



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: 13310-0-00188
Date Received: 3/20/13
Commission Group: German Village
Existing Zoning: R-2F Application Accepted by: L. Rein Fee: \$315.00
Comments: 5/28/13

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.

REINSTALLING ORIGINAL CURB CUT IN GERMAN VILLAGE. RECEIVED
CERTIFICATE OF APPROPRIATENESS FROM GERMAN VILLAGE
COMMISSION

LOCATION

1. Certified Address Number and Street Name 796 CITY PARK AVENUE
City Columbus State OHIO Zip 43206
Parcel Number (only one required) 010-02-85-20

APPLICANT: (IF DIFFERENT FROM OWNER)

MINH Name (KEVIN) NGUYEN
Address 296 CITY PARK AVENUE City/State Columbus, Ohio Zip 43206
Phone # 614-795-1972 Fax # NA Email NA

PROPERTY OWNER(S):

Name SAME AS Applicant
Address _____ City/State _____ Zip _____
Phone # _____ Fax # _____ Email _____
☐ Check here if listing additional property owners on a separate page.

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

☐ Attorney ☐ Agent

Name NA Franco Palma
Address _____ City/State _____ Zip _____
Phone # 327-5133 Fax # _____ Email: _____

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

X APPLICANT SIGNATURE [Signature]
X PROPERTY OWNER SIGNATURE [Signature]
ATTORNEY / AGENT SIGNATURE _____

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 all checks payable to the Columbus City Treasurer

JAMIE OR
DAVE



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AFFIDAVIT

13310-00188
796 City Park Ave.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME MINH (KEVIN) NGUYEN
of (1) MAILING ADDRESS 796 CITY PARK AVENUE, 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

MINH
(4) (KEVIN) NGUYEN
796 CITY PARK AVENUE
COLUMBUS, OHIO 43206

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

MINH
(KEVIN) NGUYEN
614-795-1972

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

(5) GERMAN VILLAGE COMMISSION
RANDY F. BLACK

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 OF PROPERTY OWNER WITHIN 125'

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

SIGNATURE OF AFFIANT

(8) X

Subscribed to me in my presence and before me this 14 day of March, in the year 2013

SIGNATURE OF NOTARY PUBLIC

(8)

My Commission Expires:

2/16/15

India Payten

Notary Public, State of Ohio

My Commission Expires Feb. 16, 2015

Notary Seal Here

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KEVIN C. NGUYEN
796 CITY PARK AVE.
COLUMBUS, OH 43206

RANDY F. BLACK
HISTORIC PRESERVATION OFFICER
109 NORTH FRONT STREET
COLUMBUS, OH 43215-9031

GERMAN VILLAGE HOLDINGS, LTD
777-779 S THIRD ST.
COLUMBUS, OH 43206

ROBERT J. SCHEIBECK
783 S THIRD ST.
COLUMBUS, OH 43206

JEROME N. & MARIANNE H. SMITH
787 S THIRD ST.
COLUMBUS, OH 43206

RONALD W. REMY
789 S THIRD ST.
COLUMBUS, OH 43206

**KATHLEEN E. BURLESON &
NICHOLAS J. TWINING**
790 CITY PARK AVE.
COLUMBUS, OH 43206

RYAN D. & ALYSE M. MAPES
784 CITY PARK AVE.
COLUMBUS, OH 43206

ELLISAR GROUP, LLC
778 CITY PARK AVE.
COLUMBUS, OH 43206

RICHARD R. & LYNNE P. FREEMAN
789 CITY PARK AVE.
COLUMBUS, OH 43206

TERRY R. & BONNIE J. JONES
795-797 CITY PARK AVE.
COLUMBUS, OH 43206

CARLO CROCE
801 CITY PARK AVE.
COLUMBUS, OH 43206

DENNIS W. & SILVA GRAMLICH
807 CITY PARK AVE.
COLUMBUS, OH 43207

JOHN L. & HEIDE A. DRAKE
793 S THIRD ST.
COLUMBUS, OH 43206

RODMAN R. & JAYNE E. ENSMIGER
799 S THIRD ST.
COLUMBUS, OH 43206

803 PROPERTIES, LTD
803 S THIRD ST.
COLUMBUS, OH 43206

MARY R. SWARTZ
76 E KOSSUTH ST.
COLUMBUS, OH 43206

NELSON W. HEINRICHS, III
804 CITY PARK AVE.
COLUMBUS, OH 43206

SARA ZIMMERMAN
800 CITY PARK AVE.
COLUMBUS, OH 43206

ANNA K. HART
792 CITY PARK AVE.
COLUMBUS, OH 43206

**CAROLYN O. WORKMAN &
KURT WACKER**
777 CITY PARK AVE.
COLUMBUS, OH 43206

RANDAL E. KENNEDY
783 CITY PARK AVE.
COLUMBUS, OH 43206

**DENNIS D. GIGLIO &
MICHAEL A. THOMPSON**
785 CITY PARK AVE.
COLUMBUS, OH 43206

STATEMENT OF HARDSHIP

COMPLIANCE WITH ZONING

*I would like a VARIANCE ON SECTION 3332.25
& 3332.26*

SECTION 3332.25 – Maximum side yards required:

Section 3332.25 states that the sum of the widths of each side yard shall equal or exceed Twenty percent of the width of the lot. The width of lot 31.25 feet.

Twenty percent of lot width is equal to 6.25 feet or 6 feet 3 inches

The sum of the side yards is Left 1 foot 4 inches plus Right ^{0 ft.} 12 feet 7 inches equal to

14 feet 1 inch as measured from lot line to building in designated parking space, *4.16%*

OR

~~Left 1 foot 4 inches plus Right 7 feet 3 inches equals to 8 feet 7 inches as measured from closest appurtenance of building line to lot line.~~

~~Thus, we have compliance with the first paragraph of Section 3332.25, further~~

~~Section 3332.25 paragraph (B) states that no more than 16 feet be devoted to the side yard requirements. Either of the 14 feet 1 inch or the 8 feet 7 inches above measurement is less than the 16 feet required.~~

SECTION 3332.26 – Minimum side yard permitted:

The minimum side yard permitted in Section 3332.26 (B) (1) on a lot less than 40 feet is 3 feet. The side yard of ^{1' 4"} 8 feet 7 inches complies with this section. *From 3' to 1' 4"*

SECTION 3312.13 – Driveway:

~~Section 3312.13 (A) states that a driveway shall have a minimum width, where there are one to eight spaces, of 10 feet. The driveway is twelve feet wide from curb to the building set back line.~~

SECTION 3312.29 – Parking space:

~~Section 3312.29 (A) states that a parking space, exclusive of the driveway, shall be a minimum of 9 feet by 18 feet. The designated parking space, after removal of half the covered porch, will and is 12 feet 7 inches by 21 feet 8 inches.~~

We believe we are in compliance with Sections 3332.25, 3332.26, 3212.13, and 3312.29 above.

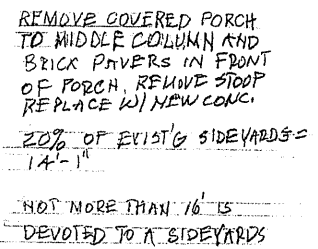
STATEMENT OF HARDSHIP

SECTION 3321.05 – Minimum vision clearance:

The minimum vision clearance required by Section 3321.05 (A) (1) is 10 feet at 45 degree angle to ROW. Since the driveway is between two existing residential homes, both which abut the ROW and is also the property line, compliance is not possible. We respectfully request waiver to this rule for the following reasons:

- 1) There used to be a driveway with a curb cut and a parking space. Previous owners closed off parking space to make room for the elongation of the covered porch. They also installed brick pavers at the front of the porch and in the ROW from the brick sidewalk to street curb.
- 2) The present owner has received a Certificate of Appropriateness from the German Village Commission for the driveway. (Attached)
- 3) The owner has applied to the German Village Commission to remove half of the covered porch (to the middle column) and install a wrought iron security gate.
- 4) The owner has had two break ins since he moved in this winter and the neighbor's house lost all the copper downspouts and gutters.

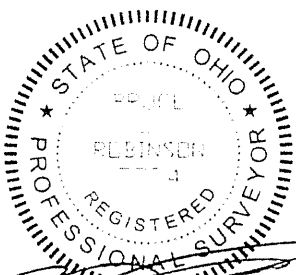
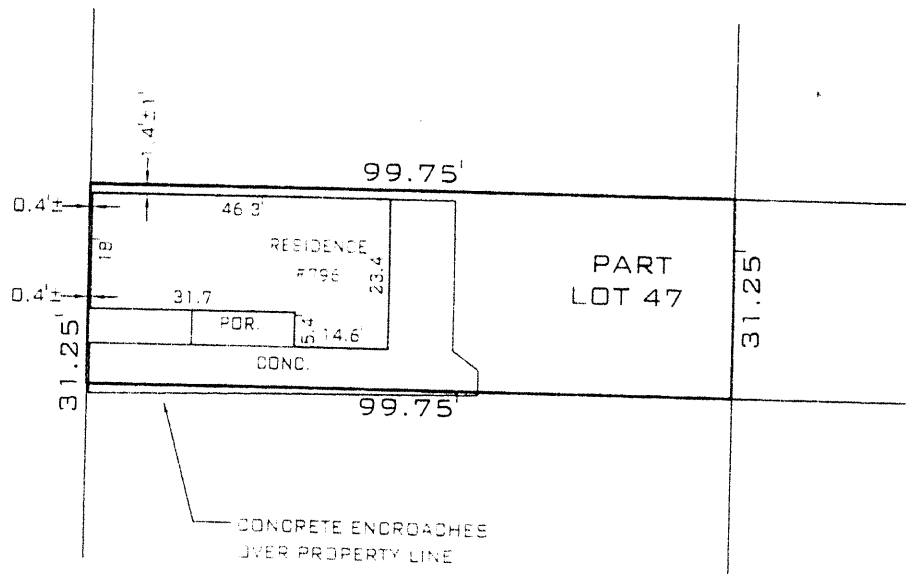
13310-00188
796 City Park Ave.



MIHN
(KEVIN) C. NGUYEN
796 CITY PARK AVE

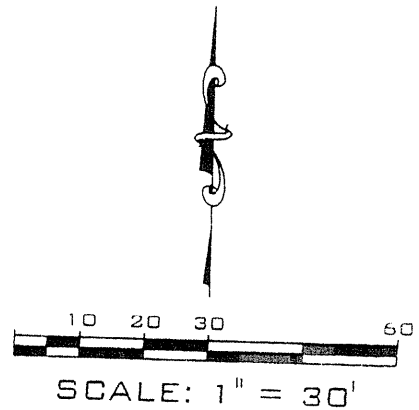
We have received a copy
of this survey & find the
conditions acceptable.

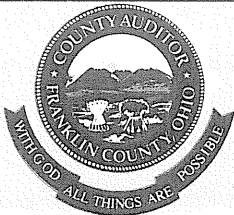
CITY PARK AVE. 66'



13310-00188
796 City Park Ave.

LSGI#: 139615

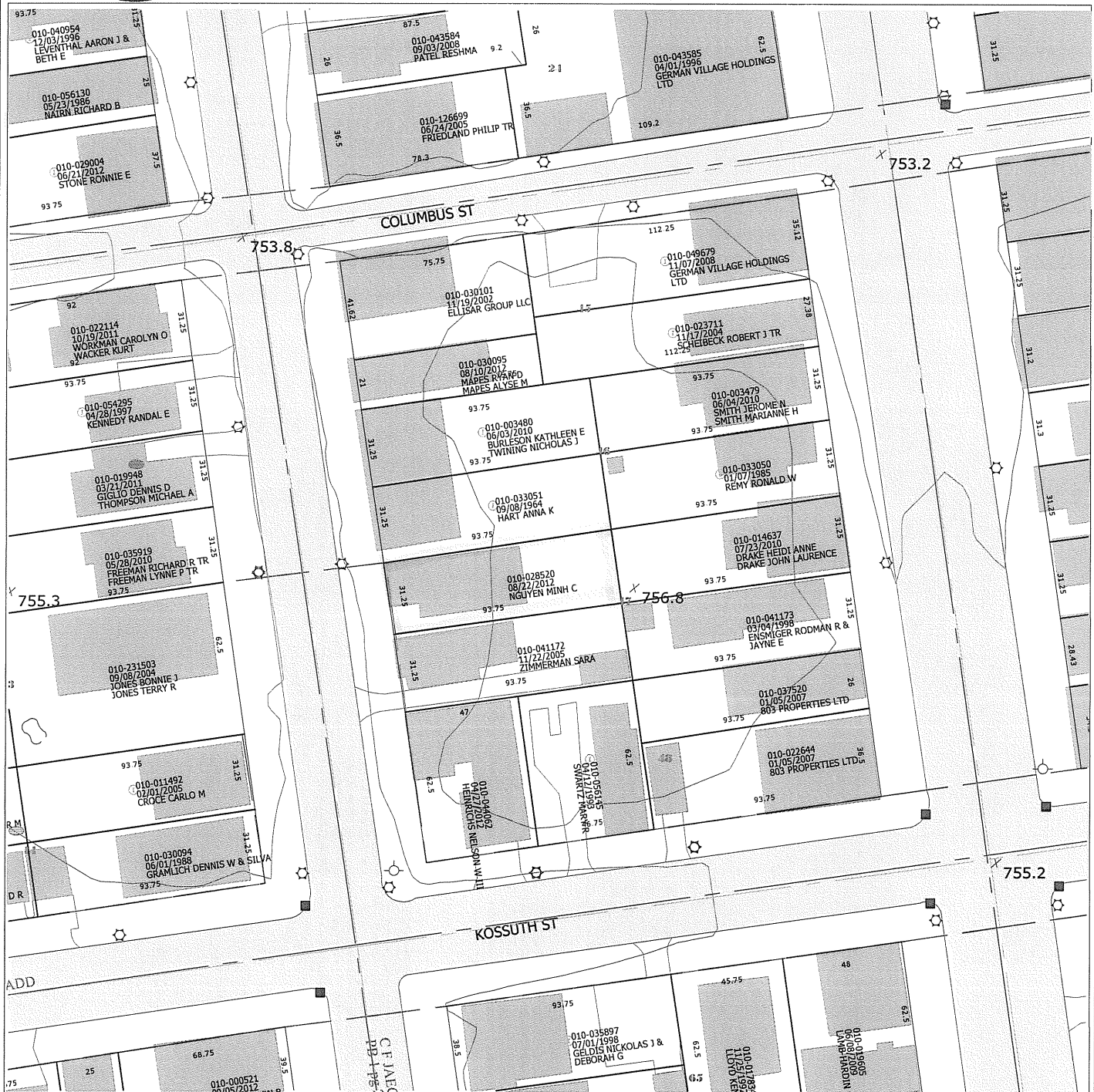




CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: S

DATE: 3/19/13



Disclaimer

Scale = 60

Grid
North

This map is prepared for the real property inventory within this county. It is based on survey plats, and other public records and data. Users of this map are notified that the mapping companies assume no legal responsibilities for the information. Please notify the Franklin County GIS Division of any discrepancies.

13310-00188
796 City Park Ave.



City of Columbus Zoning Plat



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: 010028520

Zoning Number: 796

Street Name: CITY PARK AVE

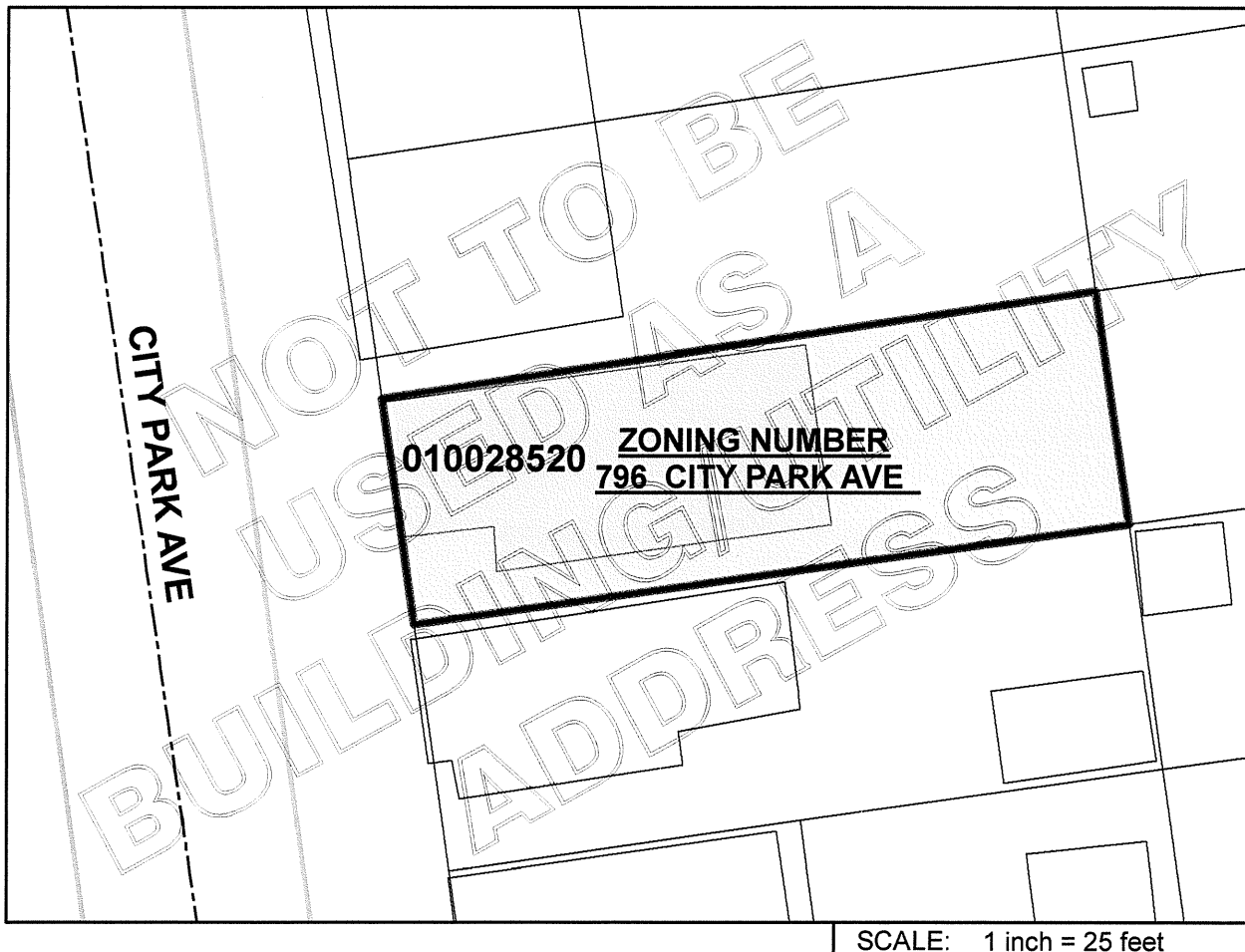
Lot Number: 47

SUBDIVISION: JAEGER

Requested By: MINH C NGUYEN (OWNER)

Issued By: *Patricia Austin*

Date: 3/19/2013



SCALE: 1 inch = 25 feet



PATRICIA A. AUSTIN, P.E., ADMINISTRATOR
DIVISION OF PLANNING AND OPERATIONS
COLUMBUS, OHIO

GIS FILE NUMBER: 13123

COPY



City of Columbus
Mayor Michael B. Coleman

Department of Development
Boyce Safford III, Director

CERTIFICATE OF APPROPRIATENESS
GERMAN VILLAGE COMMISSION

This Certificate of Appropriateness is not a zoning clearance or a building permit. This document does not relieve the applicant from the responsibility of filing for and obtaining any required zoning clearance and/or building permit from the City of Columbus Department of Building & Zoning Services (645-6090 / 757 Carolyn Avenue) and following all other applicable codes and ordinances of the City of Columbus.

PROPERTY ADDRESS: 796 City Park Avenue

APPLICANT'S NAME: Martha Goodwin/Bernadette Martin (POA) (Applicant/Owner)

APPLICATION NO.: 12-7-26

HEARING DATE: 7-10-12

EXPIRATION: 7-10-13

The German Village Commission hereby certifies that the application for the above referenced property and a copy of this Certificate of Appropriateness are on file with the city's Historic Preservation Office. The Commission has reviewed the application and taken the following action(s) in accordance with Columbus City Code 3116 & 3325 and the architectural guidelines:

☒ **Approved:** Exterior alterations per APPROVED SPECIFICATIONS

APPROVED SPECIFICATIONS:

Approve Application #12-7-26, 796 City Park Avenue, as submitted, with all clarifications noted:

Curb Cut

- Remove portion of curb to restore previously existing curb cut; install new driveway apron as required by Columbus City Code.
- Existing brick sidewalk to remain in place as well as the existing, original driveway.
- This application is being considered due to evidence presented that the curb cut was previously existing.

MOTION: Ours/Durst (7-0-0) APPROVED.

☒ **Drawings Required**

This Certificate of Appropriateness is only valid for work performed in accordance with the motion so passed and approved by the Commission, and shall accompany plans submitted for zoning clearance and/or building permits.


Randy F. Black
Historic Preservation Officer

13310-00188
796 City Park Ave.



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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 # **13310-00188**

796 City Park Ave.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) **MINH (KEVIN) NGUYEN**
of (COMPLETE ADDRESS) **796 CITY PARK AVENUE, 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
MINH (KEVIN) NGUYEN	796 CITY PARK AVENUE, COLUMBUS, OHIO 43206

SIGNATURE OF AFFIANT x

Subscribed to me in my presence and before me this **14** day of **March**, in the year **2013**

SIGNATURE OF NOTARY PUBLIC

My Commission Expires: **2/16/15**

India Payton
Notary Public, State of Ohio
My Commission Expires Feb. 16, 2015

Notary Seal Here

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