



Mayor Michael B. Coleman

COUNCIL VARIANCE APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services

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

OFFICE USE ONLY

Application Number: CV15-027
Date Received: 5/11/15
Application Accepted By: TP Fee: \$320.00
Comments: Assigned to Toni Proehl; 645-2749; vjproehl@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 853 PARK ST. Zip 43215
Is this property currently being annexed into the City of Columbus ☐ Yes ☒ No
If the site is pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.
Parcel Number for Certified Address: 010 - 023574
☐ Check here if listing additional parcel numbers on a separate page.
Current Zoning District(s): Z78-033, Residential, R4
Recognized Civic Association or Area Commission: Victorian Village Commission
Proposed use or reason for Council Variance request: Add Carriage House above garage
Acreage: .165 Acres

APPLICANT: 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 M. HALEY BOEHRING
Address 853 N. PARK ST City/State COLUMBUS OH Zip 43215
Phone # _____ Fax # _____ Email: hboehring@mac.com
☐ Check here if listing additional property owners on a separate page.

ATTORNEY / AGENT ☒ 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 SIGNED IN BLUE INK)

APPLICANT SIGNATURE [Signature] ERIC D. MARTINEAU
PROPERTY OWNER SIGNATURE [Signature]
ATTORNEY / AGENT SIGNATURE [Signature] ERIC D. MARTINEAU

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.

For all questions regarding this form and fees please call: 614-645-4522

Please make all checks payable to the Columbus City Treasurer



COUNCIL VARIANCE APPLICATION

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

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 EXHIBIT B

Signature of Applicant

Date

5/1/15

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

For all questions regarding this form and fees please call: 614-645-4522

Please make all checks payable to the Columbus City Treasurer

Exhibit B – 856 N. Park Street - Statement of Hardship

The owner seeks to update the property to provide for a residential unit above the existing 2-car garage. This was a common construction practice when the primary residence was built. "Carriage Houses" were used as additional living space for extended family or unrelated persons who worked in the area, providing housing which was not available or affordable given single-family lot development and building standards.

The requested variance is in conformity with recent development patterns permitted on other properties in the area. Variances to permit construction of carriage houses have been granted at 76 W. 2nd Ave., 72 W. 2nd Ave., 743 Dennison Ave., 960 Hunter Ave., and 213 Wilber Ave., all in the Victorian Village area. Many other property owners in the same zoning district and in particular in the Victorian Village historical district have parcels containing carriage houses and simple garage structures which do not conform to the Zoning code. Granting Applicant's request will preserve a substantial property right- the right to develop the home in the manner required by and consistent with its historical nature, and further to allow applicant to develop and improve its home in a manner which other property owners have been granted variances for in the same historic zoning district.

The property is located in a Historic District (Victorian Village) and the lot was platted and the existing structure was built prior to implementation of the Zoning Code. The zoning code would not permit the construction of the "carriage house" living space without granting a variance as to the prohibition of a second living quarters detached from the main residence. The designation of this property as single-family was not the result of any action by Owner and granting the variance as to allow a carriage house will enable this lot to be used in a manner consistent with the residential character of the lot and also be in a manner similar to other properties in the Victorian Village historic district.

The variances other than permitting the carriage house relate to parking, yard dimension and location fronting on a public street. The construction of the stairway to the 2nd floor would leave only 2.3' setback on the north side of the garage. In addition, the total side yard minimum for the building if allowed to be a residence would be 8', and per the plans, a variance would be needed to allow the 7.3' sideyard. The permitting of the carriage house would create the need for a variance with respect to the number of parking spaces (3312.49 – Minimum number of required parking spaces.) The carriage house will not reduce the number of off-street parking spaces for this parcel. However, if two residences are permitted, the required number of parking spaces would total 4, so a variance reducing the parking to a total of 2 spaces would be required. Finally, the Zoning requires all residences to front on a public street. Owner requests variances to allow the carriage house to front on the public alley at the rear of the lot.

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 2' of any property boundary, will be fire-rated construction and is not unusual in the Victorian Village historical district.

Exhibit A – 853 N. Park St.

Proposal and List of Applicable Code Sections.

Summary: addition of living space above existing garage and expand existing garage footprint to allow construction of a staircase to access the carriage house.

Zoning variances for this project include the following:

3332.039 – applicant seeks a variance to permit separate residence to be constructed on single parcel, which is not permitted in a R-4 district.

3332.19 – Fronting on a public street. Applicant seeks variance to allow the carriage house to front on the public alley.

3332.25 – Maximum Side Yard – as a residence, the carriage house would be required to have the sum of each side yard equal or exceed 20% lot width. The lot is 40' wide, which would require 8' of total side yard. Applicant seeks a variance to permit the carriage house to have a total side yard of 7.3'.

3332.26(c)(1) – Minimum side-yard. Under zoning code, the carriage house would be required to have a minimum side yard of 3'. Applicant seeks a variance to allow a side-yard on the north side of the garage to total 2.3'.

3333.27 - Rear yard. Zoning code requires each dwelling to have a rear yard equal to 25% of the gross lot area. 25% of the lot area equals 1,800 square feet. The yard between the carriage house and the original house is approximately 2,536 square feet. While a large area, this is not enough area to provide each residence with a rear-yard equal to 1,800 sf (25% of the lot area). Applicant seeks a variance to permit the carriage house to have a rear-yard of 736 square feet (18.4' x 40) which would leave the original house with the required 1,800 square feet.

3312.49 – Minimum number of required parking spaces. Applicant seeks a variance to allow for a reduction from 4 off-street parking spaces to 2. The current single-family house has two off-street parking spaces located in the garage. The project will not remove any off-street parking, but the Carriage House would normally require 2 additional parking spaces for a total of 4 spaces.



COUNCIL VARIANCE APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services

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

AFFIDAVIT

(See next page for instructions)

APPLICATION # CV15-027

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 CERTIFIED ADDRESS FOR ZONING PURPOSES 853 PARK ST.

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) 5/1/15

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) M. HALEY BOEHNING
853 N. PARK ST
COLUMBUS OH 43215

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

ERIC D. MARTINEAU
614 297 6488

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

(5) VICTORIAN VILLAGE COMMISSION
50 W. GAY ST. 1ST FLOOR
COLUMBUS OH 43215

1 page
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.

SIGNATURE OF AFFIANT

(8)

Subscribed to me in my presence and before me this 1st day of May, in the year 2015

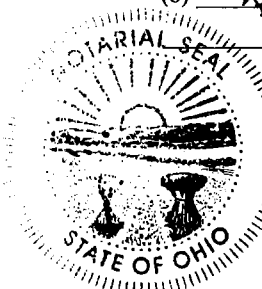
SIGNATURE OF NOTARY PUBLIC

(8)

My Commission Expires:

Renee M Sundberg
4/22/17

Notary Seal Here



RENEE M SUNDBERG
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
April 22, 2017

PLEASE NOTE: incomplete information will result in the rejection of this submittal.
For all questions regarding this form and fees please call: 614-645-4522
Please make all checks payable to the Columbus City Treasurer



COUNCIL VARIANCE APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • 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 indicate 'NONE' in the space provided.

APPLICATION # CV15-027

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] ERIC D. MARTINEAU

Of [COMPLETE ADDRESS] 22 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 in the following formats

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. M. HALEY BOEHNING 853 W. PARK ST COLUMBUS OH 43215 Contact: Haley Boehning 614/519-7510	2.
3.	4.

☐ Check here if listing additional parties on a separate page.

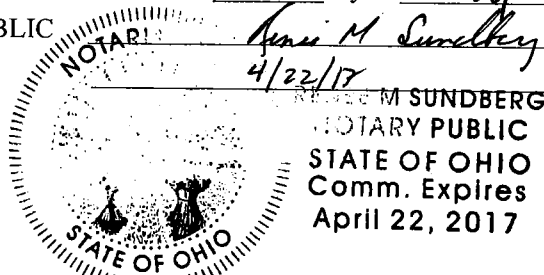
SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 1st day of May, in the year 2015

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

Notary Seal Here



This Project Disclosure Statement expires six months after date of notarization.

PLEASE NOTE: incomplete information will result in the rejection of this submittal.
For all questions regarding this form and fees please call: 614-645-4522
Please make all checks payable to the Columbus City Treasurer



City of Columbus Zoning Plat



CM5-027

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: 010023574

Zoning Number: 853

Street Name: PARK ST

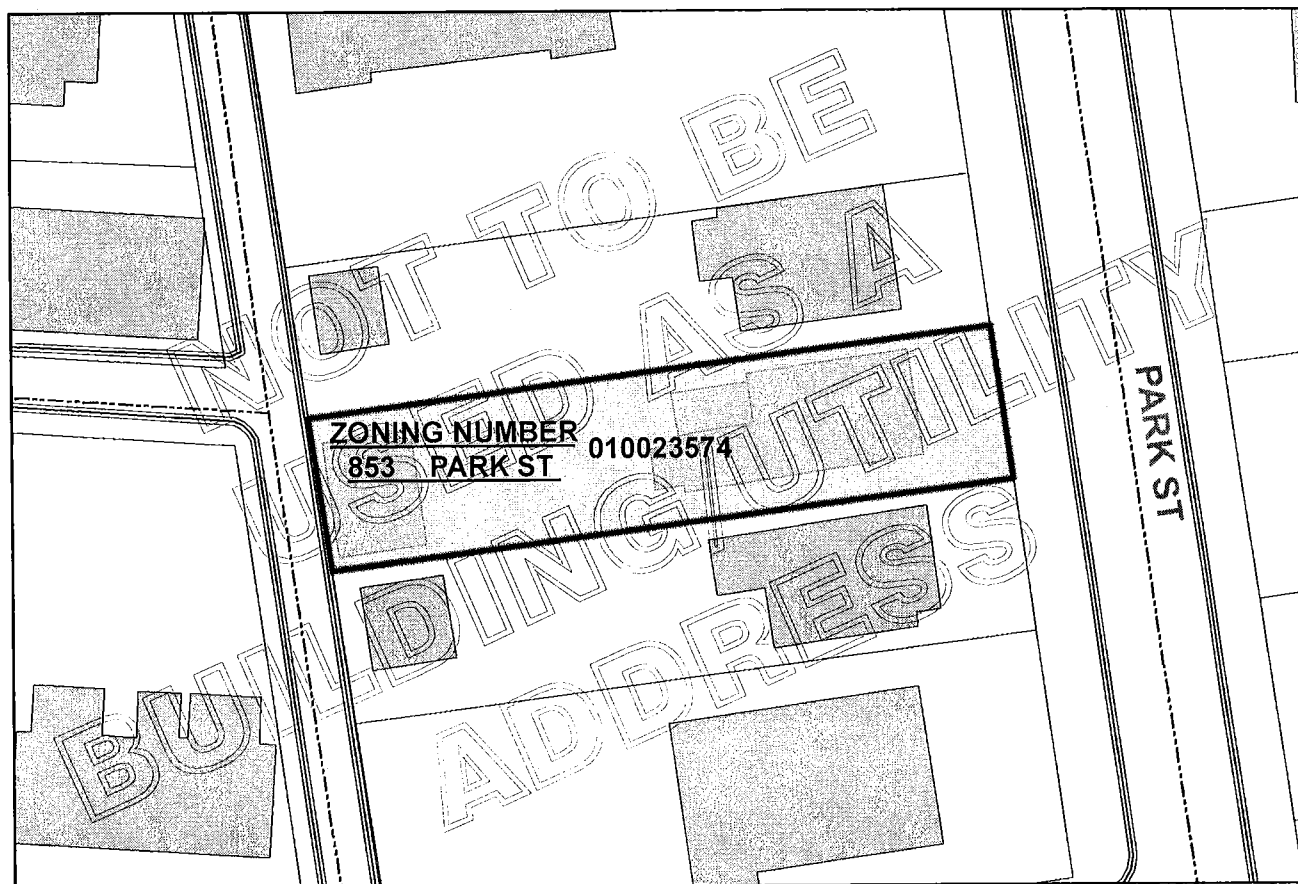
Lot Number : 42

Subdivision: HUTCHINSON 2ND

Requested By: ERIC D. MARTINEAU Co (ATTORNEY)

Issued By: *Adriana Amador*

Date: 4/3/2015



SCALE: 1 inch = 50 feet



JAMES D. YOUNG, P.E., ADMINISTRATOR
DIVISION OF INFRASTRUCTURE MANAGEMENT
COLUMBUS, OHIO

GIS FILE NUMBER: 31517

CM5-021

Myers Surveying Company, Inc.

2740 East Main Street, Columbus 43209 (Bexley), Ohio
614-235-8677 FAX: 614-235-4559

A Mortgage Location Survey prepared for and certified to:

AmeriTitle, Inc. and/or Knight Wagner Mortgage Company

Legal Description: Situated in Ohio, County of Franklin, City of Columbus, Being Lot 42 M. Helen Hutchinson's Second Subdivision, Plat Book 5 Page 399

Applicant: Boehning 20965 SSRF

Posted Address: 853 N. Park Street, Columbus, Ohio

F.E.M.A. Flood Zone Designation: Flood Zone "X" as per F.I.R.M. 390170 0232H

Apparent Encroachments: 1) None

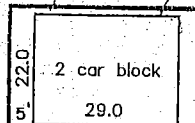
30' 15' 0' 30'

Scale: 1" = 30'

Date: 5-12-04

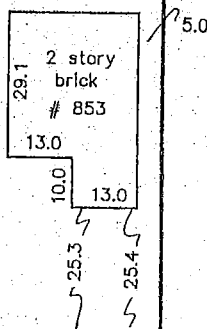
20' ALLEY

1.5 40.00' 1.5



180.00'

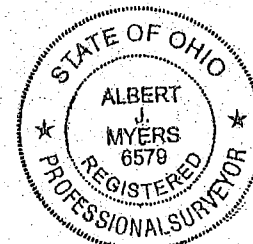
180.00'



104' to Wilber Avenue

40.00'

N. PARK STREET 60'



We hereby certify that the foregoing Mortgage Location survey was prepared from actual field measurements in accordance with Chapter 4733-38 Ohio Administrative Code, and is not a boundary survey pursuant to Chapter 4733-37 of said code. THE INFORMATION SHOWN HEREON IS NOT TO BE UTILIZED FOR THE INSTALLATION OF BUILDINGS, FENCES, LANDSCAPING OR OTHER PERMANENT IMPROVEMENTS.

Myers Surveying Co., Inc.

By *Albert J. Myers*
Professional Surveyor

Myers Order No. - 12-05/11/04 Rec. *BB* Field *JN* DWG *MF* Ltr *MF* CK *hbk*

CY15-021

200405270122738
Pg: 1 \$28.00 T20040047835
05/27/2004 4:11PM BXAMERITITLE
Robert G. Montgomery
Franklin County Recorder

AmeriTitle Box
20965-SSRF

GENERAL WARRANTY DEED

Scott Truitt and Abby Doernberg, both unmarried of Franklin County, State of Ohio for valuable consideration paid, GRANT(S), with general warranty covenants to M. Haley Boehning whose tax mailing address is GMAC Mortgage, PO Box 569760, Dallas, TX 75356, the following **Real Property**:

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

Being Lot Number Forty-two (42) of M. HELEN HUTCHINSON'S SECOND SUBDIVISION, of the Hubbard Property, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 5, page 399, Recorder's Office, Franklin County, Ohio.

Parcel No.: 010-023574

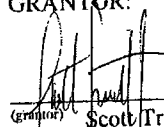
Property Address: 853 North Park Street Columbus, OH 43215

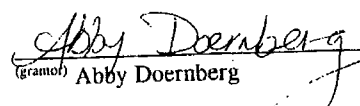
Subject to: a) Unpaid taxes and special assessments, if any, all of which the Grantee herein assumes and agrees to pay as further consideration for this conveyance; b) Conditions, Covenants, legal highways, restrictions and easements of record.

Prior Instrument: Instrument No. 200202200045899, Recorder's Office, Franklin County, Ohio.

Signed on this 21st day of May, 2004.

GRANTOR:


(grantor) Scott Truitt


(grantor) Abby Doernberg

TRANSFERRED
MAY 27 2004
JOSEPH W. TESTA
AUDITOR
FRANKLIN COUNTY, OHIO

12589
CONVEYANCE TAX
\$296.50
JOSEPH W. TESTA
FRANKLIN COUNTY AUDITOR

STATE OF OHIO, COUNTY OF Franklin, SS:

Be It Remembered, that on this 21st day of May, 2004, before me, the Subscriber, a notary public in and for said County, personally came the GRANTOR(S), Scott Truitt and Abby Doernberg, whose identity was either known to me or proven to me by satisfactory evidence, and who has/have signed the foregoing instrument and acknowledged the same as his/her/their voluntary act and deed.

In testimony whereof, I have hereunto subscribed my name and affixed my seal on this day and year aforesaid.

NOTARY PUBLIC: 

This Instrument was prepared by Paul V. Pavlic, Attorney at Law.

(Statutory Form - O.R.C. 5302 05 & 06)



JAMES F. O'KEEFE
Notary Public for the State of Ohio
My Commission Expires 5-22-2007

MAP ID: S[illegible]

Grid
North

Real Estate / GIS Department



115-027

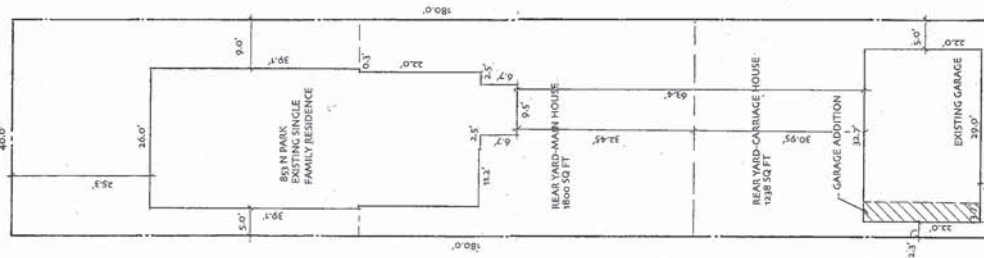


CMS-027



CV 5-007

North Park Street 60.0'



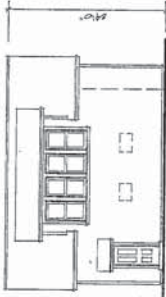
Site Plan
Scale 1"=100'-0"

Project Information
The scope of this project involves a 3.4' x 14'-0" addition to an existing two-car garage and a new 10' x 14'-0" addition to create a carriage house. The overall footprint of the new carriage house will be 24'-0' x 14'-0".

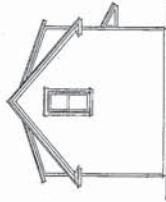
Zoning Information
Parcel Number: 010-043574
Flood Zone: X-1 as per FEMA zone map 010341

Use	Existing	Proposed	Change
Lot Size (60 X 180)	10,800 SQ FT (1.00 AC)	10,800 SQ FT (1.00 AC)	No Change
Lot Coverage	14,444 SQ FT (1.34 AC)	14,444 SQ FT (1.34 AC)	No Change
Garage	692.50 SQ FT (6.28 AC)	692.50 SQ FT (6.28 AC)	No Change
Building Setbacks	2,200 SQ FT (2.04 AC)	2,200 SQ FT (2.04 AC)	No Change
Recirculation	5.0'	5.0'	No Change
North	9.0'	9.0'	No Change
South	86.8'	86.8'	No Change
East	5'-0"	5'-0"	No Change
West	14'-0"	14'-0"	No Change
Garage Addition	1.5'	1.5'	No Change
Parking	1 space (Garage)	1 space (Garage)	No Change

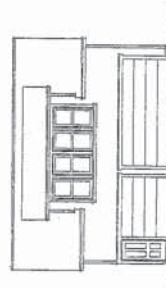
East Elevation
Scale 1/8"=1'-0"



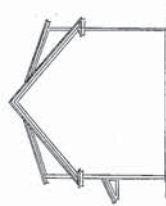
South Elevation
Scale 1/8"=1'-0"



West Elevation
Scale 1/8"=1'-0"



North Elevation
Scale 1/8"=1'-0"



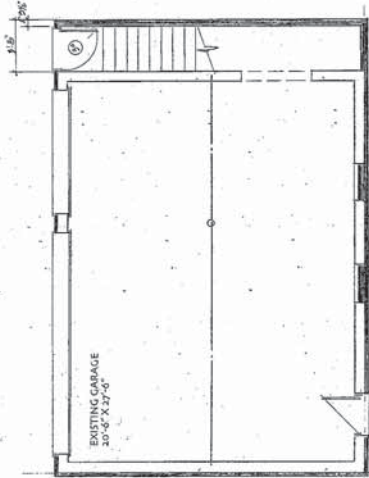
Additions & Alterations to:
853 North Park Street
The Boehning-Goodlad Residence
Columbus, Ohio

Urbanorder
ARCHITECTS
2774 Judd Street, Columbus Ohio 43215
614-599-9028 urbanorder.com

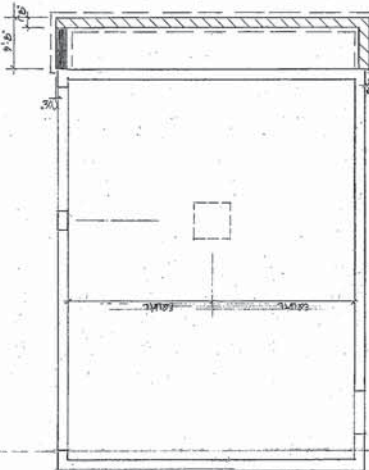
PRELIMINARY
8/1/19
CONSTRUCTION

1

CN5-077

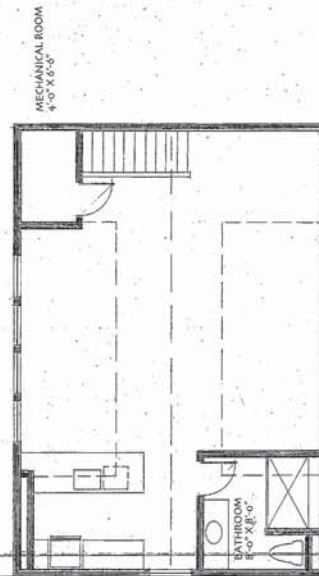


First Floor Plan

$$\frac{\text{Scale } 1/4" = 1'-0"$$


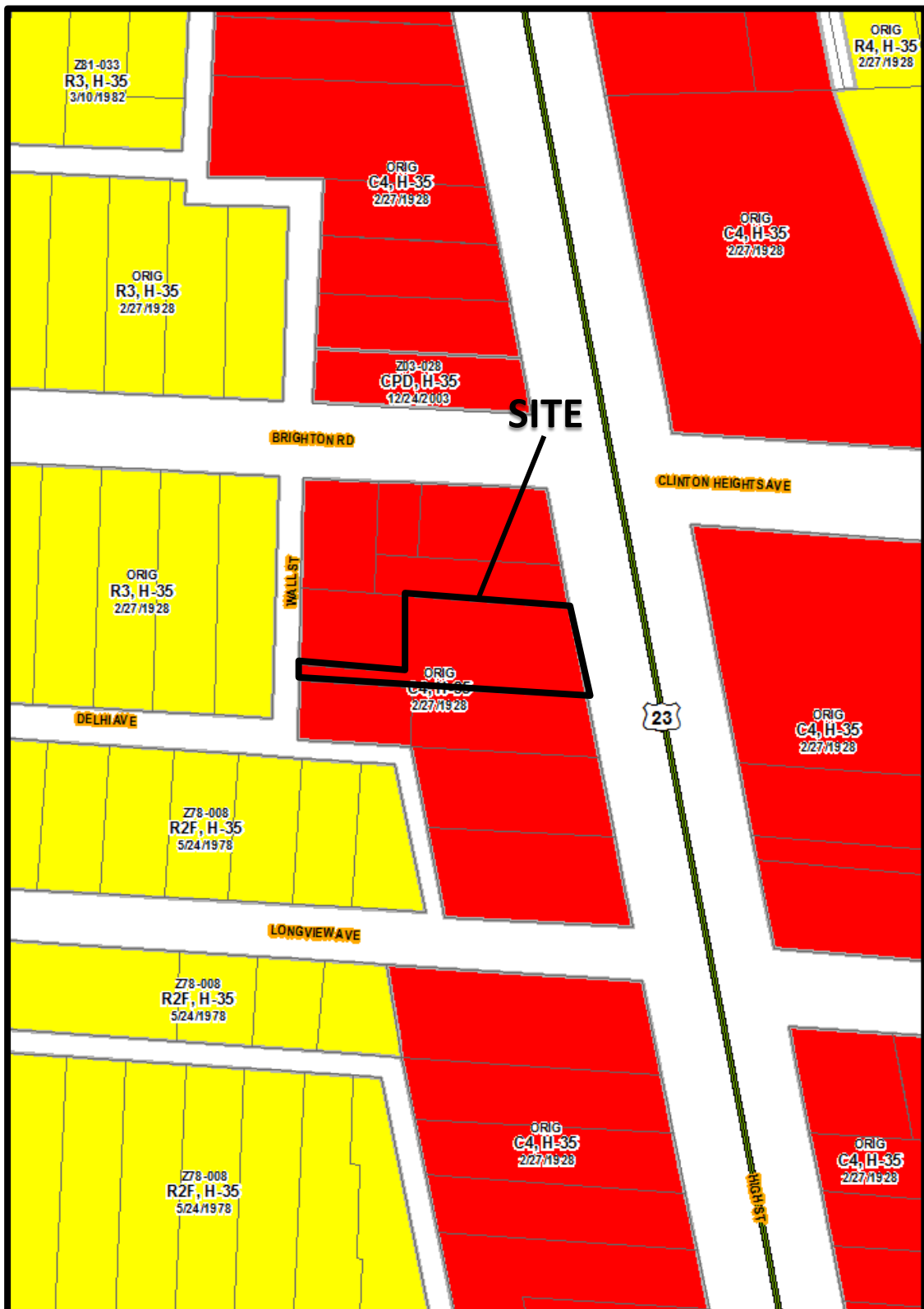
Foundation Plan

Scale 1/4" = 1'-0"



Second Floor Plan

Scale $1/4" = 1'-0"$



CV15-028
3333 N. High Street
Approximately 0.177 acres

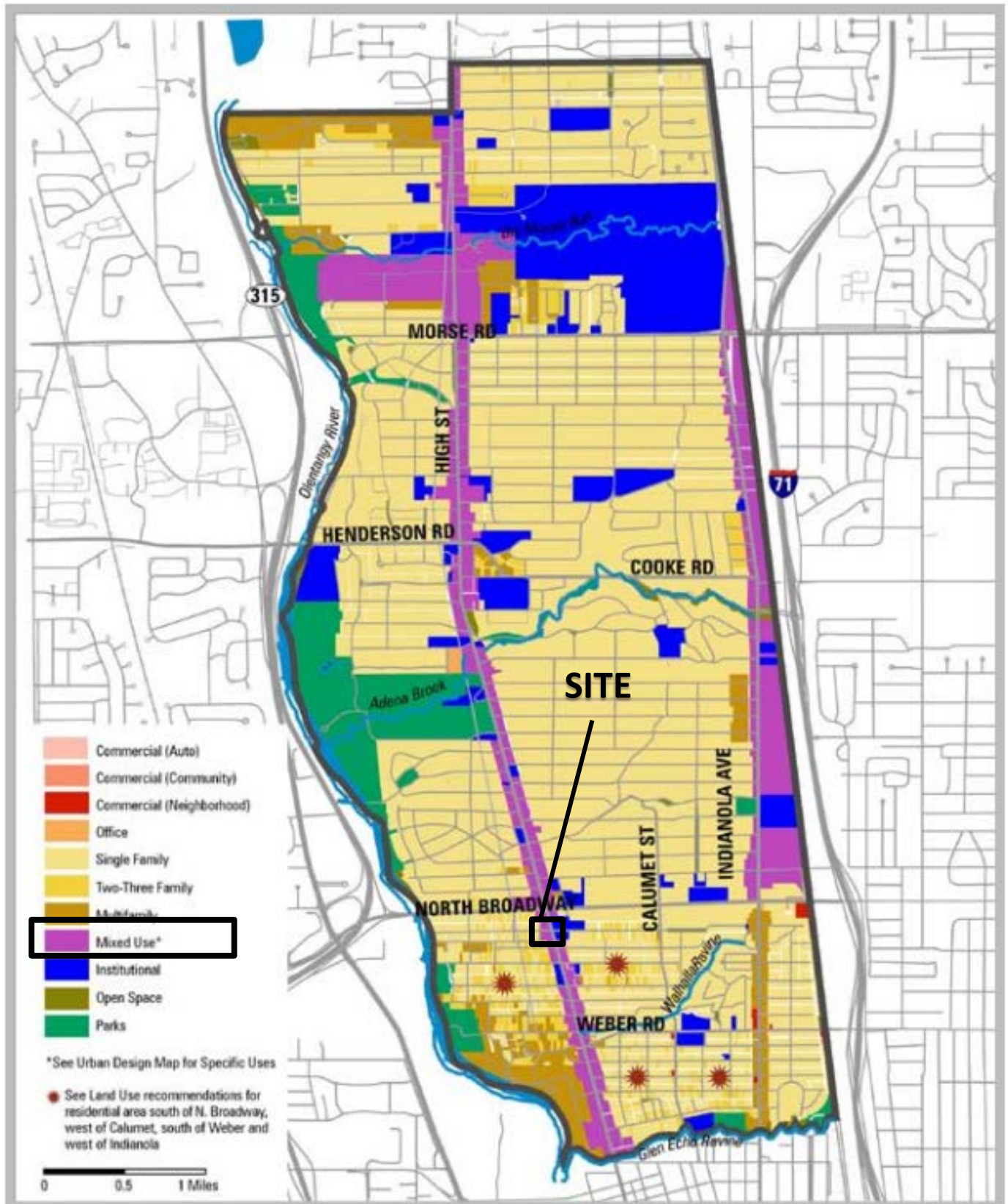


Figure 10 : Land Use Plan



CV15-028
 3333 N. High Street
 Approximately 0.177 acres
 Clintonville Area Plan (2009)



CV15-028
3333 N. High Street
Approximately 0.177 acres