

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

OFFICE USE ONLY

Application Number: CU16-060 Date Received: 10/3/16
Application Accepted by: SP, TD, KP Fee: \$320
Comments: Assigned to Planner Kelsey Priebe, kpriebe@columbus.gov, 614-645-1341

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 951 Hunter Avenue Zip: 43201

Is this application being annexed into the City of Columbus? Select one: YES NO

If the site is currently pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.

Parcel Number for Certified Address: 010-003126

Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s): ARLD

Area Commission or Civic Association: Victorian Village Commission

Proposed Use or reason for Council Variance request:
Please see attached Statement of Hardship.

Acreage: 0.14 acres

APPLICANT:

Name: Scott L. Hartley, c/o Thomas A. Vetter, Esq. Phone Number: 614-464-5413 Ext.: _____

Address: 52 East Gay Street City/State: Columbus, OH Zip: 43215

Email Address: tavetter@vorys.com Fax Number: 614-719-5254

PROPERTY OWNER(S) Check here if listing additional property owners on a separate page

Name: Scott L. Hartley Phone Number: 740-963-1083 Ext.: _____

Address: 8717 Chevington Chase Drive City/State: Pickerington, OH Zip: 43147

Email Address: slohartley@gmail.com Fax Number: _____

ATTORNEY / AGENT (Check one if applicable): Attorney Agent

Name: Thomas A. Vetter, Esq. Phone Number: 614-464-5413 Ext.: _____

Address: 52 East Gay Street City/State: Columbus, OH Zip: 43215

Email Address: tavetter@vorys.com Fax Number: 614-719-5254

SIGNATURES (All signatures must be provided and signed in blue ink)

APPLICANT SIGNATURE John A. Vetter, Attorney for applicant

PROPERTY OWNER SIGNATURE _____

ATTORNEY / AGENT SIGNATURE John A. Vetter

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.

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: 951 Hunter Avenue
Tax Parcel Number: 010-003126

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 a proposed new residential home in Victorian Village.

Site Area - Background

The project that is the subject of this variance application is located in Victorian Village on the West side of Hunter Avenue and is commonly known as 951 Hunter Avenue (the "Site Area"). The Site Area totals about 5,995 square feet, has dimensions of 100 feet by 59.95 feet and consists of one tax parcel which will be split out into two tax parcels as a part of this proposed plan. The entire Site Area is zoned ARLD. There is an existing single family home on the northern third of the Site Area with zero off-street parking spots (the "Existing Building").

The Project - Overview

The contemplated project (the "Project") will (1) split the Site Area into two separate tax parcels, the northern parcel containing the Existing Building and containing dimensions of 100 feet by 22.95 feet (the "Northern Parcel") and the southern parcel containing dimensions of 100 feet by 37 feet (the "Southern Parcel"); and (2) construct a single family home (the "New Building") on the Southern Parcel.

In order to accomplish the above, the Project respectfully must request that variances be granted to bring the Existing Building into compliance with the Zoning Code and so that the New Building contemplated in the Project may be built.

The Project – Specifics

The New Building will be designed in a way to best reflect the architectural character of the neighborhood. Transitions and other design elements will be utilized to best fit the New Building into the neighborhood. The building will be designed with many Victorian features, shapes, and elements to match the surrounding homes and the other homes in Victorian Village.

The Existing Building exterior will be restored and the interior of the residence will be renovated and improved. The benefits of this are twofold. First, this preserves the integrity and historic features of a building which has long been part of the fabric of the neighborhood. Second, it transforms the property from an aging home into a rejuvenated home that will add to the vibrancy of the Victorian Village neighborhood.

We are not requesting any curb cuts with this Project.

Benefits v. Existing Conditions

The existing Site Area is holistically inadequate to meet the needs of Victorian Village today. The existing Site Area is a worn down home adjacent to vacant land without any current productive use. The contemplated Project both adds one new home to the productive benefit and use of the neighborhood and renovates an existing home.

VariANCES Requested

Northern Parcel

Section 3333.02(3) – To permit a single family dwelling where this section permits one a dwelling of no fewer than three dwelling units.

Note: This is an existing condition on the property.

Section 3333.09 – To permit a building to be erected or altered on a lot with a width of 22.95 feet where this section requires that lots contain a width of no less than 50 feet.

Section 3333.11 – To permit a building to be erected or altered on a lot with an area of 2,295 square feet where this section requires that the area equal or exceed 2,500 square feet per dwelling unit.

Section 3333.18(F) – To permit a building to be erected or extended on a subject lot where there are buildings on both of the contiguous lots and the building is five feet from the Street Property Line where this section requires that the minimum distance to the Street Property Line be 10 feet.

Note: This is an existing condition on the property.

Section 3333.23 – To permit a portion of a building structure to be 2 feet from a side lot line (the northern property line) where this section requires that a building be at least 5 feet between any part of a building structure and the side lot line.

Note: This is an existing condition on the property.

Section 3333.49 – To reduce the minimum number of parking spaces from 2 parking spaces required (based on 2 per dwelling unit) to 0 parking spaces.

Note: This is an existing condition on the property.

Southern Parcel

Section 3333.02(3) – To permit a single family dwelling where this section permits one a dwelling of no fewer than three dwelling units.

Section 3333.09 – To permit a building to be erected or altered on a lot with a width of 37 feet where this section requires that lots contain a width of no less than 50 feet.

Section 3333.49 – To reduce the minimum number of parking spaces from 2 parking spaces required (based on 2 per dwelling unit) to 0 parking spaces.

Appropriateness

Northern Parcel

Existing Conditions. As noted above, almost all of the variances requested for the Northern Parcel relate to the Existing Building which was built before the current Zoning Code that is in place. The purpose of those variances is to bring the Existing Building, which was on the property before the existing Zoning Code was in place, in compliance with existing zoning law.

The variances that arise for the Northern Parcel due to the contemplated project are limited to Section 3333.09 (50 foot lot width) and Section 3333.11 (2,500 square foot lot size).

Lot Width. The requirement in 3333.09 for a 50 foot wide lot contemplates the ARLD use and is inconsistent with single family homes in Victorian Village. Examples of similar (or smaller) lot widths in the area include 969 Hunter Avenue (three family building) (22 feet), 961 Hunter Avenue (27.12 feet), 965 Hunter Avenue (27.12 feet), and 933 Hunter Avenue (vacant lot) (32.8 feet).

Lot Size. As is the case with the prior variance, the requirement in 3333.11 to have 2,500 square feet of lot size for each residential unit reflects a contemplated ARLD use and is inconsistent with the single family homes in Victorian Village. Examples of similar (or smaller) lot sizes in the area include 919 Hunter Avenue (1,310 square feet), 921 Hunter Avenue (duplex) (2,390 square feet), 929 Hunter Avenue (duplex) (2,390 square feet).

Southern Parcel

The variances requested on the Southern Property are Section 3333.02(3) (use), Section 3333.09 (lot width), and Section 3333.49 (parking).

Use. Despite the zoning classification, this part of Victorian Village is primarily a low-density residential neighborhood. The requirement to have a property that is no fewer than three dwelling units is inconsistent with almost all properties in the immediate surrounding area. Every lot that touches or is adjacent to the Site Area is either a single family home or a duplex. Examples of similar uses to the proposed Project nearby include 941 Hunter Avenue (duplex), 942 Hunter Avenue (single family home), 946 Hunter Avenue (single family home), 952 Hunter Avenue (single family home), and 955 Hunter Avenue (duplex).

Lot Width. As noted above, the requirement in 3333.09 for a 50 foot wide lot contemplates the ARLD use and is inconsistent with single family homes in Victorian Village. Examples of similar (or smaller) lot widths in the area include 969 Hunter Avenue (three family building) (22

feet), 961 Hunter Avenue (27.12 feet), 965 Hunter Avenue (27.12 feet), and 933 Hunter Avenue (vacant lot) (32.8 feet).

Parking. The Victorian Village Commission does not want to add curb cuts to this neighborhood. We respect the Commission's position to not allow curb cuts, which creates the need for a variance for parking. There are numerous other nearby homes that do not have any parking. Examples of these nearby include 919 Hunter Avenue, 941 Hunter Avenue, 955 Hunter Avenue, and 961 Hunter Avenue.

The Project will not be injurious to neighboring properties, nor will it be contrary to public interest or the intent of the Zoning Code. In this situation, the zoning reflected on the property does not match the neighborhood that exists today and this variance process allows for thoughtful projects that match the spirit of the neighborhood to be presented for your consideration and approval.

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

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

CV6-060

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

AFFIDAVIT (See instruction sheet)

Application Number: CV16-060

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Scott L. Hartley
of (1) MAILING ADDRESS 8717 Chevington Chase Drive, Pickerington, OH 43147

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 51 Hunter Avenue

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 (4) Scott L. Hartley
AND MAILING ADDRESS 8717 Chevington Chase Drive
Pickerington, OH 43147

APPLICANT'S NAME AND PHONE # (5) Scott L. Hartley, c/o Thomas A. Vetter, Esq.
(same as listed on front application) 614-464-5413

AREA COMMISSION OR CIVIC GROUP (5) Victorian Village Commission
AREA COMMISSION ZONING CHAIR James Goodman 614-645-7920
OR CONTACT PERSON AND ADDRESS 50 West Gay Street, Columbus, OH 43215

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

(8) SIGNATURE OF AFFIANT [Signature]

Sworn to before me and signed in my presence this 28th day of September, in the year 2016

Rev Thomas A. Vetter My Commission Expires NA
(8) SIGNATURE OF NOTARY PUBLIC

Notary Seal  Thomas A. Vetter, Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
My term expires six (6) months after the date of notarization.
Sec. 147.03 R.C.

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Applications must be submitted by appointment. Call 614-645-4522 to schedule.
Please make checks payable to the Columbus City Treasurer

Applicant

Scott L Hartley
 c/o Thomas A. Vetter, Esq.
 52 East Gay Street
 Columbus, OH 43215

Property Owner

Scott L Hartley
 8717 Chevington Chase Drive
 Pickerington, OH 43147

Attorney

Thomas A Vetter, Esq.
 Vorys, Sater, Seymour and Pease LLP
 52 E Gay Street
 Columbus, OH 43215

Area Commission

Victorian Village Commission
 c/o ZONING CHAIR
 50 West Gay Street, 4th Floor
 Columbus, OH 43215

Surrounding Property Owners

Lisa M Fry
 206 West First Avenue
 Columbus, OH 43201

Andrea Parks
 966 Hunter Avenue
 Columbus, OH 43201

960 Hunter Ave LLC
 1765 Bryden Road
 Columbus, OH 43205

Andre L Connelly
 952 Hunter Avenue
 Columbus, OH 43201

Elliot R Cennamo
 946 Hunter Avenue
 Columbus, OH 43201

Thomas A Robertson
 942 Hunter Avenue
 Columbus, OH 43201

Ivan L Hernandez
 938 Hunter Avenue
 Columbus, OH 43201

Karl W Koon
 234 West First Avenue
 Columbus, OH 43201

Nathan M Jones
 230 West First Avenue
 Columbus, OH 43201

David M & Jean K Neubauer
 365 N Cassady Avenue
 Columbus, OH 43209

Jordan T Tarrier
 4205 Oxford Drive
 Columbus, OH 4220

Collins A Huitger
 1972 Guilford Road
 Columbus, OH 43221

Kevin O Brien
 3405 Heritage Oaks Drive
 Hilliard, OH 43026

John-Paul Byrne
 1361 Highland Street
 Columbus, OH 43201

T M H
 1348 Mulford Road
 Columbus, OH 43212

Andrew Fortener
 969 Hunter Avenue
 Columbus, OH 43201

Jo Anne R Dennison
 81 Warren Street
 Columbus, OH 43215

Patrick A Lynch
 970-972 Highland Street
 Columbus, OH 43201

Clayton A Hall
 964 Highland Street
 Columbus, OH 43201

Marilyn J Tomasi
 956 Highland Street
 Columbus, OH 43201

Michael D Denton
 936 Highland Street
 Columbus, OH 43201

948 Highland LLC
 914 Neil Avenue
 Columbus, OH 43201

CV16-060

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

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 # CV10-060

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Scott L. Hartley
of (COMPLETE ADDRESS) 8717 Chevington Chase Drive, Pickerington, OH 43147

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

<p>1. Scott L. Hartley 8717 Chevington Chase Drive Pickerington, OH 43147 0 Columbus based employees 740-963-1083</p>	<p>2.</p>
<p>3.</p>	<p>4.</p>

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

SIGNATURE OF AFFIANT 

Sworn to before me and signed in my presence this 28th day of September, in the year 2016

 NA
SIGNATURE OF NOTARY PUBLIC My Commission Expires

Notary Seal Here



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

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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: 010003126

Zoning Number: 951

Street Name: HUNTER AVE

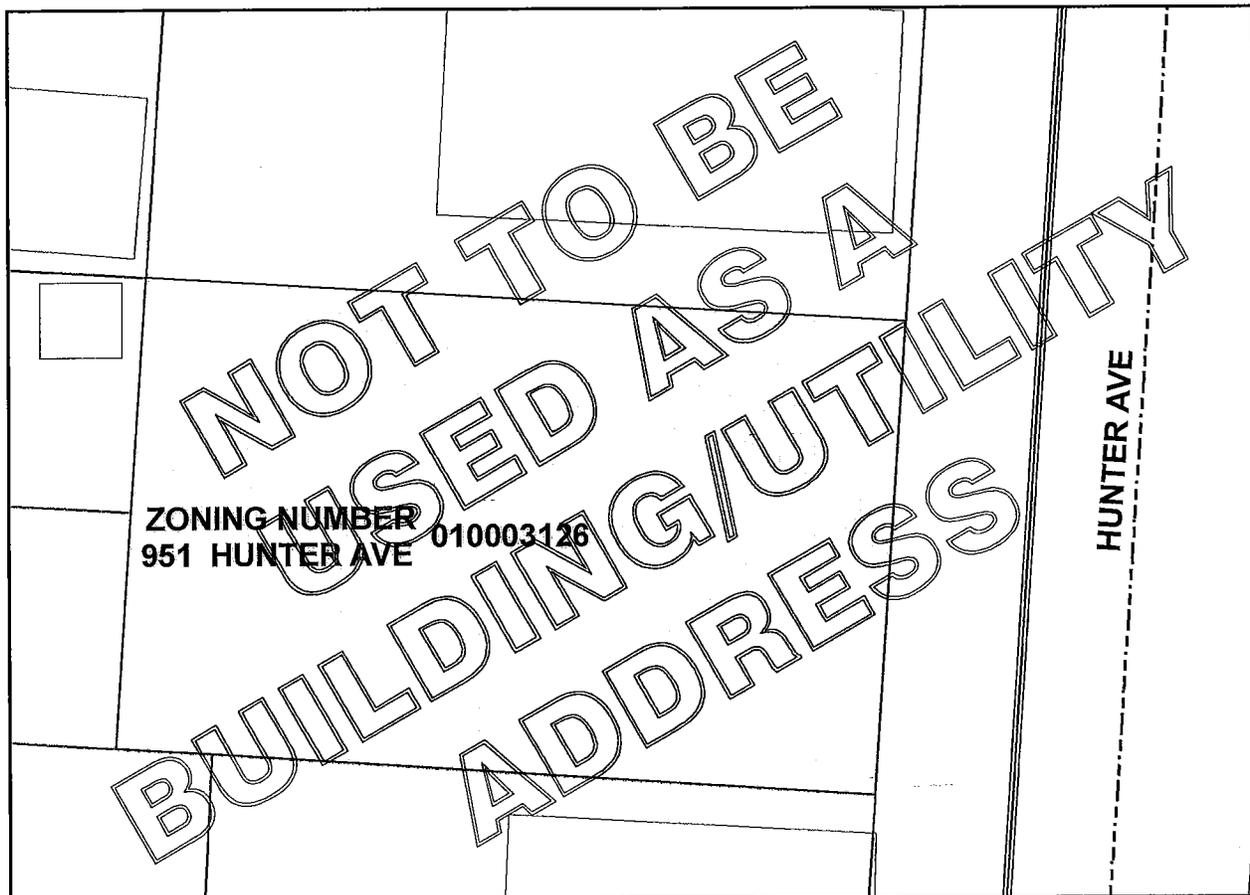
Lot Number: N/A

Subdivision: N/A

Requested By: SCOTT HARTLEY (OWNER)

Issued By: *Adyana Amarian*

Date: 9/15/2016



FRANK D. WILLIAMS, ADMINISTRATOR
DIVISION OF INFRASTRUCTURE MANAGEMENT
COLUMBUS, OHIO

SCALE: 1 inch = 25 feet

GIS FILE NUMBER: 73090

Legal Description

Parcel 1:

Situated in the State of Ohio, County of Franklin, City of Columbus:

Being part of Lots Numbered One Hundred Forty-four (144) and One Hundred Forty-five (145) of COLLINS, ATKINSON AND GUITNER'S FIRST ADDITION of record in Plat Book 2, Page 84, Recorder's Office, Franklin County, Ohio and bounded and described as follows:

Beginning at an iron pin in the Westerly right-of-way line of Hunter Avenue (60.00 feet in width), said iron pin being located North 210.75 feet from the intersection of said Westerly right-of-way line with the Northerly right-of-way line of First Avenue; thence South 89 deg. 42' West, 100.10 feet to an iron pin; thence North (being parallel to the Westerly right-of-way line of Hunter Avenue), 40.01 feet to an iron pin; thence North 89 deg. 42' East, 100.10 feet to a cut cross in the Westerly right-of-way line of Hunter Avenue; thence along said Westerly right-of-way line, South 40.01 feet to the place of beginning, containing 4.005 square feet, or 0.092 acre, more or less.

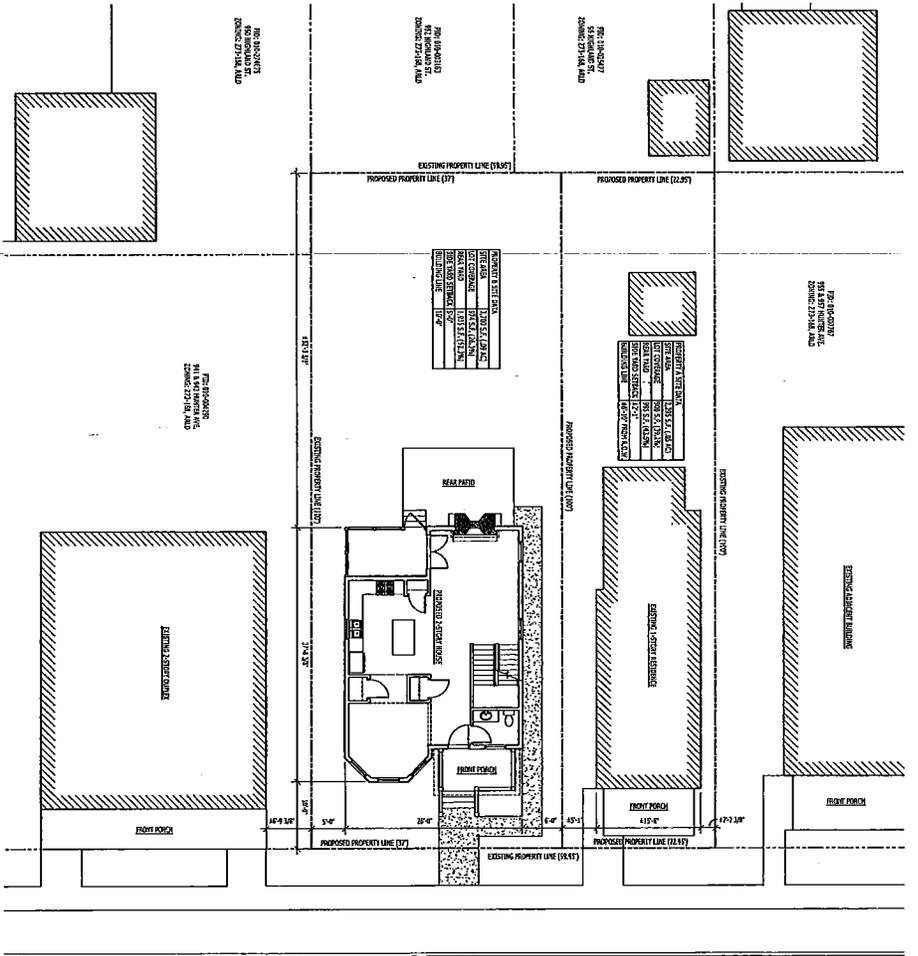
Parcel 2:

Situated in the State of Ohio, County of Franklin and City of Columbus:

Being 20 feet off the North side of the East one half of Lot Number One Hundred Forty -four (144) of COLLINS, ATKINSON AND GUITNER'S FIRST ADDITION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, Page 84, Recorder's Office, Franklin County, Ohio.

Tax Parcel No: 010-003126

Property Address: 951 Hunter Avenue Columbus, OH 43201



HUNTER AVE (60' R.O.W.)

Site Plan
1" = 10'-0"

EXISTING Z.I.D.	01-02-0031-24-00
EXISTING ADDRESS	951 HUNTER ST
EXISTING ZONING	R-2 (2-1/2 AFD)
EXISTING AREA	5,995 S.F. (0.14 AC)
EXISTING USE	1-FAMILY
PROPOSED USE	1-FAMILY PER PARCEL
HEIGHT DISTRICT	HSS

Split the existing parcel one for each D.U., and build a new single-family, 2-story D.U. on the south side of the lot split line (Property #1), the existing house north of the split line (Property #A) will remain intact.

SCOPE OF WORK

VARIANCE LIST	
PROJECT A (NORTH)	
3331.02 - SINGLE FAMILY D.U. ON A 1/2 LOT	
3331.01 - SETBACKS LESS THAN 10' TO E.O.W.	
3331.07 - LOT WIDTH LESS THAN 30'	
3331.11 - LOT AREA LESS THAN 2,500 S.F.	
3331.23 - MAXIMUM IDEE YARD SETBACKS LESS THAN 5'	
3312.07 - MAXIMUM OF 2 PARKING SPACES REQUIRED, NONE PROVIDED	
PROJECT B (SOUTH)	
3331.02 - SINGLE FAMILY D.U. ON A 1/2 LOT	
3331.07 - LOT WIDTH LESS THAN 30'	
3312.07 - MAXIMUM OF 2 PARKING SPACES REQUIRED, NONE PROVIDED	

This plan may be slightly modified to reflect engineering, topographical, other site data and/or architectural data developed at the final development, engineering, architectural and/or landscaping plans are completed and submitted to and the City of Columbus. The applicant and the undersigned shall be held responsible for the accuracy of the information provided in this plan and for the building and zoning services Department of the designee upon submission of the appropriate data regarding the proposed development.

Signature: *T.A. Velt* Date: 9/28/16
Thomas Velt, Attorney for Applicant



PROJECT
Hartley Residence
951 Hunter Ave.
Columbus, Ohio 43201

SHEET INFORMATION
Project #: 2016-047
Drawn For: JGD/LS
Date: 2016/09/28
Residence:

SHEET TITLE
Zoning Site Plan

SHEET NUMBER
SP.01

dkb ARCHITECTS
52 EAST LYNN STREET - THIRD FLOOR
COLUMBUS, OHIO 43215
(614) 548-8004
WWW.DKBARCHITECTS.COM

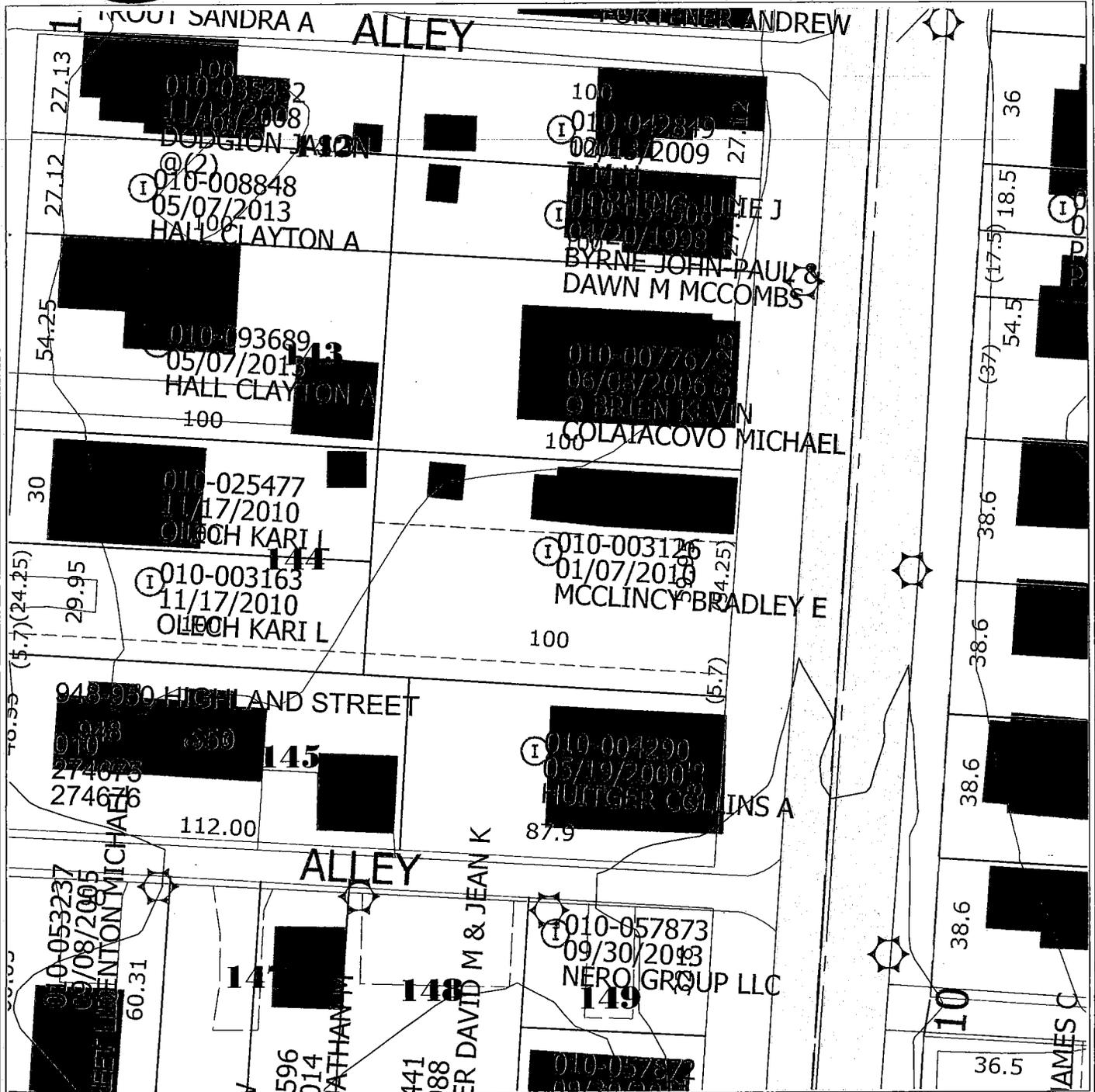
CML-060



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: N

DATE: 9/15/16



Disclaimer

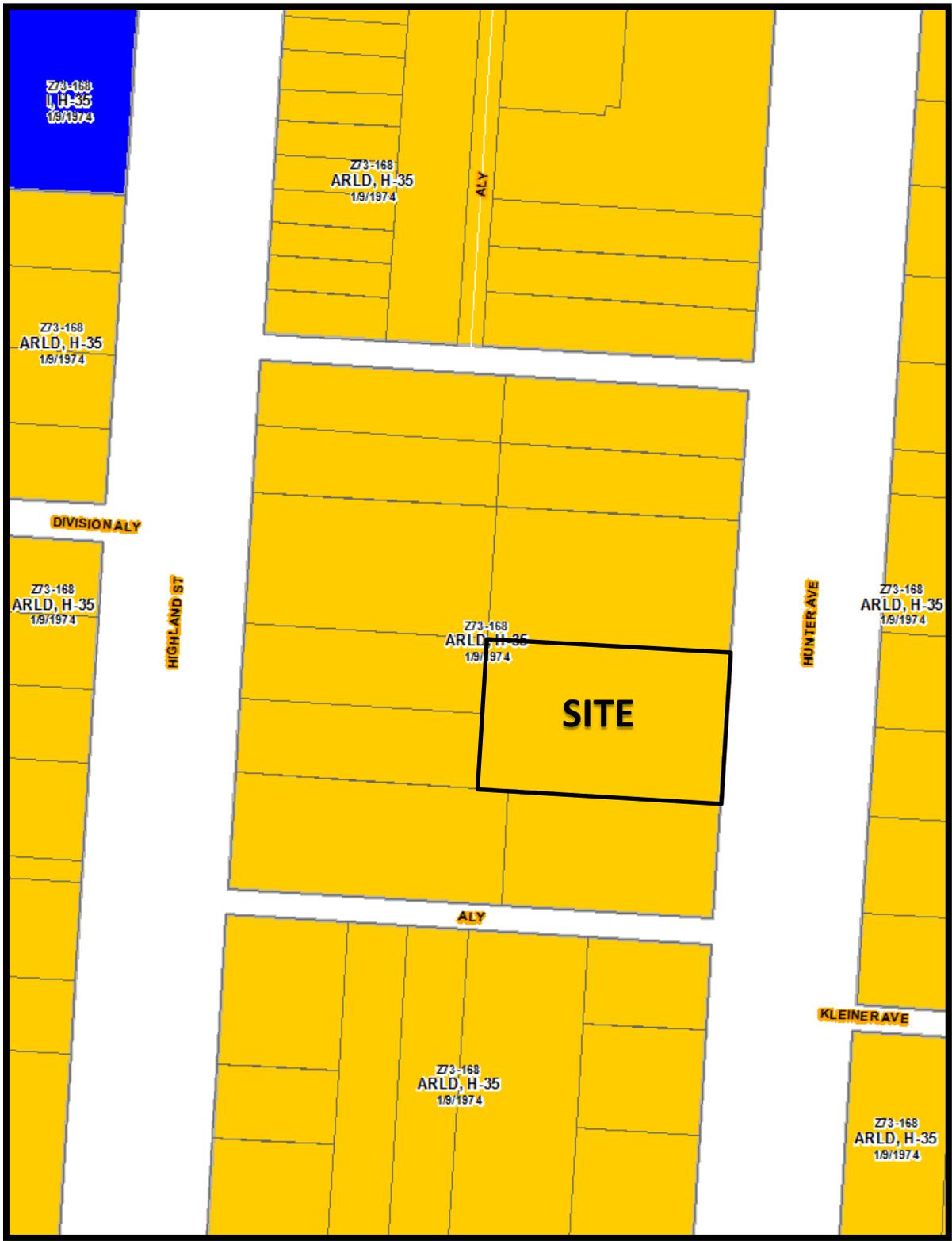
Scale = 40



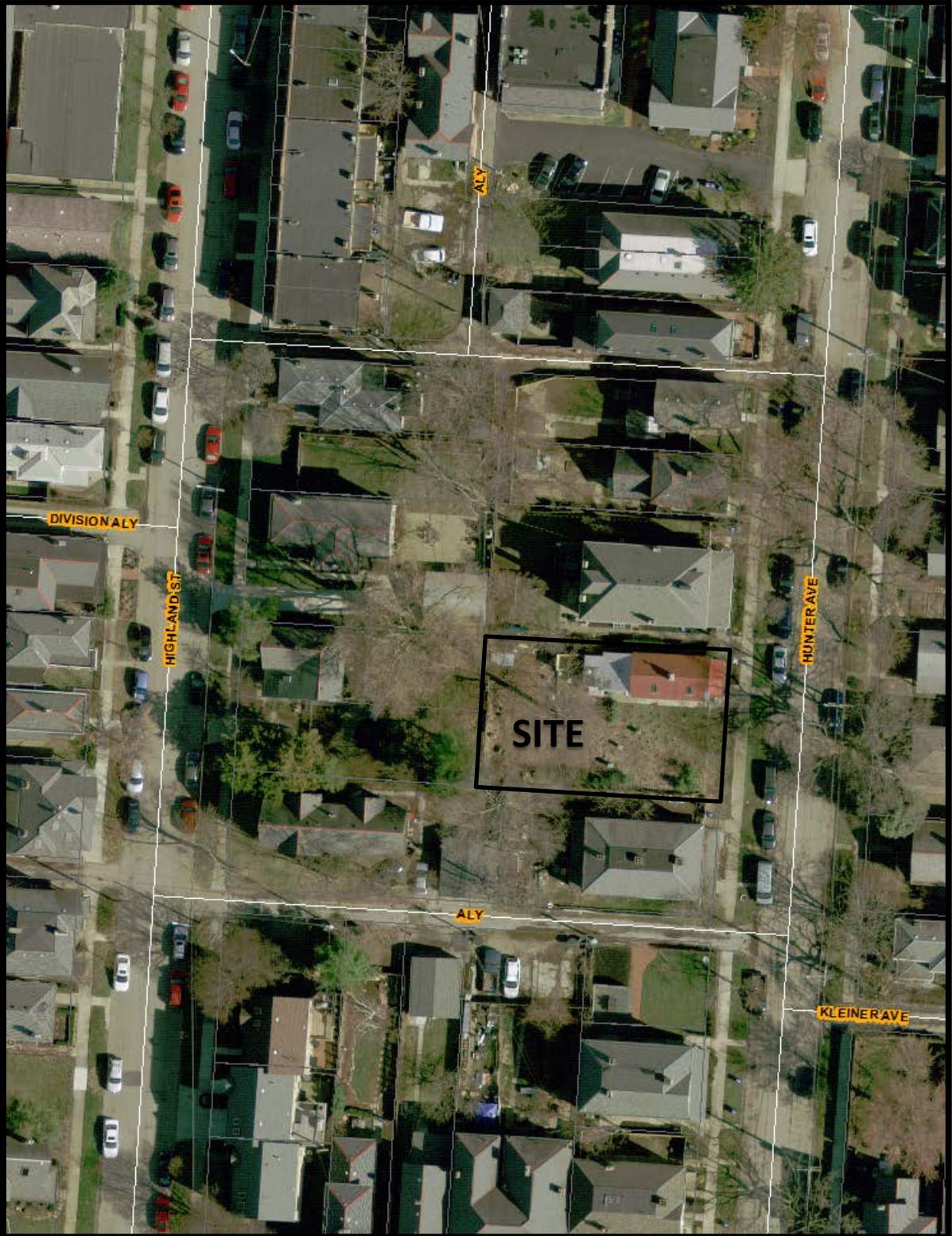
This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on 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

CV 16-060



CV16-060
951 Hunter Avenue
Approximately 0.14 acres



CV16-060
951 Hunter Avenue
Approximately 0.14 acres