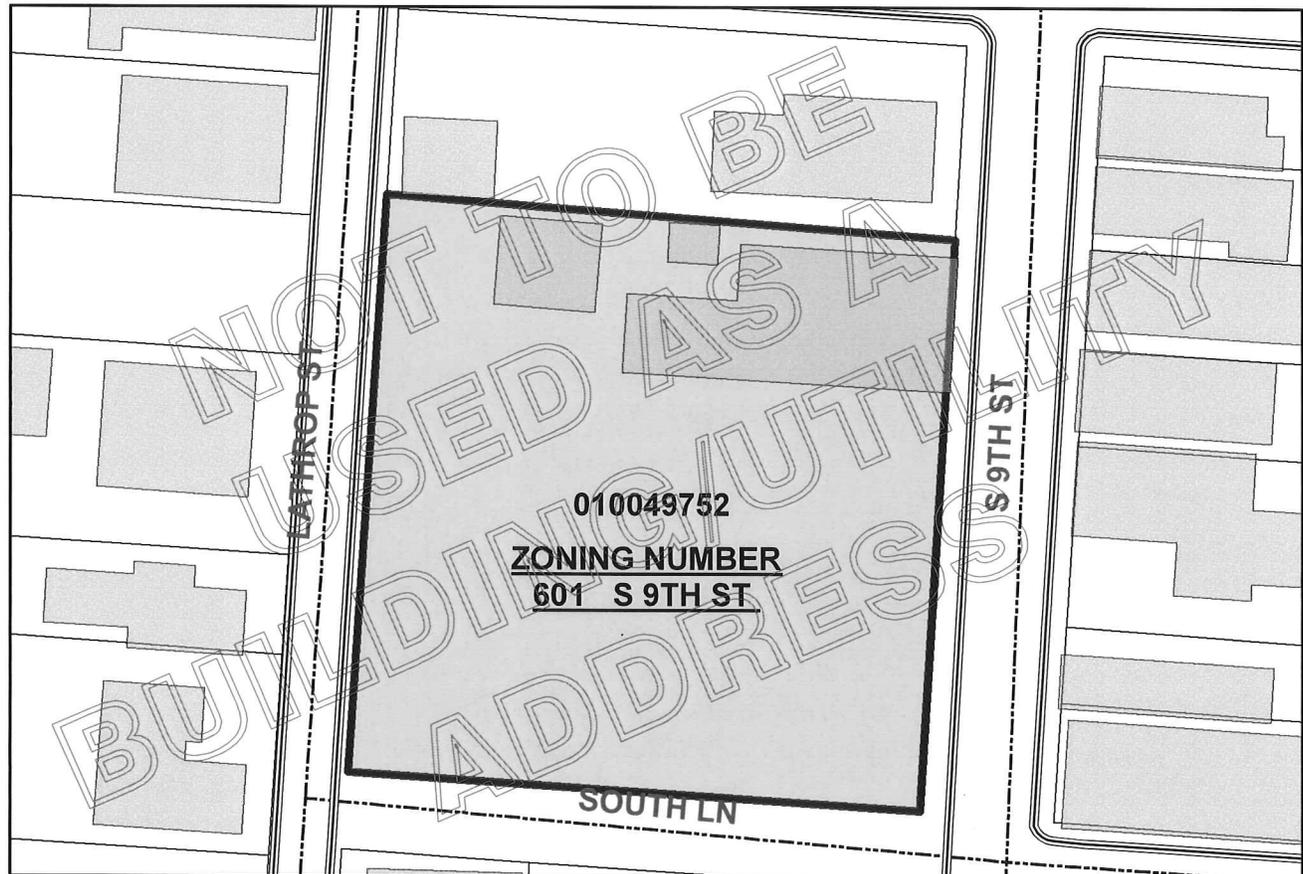
Lot Number : 16-17-18

Subdivision: BRYDENS 2ND

Requested By: BEHAL SAMPSON DIETZ (KEITH WITT)

Issued By: *Richard Whisman*

Date: 2/2/2015

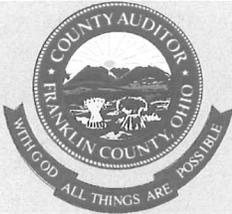


SCALE: 1 inch = 50 feet

JAMES D. YOUNG, P.E., ADMINISTRATOR
DIVISION OF INFRASTRUCTURE MANAGEMENT
COLUMBUS, OHIO

GIS FILE NUMBER: 26981





CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: N

DATE: 1/25/16



Disclaimer

Scale = 50



This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

Real Estate / GIS Department

CV16-012

SITE PLAN SUMMARY:

PARCEL 010-049752-00
 LOT 17, 7,642 SF
 LOT 18, 7,642 SF
 } 22,916 SF (0.53 ACRES)

PROPOSED OFF-STREET PARKING:
 20 15 required (1.5/DU)

MAXIMUM PERMITTED DENSITY:

ONE PER 3,000 SF } 08

SECTION 1006.16, R-2F
 This site is zoned as Medium-Density Dwelling (10-16) and is subject to the provisions of the zoning code. Code requires that a two-story, two-family dwelling shall be situated on a lot of no less than 3,000 sq. ft. per DU.

05-08 dwelling units per half acre
 South Side Blvd
 (Ref: PD 28)

This site is zoned as Medium-Density Dwelling (10-16) and is subject to the provisions of the zoning code. Code requires that a two-story, two-family dwelling shall be situated on a lot of no less than 3,000 sq. ft. per DU.

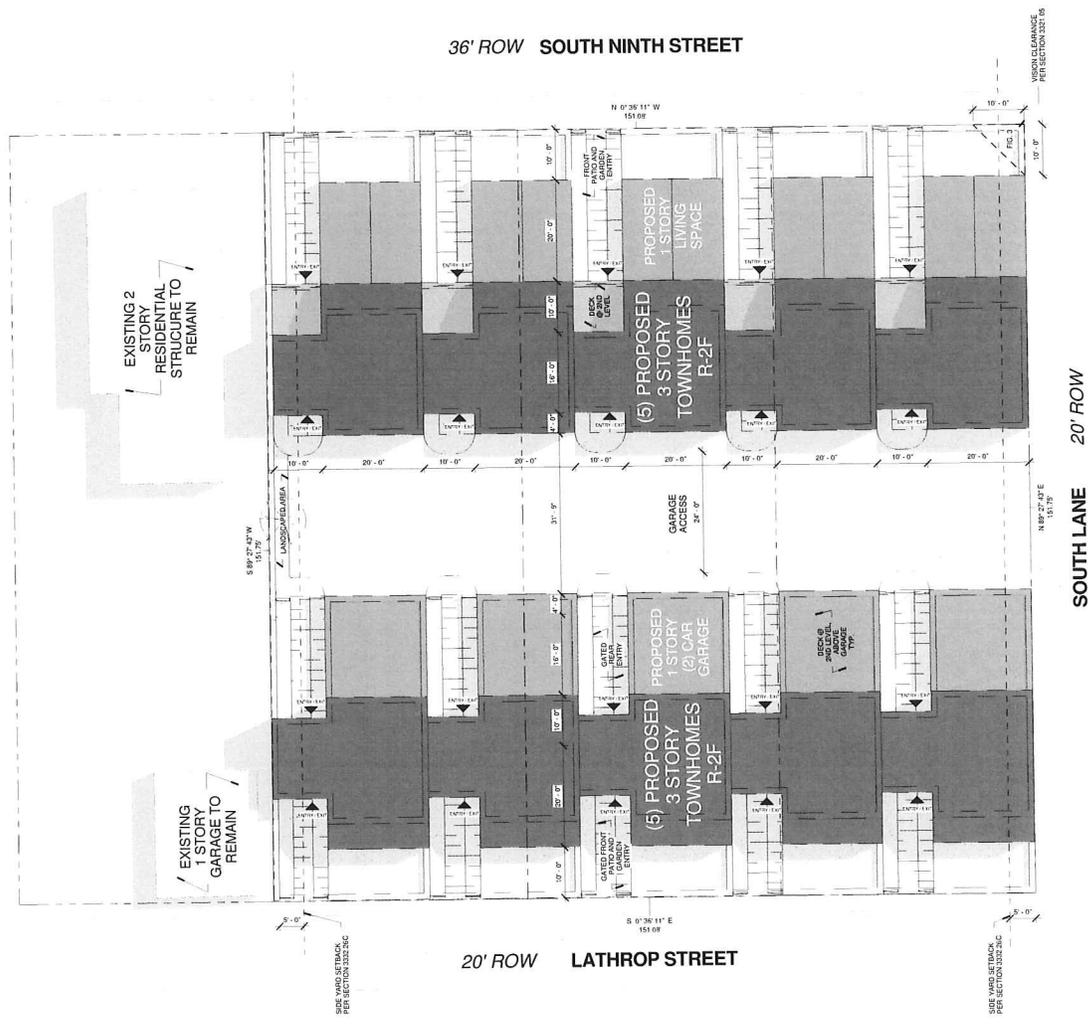
PROPOSED DENSITY:

10 dwelling units per half acre

LOT COVERAGE

52%
 (1,011-1,260 sf) / (1,011-1,260 sf + 12,600 sf) = 12,600 sf / 13,611 sf = 92.5%
 (12,600 sf / 22,912 sf + 1,5108 sf) = 515 x 100 = 52%

JACKSON STREET 40' ROW



PROPOSED SITE PLAN

601 S. 9TH ST. COLUBUS OH
 SCALE: 3/32" = 1'-0"

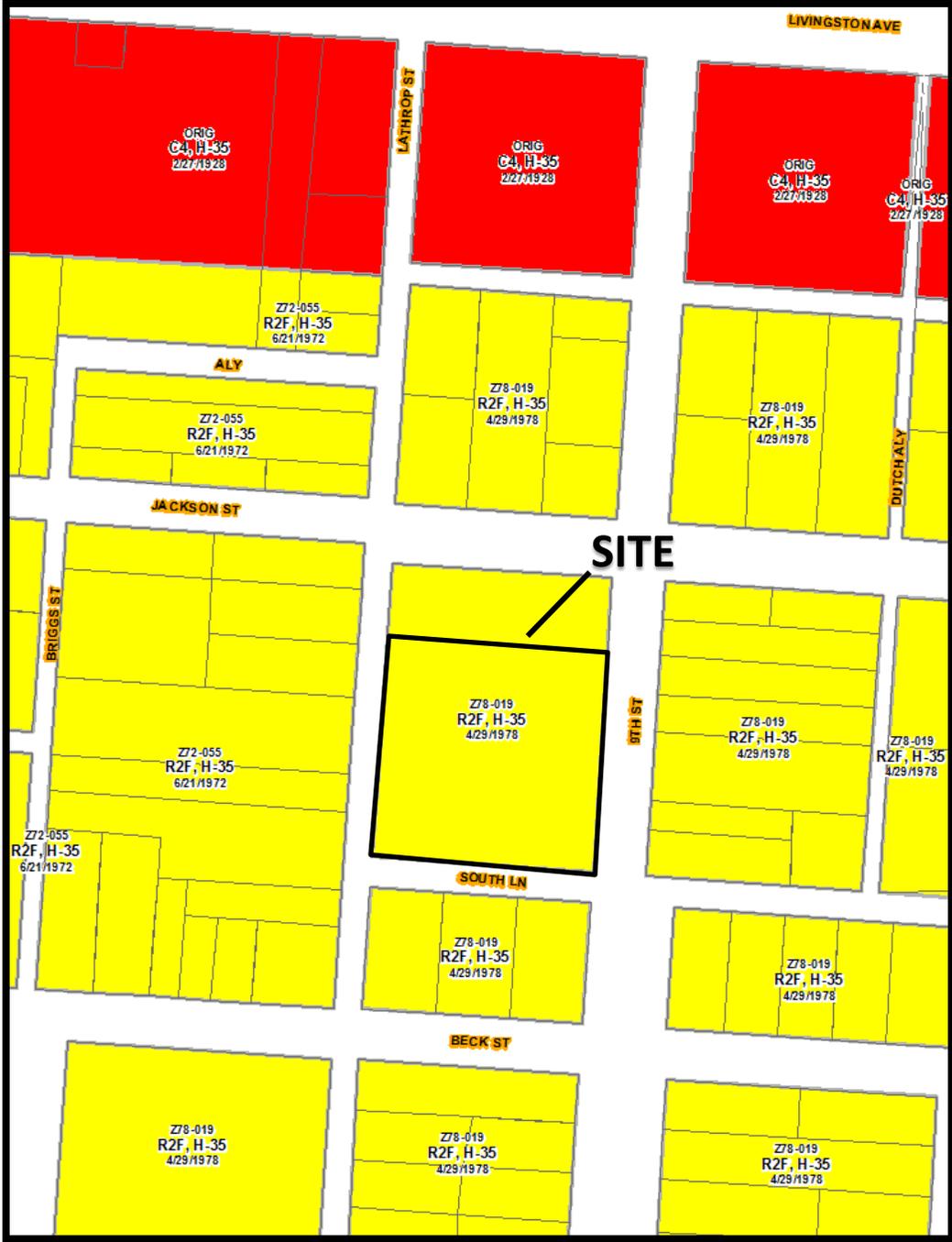
COUNCIL VARIANCE APPLICATION

ISSUE DATE: 02/02/2016
 PRELIMINARY: NOT FOR CONSTRUCTION



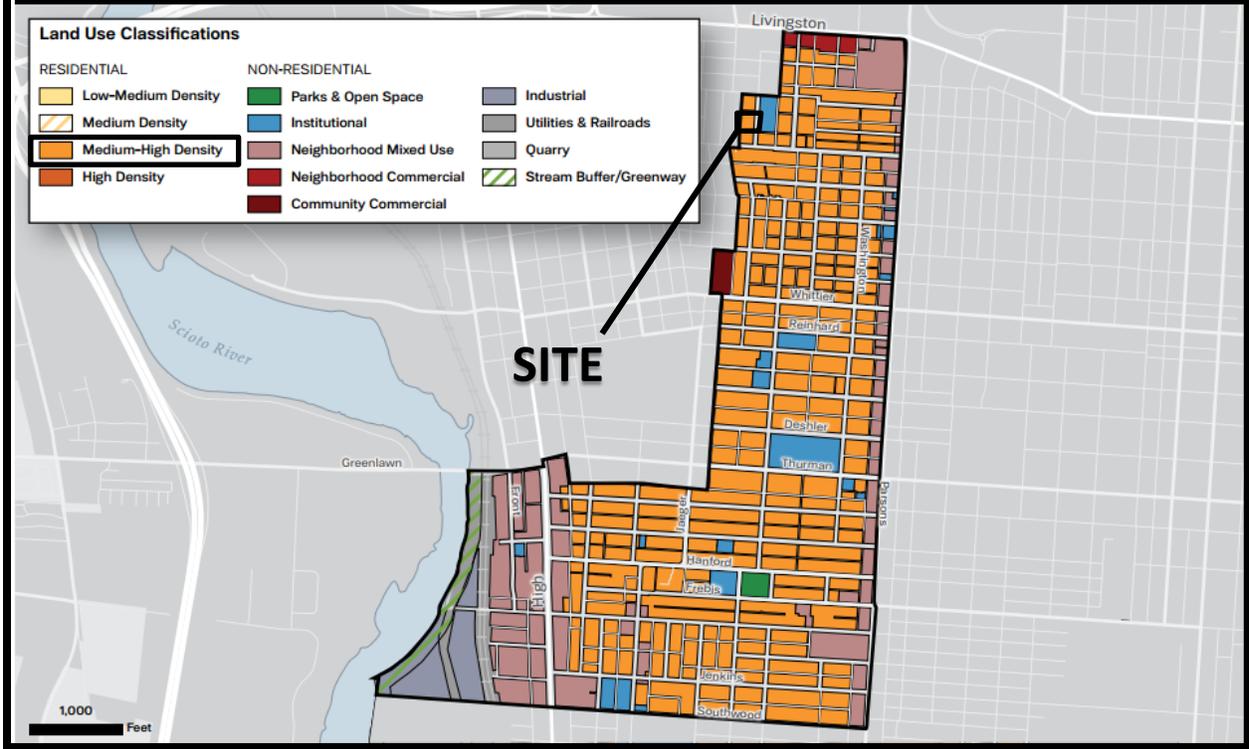
JONATHAN BARNES
 ARCHITECTURE AND DESIGN

CV16-012

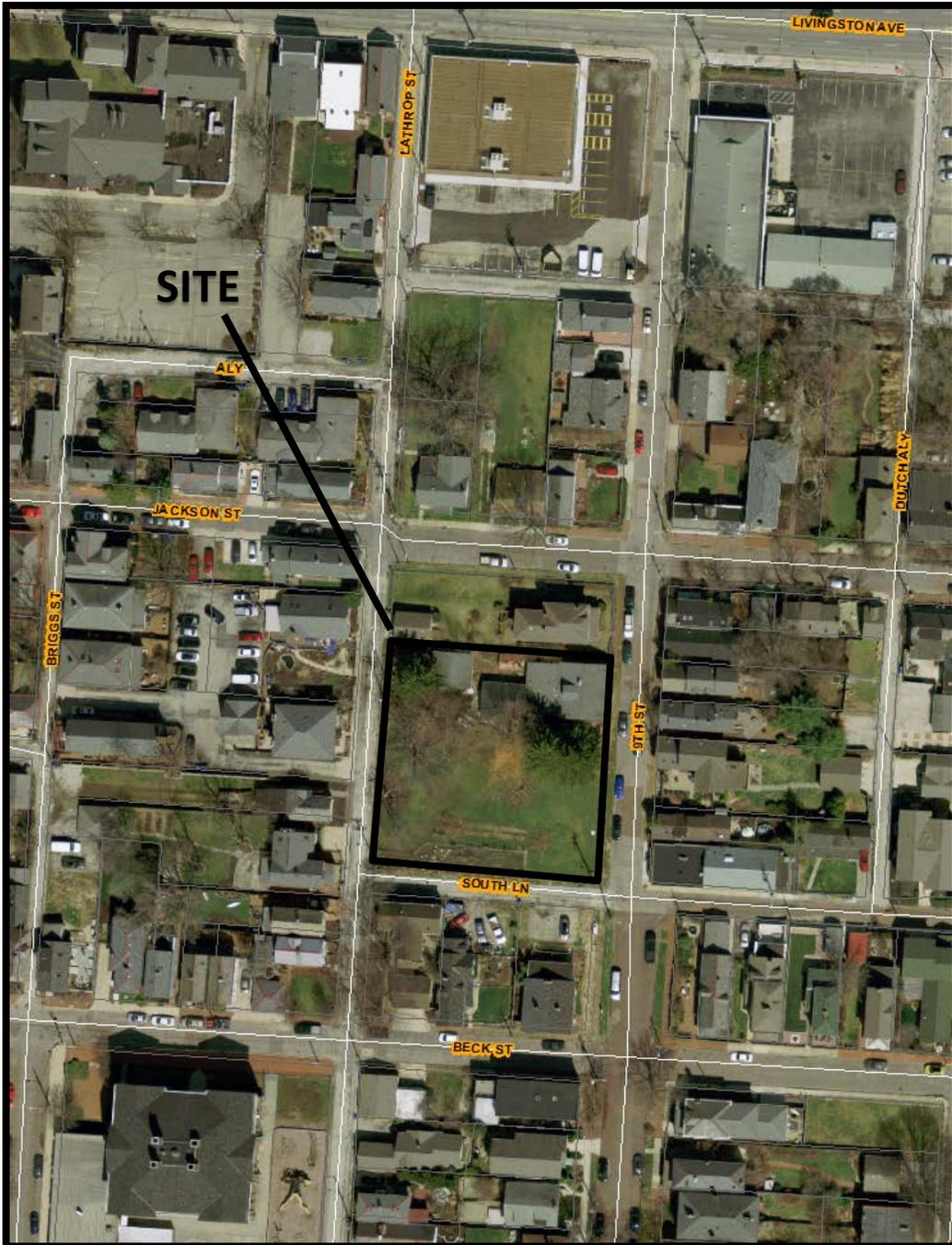


CV16-012
901 South Ninth Street
Approximately 0.52 acres

FIGURE 9: FUTURE LAND USE PLAN: QUADRANT 1



CV16-012
901 South Ninth Street
Approximately 0.52 acres



CV16-012
901 South Ninth Street
Approximately 0.52 acres