



# 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: # 13310-00000-00577

Date Received: 8-12-13

Commission/Civic: GERMAN VILLAGE

Existing Zoning: R-2F

Application Accepted by: \_\_\_\_\_

Fee: \_\_\_\_\_

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

**PAID**  
AUG 12 2013  
BUILDING & ZONING SERVICES

## TYPE(S) OF ACTION REQUESTED (Check all that apply)

☒ Variance ☐ Special Permit

Indicate what the proposal is and list applicable code sections.

3332.38 PRIVATE GARAGE - TO ALLOW HABITABLE SPACE ABOVE A GARAGE  
3332.28 SIDE OR REAR YARD OBSTRUCTION - TO ALLOW A STRUCTURE OR  
EQUIPMENT TO 1'-0" OF THE SIDE YARD PROPERTY LINE.

## LOCATION

1. Certified Address Number and Street Name 796 S. FIFTH ST.

City COLUMBUS

State OHIO

Zip 43206

Parcel Number (only one required) 010-044480-00

## APPLICANT: (IF DIFFERENT FROM OWNER)

Name WILLIAM HUGGS ARCHITECTS, LTD.

Address 750 MOHAWK ST

City/State COL OHIO

Zip 43206

Phone # 614-221-2724 Fax # —

Email b.h@williamhugus.com

## PROPERTY OWNER(S):

Name MARTHA BREWER & SCOTT MOTLEY

Address 796 S ST

City/State COL OHIO

Zip 43206

Phone # 440-666-8537 Fax # —

Email MARTHA.BREWER@GMAIL.COM

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

## ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

☐ Attorney

☒ Agent

Name WILLIAM HUGGS

Address 750 MOHAWK ST

City/State COL OHIO

Zip 43206

Phone # 614-221-2724 Fax # —

Email: b.h@williamhugus.com

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

APPLICANT SIGNATURE William Huggs

PROPERTY OWNER SIGNATURE Martha Brewer

ATTORNEY / AGENT SIGNATURE William Huggs

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

*Jonnie*



# CITY OF COLUMBUS

DEPARTMENT OF BUILDING AND ZONING SERVICES

13310-00000-00577

796 SOUTH FIFTH  
STREET

One Stop Shop Zoning Report Date: Wed Aug 28 2013

General Zoning Inquiries: 614-645-8637

## SITE INFORMATION

Address: 796 S 5TH ST COLUMBUS, OH

Mailing Address: 7007 BROADWAY AVE  
CLEVELAND, OH 44105

Owner: BREWER MARTHA CAWEIN MOI

Parcel Number: 010044480

## 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

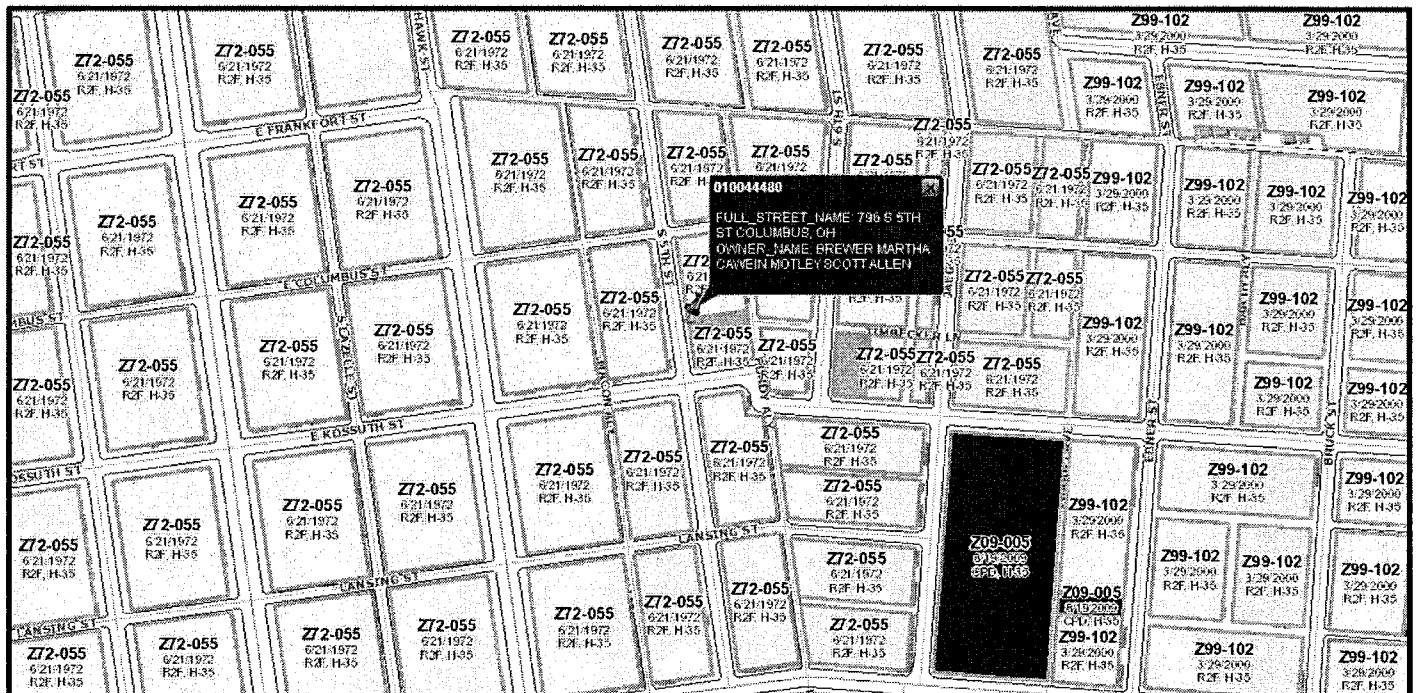
## PENDING ZONING ACTION

Zoning: N/A

Board of Zoning Adjustment (BZA): N/A

Council Variance: N/A

Graphic Commission: N/A





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### AFFIDAVIT

**13310-00000-00577**  
**796 SOUTH FIFTH**  
**STREET**

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Chad M. Draheim

of (1) MAILING ADDRESS 560 E. Town Street, 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) Martha Cawein Brewer & Scott Allen Motley

AND MAILING ADDRESS

796 S. Fifth Street

Columbus, OH 43206

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

William Hugus

(614) 221-2724

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

(5) German Village Commission (c/o Cristin Moody)

109 N. Front Street

Columbus, OH 43215

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
Carrie J. Collins	787 S. Fifth St. Columbus, OH 43206	787 S. Fifth St. Columbus, OH 43206
Michael Copella	804 S. Fifth St. Columbus, OH 43206	804 S. Fifth St. Columbus, OH 43206
Michael & Claudia Fergang	803 S. Fifth St. Columbus, OH 43206	803 S. Fifth St. Columbus, OH 43206
James & Nancy Fleming	792 S. Fifth St. Columbus, OH 43206	792 S. Fifth St. Columbus, OH 43206
Fudge Haus LLC	220 E. Kossuth St. Columbus, OH 43206	220 E. Kossuth St. Columbus, OH 43206

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

SIGNATURE OF AFFIANT

(8) Chad M. Draheim

Subscribed to me in my presence and before me this 9th day of August, in the year 2013

SIGNATURE OF NOTARY PUBLIC

(8) Brian S. Artz

My Commission Expires: \_\_\_\_\_

Notary



BRIAN S. ARTZ, ATTORNEY AT LAW  
NOTARY PUBLIC, STATE OF OHIO  
My commission has no expiration date.  
Section 147.03 R.C.

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### STATEMENT OF HARDSHIP

13310-00000-00577

796 SOUTH FIFTH  
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:

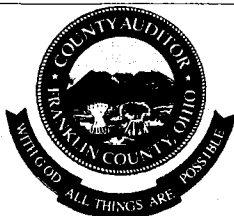
\_\_\_\_\_ This Applicant is requesting Variances to construct a freestanding normal  
\_\_\_\_\_ sized two car garage with a home office above, as many other properties  
\_\_\_\_\_ already have in this District. Since 2007, the German Village Commission  
\_\_\_\_\_ discourages connecting a garage structure to a house which creates a hardship  
\_\_\_\_\_ for this property. This condition is not a result of actions by this homeowner  
\_\_\_\_\_ and will not be injurious to adjacent properties.

Signature of Applicant

Date

8-12-13

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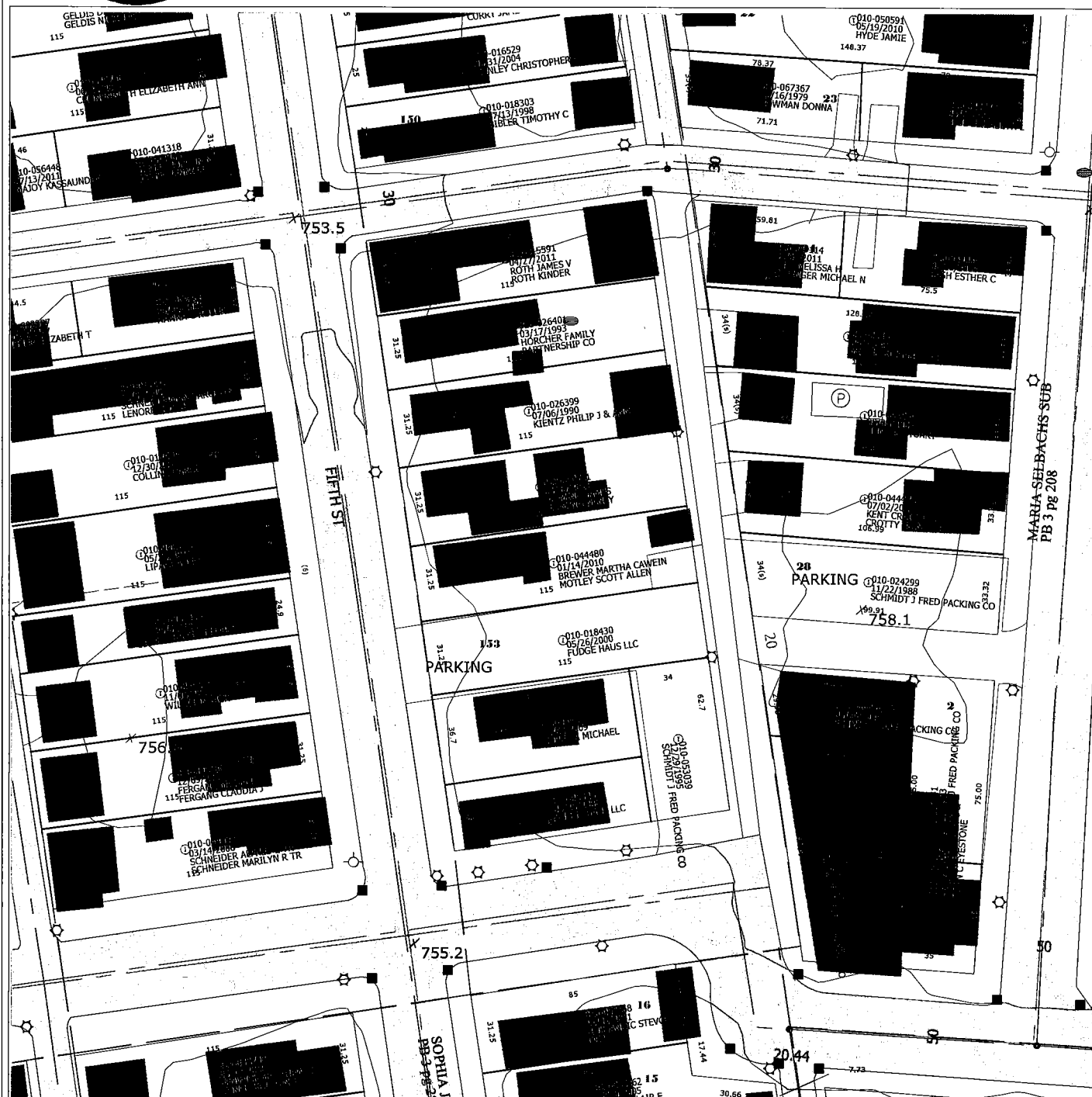
# CLARENCE E MI FRANKLIN COUNTY

MAP ID: C

DATE: 8/9/13

13310-00000-00577

796 SOUTH FIFTH  
STREET



Disclaimer

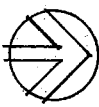
Scale = 60



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

NORTH



# GARAGE/SITE PLAN



Ohio Utilities Protection Service  
CALL 811 BEFORE YOU DIG  
1-800-362-2764 www.oups.org

**SITE DATA**  
010-044480-00  
R-2 F  
SINGLE FAMILY USE  
CODE LOT AREA = 3,875 S F  
COVERAGE = 1,304 S F = 33.65 %  
BUILDING SIDE YARD = 3.0'  
A/C SIDE YARD = 1.0'  
PARKING = 2 AUTOS

William B Hugus  
Ohio Architect # 6770  
Expires 12-31-2013

51

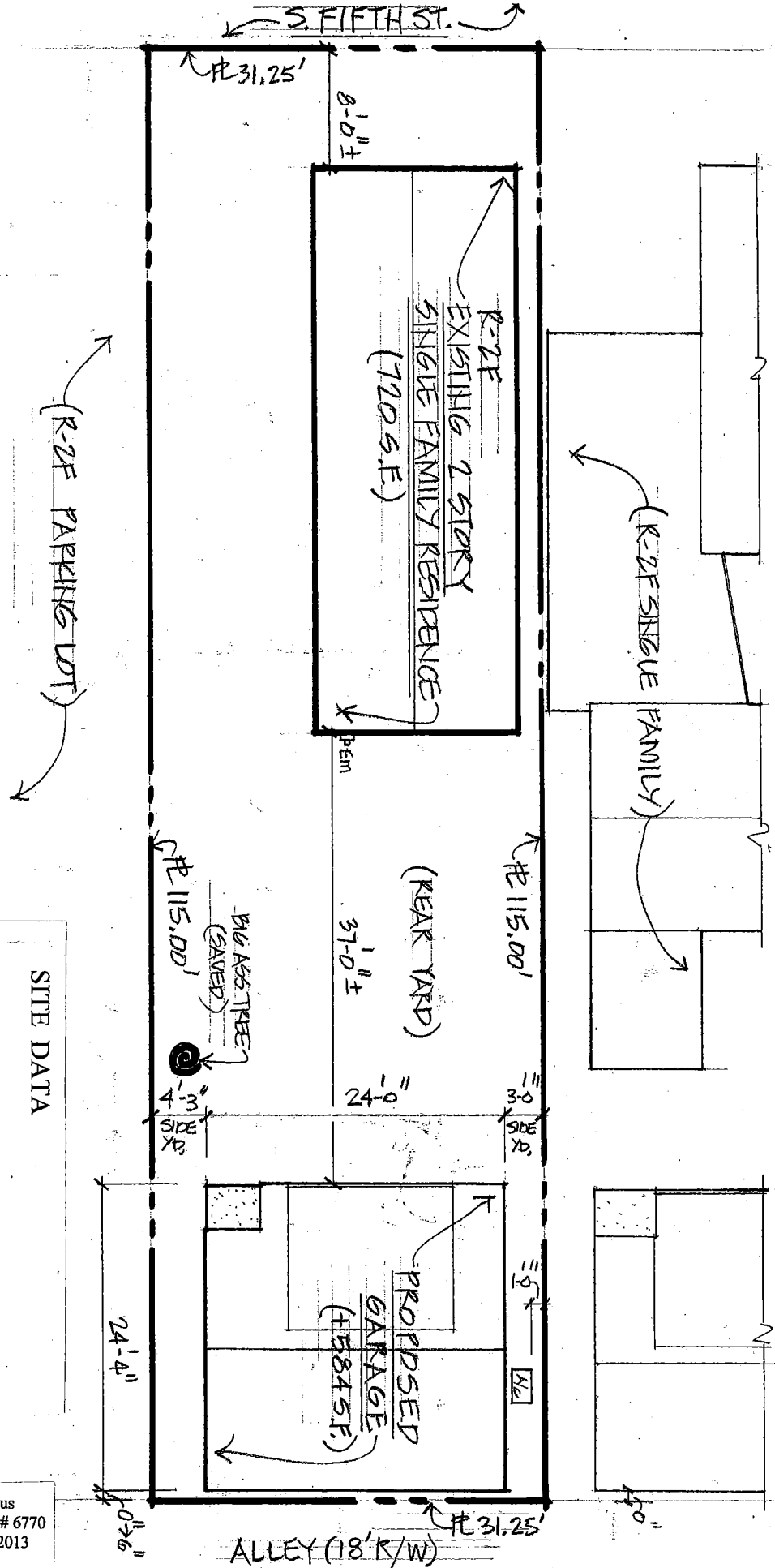
CONCEPT  
CON. DOCS 8-12-13  
REVISION

796 S. FIFTH ST.  
COLUMBUS, OHIO

The drawings and written material  
accompanying herein constitute the original and  
unpublished work and remain the property  
of WILLIAM HUGUS ARCHITECTS LTD.  
and the same may not be duplicated, used  
or disclosed without the written consent of  
WILLIAM HUGUS ARCHITECTS LTD.



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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 #

**13310-00000-00577**

**796 SOUTH FIFTH  
STREET**

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME)

of (COMPLETE ADDRESS) WILLIAM HUGGS  
750 MCHAWK 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

MARTHA BREWER

796 S FIFTH ST, COL OHIO 43206

SCOTT MOTLEY

796 S. FIFTH ST., COL OHIO 43206

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 12<sup>th</sup> day of August, in the year 2013

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

9/26/15



Chad M. Draheim  
Here Notary Public, State of Ohio  
My Commission Expires 09-26-2015

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