



Mayor Michael B. Coleman

# 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: #13310-00000-00802

Date Received: 1 Nov. 2013

Commission/Group: CLINTONVILLE A.C.

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

Fee: \$315-

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.

To partially enclose an existing front porch...requiring a variance for Columbus City Code section 3332.20 Building Lines; definitions

## LOCATION

1. Certified Address Number and Street Name 36 Glencoe Road

City Columbus State Ohio Zip 43214

Parcel Number (only one required) 010-071763-00

## APPLICANT: (IF DIFFERENT FROM OWNER)

Name Jennifer E. Heller

Address 36 Glencoe Road City/State Columbus Zip 43214

Phone # 614-267-1727 Fax # \_\_\_\_\_ Email jheller3@columbus.rr.com

## PROPERTY OWNER(S):

Name Jennifer E. Heller & R. Elaine Torre

Address 36 Glencoe Road City/State Columbus Zip 43214

Phone # 614-267-1727 Fax # \_\_\_\_\_ Email jheller3@columbus.rr.com

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

## ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

☐ Attorney ☐ Agent

Name Scot Dewhirst

Address 560 E. Town Street City/State Columbus Zip 43215

Phone # 614-221-0944 Fax # 614-221-2340 Email: sdewhirst@adwllp.com

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

APPLICANT SIGNATURE Jennifer E. Heller

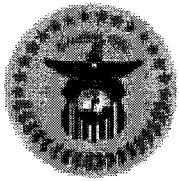
PROPERTY OWNER SIGNATURE Jennifer E. Heller

ATTORNEY / AGENT SIGNATURE Scot E. Dewhirst

**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



13310-00000-00802

36 GLENCOE ROAD

# CITY OF COLUMBUS

DEPARTMENT OF BUILDING AND ZONING SERVICES

## One Stop Shop Zoning Report

Date: Fri Nov 29 2013

General Zoning Inquiries: 614-645-8637

### SITE INFORMATION

Address: 36 GLENCOE RD COLUMBUS, OH

Mailing Address: 36 GLENCOE RD  
COLUMBUS OH 43214

Owner: HELLER JENNIFER E &amp; R ELAIN

Parcel Number: 010071763

### ZONING INFORMATION

Zoning: ORIG, Residential, R3  
effective 2/27/1928, Height District H-35

Board of Zoning Adjustment (BZA): N/A

Commercial Overlay: N/A

Graphic Commission: N/A

Area Commission: Clintonville 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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## AFFIDAVIT

13310-00000-00802

36 GLENCOE ROAD

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) Jennifer E. Heller & R. Elaine Torrie

AND MAILING ADDRESS

36 Glencoe Rd.

Columbus, OH 43214

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

Jennifer E. Heller

(614) 267-1727

AREA COMMISSION OR CIVIC GROUP

(5) Clintonville Area Commission, District 4

AREA COMMISSION ZONING CHAIR OR

Dan Miller - CAC Chair, (614) 227-2101

CONTACT PERSON AND ADDRESS

3909 N. High St. Columbus, OH 43214

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
Beth D. Andres	43 Arden Rd. Columbus, OH 43214	43 Arden Rd. Columbus, OH 43214
Douglas Argue & Russell Miller	22 Glencoe Rd. Columbus, OH 43214	22 Glencoe Rd. Columbus, OH 43214
David M. Barnes	63 Arden Rd. Columbus, OH 43214	2824 Fisher Rd. Ste. A Columbus, OH 43204
Joseph & Rebecca Catey	69 Arden Rd. Columbus, OH 43214	69 Arden Rd. Columbus, OH 43214
John & Deborah Crawford	33 Glencoe Rd. Columbus, OH 43214	33 Glencoe Rd. Columbus, OH 43214

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

SIGNATURE OF AFFIANT

(8)

Subscribed to me in my presence and before me this 30<sup>TH</sup> day of OCTOBER, in the year

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

Notary Seal Here



SCOT E. DEWHIRST

Attorney At Law

Notary Public, State of Ohio

My commission has no expiration date  
Sec. 147.03 R.C.

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### STATEMENT OF HARDSHIP

**13310-00000-00802**  
**36 GLENCOE ROAD**

APPLICATION # 13310-0-00802

#### 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 3 page attached Statement of Hardship

Signature of Applicant

*Phil E. Hall*

Date

10/30/13

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13310-00000-00802  
36 GLENCOE ROAD

**PROPOSED VARIANCE FOR:**

Property owner and address

**Jennifer E. Heller  
36 Glencoe Road  
Columbus, Ohio 43214**

**General lot information**

*Existing Zoning*

**Residential, R3  
(in Clintonville Commission Area)**

*Use of record*

**Residential**

*Proposed Use*

**No change proposed**

*Lots sizes*

**Information contained on submitted  
plans**

**Proposed Variance:**

**A variance to Columbus City Code Section 3332.20**

**3332.20 Building lines; definitions.**

No building or structure or portion of a building or structure **other than an unenclosed balcony or unenclosed ground floor porch and steps from such porch to the ground** shall be erected, constructed or extended between a building line and the street property line as established in C.C. 3332.21 and 3332.22, hereinafter set forth.

**Property Owner Proposal:**

The applicant, Jennifer Heller, is the property owner who also lives at this address. Her proposal is to enclose 2/3 of an original, pre-existing and unenclosed front porch that extends past the building line. Her proposal is to leave the west side of the porch, where the front door is located, open. She wishes to enclose the rest of the porch located to the east of the front door with a door inn the west glass wall of the enclosure. No expansion of the existing porch footprint will be done.

### Statement of Hardship

The property is zoned R3, is used as a residential property and is located in the jurisdiction of the Clintonville Area Commission. The applicant purchased the property in 1992, and she has continually resided at this property since 1992. She co-owns the property with R. Elaine Torrie. The proposed plan for this house proposes to partially enclose a pre-existing and original porch located on the front of the building. Visually, the porch will remain open on the west side where the front door and porch stairs are located. Applicant proposes to enclose the area to the east of the front door by installing windows to enclose the existing open areas. The windows will be installed in existing open areas and there will be no structural changes to the size of the porch or to the existing porch details.

This pre-existing and original porch is located between the building line and the street property line as established in C.C. 3332.21 and 3332.22. While this porch use is legal, when a partial enclosure of the porch is proposed, it conflicts with **Columbus City Code 3332.20 Building lines; definitions**. A variance from this code section is required to undertake this partial porch enclosure.

No expansion of the porch is proposed. This is a technical variance that results from the partial enclosure of the pre-existing porch as it was originally built between the building line and the street property line.

It would be a hardship on the property owner to not permit the necessary variance.

The circumstances that give rise to this variance were in no way caused by the applicant and existing property owner, as this porch was in existence when she purchased the property in 1992. There will be no change to the size and location of the pre-existing porch.

There are multitudes of full or partial porch enclosures throughout the immediate neighborhood and within this subdivision. It would be hardship on the applicant and completely out of character for the existing neighborhood and its historical evolution to not allow this partial porch enclosure. A hardship exists in that the current neighborhood is a dense residential area containing lots that have existing porches that are regularly located between the building line and the street property line as established in C.C. 3332.21 and 3332.22. It would be a hardship on the property owner to not permit this variance, as it does not create a condition that is inconsistent with other existing and permitted residential uses in this R3 district. Further, the existence of all of the similar porch enclosures creates special circumstances or conditions that apply to this property that do not generally apply to many other properties in the same zoning district as they already have existing porch enclosures, and this applicant would be in a special circumstance if the variance was denied.

The variance that would allow for the partial enclosure of the porch is not inconsistent with other uses in this residential zoning district. Current full or partial enclosures of similar porches already exist in the immediate neighborhood at:

- 37 Glencoe (part of porch beyond set back line is open porch, half is glassed)
- 48 Glencoe (same as above)
- 71 Glencoe (front porch glassed in later)
- 74 Glencoe (front porch glassed in later)
- 129 Glencoe (part glassed, half open)
- 143 Glencoe (front porch glassed in later)

Other properties close by:

- 28 Arden (one street north, glassed front porch)
- 60 Arden (completely glassed porch)
- 83 Arden (completely enclosed)
- 84 Brevoort (one street south of Glencoe)
- 52 Fallis (two streets north, half open, half glass)

The proposed variance will not seriously affect any adjoining property or the general welfare. A variance is necessary to preserve a substantial property right of the applicant that has already been possessed by owners of other properties in the same zoning district who have enclosed porches.

The proposed 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.

The proposed variance will not impair an adequate supply of light and air to any adjacent property, nor will it increase the congestion of public streets.

The granting of the variance will not increase the danger of fires, endanger the public safety, nor unreasonably diminish or impair the public health, safety, comfort, morals or welfare of the City of Columbus

  
\_\_\_\_\_  
Jennifer E. Heller, Applicant and Property Owner      10/30/13      Date



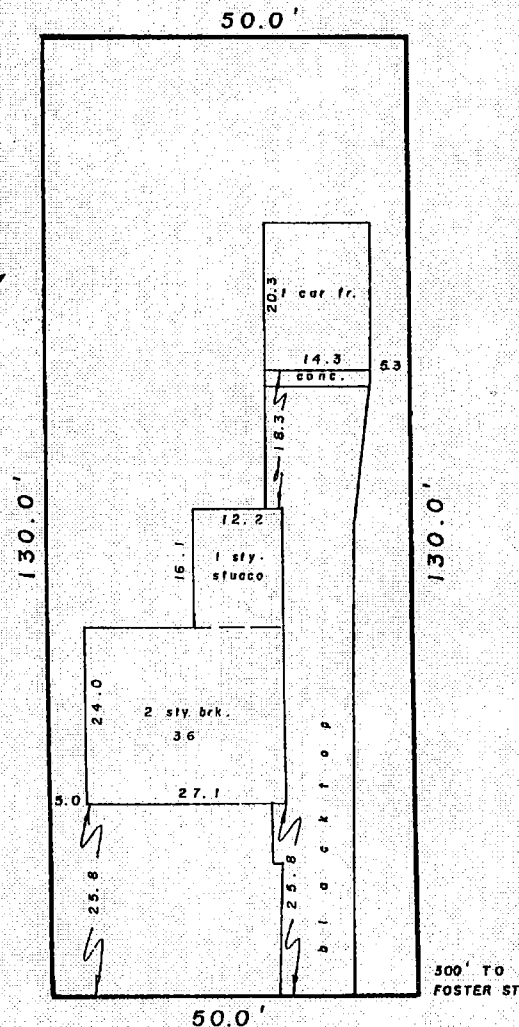


# Myers Surveying Company, Inc.

2740 East Main Street, Columbus 43209 (Bexley), Ohio  
614-235-8677 FAX: 614-235-4559

A Mortgage Location Survey prepared for and certified by  
**Title First Agency, Inc., North and/or Northwest Mortgage**  
Legal Description: Lot 553 Dominion Park Plat Book 12, Page 1 Franklin County Recorder  
Applicant:  
Posted Address: 36 Glencoe Road, Columbus, Ohio  
F.E.M.A. Flood Zone Designation: Flood Zone "C" as per F.I.R.M. 390170 0040B  
Apparent Encroachments: 1) None

**13310-00000-00802**  
**36 GLENCOE ROAD**



20' 10' 0' 20'  
Scale: 1" = 20'  
Date: 6 - 6 - '92

**GLENCOE RD. 60'**

We hereby certify that the foregoing Mortgage Location survey was prepared from actual field measurements in accordance with Chapter 4733-38 Ohio Administrative Code, and is not a boundary survey pursuant to Chapter 4733-37 of said code.  
**THE INFORMATION SHOWN HEREON IS NOT TO BE UTILIZED FOR THE INSTALLATION OF BUILDINGS, FENCES, LANDSCAPING OR OTHER PERMANENT IMPROVEMENTS.**



Myers Surveying Co., Inc.

By *Albert J. Myers*  
Professional Surveyor

Myers Order No. - 19-92-06-05	Rec.	Field	DWG	Ltr.	Ck.
	lc	lb	mf		LA



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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 # \_\_\_\_\_

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Jennifer E. Heller

of (COMPLETE ADDRESS) 36 Glencoe Road Columbus, Ohio 43214

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
Jennifer E. Heller	36 Glencoe Road Columbus, Ohio 43214
R. Elaine Torrie	36 Glencoe Road Columbus, Ohio 43214

SIGNATURE OF AFFIANT

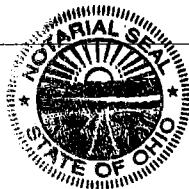
*Jennifer E. Heller*

Subscribed to me in my presence and before me this 30<sup>TH</sup> day of October, in the year 2013

SIGNATURE OF NOTARY PUBLIC

*Scot E. Dewhurst*

My Commission Expires:



SCOT E. DEWHIRST  
Attorney At Law  
Notary Public, State of Ohio  
My commission has no expiration date  
Sec. 147.03 R.C.

Notary Seal Here

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