

**Zoning Report**

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**Site Information**

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Address	247 E 3RD AVE
Mailing Address	17 BRICKEL ST COLUMBUS OH 43215-7502
Owner	EAST THIRD PARTNERS LLC
Parcel Number	010035862
In Columbus?	Yes
County	FRANKLIN

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**Zoning Information**

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Zoning	Z73-025, Residential, R4, 6/19/1973, H-35
Historic District	Italian Village
Short North Special Parking Area	In
Council Variance	None
Board of Zoning Adjustment (BZA) Variance	BZA16-149, Passed
Commercial Overlay	None
Planning Overlay	I-670 Graphics Control
Graphics Variance	None
Area Commission	None
Historic Site	No
Flood Zone	Out
Airport Overlay Environs	None

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**Pending Zoning Action**

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Zoning	None
Board of Zoning Adjustment (BZA) Variance	None
Council Variance	None
Graphics Variance	None

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THE CITY OF COLUMBUS

ANDREW J. GINTHER, MAYOR

Board of Zoning Adjustment Application

DEPARTMENT OF BUILDING AND ZONING SERVICES

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

OFFICE USE ONLY

Application Number: BZA17-119 Date Received: 4 Oct 2017
Application Accepted by: [Signature] Fee: \$320
Commission/Civic: [Signature]
Existing Zoning:
Comments:

TYPE(S) OF ACTION REQUESTED (Check all that apply):

- [X] Variance [ ] Special Permit

Indicate what the proposal is and list applicable code sections:

Request a variance to C.C. Section 3332.21 Building Setbacks, to reduce the building setback from 15' to 10'.

LOCATION

Certified Address: 245 East Third Avenue City: Columbus, Ohio Zip: 43201

Parcel Number (only one required): 010-035862, et al.

APPLICANT (If different from Owner):

Applicant Name: East Third Partners LLC, c/o David Hodge Phone Number: 614.335.9320 Ext.:

Address: Underhill & Hodge LLC, 8000 Walton Pkwy., Ste. 260 City/State: New Albany, Ohio Zip: 43054

Email Address: david@uhlawfirm.com Fax Number: 614.335.9329

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

Name: East Third Partners LLC, c/o David Hodge Phone Number: 614.335.9320 Ext.:

Address: Underhill & Hodge LLC, 8000 Walton Pkwy., Suite 260 City/State: New Albany, Ohio Zip: 43054

Email Address: david@uhlawfirm.com Fax Number: 614.335.9329

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

Name: David Hodge Phone Number: 614.335.9320 Ext.:

Address: Underhill & Hodge, LLC, 8000 Walton Pkwy., Suite 260 City/State: New Albany, Ohio Zip: 43054

Email Address: david@uhlawfirm.com Fax Number: 614.335.9329

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

APPLICANT SIGNATURE By: [Signature]

PROPERTY OWNER SIGNATURE By: [Signature]

ATTORNEY / AGENT SIGNATURE [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.

Board of Zoning Adjustment Application

DEPARTMENT OF BUILDING AND ZONING SERVICES

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

AFFIDAVIT

STATE OF OHIO COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME David Hodge of (1) MAILING ADDRESS Underhill & Hodge LLC, 8000 Walton Parkway, Suite 260, New Albany, Ohio 43054

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 245 East Third Avenue, Columbus, Ohio 43201 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) East Third Partners LLC 17 East Brickel Street, Suite E Columbus, Ohio 43215

APPLICANT'S NAME AND PHONE # (same as listed on front application) East Third Partners LLC (614) 980-3468

AREA COMMISSION OR CIVIC GROUP AREA COMMISSION ZONING CHAIR OR CONTACT PERSON AND ADDRESS (5) Italian Village Commission, James Goodman 50 West Gay Street, 4th Floor Columbus, Ohio 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) SIGNATURE OF AFFIANT David Hodge

Sworn to before me and signed in my presence this 4th day of October, in the year 2017

(7) SIGNATURE OF NOTARY PUBLIC Kimberly R. Grayson My Commission Expires 1-11-2021



KIMBERLY R. GRAYSON Notary Public, State of Ohio My Commission Expires January 11, 2021

PLEASE NOTE: Incomplete information will result in the rejection of this submittal. Applications must be submitted by appointment. Call 614-645-4522 to schedule.

**PROPERTY OWNER:** East Third Partners LLC  
c/o David Hodge  
Underhill & Hodge LLC  
8000 Walton Parkway, Suite 260  
New Albany, Ohio 43054

**APPLICANT:** East Third Partners LLC  
c/o David Hodge  
Underhill & Hodge LLC  
8000 Walton Parkway, Suite 260  
New Albany, Ohio 43054

**ATTORNEY:** David Hodge  
Underhill & Hodge LLC  
8000 Walton Parkway, Suite 260  
New Albany, Ohio 43054

**AREA COMMISSION:** Italian Village Commission  
James Goodman  
50 West Gay Street, 4<sup>th</sup> Floor  
Columbus, Ohio 43215

**SURROUNDING PROPERTY OWNERS:** New Victorians, Inc.  
or current resident  
455 West Third Avenue  
Columbus, Ohio 43201

Rusti Porter and Martin Geraghty  
or current resident  
1700 Sperring Road  
Sonoma, CA 95476

New Victorians 2 LLC  
or current resident  
455 West Third Avenue  
Columbus, Ohio 43201

Quinn Fallon  
or current resident  
1017 North Sixth Street  
Columbus, Ohio 43201

Dustin and Johanna McKee  
or current resident  
257 East Third Avenue  
Columbus, Ohio 43201

Mark Hosterman  
or current resident  
P.O. Box 237  
Circleville, Ohio 43113

James Taylor  
or current resident  
P.O. Box 213  
Reynoldsburg, Ohio 43068-0213

Michael Hughes  
or current resident  
984 Peru Alley  
Columbus, Ohio 43201

New Victorians 3 LLC  
or current resident  
455 West Third Avenue  
Columbus, Ohio 43201

Dennis Hubach  
or current resident  
978 North Fourth Street  
Columbus, Ohio 43201

Bridgid Davis and Robert Ray  
or current resident  
976 North Fourth Street  
Columbus, Ohio 43201

Andrew Boyd  
or current resident  
967 North Sixth Street  
Columbus, Ohio 43201

Colin Vent and Lisa Sullivan  
or current resident  
979 North Sixth Street  
Columbus, Ohio 43201

James Lacher, III  
or current resident  
983 North Sixth Street  
Columbus, Ohio 43201

Kirk Whetstone and Philip Smith  
or current resident  
266 East Third Avenue  
Columbus, Ohio 43201

Michael Lee  
or current resident  
971 North Sixth Street  
Columbus, Ohio 43201

Kenneth Kline  
or current resident  
973 North Sixth Street  
Columbus, Ohio 43201

**BZA17-119**  
**245 EAST THIRD AVE.**

Jeffrey Budde and Christine Roark  
or current resident  
975 North Sixth Street  
Columbus, Ohio 43201

Gary and Jessica Means  
or current resident  
977 North Sixth Street  
Columbus, Ohio 43201

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# Board of Zoning Adjustment Application

DEPARTMENT OF BUILDING  
AND ZONING SERVICES

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

## 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.

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 not included, a new application (and applicable fees) 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):

Please see attached Statement of Hardship.

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Signature of Applicant By:  Date 10/14/2017

**Statement of Hardship**

**245 East Third Avenue**

In January 2017 the BZA approved a variance – among others – to reduce the setback for the subject lots from 25 feet to 15 feet. This request is submitted to further reduce the setback to allow for a 10-foot setback, instead of the previously contemplated 15 feet. Reducing the setback by an additional 5 feet is not inconsistent with the built environment of the immediate neighborhood. The variance requested is:

C.C. 3332.21 Building lines

Where this section of Code requires a building setback of 25 feet from the property line, and a reduction to 10 feet is requested.

The subject property is located in the Italian Village neighborhood, an urban part of town much of which developed before zoning was adopted. The R-4 development standards of the Zoning Code provide suburban development standards, which are often ineffective in urban neighborhoods of this type. This is the case here.

Allowing the property to develop at a 10 foot setback instead of 25 feet (or 15 feet as previously approved) will in no way be detrimental to any immediate neighbor, or to the surrounding neighborhood. Rather, it will allow a development consistent from a building setback perspective with many other properties in the area. Such special circumstances do apply, generally, to other properties in the R-4 zoning district, and are the result of zoning historically, and not of the property owner or applicant. The approval of this variance will preserve a substantial property right possessed by owners of other property in the same zoning district, and will not be contrary to the intent and purpose of the Zoning Code. The request, again, will allow the property owner to develop in a manner consistent with many, many other properties throughout this, and other historic neighborhoods in the City of Columbus.

The applicant respectfully requests approval of the requested variance.

East Third Partners LLC

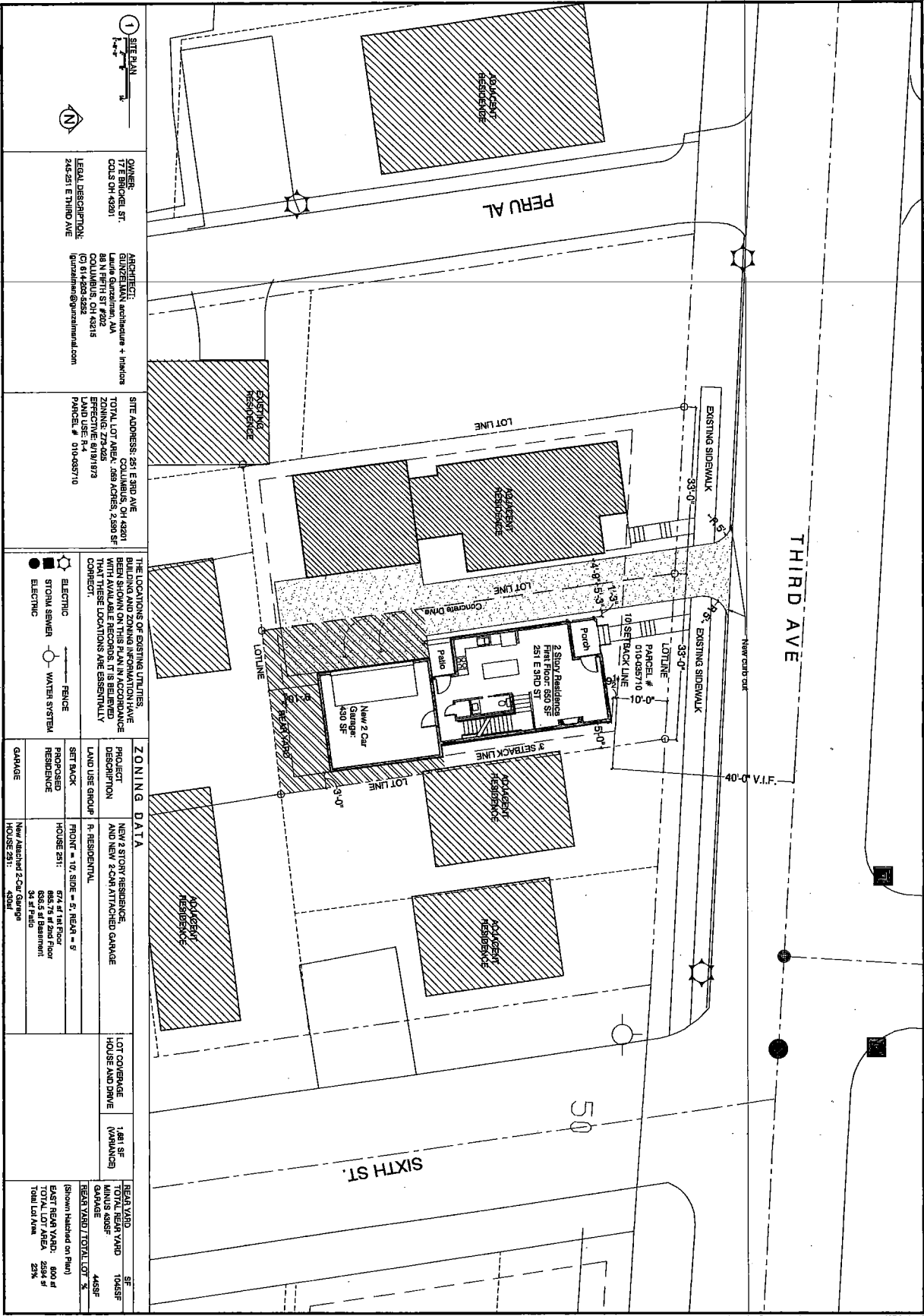
By:

Signature of Applicant:



Date:

10/4/2017



**1 SITE PLAN**  
1" = 10'-0"

**OWNER:**  
COLS OH 43201

**ARCHITECT:**  
Gunzelman, Architecture + Interiors  
Laura Gunzelman, AIA  
88 N Fifth St #202  
COLUMBUS, OH 43215  
(614) 265-6265  
lgunzelman@gunzelman.com

**LEGAL DESCRIPTION:**  
245 251 E THIRD AVE

**SITE ADDRESS:** 251 E 3RD AVE  
COLUMBUS, OH 43201

**TOTAL LOT AREA:** 289 ACRES, 2,890 SF  
**ZONING:** Z72-425  
**EFFECTIVE DATE:** 8/19/1973  
**PARCEL #:** 010-035710

THE LOCATIONS OF EXISTING UTILITIES, BUILDING AND ZONING INFORMATION HAVE BEEN SHOWN ON THIS PLAN TO BE CORRECT. THAT THESE LOCATIONS ARE ESSENTIALLY CORRECT.

ELECTRIC  
 STORM SEWER  
 WATER SYSTEM  
 FENCE

ZONING DATA		LOT COVERAGE	1,801 SF (MINIMUM)	REAR YARD
PROJECT DESCRIPTION	NEW 2 STORY RESIDENCE AND NEW 2-CAR ATTACHED GARAGE	HOUSE AND DRIVE		TOTAL REAR YARD 1065 SF
LAND USE GROUP	R-RESIDENTIAL			MINUS 480 SF GARAGE
SETBACK	FRONT = 10', SIDE = 5', REAR = 8'			REAR YARD / TOTAL LOT % 44%
PROPOSED RESIDENCE	HOUSE 231: 604 SF of Floor 656.5 of Basement 34 SF Patio			(shown Hatched on Plan)
GARAGE	NEW Attached 2-Car Garage HOUSE 231: 420 SF			EAST REAR YARD: 604 SF TOTAL LOT AREA: 2534 SF 23%

**SITE DEVELOPMENT PLAN**  
REVISED  
PHASE: PERMIT SET  
DATE: 10.03.2017 R

**AO.2**

**251 THIRD AVE RESIDENCE**  
251 THIRD AVE COLUMBUS OHIO 43215

REVISIONS  
DATE

**GUNZELMAN**  
architecture + interiors

88 N 5th St Suite  
COLUMBUS, OH 43215  
P | 614.674.6696

PJT #: 16-137

ARCHITECT  
 ENGINEER  
 LANDSCAPE ARCHITECT  
 SURVEYOR  
 PLANNING  
 INTERIORS  
 LIGHTING  
 FURNITURE  
 SIGNAGE  
 OTHER





THE CITY OF COLUMBUS ANDREW J. GINTHER, MAYOR

Board of Zoning Adjustment Application

DEPARTMENT OF BUILDING AND ZONING SERVICES

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 # \_\_\_\_\_

STATE OF OHIO COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) David Hodge of (COMPLETE ADDRESS) Underhill & Hodge LLC, 8000 Walton Parkway, Suite 260, New Albany, Ohio 43054 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 and their mailing addresses:

Table with 2 columns: NAME, COMPLETE MAILING ADDRESS. Rows include East Third Partners LLC, Chad Seiber, Mark Inks, Faraz Kahn, and Jeff Sheu.

SIGNATURE OF AFFIANT

Handwritten signature of David Hodge

Sworn to before me and signed in my presence this 12th day of October, in the year 2017

SIGNATURE OF NOTARY PUBLIC

Handwritten signature of Notary Public

1-11-2021

My Commission Expires

Notary Seal Here



KIMBERLY R. GRAYSON Notary Public, State of Ohio My Commission Expires January 11, 2021

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