

Council Variance 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: CV15-003 Date Received: 1/22/15
Application Accepted by: ET Fee: \$1600
Comments: Assigned to Eliza Thrush, ecthrush@columbus.gov, 614-645-1341

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 925 Dennison 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: 010-025408

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

Current Zoning District(s): ARLD

Area Commission or Civic Association: Victorian Village

Proposed Use or reason for Council Variance request:

Construction of Carriage House with garage and living quarters

Acreage: .117 acres

APPLICANT:

Attorney:

Name: John & Barbara Eakins Phone Number: 614-947-8600 Ext.: _____

Address: 925 Dennison Avenue City/State: Columbus, OH Zip: 43201

Email Address: Attorney: akuhn@planklaw.com Fax Number: 614-228-1790

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

Name: John & Barbara Eakins Phone Number: Atty: 614-947-8600 Ext.: _____

Address: 925 Dennison Avenue City/State: Columbus, OH Zip: 43201

Email Address: Attorney: akuhn@planklaw.com Fax Number: 614-228-1790

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

Name: Amy K. Kuhn Phone Number: 614-947-8600 Ext.: _____

Address: Plank Law Firm, 145 E. Rich Street, FL 3 City/State: Columbus, OH Zip: 43215

Email Address: akuhn@planklaw.com Fax Number: 614-228-1790

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

APPLICANT SIGNATURE Amy K. Kuhn Atty for Applicant

PROPERTY OWNER SIGNATURE Amy K. Kuhn Atty Owner

ATTORNEY / AGENT SIGNATURE Amy K. Kuhn Attorney

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.

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 requested as detailed below:

See attached

Signature of Applicant _____ Date _____

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**STATEMENT OF HARDSHIP FOR
925 DENNISON STREET**

This property is located in Victorian Village, a historic neighborhood of 19th century homes, many of which have been restored to or maintained in the original condition and style. The property at 925 Dennison Street is an approximately 2,300 square foot, two-story brick structure that has been extensively updated and improved since the current owner purchased the house in 2003. The property does not, however, have a garage.

This application is to request zoning variances in order to build a second residential unit on the property. The owner is proposing that the garage be a two-story structure in the style of a carriage house, which was once typical of older Victorian neighborhoods.

The construction of a two-story garage provides the area with a structure that is of a compatible mass and scale as the owner's house and many of the area homes. A one-story structure would not be considered compatible with the architectural scale and historic character of the area.

The addition of an attached garage or added living area to the existing house is not considered feasible or suitable for several reasons: the lot is narrow and an addition to the house would increase the footprint of the building and decrease the green space and yard areas. The house was built in the 19th century and an addition would be difficult and expensive to design in a manner that would maintain the historic nature of the property; the use of a carriage house is more in keeping with the history of the area. The proposed carriage house is a more efficient and functional area for the owners.

The lot is large enough to accommodate the second structure and will provide enough room for one on-site parking space in addition to the two parking spaces in the garage itself. The construction of the building will provide living quarters on the second floor as well as more privacy for the homeowner by providing a screen between the house and the alley.

The property is zoned ARLD and one structure with up to four living quarters is permitted. A council variance is required to permit two structures to be located on one lot. There are additional variances that are necessary to accommodate the new construction and to modify the zoning to accommodate the set backs, side yards and other items attributable to the existing building, as built.

The applicant requests the following Zoning Code variances from the Board of Zoning Appeals:

3333.02 AR-12, ARLD and AR-1 apartment residential district use. Variance to permit the construction of a garage with a living unit on the second floor. The current code permits multiple residential units in one structure but does not allow more than one structure on a lot. This variance would permit a second structure built as a carriage house which is in keeping with the area's character and historic nature.

3333.19 Building Lines on Corner lots. Variance to allow the existing lot width. The minimum lot width for ARLD zoning is 40 feet and the subject lot is 38.6 feet which is not unusual in Victorian Village.

3333.28 Apartment Building Lines. Variance to allow the existing front yard. The existing house has a front yard of 13.6 feet and the code required minimum is 25 feet.

3333.23 Minimum Side Yard Permitted. Variances to allow the existing improvements to remain as built. The existing structure does not meet the side and front yard requirements. The buildings and improvements are, however, situated on the lot in a manner that is consistent with neighborhood homes. The carriage house is to be built with a side yard on the south elevation that will be approximately three feet which is less than the required five feet. This siting of the building allows a parking space on the north side of the garage. A variance is being requested to allow stack parking to obtain four parking spaces as required for the property.

3312.25 Maneuvering. A variance to permit two standard stacked parking spaces at the side of the garage. Each of the spaces outside the garage would be at the rear or side of the garage and would be stacked. The property has sufficient space for maneuvering and using the space as proposed.

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AFFIDAVIT (See instruction sheet)

Application Number: CV15-003

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Amy K. Kuhn
of (1) MAILING ADDRESS Plank Law Firm, 145 E. Rich Street, FL 3, 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 ADDRESS CARD FOR PROPERTY 925 Dennison 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) January 22, 2015

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) John & Barbara Eakins
925 Dennison Avenue
Columbus, OH 43201

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

John & Barbara Eakins
Attorney: 614-947-8600

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

(5) Victorian Village Commission
James A. Goodman, Asst. Historic Preservation Officer
Dept. of Development, Neighborhood Services
109 N. Front St., Ground Floor, 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

Amy K. Kuhn

Sworn to before me and signed in my presence this 22nd day of JANUARY, in the year 2015

(8) SIGNATURE OF NOTARY PUBLIC

Barbara A. Painter

AUGUST 3, 2015
My Commission Expires

Notary Seal Here



BARBARA A. PAINTER
Notary Public, State of Ohio
My Commission Expires AUGUST 3, 2015

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

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.

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Please make checks payable to the Columbus City Treasurer

LABEL SET**ADDRESS: 925 Dennison Ave.****SUBMITTAL: 1/22/15****APPLICANT:**

John T. Eakins & Barbara A. Eakins
925 Dennison Ave.
Columbus, OH 43201

PROPERTY OWNERS:

John T. Eakins & Barbara A. Eakins
925 Dennison Ave.
Columbus, OH 43201

ATTORNEY FOR APPLICANT:

Amy K. Kuhn, Esq.
Plank Law Firm
145 E. Rich Street, FL 3
Columbus, OH 43215-5240

COMMUNITY GROUP/COALITION:

Victorian Village Commission
James A. Goodman, Asst. Historic Preservation Officer
City of Columbus
Department of Development, Neighborhood Svcs.
109 N. Front St., Ground Floor
Columbus, OH 43215

**SURROUNDING PROPERTY
OWNERS (125 FEET):**

Lori A. Ames
932-934 Dennison Ave.
Columbus, OH 43201

Patrica O. Bowers & Dennis Bowers
943 Dennison Ave.
Columbus, OH 43201

Andre L. Connelly
952 Hunter Ave.
Columbus, OH 43201

John T. Eakins & Barbara A. Eakins
925 Dennison Ave.
Columbus, OH 43201

Lisa M. Fry & James C. Ricksecker
206 W. First Ave.
Columbus, OH 43201

Timothy A. & Beth S. Gerber
946 Hunter Ave.
Columbus, OH 43201

Heart House Holdings LLC
373 S. Columbia Ave.
Columbus, OH 43209

Kevin W. King & Michelle J. King
178 W. First Ave.
Columbus, OH 43201

Alyssa M. Lawrence
1888 Judwick Rd.
Columbus, OH 43229

Kendra McSweeney
926 Dennison Ave.
Columbus, OH 43201

Mark L. Miller
194 W. First Ave.
Columbus, OH 43201

SHEET 1 of 2
ADDRESS: 925 Dennison Ave.
SUBMITTAL: 1/22/15

Mishkat LLC
4146 Riverside Dr.
Columbus, OH 43220

Christopher J. Natsch
190 W. First Ave.
Columbus, OH 43201

Brandon L. Peoples
Britne Dummermuth
915 Dennison Ave.
Columbus, OH 43201

David N. Phillips, TR
Ann M. Phillips
PO Box 8068
Columbus, OH 43201

Thomas A. Robertson
Coleen E. Dyer
942 Hunter Ave.
Columbus, OH 43201

Chad A. Seiber
958 Hunter Ave.
Columbus, OH 43201

Christopher D. Spangler
Nathan Maier
931 Dennison Ave.
Columbus, OH 43201

Tarbill Family L P
1620 W. First Ave.
Columbus, OH 43212

David H. Verzella
Barbara J. Verzella
937 Dennison Ave.
Columbus, OH 43201

Stacy Woodford, Sr.
1270 Brookwood Pl.
Columbus, OH 43209

Katherine U. Longenecker
917 Dennison Ave.
Columbus, OH 43201

Stanley A. Bednarczyk
919 Dennison Ave.
Columbus, OH 43201

George E. Shellenbarger
921 Dennison Ave.
Columbus, OH 43201

Stephanie L. Ferguson
923 Dennison Ave.
Columbus, OH 43201

Jennifer L. Wangler
172 W. First Ave.
Columbus, OH 43201

Angela M. Paolucci
174 W. First Ave.
Columbus, OH 43201

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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 #

CV15-0073

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Amy K. Kuhn
of (COMPLETE ADDRESS) Plank Law Firm, 145 E. Rich Street, FL 3, 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. John & Barbara Eakins 925 Dennison Avenue Columbus, OH 43201 Number of Columbus based employees: N/A Attorney: 614-947-8600	2.
3.	4.

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

SIGNATURE OF AFFIANT

Amy K. Kuhn

Sworn to before me and signed in my presence this 22nd day of JANUARY, in the year 2015

Barbara A. Painter

SIGNATURE OF NOTARY PUBLIC

AUGUST 3, 2015
My Commission Expires



Notary Seal Here

BARBARA A. PAINTER
Notary Public, State of Ohio
My Commission Expires AUGUST 3, 2015

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

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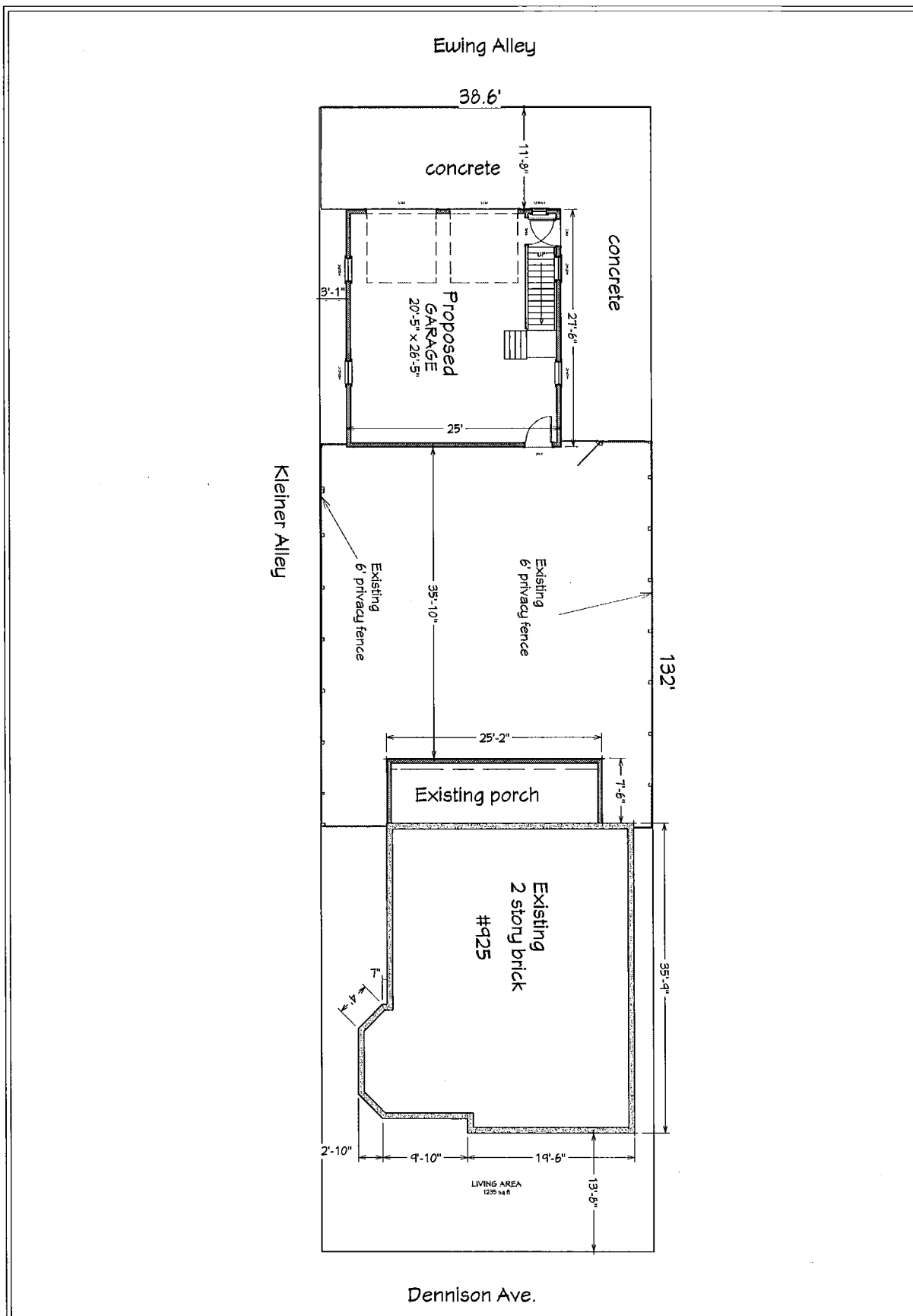
LEGAL DESCRIPTION

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

Being Lot Number Thirty-seven (37) of Stewart and Greener Subdivision, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, page 78, Recorder's Office, Franklin County, Ohio.

Parcel No.: 010-025408

Property Address: 925 Dennison Avenue Columbus, OH 43201



A-1	SHEET: 1" = 10' SCALE: 9/30/2014 DATE:	DRAWINGS PROVIDED BY: Collamore Built 2015 W. 5th Ave. Columbus, OH 43212 614-565-1377	PROJECT DESCRIPTION: Eakins Residence 925 Dennison Ave Columbus, OH 43201	SHEET TITLE: SITE PLAN	<table><tr><th>NO.</th><th>DESCRIPTION</th><th>BY</th><th>DATE</th></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr></table>	NO.	DESCRIPTION	BY	DATE																	 COLLAMORE BUILT
		NO.	DESCRIPTION	BY	DATE																					



CV15-003
925 Dennison Avenue
Approximately 0.12 acres



CV15-003
925 Dennison Avenue
Approximately 0.12 acres