



Mayor Michael B. Coleman

COUNCIL VARIANCE 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: CV13-024 / 13315-00000-00297

Date Received: 4/30/13

Application Accepted By: S. Pine Fee: \$1600

Comments: Assigned to Shannon Pine, 645-2208, spine@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 1616 Hawthorne Park Zip 43203

Is this property currently being annexed into the City of Columbus ☐ Yes ☒ No

If the site is pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.

Parcel Number for Certified Address: 010-037 029

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

Current Zoning District(s): R-3

Civic Association or Area Commission: Near East Area Commission

Proposed use or reason for Council Variance request: Bed and Breakfast use + permit existing dwelling unit in 2-story carriage house

Acreage: .426 acres

APPLICANT: Name Ronald J & Linda Hentsch

Address 1616 Hawthorne Park City/State Columbus OH Zip 43203

Phone # 330-445-0007 Fax # _____ Email: RJHentsch@gmail.com

PROPERTY OWNER(S): Name Gene R. May

Address PO Box 358 City/State Ardenville WV Zip 26520

Phone # 614 439-2339 Fax # _____ Email: Gmay1969@hotmail.com

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

ATTORNEY / AGENT

☒ Attorney ☐ Agent

Name Amy K. Kuhn Plank Law Firm LPA

Address 145 E. Rich St - 3rd fl City/State Columbus OH Zip 43215

Phone # 614 947-8600 Fax # 614 228-1790 Email: akuhn@planklaw.com

SIGNATURES (ALL SIGNATURES MUST BE SIGNED IN BLUE INK)

APPLICANT SIGNATURE [Signature]

PROPERTY OWNER SIGNATURE [Signature for Gene R. May]

ATTORNEY / AGENT SIGNATURE [Signature]

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 all checks payable to the Columbus City Treasurer



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C13-024

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 Statement

Signature of Applicant

Anthony K. Kul
Applicant

Date

April 29, 2013

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EXHIBIT B

CV13-024

STATEMENT OF HARDSHIP FOR

1616 HAWTHORNE PARK

This area within the Near East side of Columbus contains some of the city's finest, older urban housing. Many of the buildings in the district still appear to be large single-family structures, but many actually have multi-tenant occupancy. Conversion to a bed-and-breakfast is an excellent way to preserve these older, large homes by allowing owners to operate a business that affords them the resources to maintain the property. The bed and breakfast industry has developed and thrived in many cities. Often they are located in older, large homes like the subject in areas that have a mixture of office, commercial, recreational and service type facilities.

The Columbus City Zoning code does not have use classifications that permits a bed and breakfast but are treated as a boarding house. Therefore, in order to provide the applicant the ability to operate a bed and breakfast, a use variance is required. The applicant has a hardship if a variance is not granted because this property, which is well-located and suited for a bed and breakfast, is too large to be used as a single family house.

The subject property is located on a street with a boulevard with many large well-maintained homes which are a combination of single and multi-family occupancy. It is within two blocks of the Ohio State University Hospital East and the Franklin Park Conservatory. Several churches and a YMCA are located within a block. The property has a large lot which is able to accommodate parking for the four guest rooms, carriage house and the resident family.

Applicant requests the following Zoning Code variances from Council:

3332.035, R-3, Residential District. A variance to permit a bed and breakfast to be located in an R-3 district. There is no provision for a bed and breakfast use in the Columbus City Code and they are treated as a boarding house; therefore a use variance is required to operate a bed and breakfast. The bed and breakfast will be operated by resident owner/managers. There are four guest bedrooms; each with access to a bathroom.

3332.035, R-3, Residential District. A variance to permit a carriage house with an apartment on the second floor. This is an existing structure that was built over fifty years ago. The subject area was originally developed with large homes that included such structures as part of the property. The current code does not permit two residential units on one R-3 zoned lot. This is an existing condition and this variance would allow the structure to remain and continue its use. A building permit was issued for the apartment in 1956.

3312.25, Maneuvering. A variance to permit five (5) standard parking spaces in front of the four (4) garage spaces. Stacking is permitted on a residential lot but it is limited to specific areas. The property has sufficient space for guest parking and maneuvering space.

3312.39 (A), Striping and Marking. A variance to permit parking without striping the five (5) standard spaces would enable the site to maintain its residential character without impairing the ability to park.

3332.38 (G), Private Garage. A variance to permit the existing carriage house, with a height in excess of 15 feet, remain in place. The height in excess of 15 feet is consistent with the older construction in the area.

3332.26, Minimum Side Yard Permitted, 3332.27, Rear Yard Permitted (Both applicable to rear carriage house) and 3312.13 Driveway. Variances to allow the existing improvements to remain as built. The existing structures and driveway do not meet the side and rear yard requirements. The buildings and improvements are, however, situated on the lot in a manner that is consistent with neighborhood dwellings and carriage houses built at the beginning of the 20th century.



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AFFIDAVIT

(See next page for instructions)

APPLICATION # CW13-024

STATE OF OHIO _____
COUNTY OF FRANKLIN _____

Being first duly cautioned and sworn (1) NAME AMY K. KUHN

of (1) MAILING ADDRESS PLANK LAW FIRM, LPA, 145 E RICH ST, FL 3, COLUMBUS, OH 43215-5240

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 CERTIFIED ADDRESS FOR ZONING PURPOSES 1616 HAWTHORNE PARK, COLUMBUS, OH 43203

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) 4/30/13

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) GENE R. MAY
PO BOX 358
ARTHURDALE, WV 26520

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

RONALD J. AND LINDA HENTSCH
1616 HAWTHORNE PARK, COLUMBUS, OH 43203

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

(5) NEAR EAST AREA COMMISSION
ANNIE ROSS-WOMACK, ZONING (614) 251-6038 OR 258-7617
874 OAKWOOD AVE., COLUMBUS, OH 43206

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.

SEE EXHIBIT A

SIGNATURE OF AFFIANT

(8) Amy K. Kuhn

Subscribed to me in my presence and before me this 30th day of APRIL, in the year 2013

SIGNATURE OF NOTARY PUBLIC

(8) Barbara A. Painter

My Commission Expires:

AUGUST 3, 2015

Notary Seal Here



BARBARA A. PAINTER
Notary Public, State of Ohio
My Commission Expires AUGUST 3, 2015

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EXHIBIT A, Public Notice
1616 Hawthorne Park
CV13- 024, 4/29/13

APPLICANT:

Ronald & Linda Hentsch
1616 Hawthorne Park
Columbus, OH 43203

PROPERTY OWNER:

Gene R. May
PO Box 358
Arthurdale, WV 26520

ATTORNEY FOR APPLICANT

Amy K. Kuhn, Esq.
Plank Law Firm
145 E. Rich Street, FL 3
Columbus, OH 43215-5240

**AREA COMMISSION OR
NEIGHBORHOOD GROUP:**

Near East Area Commission
c/o Annie Ross-Womack
874 Oakwood Avenue
Columbus, OH 43206

**SURROUNDING PROPERTY
OWNERS:**

173 Woodland Avenue LLC
PO Box 248702
Columbus, OH 43224

Azygous Properties LLC
1609 Clifton Ave.
Columbus, OH 43203

Timothy Brownlee
Joseph M. Sucevic
1617 Hawthorne Park
Columbus, OH 43203

Pablo D. Hernandez
1610 Hawthorne Park
Columbus, OH 43203

Jerry Horalus
Jodian T. Horalus
1631 Clifton Ave.
Columbus, OH 43203

Keels Donna LLC
7574 Broad St.
Pataskala, OH 43062

Jason A. Macke
Joy D. Macke
PO Box 24698
Columbus, OH 43224

James Jr. & Bernadine Neal
1601 Hawthorne Park
Columbus, OH 43203

SHEET 1 of 2
1616 Hawthorne Park
CV13- 024, 4/29/13

Kharimasud Olufemi
1617 Clifton Ave.
Columbus, OH 43203

Clifford R. Whitehead, Jr.
163 Woodland Ave.
Columbus, OH 43203

Woodland Christian Church
143 Woodland Avenue
Columbus, OH 43203

Jason A. Macke
Joy D. Macke
1623 Clifton Avenue
Columbus, OH 43203

ALSO NOTIFY

Donald Plank, Esq.
Plank Law Firm
145 E. Rich Street, FL 3
Columbus, OH 43215-5240



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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 # W13024

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] AMY K. KUHN

Of [COMPLETE ADDRESS] PLANK LAW FIRM, LPA, 145 E. RICH ST, FL 3, COLUMBUS, OH 43215-5240
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 formats

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. GENE R. MAY PO BOX 358 ARTHURDALE, WV 26520 COLUMBUS-BASED EMPLOYEES: 0 CONTACT: GENE R. MAY (614) 439-2339	2.
3. RONALD J. & LINDA HENTSCH 1616 HAWTHORNE PARK COLUMBUS, OH 43203 COLUMBUS-BASED EMPLOYEES: 0 CONTACT: RONALD J. & LINDA HENTSCH (330) 445-0007	4.

☐ Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 30th day of APRIL, in the year 2013

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

AUGUST 3, 2015

Notary Seal Here



BARBARA A. PAINTER
Notary Public, State of Ohio
My Commission Expires AUGUST 3, 2015

This Project Disclosure Statement expires six months after date of notarization.

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City of Columbus

Address Plat



W13-024

CERTIFIED HOUSE NUMBERS

The House Numbers Contained on This Form
are Herein Certified for Securing
of Building & Utility Permits

Parcel ID: 010037029

Project Name: SINGLE FAMILY HOME

House Number: 1616

Street Name: HAWTHORNE PARK

Lot Number: 9-10

Subdivision: WOODLAND

Work Done: REMODEL

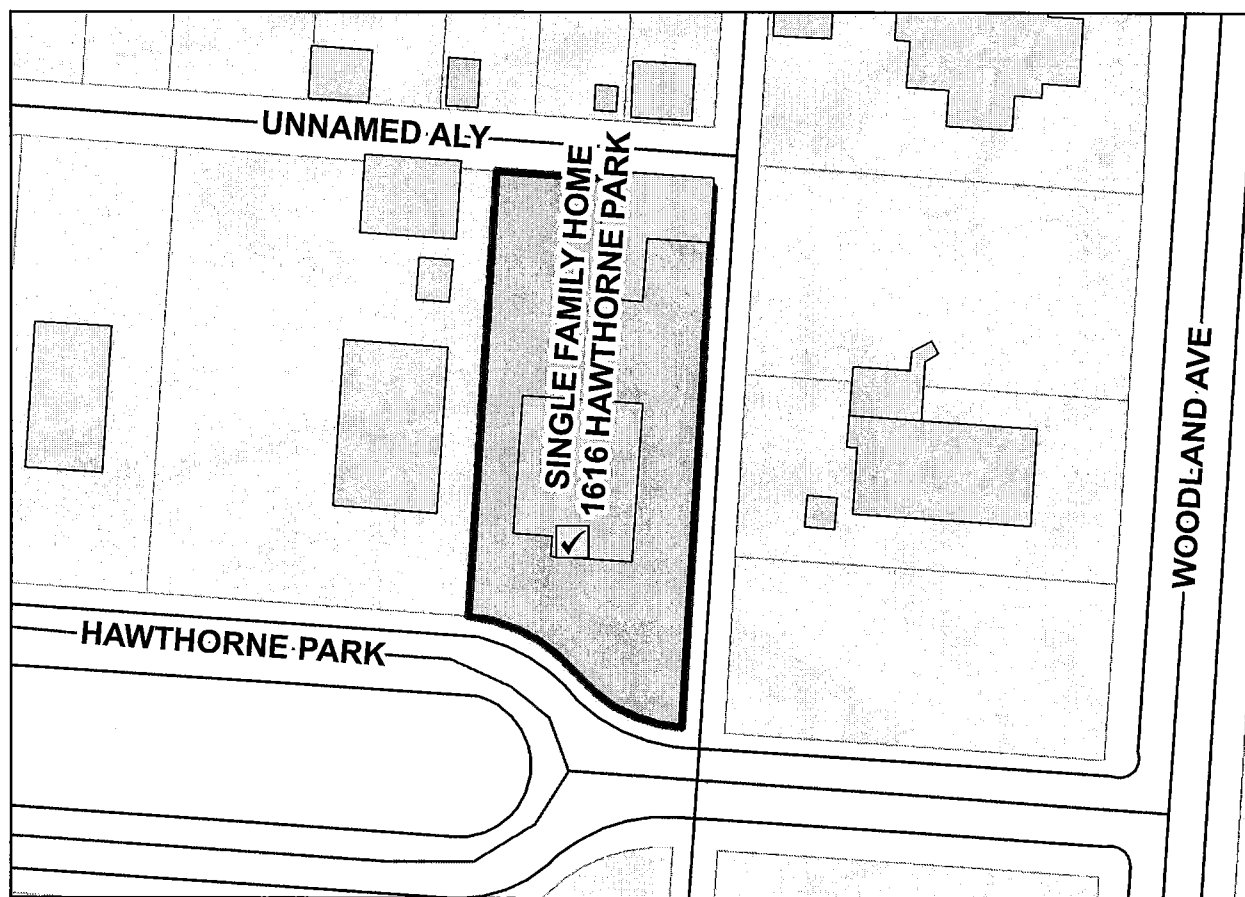
Complex: N/A

Owner: GENE R MAY

Requested By: PLANK LAW FIRM, LPA (AMY KULN, ATTORNEY)

Printed By: James R Reagan

Date: 4/19/2013



SCALE: 1 inch = 80 feet



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

GIS FILE NUMBER: 275683

LEGAL DESCRIPTION

CV13-024

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

Being Lot Number Nine (9) and Lot Number Ten (10), of the Amended Plat of Woodlands, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, Page 343, Recorder's Office, Franklin County, Ohio.

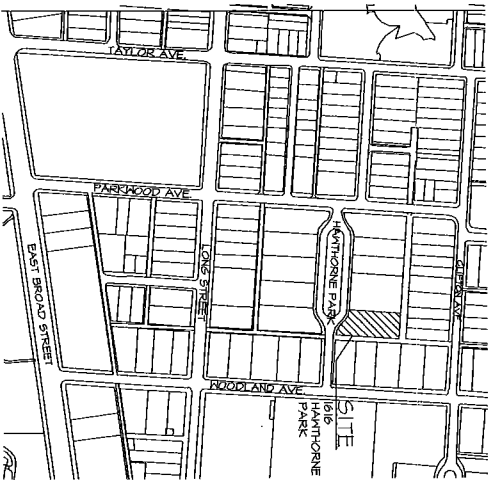
Parcel No.: 010-037029

Property Address: 1616 Hawthorne Park Columbus, OH 43203

ZONING VARIANCE

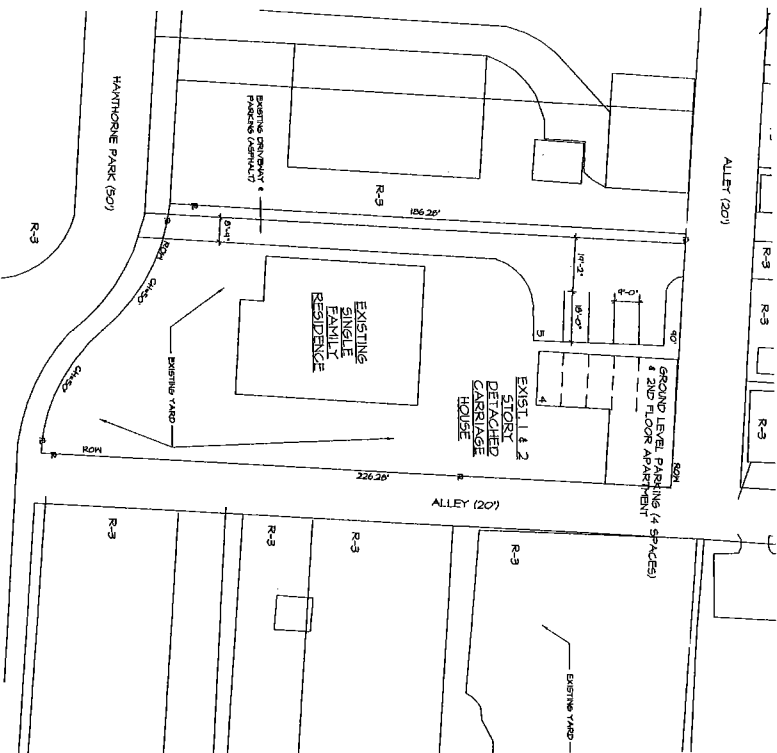
1616 HAWTHORNE PARK

COLUMBUS, OHIO 43203



LOCATION MAP
1" = 200'

PROPERTY DATA
 PROPERTY IDENTIFICATION NUMBER: 000-087024
 PROPERTY AREA: 18,774 SF / 0.43 ACRES
 ZONING CLASSIFICATION: R-3 (ZB-11 4-1-14)
 REAR DEDICATION: YES
 FLOOD ZONE: X 30404237C, 04/17/2009
 EXISTING USE: SINGLE FAMILY RESIDENCE IN DETACHED 2-STORY GARAGE IN APARTMENT
 PROPOSED USE: SINGLE FAMILY RESIDENCE IN R-30 AND REAR YARD GARAGE IN APARTMENT
 PLANNING REVIEWED: 2 SPACES
 PRELIMINARY REVIEW: 2 SPACES
 TOTAL SPACES: 4 SPACES
 PARKING PROVIDED: 4 SPACES
 TOTAL SPACES: 4 SPACES



SITE PLAN
1" = 20'

C-13-024

Sheet Number: 1 of 1

Issue Date: APRIL 24, 2011

Revised Date: N/A

Owner Name:

NOT FOR CONSTRUCTION

DCH

DCH ARCHITECTS, LLC

1616 HAWTHORNE PARK
 COLUMBUS, OHIO 43203

Project: 210X

Sheet Number: 1 of 1

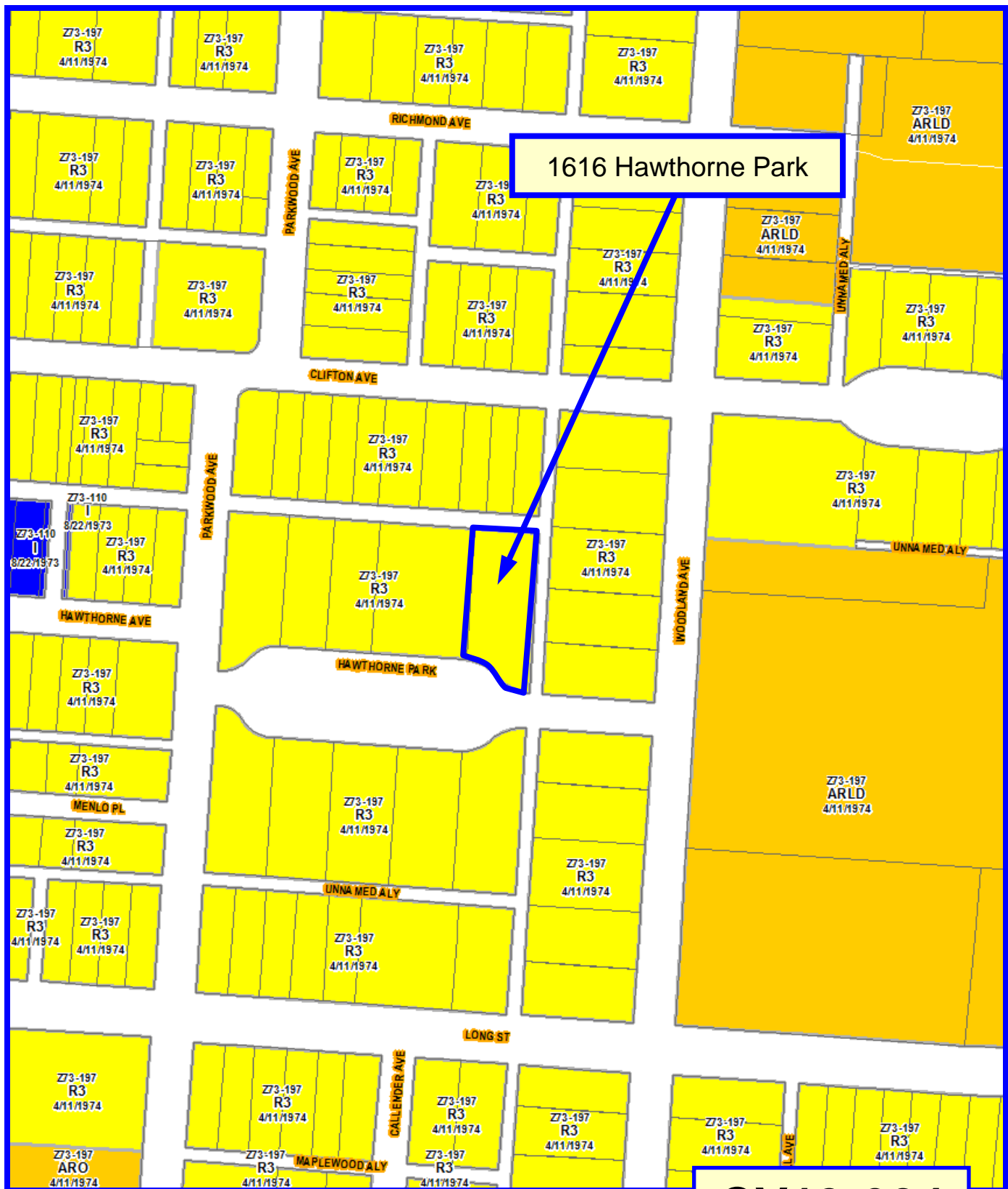
SITE PLAN

Sheet Number: 1 of 1

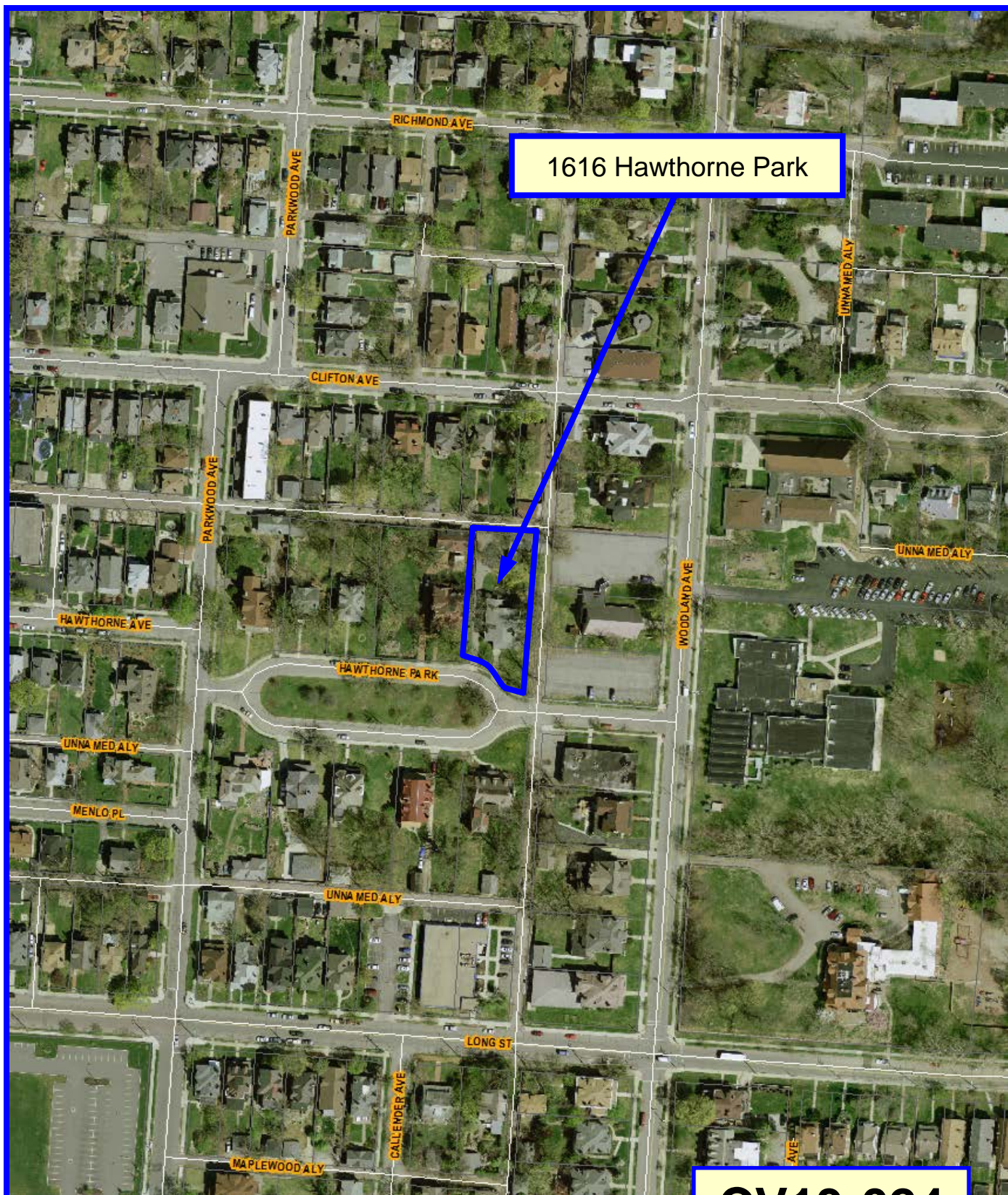
A1

1 of 1

Real Estate / GIS Department



CV13-024



1616 Hawthorne Park

CV13-024