

Council Variance 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: CV21-150 Date Received: 12/28/2021
Application Accepted by: TD Fee: \$300
Assigned Planner: Joe Rose; jmrose@columbus.gov; 614-645-3526.

LOCATION AND ZONING REQUEST:

Existing Address or Zoning Number: 199-201 E. Markison Avenue Zip: 43207

Is this application being annexed into the City of Columbus? YES NO (select one)
If the site is currently pending annexation, the Applicant must show documentation of County Commissioner's adoption of the annexation petition.

Parcel Number for Address or Zoning Number: 010-023249

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

Current Zoning District(s): R2-F Acreage: .13

Area Commission or Civic Association: Columbus Southside Area Commission

Proposed Use or reason for request: To permit carriage house with reduced development standards.

(Elaborate in Statement of Hardship)

APPLICANT:

Applicant Name: John Fonner c/o David Hodge Phone Number: 614.335.9320 Ext.: _____

Address: 1221 Turfway Court City/State: Lebanon, Ohio Zip: 45036

Email Address: j.fonner2020@gmail.com

PROPERTY OWNER(S):

 Check here if listing additional property owners on a separate page

Name: John Fonner c/o David Hodge Phone Number: 614.335.9320 Ext.: _____

Address: 1221 Turfway Court City/State: Lebanon, Ohio Zip: 45036

Email Address: j.fonner2020@gmail.com

ATTORNEY / AGENT:

 (Check one if applicable) Attorney Agent

Name: David Hodge, Underhill and Hodge, LLC Phone Number: 614.335.9320 Ext.: _____

Address: 8000 Walton Parkway, Suite 260 City/State: New Albany, Ohio Zip: 43054

Email Address: david@uhlfirm.com

SIGNATURES:

APPLICANT SIGNATURE David Hodge

PROPERTY OWNER SIGNATURE David Hodge

ATTORNEY / AGENT SIGNATURE David Hodge

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.

Council Variance Application

STATEMENT OF HARDSHIP

Columbus City Code Section 3307.10 - Variances by City Council.

City council may grant the following zoning variances:

- A.** Permit a variation in the yard, height or parking requirements of any district only in conjunction with a change in zoning or a use variance and only where there are unusual and practical difficulties in the carrying out of the zoning district provisions due to an irregular shape of lot, topography, or other conditions, providing such variance will not seriously affect any adjoining property or the general welfare.
- B.** Permit a use of the property not permitted by the zoning district established on the property if such use will not adversely affect the surrounding property or surrounding neighborhood and if council is satisfied that the granting of such variance will alleviate some hardship or difficulty which warrants a variance from the comprehensive plan.

Before authorizing any variance from the Zoning Code in a specific case, city council shall first determine that such variance will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the city.

In granting a variance pursuant to this section, council may impose such requirements and conditions regarding the location, character, duration, and other features of the variance proposal as council deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.

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 contains the necessary hardship, will not adversely affect surrounding property owners, and will comply with the variance(s) requested as detailed below (use separate page if needed or desired):

Please see attached.

Signature of Applicant

David Hooge

Date 12.28.21

CV21-150

STATEMENT OF HARDSHIP

APPLICATION: CV21-150
ADDRESS: 199-201 East Markison Avenue
PARCEL: 010-023249
ZONED: R-2F
APPLICANT: John Fonner
OWNER: John Foner
ATTORNEY: David Hodge, Underhill and Hodge LLC
DATE: December 28, 2021

This property is located at 199-201 East Markison Avenue, on the south-east intersection of East Markison Avenue and South 6th Street. The property is zoned R-2F and developed with a duplex. The property is bordered by property zoned R-2F on the north, south, and east, and west.

The property is not within a historic district, commercial overlay, nor planning overlay. The property is within the boundary of the Columbus Southside Area Commission and the Southside Plan. The Plan recommends medium-high density (10-16 units per acre) residential use. This is a classification which supports a variety of dwelling types including doubles, townhouses, and multifamily.

The Applicant proposes the construction of one new residential unit on the second floor of the existing three car garage. This is a project which complements adjacent residential properties and allows the property to develop in a manner which is consistent with the Southside Plan. To permit the development as proposed, the Applicant requests the following variances:

1. Section 3312.49 - Minimum number of parking spaces required. Applicant requests a variance to reduce the minimum number of required parking spaces from 6 to 3.
2. Section 3332.037 - R-2F residential district requirements. Applicant requests a variance to permit three single-unit dwellings on one lot with reduced development standards in the R-2F.
3. Section 3332.05(A) - Area district lot width requirements. Applicant requests a variance to reduce the minimum lot width in an R-2F district from 50 feet to 43 feet. This is an existing condition.
4. Section 3332.14 - R-2F area district requirements. Applicant requests a variance to reduce the R-2F area district requirements to allow three single-unit dwellings on one 5,781 square foot lot.
5. Section 3332.19 - Fronting on a public street. Applicant requests a variance to allow the carriage house to front on the public alley.
6. Section 3332.21 - Building lines. The Applicant requests a variance to reduce the minimum building line from 25 feet to 19 feet. This is an existing condition.
7. Section 3332.25 - Maximum side yard permitted. Applicant requests a variance to reduce the maximum combined side yards required from 8.6 feet to 7.2 for existing structure and proposed carriage house.
8. Section 3332.26 - Minimum side yard permitted. Applicant requests a variance to reduce the minimum side yard from five feet to 3 feet for existing structure and proposed carriage house.

9. Section 3332.27 Rear yard requirement. Applicant requests a variance to reduce the minimum rear yard required from 25 percent of the total lot area to zero percent of the total lot area for the proposed carriage house.

A hardship exists because the Applicant cannot develop the property in a manner consistent with the land use plan while still conforming to the underlying zoning district established by the City's Zoning Code. Applicant's requested use variance will not adversely affect the surrounding property or surrounding neighborhood. The requested use variance will not impair supply of light or air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, nor unreasonably diminish or impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus.

Further, a practical difficulty exists because Applicant cannot develop the property as proposed while still meeting the underlying development standards established by the City's Zoning Code. Applicant's requested area variances will not seriously affect any adjoining property or the general welfare. Strict application of the R-2F standards neither work for the property as built, nor may they be appropriately applied to this proposed addition.

The requested area variances will not cause adjacent properties any detriment or substantially alter the character of the neighborhood. Reduced lot standards, reduced side yards, and garages that are located near the rear property line are common conditions within this neighborhood.

The Applicant respectfully requests the Columbus City Council weigh these factors in its consideration and find that this Applicant suffers from a practical difficulty. The variances will not seriously affect any adjoining property or the general welfare. Further, the spirit and intent behind the zoning requirements would be observed and substantial justice done by granting the requested variances.

Respectfully submitted,



David Hodge

Council Variance Application

DEPARTMENT OF BUILDING
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AFFIDAVIT

APPLICATION #: CV21-150

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Eric Zartman
of (1) MAILING ADDRESS 8000 Walton Parkway, Suite 260, New Albany, Ohio 43054

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) PROPERTY ADDRESS OR ZONING NUMBER 199 East 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) 12/28/21

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNER'S NAME
AND MAILING ADDRESS

(4) John Fonner
1221 Turfway Court
Lebanon, Ohio 45036

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

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

John Fonner c/o David Hodge
614.335.9320

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

(5) Columbus Southside Area Commisison
Curtis Davis, Zoning Chair
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 _____ day of _____, in the year _____

Notary Seal Here

(7) SIGNATURE OF NOTARY PUBLIC _____

My Commission Expires _____

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

APPLICANT: John Fonner
1221 Tufway Court
Lebanon, Ohio 45036

PROPERTY OWNER: John Fonner
1221 Tufway Court
Lebanon, Ohio 45036

ATTORNEY: David Hodge
Underhill & Hodge LLC
8000 Walton Parkway, Suite 260
New Albany, OH 43054

AREA COMMISSION/CIVIC ASSOCIATION: Columbus Southside Area Commission
c/o Curtis Davis
175 South 3rd Street, Suite 340
Columbus, Ohio 43215

SURROUNDING PROPERTY OWNERS: Robert and Marita Stewart
Or current occupant
1574 South Sixth Street
City of Columbus, Ohio
90 West Broad Street
Columbus, Ohio 43215

Christian Pierce
Or current occupant
187 East Markison Avenue
Columbus, Ohio 43207
George Mead
Or current occupant
208 East Markison Avenue
Columbus, Ohio 43207
Ashley Rock
Or current occupant
216 East Markison Avenue
Columbus, Ohio 43207

Patrick Miller
Or current occupant
1570 South 6th Street
Columbus, Ohio 43207
Brandon Prince
Or current occupant
189 East Markison Avenue
Columbus, Ohio 43207
Rachel Hewitt
Or current occupant
212 East Welch Avenue
Columbus, Ohio 43207

Rebecca Brown
Or current occupant
211 East Markison Avenue
Columbus, Ohio 43207
Maghen Powell
Or current occupant
215 East Welch Avenue
Columbus, Ohio 43207
Donald Hughes
Or current occupant
202 East Markison Avenue
Columbus, Ohio 43207

Foundation First Properties, LLC
Or current occupant
215 East Markison Avenue
Columbus, Ohio 43207
Zainab Adetoro
Or current occupant
1567 South 6th Street
Columbus, Ohio 43207
Ryan Bernstein
Or current occupant
1566 South 6th Street
Columbus, Ohio 43207

Robert Pilger
Or current occupant
207 East Markison Avenue
Columbus, Ohio 43207
Heather Stabler
Or current occupant
181 East Markison Avenue
Columbus, Ohio 43207
Katherine Page
Or current occupant
1563 South 6th Street
Columbus, Ohio 43207

Zachary Meyer
Or current occupant
1571 South 6th Street
Columbus, Ohio 43207

Bridget Buckley
Or current occupant
208 East Welch Avenue
Columbus, Ohio 43207

Helen Krebs
Or current occupant
5663 Grove City Road
Grove City, Ohio 43123

Ronnie Wallace and Beverly Steele
Or current occupant
222 Markison Avenue
Columbus, Ohio 43207

John Cullison
Or current occupant
1562 South 6th Street
Columbus, Ohio 43207

Scott Miller
Or current occupant
217 East Markison Avenue
Columbus, Ohio 43207

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PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV21-150

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) Eric Zartman
 of (COMPLETE ADDRESS) 8000 Walton Parkway, Suite 260, New Albany, Ohio 43054
 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 (including contact name and number)
 Business or individual's address; City, State, Zip Code
 Number of Columbus-based employees
 (Limited to 3 lines per box)

1. John Fonner 1221 Turfway Court Lebanon, Ohio 45036	2.
3.	4.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT _____

Sworn to before me and signed in my presence this _____ day of _____, in the year _____

Notary Seal Here

 SIGNATURE OF NOTARY PUBLIC

 My Commission Expires

This Project Disclosure Statement expires six (6) months after date of notarization.

LEGAL DESCRIPTION

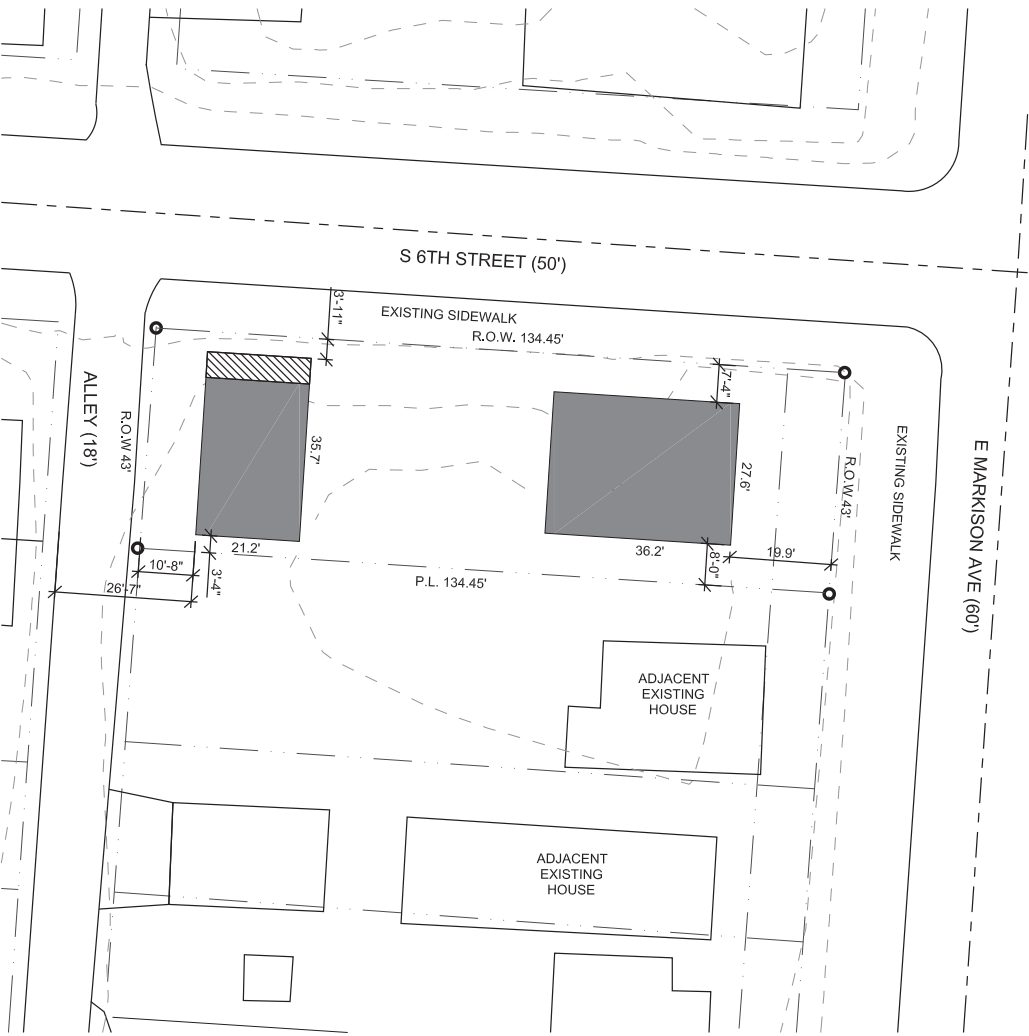
+/- 0.13 acres

Situated in the State of Ohio, County of Franklin and in the City of Columbus:

Being Lot number Six (6) of ROTH HEIR'S SUBDIVISION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 7, Page 154, Recorder's Office, Franklin County, Ohio

Tax Parcel Number: 010-023249

Property Address: 199-201 East Markison Avenue, Columbus, Ohio 43207



OWNER:
FONNER JOHN E

LEGAL DESCRIPTION:
199-201 MARKKISON AVE
ROTH HRS
LOT 6

SITE ADDRESS: 199 201 E MARKKISON AV COLUMBUS OH 43207

TOTAL LOT AREA: 0.13ACRES

ZONING: R-2F RESIDENTIAL DISTRICT

HEIGHT: 4-35

PARCEL #: 010-023249-00

LOT INFORMATION

TOTAL LOT SQ FT: 5,781 SQ.FT. 0.13ACRES

TOTAL PARKING SPACES: 3

SETBACKS

ACTUAL FRONT BUILDING LINE: EXISTING FRONT BUILDING SETBACK: 19'-9"

Sum of the widths of each side yard shall equal or exceed 20 percent of the width of the lot

ACTUAL LOT WIDTH: 43 feet

20% OF ACTUAL LOT WIDTH: 8.6 feet

ACTUAL SIDE YARD WIDTHS:

EAST 8'-0" (EXISTING RESIDENCE), 3'-4" (NEW CARRIAGE)

WEST 7'-4" (EXISTING RESIDENCE), 3'-11" (NEW CARRIAGE)

BUILDING HEIGHT PERMITTED: 35'

LOT COVERAGE	
TOTAL LOT SF	5,781 SF
LOT COVERAGE	1,757.12 SF (30.3%)
	999 SF BUILDING FOOTPRINT
	758 SF CARRIAGE
	TOTAL 1,757.12 SF

REAR YARD 25% OF LOT AREA	
TOTAL LOT SF	5,781 SF
REAR YARD	HOUSE 1,536 SF (26.6%)
	CARRIAGE 375 SF (6.5%)



21-208_199 E MARKKISON AVE
SITE PLAN
DD-01

SCALE: 1" = 20'-0"

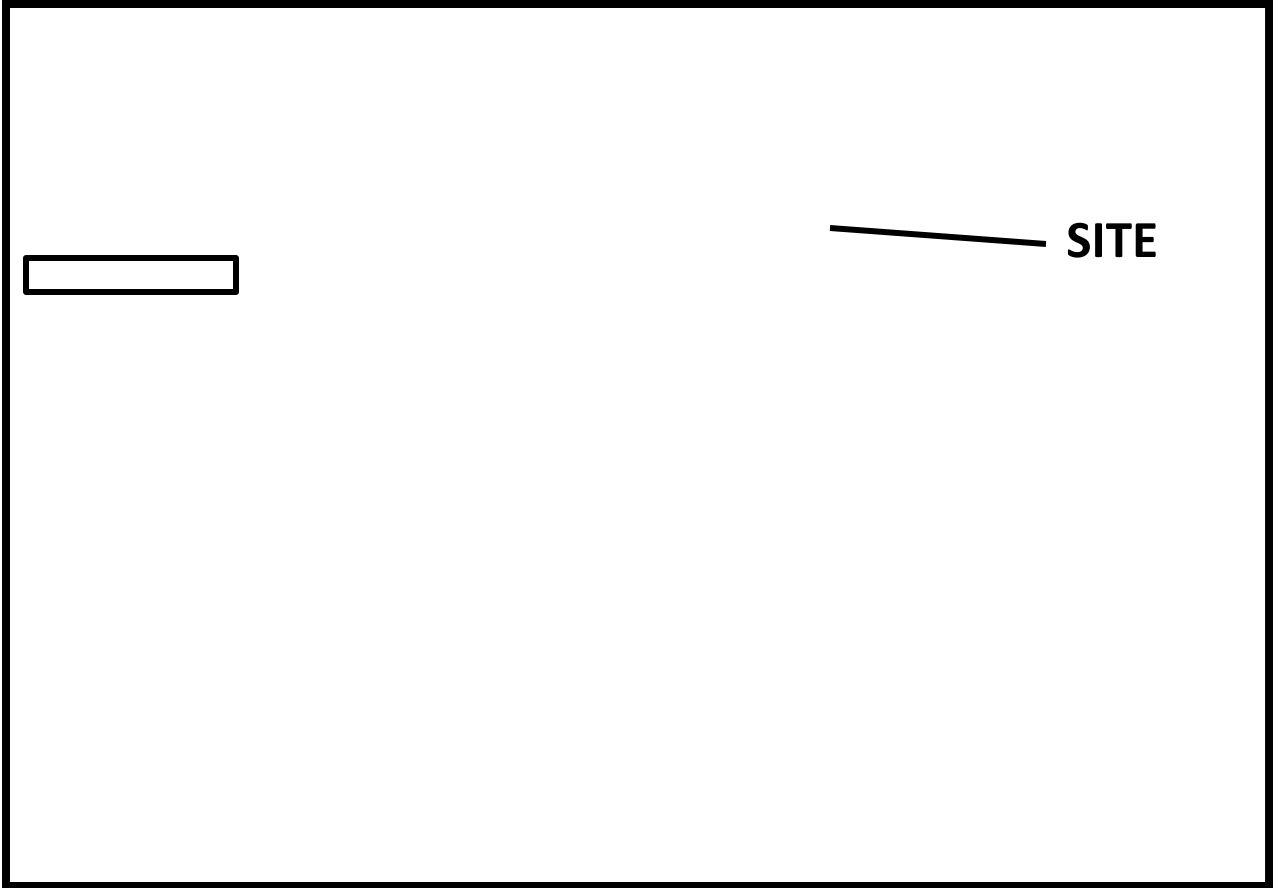
GUNZELMAN
architecture + interiors
333 Stewart Ave
Columbus, OH 43206
614-674-6696



12/28/2021



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199-201 E. Markison Ave.
Approximately 0.13 acres



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199-201 E. Markison Ave.
Approximately 0.13 acres