

**Council Variance Application**

111 North Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • www.columbus.gov/bzs • zoninginfo@columbus.gov

DEPARTMENT OF BUILDING  
AND ZONING SERVICES

OFFICE USE ONLY

Application #: CV19-097 Date Received: 9/24/2019

Application Accepted by: MM Fee: \$300

Assigned Planner: Michael Maret; 614-645-2749; mj Maret@columbus.gov

**LOCATION AND ZONING REQUEST:**

Certified Address or Zoning Number: 364 East Stewart Avenue Zip: 43206

Is this application being annexed into the City of Columbus?  YES  NO (select one)

*If the site is currently pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.*

Parcel Number for Certified Address: 010-~~435089-00~~<sup>043598</sup>

Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s): R2F

Area Commission or Civic Association: Columbus Southside Area Commission

Proposed Use or reason for Council Variance request: Addition of habitable space to an existing garage

Acreage: .12

**APPLICANT:**

Name: Judith M Simons Phone #: \_\_\_\_\_ Ext.: \_\_\_\_\_

Address: 364 East Stewart Avenue City/State: Columbus, Ohio Zip: 43206

Email: \_\_\_\_\_ Fax #: \_\_\_\_\_

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

Name: Judith M Simons Phone #: \_\_\_\_\_ Ext.: \_\_\_\_\_

Address: 364 East Stewart Avenue City/State: Columbus, Ohio Zip: 43206

Email Address: \_\_\_\_\_ Fax #: \_\_\_\_\_

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

Name: Fred Hutchison, Architect Phone #: 614-253-5014 Ext.: \_\_\_\_\_

Address: 1166 Bryden Road City/State: Columbus, Ohio Zip: 43205

Email Address: redesignsarchitecture@gmail.com Fax #: \_\_\_\_\_

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

APPLICANT SIGNATURE: X

PROPERTY OWNER SIGNATURE: X

ATTORNEY / AGENT SIGNATURE: Fred Hutchison

*My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that the City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc. may delay the review of this application.*

**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 checks payable to the Columbus City Treasurer

**Council Variance Application CV19-097**  
**Proposed Carriage House at 364 East Stewart Avenue, Columbus, Ohio 43206**

**Variance Requests**  
revised 9.Oct 2019

1. Section 3332.035 R2F Residential District: this district permits one single-family dwelling or one two-family dwelling on one lot. The owner requests that the carriage house, while considered to also be a dwelling, be allowed to be located on the property.
2. Section 3312.25 Maneuvering: this section requires every parking space to have sufficient access and maneuvering space on lot, but permits including drive, street, or parking spaces as maneuvering space. The Owner currently is using four parking spaces: two inside the existing two vehicle garage and two in the existing driveway to the North of the existing garage and adjacent to Zimpfer Street. This arrangement configures the parking in a stacked manner, and the two spaces in the driveway includes 3.67 feet in the Zimpfer Street right-of-way. This arrangement still allows 20.33 feet of paved maneuvering space in Zimpfer Street. The Owner requests that this parking arrangement be accepted as providing satisfactory maneuvering space for parked vehicles.
3. 3312.29 Parking space: this section defines a parking space as 9'x18', and allows a stacked parking arrangement in a driveway but not in any other part of a required yard. The Owner mentions in Item 2 above that there currently exists a stacked parking arrangement; in Item 4 below that this parking arrangement partly uses a portion of the right-of-way of Zimpfer Street; and in Item 9 below that a variance be granted regarding the rear yard. The Owner requests that the existing stacked parking arrangement be accepted as satisfying the requirements for off-street parking spaces.
4. Section 3312.49c Minimum number of parking spaces required: this section requires that two off-street parking spaces per dwelling unit be provided, meaning that with the addition of the carriage house, the site requirement for off-street parking is four spaces. The Owner currently has available two off-street parking spaces provided in the existing garage. In addition, the owner has space for two off-street parking spaces directly behind/to the north of the existing garage, with sufficient width for two spaces of 9 feet each, and a depth of 18.33'. The owner acknowledges that 4.0' of the 18.33 foot depth is located in the existing right of way of Zimpfer Street, but this area has been historically used as parking spaces from the time that the garage was constructed in the 1960's. The owner requests that the two off street parking spaces in the existing garage and the two spaces adjacent to and to the north of the existing garage be accepted as providing satisfactory off-street parking for both the principal residence and the carriage house combined.
5. Section 3332.05 Area district lot width requirements: this section requires that the minimum lot width for R2F districts is 50'. The owner requests recognition of the fact that the existing lot with is 29.16'.
6. Section 3332.14 R2F Area district: this district permits one single family dwelling on a lot of no less than 6,000 square feet in area or a two family dwelling on a lot of no less than 3,000 square feet in area. The owner's lot is 5,248.8 square feet in area. The owner requests that the carriage house be allowed on the property.
7. Section 3332.19 Fronting on a public street: this section requires a dwelling to have frontage on a public street. The existing garage was constructed in conformance with Zoning Code requirements for a vehicular garage, and the owner proposes that no public street frontage be required for the carriage house.
8. Section 3332.26B Minimum side yards provided: this section requires that a minimum 5' sideyard be provided for dwelling units. The existing garage was constructed in conformance to Zoning Code requirements for a vehicular garage, which allows a side yard of 3'. The actual existing side yards are 2.035' to the west and 3.125' to the east. The owner requests that the existing side yards be accepted as satisfactory for this section.
9. Section 3332.27 Rear yard: the existing garage was constructed in conformance to Zoning Code requirements for a vehicular garage in the rear yard on a lot with a principal residence. The carriage house will maintain an acceptable percentage of rear yard occupancy, but the owner requests that the carriage house, as a residence, will not have a separate rear yard of its own



**Council Variance Application**

111 North Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • www.columbus.gov/bzs • zoninginfo@columbus.gov

**AFFIDAVIT**

(See instruction sheet)

APPLICATION #: CU 19-097

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Judith M Simons  
of (1) MAILING ADDRESS 364 East Stewart Avenue

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) CERTIFIED ADDRESS FOR ZONING PURPOSES 364 East Stewart Avenue  
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) 9/24/19

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME  
AND MAILING ADDRESS  
 Check here if listing additional property owners  
on a separate page.

(4) Judith M Simons  
364 East Stewart Avenue  
Columbus, Ohio 43206

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

Judith M Simons

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

(5) Southside Area Commission  
PO Box 7846  
Columbus, Ohio 43207

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 (7)

SIGNATURE OF AFFIANT

(8) Judith M Simons

Sworn to before me and signed in my presence this 16<sup>th</sup> day of September, in the year 2019

SIGNATURE OF NOTARY PUBLIC

(8) James Maxwell

My Commission Expires:

1-29-2023



JAMES MAXWELL  
Notary Public, State of Ohio  
My Commission Expires  
01/29/2023

*This Affidavit expires six (6) months after date of notarization.*

**PLEASE NOTE: Incomplete information will result in the rejection of this submittal.**  
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Please make all checks payable to the Columbus City Treasurer

Applicant/Property Owner

Area Commission

Neighborhood Commission

Judith M Simons  
364 E Stewart  
Columbus, OH 43206

Southside Area Commission  
PO Box 7846  
Columbus, OH 43207

Merion Village Association  
1330 S Fourth St  
Columbus, OH 43206

Surrounding Owners

Todd A Rosen  
Carlie J Hanson  
377 E Stewart Ave  
Columbus, OH 43206

Timothy L Gall  
Susan F Gall  
375 E Stewart Ave  
Columbus, OH 43206

Judith D Alfred  
Douglas Vorbroke Alfred  
373 E Stewart Ave  
Columbus, OH 43206

John P & Diana S Marzluf  
369 E Stewart Ave  
Columbus, OH 43206

Anthony B Lieb  
363 E Stewart Ave  
Columbus, OH 43206

Henry L Smith, Jr  
351 E Stewart Ave  
Columbus, OH 43206

John M Haytas  
341 E Stewart Ave  
Columbus, OH 43206

F25 Holdings LLC  
PO Box 218135  
Columbus, OH 43221

Scott D Deyoung  
348 E Stewart Ave  
Columbus, OH 43206

Nicholas J Bruckelmeyer  
Andrea N Rower  
353 Zimpfer St  
Columbus, OH 43206

Tracy McCord  
Natalie McCord  
352 E Stewart Ave  
Columbus, OH 43206

Linda S Reis  
Kevin J Reis  
215 S Kellner Rd  
Columbus, OH 43209

Tina Goodman  
360 Stewart Ave  
Columbus, OH 43206

Edward K Rinehart  
372 E Stewart Ave  
Columbus, OH 43206

Edward Macek  
372 E Stewart Ave  
Columbus, OH 43206

April N Jones  
376 E Stewart Ave  
Columbus, OH 43206

Stephen K Chrisman TR  
Deborah M Chrisman TR  
378 E Stewart Ave  
Columbus, OH 43206

Anthony J Hatfield  
1004 Bruck St  
Columbus, OH 43206

Robert Kenneth Hartley  
Jeanette Ann Hartley  
3964 W National Rd  
Springfield, OH 45504

Digital Nostalgia LLC  
2382 Cambridge Blvd  
Columbus, OH 43221

John S Durruzio LLC  
309 S 4<sup>th</sup> St, Suite 1A  
Columbus, OH 43215

CUIA-097

Uriah F Martin  
Erin Martin  
391 Siebert St  
Columbus, OH 43206

Suzanne Foster  
374 Zimpfer St  
Columbus, OH 43206

Katherine L Harper  
381 Siebert St  
Columbus, OH 43206

Angus J & Julie M Maclellan  
377 Siebert St  
Columbus, OH 43206

David L Rothert  
367 Siebert St  
Columbus, OH 43206

Blake Arthur Decrane  
Jordan Lindsay Waterhouse  
361 Siebert St  
Columbus, OH 43206

William K Hysell  
E Thissen Marnicka  
356 Zimpfer St  
Columbus, OH 43206

CU19-097



**PROJECT DISCLOSURE STATEMENT**

All parties having a 5% or more interest in the project that is the subject of this application should be listed.  
**THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED.** Do not indicate 'NONE' in the space provided.

APPLICATION #: CV 19-097

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Judith M Simons  
of (COMPLETE ADDRESS) 364 East Stewart Avenue, 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 in the following format:

Name of business or individual  
Business or individual's address

1. Judith M Simons 364 East Stewart Avenue Columbus, Ohio 43206	2.
3.	4.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Judith M. Simons 9/16/19

Subscribed to me in my presence and before me this 16<sup>th</sup> day of September, in the year 2019

SIGNATURE OF NOTARY PUBLIC

James Maxwell

My Commission Expires:

1-29-2023



*This Project Disclosure Statement expires six months after date of notarization.*  
**JAMES MAXWELL**  
Notary Public, State of Ohio  
My Commission Expires  
01/29/2023

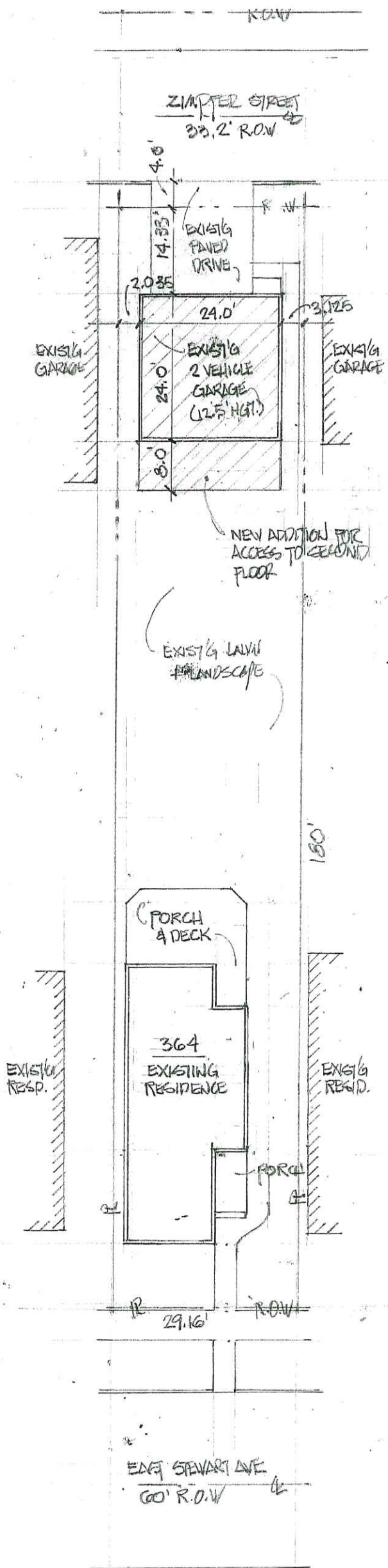
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**Legal Description of Subject Property:**

Franklin County Auditor Parcel ID 010-043598, .1198 acres

The following described premises, situated in the County of Franklin, in the State of Ohio, and in the City of Columbus, and being Lot Number 7 of Herman Wirth's Subdivision of Lots Numbered from Forty Eight (48) to Fifty Two (52), Fifty Six (56) to Sixty Three (63), Sixty Three (63) to Sixty Eight (68), Seventy Four (74) to Seventy Eight (78) inclusive of Wirth, Barth, and Huber's Subdivision, in said City; as the same is numberd and delineated on the recorded Plat therof, of record in Plat Book No. 4, Page 44, Recorders Office, Franklin County, Ohio.

CV19-097



SITE PLAN

1"=20'

20-AUG-19

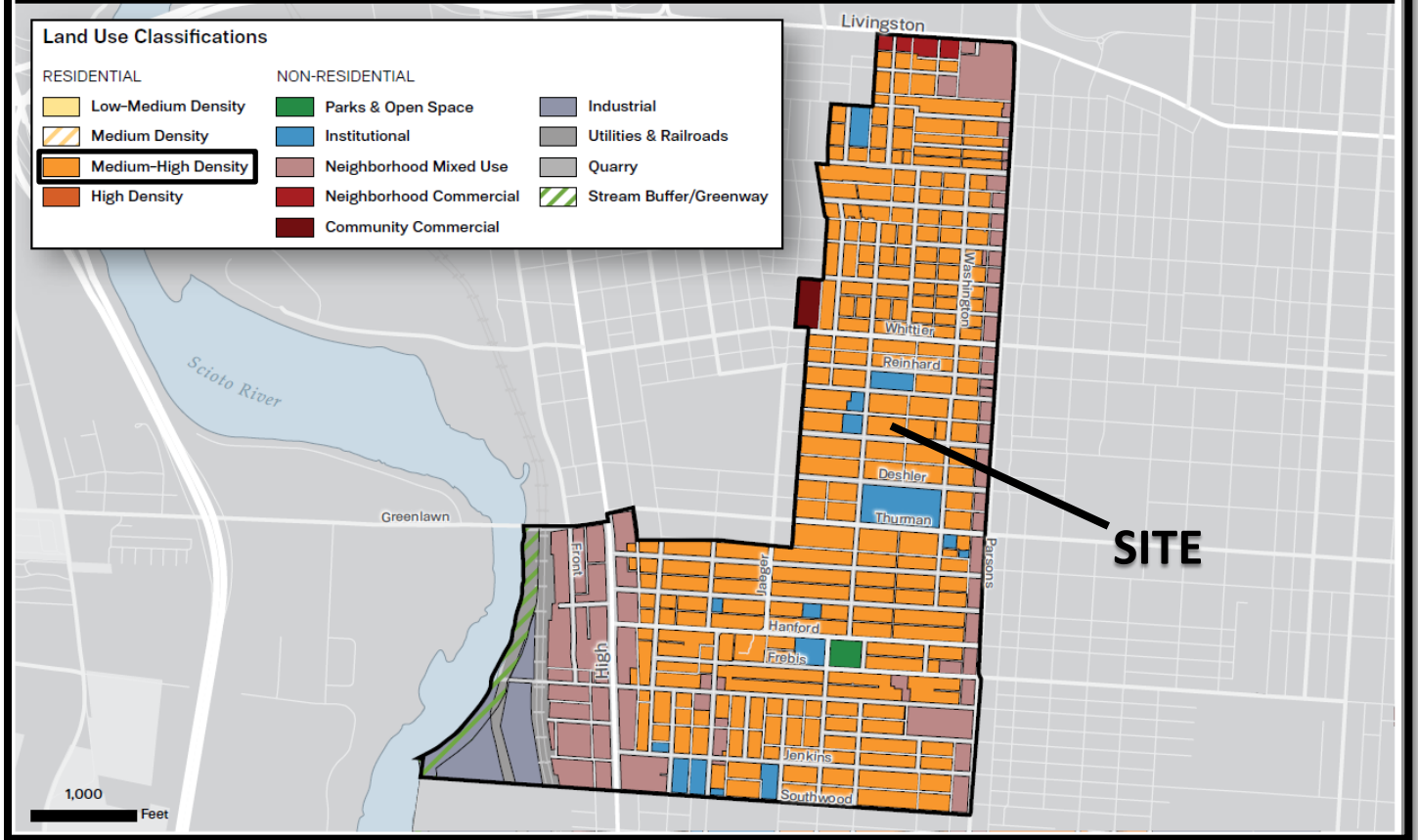
CU19-097





CV19-097  
364 E. Stewart Ave.  
Approximately 0.12 acres

### FIGURE 9: FUTURE LAND USE PLAN: QUADRANT 1

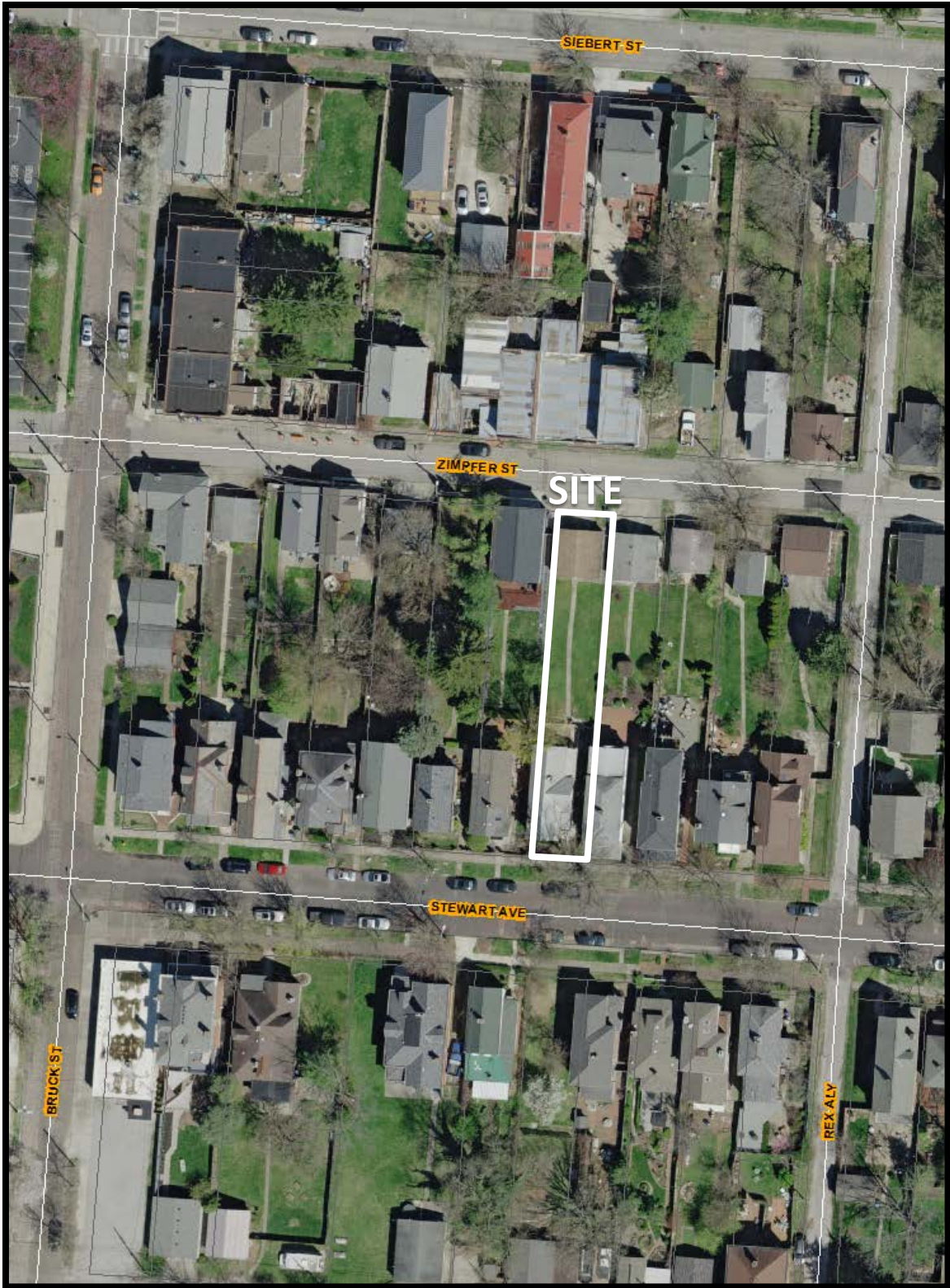


Medium-High Density  
(10-16 units per acre)



A variety of dwelling types, including doubles, townhouses and multifamily are included in this category. New development patterns should reinforce the existing pattern and type of residential in the neighborhood. Somewhat higher densities may be considered, provided a high quality design that can demonstrate that it will not adversely impact the existing development pattern of the area.

CV19-097  
364 E. Stewart Ave.  
Approximately 0.12 acres



CV19-097  
364 E. Stewart Ave.  
Approximately 0.12 acres



October 21, 2019

11. **APPLICATION:** CV19-097  
**Location:** 364 E. STEWART AVE. (43206), being 0.12± acres located on the north side of East Stewart Avenue, 125± feet west of Rex Alley (010-158252, Columbus Southside Area Commission).  
**Existing Zoning:** R-2F, Residential District.  
**Proposed Use:** Carriage house.  
**Applicant(s):** Judith M. Simons; c/o Fred Hutchinson, Agent; 1166 Bryden Road; Columbus, OH 43205.  
**Property Owner(s):** The applicant.  
**Planner:** Michael Maret; 614-645-2749; [mjmaret@columbus.gov](mailto:mjmaret@columbus.gov)

Dear Mr. Hutchinson:

City staff reviewed the above referenced Council variance application on **Thursday, October 17, 2019**, and the following considerations are a result of the review:

1. The Zoning Staff has the following comments:
  - 1.) Commercial zoning clearance had the following notes:
    - a. Vary section 3332.037 R2-F, not 3332.035 R-3.
    - b. 2 and 4. Different numbers are presented for the length of parking in ROW, 3.67' vs. 4'.
    - c. Vary lot area to be 2550.9 square feet because only 3 times the width can be used for the lot length per 3332.18C.
    - d. For the carriage house, the required side yards are 3 feet each. 3332.26C(1).
    - e. Add variance to 3332.25 total side yards, which requires 5.83 feet, whereas 5.16 feet is provided.
    - f. A tree is required per 3321.07B.
  - 2.) Submit original copies of the finalized site plan and elevations in the following format for each: one 8.5"x11" reduction, and two 2'x3' prints (all with the same title and signed and dated).
  - 3.) Provide the recommendation from the Columbus Southside Area Commission when finalized. **\*Be advised that if changes occur to the proposal after the commission recommendation, it is the applicant's responsibility to notify the commission of the changes.**  
Contact Michael Maret at 614-645-2749; [mjmaret@columbus.gov](mailto:mjmaret@columbus.gov), if you have any questions.
2. Department of Development, Division of Planning has the following comments supports this request, but requests additional information in the form of building elevations to ensure consistency with the recommendation of the South Side Plan and Columbus Citywide Planning Policies (C2P2) residential design guidelines. The South Side Plan (2014) supports a variety of dwelling types in the area, provided that the development pattern is not interrupted, and recommends medium-high density at 10-16 units per acre, which is consistent with the proposal. The Plan also recommends that the design and character of new housing should be compatible with adjacent nearby housing with respect to height, width, and setback (p.38). Additionally, C2P2 residential design guidelines recommend that

building materials be of high quality and for accessory buildings to be located to the rear of the property (p.22). As the proposed variances to accommodate the carriage house addition fall within the recommended density of the area, does not interrupt the development pattern, and is located to the rear of the property, staff is generally supportive, but requests elevations to ensure that the carriage house is consistent with C2P2 residential design guidelines. Contact the Planning Division at [planninginfo@columbus.gov](mailto:planninginfo@columbus.gov) or 614-724-4437 if you have any questions (email is preferred and will result in faster response).

3. Department of Public Service, Division of Traffic Management has the following comments:
  - 1.) Please remove the requested variances to 3312.25 and 3312.29 and add a variance to 3312.49 to reduce the required number of parking spaces from 4 to 2.
  - 2.) The Department of Public Service would support a variance to reduce the required number of parking spaces from 4 to 2.Contact Daniel Moorhead at 614-724-0589 or [demoorhead@columbus.gov](mailto:demoorhead@columbus.gov) if you have any questions.
4. The Department of Public Utilities, Division of Sewerage and Drainage has the following comment: Site has access to the 15" combined sewer RP183 along its northern property line. Need to verify location of sanitary service if it is under the proposed building it will need to be relocated around the building or upgraded to meet building code. Contact Hussein Mohamed at 614-645-4445 or [hhmohamed@columbus.gov](mailto:hhmohamed@columbus.gov) if you have any questions.

Be advised that once the comments above are resolved and final materials are received; it will take at least two weeks for the ordinance drafting and review/signature process. Your Council variance ordinance must be reviewed and approved before it can be forwarded to City Council. You may be contacted for necessary revisions as a result of this review. When the ordinance is scheduled, the Clerk of City Council's office will send you a notice 10 days prior to the date that it is scheduled to be heard.

**Please Note:** If the application contains a site plan that will regulate the layout of the proposed development, **other variances may be necessary**, and the plan may require review by other City Departments. **It is the Applicant's responsibility to identify all variances required for the proposal**, and to contact and discuss the proposal with those City Departments responsible for reviewing it. You may request a preliminary review of your site plan by contacting the Engineering Plan Review Section at [engineeringinfo@columbus.gov](mailto:engineeringinfo@columbus.gov) or 614-645-0032. Staff from each of the reviewing agencies will provide feedback on your proposal. Site plans are subject to review by these departments during plan review processes. Any conflict with applicable policies or regulations of these departments could result in a denial of your site plan.

Sincerely,



Michael Maret  
Planner II  
614-645-2749



111 N. Front Street – Columbus OH 43215 – 614-645-7433 – [bzs.columbus.gov](http://bzs.columbus.gov)

Director's Office	(614) 645-7776	Research/Records Center	(614) 645-6082
Building Plan Review	(614) 645-7562	Zoning Clearance	(614) 645-8637
Customer Service Center	(614) 645-6090	Zoning Public Hearings	(614) 645-4522
Engineering Plan Review	(614) 645-0032	Zoning Confirmation Letters	(614) 645-8637

**Council Variance Application CV19-097**  
**Proposed Carriage House at 364 East Stewart Avenue, Columbus, Ohio 43206**

**Variance Requests**

revised 9.Oct 2019

revised 29.Oct.2019 (revisions shown in italics)

1. Section 3332.037 R2F Residential District: this district permits one single-family dwelling or one two-family dwelling on one lot. The owner requests that the carriage house, while considered to also be a dwelling, be allowed to be located on the property.
2. Section 3312.25 Manuevering: *this request removed at the request of the Department of Public Service, Division of Traffic Managment*
3. 3312.29 Parking space: *this request removed aat the request of the Department of Public Service, Division of Traffic Management.*
4. Section 3312.49 Minimum number of parking spaces required: this section requires that two off-street parking spaces per dwelling unit be provided, meaning that with the addition of the carriage house, the site requirement for off-street parking is four spaces. *The Owner currently has available two off-street parking spaces provided in the existing garage. The owner requests that the two off street parking spaces in the existing garage be accepted as providing satisfactory off-street parking for both the principal residence and the carriage house combined.*
5. *Section 3321.07B Landscaping: this section requires that one tree be planted on the site. The Owner shall plan one tree meeting the requirements of this section.*
6. Section 3332.05 Area district lot width requirements: this section requires that the minimum lot width for R2F districts is 50'. The owner requests recognition of the fact that the existing lot with is 29.16'.
7. Section 3332.14 R2F Area district: this district permits one single family dwelling on a lot of no less that 6,000 square feet in area or a two family dwelling on a lot of no less than 3,000 square feet in area. The owner's lot is 5,248.8 square feet in area. The owner requests that the carriage house be allowed on the property.
8. *Section 3332.18C Computing density: for the purposes of computation of density, this section requires that the size of the lot be computed by multiplying the width of the lot (29.16') by three times the width of the lot (87.48), allowing for a lot of 2,550.9 square feet. The Owner requests that recognition that the existing lot is 5,248.8 square feet.*
9. Section 3332.19 Fronting on a public street: this section requires a dwelling to have frontage on a public street. The existing garage was constructed in conformance with Zoning Code requirements for a vehicular garage, and the owner proposes that no public street frontage be required for the carriage house.
10. *Section 3332.25 total side yards: this section requires that the side yards of the structure be not less than 20 percent of the width of the lot. Twenty percent of the lot width of 29.16' equals 5.83'. The existing garage was constructed with side yards totaling 5.16'. The Owner requests that the existing side yard total be accepted as satisfactory for this section*
11. Section 3332.26C(1) Minimum side yards provided: this section requires that a minimum 3' sideyard be provided for *carriage houses*. The existing garage was constructed in conformance to Zoning Code requirements for a vehicular garage, which allows a side yard of 3'. The actual existing side yards are 2.035' to the west and 3.125' to the east. The owner requests that the existing side yards be accepted as satisfactory for this section.
12. Section 3332.27 Rear yard: the existing garage was constructed in conformance to Zoning Code requirements for a vehicular garage in the rear yard on a lot with a principal residence. The carriage house will maintain an acceptable percentage of rear yard occupancy, but the owner requests that the carriage house, as a residence, will not have a separate rear yard of its own