



# 11310-00000-00441

OFFICE USE ONLY

Comments: \_\_\_\_\_ Application Number: \_\_\_\_\_ Commission/Group: GERMAN VILLAGE  
 Date Received: 9 Aug. 2011 Planning Area: \_\_\_\_\_  
 Date of Hearing: 25 Oct. 2011 Acreage: .082  
 Zoning Fee: \$315 Address Fee \_\_\_\_\_  
 Existing Zoning R/2F Accepted by \_\_\_\_\_

### 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.

Describe: CONSTRUCT A TWO CAR GARAGE WITH A HOME OFFICE ABOVE WHICH REQS A VARIANCE FROM CODE SECTIONS 3332.38 PRIVATE GARAGE, 3332.18(D) COVERAGE TO 52.89%, 3332.28(A)

LOCATION TO ALLOW AN A/C UNIT IN THE SIDE YARD, 1'-0" SIDE YARD.

1. Certified Address Number and Street Name \_\_\_\_\_  
 City COLUMBUS State OHIO Zip 43206  
 Parcel Number (only one required.) 010-040721

#### APPLICANT (IF DIFFERENT FROM OWNER)

2. Name WILLIAM HUEVS ARCHITECTS, LTD. ATTN: WILLIAM HUEVS  
 3. Address 750 MDHAWK ST City COLUMBUS Zip 43206  
 4. Phone# 614-221-2724 Fax # NONE  
 5. Email Address b.h@williamhugvs.com

#### PROPERTY OWNER(S)

6. Name JAMES & NANCY FLEMING  
 7. Address 792 S. FIFTH ST. City COLUMBUS Zip 43206  
 8. Phone# 614-449-6884 Fax # NONE  
 9. Email Address jim.fleming@spgroup.com

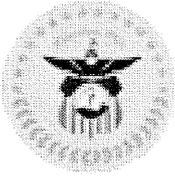
Check here if listing additional property owners on a separate page

#### ATTORNEY / AGENT (CIRCLE ONE)

10. Name SAME AS APPLICANT ABOVE  
 11. Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_  
 12. Phone# \_\_\_\_\_ Fax # \_\_\_\_\_  
 13. Email Address \_\_\_\_\_

#### SIGNATURES

14. Applicant Signature [Signature]  
 15. Property Owner Signature [Signature]  
 16. Attorney/Agent Signature [Signature]



# CITY OF COLUMBUS

## DEPARTMENT OF BUILDING AND ZONING SERVICE

**One Stop Shop Zoning Report** Date: Thu Aug 25 2011  
Zoning General Inquiry: 614-645-8637

### SITE INFORMATION

**Address:** 792 S 5TH ST COLUMBUS OH 43206  
**Mailing Address:** 792 S 5TH ST  
COLUMBUS OH 43206

**Owner:** FLEMING JAMES FLEMING NANCY  
**Parcel Number:** 010040721

### ZONING INFORMATION

**Zoning:** Z72-055, Residential, R2F  
effective 6/21/1972, Height District H-35

**Historical District:** German Village

**Council Variance:** N/A

**Historical Site:** No

**Board of Zoning Adjustment (BZA):** N/A

**Overlay:** N/A

**Graphic Commission:** N/A

**Flood Zone:** OUT

**Area Commission:** German Village Area Commission

**Airport Noise Environ:** N/A

**Planning Overlay:** N/A

### PENDING ZONING ACTION

**Zoning:** N/A

**Council Variance:** N/A

**Board of Zoning Adjustment (BZA):** N/A

**Graphic Commission:** N/A





# 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)

## AFFIDAVIT

**441**  
**11310-00000-00446**  
**792 S. 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) <u>James and Nancy Fleming</u>
AND MAILING ADDRESS	<u>792 S Fifth St.</u>
	<u>Columbus, OH 43206</u>
APPLICANT'S NAME AND PHONE # (same as listed on front of application)	<u>William Hugus</u>
	<u>614-221-2724</u>
AREA COMMISSION OR CIVIC GROUP	(5) <u>German Village Commission (Cristin Moody)</u>
AREA COMMISSION ZONING CHAIR OR	<u>109 N. Front Street</u>
CONTACT PERSON AND ADDRESS	<u>Columbus, OH 43215</u>

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
JAMES & NANCY FLEMING	792 S FIFTH ST	COLUMBUS, OH 43206
TIMOTHY C BIBLER	772 S FIFTH ST.	COLUMBUS, OH 43206
DONNA BOWMAN	234 E COLUMBUS ST	COLUMBUS, OH 43206
MARTHA C BREWER & SCOTT A MOTLEY	796 S FIFTH ST	COLUMBUS, OH 43206
MICHAEL COPELLA	804 S FIFTH 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 8th day of August, in the year 2011

SIGNATURE OF NOTARY PUBLIC

(8) Brian S. Artz

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



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

PLEASE NOTE: incomplete information will result in the rejection of this submittal.

For all questions regarding this form and fees please call: 614-645-4522

Please make all checks payable to the Columbus City Treasurer



# STATEMENT OF HARDSHIP

11310-00000-00~~446~~<sup>441</sup>  
792 S. 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 do 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. \_\_\_\_\_

\_\_\_\_\_

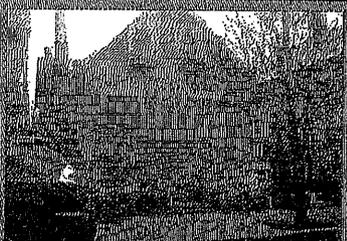
\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

LOCATION MAP

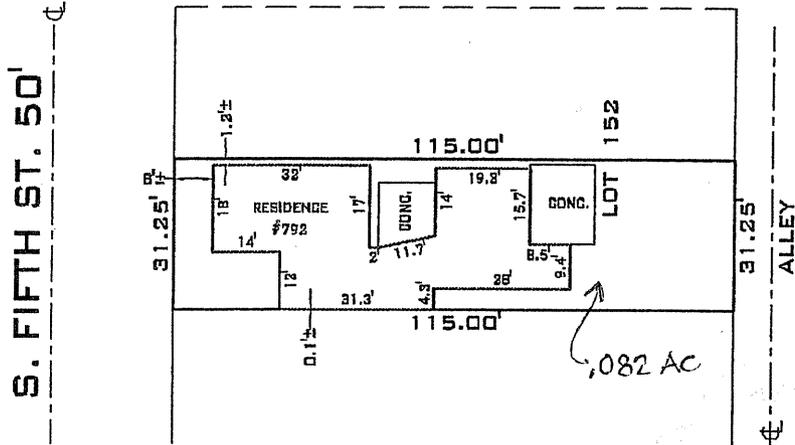
**stewart**  
title company



PROPERTY ADDRESS: 792 S. FIFTH STREET, COLUMBUS, Ohio 43206

SURVEY NUMBER: 127640

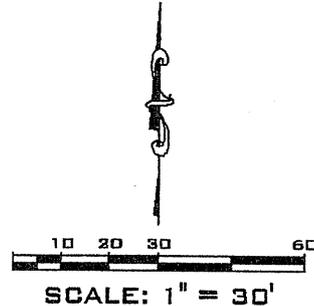
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*Scott D. Grunde*

THIS PLAT IS NOT TO BE USED TO ERECT FENCES OR OTHER STRUCTURES, AND MAY NOT SHOW ALL EASEMENTS AFFECTING THE SUBJECT TRACT

LSGI#: 127640



POINTS OF INTEREST: None Visible.

CLIENT NUMBER: 120110313

DATE: 3/22/2011

BUYER: JAMES AND NANCY FLEMING

SELLER: RICHARD AND JANET DAWSON

SUBLOT / ORIGINAL LOT: S 1/2 LOT 152

SUBDIVISION: C.F. JAEGER'S NINETEENTH ADDITION TO THE

PLAT: 2

PG: 17

COUNTY: FRANKLIN

CERTIFIED TO: STEWART TITLE COMPANY +

This mortgage loan identification survey is not to be used for the installation or building of fences, sheds, garages, additions or any other structure. To determine exact boundary lines, a boundary survey is required.

Landmark Survey is proud to support:



**LANDMA**  
Sur

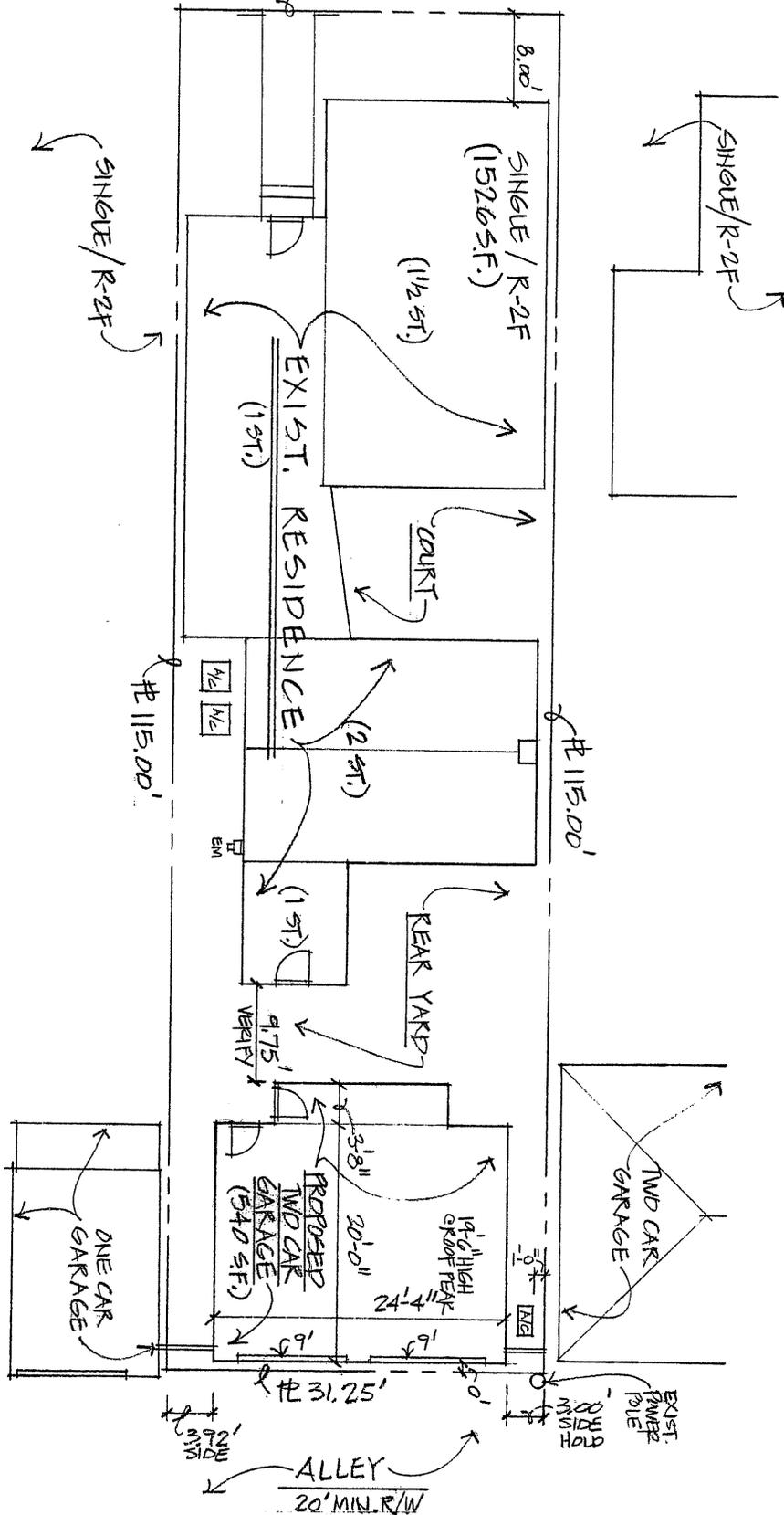
11310-00000-00446  
792 S. FIFTH STREET

441

This plat depicts the subject property in accordance with the Ohio Administrative Code, Chapter 4733-38, Minimum Standards for Mortgage Surveys in the State of Ohio, and is not a boundary survey pursuant to Chapter 4733-37, Ohio Administrative Code.

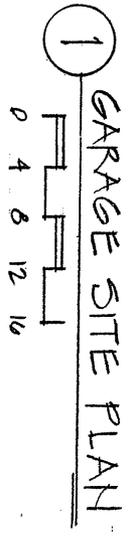
441  
 11310-00000-00446  
 792 S. FIFTH STREET

S. FIFTH ST.  
 # 31.25'



SITE DATA

010-040721  
 R2-F SINGLE FAMILY USE  
 LOT AREA (per code) = 3,906.25 SF  
 COVERAGE = 2,066.00 SF = 52.89% (code max 50%)  
 REAR YARD = 1,058.00 SF = 27.08% (code min 25%)  
 GARAGE SIDE YARD = 3.00' (code min 3.00')  
 TOTAL SIDE YDS = 6.92' (code min 6.00')  
 A/C UNIT IN GARAGE SIDE YARD = 1.00'  
 PARKING = 2 AUTOS (code min 2 autos)



7/11/11  
 010-040721  
 792 S. FIFTH ST.

8-12-11

The drawings and written material appearing here in 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.



**WILLIAM HUGUS ARCHITECTS LTD**

750 Mohawk Street • Columbus • Ohio 43206 614-221-2724

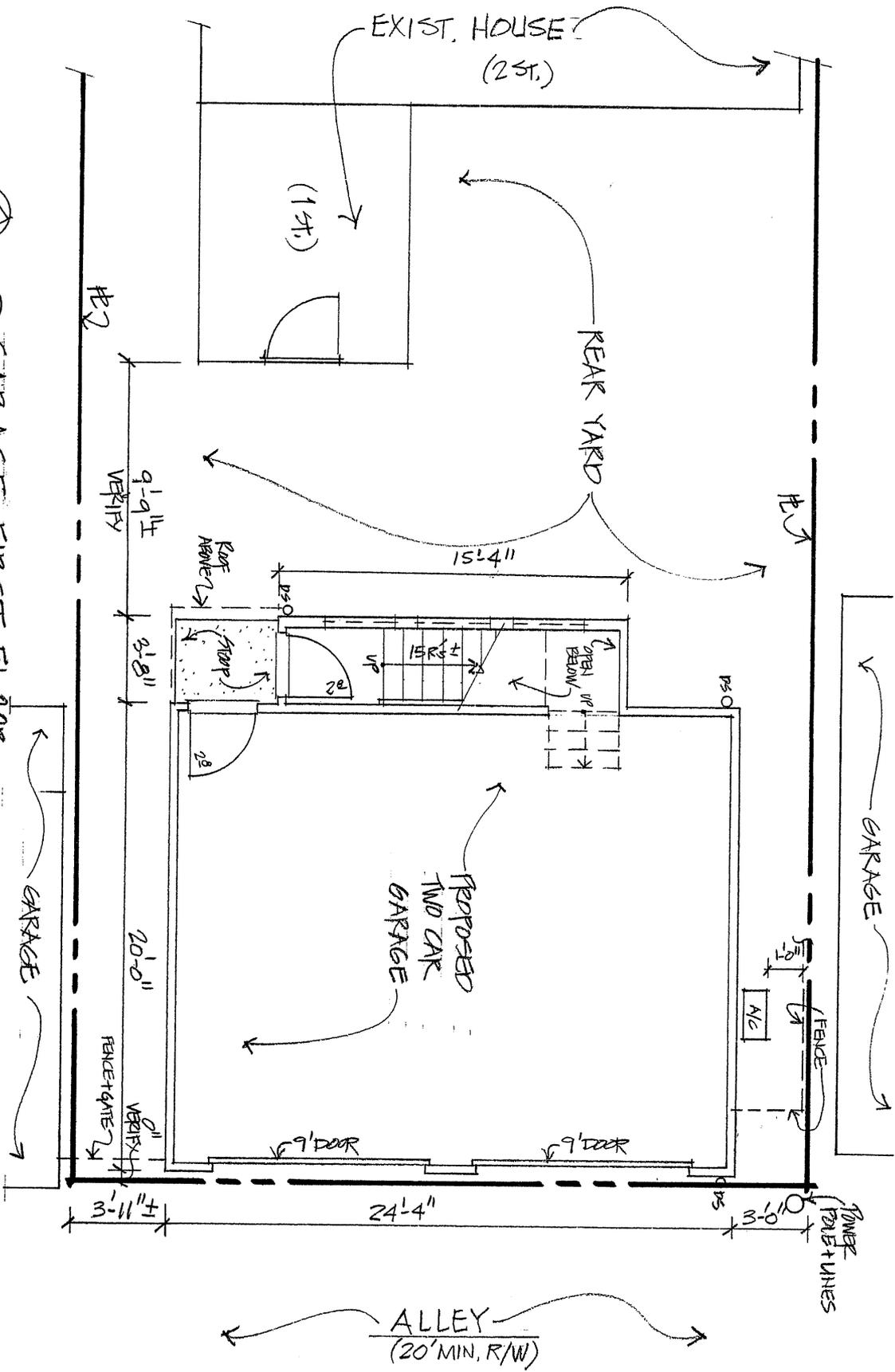


1 GARAGE FIRST FLOOR  
1/4" = 1'-0"

7'0" & 8'0" SET

8-12-11

117



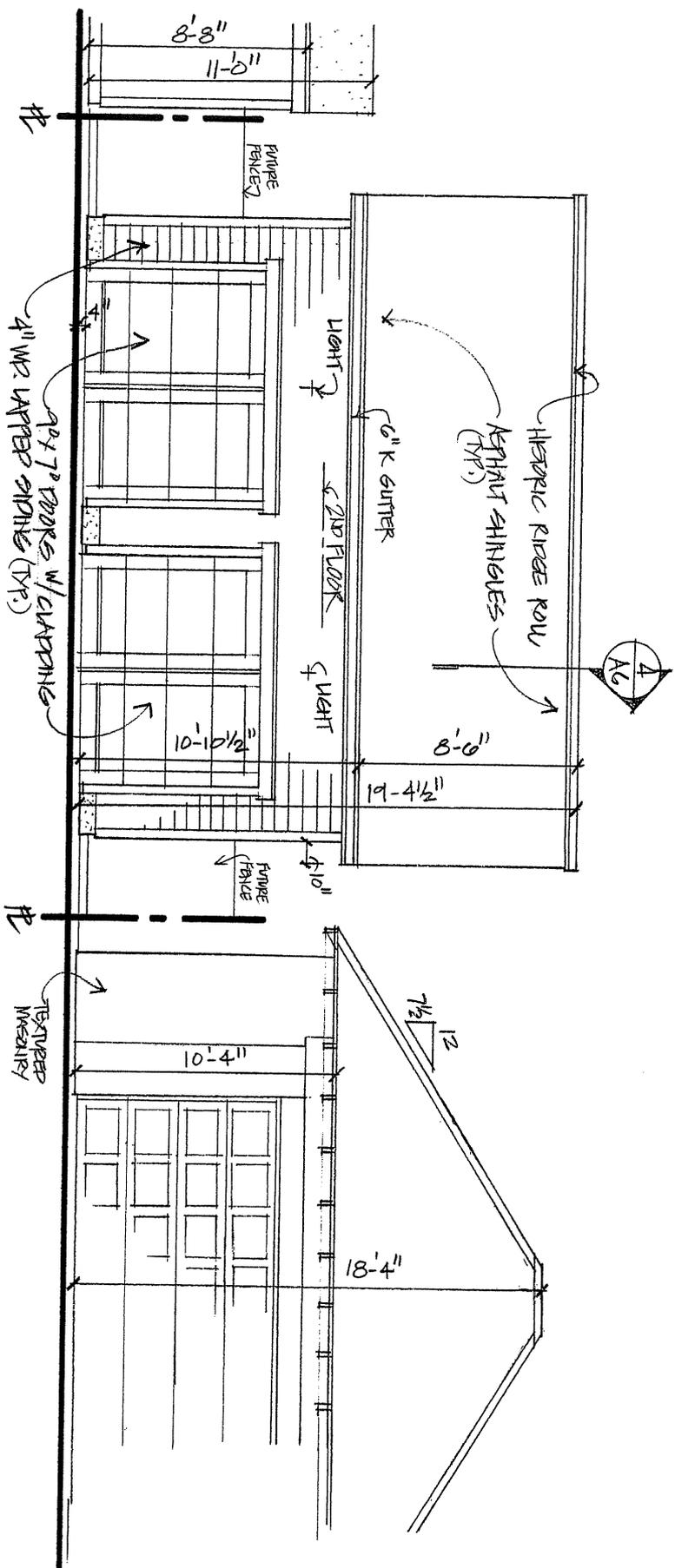
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1  
1/4"  
ALLEY VIEW

TAN & KISTU AT

8-12-11

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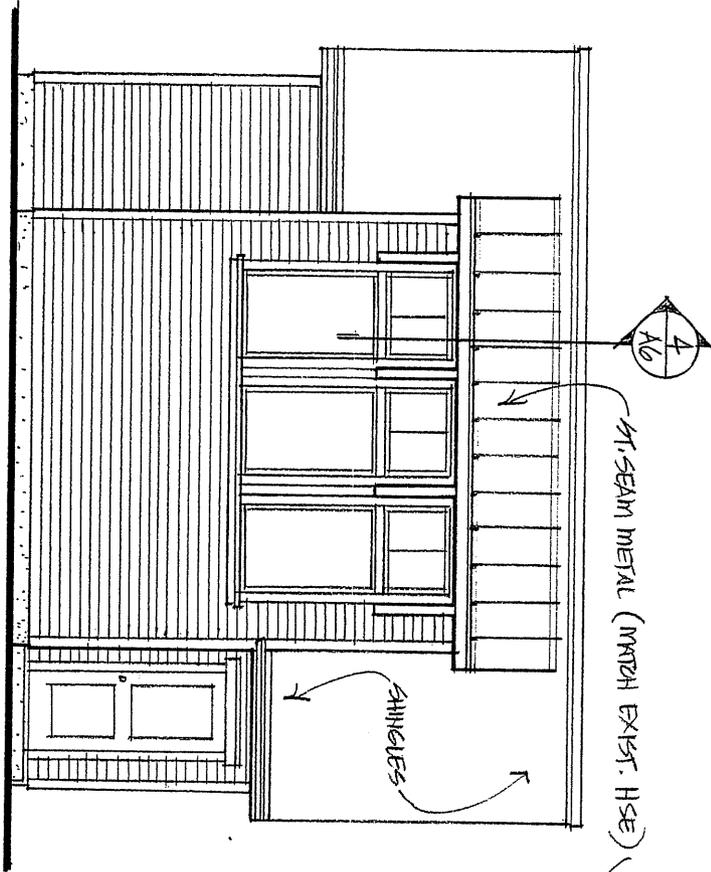


**WILLIAM HUGUS ARCHITECTS LTD**

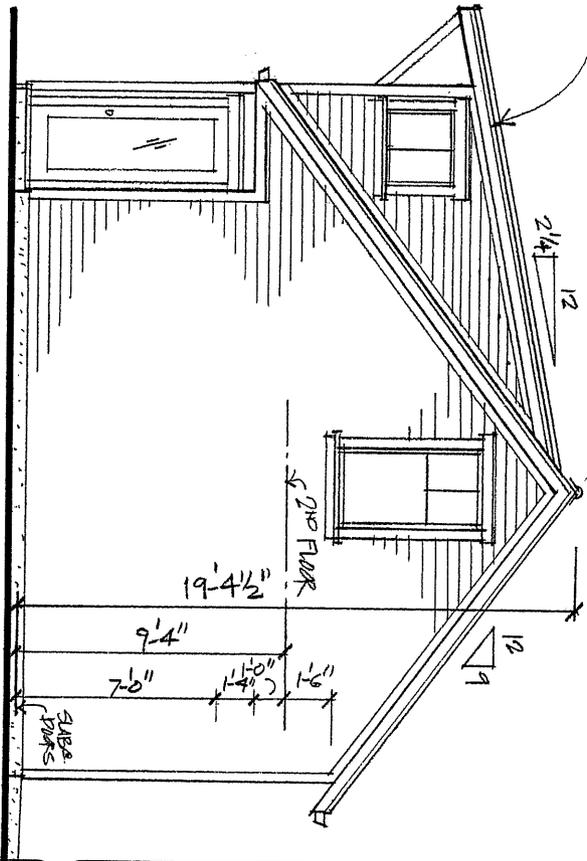
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441  
 11310-00000-00446  
 792 S. FIFTH STREET

2  
 1/4" = 1'-0"  
 REAR YARD VIEW



3  
 1/4"  
 SIDE VIEW



792 S FIFTH ST  
 8-12-11

W

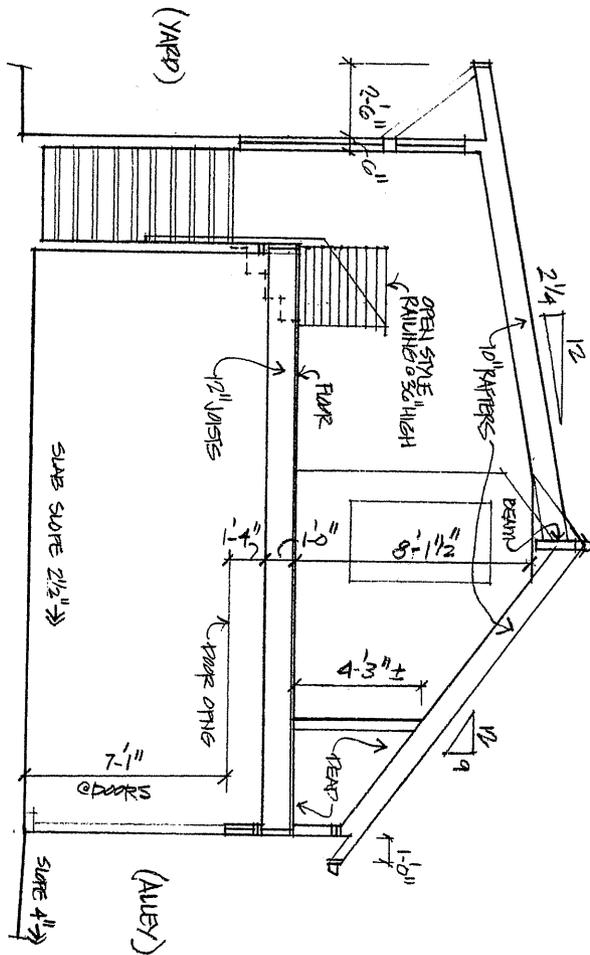
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441  
 11310-00000-00446  
 792 S. FIFTH STREET

4 BUILDING SECTION  
 1/4" = 1'-0"



792 S. FIFTH ST. 8-12-11

AFS

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**WILLIAMHUGUSARCHITECTSLTD**

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# 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)

## 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.** D provided.

441  
11310-00000-00446  
APPLICATION # 792 S. FIFTH STREET

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) WILLIAM HUGUS  
of (COMPLETE ADDRESS) 750 MOHAWK 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
<u>JAMES &amp; NANCY FLEMING</u>	<u>792 S. FIFTH ST., COLUMBUS, OHIO 43206</u>

SIGNATURE OF AFFIANT [Handwritten Signature]

Subscribed to me in my presence and before me this 9<sup>th</sup> day of August, in the year 2011

SIGNATURE OF NOTARY PUBLIC [Handwritten Signature]

My Commission Expires: 9/25/15



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

**PLEASE NOTE:** incomplete information will result in the rejection of this submittal.  
For all questions regarding this form and fees please call: 614-645-4522  
Please make all checks payable to the Columbus City Treasurer