



## 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](http://www.columbus.gov)

**PAID**  
APR 16 2012

OFFICE USE ONLY

Application Number: # 12310-00000-00205

Date Received: 16 APR. 2012

Commission/Group: GERMAN JIU

Existing Zoning: \_\_\_\_\_ Application Accepted by: JS

Fee: \$ 35

**BUILDING & ZONING SERVICES**

Comments: \_\_\_\_\_

### 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.

Existing driveway will be extended west into rear yard to a new enclosed garage. Applicant is requesting a variance to the minimum width requirement for a driveway under code § 3312.13 from 10 feet to 7 feet and 8 inches.

### LOCATION

1. Certified Address Number and Street Name 685 South Third St

City Columbus State OHIO Zip 43206

Parcel Number (only one required) 010-019045

### APPLICANT: (IF DIFFERENT FROM OWNER)

Name \_\_\_\_\_

Address \_\_\_\_\_ City/State \_\_\_\_\_ Zip \_\_\_\_\_

Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email \_\_\_\_\_

### PROPERTY OWNER(S):

Name Theresa L. Sugar

Address 685 South Third St City/State Columbus, Ohio Zip 43206

Phone # 614 325 6892 Fax # \_\_\_\_\_ Email Sulagv@yahoo.com

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

### ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

☒ Attorney ☐ Agent

Name Anthony J. Sugar

Address 10 W. Broad St., Suite 2100 City/State Columbus, Ohio Zip 43215

Phone # 614 229-3217 Fax # \_\_\_\_\_ Email: anthony.sugar@bailey.cavalieri.com

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

APPLICANT SIGNATURE Theresa L. Sugar

PROPERTY OWNER SIGNATURE Theresa L. Sugar

ATTORNEY / AGENT SIGNATURE Anthony J. Sugar, Esq.

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

DEPARTMENT OF BUILDING AND ZONING SERVICES

12310-00000-00205  
685 SOUTH 3rd STREET

## One Stop Shop Zoning Report Date: Wed Apr 25 2012

General Zoning Inquiries: 614-645-8637

### SITE INFORMATION

**Address:** 685 S 3RD ST COLUMBUS OH 43206

**Mailing Address:** 685 S 3RD ST

COLUMBUS OH 43206

**Owner:** SUGAR THERESA L

**Parcel Number:** 010019045

### ZONING INFORMATION

**Zoning:** Z72-055, Residential, R2F  
effective 6/21/1972, Height District H-35

**Board of Zoning Adjustment (BZA):** N/A

**Commercial Overlay:** N/A

**Graphic Commission:** N/A

**Area Commission:** German Village Area Commission

**Planning Overlay:** N/A

**Historic District:** German Village

**Historic Site:** No

**Council Variance:** N/A

**Flood Zone:** OUT

**Airport Overlay Environs:** N/A

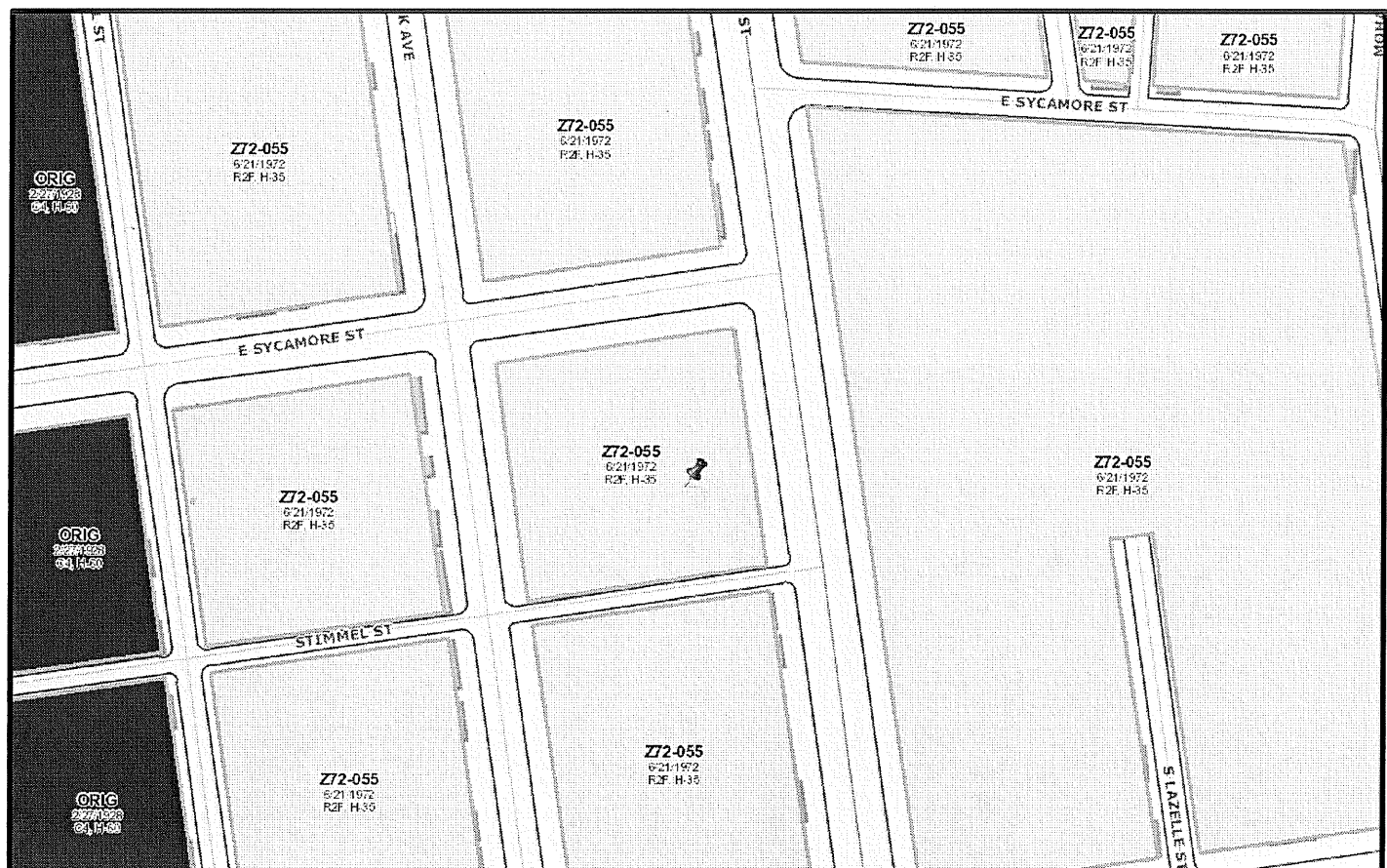
### PENDING ZONING ACTION

**Zoning:** N/A

**Board of Zoning Adjustment (BZA):** N/A

**Council Variance:** N/A

**Graphic Commission:** N/A





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### AFFIDAVIT

**12310-00000-00205**  
**685 SOUTH 3rd STREET**

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Theresa L. Sugar  
of (1) MAILING ADDRESS 685 South Third St. Columbus, Ohio 43206  
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 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  
AND MAILING ADDRESS

(4) Theresa L. Sugar  
685 South Third St.  
Columbus, OH 43206

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

Theresa L. Sugar  
(614) 325-6892

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

(5) German Village Commission  
Cristin A. Moody, Historic Preservation Office  
Cols. Planning

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

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

SIGNATURE OF AFFIANT

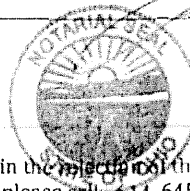
Subscribed to me in my presence and before me this 15th day of April in the year 2012

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

Notary Seal Here

(8) Anthony J. Sugar



ANTHONY J. SUGAR  
ATTORNEY AT LAW  
Notary Public, State of Ohio  
My Commission Has No Expiration  
Section 147.03 R.C.

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### STATEMENT OF HARDSHIP

**12310-00000-00205**

**685 SOUTH 3rd STREET**

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:

See Exhibit A attached hereto.

Signature of Applicant

*Cheresa L. Sugar*

Date

*4.15.12*

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**EXHIBIT A**

Board of Zoning Adjustment Application

Statement of Hardship

685 South Third Street, Columbus, Ohio 43206

BZA: \_\_\_\_\_

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The project site is a single family residence located at 685 South Third Street, Columbus, Ohio 43206 in German Village that is more than 140 years old. The property has an existing driveway that is 9 feet 10 inches wide of which 1 foot 6 ¼ inches encroaches onto the adjacent property to the South.

The applicant proposes to extend the existing driveway into the rear yard of the property to an enclosed garage that applicant intends to construct. The new driveway will include space for a turnaround that will permit applicant to exit the driveway onto South Third Street going forward, which will increase the safety of pedestrians. The new driveway will also permit applicant to park her car behind a locked gate and in an enclosed garage, thereby protecting applicant and her car. In the past, applicant's car has been broken into several times and crime continues to be a concern in the area.

Applicant requests a variance to Code §3512.13, which requires driveways to have a minimum width of 10 feet. It is not possible for applicant to satisfy this requirement because the maximum width between her house and the existing fence and property line to the South is only 8 feet 3 5/8 inches.

The grant of the requested variance will increase the value of the property of applicant and her neighbors and will increase the physical safety of pedestrians and applicant and her property. Many other properties in the area, such as the applicant's which have driveways with street access, have driveways that extend into their rear yards.



# CLARENCE E N FRANKLIN COUNTY

12310-00000-00205  
685 SOUTH 3rd STREET

MAP ID: S

DATE: 4/10/12



Disclaimer

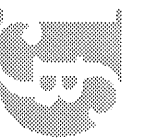
Scale = 60



This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

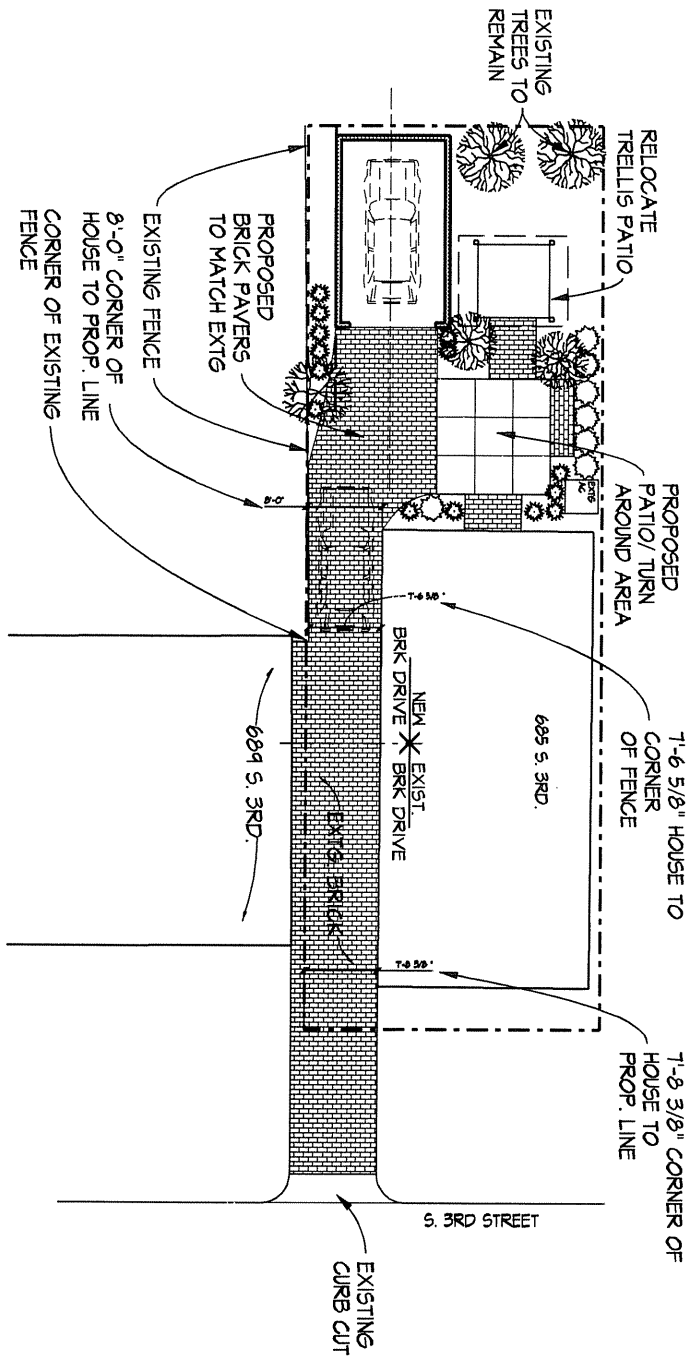
Real Estate / GIS Department

12310-00000-00205  
685 SOUTH 3rd STREET



**BBAL|sAMPSON|DIETZ**  
ARCHITECTURE & CONSTRUCTION

990 WEST THIRD AVENUE  
COLUMBUS, OHIO 43212  
PHONE 614-266-2143  
FAX 614-266-2143  
WWW.BBALARCHITECTS.COM



**SITE PLAN**  
SCALE: 1" = 20'

SUGAR RESIDENCE  
685 S. 3RD AVE

2012-04-12



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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.** If provided.

None in the space

APPLICATION:

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STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Theresa L. Sugar

of (COMPLETE ADDRESS) 685 South Third St., Columbus, Ohio 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

Theresa L. Sugar 685 South Third St., Columbus, Ohio 43206

SIGNATURE OF AFFIANT

Theresa L. Sugar

Subscribed to me in my presence and before me this 15<sup>th</sup> day of April, in the year 2012

SIGNATURE OF NOTARY PUBLIC

[Signature]

My Commission Expires:

Notary Seal Here



ANTHONY J. SUGAR  
ATTORNEY AT LAW  
Notary Public, State of Ohio  
My Commission Expires 12/31/12  
Section 147.03 R.C.

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