CITY OF COLUMBUS  
DEPARTMENT OF BUILDING AND ZONING SERVICES

One Stop Shop Zoning Report  Date: Mon Aug 1 2016  
General Zoning Inquiries: 614-645-8637

SITE INFORMATION
Address: 238 1/2 E WHITTIER ST COLUMBUS OH 43206  
Mailing Address: 9301 S INNOVATION DR # 200  
DALEVILLE IN 47334-9319

Owner: LOGUE AUSTIN B LOGUE APRIL C  
Parcel Number: 010017901

ZONING INFORMATION
Zoning: Z72-055, Residential, R2F  
effective 6/21/1972, Height District H-35

Board of Zoning Adjustment (BZA): N/A  
Commercial Overlay: N/A  
Graphic Commission: N/A  
Area Commission: N/A  
Planning Overlay: N/A

Historic District: German Village  
Historic Site: No  
Council Variance: N/A  
Flood Zone: OUT  
Airport Overlay Environments: N/A

PENDING ZONING ACTION
Zoning: N/A  
Board of Zoning Adjustment (BZA): N/A  
Council Variance: N/A  
Graphic Commission: N/A
238 EAST WHITTIER STREET
Board of Zoning Adjustment Application

Application Number: BZA16-111  Date Received: 7/28/16
Fee: $320.00

OFFICE USE ONLY

Application Accepted by:  O. Reiss
Commission/Civic:  German Village
Existing Zoning:
Comments:

TYPE(S) OF ACTION REQUESTED (Check all that apply):
☑ Variance  □ Special Permit

Indicate what the proposal is and list applicable code sections:

Applicant is seeking variances to split the lot leaving one of the existing single family homes on each new parcel. Please see attached for the list of variances.

LOCATION
Certified Address: 238 E Whittier St.  City: Columbus, OH  Zip: 43206
Parcel Number (only one required): 010-017901

APPLICANT (If different from Owner):
Applicant Name: Joseph Huber  Phone Number: 614-738-9345  Ext.:
Address: 2875 E. Mound St.  City/State: Columbus, OH  Zip:
Email Address: Joseph.huber@outlook.com

PROPERTY OWNER(S)  □ Check here if listing additional property owners on a separate page
Name: Austin Logue  Phone Number: 614-571-6120  Ext.:
Address: 1340 Mulford  City/State: Columbus, OH  Zip: 43212
Email Address: ABL 71@yahoo.com

ATTORNEY / AGENT (Check one if applicable):  □ Attorney  □ Agent
Name:  Phone Number:  Ext.:
Address:  City/State:  Zip:
Email Address:  Fax Number:

SIGNATURES (All signatures must be provided and signed in blue ink)
APPLICANT SIGNATURE
PROPERTY OWNER SIGNATURE
ATTORNEY / AGENT SIGNATURE

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
THE CITY OF
COLUMBUS
ANDREW J. GORMLEY
DEPARTMENT OF BUILDING
AND ZONING SERVICES
757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bza.columbus.gov

AFFIDAVIT
STATE OF OHIO
COUNTY OF FRANKLIN
Being first duly cautioned and sworn (1) NAME Joseph Huber
of (1) MAILING ADDRESS 2875 E. Mound St. Columbus, OH 43209
deposes 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 ADDRESS CARD FOR PROPERTY 238 E. Whittier St., Columbus, OH 43206
for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and
Zoning Services, on (3) __________________________________________________________________________________________

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) Austin Logue & April Logue
1340 Mulford Rd.
Columbus, OH 43212

APPLICANT’S NAME AND PHONE #
(same as listed on front application)

Joseph Huber
614-738-9345

AREA COMMISSION OR CIVIC GROUP
AREA COMMISSION ZONING CHAIR
OR CONTACT PERSON AND ADDRESS

(5) German Village Commission
Cristin Moody
614-645-8040

and that the following 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:

(6) PROPERTY OWNER NAME

See Attached
Label Sheets

(6a) PROPERTY ADDRESS

(6b) PROPERTY OWNER MAILING ADDRESS

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

(8) SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 27th day of July , in the year 2016

(8) SIGNATURE OF NOTARY PUBLIC

My Commission Expires

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Power of Attorney for Board of Zoning Adjustment Application Process
(Limited Power)

I, Austin Logue, of 1340 Mulford Ave., Columbus, OH 43212, do hereby appoint Joseph Huber
to act in my place for the purpose of: Applying for a Variance through the City of Columbus Ohio BZA for
238 E. Whittier St. Columbus, OH 43206.

This power of attorney takes effect on 7/27/14 and shall continue until terminated in writing or until
The variance application process is completed, whichever comes first. In the event of my incapacity or death,
this power of attorney shall terminate immediately.

I grant my attorney-in-factly full authority to act in any manner both proper and necessary to the exercise of the
foregoing powers, and I ratify every act that my attorney-in-factly may lawfully perform in exercising those
powers.

I agree that any third party who receives a copy of this document may act under it. Revocation of the power of
attorney is not effective as to a third party until the third party has actual knowledge of the revocation. I agree
to indemnify the third party for any claims that arise against the third party because of reliance on this power of
attorney.

Signed: Austin Logue

This 27th day of July, 2016.

State of: Ohio. County of: Franklin

Signature: Austin Logue, Principal.

Certificate of Acknowledgement of Notary Public

State of Ohio

County of Franklin

On 7/27/14 before me, Tara White, an notary public, personally
appeared Austin Logue, who proved to me on the basis of satisfactory
evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me
that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s)
on the instrument to person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Ohio, that the foregoing is
true and correct.

Witness my hand and official seal.

Notary Public

My commission expires June 9, 2019

By accepting or acting under the appointment, the attorney-in-factly assumes the fiduciary and other legal
responsibilities and liabilities of an agent.

Name of Attorney-in-Fact: Joseph Huber

Signature of Attorney-in-Fact: [Signature]
STATEMENT OF HARDSHIP

APPLICATION #

3307.09 Variances by Board.

A. The Board of Zoning Adjustment shall have the power, upon application, to grant variances from the provisions and requirements of this Zoning Code (except for those under the jurisdiction of the Graphics Commission and except for use variances under the jurisdiction of the Council). No variance shall be granted unless the Board finds that all of the following facts and conditions exist:

1. Special circumstances or conditions apply to the subject property that do not apply, generally, to other properties in the same zoning district.
2. The special circumstances or conditions are not the result of the actions of the property owner or applicant.
3. The special circumstances or conditions make it necessary that a variance be granted to preserve a substantial property right of the applicant which is possessed by owners of other property in the same zoning district.
4. The grant of a variance will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of this Zoning Code.

B. In granting a variance, the Board may impose such requirements and conditions regarding the location, character, and other features of the proposed uses or structures as the Board deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard public safety and welfare.

C. Nothing in this section shall be construed as authorizing the Board to affect changes in the Zoning Map or to add to the uses permitted in any district.

I have read Section 3307.09, Variances by Board, and believe my application for relief from the requirements of the Zoning Code satisfies the four criteria for a variance in the following ways:

See Attached

__________________________________________
Signature of Applicant

Date 7/27/16

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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.
HISTORIC DISTRICT COMMISSION RECOMMENDATION

GERMAN 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 (645-6046 / 757 Carolyn Avenue) and following all other applicable codes and ordinances of the City of Columbus.

PROPERTY ADDRESS: 238 East Whittier Street
APPLICANT'S NAME: Joseph Huber (Applicant)  
Austin Logue (Owner)
APPLICATION NO.: 16-6-44
COMMISSION HEARING DATE: 6-7-16

The German 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.

☐ Variance or Zoning Change Request

☐ Rezoning  ☐ Special permit  
☐ Parking Variance  ☐ Setbacks
☐ Change of Use  ☐ Other  
☐ Lot Split

TYPE(S) OF ACTION(S) REQUESTED:
Recommend Lot Split and Variance Request #16-6-44, 238 East Whittier Street, as submitted.
Lot Split
• Divide lot with two existing single family dwellings into two roughly equal parcels with one single family home on each, per submitted survey.
Variance Request
• C.C. 3332.05(A)(4) -- to allow lots with a width of 33 feet (50 feet required).
• C.C. 3332.14 -- to allow single family dwelling on a lot less than 6,000 sq. ft. Lot A is to be 1,841.4 sq. ft. and Lot B to be 1,788.6 sq. ft.
• C.C. 3332.18(D) -- to allow lot coverage of 71.1% on Lot B (50% maximum allowed) for Lot B. (Lot A is conforming.)
• C.C. 3332.19 -- to allow dwelling unit that does not front on a public street. Lot B faces an unnamed alley.
• C.C. 3332.27 -- to allow rear yards of less than 25% of total lot area. Lot A to have 17.6% rear yard and Lot B to have 16.75% rear yard.
• C.C. 3332.25 -- to allow total side yards of .3 feet (6.6 feet minimum required) for Lot B. (Lot A is conforming).
• C.C. 3332.26 -- to allow side yard of 2.5 feet for Lot A, and .3 feet for Lot B (3 feet minimum required).
• C.C. 3312.25 -- to allow 15 feet maneuvering area for Lot B (20 feet required).
MOTION: Ours/O'Donnell (4-0-0) 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.

Randy F. Black
Historic Preservation Officer
We hereby certify that the foregoing Mortgage Location survey was prepared from actual field measurements in accordance with Chapter 4733-38 Ohio Administrative Code, and is not a boundary survey pursuant to Chapter 4733-37 of said code.

THE INFORMATION SHOWN HEREBIN IS NOT TO BE UTILIZED FOR THE INSTALLATION OF BUILDINGS, FENCES, LANDSCAPING OR OTHER PERMANENT IMPROVEMENTS.

Myers Surveying Co., Inc.

By

Professional Surveyor
REFERENCES:
DEEDS AS NOTED
COUNTY MAPS
PREVIOUS SURVEYS BY
MEYERS SURVEYING
DATED: 12/20/2010
AND
MARIA W. SELBACH
SECOND ADDITION
P.B. 3, PAGE 310

BASIS OF BEARINGS:
THE NORTH LINE OF WHITTIER STREET AS
BEING S 89° 36' 40" W AND IS DETERMINED
THROUGH G.P.S. OBSERVATION UTILIZING
THE O.D.O.T. V.R.S. NETWORK (NAVD88) AND
SHOULD BE USED TO DENOTE ANGLES ONLY.

ALL REBARS SET ARE 5/8" X 30"
W/YELLOW CAP STAMPED
ACKISON SURVEYING

LEGEND
- Found Iron Pipes (As Noted)
- Set 5/8" Rebar w/cap Stamped Ackison
- Found MAG Nail
- MAG Nail Set
- Stone Fnd.
(M) Measured Distance
(D) Deeded Distance

Edna Branston
0.05 Ac.
Part Lot 52
Instr.201412030160536

Historical Homes IV, LLC
0.04 Ac.
Part Lot 54
Instr.201403310038943

AUSTIN B. & APRIL C. LOGUE
LOT 53
(MARIA W. SELBACH'S 2nd Add.
P.B.3, Pg.310)
Instr.201103030030304

Steven B. Walton
S-7575

Fnd. 3/4" Iron Pipe
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 #

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Joseph Huber
of (COMPLETE ADDRESS) 2875 E. Mound St., Columbus, OH 43209
deposes and states that (he/she) is the APPLICANT, AGENT, OR DUTY 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 and their mailing addresses:

<table>
<thead>
<tr>
<th>NAME</th>
<th>COMPLETE MAILING ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austin Logue</td>
<td>1340 Mulford Rd., Columbus, OH 43212</td>
</tr>
<tr>
<td>April Logue</td>
<td>1340 Mulford Rd., Columbus, OH 43212</td>
</tr>
<tr>
<td>Joseph Huber</td>
<td>2875 E Mound St., Columbus, OH 43209</td>
</tr>
<tr>
<td>Carson Thrush</td>
<td>540 W. 2nd Ave., Columbus, OH 43201</td>
</tr>
</tbody>
</table>

SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 21st day of July, in the year 2019

SIGNATURE OF NOTARY PUBLIC

My Commission Expires

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