

Board of Zoning Adjustment Application

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-OXX Date Received: 9/24/2020
Assigned Planner: Michael Maret Fee: \$300
Contact Information: MJMaret@Columbus.gov
Existing Zoning: R-2F, Residential Commission/Civic: Columbus Southside AC
Comments: Staff Review on 10/8/2020

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

☒ Variance ☐ Special Permit

Project Description:

See Exhibit B

LOCATION

Certified Address: 242 Thurman Avenue City: Columbus, OH Zip: 43206

Parcel Number (only one required): 010 - 026163

APPLICANT (If different from Owner):

Applicant Name: Alexander Marsh; c/o Dave Perry Phone Number: (614)228-1727 Ext.: --

Address: David Perry Company, Inc., 411 E Town St, Fl 1 City/State: Columbus, OH Zip: 43215

Email Address: dave@daveperryco.net Fax Number: --

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

Name: Alexander Marsh Phone Number: (614)937-3658 Ext.: --

Address: 242 Thurman Avenue City/State: Columbus, OH Zip: 43206

Email Address: amarsh@rjweiler.com Fax Number: --

ATTORNEY / AGENT (Check one if applicable): ☒ Attorney ☐ Agent FOR APPLICANT

Name: Donald Plank Phone Number: (614)947-8600 Ext.: --

Address: Plank Law Firm, 411 E Town St, Fl 2 City/State: Columbus, OH Zip: 43215

Email Address: dplank@planklaw.com Fax Number: ---

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

APPLICANT SIGNATURE

Alexander Marsh by David B. Perry, Agent

PROPERTY OWNER SIGNATURE

Alexander Marsh by David B. Perry, Agent

ATTORNEY / AGENT SIGNATURE

Donald Plank

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AFFIDAVIT

STATE OF OHIO
 COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME David B. Perry

of (1) MAILING ADDRESS David Perry Company, Inc., 411 East Town Street, Floor 1, Columbus, OH 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 242 Thurman Avenue, Columbus, OH 43206

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
 AND MAILING ADDRESS

(4) Alexander Marsh
242 Thurman Avenue
Columbus, OH 43206

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

Alexander Marsh
c/o Dave Perry, (614)228-1727

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

(5) Columbus Southside Area Commission
c/o Curtis Davis
584 Moler Street, Columbus, OH 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

SIGNATURE OF AFFIANT

David B. Perry

Sworn to before me and signed in my presence this 21st day of September, in the year 2020

(7) SIGNATURE OF NOTARY PUBLIC

Kelly B. Shiflet

My Commission Expires

Notary Seal Here

09/10/2024



KELLY B. SHIFLET
 Notary Public, State of Ohio
 My Commission Expires
 September 10, 2024

EXHIBIT A, PUBLIC NOTICE
242 Thurman Avenue
BZA20-_____
September 21, 2020

APPLICANT:

Alexander Marsh
c/o Dave Perry
David Perry Company, Inc.
411 East Town Street, Floor 1
Columbus, OH 43215

PROPERTY OWNER:

Alexander Marsh
242 Thurman Avenue
Columbus, OH 43206

ATTORNEY:

Donald Plank
Plank Law Firm
411 East Town Street, Floor 2
Columbus, OH 43215

COMMUNITY GROUP:

Columbus Southside Area Commission
c/o Curtis Davis
584 Moler Street
Columbus, OH 43207

PROPERTY OWNERS WITHIN 125 FEET:

Zachary H. Ruben, Lisa G. Ruben
(or current occupant)
251 East Deshler Avenue
Columbus, OH 43206

Claude T. and Jill L. Runyons
(or current occupant)
255 East Deshler Avenue
Columbus, OH 43206

257-259 East Deshler Avenue, LLC
(or current occupant)
33 South Grant Avenue
Columbus, OH 43215

Kathryn Comella
(or current occupant)
265 East Deshler Avenue
Columbus, OH 43206

Raymond M. and Helen L. Rodenfels
(or current occupant)
271 East Deshler Avenue
Columbus, OH 43206

Gary F. and Nancy S. Woods
(or current occupant)
248 Thurman Avenue
Columbus, OH 43206

Paul F. Carrick
(or current occupant)
252 Thurman Avenue, #254
Columbus, OH 43206

Nordholt & Yoakam, LLC
(or current occupant)
258 Thurman Avenue
Columbus, OH 43206

Nordholt & Yoakam, LLC
(or current occupant)
262 Thurman Avenue
Columbus, OH 43206

Brian A. Basil TR
(or current occupant)
241 Deshler Avenue
Columbus, OH 43206

David D. and Megan C. Daniel
(or current occupant)
247 East Deshler Avenue
Columbus, OH 43206

242 Thurman Avenue
BZA20-_____, Sept. 21, 2020
EXHIBIT A, PUBLIC NOTICE
Page 1 of 2

Phillip H. and Erin M. Beske
(or current occupant)
257 Thurman Avenue, #257
Columbus, OH 43206

Mary Louise Pisciotta
(or current occupant)
253 Thurman Avenue
Columbus, OH 43206

Ted J. and Janet Tobler
(or current occupant)
88 Thurman Avenue
Columbus, OH 43206

Donald L. Tod Miller
(or current occupant)
2343 Valleyview Drive
Columbus, OH 43204

Cory E. Bennett
(or current occupant)
239 Thurman Avenue
Columbus, OH 43206

Stafford Ross Brubaker
(or current occupant)
237 Thurman Avenue
Columbus, OH 43206

Twig Real Estate, LLC
(or current occupant)
2259 Dorset Road
Columbus, OH 43221

George F. and Dorrie E. Mayer
(or current occupant)
941 Elaine Road
Columbus, OH 43227

Thurman 226, LLC
(or current occupant)
217 South Dawson Avenue
Columbus, OH 43209

Charleen K. Molli TR
(or current occupant)
232 Thurman Avenue
Columbus, OH 43206

Douglas H. Durthaler, Dale J.
(or current occupant)
238 Thurman Avenue
Columbus, OH 43206

Theresa C. Hutchings
(or current occupant)
1113 Blackberry Alley
Columbus, OH 43206

Rita A. Hilsheimer
(or current occupant)
241 Redbud Alley
Columbus, OH 43206

Peter R. Stevens
(or current occupant)
237 East Deshler Avenue
Columbus, OH 43206

Bryan Taylor, Kerrie E. Depot
(or current occupant)
1108 Blackberry Alley
Columbus, OH 43206

O'Brien Company LLC
c/o Tom O'Brien
350 E 1st Avenue, Suite 120
Columbus, OH 43201

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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):

See Exhibit B

Signature of Applicant

*Alexander Marsh by
 Devin B. Perry, Agent*

Date

9-21-2020

Signature of Attorney

Donald Black

Date

9/21/2020

Exhibit B

Statement of Support

BZA20-____, 242 Thurman Avenue

The site (PID: 010-026163) is located on the north side of Thurman Avenue, 250 +/- feet east of Jaeger Street. The parcel and a large area surrounding the site is zoned R-2F, Residential from a 2005 area rezoning. The area is characterized with various types of residential land uses on various size parcels including parcels that have been split for separate detached single family dwellings. Applicant proposes to split the existing parcel with the existing single family dwelling on a 3,600 +/- SF parcel fronting Thurman Avenue and a rear 2,520 +/- SF parcel accessed from E. Redbud Alley. The adjacent lot to west (PID: 010-056024 and 010-001525) is split in a similar manner as is proposed for the subject site. Applicant proposes to provide all code required parking (2 spaces / dwelling unit) with separate attached two car garages for each single family dwelling, accessed from E. Redbud Alley.

Applicant has a practical difficulty with compliance with the referenced code sections. The requested variances are not substantial, will not alter the essential character of the neighborhood, will not affect the delivery of government services, the variances are required for reasonable use of the property and are consistent with the spirit of the zoning requirement and a wide range of lot sizes in the area of the property. The proposed single family dwellings will provide for additional home ownership in the area. There is no means other than a variance to permit split the parcel and build a new single family dwelling.

Applicant requests the following variances:

- 1). Section 3312.25, Maneuvering, to reduce the maneuvering area for 90 degree parking spaces from 20 feet to 12 feet and 14 feet for garage parking spaces for 242 Thurman Avenue and the proposed rear parcel, respectively, subject to an easement on both parcels, there by providing 26 feet for maneuvering between the two proposed garages.
- 2). Section 3332.05(4), Area District Lot Width Requirements, to reduce the lot width from 50 feet to 36 feet (existing).
- 3). Section 3332.14, R-2F, Area District Requirements, to reduce lot area from 6,000 SF to 3,600 +/- SF and 2,520 +/- SF, thereby permitting a lot split of the current parcel for the existing SF dwelling and construction of a new detached single family dwelling on separate parcels.
- 4). Section 3332.19, Fronting, to permit the north parcel (2,520 +/- SF to not front on a public street (E. Redbud alley).

5). Section 3332.26(C), Minimum Side Yard Permitted, to reduce the minimum side yard for the west side yard of the existing SF dwelling (242 Thurman Avenue) from three (3) feet to the existing 1 foot side yard.

6). Section 3332.27, Rear Yard, to reduce Rear Yard for 242 Thurman Avenue and the proposed rear parcel from 25% of lot area to 6% and 18%, respectively.

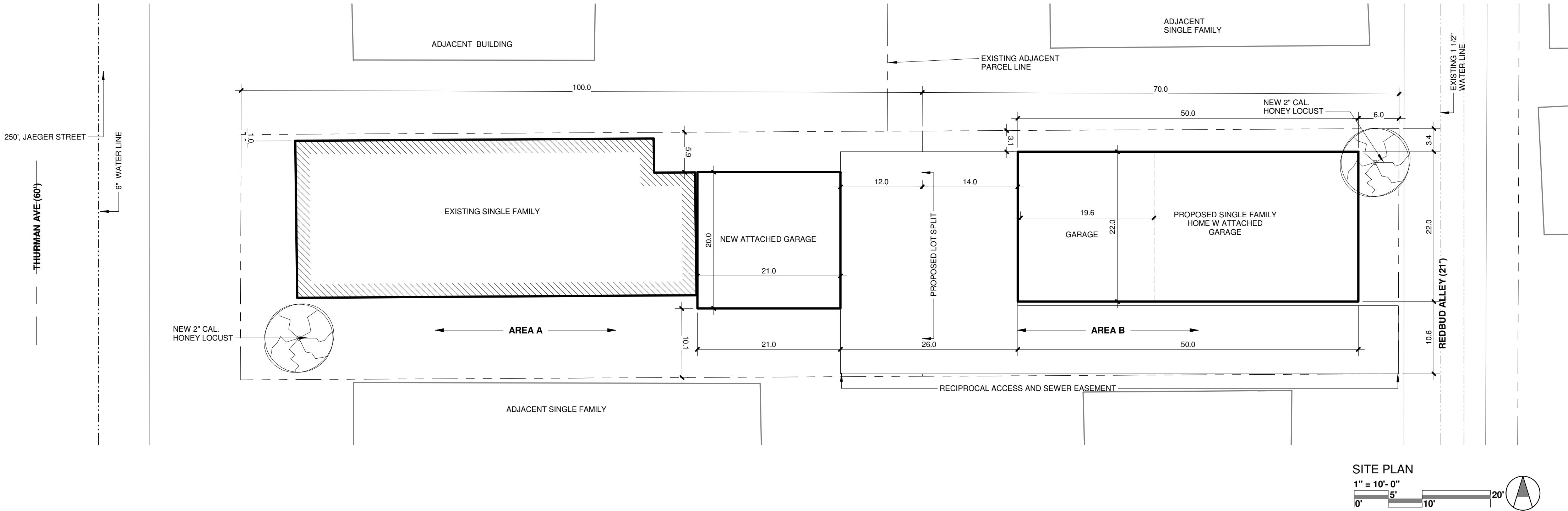
PROJECT NAME:
242 THURMAN

OWNER:
MARSH ALEXANDER
COLUMBUS OHIO

ARCHITECT:
COLUMBUS DESIGN CO.
WESTERVILLE OHIO

SITE DATA

ADDRESS	242 THURMAN AVE COLUMBUS OHIO 43215
TAX PARCELS	010-026163
ZONING	R-2F, RESIDENTIAL
HEIGHT DISTRICT	H-35
AREA	.15 AC +/-, 6120 SF +/-
PROPOSED - LOT SPLIT OF EXISTING SF DWELLING AND CONSTRUCTION OF NEW SF DWELLING	
AREA A:	3600 SF +/-
AREA B:	2520 SF +/-
SETBACKS:	AS NOTED
LOT COVERAGE BUILDING	
AREA A:	44%
AREA B:	49%
HEIGHT:	
AREA A:	26'
AREA B:	28'
PARKING	4 GARAGE SPACES (2 PER DWELLING)



242 THURMAN AVE
COLUMBUS OHIO

SHEET DATE: 09/22/20

PROJECT #: 20134

ZONING

PROJECT DATE: 09/22/20

01
SITE PLAN

THE CITY OF
COLUMBUS
ANDREW J. GINTHER, MAYOR

Board of Zoning Adjustment Application

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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.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald Plank
of (COMPLETE ADDRESS) Plank Law Firm, 411 East Town Street, Floor 2, Columbus, OH 43215
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

Alexander Marsh

242 Thurman Avenue

Columbus, OH 43206

Tom O'Brien

350 East 1st Avenue, Suite 120

Columbus, OH 43201

SIGNATURE OF AFFIANT

Donald Plank

Sworn to before me and signed in my presence this 21st day of September, in the year 2020

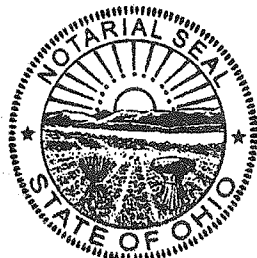
SIGNATURE OF NOTARY PUBLIC

Kelly B. Shiflet

09/10/2024

Notary Seal Here

My Commission Expires

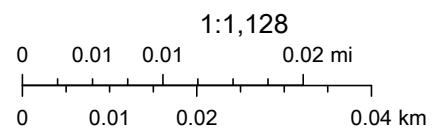


KELLY B. SHIFLET
Notary Public, State of Ohio
My Commission Expires
September 10, 2024

BZA20-094, 242 THURMAN AVE.



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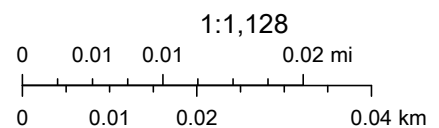
City of Columbus GIS, Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

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BZA20-094, 242 THURMAN AVE.



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