

DEPARTMENT OF BUILDING  
AND ZONING SERVICES

111 N Front Street, Columbus, Ohio 43215  
Phone: 614-645-4522 ▪ ZoningInfo@columbus.gov ▪ www.columbus.gov/bzs

**OFFICE USE ONLY**

Application Number: BZA20-071 Date Received: 8/17/2020  
Assigned Planner: Phil B. Bennetch Fee: \$300  
Contact Information: PBBennetch@columbus.gov  
Existing Zoning: AR-1, Apartment Res. Commission/Civic: Columbus Southside AC  
Comments: Tentatively Scheduled for 9/10/2020 Staff Review

**TYPE(S) OF ACTION REQUESTED** (Check all that apply):

Variance  Special Permit

Project Description:  
Construction of a new two-family residence (single-story over full basement).

**LOCATION**

Certified Address: 43-45 W Markison Avenue City: Columbus Zip: 43207

Parcel Number (only one required): 010-018361-00

**APPLICANT** (If different from Owner):

Applicant Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_ Ext.: \_\_\_\_\_

Address: \_\_\_\_\_ City/State: \_\_\_\_\_ Zip: \_\_\_\_\_

Email Address: \_\_\_\_\_ Fax Number: \_\_\_\_\_

**PROPERTY OWNER(S)**  Check here if listing additional property owners on a separate page

Name: Guy Marshall Phone Number: 614-595-3131 Ext.: \_\_\_\_\_

Address: 1970 Riverside Drive City/State: Upper Arlington, Ohio Zip: 43221

Email Address: creativebath@live.com Fax Number: \_\_\_\_\_

**ATTORNEY / AGENT** (Check one if applicable):  Attorney  Agent

Name: Brenda Parker Phone Number: 614-586-5514 Ext.: \_\_\_\_\_

Address: 405 N Front Street City/State: Columbus, Ohio Zip: 43215

Email Address: brenda.parker@cbusarch.com Fax Number: \_\_\_\_\_

**SIGNATURES** (All signatures must be provided and signed in **blue** ink)

APPLICANT SIGNATURE \_\_\_\_\_

PROPERTY OWNER SIGNATURE  8/9/2020

ATTORNEY / AGENT SIGNATURE  8/17/2020

**AFFIDAVIT**

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn **(1)** NAME Brenda Parker  
of **(1)** MAILING ADDRESS 405 N Front Street, Columbus, Ohio 43215

deposes 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 PROPERTY ADDRESS 43-45 W Markison Avenue

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on **(3)** \_\_\_\_\_

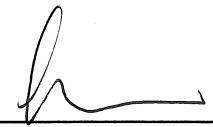
(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME **(4)** Guy Marshall  
AND MAILING ADDRESS 1970 Riverside Drive  
Upper Arlington, Ohio 43221

APPLICANT'S NAME AND PHONE # Guy Marshall  
(same as listed on front application) 614-595-3131

AREA COMMISSION OR CIVIC GROUP **(5)** Southside Area Commission  
ZONING CHAIR OR CONTACT PERSON Curtis Davis  
AND EMAIL ADDRESS cdavis@team-icsc.com

and that the attached document **(6)** 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

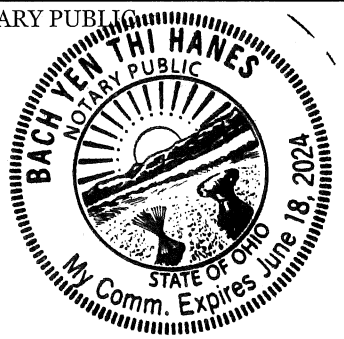
SIGNATURE OF AFFIANT 

Sworn to before me and signed in my presence this August day of 12, in the year 2020

  
**(7) SIGNATURE OF NOTARY PUBLIC**

June 18, 2024  
My Commission Expires

Notary Seal Here



**PROPERTY OWNER**

Guy Marshall  
1970 Riverside Drive  
Upper Arlington, Ohio 43221

**APPLICANT / AGENT**

Brenda Parker  
405 N Front Street  
Columbus, Ohio 43215

**AREA COMMISSION**

Southside Area Commission  
P.O. Box 7846  
Columbus, Ohio 43207

**SURROUNDING PROPERTY OWNERS**

Brosh Properties  
Or Current Occupant  
35 Frederick Street  
Columbus, Ohio 43206

Craig Berg  
Or Current Occupant  
40 W Markison Avenue  
Columbus, Ohio 43207

Andrew Mickelson  
Or Current Occupant  
36 W Markison Avenue  
Columbus, Ohio 43207

Alan Shuter  
Or Current Occupant  
30 W Markison Avenue  
Columbus, Ohio 43207

Hung & Michael Tran  
Or Current Occupant  
5637 King Acres  
Corpus Christy, Texas 78414

Jenkins Street Lofts Ltd Partnership  
Or Current Occupant  
500 S Front St, 10<sup>th</sup> Floor  
Columbus, Ohio 43215

40 Welch Avenue LLC  
P.O. Box 673  
Pickerington, Ohio 43147

Dashnor Kodhelaj  
Or Current Occupant  
36 West Welch Avenue  
Columbus, Ohio 43207

William Ballenger  
Or Current Occupant  
5806 Blacklick Road  
Pickerington, Ohio 43147

Markison LLC  
Or Current Occupant  
6957 Wigway Wy  
Reynoldsburg, Ohio 43068

Ruth Ann Messmer  
Or Current Occupant  
7809 Meadowlark Lane  
Reynoldsburg, Ohio 43068

Sokol Memusha  
Or Current Occupant  
35 W Markison Avenue  
Columbus, Ohio 43207

Jeremiah Hanley  
Or Current Occupant  
39 W Markison Avenue  
Columbus, Ohio 43207

Markison 4 LLC  
Or Current Occupant  
PO Box 673  
Pickerington, Ohio 43147

**STATEMENT IN SUPPORT OF VARIANCE(S)**

**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). The board shall take into account all of the following facts and conditions when considering variances:
1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance.
  2. Whether the variance is substantial.
  3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.
  4. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse service).
  5. Whether the property owner purchased the property with knowledge of the zoning restriction.
  6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.
  7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.
- 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 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.

**List all sections of Code to be varied and explain your reasoning as to why this request should be granted.**

**PLEASE NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are not included, a new application (and applicable fees) will be required.**

**I have read the foregoing and believe my application for relief from the requirements of the Zoning Code demonstrates practical difficulty as contemplated by that section, in the following ways (use separate page if needed or desired):**

Please see attached separate page for list of variances and statement of hardship.

**Signature of Applicant** \_\_\_\_\_ 

**Date** August 9, 2020

W Markison Avenue  
AR-1 Multifamily  
List of Requested Variances

Request a variance from Section 3332.14 (lot size) to reduce the lot size (in AR1 Multifamily) for a one-story, two-family dwelling from 7,200 sf (3,600 square feet in area per dwelling unit ) to 5,360 sf (2,680 square feet in area per dwelling unit).

Request a variance from Section 3333.22 (Maximum side yard required) to allow for a reduction of the sum of the widths of each side yard from 6'-8" (20% of the lot width) to 6'-0".

Request a variance from Section 3333.23 (Minimum side yard permitted) to reduce the minimum side yard from 5'-0" to 3'-0" on both the east side and the west side.

Request a variance from Section 3332.38(G) (Private garage; height) to increase the height from 15 feet to 20'-1".

Statement of Hardship:

The property at W Markison Avenue is a vacant lot. The lot width is 33'. The zoning is Apartment Residential (AR1). The majority of the structures on W Markison Avenue consist of 2-family, side-by-side, duplex structures. The property owner would like to construct a 2-family, side-by-side, duplex structure on the vacant lot in keeping with the other structures. The property owner would like to utilize a brick masonry material for the exterior walls. Constructing the building in compliance with the minimum 5'-0" side yard setback would only allow for a 10'-0" width at the interior of each residence. The 10'-0" width is very narrow and doesn't allow for a very generous living space. Therefore, it is being requested to reduce the minimum side yard setback from 5'-0" to 3'-0" on each side to allow for a 12'-0" living space within each dwelling unit.

Along with the minimum side yard setback, setting the building faces 3'-0" from the property also requires a variance to the maximum side yard required. This reduction is from 6'-8" (20% of the lot) to 6'-0".

The front building line is being located to align with the adjacent properties so the streetscape is continuous along building fronts. This location requires the variance to reduce the building line location from the required 25' to the requested 21'-11".

The duplex structure requires a larger lot size than the lot size that is currently existing so a reduction in lot size is being requested.

In order for the pitch of the garage roof to match the pitch of the main house roof (10/12), an increase in the height of the garage is being requested from 15'-0" to 20'-1"

### GENERAL INFO

Address:  
43-45 W Markison Avenue  
Columbus, Ohio 43207

Scope of Project:  
Construction of a new two-family residence.

<b>UNIT #1:</b>		<b>UNIT #2:</b>	
First Floor Area:	1,314 sf	First Floor Area:	1,314 sf
Basement Area:	1,314 sf	Basement Area:	1,314 sf
<b>TOTAL:</b>	<b>2,628 sf</b>	<b>TOTAL:</b>	<b>2,628 sf</b>

Detached Garage: 542 sf

Site Area: 5,360 sf  
Parcel: 010-018361

### ZONING: 351, Multi-family, AR1, H-35

<b>Number of Floors</b>	<b>Actual</b>	<b>Zoning Req't</b>
Proposed:	2 floors (30'-3" hgt)	1 to 2.5 floors (35')
<b>Lot Area &amp; Lot Width</b>	<b>Actual</b>	<b>Zoning Req't</b>
Lot Area:	5,360 sf	2,400 sf
Lot Width:	33'	
<b>Building Cover Limit</b>	<b>Actual</b>	<b>Zoning Req't</b>
Bldg Cover Proposed:	2,810 sf (53%)	2,680 sf (50%) allowable
<b>Setbacks</b>	<b>Actual</b>	<b>Zoning Req't</b>
Front Yard Proposed:	21'-11" (Aligns)	25'-0" (1/2 right-of-way)
Side Proposed East:	3'-0"	5'-0" (total of 10'-0")
Side Proposed West:	3'-0"	5'-0" (total of 10'-0")
<b>Rear Yard</b>	<b>Actual</b>	<b>Zoning Req't</b>
Rear Yard Proposed:	1,340 sf	1,340 sf (25% lot)
<b>Parking</b>	<b>Actual</b>	<b>Zoning Req't</b>
Parking Spaces:	4 total (2 per unit)	4 total (2 per unit)

### LIST OF VARIANCES

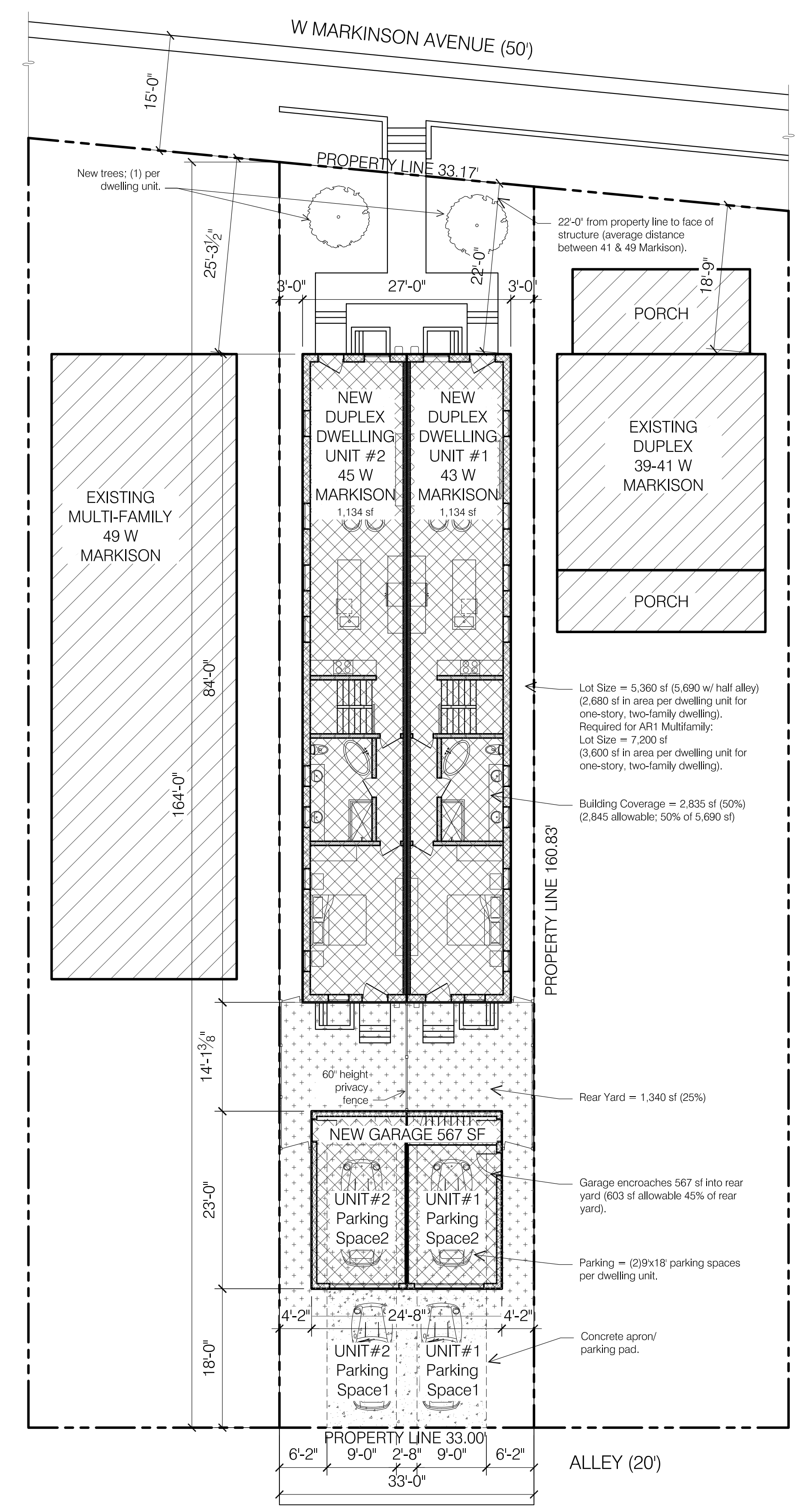
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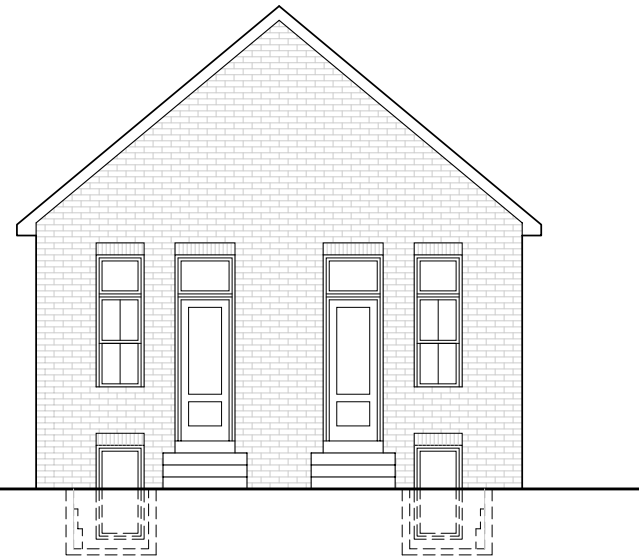
1 SITE PLAN SCALE: 3/32" = 1'-0"

Signature   
Date August 17, 2020

Issue Date August 17, 2020  
Issue for Zoning  
Project Number 43-45 WMA



FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION

EXTERIOR ELEVATIONS

Scale: 3/32"=1'-0"

MARKINSON AVENUE

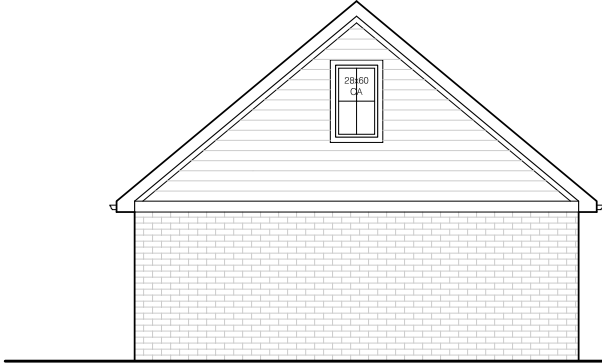
August 9, 2020



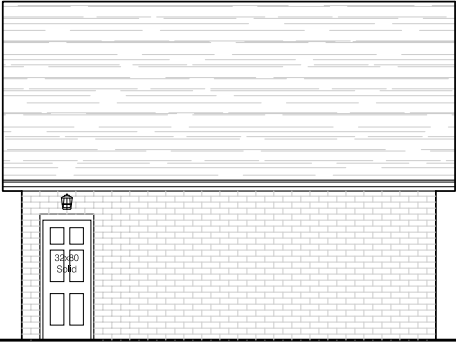
GARAGE SOUTH ELEVATION



GARAGE EAST ELEVATION



GARAGE NORTH ELEVATION



GARAGE WEST ELEVATION



**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

Being first duly cautioned and sworn (NAME) Brenda Parker  
of (COMPLETE ADDRESS) 405 N Front Street

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
Guy Marshall	1970 Riverside Drive, Upper Arlington, Ohio 43221

SIGNATURE OF AFFIANT *[Signature]*

Sworn to before me and signed in my presence this August day of 12, in the year 2020

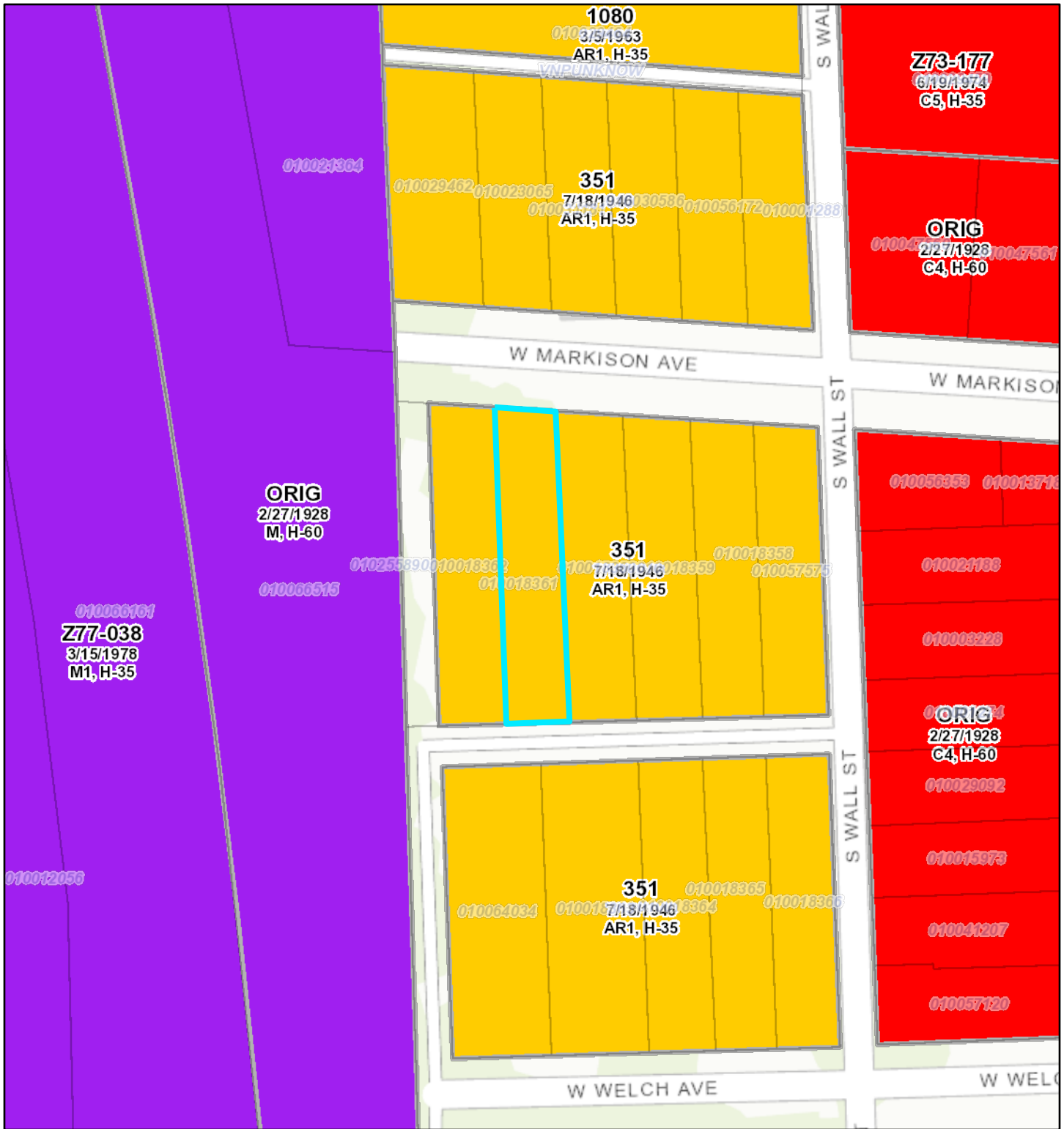
*[Signature]*  
SIGNATURE OF NOTARY PUBLIC

June 18, 2024  
My Commission Expires

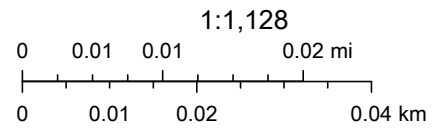
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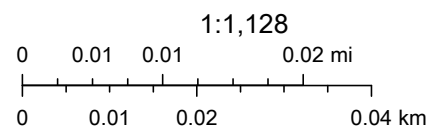


City of Columbus GIS, Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

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City of Columbus GIS