



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

OFFICE USE ONLY

Application Number: 12310-00019

Date Received: 1/17/12

Commission/Group: South Side

Existing Zoning: R-2F

Application Accepted by: K. Reiss

Fee: \$630.00

Comments: Anticipated hearing date: 3/27/12

TYPE(S) OF ACTION REQUESTED

(Check all that apply)

☒ Variance

☐ Special Permit

Indicate what the proposal is and list applicable code sections. State what it is you are requesting.

SEE ATTACHED LIST

LOCATION

1. Certified Address Number and Street Name 484 KOSUTH STREET

City COLUMBUS

State OH

Zip 43206

Parcel Number (only one required) 010-031820

APPLICANT: (IF DIFFERENT FROM OWNER)

Name JAMES A. WRIGHT / RESIDENTIAL DESIGNER SOLUTIONS, INC.

Address 7844 FLINT ROAD

City/State COLUMBUS OH Zip 43255

Phone # 614-480-0027

Fax # 614-430-8071

Email jawright@redshomedesign.com

PROPERTY OWNER(S):

Name HOWARD GAT OFF

Address 411 REINHARD AVE

City/State COLUMBUS Zip 43206

Phone # 614-331-2151

Fax #

Email howard.gatoff@huntington.com

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

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

☐ Attorney

☐ Agent

Name

Address

City/State

Zip

Phone #

Fax #

Email

SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE James A. Wright

PROPERTY OWNER SIGNATURE Howard Gatoff

ATTORNEY / AGENT SIGNATURE

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



BOARD OF ZONING ADJUSTMENT APPLICATION

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AFFIDAVIT

12310-00019
484 E. Kossuth St.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME JAMES A. WRIGHT / RESIDENTIAL DESIGNED SOLUTIONS, INC
of (1) MAILING ADDRESS 7044 PUNT ROAD COLUMBUS, OH 43235
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 484 KOSSUTH ST.
(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

(4) HOWARD M. GATOFF

AND MAILING ADDRESS

411 REINHARD AVE.

COLUMBUS, OH 43206

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

JAMES A. WRIGHT / RESIDENTIAL DESIGNED SOLUTIONS, INC
7044 PUNT RD. COLUMBUS, OH 43235

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

(5) South Side Area Comm.
P.O. Box 7846
43207 (WR)

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 LIST

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

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 17 day of January, in the year 2012

SIGNATURE OF NOTARY PUBLIC

My Commission Expires

Notary Seal Here



YULIYA A. HALLOWELL
Notary Public, State of Ohio
My Comm. Expires May 4, 2015

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James A. Wright
Residential Designed Solutions, Inc.
7844 Flint Road
Columbus, OH 43235

Columbus South Side Area
Commission
Mr. Bob Eros
PO Box 7846
Columbus, OH 43027

Paul A & Caroline Rowntree
475 E. Kossuth St.
Columbus, OH 43206

Howard Gatoff, David Underhill
411 Reinhard Ave.
Columbus, OH 43206

Gregory S. Laszlo
471 E. Kossuth St.
Columbus, OH 43206

Leanna Murphey
462 Stanley Ave.
Columbus, OH 43206

Robin Rutan
467 E. Kossuth
Columbus, OH 43206

Frederick Jeffreys
470 E. Kossuth
Columbus, OH 43206

James Daley
PO Box 21051
Columbus, OH 43221

Stephen Wagner
Mark Hagans
97 E. Mithoff St.
Columbus, OH 43206

Gertrude Murphy
483 E. Columbus St.
Columbus, OH 43206

David Vanderhorst
570 S. Eureka Ave.
Columbus, OH 43204

Diane Mayle
Robert Eisel Jr.
503 E. Kossuth St.
Columbus, OH 43206

Jennifer Duddy
Tomasz Bogdziewicz
497 E. Kossuth St.
Columbus, OH 43206

David Sabbath
890 S. Washington Ave.
Columbus, OH 43206

Creative Housing Inc.
2233 City Gate Dr.
Columbus, OH 43219

Columbus Metropolitan Library
Board of Trustees
96 S. Grant Ave.
Columbus, OH 43215

Debra Budai
507 E. Columbus, St.
Columbus, OH 43206

Joseph Ratajczak
505 E. Columbus St.
Columbus, OH 43206

Lawrence Schaffer
407 E. Livingston Ave.
Columbus, OH 43215

ESBG LLC III
392 E. Stewart Ave.
Columbus, OH 43206

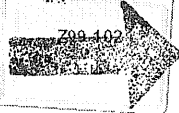
Shamansky Real Estate Holdings
2783 Fair Ave.
Columbus, OH 43209

TPBES LLC
360 E. Stewart Ave.
Columbus, OH 43206

Citation Group Inc.
722 S. Pearl St.
Columbus, OH 43206

Constance Huart
1701 Rockhurst Ave.
Dayton, OH 45420

City of Columbus, Ohio



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12310-00019
484 E. Kossuth St.



BOARD OF ZONING ADJUSTMENT APPLICATION

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

STATEMENT OF HARDSHIP

12310-00019
484 E. Kossuth St.

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:

Since this lot is only 40' wide and currently zoned to allow a two family residence, the current zoning requirements severely restrict the ability to construct a building of appropriate size for two units.

A previous owner of this property had applied and received zoning approval to construct a similar two family building but those variances have expired. We are pursuing a similar use of the property.

Various other homes, apartment buildings and commercial properties exist in this area with many varying setbacks and uses and this new two family building will help increase adjacent property values.

We believe these variance requests are appropriate due to these hardships.

Signature of Applicant _____

Date _____

1.17.12

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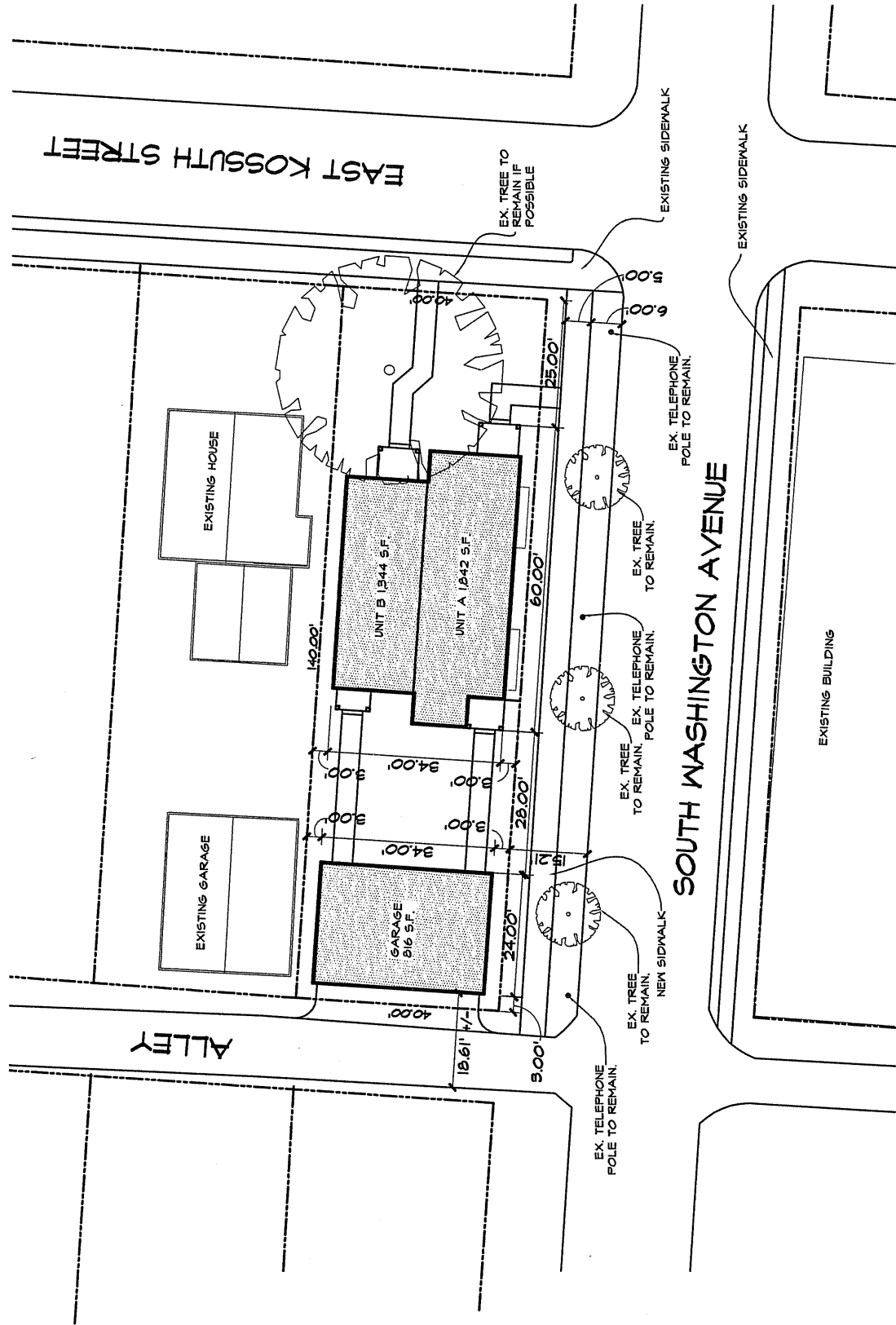
Proposal for 484 Kossuth Ave:

Owners propose to build a two family residence on the existing vacant lot per the design sketches and site plan proposed and attached

Zoning Variances for BZA application are as follows:

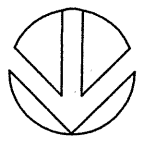
- 1) Vary 3332.22 (1) to reduce the building line for the dwelling on this corner lot from 20% of the lot's width, 8 ft, to 7.5% of the lot's width, 3 ft, along the western property line on Washington Avenue.
- 2) Vary 3332.22 C (2) to reduce the building line for a detached garage on this corner lot from 10 ft to 3 ft along the western property line on Washington Avenue.
- 3) Vary 3332.25 B for maximum side yard required from 20% of the lot's width, 8 ft, to 15% of the lot's width, 6 ft.
- 4) Vary 3312.4 C to reduce required number of parking spaces for a two-family dwelling from 4 parking spaces to 3.
- 5) Vary section 3321.05, which provides for a 10 ft by 10 ft vision clearance triangle from street to alley, by allowing a 3 ft by 3 ft vision clearance triangle instead.

12310-00019
484 E. Kossuth St.



REAR YARD SQ.FT. CALCULATION

| | | |
|--|------|------|
| Required rear yard (40'x140'/4): | 1400 | S.F. |
| Proposed rear yard =: | | |
| (28'x24'x3'±55'x40' Less Garage-916)±: | 1984 | S.F. |
| +(16'x3'x6' Less 4'x4' Porch)±: | 96 | S.F. |
| Total proposed rear yard S.F.±: | 1482 | S.F. |

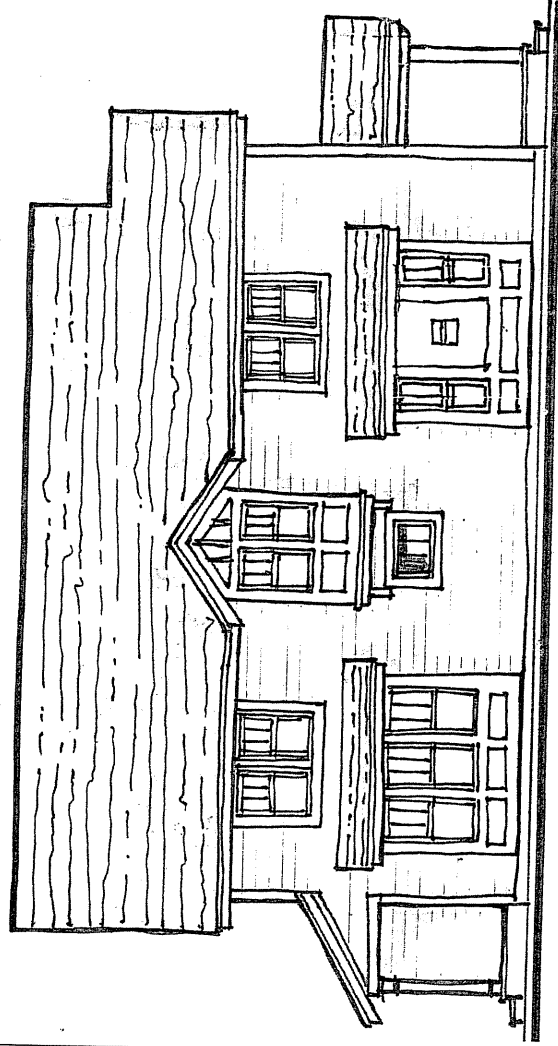


SITE PLAN
 SCALE: ~ 1" = 20'-0"
 484 EAST KOSSUTH ST.
 COLUMBUS, OH 43215

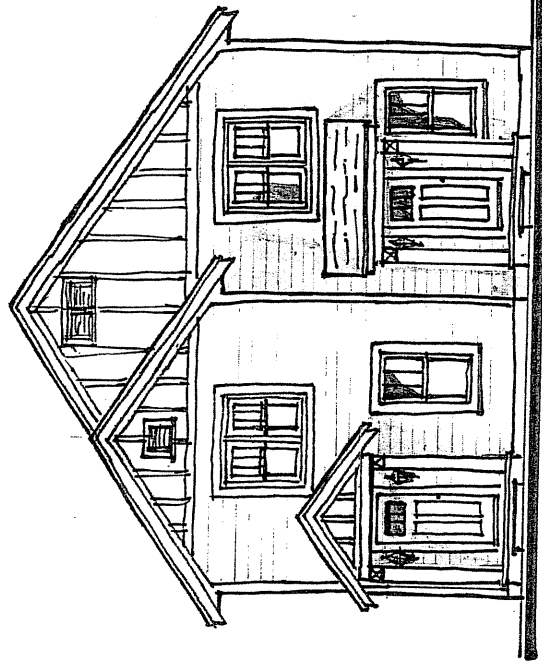
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Gatoff-Underhill Residence

484 East Kossuth Street, Columbus, OH 43215



South Washington Ave. Elevation
Scale: 1/8"=1'-0"



East Kossuth Street Elevation
Scale: 1/8"=1'-0"

RESIDENTIAL
Designed
SOLUTIONS
Inspired Ideas. Proven Plans.

12310-00019
484 E. Kossuth St.

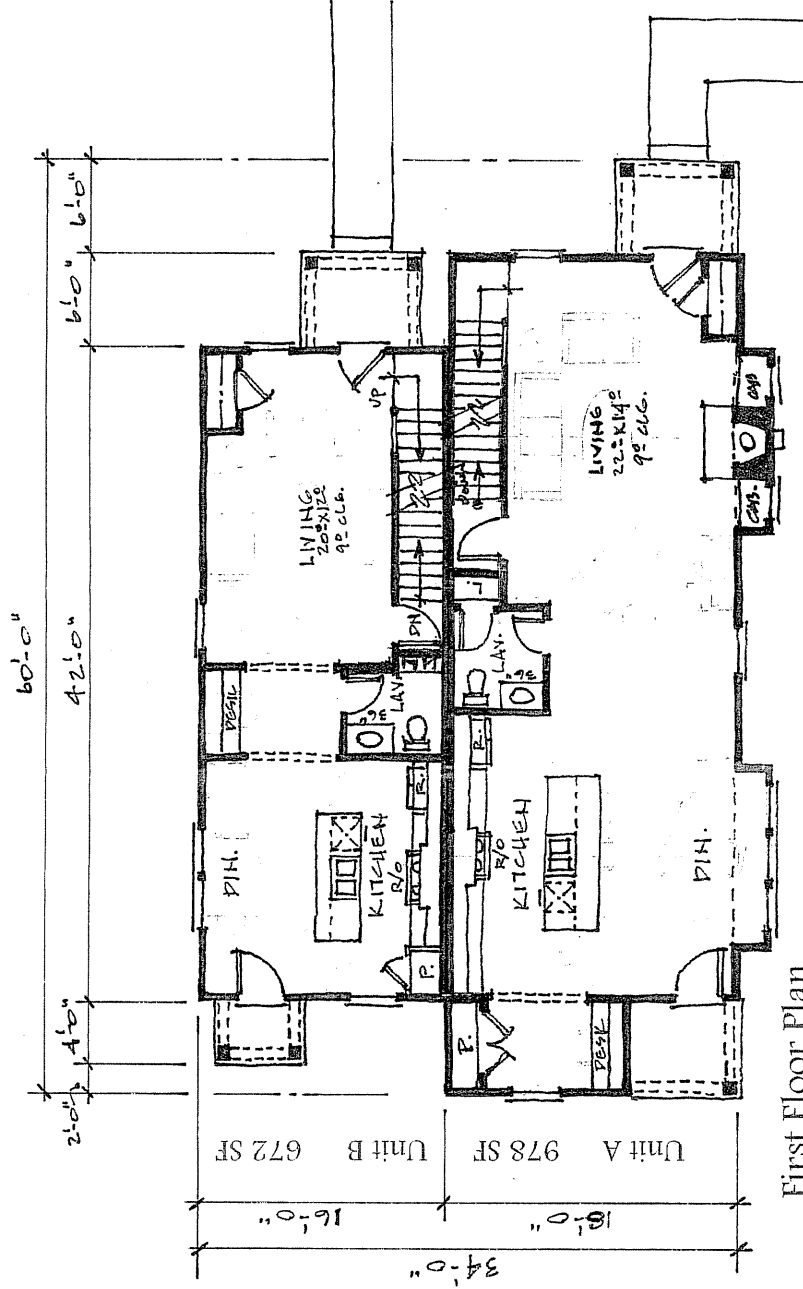
January 17, 2012

www.rds homedesign.com

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Gatoff-Underhill Residence

484 East Kossuth Street, Columbus, OH 43215



First Floor Plan

Scale: 1/8"=1'-0"

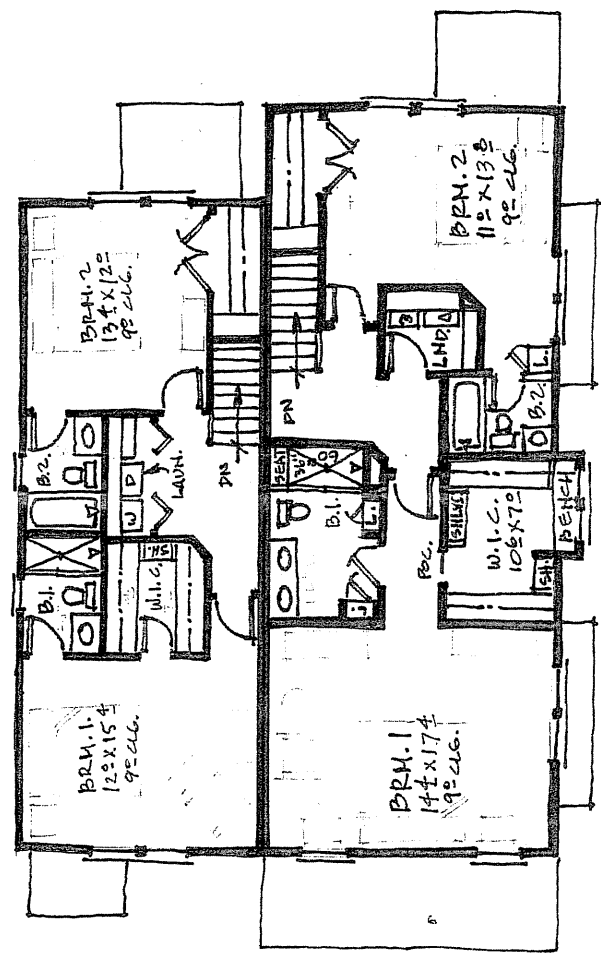
Unit A 978 SF

Unit B 672 SF

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Gatoff-Underhill Residence 484 East Kossuth Street, Columbus, OH 43215



Unit A 864 SF
 Unit B 672 SF

Second Floor Plan
 Scale: 1/8" = 1'-0"

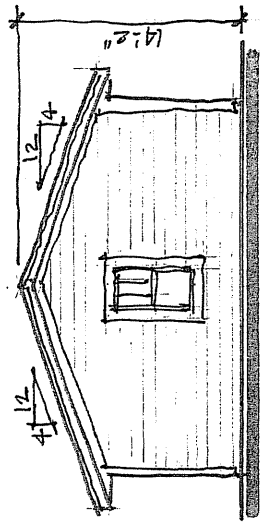
Unit A 864 SF
 Unit B 672 SF

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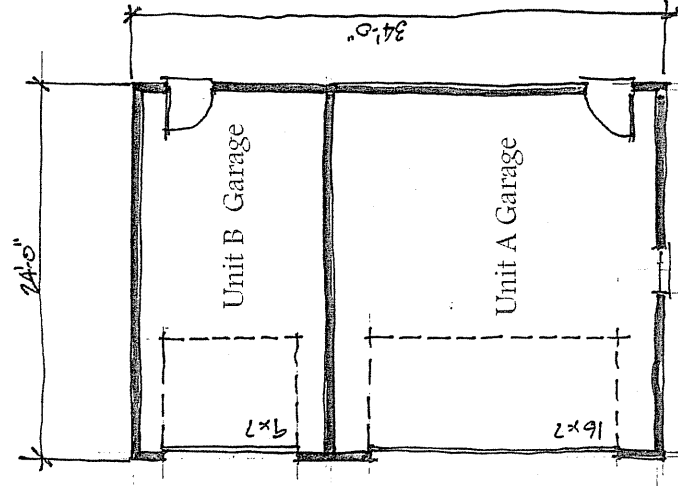
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Gatoff-Underhill Residence

484 East Kossuth Street, Columbus, OH 43215



South Washington Avenue Elevation



Garage Plan
 Scale: 1/8" = 1'-0"

816 SF



North Elevation-Alley View

RESIDENTIAL
Designed
 SOLUTIONS

Inspired Ideas. Proven Plans.

Real Estate / GIS Department

POWER OF ATTORNEY

Howard M Gatoff, hereinafter referred to as PRINCIPAL, in the County of Franklin State of Ohio, being of sound mind, do appoint James Wright as his true and lawful attorney-in-fact.

Any and all general powers of attorney that previously have been signed by principal are hereby revoked. However, the preceding sentence shall not have the effect of revoking any powers of attorney that are directly related to principal's health care that previously have been signed by principal.

In the principal's name, and for the principal's use and benefit, said attorney-in-fact is authorized hereby:

(1) Enter into binding contracts on behalf of Principal

(2) Sell, convey, lease, mortgage, manage, insure, improve, repair, or perform any other act with respect to any of principal's property currently owned or acquired later, including, but not limited to, real estate and real estate rights (including the right to remove tenants and to recover possession). This includes the right to sell or encumber any homestead currently owned or may own in the future.

(3) Prepare, sign, and file documents with any governmental body or agency, including, but not limited to, authorization to:

(a) Obtain information or documents from any government or its agencies, and negotiate, compromise, or settle any matter with such government or agency (including tax matters).

(b) Prepare applications, provide information, and perform any other act reasonably requested by any government or its agencies in connection with governmental benefits (including military and social security benefits).


Said attorney-in-fact shall not be liable for any loss that results from a judgment error that was made in good faith. However, said attorney shall be liable for willful misconduct or the failure to act in good faith while acting under the authority of this Power of Attorney.

Principal authorizes said attorney to indemnify and hold harmless any third party who accepts and acts under this document.

Giving and granting to said attorney full power and authority to do all and every act and thing whatsoever requisite and necessary to be done relative to any of the foregoing as fully to all intents and purposes as principal might or could do if personally present.

All that said attorney shall lawfully do or cause to be done under the authority of this power of attorney is expressly approved.

Principal Signature:

 1/17/2012

Principal Full Legal Name: Howard M. Gatoff

Date Signed: January 17, 2012

[If witnesses are required, the following must be included:

WITNESS' SIGNATURE:

John Brunner

WITNESS' PRINTED FULL LEGAL NAME: JOHN MICHAEL BRUNNER

WITNESS' SIGNATURE:

Christina L. McGilton

WITNESS' PRINTED FULL LEGAL NAME: CHRISTINA T MCGILTON]

Dated: Jan 17, 2012 at Huntington National Bank Columbus, OH.

By: _____

STATE OF Ohio COUNTY OF Franklin

BEFORE ME, the undersigned authority, on this 17th day of January, 2012, personally appeared HOWARD CATAPANO to me well known to be the person described in and who signed the foregoing, and acknowledged to me that he executed the same freely and voluntarily for the uses and purposes therein expressed.

WITNESS my hand and official seal the date aforesaid.

NOTARY PUBLIC
My Commission Expires:

Christina L. McGilton

10-13-15



CHRISTINA MCGILTON
Notary Public, State of Ohio
My Commission Expires Oct. 13, 2015
Recorded in Franklin County

STAFF REPORT

BOARD OF ZONING ADJUSTMENT CITY OF COLUMBUS, OHIO SEPTEMBER 23, 2008

11. **Application No.:** 08310-00334
Location: 488 EAST KOSSUTH STREET (43206), located at the northeast corner of S. Washington Ave. & E. Kossuth St.
Area Comm./Civic: Schumacher Place Civic Association
Existing Zoning: R-2F, Residential District
Request: Variance(s) to Section(s):
1. 3332.05, Area district lot width requirements.
To reduce the lot width requirement from 50 ft. to 40 ft.
 2. 3332.18, Basis of computing area.
To calculate the lot area based on from the center of the alley adjoining the rear of the lot and to not base the density on three times the lot width.
 3. 3332.22, Building line on corner lots -- exceptions.
To reduce the allowable side yard setback on Washington Ave. from 8 ft. to 0 ft. and to reduce the garage front setback from 10 ft. to 0 ft.
 4. 3332.25, Maximum side yards required.
To reduce the sum of each side yard from 8 ft. to 5 ft. 8 in.
 5. 3342.28, Minimum number of parking spaces required.
To reduce the required number of parking spaces from 4 to 2.
- Proposal:** To construct a 2-unit, 2-family dwelling on a 4,800 sq. ft. parcel.
Applicant(s): Tim Welsh
1373 Grandview Ave., Suite 212
Grandview Heights, Ohio 43212
Property Owner(s): Applicant

RELEVANT DATA

- The site is undeveloped at the present time. No record of any prior improvement at this site could be found, except that the current parcel was once the western portion of the existing lot which is improved with a single-family dwelling to the east.
- The applicant proposes to construct a contemporary, two-story, two-family dwelling on this site. Each unit is proposed to be 2,400 sq. ft. in area
- Section 3332.05 requires that the minimum lot width needed to be able to construct a building is 50 ft. in an R-2F zoning district, while the applicant proposes construction of a 2-family dwelling on a 40 ft. wide lot. Section 3332.18 requires that if the depth of the lot is more than three times the width of the lot, that only three times the width of the lot be used to compute density, while the applicant wishes to calculate the density of the lot based upon using the center of the alley adjoining the rear of the lot and not three times the width. Section 3332.22 requires a minimum side yard setback of 8 ft. while the applicant proposes 0 ft. and to reduce the minimum setback for a garage from 10 ft. to 0 ft. Section 3332.25 requires that the sum of the widths of each side yard shall be equal to or exceed 20% of the width of the lot, but that not more than 16 ft. be so devoted, while the applicant wishes to reduce this from 8 ft. to 5 ft. 8 in. Section 3342.28 requires

two parking spaces per dwelling unit, (4 total, required) while the applicant proposes to provide only two spaces.

- The Transportation Division has no issues with this request.
- Recommendations from the Schumacher Place Civic Association, Council of South Side Organizations or the Columbus South Side Area Commission have been received, as of this report.

CITY DEPARTMENTS' RECOMMENDATION: APPROVAL

SUMMARY OF POSITION AND OUTSTANDING ISSUES, IF ANY:

This proposal would allow for the construction of a two-family dwelling at the northeast corner of Washington Ave. and E. Kossuth St. Several variances are necessary to achieve this, dealing with setbacks to side yard requirements and matters involving parking. Staff has met with the applicant and worked closely with him to address various zoning issues. The improvement to this site should be an enhancement to this neighborhood and the variances mostly allow development to occur on this site that represents that which is already common in the neighborhood.

CONDITION(S) RECOMMENDED:

THE DEVELOPMENT PROPOSED IN THIS APPLICATION IS SUBJECT TO COMPLIANCE WITH ALL OTHER CITY CODES.

PROPOSED HEARING TIME: 6:00 p.m. agenda

STAFF REPRESENTATIVE: Dave Reiss, 645-7973
E-mail: DJReiss@Columbus.gov#<http://DJReiss@Columbus.gov>#

BOARD ORDER
BOARD OF ZONING ADJUSTMENT
CITY OF COLUMBUS, OHIO
SEPTEMBER 23, 2008

11. **Application No.:** **08310-00334**
 Location: **488 EAST KOSSUTH STREET (43206)**, located at the northeast corner of S.
 Washington Ave. & E. Kossuth St.
 Area Comm./Civic: Schumacher Place Civic Association
 Existing Zoning: R-2F, Residential District
 Request: Variance(s) to Section(s):
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 Proposal: To construct a 2-family dwelling on a 4,800 sq. ft. parcel.
 Applicant(s): Tim Welsh
 1373 Grandview Ave., Suite 212
 Grandview Heights, Ohio 43212
 Property Owner(s): Applicant

RESULTS: APPROVED

VOTE: 5-0

MEMBER

| | |
|--------------------------|-----|
| James V. Maniace (Chair) | yes |
| John Behal | yes |
| Jim Bubutiev | yes |
| John Haytas | yes |
| Paul Love | yes |

Signature of **STAFF MEMBER** in attendance, certifying that the outcome of this case was as reported above:

Name

Date

This ruling pertains to the above referenced section(s) of the Zoning Code. It does not modify any other obligation you may have under other existing City or State codes.

NOTICE

When the use proposed herein involves the change of use of an existing building, the building is subject to review under current building code requirements for the proposed new use. Changing the use of a building requires a building permit and Certificate of Occupancy for the new use. An approved Board of Zoning Adjustment application does not waive or nullify your responsibility to obtain all proper permits. Contact Building and Development Services Section building plans examination staff at 645-7816 or 645-6079 for preliminary review of applicable requirements.



Mayor Michael B. Coleman

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

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 # _____

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Howard M. GATOFF
of (COMPLETE ADDRESS) 411 Reinhard Ave, Columbus OH 43206
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

Howard M. GATOFF

411 REINHARD AVE

COLUMBUS, OHIO 43206

DAVID A. UNDERHILL

411 REINHARD AVE

COLUMBUS, OH 43206

SIGNATURE OF AFFIANT

Howard M. Gatoff

Subscribed to me in my presence and before me this 17 day of January, in the year 2012

SIGNATURE OF NOTARY PUBLIC

Christina L. McGilton

My Commission Expires:

10-13-15

Notary Seal



CHRISTINA MCGILTON
Notary Public, State of Ohio
My Commission Expires Oct. 13, 2015
Recorded in Franklin County

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APPLICATION #

12310-00019

484 E. Kossuth St.

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME)

JAMES A. WRIGHT / RESIDENTIAL DESIGNER
of (COMPLETE ADDRESS) 7844 FLINT RD. COLUMBUS, OH 43235 SAUTIONS, INC

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

HOWARD CATOFF

411 REINHARD AVE. COLUMBUS, OH 43206

DAVID UNDERHILL

411 REINHARD AVE. COLUMBUS, OH 43206

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 17 day of January, in the year 2012

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:



YULIYA A. HALLOWELL
Notary Public, State of Ohio
My Comm Expires May 4, 2015

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