

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: CV15-035 Date Received: 6/2/15

Application Accepted by: TP+ET Fee: \$11000

Comments: Assigned to Eliza Thrush; 645-1341; elcthrush@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 808 Summit St. Zip: 43215

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 029512

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

Current Zoning District(s): R-4

Area Commission or Civic Association: ITALIAN VILLAGE COMMISSION

Proposed Use or reason for Council Variance request:

ADDITION OF FOUR RESIDENTIAL UNITS

Acreage: 0.21 ac.

APPLICANT:

Name: Connie J. Klemm ATTORNEY Phone Number: 614 469 9122 Ext.: N/A

Address: 145 E RICH STREET 2ND F City/State: Col OH Zip: 43215

Email Address: cklemm@rrohio.com Fax Number: N/A

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

Name: MARION J RISBERG Phone Number: _____ Ext.: N/A

Address: 808-810 Summit St. City/State: Col OH Zip: 43215

Email Address: N/A Fax Number: N/A

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

Name: Connie J. KLEMA ATTORNEY Phone Number: 614 469 9122 Ext.: N/A

Address: 145 E. RICH ST 2ND FL. City/State: Col OH Zip: 43215

Email Address: cklemm@rrohio.com Fax Number: N/A

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

APPLICANT SIGNATURE Connie J. Klemm attorney

PROPERTY OWNER SIGNATURE Connie J. Klemm on behalf of Marion Rustig

ATTORNEY / AGENT SIGNATURE Connie J. Klemm 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.

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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

Cosmo J. Klein

Date

6/2/15

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STATEMENT OF HARDSHIP

The Property is one parcel that was formed by combining two platted lots. The parcel fronts on the east side Summit Street and is bordered at its rear by a 20' wide alley.

The south lot portion of the parcel is improved with a two story, two family dwelling and a detached garage accessed by the alley. The north lot portion of the parcel is improved with a garage accessed by the alley. The parcel is zoned R-4.

The parcels are in an area that is rapidly regenerating with new residential structures. The owner proposes to divide the parcel into two lots, as was originally platted, and on the south lot remove the existing garage and construct a garage with one dwelling unit above, and on the north lot construct a two family dwelling and remove the existing garage and construct a garage with one dwelling above. Each lot will have the six parking spaces in accordance with the zoning code's requirement of 2 spaces per unit.

While the R-4 District permits three and four dwelling units on a lot, it requires they all be in one structure. The applicant needs a Council variance because the three units will be in two structures: one two family dwelling and one single family dwelling on each lot. All other requested variances are area variances required to accommodate the lot areas resulting from re-establishing the two lot plan originally intended on the plat.

The proposed residential use and density are in the spirit of the area improvements.

The practical difficulties of constructing structures similar in design to the existing two family dwelling on the parcel variances from zoning requirements that do not accommodate the historical designs.

The use of the Property will not adversely affect the surrounding neighborhood. The development will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of the 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.

The requested area variances address the practical difficulties of improving the parcel.

LIST OF VARIANCES

808 SUMMIT STREET

To permit the existing parcel to be divided into two lots referred to herein as North Lot and South Lot:

1. **3332.039**: (North & South Lots) To permit three dwelling units to be in two structures on one lot.
2. **3332.15**:

North Lot: To permit three (3) dwelling units in two buildings to be situated on a lot which equals less than 2500 square feet per dwelling unit and to be 1466 square feet per unit and with the 3:1 requirement, 1024 square feet per unit.

South Lot: To permit three (3) dwelling units in two buildings to be situated on a lot which equals less than 2500 square feet per dwelling unit and to be 1635 square feet per unit and with the 3:1 requirement, 1225 square feet per unit.

3. **3332.19**: (North & South Lots) To permit a dwelling to not front on a public street.

4. **3332.27**:

North Lot: To permit a dwelling to have less than 25% rear yard and to have no rear yard.

South Lot: To permit a dwelling to have less than 25% rear yard and to have no rear yard; and to permit a principal building to have less than 25% rear yard and to have 22%.

5. **3332.28**: (North and South Lots) To permit paved parking spaces to be part of the required rear yard calculation.

6. **3332.38(F)**: (North and South Lots) To permit the square footage of a private garage to exceed 720 square feet and be 840 square feet.

7. **3312.25**: (North and South Lots) To permit maneuvering to occur in the area of a stacked parking space.

8. **3312.29**: (North and South Lots) To permit 2 car stacked parking.

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AFFIDAVIT (See instruction sheet)

Application Number: CV15-035

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Connie J. Klena Attorney
of (1) MAILING ADDRESS 145 E RICH ST 2ND FL CO15 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 808 Summit St.

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 10/5/15
(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME AND MAILING ADDRESS (4) MARION RISTBERG
808 Summit St
CO15 OH 43215

APPLICANT'S NAME AND PHONE # (same as listed on front application) Connie J. Klena Attorney
614 469 9122

AREA COMMISSION OR CIVIC GROUP OR CONTACT PERSON AND ADDRESS (5) ITALIAN Village Commission
LANNI TORBECK
50 WEST DAY ST CO15 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 Connie J. Klena

Sworn to before me and signed in my presence this _____ day of _____, in the year _____

(8) SIGNATURE OF NOTARY PUBLIC Eugene R. Butler

LIFETIME
My Commission Expires



EUGENE R. BUTLER
Notary Public it expires six (6) months after the date of notarization.
in and For the State of Ohio
Lifetime Commission

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Connie J. Klema, Attorney
145 E. Rich Street, 2nd FL
Columbus, Ohio 43215

Marion Risberg
808 Summit St
Columbus, Ohio 43215

Connie Torbeck
Italian Village Commission
50 West Gay Street, 4th FL
Columbus, Ohio 43215

Lynn Reese
818 Summit St.
Columbus, Ohio 43215

Linsker Holdings LLC
10 E 17th Ave
Columbus, Ohio 43201-1568

Zachary & Cathleen Graves
792 Summit St.
Columbus, Ohio 43201

Lisa Boltz
798 Summit St.
Columbus, Ohio 43215

James T Meara
804 Summit St.
Columbus, Ohio 43215

**Raymond Lavoie &
Brian Cole**
826 Summit St.
Columbus, Ohio 43215

Sheila Smith
821 Summit St.
Columbus, Ohio 43215

**Matthew Dewit &
Densil Porteous**
819 Summit St.
Columbus, Ohio 43215

John & Shareena Casey
813 Summit St.
Columbus, Ohio 43215

**Michael Secrest &
Maria Galloway**
803 Summit St.
Columbus, Ohio 43215

Stacy Richardson
799-799 ½ Summit St.
Columbus, Ohio 43215

**Partnership for Art
In Architecture**
797 Summit St.
Columbus, Ohio 43215

Michael Schmidt
793 Summit St.
Columbus, Ohio 43215

Stephen Steckel
815 Hamlet
Columbus, Ohio 43215

Jason Bates
811 Hamlet St.
Columbus, Ohio 43215

James Hill II
822 Hamlet St
Apt C
Columbus, Ohio 43215

Leslie Edwards
807 Hamlet St.
Columbus, Ohio 43215

Austin & Sara Burris
801 Hamlet St.
Columbus, Ohio 43215

**Lila Shopovski &
Frank Bocinec**
799 Hamlet St.
Columbus, Ohio 43215

Nicholas Conn
795 Hamlet St.
Columbus, Ohio 43215

Jack & Peggy Schafer
783 Hamlet St.
Columbus, Ohio 43215

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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 # CV15-035

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Connie J. KLEMA ATTORNEY
of (COMPLETE ADDRESS) 145 E RICH ST 2ND FL CO15 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. <u>MARION RISBERG</u> <u>808 Summit St.</u> <u>CO15 OH 43215</u> <u>2 CO15 BASED EMPLOYEES</u> <u>614-588-3898</u>	2.
3.	4.

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

SIGNATURE OF AFFIANT Connie J Klena

Sworn to before me and signed in my presence this _____ day of _____, in the year _____

Eugene R. Butler
SIGNATURE OF NOTARY PUBLIC

LIFETIME
My Commission Expires

Notary Seal Here



EUGENE R. BUTLER
Notary Public
This Notary Public Commission expires six (6) months after the date of notarization.
Lifetime Commission

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City of Columbus Zoning Plat



CV15-035

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: 010029512

Zoning Number: 808

Street Name: SUMMIT ST

Lot Number : PT LOTS 6-7

Subdivision: STARR

Requested By: CONNIE KLEMA ATTORNEY

Issued By: *Adyana Ibrarman*

Date: 6/1/2015



SCALE: 1 inch = 30 feet

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

GIS FILE NUMBER: 35636



LEGAL DESCRIPTION

808 SUMMIT STREET

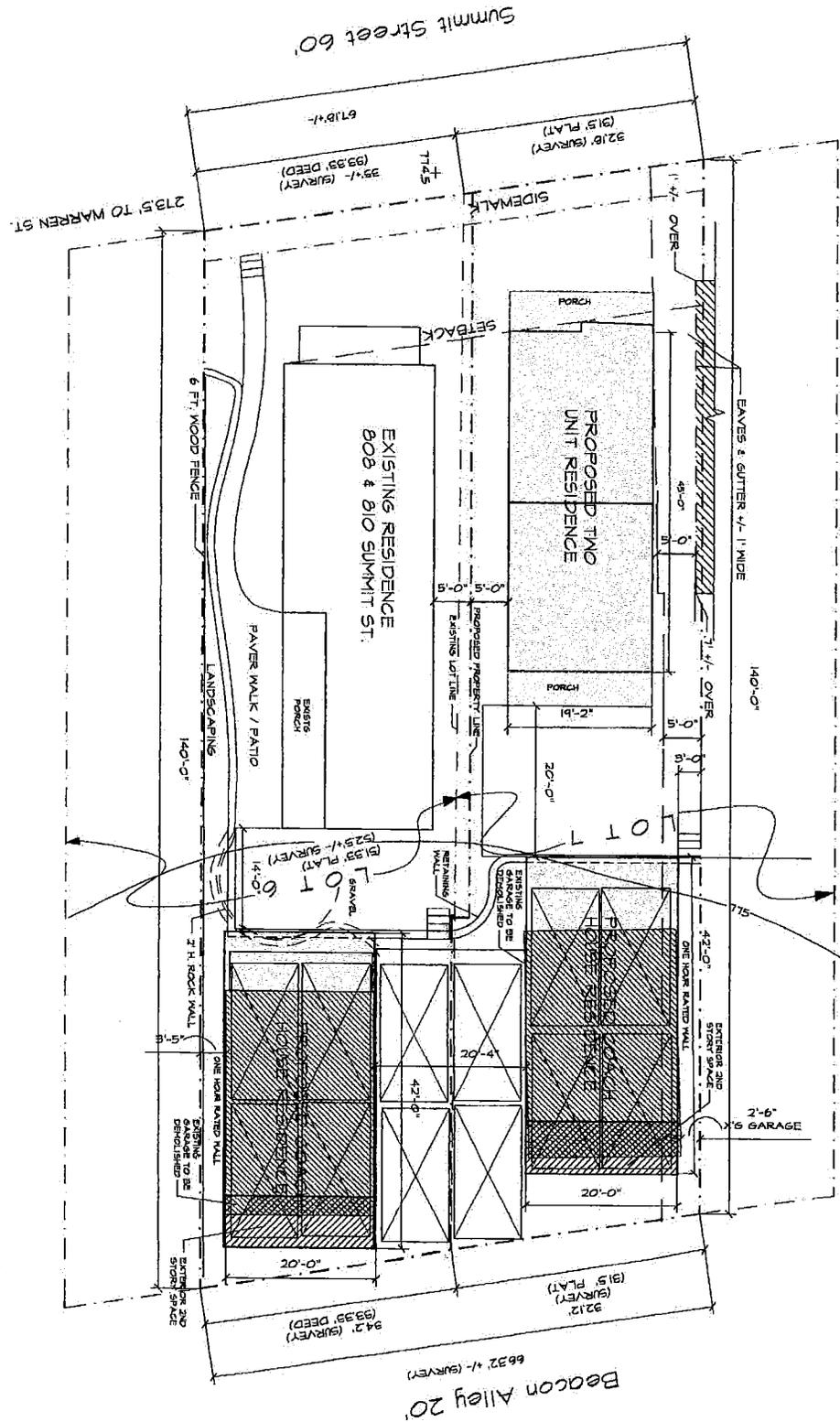
Situated in the State of Ohio, County of Franklin and in the City of Columbus and bounded and described as follows:

Being Thirty-Three (33) feet and Four (4) inches off the North side of Lot Number Six (6) of JOSEPH R. STARR'S ADDITION to the City of Columbus, Ohio, as the same is numbered and delineated upon the recorded plat thereof of record in Plat Book 1, Page 143, Recorder's Office, Franklin County, Ohio

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

Being Thirty-Two and One-Half (32 ½) feet off of the south side of Lot Number Seven (7) of Starr and Long's Addition to William Phelans, Mt. Pleasant Addition to said City of Columbus, Ohio, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 1, Page 143, Recorder's Office, Franklin County, Ohio, and more bounded and described as follows:

Commencing at the southwest corner of said lot on the East Line of Summit Street in said City; thence easterly along the South line of said Lot No. 7, 140 feet to the southeast corner thereof; thence northerly along the east line of said Lot No. 7, Thirty-Two and one-half feet; thence westerly on a line parallel with the south line of said Lot No. 7, and thirty-two and one-half feet therefrom 140 feet to the east line of Summit Street; thence southerly along the west line of said lot and the east line of Summit Street Thirty-Two and One-half feet to the place of beginning.



SITE PLAN
 1" = 10'-0"
 0 10' 20'

STUDIES IN 2014 CONDUCTED BY SAGNA
 CITY OF COLUMBUS PART OF LOTS
 4, 7 OF JOSEPH S. STARRS ADDITION
 PLAT BOOK 1, PAGE 143

INFORMATION HEREON IS BASED ON THE RECORD PLANS AND SURVEY DATA PROVIDED BY THE CLIENT. SAGNA ASSOCIATE, INC. DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT.

SP1

Project Status: Date:

Planning 11 MARCH 2015

Programming

Schematic Design

Design Development

Construction Documents

Revisions

Sheet Reference:

Project Reference: 15006

Residential Development
 216 Summit Street
 Columbus, Ohio 43215

If project boundaries, setbacks, and other similar conditions are changed and amended, the client, and not the architect, shall be responsible for such changes. The architect shall be notified of any such changes. The architect shall not be held responsible for any such changes. The architect shall not be held responsible for any such changes. The architect shall not be held responsible for any such changes.

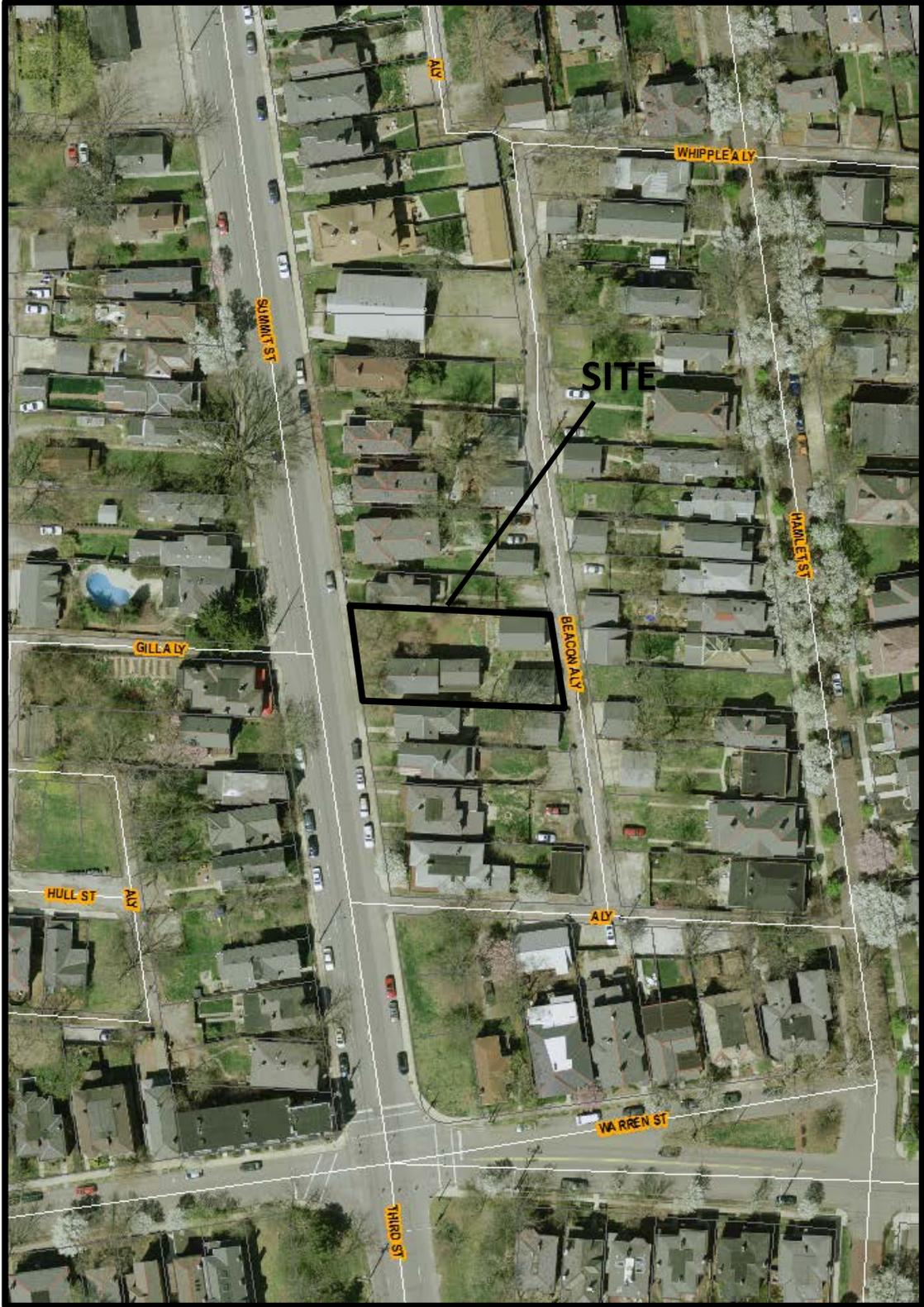
Sagna Associate
 ARCHITECTS

781 northwest boulevard
 columbus, ohio 43211

phone: 614-231-2828



CV15-035
808 Summit Street
Approximately 0.21 acres



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808 Summit Street
Approximately 0.21 acres