



## 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)

OFFICE USE ONLY

Application Number: 13310-0-00394  
Date Received: 6/7/13  
Commission/Group: Hilltop  
Existing Zoning: SR Application Accepted by: D. Reiss Fee: \$315.00  
Comments: 8/27/13

### 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.

Section 3332.38(F) limits the square footage for a private garage to the greater of 720 square feet or one-third of the minimum net floor area for living quarters of the principal residence. Applicant is requesting a variance for a private garage with 990 square feet.

### LOCATION

1. Certified Address Number and Street Name 3532 Wicklow Road  
City Columbus State OH Zip 43204  
Parcel Number (only one required) 010-110928-00

### APPLICANT: (IF DIFFERENT FROM OWNER)

Name \_\_\_\_\_  
Address \_\_\_\_\_ City/State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email \_\_\_\_\_

### PROPERTY OWNER(S):

Name Don Nichols  
Address 3076 Parkside Road City/State Columbus Zip 43204  
Phone # 614-272-5897 Fax # \_\_\_\_\_ Email \_\_\_\_\_  
☐ Check here if listing additional property owners on a separate page.

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

☒ Attorney ☐ Agent

Name George R. Ambro (0034276)  
Address 264 S. Washington Avenue City/State Columbus, OH Zip 43215  
Phone # (614) 461-4444 Fax # \_\_\_\_\_ Email: GRANXNBX@SBCGLOBAL.NET

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

APPLICANT SIGNATURE \_\_\_\_\_  
PROPERTY OWNER SIGNATURE \_\_\_\_\_  
ATTORNEY / AGENT SIGNATURE \_\_\_\_\_

PLEASE NOTE: incomplete information will result in the rejection of this submittal.  
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Please make all checks payable to the Columbus City Treasurer



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### AFFIDAVIT

**13310-00394**  
**3532 Wicklow Rd.**

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME George Ambro

of (1) MAILING ADDRESS 264 S. Washington Avenue, Columbus, OH 43215

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

(4) Don Nichols

AND MAILING ADDRESS

3876 Parkside Road

Columbus, OH 43204

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

Don Nichols

614-272-5897

AREA COMMISSION OR CIVIC GROUP

(5) Greater Hilltop Area Commission

AREA COMMISSION ZONING CHAIR OR

Greg Large

CONTACT PERSON AND ADDRESS

1101 Secor Place, Columbus, OH 43228

P.O. Box 28052

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
Roger and Sharon Toops	319 Josephine Avenue	319 Josephine Avenue, Columbus, OH 43204
Crispin Rodriguez	315 Josephine Avenue	315 Josephine Avenue, Columbus, OH 43204
David and Jane Greenberg	313 Josephine Avenue	313 Josephine Avenue, Columbus, OH 43204
Karen Searles	309 Josephine Avenue	424 Dryden Road, Zanesville, OH 43701
Miriam and Lewis Fisher	3524 Wicklow Road	3524 Wicklow Road, Columbus, OH 43204

☒ (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 14 day of June, in the year 2012

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

Notary Seal Here

George R. Ambro, Attorney-at-Law  
NOTARY PUBLIC - STATE OF OHIO  
My Commission Expires: June 14, 2014

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Don Nichols  
3876 Parkside Road  
Columbus, OH 43204

George Ambro, Esq.  
264 S. Washington Avenue  
Columbus, OH 43215

Greater Hilltop Area Commission  
c/o Greg Large  
1484 Seeren Place  
Columbus, OH 43228

Roger and Sharon Toops  
319 Josephine Avenue  
Columbus, OH 43204

Crispin Rodriguez  
315 Josephine Avenue  
Columbus, OH 43204

David and Jane Greenberg  
313 Josephine Avenue  
Columbus, OH 43204

Karen Searles  
424 Dryden Road  
Zanesville, OH 43701

Miriam and Lewis Fisher  
3524 Wicklow Road  
Columbus, OH 43204

Robert and Brenda Fleming  
3516 Wicklow Road  
Columbus, OH 43204

Jeffrey Hatfield  
334 Josephine Avenue  
Columbus, OH 43204

Gerardo Figueroa  
328 Josephine Avenue  
Columbus, OH 43204

George Milligan  
1322 Greenleaf Road  
Columbus, OH 43223

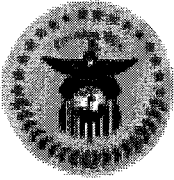
Sandra Dawson  
370 Josephine Avenue  
Columbus, OH 43204

City of Columbus  
ATTN RET DEPT/HAC  
2335 N. Bank Drive  
Columbus, OH 43220

Kathy Stratton  
369 Josephine Avenue  
Columbus, OH 43204

Timothy Cobb  
378 Josephine Avenue  
Columbus, OH 43204

**13310-00394**  
**3532 Wicklow Rd.**



# CITY OF COLUMBUS

## DEPARTMENT OF BUILDING AND ZONING SERVICES

13310-00394  
3532 Wicklow Rd.

### One Stop Shop Zoning Report Date: Tue Jun 11 2013

General Zoning Inquiries: 614-645-8637

#### SITE INFORMATION

Address: 3532 WICKLOW RD COLUMBUS, OH

Mailing Address: 3076 PARKSIDE RD

COLUMBUS OH 43204

Owner: NICHOLS DONALD E TR

Parcel Number: 010110928

#### ZONING INFORMATION

Zoning: 697, Residential, SR

effective 2/18/1957, Height District H-35

Board of Zoning Adjustment (BZA): N/A

Commercial Overlay: N/A

Graphic Commission: N/A

Area Commission: Greater Hilltop Area Commission

Planning Overlay: N/A

Historic District: N/A

Historic Site: No

Council Variance: N/A

Flood Zone: OUT

Airport Overlay Environs: N/A

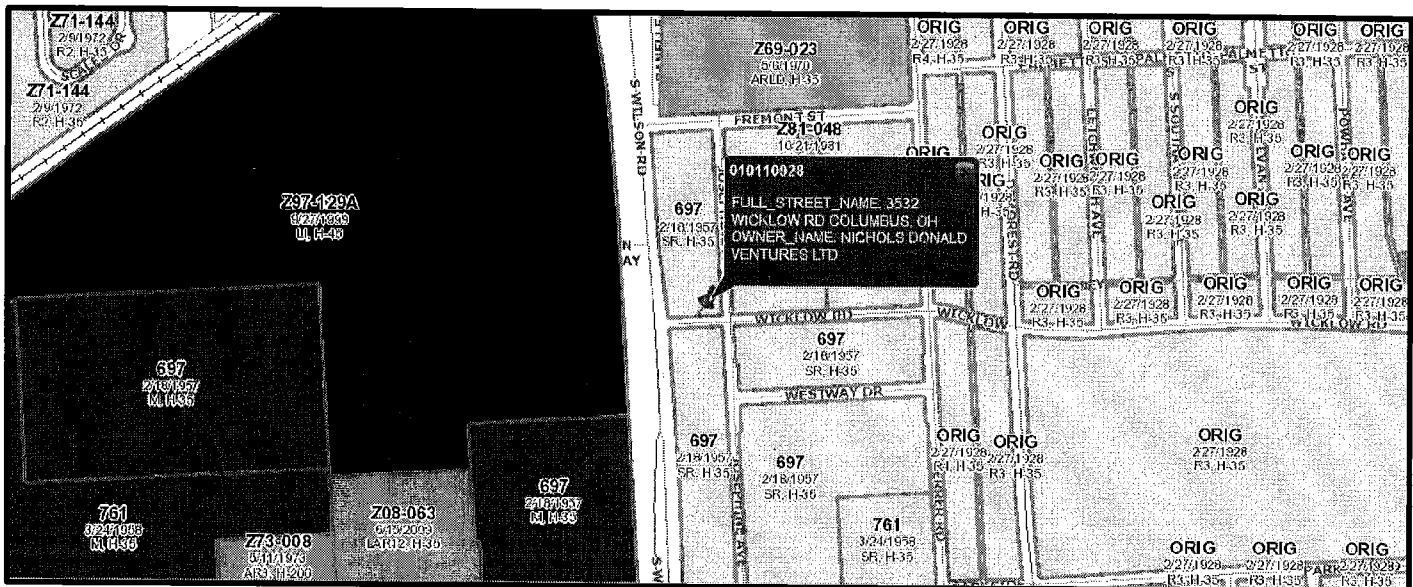
#### PENDING ZONING ACTION

Zoning: N/A

Board of Zoning Adjustment (BZA): N/A

Council Variance: N/A

Graphic Commission: N/A





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### STATEMENT OF HARDSHIP

APPLICATION # \_\_\_\_\_

**13310-00394**  
**3532 Wicklow Rd.**

#### 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:

The applicant, in good faith, did not know the need for a permit in construction of a garage in excess of 720 square feet, and the owner was not advised by subcontractors that a permit may be necessary.

A variance is necessary in that it would be an extreme financial hardship on the homeowner to remodel the garage so as to reduce its size by 170 square feet. The applicant has used the garage since 2001, and uses the structure for personal reasons and does not conduct commercial ventures out of the property. There have been no complaints by abutting property owners to applicant's knowledge. The detached garage is consistent with the neighborhood and the subject construction as built is not out of character for the neighborhood, and the public interest is not adversely affected by this variance.

Signature of Applicant

*Don Neale*

Date

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DECKCRAFTERS  
4400 N. High Street  
COLUMBUS, OHIO 43214  
(614) 265-7177

JOB \_\_\_\_\_

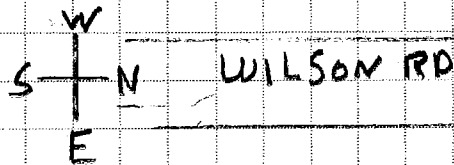
SHEET NO. \_\_\_\_\_

CALCULATED BY \_\_\_\_\_

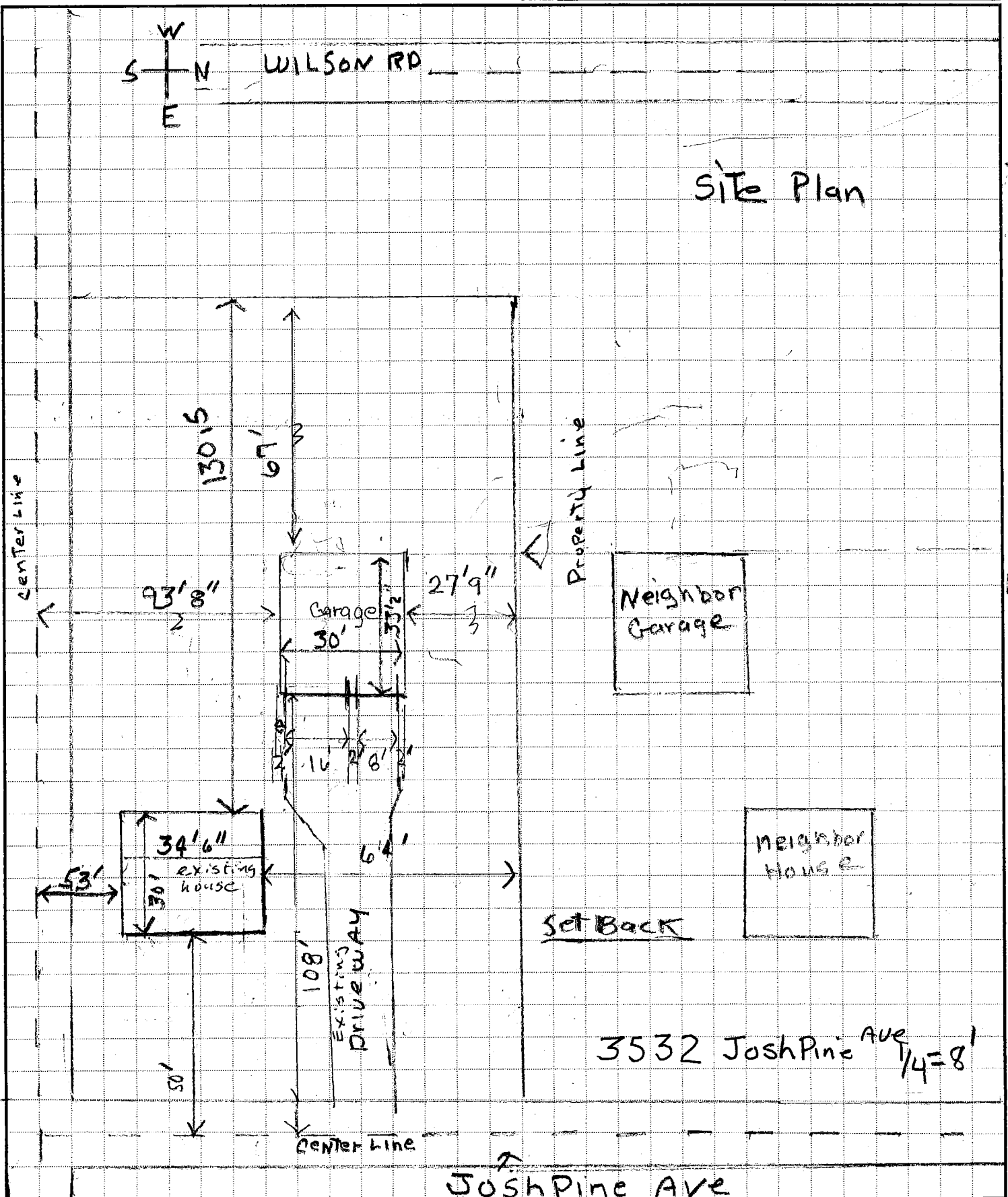
CHECKED BY \_\_\_\_\_

SCALE \_\_\_\_\_

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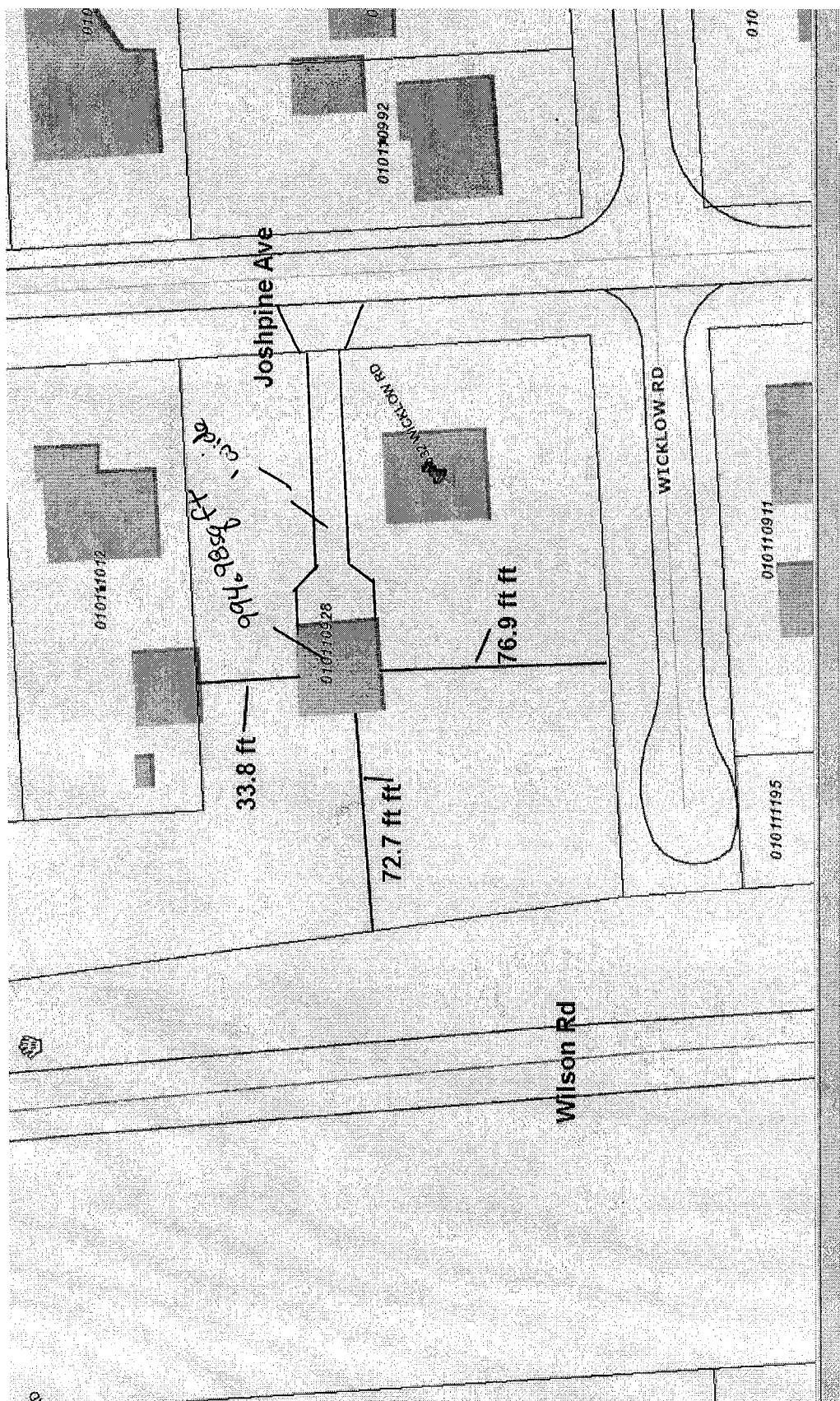


Site Plan



3532 Josh Pine Ave 1/4 = 8'

Josh Pine Ave



13310-00394  
3532 Wicklow Rd.

6

**13310-00394**  
**3532 Wicklow Rd.**





# City of Columbus

## Address Plat



### CERTIFIED HOUSE NUMBERS

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

Parcel ID: 010110928

Project Name: SINGLE FAMILY HOME

House Number: 3532

Street Name: WICKLOW RD

Lot Number: 14-15

Subdivision: FRANKLIN HEIGHTS

Work Done: REMODEL

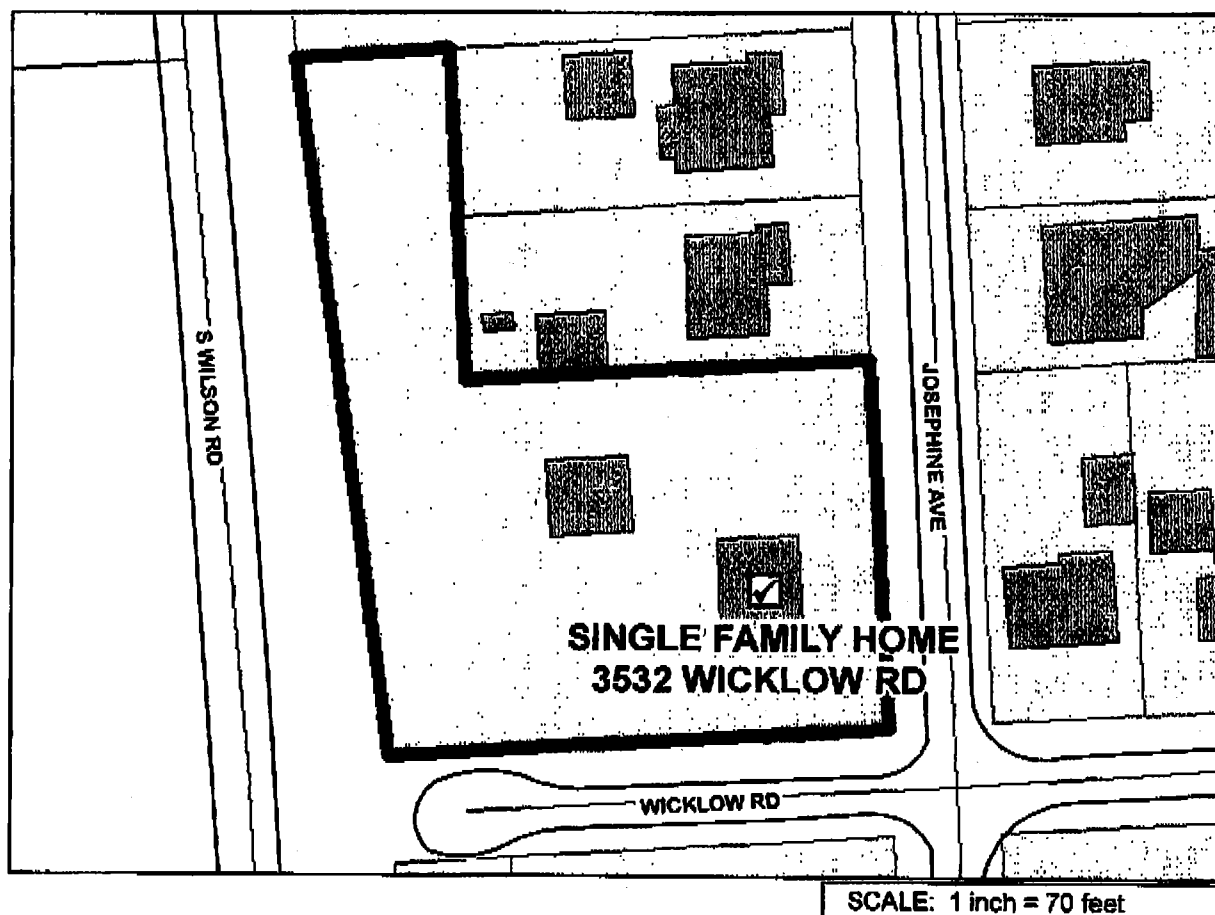
Complex: N/A

Owner: DON NICHOLS

Requested By: DON NICHOLS

Printed By: James R Reagan

Date: 04/14/11



SCALE: 1 inch = 70 feet



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

GIS FILE NUMBER: 294460



City of Columbus  
Mayor Michael B. Coleman

## Department of Development

Boyce Safford III, Director

757 Carolyn Avenue, Columbus, OH 43224

Date of Service/Posting \_\_\_\_\_

Order Number: 11470-01524

Parcel Number:  
010110928

DON NICHOLS  
3076 PARKSIDE  
COLUMBUS OH 43204

### **ZONING CODE VIOLATION ORDER**

Re: 3532 WICKLOW RD

An inspection has been made at the above address on April 28, 2011.

As provided by the Columbus City Code you are hereby given notice to correct the alleged violations listed below within **60** calendar days of the service of this notice unless otherwise noted in this notice, or an approval for a written request for extension is granted by this office.

**Note: Failure to comply with this notice is a Misdemeanor of the Third Degree and may be punishable by a \$500 fine and sixty (60) days imprisonment.**

If the facts represented here are incorrect, or if you believe the law is not being interpreted properly, you have the basis for an appeal. If you believe an appeal is in order, call the undersigned Property Maintenance Inspector. Pursuant to the Columbus City Code Section 3307.07: The Board of Zoning Adjustment shall not entertain any appeal applied for more than twenty (20) days after the date of this order. Also pursuant to Columbus City Code Section 3307.11: Said appeal shall be submitted on a form provided for that purpose and filed in the office of the Department of Building and Zoning Services.

For further information on this notice contact the undersigned Code Enforcement Officer.

**SEE LIST OF VIOLATIONS ON THE ATTACHED PAGE(S)**

by

Danielle Weber  
Code Enforcement Officer  
(614) 645-0328  
dxweber@columbus.gov  
ZC-7  
REV 09/09  
04282011

**13310-00394**  
**3532 Wicklow Rd.**

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ITEM#	CODE SECTION	COMMENTS
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Zoning Violations

- |   |         |  |
|---|---------|--|
| 1 | 3312.37 | <b>Parking or keeping inoperable motor vehicle</b><br>Parking or keeping untagged or otherwise inoperable motor vehicles is prohibited. Cease use. |
| 2 | 3312.35 | <b>Prohibited parking</b><br>Parking/storing trailer on unimproved surface prohibited. Cease use.  |
- 

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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 #

**13310-00394**

STATE OF OHIO

COUNTY OF FRANKLIN

**3532 Wicklow Rd.**

Being first duly cautioned and sworn (NAME) Don Nichols

of (COMPLETE ADDRESS) 3076 Parkside Road, Columbus, OH 43204

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

Don Nichols, 3076 Parkside Road, Columbus, OH 43204

SIGNATURE OF AFFIANT

*Don Nichols*

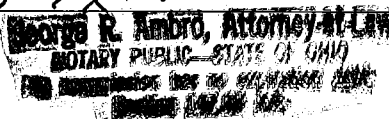
Subscribed to me in my presence and before me this 14 day of June, in the year 2012

SIGNATURE OF NOTARY PUBLIC

*George R. Ambro*

My Commission Expires:

NO EXP.



Notary Seal Here

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