

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: CW17-018 Date Received: 3/28/17

Application Accepted by: KP + MM Fee: \$320

Assigned Planner: Kelsey Priebe; kpriebe@columbus.gov; 614-645-1341

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes): 1310 OAK ST Zip: 43205

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: 010-047017-00

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

Current Zoning District(s): Z93-023A, Residential, R3

Area Commission or Civic Association: Near East Area Commission

Proposed Use or reason for Council Variance request:

Build a garage with habitable space above

Acreage: .0712

APPLICANT:

Name: Ivan Houpe Phone Number: 614-558-5095 Ext.: _____

Address: 1310 Oak St City/State: Columbus, Ohio Zip: 43205

Email Address: ihoupe11@gmail.com Fax Number: _____

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

Name: Brandie C. Bronston Phone Number: 614-558-5095 Ext.: _____

Address: 1310 Oak St City/State: Columbus, Ohio Zip: 43205

Email Address: b_bronston@me.com Fax Number: _____

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 [Signature]

PROPERTY OWNER SIGNATURE [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.

Applications must be submitted by appointment. Call 614-645-4522 to schedule.

Please make 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

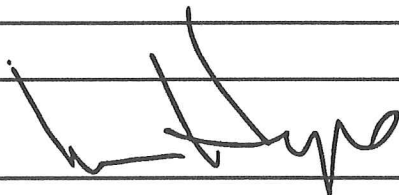
List all sections of Code to be varied and explain your reasoning as to why this request should be granted.

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):

Attached

Signature of Applicant



Date March 28th, 2017

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CW17-018

Statement of Hardship:

The applicant seeks to build a new carriage house with 3-car parking below that would be in keeping with the construction methods and historic nature of the area. The requested variances are compatible with recent development patterns permitted on other properties within the same or similar zoning districts. In this area it is common for parcels to contain carriage house type garage structures that were built prior to the implementation of the current zoning code, which would now be considered to not be in conformance. Granting the applicants' variance request will preserve the character of a contributing property in the Near East Area Commission.

Proposed Zoning Variance requested include the following:

1. Section 3332.13 – R-3 area district requirements, a single-family dwelling or other principal building shall be situated on a lot of no less than 5,000 square feet in area, while applicant proposes to maintain existing dwelling and to construct a new single unit carriage house dwelling on a 3,106 \pm square foot lot totaling 1,553 \pm square feet of lot area per dwelling unit, where the existing principal building occupies 921 \pm square feet of lot area (30% of total lot area) and proposed carriage house will occupy 816 \pm square feet of lot area (27% of total lot area). Proposed, each dwelling would have 31% of the 5,000 square feet requirement.
2. Section 3332.18 (D) – Basis of computing area requirements, No dwelling hereafter erected shall occupy alone or together with any other building greater than 50 percent of the lot area, while applicant proposes to maintain existing dwelling and to construct a new single unit carriage house dwelling on a 3,160 \pm square foot lot where the existing dwelling occupies 30% of the lot area and the proposed carriage house will occupy 27% of the lot area (57% of lot area will be occupied by dwellings).
3. 3332.19 – Fronting on a public street. Application seeks variance to allow for the secondary residence, the carriage house to front on the public alley.
4. 3332.27 – Rear yard. Applicant seeks a variance to permit the secondary residence, the carriage house to not be provided with a rear-yard. The yard between the primary residence and the carriage house is approximately 298 square feet. This is not enough area to provide each dwelling with a rear yard. Rear yard for existing principal dwelling will be approximately 298 square feet, 492 square feet less than the 25% of total lot area required. Total lot area is 3,160 square feet.
5. 3332.26 – Minimum side yard. Per zoning code, the primary residence or the existing structure would be required to have a minimum side yard of 3 feet. The existing structure does not meet the side yard requirements per the current zoning but is situated on the lot in a manner that is consistent with the neighborhood homes. Applicant seeks a variance to eliminate the requirement, with respect to the proposed carriage house, that carriage house will not have any side yard.
6. 3332.38 (E),(F),(G) – Private garage. Applicant seeks a variance; (E) To allow the proposed carriage house, also noted as the garage to occupy more than 45% of the rear yard. In this instance the proposed garage will occupy 61% of rear yard. (F) To permit the secondary residence, the carriage house, also noted as the garage on the ground floor to exceed the maximum 720 square feet. In this instance the proposed garage will be 816 square feet. (G) To allow the proposed carriage house, also noted as the garage to be built to a height greater than 15 feet. In this instance the proposed garage will be built no higher than 30 feet, which is less than the districts 35 foot maximum height.

7. 3312.49 (C) – Minimum number of parking spaces. Applicant seeks a variance to allow for a reduction from 4 off-street parking spaces to 3 that will be provided in the proposed carriage house/garage. The current single-family structure has no off-street parking space.

8. 3332.05 – Area district lot width requirements. Per zoning code, the lot width for the R-3 district would be 50 feet wide. The existing lot width, established prior to the current zoning code, is 31.06 feet wide and the existing structure is situated on the lot in a manner that is consistent with the neighborhood homes. Applicant seeks a variance for the existing lot to be provided as 31.06 feet in width.

9. 3321.05 – Vision clearance. Applicant seeks variance to eliminate the requirement with respect to the proposed carriage house, the north alley is unimproved and likely to never be improved as it is too narrow.

10. 3332.035 – R-3 residential district. Allows for one single family dwelling. Applicant seeks variance to allow second dwelling in the form of a carriage house.

Owner and Applicant requests relief from title 33 Zoning rules and requests permission to build a new construction carriage house located at property address 1310 Oak St, Columbus, OH 43205.

Creating a new construction reproduction of a historic carriage house that is architecturally compatible with the existing home on this property, and architecturally compatible with the other historic carriage houses and garages in the Near East Area Commission is not possible without some relief from Title 33 Zoning Code, of which the code is applicable to more typical residential districts. The unique architecture and historical character of the Near East Area Commission and surrounding historical districts does not typically conform to Title 33 Zoning Codes, and therefore casts special circumstance and constraints onto property owners in this district and other historical districts.

In summary, and most importantly, granting this variance request to build a new construction carriage house will not be injurious to neighboring properties or the community's inhabitants. The granting of this variance will not be contrary to the public interest. The granting of this variance will increase the architectural appeal of the street/alley and the Near East neighborhood as a whole.

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Department of Building & Zoning Services

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Phone: 614-645-7433 • www.bzs.columbus.gov

AFFIDAVIT (See instruction sheet)

Application Number: CV17-018

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Ivan Houpe

of (1) MAILING ADDRESS 1310 Oak Street Columbus, Ohio 43205

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 1310 OAK ST

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 3128117

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME

(4) Brandie C. Bronston

AND MAILING ADDRESS

1310 Oak street Columbus, Ohio 43205

APPLICANT'S NAME AND PHONE #

Ivan Houpe

(same as listed on front application)

614-558-5095

AREA COMMISSION OR CIVIC GROUP

(5) Near East Area Commission

AREA COMMISSION ZONING CHAIR

OR CONTACT PERSON AND ADDRESS

Annie Ross - Womack awd444@201.com
614-531-2700 874 Oak Ave 43206

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)

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

(8) SIGNATURE OF AFFIANT

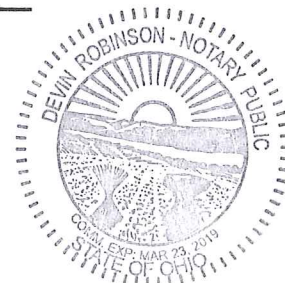
Sworn to before me and signed in my presence this 27th day of March, in the year 2017

(9) SIGNATURE OF NOTARY PUBLIC

March 23, 2019
My Commission Expires

Notary Seal Here

This Affidavit expires six (6) months after the date of notarization.



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Label Set

APPLICANT

Ivan Houpe
1310 Oak St
Columbus, OH 43205

PROPERTY OWNER

Brandie C Bronston
1310 Oak St
Columbus, OH 43205

AREA COMMISSION

Near East Area Commission
c/o Annie Ross-Womack
874 Oak Avenue
Columbus, OH 43206

ATTORNEY/AGENT

n/a

SURROUNDING PROPERTY OWNERS

1309-1313 Fair LLC
309 S Fourth St STE 101
Columbus, OH 4315

Brand Realty LLC
7188 Tumblebrook Dr
New Albany, OH 43054

Daniel D Shepherd
PO Box 7153
Columbus, OH 43205

Anderson Felecia J
1304 Oak St
Columbus, OH 43205

Tailored Standards
Property Management LLC
591 High Timber Dr
Westerville, OH 43082

John F Whitlock
1221 Franklin Ave
Columbus, OH 43205

Oldtowne Properties LTD
684 Wilson Ave
Columbus, OH 43205

Oak Street Development LLC
1314 Bryden Rd
Columbus, OH 43205

Main Miller Company
1314 Bryden Rd
Columbus, OH 43205

Dickybird Limited
684 Wilson Ave
Columbus, OH 43205

City of Columbus
Land Bank
50 W Gay St FL 4
Columbus, OH 43215

Lapido Victor I
Lapido Titilola M
9324 Carroll Northern Rd
Pickerington, OH 43147

SIJ Partnership LLC
3540 E Fulton St
Columbus, OH 43227

Board of Education
Real Estate Coordinator
270 E State St
Columbus, OH 43215

Otis D Shepherd
Ruby L Shepherd
74 Oakwood Ave
Columbus, OH 43205

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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 # CV17-018

STATE OF OHIO

COUNTY OF FRANKLIN

Ivan Houpe

Being first duly cautioned and sworn (NAME) _____
of (COMPLETE ADDRESS) 1310 OAK ST Columbus, OH 43205

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. Brandie C. Bronston 1310 Oak street Columbus, Ohio, 43205 937-831-3368	2. Ivan Houpe 1310 Oak street Columbus, Ohio, 43205 614-558-5095
3.	4.

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

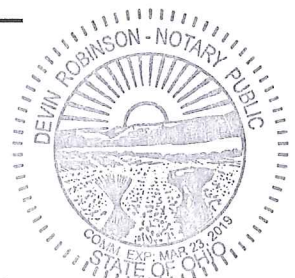
SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 27th day of March, in the year 2017

[Signature]
SIGNATURE OF NOTARY PUBLIC

March 23, 2019
My Commission Expires

Notary Seal Here



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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: 010047017

Zoning Number: 1310

Street Name: OAK ST

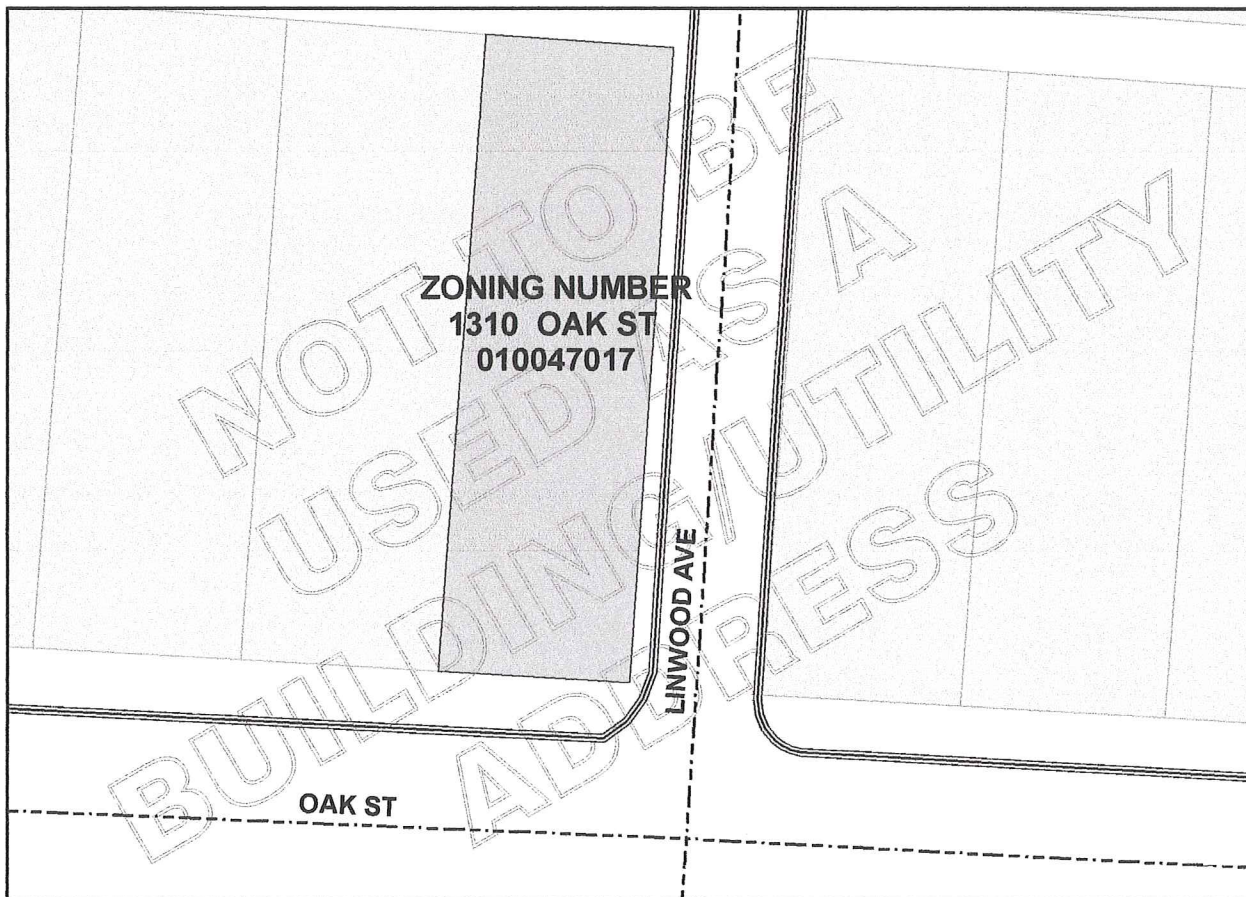
Lot Number: N/A

Subdivision: N/A

Requested By: IVAN HOUPE

Issued By: *Adyana Amariam*

Date: 3/27/2017



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

SCALE: 1 inch = 30 feet

GIS FILE NUMBER: 87803

CV17-018

EXHIBIT "A" LEGAL DESCRIPTION

Page: 1 of 1

Account #: 23793820
Order Date : 02/28/2015

Index #:
Registered Land:
Parcel #: 010-047017

Reference : 20150592125953
Name : BRANDIE BRONSTON
Deed Ref : 201210310165071

SITUATED IN THE COUNTY OF FRANKLIN IN THE STATE OF OHIO AND IN THE CITY OF COLUMBUS: BEING LOT NUMBER FOUR (4) OF JAS. FULLERTON'S SUBDIVISION OF LOTS 66 TO 71, INCLUSIVE, OF WILSON AND SHARP'S SECOND ADDITION AS THE SAME IS NUMBERED AND DELINEATED UPON THE RECORDED PLAT THEREOF, OF RECORD IN PLAT BOOK 4, PAGE 421, RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO.

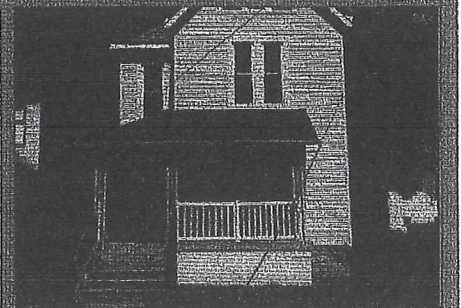
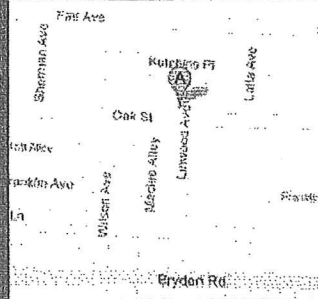
SUBJECT TO ALL EASEMENTS, COVENANTS, CONDITIONS, RESERVATIONS, LEASES AND RESTRICTIONS OF RECORD, ALL LEGAL HIGHWAYS, ALL RIGHTS OF WAY, ALL ZONING, BUILDING AND OTHER LAWS, ORDINANCES AND REGULATIONS, ALL RIGHTS OF TENANTS IN POSSESSION, AND ALL REAL ESTATE TAXES AND ASSESSMENTS NOT YET DUE AND PAYABLE.

BEING THE SAME PROPERTY CONVEYED BY DEED RECORDED IN DOCUMENT NO. 201210310165071, OF THE FRANKLIN COUNTY, OHIO RECORDS.



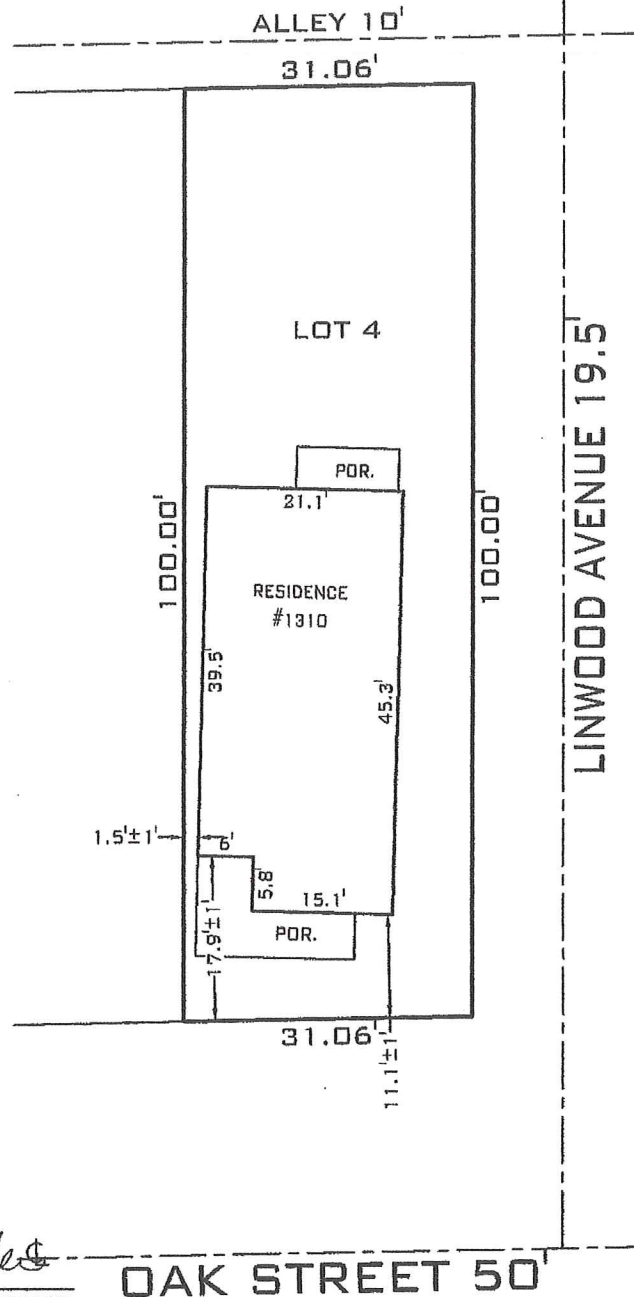
CV17-018

Ordered By:



PROPERTY ADDRESS: 1310 OAK STREET COLUMBUS, Ohio 43205

SURVEY NUMBER: 185458L

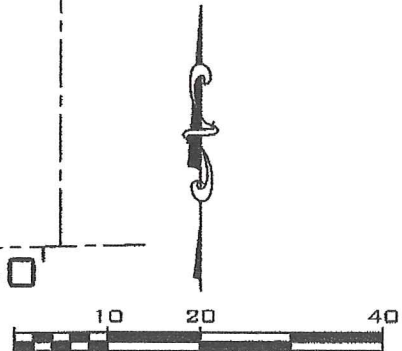


Scott D. Grunel

THIS PLAT IS NOT TO BE USED TO ERECT
FENCES OR OTHER STRUCTURES, AND MAY
NOT SHOW ALL EASEMENTS AFFECTING THE
SUBJECT TRACT

OAK STREET 50'

LSGI#: 141499



SCALE: 1" = 20'

POINTS OF INTEREST: NONE VISIBLE

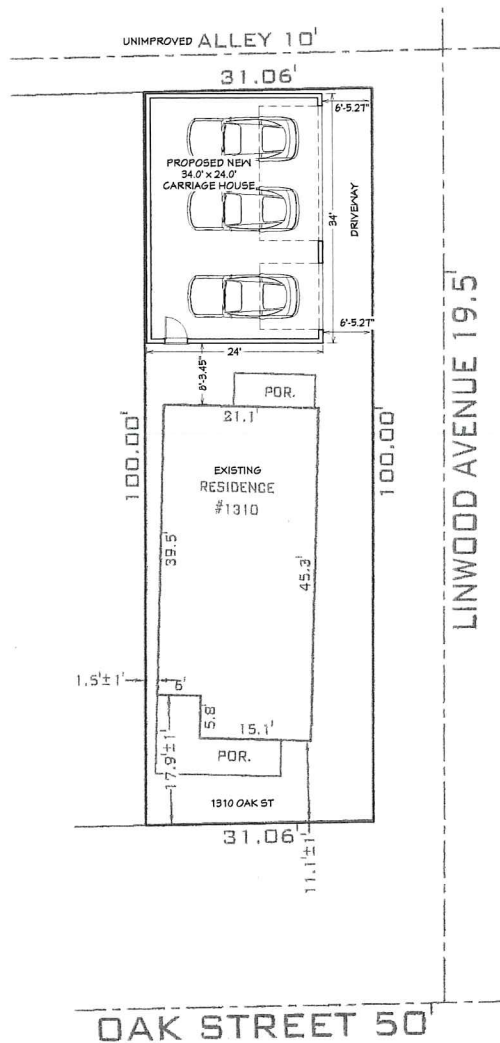
CV17-018

CLIENT NUMBER: T12-2349

DATE: 9/21/2012

Do not use this mortgage loan identification survey for the installation or

clusively for the certified parties and may not be copied, reproduced or altered in any form without permission in writing from the copyright owner.



PROJECT DESCRIPTION

OVERALL PROJECT:

THE PROJECT INCLUDES BUILDING A PROPOSED CARRIAGE HOUSE WITH 3-CAR PARKING BELOW. THE FOOTPRINT OF THE PROPOSED CARRIAGE HOUSE WILL BE 34.0' x 24.0'.

SITE / ZONING INFORMATION

ADDRESS: 1310 OAK ST, COLUMBUS OH 43205
 PARCEL ID: 010047017
 LEGAL DESCRIPTION: 1310 OAK ST, JFULLERTON, SUB 4
 ZONING: R-3, RESIDENTIAL

LOT COVERAGE

	EXISTING:	PROPOSED:
LOT SIZE 31.06' x 100.00':	3,106 S.F. (.712 ACRE)	NO CHANGE

LOT COVERAGE:

EXISTING RESIDENCE:	922 S.F. (30%)	NO CHANGE
GARAGE/CARRIAGE HOUSE:		816 S.F. (27%)
TOTAL LOT COVERAGE:	= 30% EXISTING	= 57% PROPOSED

PROPOSED BUILDING SETBACKS:

GARAGE/CARRIAGE HOUSE: NORTH: 0.0'
 SOUTH: N/A
 EAST: 6.0'
 WEST: 0.0'

OFF-STREET PARKING:

NONE 3 PARKING SPACES - CARRIAGE HOUSE

P-1

SHEET:

SCALE: 1/8"

DATE: 3/28/2017

REVISION TABLE			
NUMBER	DATE	REVISED BY	DESCRIPTION

CV17-018



CV17-018
1310 Oak Street
Approximately 0.71 acres



CV17-018
1310 Oak Street
Approximately 0.71 acres