

Date:

1/11/11

Application #

11310-00022

City of Columbus | Department of Building and Zoning Services | 757 Carolyn Avenue, Columbus, Ohio 43224

If you have questions about this form call 645-4522



Comments:

Commission/Group: Station Village

Date Received: 1/11/11

Planning Area:

Date of Hearing: 3/22/11

Acreage:

Zoning Fee: \$315⁰⁰

Address Fee

Existing Zoning R-4

Accepted by W. Reiss

BOARD OF ZONING ADJUSTMENT APPLICATION

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.

VARIANCES TO PERMIT AN EXISTING LOT THAT HAS TWO (2) SINGLE FAMILY HOMES LOCATED ON IT TO BE SPLIT AND TO PERMIT PROPERTY CONTIGUOUS TO SAID LOT TO BE COMBINED WITH ONE OF THE SPLIT LOTS.

LOCATION

1. Certified Address Number and Street Name 9507AR ALLEY
 City COLUMBUS State OHIO Zip 43201

Parcel Number (only one required.)

0	1	0	-	0	2	1	4	0	2
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APPLICANT (IF DIFFERENT FROM OWNER)

2. Name CONNIE J. KLEMA, ATTORNEY
3. Address R.O. Box 991 City PATASKALA Zip 43062
4. Phone# 614-469-9122 Fax #
5. Email Address CKLEMA@PROHIO.COM

PROPERTY OWNER(S)

6. Name EMILY A. NOBLE
7. Address 1087 Summit St. City COLUMBUS Zip 43201
8. Phone# N/A Fax # N/A
9. Email Address N/A

Check here if listing additional property owners on a separate page

ATTORNEY/AGENT (CIRCLE ONE)

10. Name CONNIE J. KLEMA, ATTORNEY
11. Address R.O. Box 991 City PATASKALA Zip 43062
12. Phone# 614-469-9122 Fax #
13. Email Address CKLEMA@PROHIO.COM

SIGNATURES

14. Applicant Signature Connie J. Klema, Attorney
15. Property Owner Signature Connie J. Klema, on behalf of Emily A. Noble
16. Attorney/Agent Signature Connie J. Klema, Attorney

One Stop Shop Zoning Report

Building Services Division Department of Development

Report date: 1/11/2011 5:33:07 PM

Parcel Report

Parcel ID	Owner	Address
010021402	NOBLE EMILY A TOD	1089 SUMMIT ST COLUMBUS OH 43201

Base Zoning Report

Case Number	Classification	Height District	Map Number	General Zoning Category	Limitation Text
Z73-025	R4	H-35	28	Residential	(View Document)

Historic District

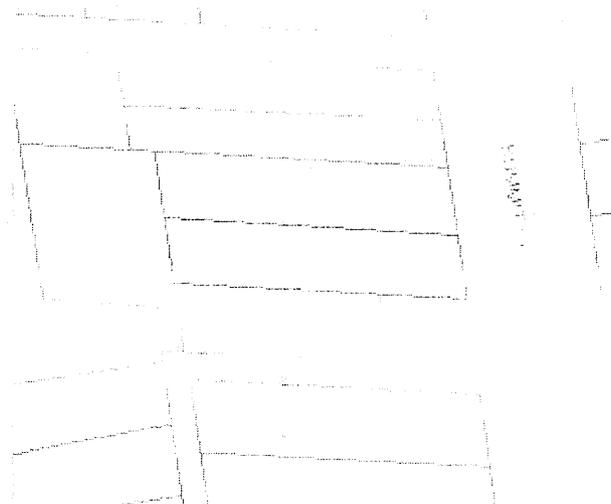
District Name
Italian Village

Flood Zone

Firm Panel	Flood Zone	SFHA	Panel Type	FZONE
TBD	X	OUT	CURRENT	X

Area Commissions

Area Name	INFObase URL
Italian Village Commission	INFObase Page



This map is intended to locate the property in question and provide information about the land use categories governing the use of this parcel. Please consult zoning staff before making binding decisions based on this information. The property address is not a certified address for building purposes. No warranty is expressed or implied.

LIST OF VARIANCES

1089 SUMMIT STREET ("Lot 1") & 95 OTTAR ALLEY ("Lot 2")

1. **3332.05: AREA DISTRICT LOT WIDTH REQUIREMENTS:** To permit Lot 1 to have less than a fifty (50) foot width at Summit Street, and to permit Lot 2 to have fifty a (50) foot width at Ottar Alley.
2. **3332.15: R-4 AREA DISTRICT REQUIREMENTS:** To permit Lot 1 to have less than five thousand (5,000) square feet in area.
3. **3332.18: BASIS OF COMPUTING AREA:** To permit the dwelling on Lot 1 to occupy greater than 50% of the lot area.
4. **3332.19: FRONTING:** To permit Lot 2 to front on Ottar Alley.
5. **3312.49: MINIMUM NUMBER OF PARKING SPACES REQUIRED:** To permit Lot 1 to have less than two off street parking spaces and to have no off street parking spaces.
6. **3332.26: MINIMUM SIDE YARD PERMITTED:** To permit Lot 2 to have a side yard less than three (3) feet and to be 1.5 feet.
7. **3332.27: REAR YARD:** To permit Lot 1 to have a rear yard that is less than 25% of the total lot area.
8. **3332.33: PRIVATE ACCESS AND PARKING REQUIREMENTS:** To permit Lot 1 to not have private access and off-street parking facilities as required by 3312.

STATEMENT OF HARDSHIP

1089 SUMMIT STREET & 95 OTTAR ALLEY

EXISTING CONDITIONS:

Parcel No. 010-021402 is thirty feet (30') wide and one hundred twenty-eight feet (128') deep and fronts on Summit Street ("Parcel 1"). Two houses are located on Parcel 1, as delineated in the attached "Survey", one fronting on Summit Street, and the other located at the rear of Parcel 1. Parcel 1 is known as 1087 & 1089 Summit Street.

The north and south property lines of Parcel 1 abut similar sized parcels. The rear-west property line of Parcel 1 abuts property that abuts Ottar Alley comprised of two parcels: Parcel Nos. 010-032092 & 010-030777 (There is one owner of both parcels) ("Parcel 2").

PROPOSAL:

The owner of Parcel 1 wishes to split Parcel 1 to create two lots to accommodate each of the two houses. If split with a north-south line, thereby creating a rear house lot and a front house lot, the front house lot will abut a public right of way (Summit Street), but the rear house lot will not abut a public right of way and will therefore, be landlocked.

The owner of Parcel 1 is in contract to purchase Parcel 2. If the requested variances are approved, the owner of Parcel 1 will divide Parcel 1 to create a front house lot that abuts Summit Street, and a rear house lot that will be combined with Parcel 2 and will abut Ottar Alley. The proposed lot split-combination will result in two lots, each abutting public right of ways, and each with one house located on it.

FACTS & CONDITIONS

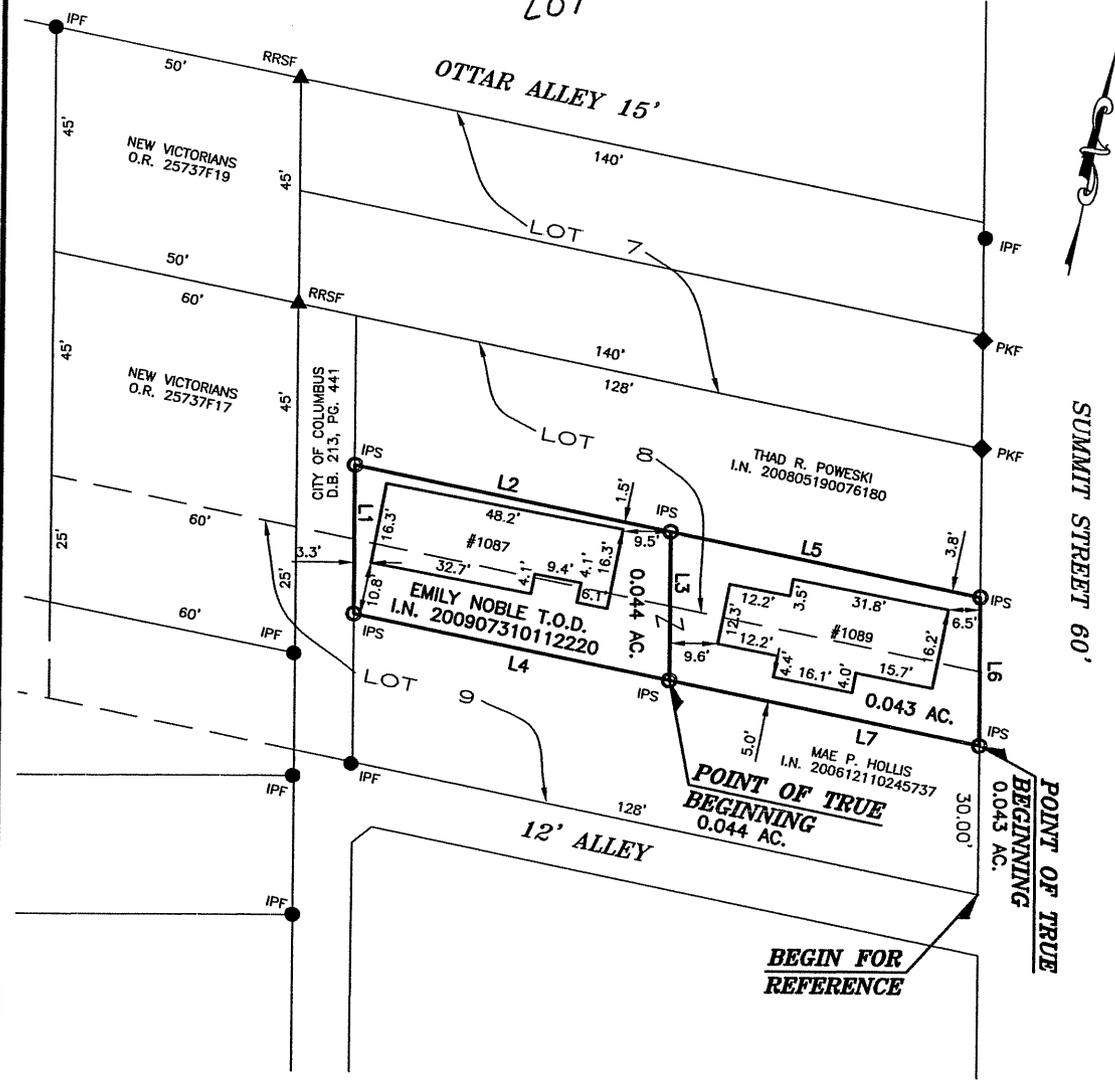
1. Under the existing zoning code, two houses are not permitted to be constructed on one lot unless permitted otherwise by variance. The two houses located on Parcel 1 were constructed in the 1930's prior to applicable zoning requirements. While the splitting of Parcel 1 will provide two lots for two houses, public access would not be available to the rear house lot. By joining the rear lot with Parcel 2, public access is accommodated to the rear lot too. Special circumstances and conditions apply to Parcel 1 that do not apply generally to other properties in the same zoning district. The proposed split-combination remedies an existing code violation: 2 houses on one lot, and only one access.

2. The owner of Parcel 1 did not construct either of the two houses on Parcel 1. The special circumstances and conditions are not the result of the actions of the property owner. The owner of Parcel 1, with the approval of the requested variances, will remedy the existing circumstances and conditions.

3. Without approval of the requested variances, Parcel 1 will continue to be in violation of the zoning code and the existing houses will continue to be non-conforming uses/structures. If either of the houses was destroyed or severely damaged, the owner of Parcel 1 would not be permitted to reconstruct the house. With approval of the requested variances, each house will be located on its own lot, each lot and house will be "conforming" under the zoning code as permitted by the variances, and each lot and house will have public access. Special circumstances and conditions make it necessary that variances be granted to preserve a substantial property right of the owner which is possessed by owners of other property in the same zoning district.

4. Approval of the variances will simply change the property lines and will not alter the existing landscape. The variances will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of the zoning code. The variances will serve the public interest.

SUBJECT LOT



LEGEND

- IPF 3/4" IRON PIN FOUND
- ▲ RRSF RAILROAD SPIKE FOUND
- ◆ PKF PK NAIL FOUND
- IPS IRON PIN SET

LINE	BEARING	DISTANCE
L1	N 11°27'33" W	30.00'
L2	S 89°56'42" E	64.50'
L3	S 11°27'33" E	30.00'
L4	N 89°56'42" W	64.50'
L5	S 89°56'42" E	63.50'
L6	S 11°27'33" E	30.00'
L7	N 89°56'42" W	63.50'

BASIS OF BEARINGS:

THE BEARINGS SHOWN HEREON ARE BASED ON THE ASSUMED BEARING OF S 11°27'33" E FOR THE WESTERLY RIGHT-OF-WAY LINE OF SUMMIT STREET, AND ARE INTENDED TO DENOTE ANGLES ONLY.

NOTE:

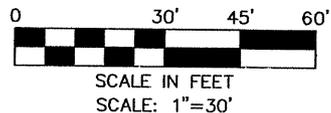
THIS SURVEY DOES NOT REPRESENT ANY EASEMENTS THAT MAY AFFECT THIS TRACT AND DOES NOT REPRESENT ANY UNDERGROUND UTILITIES THAT MAY AFFECT THIS TRACT. ALL IRON PINS SET ARE 3/4" I.D. IRON PIPES 30" LONG, W/ RED PLASTIC CAP STAMPED "LANDMARK SURVEY"

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED FROM AN ON THE GROUND SURVEY MADE UNDER MY SUPERVISION IN AUGUST OF 2010 AND THAT IT AND THE INFORMATION, COURSES AND DISTANCES AS SHOWN ARE CORRECT TO THE BEST OF MY KNOWLEDGE.

1/4/11
 Scott D. Grundeil
 SCOTT D. GRUNDEIL, P.S.
 REGISTERED SURVEYOR NO. 8047

SURVEY OF
 PART LOTS 8 & 9

LYING IN
 GEARY'S SUBDIVISION
 PLAT BOOK 2, PAGE 30
 CITY OF COLUMBUS, COUNTY OF FRANKLIN
 STATE OF OHIO



LS LANDMARK SURVEY
 GI GROUP, INCORPORATED

2099 WEST FIFTH AVENUE, COLUMBUS, OHIO 43212
 PHONE: (614) 485-9000 FAX: (614) 485-9003

REV: 1/4/11
 DATE: 8/30/10 FILE NO. 123819

DRAWN BY: TNW



AFFIDAVIT

(See next page for instructions.)

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME CONNIE J. KLEMA, ATTORNEY of
(1) MAILING ADDRESS P.O. BOX 991 DATASKALA OH 43062

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 OWNER'S NAME

(4) EMILY A. NOBLE

AND MAILING ADDRESS

1087 Summit St.
COLUMBUS OH 43201

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

CONNIE J. KLEMA, ATTORNEY
614-469-9122

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

(5) ITALIAN VILLAGE COMMISSION
RANDY BLACK
109 N. FRONT ST. COLS. 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

SEE ATTACHED

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

SIGNATURE OF AFFIANT

(8) Connie J. Klema

Subscribed to me in my presence and before me this 14th day of January, in the year 2011

SIGNATURE OF NOTARY PUBLIC

(8) Gordon P. Shuler

My Commission Expires:

GORDON P. SHULER, Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
MY COMMISSION HAS NO EXPIRATION DATE
SECTION 147.03 R. C.

Notary Seal Here

Scott M Adams
290 Market St #803
Minneapolis, MN 55405

Joseph R Armeni
455 W Third Avenue
Columbus, OH 43201

Mike Badurina
2192 Tremont Rd
Columbus, OH 43221

Robert M Carvalho
1076 Say Ave
Columbus, OH 43201

Kathleen & Douglas Doherty
329 Olentangy St
Columbus, OH 43202

Mae P Hollis
1079 Summit St
Columbus, OH 43201

Christina L & Rashaan T Hollis
1071 Summit St
Columbus, OH 43201

Janis A Hott
1086 Say Ave
Columbus, OH 43201

Andrew I Klein
P O Box 10038
Columbus, OH 43201

Sarah A Mackey
1099 Summit St
Columbus, OH 43201

Stephen P McCoy
1043 Hamlet St
Columbus, OH 43201

James P Morris
1097 Summit St
Columbus, OH 43201

Carolyn & Stanley Moss
7986 Luckstone Dr
Dublin, OH 43017

Scott R Musuraca
1088 Summit St
Columbus, OH 43201

New Victorians
455 W 3rd Ave
Columbus, OH 43201

Emily A Noble
1089 Summit St
Columbus, OH 43201

Nicholas F Nye
1079 Summit St
Columbus, OH 43201

Patricia A & Loren D Peck
145 Detroit Ave
Columbus, OH 43201

Thad R Poweski
1093 Summit St
Columbus, OH 43201

Theresa Reed
1090 Summit St
Columbus, OH 43201

Joel B Showalter
109 E Fourth Ave
Columbus, OH 43201

Veliko Ventures LLC
1077 Mount Pleasant Ave
Columbus, OH 43201

Daniel T Wagner
93 E Fourth Ave
Columbus, OH 43201

Molly E Wilcox
1080 Say Ave
Columbus, OH 43201

Mark A Hubbard
1096 Say Ave
Columbus, OH 43201

Irene K & Stephen R Palmer
1516 Ashdowne Rd
Columbus, OH 43221

Michael D Clark
1072 Say Ave
Columbus, OH 43201

Donald F Snavley
1083 Say Ave
Columbus, OH 43201

David E Tweet
1725 Franklin Ave
Columbus, OH 43205

Connie J. Klema, Attorney At Law
P O Box 991
Pataskala, OH 43062

Randy Black
Italian Village Commission
109 N Front St
Columbus, OH 43215

Jeffrey L Wang
1098 Say Ave
Columbus, OH 43201

Georgia A & Robert M Saultz
1116 Say Ave
Columbus, OH 43201



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: 010032092, 010030777, 010021402

Zoning Number: 95

Street Name: OTTAR ALY

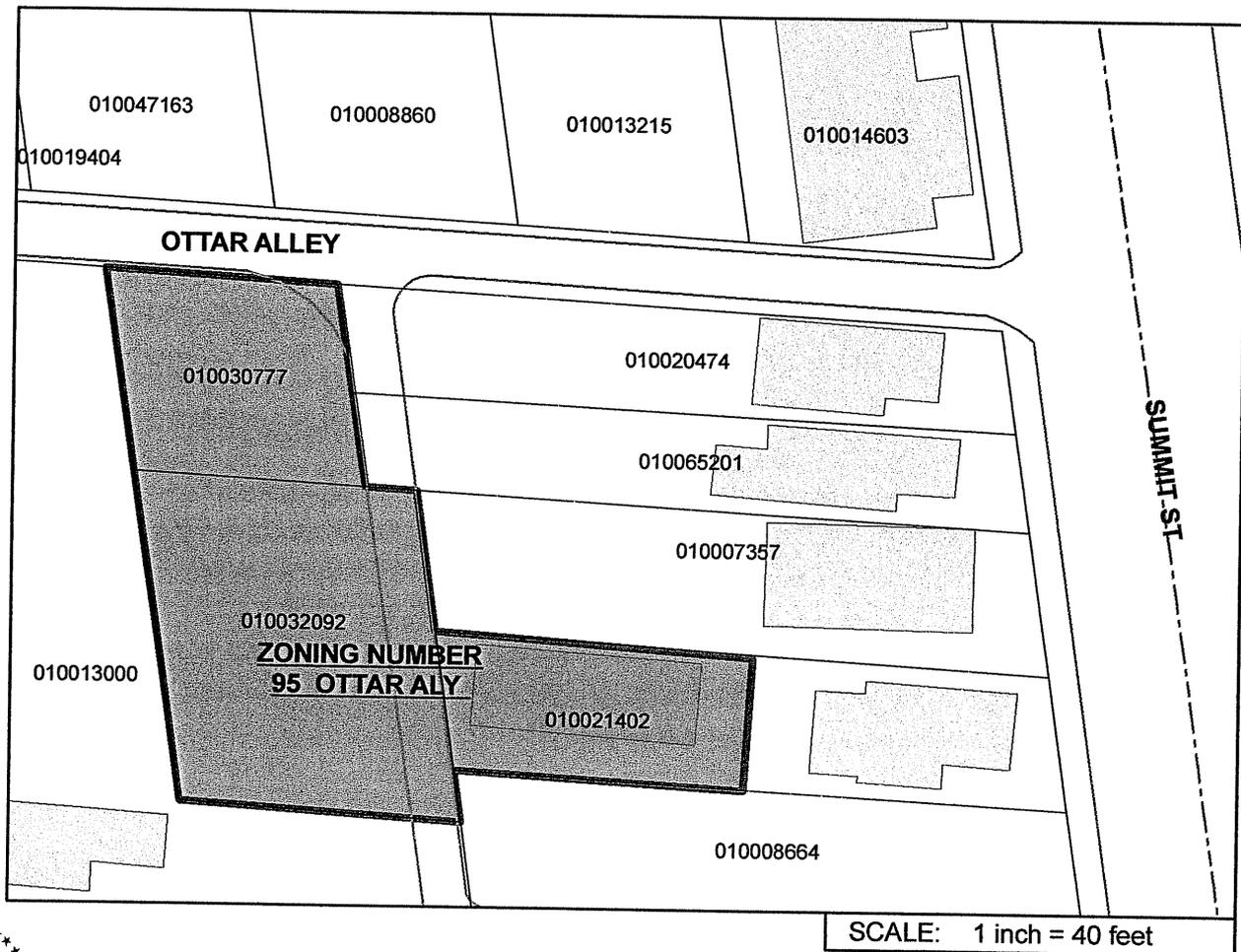
Lot Number: 8,10 & 11

Subdivision: GEARY

Requested By: CONNIE J. KLEMA, ATTORNEY

Issued By: *Adyana Amarion*

Date: 8/31/2010



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

SCALE: 1 inch = 40 feet

GIS FILE NUMBER: 6413



Signature of Applicant _____ Date _____

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.

STATE OF OHIO
COUNTY OF FRANKLIN

APPLICATION # _____

Being first duly cautioned and sworn (NAME)
of (COMPLETE ADDRESS)

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
EMILY A. NOBLE	1087 Summit St. Columbus 43201

SIGNATURE OF AFFIANT

Cornie J. Klemm

Subscribed to me in my presence and before me this 11th day of January, in the year 2011

SIGNATURE OF NOTARY PUBLIC

Gordon P. Shuler

My Commission Expires:

GORDON P. SHULER, Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
MY COMMISSION HAS NO EXPIRATION DATE
SECTION 147.03 R. C.

Notary Seal Here