

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: CV17-080 Date Received: 11/28/2017
Application Accepted by: SP + TP Fee: \$320
Assigned Planner: Tim Dietrich; 614-645-6665; tdietrich@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address or Zoning Number: 82 Price 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: 010004277

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

Current Zoning District(s): ARLD; Short North Parking

Area Commission or Civic Association: Victorian Village

Proposed Use or reason for Council Variance request:

Build a 3-car garage and residential dwelling on the second floor of garage

Acreage: .12

APPLICANT:

Name: Ted Uritus Phone Number: _____ Ext.: _____

Address: 1567 Northcrest Ave. City/State: Columbus, OH Zip: 43220

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

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

Name: 82 Price Ave. Owner LLC Phone Number: _____ Ext.: _____

Address: 1567 Northcrest Ave. City/State: Columbus, OH Zip: 43220

Email Address: _____ Fax Number: _____

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

Name: Matt Koppitch, Esq. - Bricker & Eckler LLP Phone Number: 614-227-8824 Ext.: _____

Address: 100 S. Third Street City/State: Columbus, OH Zip: 43215

Email Address: mkoppitch@bricker.com Fax Number: _____

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

APPLICANT SIGNATURE Theodore A. Uritus

PROPERTY OWNER SIGNATURE Theodore A. Uritus

ATTORNEY / AGENT SIGNATURE Matt Koppitch

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

Application Number: CV17-080

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):

See attached.

Signature of Applicant

Theodore A. Waters

Date 11/27/17

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82 Price Ave. Owner LLC
Council Variance Application – Statement of Hardship
82 Price Ave.

STATEMENT OF HARDSHIP

This statement of hardship is submitted in support of Applicant's, 82 Price Ave. Owner LLC, request for variances related to the proposed construction of a 3 car garage and carriage house residential unit on the second floor of the garage.

Variances Requested

1. 3312.29, Parking space: to permit a stacked parking space to count as a required parking space
2. 3312.25(B) – Maneuvering: to permit maneuvering over a required parking space
3. 3333.02 - AR-12, ARLD and AR-1 apartment residential district use
4. 3333.24 – Rear yard – no rear yard for the carriage house dwelling
5. 3333.11, ARLD area district requirements: to permit 1 unit per 1,358.75 sq. ft. as opposed to 1 unit per 2,500 sq. ft.
6. 3333.16, Fronting: no frontage on a public street for the carriage house
7. 3333.09, Area requirements: to maintain a reduced lot width from 50 ' to 36.2'
8. 3333.18(D), Building lines: to maintain existing front setback of 5'9" as opposed to the required 10' for the existing three-unit dwelling
9. 3333.22 & 3333.23 Maximum and Minimum side yard: setbacks of 2.1' and 4.1' as opposed to the required 20 % and 5' for the existing three-unit dwelling

The applicant is seeking to update the property to provide for a 3-car garage with a residential unit above the garage. These types of "carriage houses" are common in the area and match a recent development pattern permitted on other properties in the Victorian Village area. The proposed design will match the character and historical nature of the existing house and surrounding area.

Granting the variance requests to permit the construction of a 3 car garage with a carriage house will allow this lot to be used in a manner that is consistent with and maintaining the residential nature of the area. It will also be consistent with a clear development pattern in the neighborhood that features multiple lots with carriage house structures.

Variance 1: 3312.29: The applicant asks for a variance to provide for "tandem parking" through stacking the parking spaces. If granted, the requested variance will provide for six parking spaces, two more than required (4).

Variance 2: 3312.25(B): In conjunction with Variance 1, a variance is also requested for maneuverability to allow for cars to use the tandem parking spaces to maneuver into the car bays provided by the garage. The proposed location of the garage will require the variance; however it will not cause a hazard to the surrounding vehicles and is consistent with the nature of the

surrounding area. The two variances are needed to provide adequate and sufficient parking for residents of the dwelling units.

Variance 3: 3333.02: The lot is zoned ARLD. A variance is requested from the specified uses to erect the carriage house, which will create a dwelling with only one dwelling unit. As stated above, a carriage house fits the development pattern found in the neighborhood.

Variance 4: 3333.24: A variance is requested from the requirements for a minimum rear yard for the carriage house. This request fits the development pattern present in the neighborhood where a carriage house dwelling unit is present.

Variance 5: 3333.11: A variance to the ARLD area district requirements is requested to permit the construction of an additional dwelling unit in the carriage house that will place the lot beneath the required square footage per dwelling unit. The resulting ratio will be 1,358.75 square feet per dwelling. This request for a smaller ratio than the required 2,500 square feet per dwelling unit fits the existing development pattern found in the area. Additionally, as currently constituted with 3 dwelling units, the lot would require a variance for this requirement (1,811.67 square feet per dwelling unit).

Variance 6: 3333.16: A variance is requested from the frontage requirements for the proposed residential unit located in the carriage house, the carriage house will technically front along the alley, providing a street frontage for the structure and proposed residential unit.

Variances 7, 8, and 9: Additionally, the applicant is applying for variances for existing conditions on the lot and existing principal structure. This includes variances to the required width of the lot (3333.09); building lines for the front yard setback (3333.18(D)); and minimum and maximum side yard dimensions (3333.22 and 3333.23). All of these variances are related to pre-existing nonconformities.

The requested variances will not interfere with any neighboring property owners' use of his/her property. It also will not prevent the further development of neighboring property. Granting this request is not contrary to the public interest or the purpose and intent of Columbus' zoning code. Granting the requested variances will increase the value of both the applicant's property as well as potentially neighboring properties. All proposed improvements will be constructed in a style, manner, and location that are consistent with the surrounding area and the principal structure.

Respectfully submitted,



Matthew R. Koppitch, Counsel for Applicant – 82 Price Ave Owner LLC
Bricker & Eckler LLP
100 South Third Street
Columbus, OH 43215
Phone: 614.227.8824
Fax: 614.227.2390
E-mail: mkoppitch@bricker.com

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Department of Building & Zoning Services

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AFFIDAVIT (See instruction sheet)

Application Number: CU17-080

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Matt Koppitch

of (1) MAILING ADDRESS 100 S. Third Street, 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 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 82 Price Ave.

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 11/28/17

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) 82 Price Ave Owner LLC
1567 Northcrest Ave.
Columbus, OH 43220

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

Ted Uritus
1567 Northcrest Ave. Columbus OH 43220

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

(5) Victorian Village
Christin Moody, Assistant Historic Preservation Officer
50 W. Gay Street, Cols., 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)

☒ 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 November, in the year 2017

(8) SIGNATURE OF NOTARY PUBLIC

My Commission Expires

Notary Seal Here



CHRISTOPHER N. SLAGLE
ATTORNEY AT LAW
Notary Public, State of Ohio
My Commission Has No Expiration
Section 147.03 R.C.

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

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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 Number: CV17-080

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Matt Koppitch
of (COMPLETE ADDRESS) 100 S. Third Street, 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 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. 82 Price Ave Owner LLC 1567 Northcrest Ave. Columbus, OH 43220	2. Theodore Albert Uritus 1567 Northcrest Ave. Columbus, OH 43220
3. Nicky Neal Berry 3453 Rockpointe Ct. Columbus, OH 43221	4. Theodore Philip Uritus 5872 Kingham Pk Dublin, OH 43017

☒ 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 November, in the year 2017

SIGNATURE OF NOTARY PUBLIC

My Commission Expires

Notary Seal Here



CHRISTOPHER M. SLAGLE
ATTORNEY AT LAW
Notary Public, State of Ohio
My Commission Has No Expiration
Section 147.03 R.C.

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CONTINUATION OF PROJECT DISCLOSURE STATEMENT

5. 82 Price Ave LLC
1567 Northcrest Ave.
Columbus, OH 43220
6. Rodolio Gustavo Francolino Romanzo
Leandro Gomez 1015
Paysandu, Uruguay CP 600000

Ted Uritus
1567 Northcrest Ave.
Columbus, OH 43220

Matt Koppitch
Bricker & Eckler LLP
100 S. Third Street
Columbus, OH 43215

82 Price Ave Owner LLC
1567 Northcrest Ave.
Columbus, OH 43220

82 Price Ave LLC
1567 Northcrest Ave.
Columbus, OH 43220

Theodore Albert Uritus
1567 Northcrest Ave.
Columbus, OH 43220

Nicky Neal Berry
3453 Rockpointe Court
Columbus, OH 43221

Theodore Philip Uritus
5872 Kingham Pk
Dublin, OH 43017

Rodolio Gustavo Francolino
Romanzo
Leandro Gomez 1015
Paysandu, Uruguay CP 600000

Victorian Village Commission
Cristin Moody
50 W. Gay St. 4th Floor
Columbus OH 43215

Linda L. Schuler
Or Current Resident
110 W First Av
Columbus, OH 43201

Victorian Village Ltd.
939 N High St.
Suite 206
Columbus 43201-2555

BHOWE Inc.
82 Price Ave.
Columbus, OH 43201

Richard E. Jacob Tr
61 W Second Av
Columbus, OH 43201

Jason H. Calhoun
65 Price Av
Columbus, OH 43201

Adam F. Anderson Tr
Neila R. Anderson Tr
8225 Copperfield Dr
Columbus, OH 43235

C&W Investment Co. 2 LLC
1020 Dennison Ave. Suite 102
Columbus 43201-3497

23 West 2nd Holdings LLC
30 Warren St.
Columbus, OH 43215-1525

Michael C McBrayer
Mary A McBrayer
13831 Cobblestone Ln
Pickerington OH 432147-9479

Andrew D. Lozier
73 W Second Av
Columbus, OH 43201

David Dunkel
Dunkel Company Realtors
381 W. Third Ave
Columbus OH 43201-3317

Solar Investments Inc
381 W. 3rd Ave
Columbus OH 43201-3317

Bruce E. Shumard Tr
P.O. Box 15872
Columbus, OH 43215

Michael A Oram
354 W Sixth Ave
Columbus, OH 43201

Solar Investments Inc.
83 W Second Ave
Columbus, OH 43201

Christian M. & Arland T. Stein
123 W Hubbard Ave
Columbus, OH 43215

John D. Youger
92 Price Ave
Columbus, OH 43201

Sasha A. Lutz
Jaron J. Srain
78 Price Ave
Columbus, OH 43201

Kirk M. Hardman
88 Price Ave
Columbus, OH 43201

Ross D. Rhinehart
Kathleen J. Rhinehart
51 W Second Ave
Columbus, OH 43201

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Nancy J. Noble
D.S. Baird Pud
67 W Second Ave
Columbus, OH 43201

Danny B. Stout
77 W Second Ave
Columbus, OH 43201

Daniel M. Steigerwalt
93 W Second Ave
Columbus, OH 43201

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93 W Second Ave
Columbus, OH 43201

For APN/Parcel ID(s): 010-004277-00

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

Being Lot Number Two (2) in DAVID PRICE'S SUBDIVISION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 1, Page 229, Recorder's Office, Franklin County, Ohio.

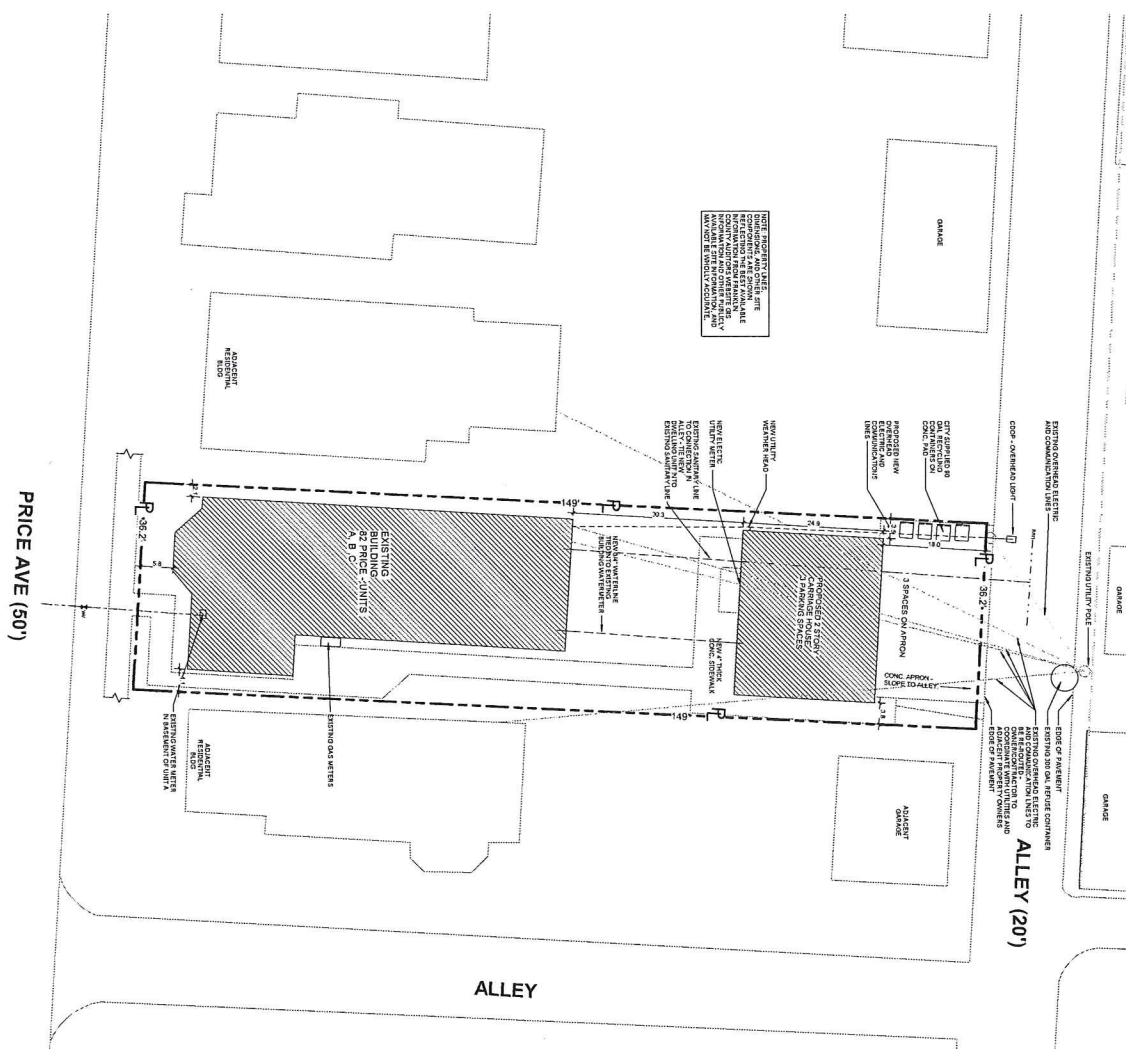
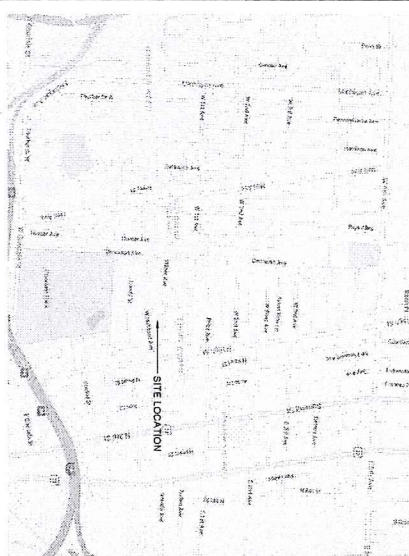
CV17-080

OWNER:
82 PRICE AVE OWNER, LLC
COLUMBUS OHIO

ARCHITECT:
SHREMSHOCK ARCHITECTS INC.
NEW ALBANY
OHIO

SITE DATA - 82 PRICE AVE, (CV17-_____)

ADDRESS	244 S F 145' OF TOTAL SF
TAX PARCELS	190 SF LESS GARAGE
LOT AREA	FOOTPRINT) 35% OF TOTAL SF
REAR YARD	
LOT COVERAGE	
NUMBER OF UNITS	EXISTING - 3
ZONING	PROPOSED - 4
EXISTING	4RD. APARTMENT
RESIDENTIAL LOW DENSITY	
30 UNITS / AC	
NO CHANGE	
PROPOSED	33 UNITS / AC
HEIGHT:	H-25, NO VARIANCE REQ.
USE:	NEW TWO STORY BUILDING
	ONE DWELLING UNIT OVER
PARKING:	CONFORMS TO ZONING
	6 (INCLUDES PARKED SPACES)
REFUSE:	
RESIDENTIAL	
SITE LOCATION MAP	

[illegible]

CARRIAGE HOUSE
82 PRICE AVE (REAR)

 **SHREMSHOCK**

SHREMSHOCK ARCHITECTS, INC.
7400 West Campus Road Suite 150 New Albany, OH 43054
t 614 545 4550 f 614 545 4555 www.shremshock.com

CV17-081



CV17-080
82 Price Avenue
Approximately 0.12 acres



CV17-080
82 Price Avenue
Approximately 0.12 acres