



# BOARD OF ZONING ADJUSTMENT APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services  
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • [www.columbus.gov](http://www.columbus.gov)

OFFICE USE ONLY

Application Number: # 14310-00000-00416  
Date Received: 16 JUNE 2014  
Commission/Civic: CLINTONVILLE AE  
Existing Zoning: \_\_\_\_\_ Application Accepted by: HF Fee: \$ 320  
Comments: \_\_\_\_\_

### TYPE(S) OF ACTION REQUESTED

(Check all that apply)

Variance     Special Permit

Indicate what the proposal is and list applicable code sections.

See Attached Exhibit A

### LOCATION

1. Certified Address Number and Street Name 286 W. Weisheimer Rd.  
City COLUMBUS State OHIO Zip 43214  
Parcel Number (only one required) 010-083858

### APPLICANT: (IF DIFFERENT FROM OWNER)

Name ERIC D. MARTINEAU  
Address 22 E 4th Ave, Suite 1A City/State Columbus/OH Zip 43201  
Phone # 614 297-6488 Fax # 614 297 6378 Email edm@wowway.com

### PROPERTY OWNER(S):

Name William + CAITLIN HENNIGER  
Address 618 S. 9th St City/State Columbus, OH Zip 43206  
Phone # 614/554 3799 Fax # N/A Email bill@roguefitness.com  
 Check here if listing additional property owners on a separate page.

### ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

Attorney     Agent

Name ERIC D. MARTINEAU  
Address 22 E. 4th Ave Suite 1A City/State Columbus OH Zip 43201  
Phone # 614 297 6488 Fax # 614 297 6378 Email: edm@wowway.com

### 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 all checks payable to the Columbus City Treasurer



# CITY OF COLUMBUS

## DEPARTMENT OF BUILDING AND ZONING SERVICES

14310-00000-00416  
286 WEST WEISHEIMER  
ROAD

**One Stop Shop Zoning Report** Date: Fri Apr 25 2014

General Zoning Inquiries: 614-645-8637

### SITE INFORMATION

**Address:** 286 W WEISHEIMER RD COLUMBUS, OH

**Mailing Address:** 1 FIRST AMERICAN WAY  
WESTLAKE, TX 76262

**Owner:** HENNIGER WILLIAM C HENNIGER CAIT

**Parcel Number:** 010083858

### ZONING INFORMATION

**Zoning:** ORIG, Residential, R3  
effective 2/27/1928, Height District H-35

**Board of Zoning Adjustment (BZA):** N/A

**Commercial Overlay:** N/A

**Graphic Commission:** N/A

**Area Commission:** Clintonville Area Commission

**Planning Overlay:** N/A

**Historic District:** N/A

**Historic Site:** Yes

**Council Variance:** N/A

**Flood Zone:** OUT

**Airport Overlay Environs:** N/A

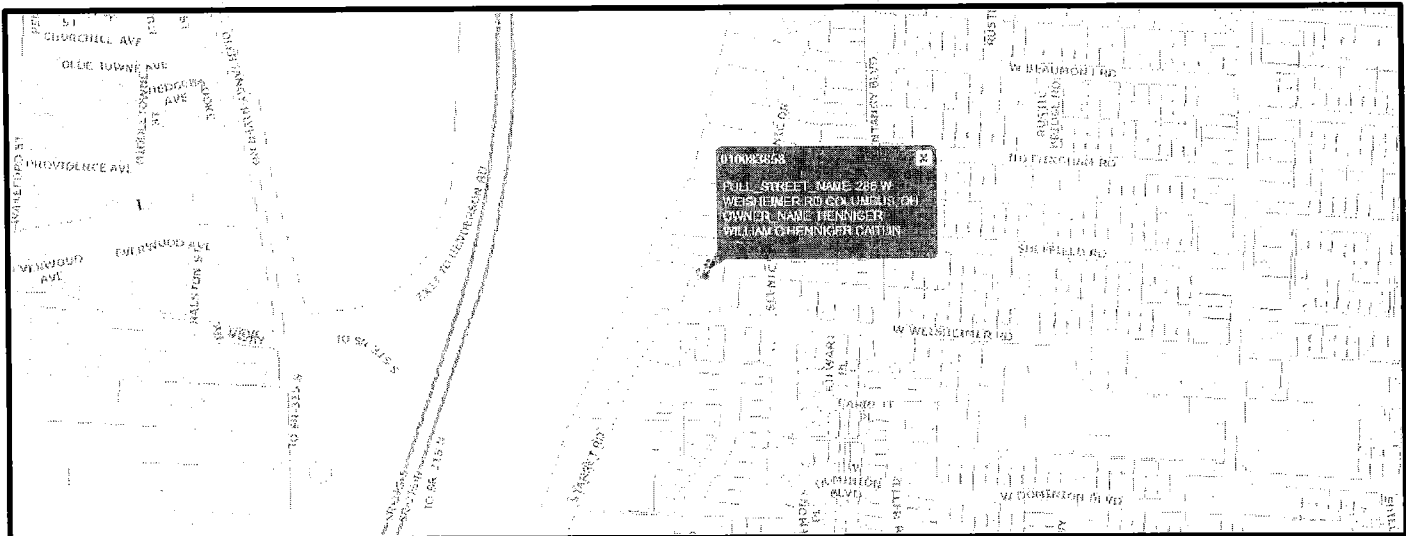
### PENDING ZONING ACTION

**Zoning:** N/A

**Board of Zoning Adjustment (BZA):** N/A

**Council Variance:** N/A

**Graphic Commission:** N/A





# BOARD OF ZONING ADJUSTMENT APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services  
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • [www.columbus.gov](http://www.columbus.gov)

**14310-00000-00416**  
**286 WEST WEISHEIMER ROAD**

## AFFIDAVIT

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME ERIC D. MARTINEAU  
of (1) MAILING ADDRESS 22 E. 4th Ave, Suite 1A, Columbus OH 43201  
deposed 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 for which the 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) WILLIAM + CARLIN HENNIGER  
618 S. 9th St.  
COLUMBUS OH 43206

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

ERIC D. MARTINEAU, Esq. Applicant  
614/297-6488

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

(5) Historic Resources Comm. / Clintonville Area Com.  
Randy Blech / Randy Ketchum  
50 W. GAY ST / 3909 N. High St.  
COLUMBUS OH 43215 / Columbus OH 43214

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(S) NAME (6A) ADDRESS OF PROPERTY (6B) PROPERTY OWNER(S) MAILING ADDRESS

See attached Exhibit C

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

SIGNATURE OF AFFIANT

(8)

Subscribed to me in my presence and before me this 16 day of July

SIGNATURE OF NOTARY PUBLIC

(8)

My Commission Expires:

EVAN R. MCCLANE  
NOTARY PUBLIC  
STATE OF OHIO  
Recorded in  
Franklin County  
My Comm. Exp. 6/30/18

Notary Seal Here

**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 all checks payable to the Columbus City Treasurer

Exhibit A – Proposal and List of Applicable Code Sections.

Summary: addition of a barn garage/outbuilding, to be built from a historic barn dismantled, relocated and re-assembled at the subject property.

Zoning variances for this project include the following:

3332.38 Private Garage

(F) Subject to the limitation of subsection (E) above, no portion of the lot area devoted to a private garage or carport shall exceed the greater of:

1. 720 square feet; or
2. One-third of the minim net floor area for living quarters of the principal residence;

**14310-00000-00416**  
**286 WEST WEISHEIMER**  
**ROAD**



# BOARD OF ZONING ADJUSTMENT APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services  
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • [www.columbus.gov](http://www.columbus.gov)

## STATEMENT OF HARDSHIP

14310-00000-00416  
286 WEST WEISHEIMER  
ROAD

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. That special circumstances or conditions apply to the subject property that does not apply generally to other properties in the same zoning district.
  2. That the special circumstances or conditions are not the result of the actions of the property owner or applicant.
  3. That 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. That 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 the 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 Exhibit B

Signature of Applicant

Date

6/13/2014

**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 all checks payable to the Columbus City Treasurer

Exhibit B – Statement of Hardship

The owners are in the process of renovating this historic property. In keeping with the historic nature of this property and as is consistent with the original rural setting in which this property was originally developed, the owners are seeking a variance to allow the erection of a barn structure (garage space per code), which if constructed, would exceed the 1/3<sup>rd</sup> living area limitation of CGC 3332.28.

The barn will be a salvaged barn that will be dismantled from its original location, restored as necessary and re-assembled on the lot per the drawings. The historic listing of this house is a special circumstance which does not generally apply to other houses in the zoning district and this special circumstance is not the result of actions taken by the owners.

The lot in question is quite large and the barn as designed would not come close to exceeding the lot coverage limitations or otherwise conflict with the zoning code.

The requested variance will not interfere with any neighboring property owners' use of his/her property or otherwise prevent the further development of any neighboring property. Additionally, granting applicant's request will not be contrary to the public interest or the purpose of the Zoning Code as the requested variance will increase the value of the applicant's property and the value of neighboring properties; still provide for adequate light, air and open space; reinforce the residential nature of the district and enhance the historical nature of the neighborhood by building in a style, manner and location consistent with the historic location and the setback of the original house, and; would not prove a fire hazard as the new construction is not within 3' of any property boundary other than that facing a public right-of-way.

**14310-00000-00416**  
**286 WEST WEISHEIMER**  
**ROAD**



# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: C

DATE: 6/10/14



Disclaimer

Scale = 60

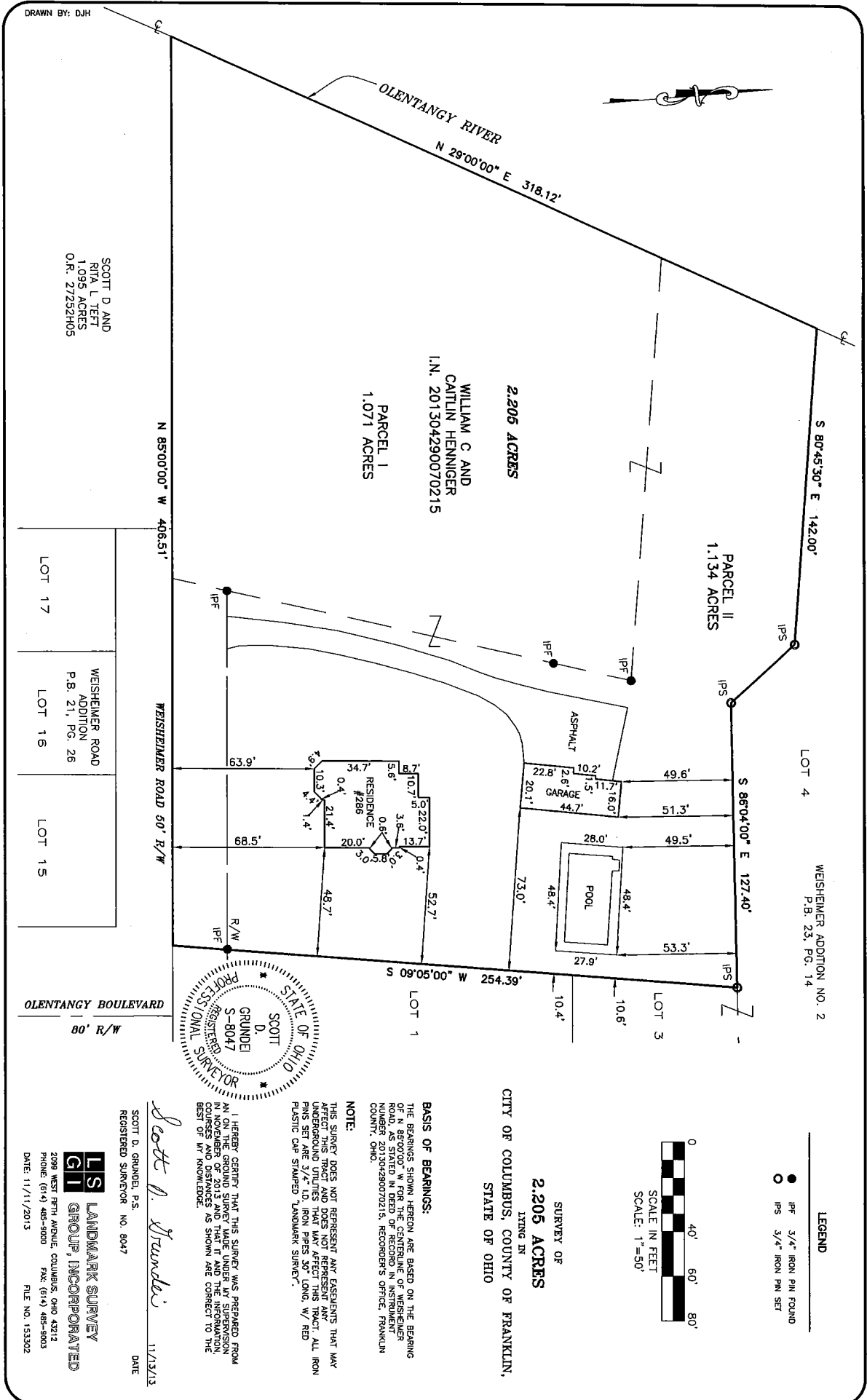


This map is prepared for the real property inventory within the survey plats, and other public records and data. Users of this information sources should be consulted for verification of the county and the mapping companies assume no legal responsibility. Please notify the Franklin County GIS Division of any discrepancy.

**14310-00000-00416**  
**286 WEST WEISHEIMER ROAD**

ds,  
map.

14310-00000-00416  
286 WEST WEISHEIMER  
ROAD



DRAWN BY: DJH

SCOTT D. AND  
RITA L. TEPL  
1.095 ACRES  
O.R. 27252H05

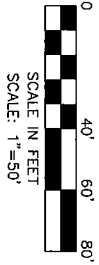
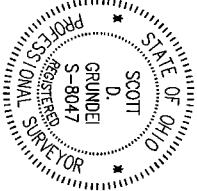
2.205 ACRES  
WILLIAM C AND  
CAITLIN HENNINGER  
I.N. 201304290070215  
PARCEL I  
1.071 ACRES

PARCEL II  
1.134 ACRES

LOT 17	WEISHEIMER ROAD ADDITION P.B. 21, PG. 26	LOT 16	LOT 15
--------	--	--------	--------

LOT 4  
WEISHEIMER ADDITION NO. 2  
P.B. 23, PG. 14

OLENTANGY BOULEVARD  
80' R/W



- LEGEND
- IPF 3/4" IRON PIN FOUND
  - IPF 3/4" IRON PIN SET

SURVEY OF  
2.205 ACRES  
LYING IN  
CITY OF COLUMBUS, COUNTY OF FRANKLIN,  
STATE OF OHIO

**BASIS OF BEARINGS:**  
THE BEARINGS SHOWN HEREON ARE BASED ON THE BEARING OF N 89°00'00" W FOR THE CENTRINE OF WEISHEIMER ROAD, AS STATED IN DEED OF RECORD IN INSTRUMENT NUMBER 201304290070215, RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO.

**NOTE:**  
THIS SURVEY DOES NOT REPRESENT ANY EASEMENTS THAT MAY AFFECT THIS TRACT AND DOES NOT REPRESENT ANY UNDERGROUND UTILITIES THAT MAY AFFECT THIS TRACT. ALL IRON PINS SET ARE 3/4" DIA. IRON PINS SET LONG, W/ RED PLASTIC OR STAMPED LANDMARK SURVEY.

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED FROM AN ON THE GROUND SURVEY MADE UNDER MY SUPERVISION IN NOVEMBER OF 2013 AND THAT THE INFORMATION, COURSES AND DISTANCES AS SHOWN ARE CORRECT TO THE BEST OF MY KNOWLEDGE.

*Scott D. Grunzel*  
SCOTT D. GRUNDEL, P.S.  
REGISTERED SURVEYOR NO. 8047  
DATE 11/19/13

LS LANDMARK SURVEY  
GIL GROUP, INCORPORATED  
2099 WEST FIFTH AVENUE, COLUMBUS, OHIO 43212  
PHONE: (614) 485-9000 FAX: (614) 485-9003  
DATE: 11/11/2013 FILE NO. 153302



Zoning Information

Parcels - 010-083858 (House)  
 010-132088 (Lot)

Zoning - F-3  
 Lot size - 50,050 SF (House)  
 40,652 SF (Lot)

Existing House + Addition = 5790 SF  
 (Total living area)

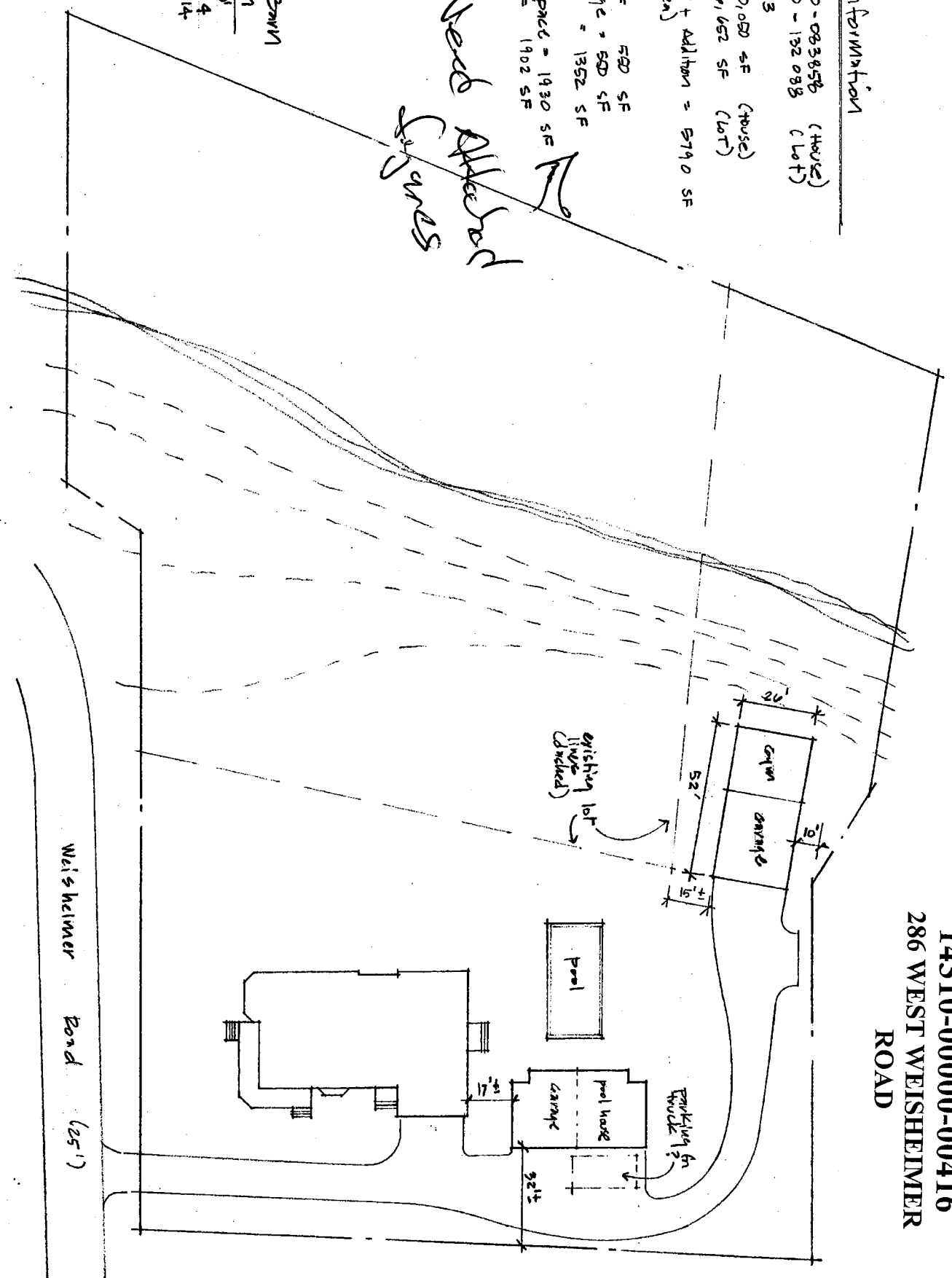
Pool House = 520 SF  
 Detached Garage = 520 SF  
 Barn/Carriage = 1352 SF  
 1/3 of Living space = 1930 SF  
 Garage Space = 1902 SF

*Need Attached  
 Garages*



Wellheimer Barn  
 Site Plan

Scale 1" = 30'  
 April 7, 2014  
 April 24, 2014



14310-00000-00416  
 286 WEST WEISHEIMER  
 ROAD



# BOARD OF ZONING ADJUSTMENT APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services  
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • [www.columbus.gov](http://www.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 provide.

14310-00000-00416

APPLICATION # 286 WEST WEISHEIMER ROAD

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) ERIC D. MARTINEAU  
of (COMPLETE ADDRESS) 27 E 4th Ave, Suite 1A, Columbus OH 43201  
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:

NAME	COMPLETE MAILING ADDRESS
<u>William Heninger</u>	<u>618 S. 9th St., Columbus OH 43206</u>
<u>Caitlin Heninger</u>	<u>618 S. 9th St., Columbus OH 43206</u>

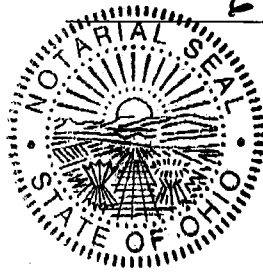
SIGNATURE OF AFFIANT [Signature]

Subscribed to me in my presence and before me this 16 day of June, in the year 2014

SIGNATURE OF NOTARY PUBLIC [Signature]

My Commission Expires: 6/30/18

Notary Seal Here



EVAN R. McLANE  
NOTARY PUBLIC  
STATE OF OHIO  
Recorded in  
Franklin County  
My Comm. Exp. 6/30/18

**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 all checks payable to the Columbus City Treasurer