

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: CV15-077 Date Received: 12/1/15
Application Accepted by: MM JB Fee: 1600⁰⁰
Comments: Assigned to James Burdin; JBurdin@columbus.gov; 614-645-1341
Shannon Pine; SPine@columbus.gov; 614-645-2208

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 395 West Second Avenue, Columbus, Ohio 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: 010-031258, 010-002539

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

Current Zoning District(s): R-4

Area Commission or Civic Association: Harrison West Society

Proposed Use or reason for Council Variance request:

Construction of eight new multifamily units and conforming existing eight unit building.

Acreage: .4143

APPLICANT:

Name: Bud Vetter Phone Number: 419-529-7222 Ext.: _____

Address: 70 Park Avenue West City/State: Mansfield, Ohio Zip: 44902

Email Address: bvetter@vetterpropertygroup.com Fax Number: _____

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

Name: 385 West Second Avenue, LLC (by Bud Vetter, CEO) Phone Number: 419-529-7222 Ext.: _____

Address: 70 Park Avenue West City/State: Mansfield, Ohio Zip: 44902

Email Address: bvetter@vetterpropertygroup.com Fax Number: 419-522-2040

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

Name: Bud Vetter Phone Number: 419-529-7272 Ext.: _____

Address: 70 Park Avenue West City/State: Mansfield, Ohio Zip: 44902

Email Address: bvetter@vetterlawoffices.com Fax Number: 419-522-2040

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

APPLICANT SIGNATURE [Signature] (CEO AND ATTORNEY)

PROPERTY OWNER SIGNATURE [Signature] (CEO AND ATTORNEY)

ATTORNEY / AGENT SIGNATURE [Signature] 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

Council Variance Application CV15-077
Additional Address

Property Location: .4143 acres located at 385-399 West Second Avenue &
1018 Pennsylvania Avenue, Columbus, Ohio 43201

Additional Tax Parcel:

1018 Pennsylvania Avenue
Columbus, Ohio 43201
Parcel No. 010-002539
Current Zoning District for Parcel: R-2F

Council Variance Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

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CV15-077

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:

Please see attached.

Signature of Applicant



Date 11/30/15

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Please make checks payable to the Columbus City Treasurer

**Council Variance Application
Statement of Hardship**

CV15-077

Property Location: .4143 acres located at 385-399 West Second Avenue &
1018 Pennsylvania Avenue, Columbus, Ohio 43201

This Statement of Hardship is submitted in support of Applicant's request for variances from the Zoning Code which are necessary and appropriate for a proposed condominium project in Harrison West.

Site Area - Background

The project that is the subject of this variance application is located in Harrison West at the southeast corner of the intersection of West Second Avenue and Pennsylvania Avenue (the "**Site Area**"). The Site Area totals about 18,048 square feet and consists of two tax parcel numbers which will be combined into one tax parcel as a part of this proposed development. Tax parcel number 010-031258 comprises $\frac{3}{4}$ of the site and is zoned R-4. Tax parcel number 010-002539 comprises $\frac{1}{4}$ of the site and is zoned R-2F. There is an existing eight unit apartment building on the northern half of the Site Area with zero off-street parking spots (the "**Existing Building**"). The Existing Building footprint covers approximately 25% of the Site Area and is estimated to be over 100 years old.

The Project - Overview

The contemplated project (the "**Project**") will (1) restore the exterior and improve the construct improvements to the interior of the Existing Building and convert the existing units into condominium units; (2) construct eight new condominium units on the southern half of the property; and (3) add 16 covered parking spaces for the condominium units so that each condominium unit will have one parking space.

In order to accomplish the above, the Project respectfully must request that variances be granted to bring the Existing Building into compliance with the Zoning Code and so that the new units contemplated in the Project may be built.

The Project – Specifics

In order to best reflect the architectural character of the neighborhood and so that buffers, transitions, and other design elements can be utilized, the new buildings in the Project are separated into two buildings. The first building, along Pennsylvania (the "**Pennsylvania Building**"), is a four-unit (double duplex) building designed with many Victorian Queen Anne features, shapes, and elements to match the surrounding homes and the other homes in Harrison West. The first floor of the building is designed as two one-bedroom flats. The second and third floors of the building are two townhouse units, accessed from the rear. By providing rear access, the Project only has two front doors along Pennsylvania and the look and feel of the Project matches a residential scale. The second building will be tucked behind both the existing West Second Building and the new Pennsylvania Building (the "**Garden Building**"). The first floor

of the Garden Building will contain 16 covered, secured, off-street parking spaces. The second and third floors of the Garden Building will consist of four townhouse condominiums. The townhome condominiums will be shielded by being centered on the middle of the Pennsylvania Building and offset on both the north and the south side of the building with vision and sound shading design elements.

The Existing Building exterior will be restored and the interior of the units will be renovated and improved. The benefits of this are twofold. First, this preserves the integrity and historic features of a building which has long been part of the fabric of the neighborhood. Second, it transforms the property from an aging apartment complex into a rejuvenated condominium complex with owners who are investing in the future of the neighborhood.

We are not requesting any additional curb cuts with this Project. We will access the site from the alley that runs along the east border of the Site Area.

Benefits v. Existing Conditions

The existing Site Area is holistically inadequate to meet the needs of Harrison West in 2015. The existing Site Area is a hundred year old apartment building with no parking adjacent to vacant land without any current productive use. The contemplated Project adds eight new condominiums, 16 covered parking spaces (which will result in one for each unit and an overall reduction street parking), converts eight units from a multifamily use into condominiums while preserving the architectural integrity of Harrison West.

Variances Requested

Section 3332.037 – To permit existing 8 dwelling unit development and partial occupation of proposed 8 unit development, (combined 16 unit development) where this section permits one two-family dwelling.

Note: This relates to that $\frac{1}{4}$ portion of the Site Area zoned R-2F.

Section 3332.039 – To permit existing 8 dwelling unit development and partial occupation of proposed 8 unit development, (combined 16 unit development) where this section permits a dwelling containing a minimum of three dwelling units and a maximum of four dwelling units.

Note: This relates to that $\frac{3}{4}$ portion of the Site Area zoned R-4.

Section 3312.49 – To reduce minimum number of parking spaces from 24 parking spaces required (based on 1.5 per DU with 16 DU) to 16 parking spaces.

Note: The result of the Project will be a decrease in the congestion on streets. The existing condition is zero parking spots per unit, and the result of the Project is one parking spot per unit.

Section 3321.05 - To reduce vision clearance triangle's at alley and street (figure 3) and at street and street (figure 4). See site plan.

Note: This relates to the Existing Building exclusively.

Section 3332.14 - To permit 16 dwelling units on corner lot where code permits 6 dwelling units or as stated otherwise, code requires that a two-story, two-family dwelling shall be situated on a lot of no less than 3,000sf per DU.

Note: This relates to that $\frac{1}{4}$ portion of the Site Area zoned R-2F

Section 3332.15 - To permit 16 dwelling units on corner lot where code permits 12 dwelling units or as stated otherwise, a dwelling containing 3 or 4 DU shall be situated on a lot with an area which equals or exceeds 1,500sf per DU if a corner lot.

Note: This relates to that $\frac{3}{4}$ portion of the Site Area zoned R-4

Section 3332.18 D - To permit an increase in lot coverage to 70%, where code requires that no dwelling shall occupy alone or together with any other building greater than 50% of the lot area.

Section 3332.19 - To permit a dwelling on a lot which does not front on a public street, where code requires that each dwelling or principal building shall front upon a public street.

Note: This only applies to the Garden Building which abuts the alleyway and the Garden Building has access through the Site Area to a public street.

Section 3332.26C (3) - To reduce the minimum side yard setback from 5ft to 0ft where code requires for a two-, three-, or four-family dwelling on a lot 50 feet wide or more, no less than - five feet.

Note: This side yard setback reduction is for along the alley (not an adjacent property owner). The Existing Building abuts the alley. The Garden Building's structure (excluding an exterior stairway) will begin four feet from the alley.

Section 3332.27 - To reduce the required rear yard from 25% to 5%, where code requires for each dwelling, residence or principal building shall be erected so as to provide a rear yard totaling no less than 25 percent of the total lot area.

Appropriateness

While the scale of the neighborhood is residential, Harrison West is a vibrant urban neighborhood. The Project seeks to recognize and balance the need for residential continuity and architectural consistency and the desire to provide an appropriate product within Harrison West.

While this Project, as a condominium, will have a different impact than a standard multifamily project would on Harrison West due to the longevity of owners (instead of renters), multiple adjacent and numerous nearby properties have multifamily uses. For example, (1) 1007-1009 Harrison Avenue (directly East across alley from Site Area) consists of eight apartment units on a property that is approximately one-half the size of the Project; (2) 992 Pennsylvania Avenue (6

buildings South of Site Area) consists of multifamily use on a lot about 40% the size of the Site Area; and (3) 1015 Pennsylvania Avenue (across street from Site Area) consists of multifamily use on a lot about 75% the size of the Site Area.

The Project will not be injurious to neighboring properties, nor will it be contrary to public interest or the intent of the Zoning Code. The Harrison West Plan contemplates the balanced mix of additional residential development as both Harrison West and the City of Columbus continues to grow and evolve. As that occurs, this variance process allows for thoughtful projects that match the spirit of the neighborhood while reflecting the needs of today to be presented for your consideration and approval.

A hardship exists in that the proposed Project cannot completely conform to the underlying residential zoning districts established by the Zoning Code. The Project will appreciate and enhance the existing neighborhood, benefit surrounding property owners and the surrounding neighborhood, and alleviate a hardship which warrants variances from the Zoning Code.

The Project will not impair an adequate supply of light or air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, or in any other respect impair the public health, safety, comfort, morals, or welfare of the inhabitants of Harrison West and the City of Columbus.

For the reasons stated above, Applicant respectfully requests approval of the requested Council Variances.

Council Variance Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

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

AFFIDAVIT (See instruction sheet)

Application Number: CV15-077

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn **(1) NAME** Bud Vetter

of **(1) MAILING ADDRESS** 70 Park Avenue West, Mansfield, Ohio 44902

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 395 W. 2nd 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)** 12-1-15

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) 385 West Second Avenue, LLC

c/o Bud Vetter, CEO

70 Park Avenue West

Mansfield, Ohio 44902

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

Bud Vetter - 419-529-7222

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

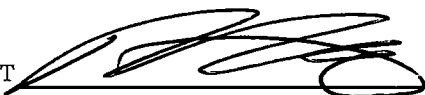
(5) Harrison West Society

Jacob Sukosd (planning@harrisonwest.org)

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)

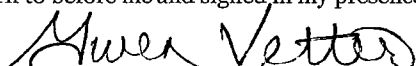
☐ **(7)** Check here if listing additional property owners on a separate page.

(8) SIGNATURE OF AFFIANT

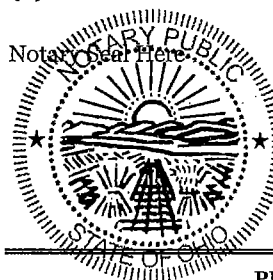


Sworn to before me and signed in my presence this 30th day of November, in the year 2015

(8) SIGNATURE OF NOTARY PUBLIC



June 3, 2019
My Commission Expires



GWEN
VETTER
NOTARY PUBLIC
STATE OF OHIO
My Commission
Expires
June 3, 2019

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

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

APPLICANT

BUD VETTER
70 PARK AVE WEST
MANSFIELD, OH 44902

PROPERTY OWNER

BUD VETTER
385 W. 2ND AVE, LLC
COLUMBUS, OH 43201

ATTORNEY

BUD VETTER
70 PARK AVE WEST
MANSFIELD, OH 44902

AREA COMMISSION OR NEIGHBORHOOD GROUP

HARRISON WEST SOCIETY
P.O. BOX 163442
COLUMBUS, OH 43216

CV15-077

CV15-077

SURROUNDING PROPERTY OWNERS

CREATIVE HOUSING INC
376 W SECOND AV
COLUMBUS, OH 43201

JONATHAN G RACSTER
372 W SECOND AV
COLUMBUS, OH 43201

ANTHONY J CELEBREZZE III
368 W SECOND AV
COLUMBUS, OH 43201

CHRISTOPHER J HUDA
398 W SECOND AV
COLUMBUS, OH 43201

CLARENCE T II GORDON
394 W SECOND AV
COLUMBUS, OH 43201

TYLER W CUMMINS
390 W SECOND AV
COLUMBUS, OH 43201

RICHARD B MCCLURE
386 W SECOND AV
COLUMBUS, OH 43201

STEVE MOUNT
380 SECOND AV
COLUMBUS, OH 43201

KENNETH A WIGHTMAN
414 W SECOND AV
COLUMBUS, OH 43201

LAURA A BOGREES
410 W SECOND AV
COLUMBUS, OH 43201

FUTURE FIVE INVESTMENT
1009-1017 PENN AVE
COLUMBUS, OH 43201

GWENDOLYN D BAYLOR
1021 PENNSYLVANIA AV
COLUMBUS, OH 43201

SOLAR INVESTMENTS INC
409-411 W SECOND AV
COLUMBUS, OH 43201

MATTHEW R STUCK
413 W SECOND AV
COLUMBUS, OH 43201

JANET ELIZABETH VANCE
417 W SECOND AV
COLUMBUS, OH 43201

ROBERT MOAZAMPOUR
991 HARRISON AV
COLUMBUS, OH 43201

JOHN SOKORAI
995 HARRISON AV
COLUMBUS, OH 43201

MARY M MACCRACKEN
999 HARRISON AV
COLUMBUS, OH 43201

DAVID M NEUBAUER
1007 HARRISON AV
COLUMBUS, OH 43201

DAVID M NEUBAUER
1007-1009 HARRISON AV
COLUMBUS, OH 43201

CHUCK BRYANT
363 W SECOND AV
COLUMBUS, OH 43201

THOMAS I BLACKBURN
365 W SECOND AV
COLUMBUS, OH 43201

RANDY YOST
367 W SECOND AV
COLUMBUS, OH 43201

DAVID CAREY
375 W SECOND AV
COLUMBUS, OH 43201

385 WEST SECOND AVENUE
385-399 W SECOND AV
COLUMBUS, OH 43201

BARBARA WOOTEN
1014 PENNSYLVANIA AV
COLUMBUS, OH 43201

JOHN N VITELLAS
1010-1012 PENN AVE
COLUMBUS, OH 43201

KEVIN A COTHREN
1006 PENNSYLVANIA AV
COLUMBUS, OH 43201

SUSAN M OETHLER
1002 PENNSYLVANIA AV
COLUMBUS, OH 43201

SONALI E ANDRYSIAK
364 SECOND AV
COLUMBUS, OH 43201

LINDA LACHOWYN
989 HARRISON AV
COLUMBUS, OH 43201

STEVEN J KURTZ
996 PENNSYLVANIA AV
COLUMBUS, OH 43201

VALERIE L EPPERSON
1003-1005 PENN AV
COLUMBUS, OH 43201

Council Variance Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.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 # CV15-077

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Bud Vetter

of (COMPLETE ADDRESS) 70 Park Avenue West, Mansfield, Ohio 44902

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. 385 West Second Avenue, LLC 70 Park Avenue West Mansfield, Ohio 44902 Bud Vetter, 419-529-7222	2.
3.	4.

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

SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 30th day of November, in the year 2015

Gwen Vetter

SIGNATURE OF NOTARY PUBLIC

June 3, 2019

My Commission Expires

Notary Seal Here



GWEN VETTER
NOTARY PUBLIC,
STATE OF OHIO
My Commission
Expires
June 3, 2019

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

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City of Columbus Zoning Plat

CV15-077



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: 010031258

Zoning Number: 395

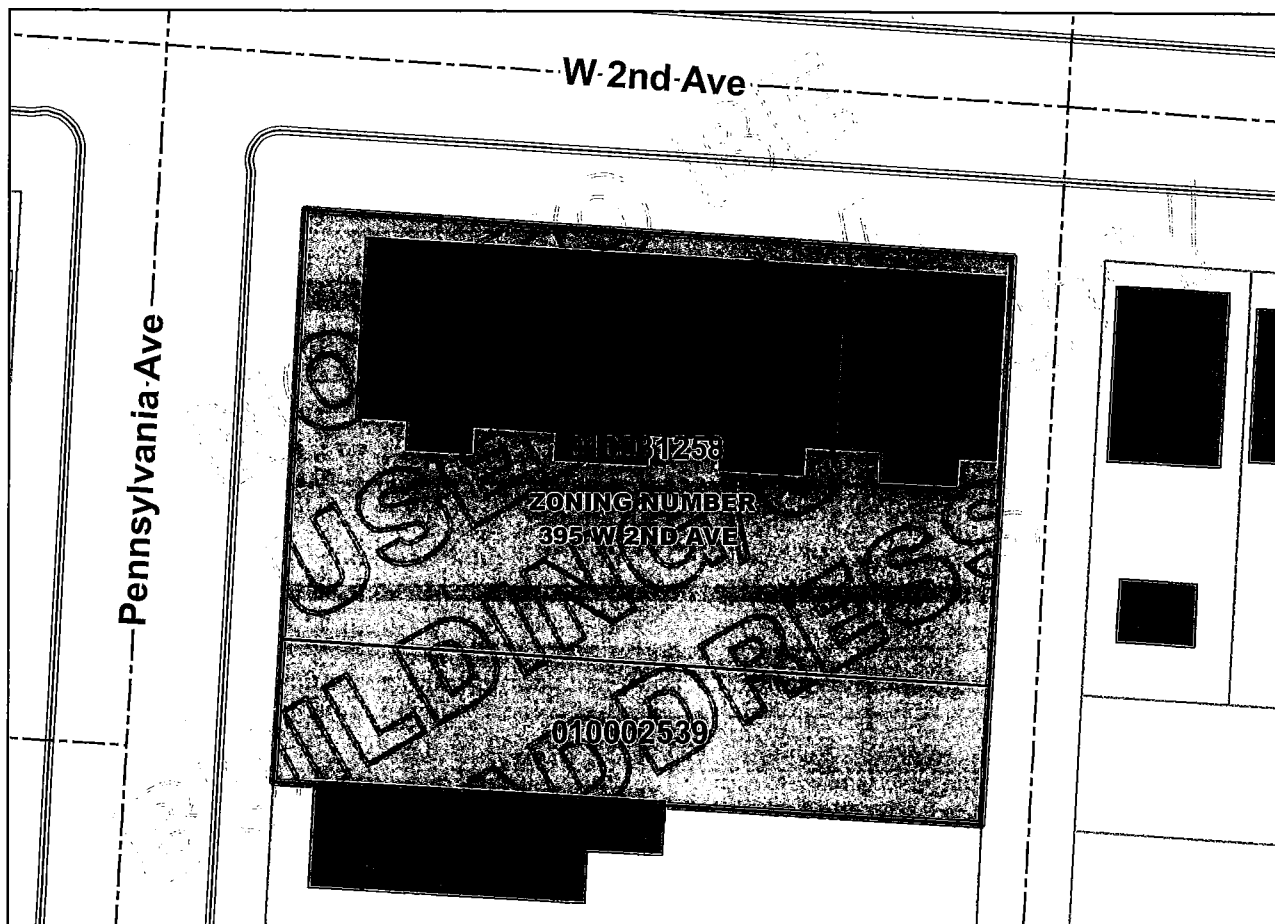
Street Name: W 2ND AVE

Lot Number: N/A

Subdivision: N/A

Requested By: 385W. 2ND, LLC. (TOM VETTER)

Issued By: *Adriana Amarian* Date: 12/1/2015



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

SCALE: 1 inch = 40 feet

GIS FILE NUMBER: 50997

Council Variance Application
Legal Description

CV15-077

Parcel No. 1

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

Being Lots Number Three Hundred Seventeen (317), Three Hundred Eighteen (318) and Three Hundred Nineteen (319), in COLLINS, ATKINSON & GUITNER'S SECOND ADDITION to said City, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, Pages 153, 154 and 155, Recorder's Office, Franklin County, Ohio.

Parcel Number 010-031258

Parcel No. 2

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

Being Lot Number Three Hundred and Twenty (320) of COLLINS, ATKINSON AND GUITNER'S 2ND ADDITION to the said City, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, Page 153, Recorder's Office, Franklin County, Ohio.

Parcel Number 010-002539

MAP ID: S

DATE: 12/1/15



Scale = 60

Grid
North

Real Estate / GIS Department

CV15-077

W 2ND AVENUE

60' ROW

SITE PLAN SUMMARY:

COMBINED CORNER LOT:

LOT 317 1,431.2 SF
LOT 318 4,512.2 SF
LOT 319 4,512.2 SF
LOT 320 4,512.2 SF
18,048 SF (0.41 ACRES)

EXISTING DWELLING UNITS:

8

NEW DWELLING UNITS:

8

EXISTING OFF-STREET PARKING:

0

NEW OFF-STREET PARKING:

16 (1.5 DU)

MAXIMUM PERMITTED DENSITY:

ONE PER 1,500
SF OR CORNER
LOT

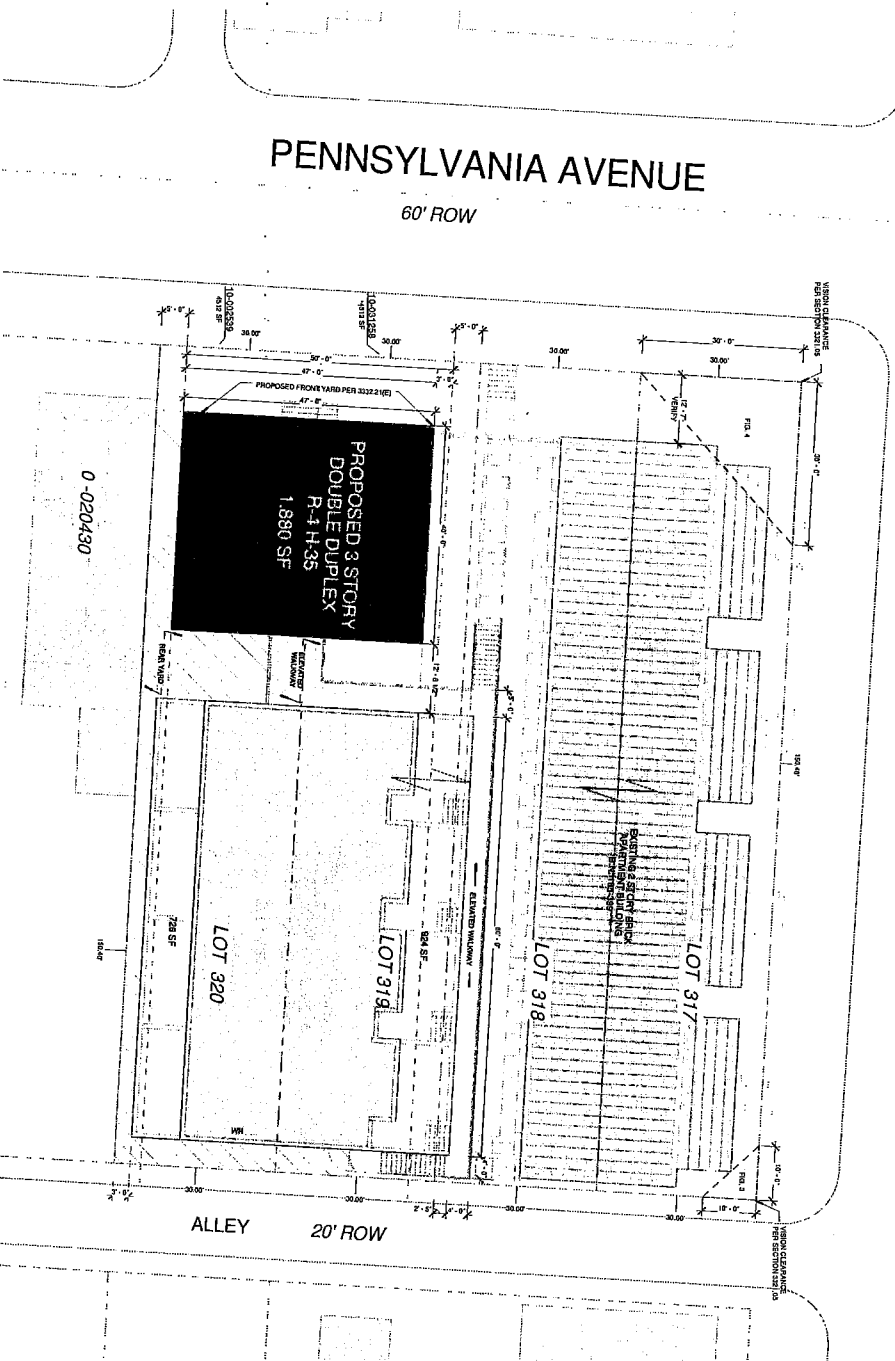
06

ONE PER 1,500
SF OR CORNER
LOT

12

PROPOSED DENSITY:

16



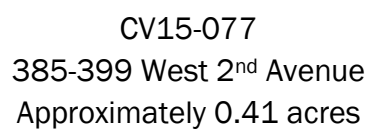
PROPOSED SITE PLAN

1018 PENNSYLVANIA AVE, COLUMBUS, OHIO 43201

SCALE: 1" = 10'-0"

PREPARED BY: 12.01.2015
PRELIMINARY: NOT FOR CONSTRUCTION

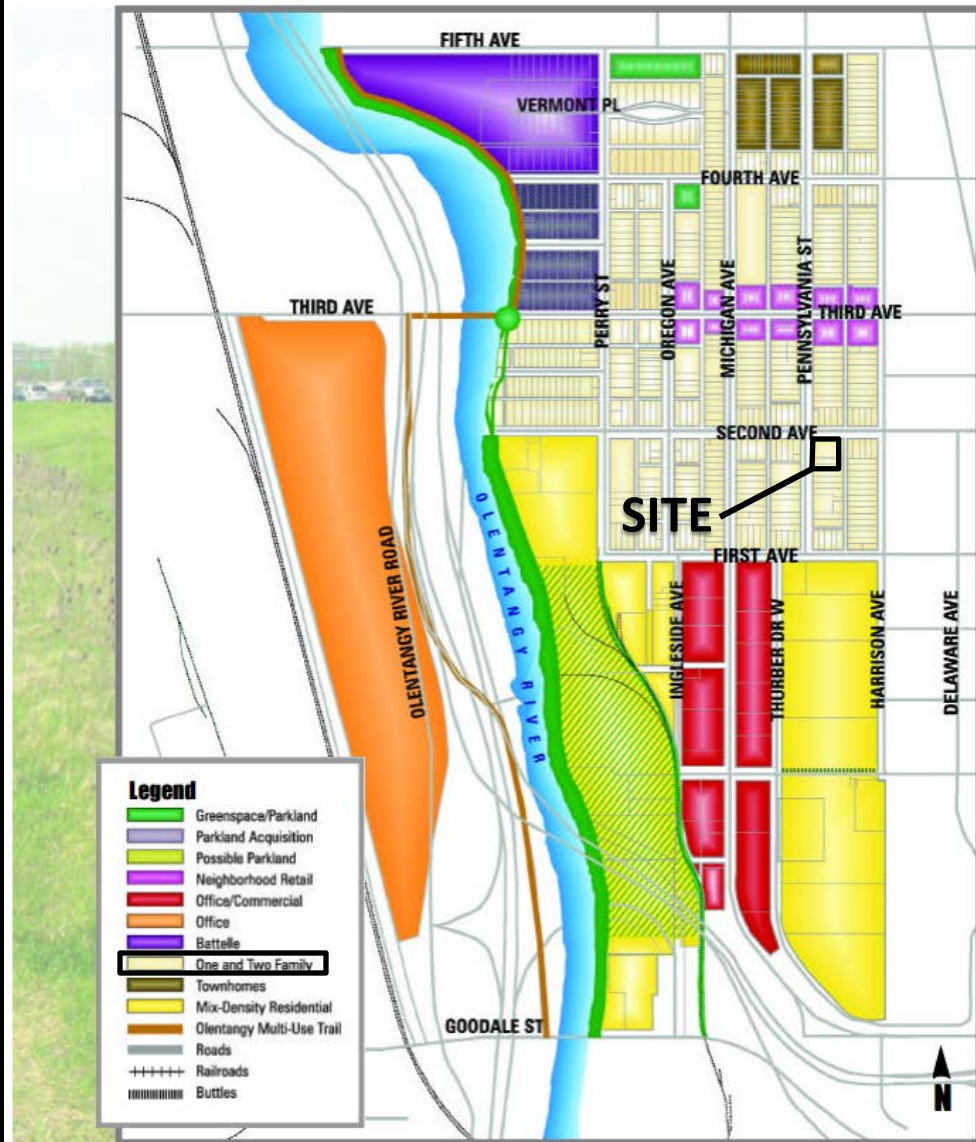




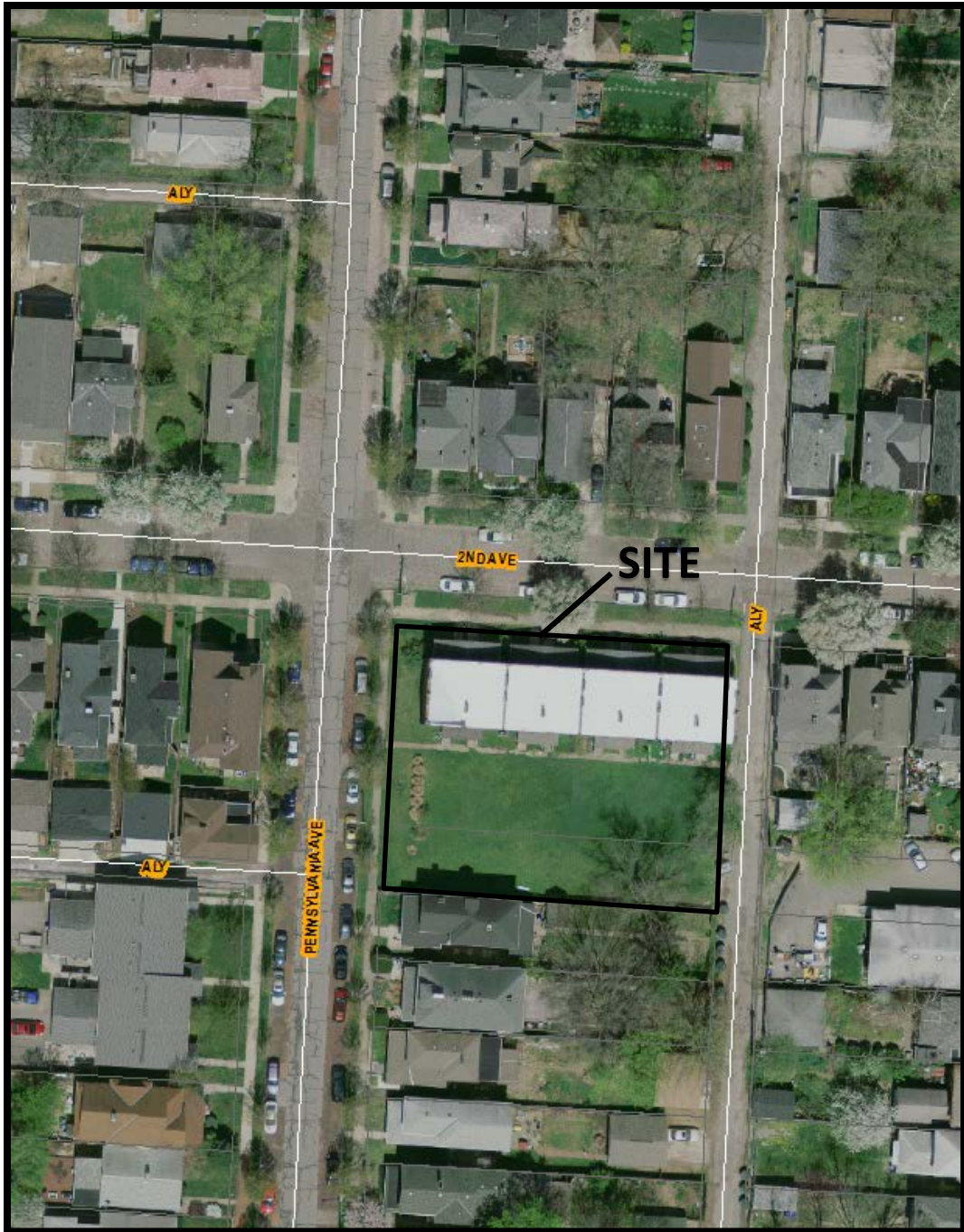
385-399 West 2nd Avenue

Approximately 0.41 acres

RECOMMENDATIONS



CV15-077
 385-399 West 2nd Avenue
 Approximately 0.41 acres



CV15-077
385-399 West 2nd Avenue
Approximately 0.41 acres