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Board of Zoning Adjustment Application

757 Carolyn Avenue, Columbus, Ohio 43224 Phone: 614-645-7433 • www.bzs.columbus.gov

Application Number:		Date Received:	
Application Accepted by:		Fee:	
Commission/Civic:			
Existing Zoning:		_	
Comments:			
-			
e what the proposal is and list applicable code sections:	anna is an air an air		
ing spaces and driveway. Requesting varian	ices to 3332 27 and 33	ocation of the ho	use's existing
	1003 to 3332.27 and 33	32.22 Cent 5.5	Sol . I (0
d Address: 338 Siebert Street	City:	Columbus	zip: 43206
Number (only one required): 010-004945-00			
CANT (If different from Owner):			
nt Name:	Phone Number:		Ext.:
ddress:	Fax Nur	nber:	
Kevin Hite & Brian Misencik	Phone Number:(614) 449-4764	Ext.:
338 Siebert Street	City/State: Colu	mbus, Ohio	Zip: 43206
	Phone Number:		Ext.:
:	City/State:		Zip:
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	blue lok)	A	>
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DEL / AGENT SIGNATURE			<u> </u>
	Application Accepted by: Commission/Civic: Existing Zoning: Comments: S) OF ACTION REQUESTED (Check all that apply): ariance	Application Accepted by: Commission/Civic: Existing Zoning: Comments: S) OF ACTION REQUESTED (Check all that apply): ariance	Ariance



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The application package must consist of TWO (2) COMPLETE SETS of all items listed below, one of which must contain

BZA APPLICATION CHECKLIST

DEPARTMENT OF BUILDING AND ZOUGE SERVICES

e ong	mai signed forms.
	The Application Form
	Statement in Support
	Notarized Affidavit Form and Label Sets /
	Notarized Project Disclosure Statement -
	Certified Address (or City address history showing current use) The source for address card is the Columbus Department of Public Service, Division of Infrastructure Management; 50 W. Gay Street, 1st floor, Columbus, Ohio 43215, Phone (614)645-5661.
	Legal Description of the Subject Property Current property survey to include acreage of the subject property and all metes and bounds, referencing the centerline intersection of two public streets (acceptance of subdivision lot numbers with corresponding plat map copies is contingent upon staff review).
	Power of Attorney If you are an applicant who does not own the subject property, and you are not the owner's attorney, an engineer or an architect licensed by the State of Ohio, you must submit a power of attorney from the owner. If the subject property is owned by a partnership, corporation, limited liability company, trust or estate, and you are not an attorney, an engineer, or an architect licensed by the State of Ohio, you must submit a corporate resolution, a letter of authority from the probate court, or other legal document indicating your right to represent its interest.
	Site Plan An accurate, scaled site plan with dimensions and/or other precise documentation of requested variance(s).
	Zoning Orders If this application is being made due to the issuance of zoning violation orders, please attach a copy of the orders.
	Application Fees (Non-Refundable) Checks are to be made payable to: Columbus City Treasurer 1-4 dwelling units, for residential uses \$ 320.00 All other uses \$1,900.00



DEPARTMENT OF EMARK

Board of Zoning Adjustment Application

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STATEMENT IN SUPPORT OF VARIANCE(S)

APPLICATION #

3307.09 Variances by Board.

Car Assault

- 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:
 - Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the
 property without a variance.
 - 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.
 - 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 Attachment	
·	
	Date 1/8/17
gnature of Applicant	Date 1/8/17
/-	177

Statement in Support

338 Siebert St (43206) is located on the north west corner of Bruck St and Siebert St.

Requesting the following variances to build an attached residential 2 car garage with second floor living space of approximately 617 sq. ft. per level. Addition not to extend further/closer to the street than the existing garage structure on the adjacent neighboring property of 343 Reinhard St. The addition to be built on what is the existing concrete parking for the residence.

Variance(s) to Section(s) requested:

3332.22 Building lines on corner lots-Exceptions.

(a)Corner Property in Old Subdivisions.

(1) Corner Property with a width of not over 65 feet and not under 40 feet -20% of property width: [62 ft. x 20%=12.4 ft. Bruck St. building line]

We are asking for a variance to reduce the setback from 12.4 feet to 3.25 feet to align (go no further than) the neighbors existing garage.

This will allow us to maintain more green space in the back yard by keeping the new addition on what is currently the driveway/parking spaces of the property.

Erecting the garage close to the property line does not affect public safety since it will align with an existing structure on the neighbor's property (their existing garage).

3332.27 Rear Yard.

We are asking for a variance to reduce the minimum rest yard from 25% (1240 sq. ft.) to 23% (1150 sq. ft.). The house is on a double lot (lots 90-91), with the majority of lot 90 being used as green space and is being used as the main "backyard" of the property. The property's gardens have even been featured in the neighborhood's (Merion Village) annual garden tour in both 2010 and 2015.

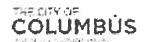


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Board of Zoning Adjustment Application

757 Carolyn Avenue, Columbus, Ohio 43224 Phone: 614-645-7433 • www.bzs.columbus.gov

AFFIDAVIT				
STATE OF OHIO COUNTY OF FRANKLIN				
	Misencik			
of (1) MAILING ADDRESS 338 Siebert Street, Co	umbus, OH 43206			
deposes and states that (he/she) is the applicant, agent, or o	luly 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 338 Sieber				
for which application for a rezoning, variance, special perm	it or graphics plan was filed with the Department of Building and			
Zoning Services, on (3)	BE FILLED OUT BY CITY STAFF)			
(INIS LINE TO	DE PILLED GOT DI CITT STAFF)			
SUBJECT PROPERTY OWNERS NAME (4)	Kevin Hite & Brian Misencik			
AND MAILING ADDRESS	338 Siebert Street			
•	Columbus, OH 43206			
APPLICANT'S NAME AND PHONE #	Kevin Hite (614) 449-4764			
(same as listed on front application)	Brian Misencik (614) 449-4764			
	Columbus South Side Area Commission			
AREA COMMISSION OR CIVIC GROUP (5)	Curtis Davis			
AREA COMMISSION ZONING CHAIR	584 E. Moler Street, Columbus, OH 43207			
OR CONTACT PERSON AND ADDRESS	Jo4 L. Molel Street, Columbus, OH 45207			
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				
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12 no				
(7) SIGNATURE OF AFFIANT				
Sworn to before me and signed in my presence this 7th day of September in the year 2017				
Lob L. My Lose no expiration date Notary Seal Here				
(7) SIGNATURE OF NOTARY PURE COMPANY OF THE STATE OF THE				
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AND TOWNS STRUCK

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INSTRUCTIONS FOR AFFIDAVIT

- (1) Name and address of the person who did the research. It is important that the person who does the research is the same person who signs the notarized affidavit.
- (2) Address of the subject as indicated on the address card from the Department of Public Service, Division of Planning & Operations; 50 W. Gay Street, 1st floor, Columbus, Ohio 43215, Phone (614) 645-5661.
- (3) Leave blank we will fill this out at the time of application.
- (4) From real property records located on the 19th floor of the Franklin County Court House Building, 373 South High Street, or other records; enter the name and address of the owner(s) of the property the application is for (this must be the same as the "Property Owners" shown on the application).
- (5) Fill in the appropriate Area Commission/Civic Association and complete contact information. This information can be obtained by going to: www.columbus.gov/areacommissions/ or by contacting Neighborhood Services at 614-645-7795.
- (6) A "Variance Report" listing the surrounding property owners can be obtained at the Franklin County Auditor's office. From the same records as in Item #4, enter the name and complete the mailing address (including zip code) of the owners of all property located within 125 feet of the subject site or the boundaries of ownership in the event that one or more property owners of the subject site owns contiguous property. This shall include properties across the street and in other municipalities and jurisdictions, if applicable. Also, include the owners of any property within 125 feet of the applicant's property in the event the applicant or the property owner of the subject site owns the property contiguous to the subject property.
 - (6a) It is the affiant's responsibility to determine the actual address, including personally visiting the properties, if necessary.
 - (6b) <u>DO NOT list a mortgage company as a mailing address</u> for the property unless title to the property is held by the mortgage company, thereby making the company the actual property owner. It is the affiant's responsibility to exercise reasonable diligence to determine the address of the actual property owner.
 - (6c) If property owners appeas on the list more than once, please provide only one mailing label.
- (7) Please submit two (2) label sets in Avery #5160 formal (example provided), plus one (1) master set on paper, and one (1) master set saved as an MS Word document on a CD ROM, listing the names and complete addresses of the applicant; the property owner(s); attorney/agent; applicable Area Commission or neighborhood group; and surrounding real property owners as explained in (6) above. Make sure that the last two lines of the address label contain the street address and the city, state, and zip code. Please add "or Current Occupant" to the names for all of the SURROUNDING PROPERTY OWNERS.
- (8) This Affidavit form must be signed in the presence of a Notary Public.
- (9) The Affidavit expires six (6) months after date of notarization.

PROPERTY OWNER:

BRIAN J MISENCIK & KEVIN W HITE 338 SIEBERT ST COLUMBUS OH 43206

AREA COMMISSION:

Columbus South Side Area Commission c/o Curtis Davis 584 East Moler Street Columbus, OH 43207 Columbus South Side Area Commission c/o Curtis Davis P.O. Box 7846 Columbus, OH 43207

SURROUNDING PROPERTY OWNERS

HORCHER FAMILY
318 SIEBERT ST

COLUMBUS OH 43206

THE BOARD OF EDUCATION 385 REINHARD AVE COLUMBUS OH 43206

TYLER S SMITH
314 SIEBERT ST
COLUMBUS OH 43206

MARILYN A SCHMIDT 353 SIEBERT ST COLUMBUS OH 43206

BENJAMIN R HAUCK 317 REINHARD AVE COLUMBUS OH 43206

MARILYN A SCHMIDT 351 SEIBERT ST COLUMBUS OH 43206

GELDIS PROPERTIES LLC 323 REINHARD AVE COLUMBUS OH 42306

SIEBERT STREET LLC 347 SEIBERT ST COLUMBUS OH 43206

BRYAN R BRZOZOWSKI 327 REINHARD AVE COLUMBUS OH 43206 SIEBERT STREET LLC 349 SEIBERT ST COLUMBUS OH 43206

JEFFERY E SNYDER 331 REINHARD AVE COLUMBUS OH 43206 ST PAULS LUTHERAN EVANGELICAL 322 STEWART AVE COLUMBUS OH 43206

LITES-ON REALTY LLC 335 REINHARD AVE COLUMBUS OH 43206 PHILIP A GLENDE 327 SIEBERT ST COLUMBUS OH 43206 SCOTT ZIMMER 336 REINHARD AVE COLUMBUS OH 43206

GERALD J PALLANTE III 334 REINHARD AVE COLUMBUS OH 43206

ST PAULS LUTHERAN EVANGELICAL 325 SIEBERT ST COLUMBUS OH 43206 PAOLO A DEMARIA 330 SIEBERT ST COLUMBUS OH 43206

BRENDON M MCSWEENEY 321 SIEBERT ST COLUMBUS OH 43206 SHAWN BENTON 339 REINHARD AVE COLUMBUS OH 43206

LINDA É JUERGENS 311 SEIBERT ST COLUMBUS OH 43206

VELLA F LEDNEY 326 SIEBERT ST COLUMBUS OH 43206

LINDA E JUERGENS 315 SEIBERT ST COLUMBUS OH 43206 D W MAY 343 REINHARD AVE COLUMBUS OH 43206

ASHLEY A HOLLAND 364 REINHARD AVE COLUMBUS OH 43206

NORMAN S CARMICHAEL 360 REINHARD AVE COLUMNBUS OH 43206

TRAIAN MUCU 354 REINHARD AVE COLUMBUS OH 43206

KATHRYN BAMBERGER 344 REINHARD AVE COLUMBUS OH 43206

JEFFERY A ROUSCULP 342 REINHARD AVE COLUMBUS OH 43206

Legal Description of the Subject Property

Known as 338 Siebert Street - Parcel No. 010-004945-00

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

Being of lots number 90 and 91 Bleech & Kramer's Subdivision Plat Book 3, Page 434

Centerline Intersections: Bruck Street and Siebert Street

Parcel No. 010-004945-00

City of Columbus **Zoning Plat**



ZONING NUMBER

The Zoning Number Contained on This Form is Herein Certified to Obtain Zoning, Rezoning, and Variances, and is NOT to be Used for the Securing of Building & Utility Permits

Parcel ID: 010004945

Zoning Number: 338

Street Name: SIEBERT ST

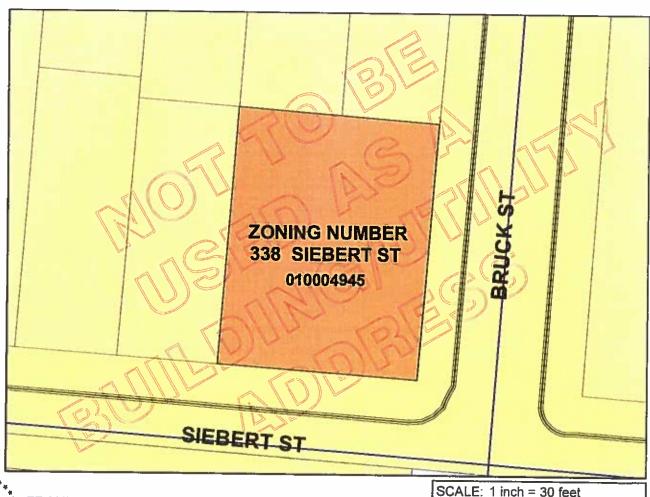
Lot Number: N/A

Subdivision: N/A

Requested By: BRIAN MISENICK (OWNER)

Issued By: Johnson umariam

Date: 9/8/2017





SCALE: 1 inch = 30 feet

GIS FILE NUMBER: 101557

Myers Surveying Comp Jay, Inc.

2740 East Main Street, Columbus 43209 (Bexley), Ohio 614-235-8677 FAX:614-235-4559

A Mortgage Location Survey prepared for and certified to: AmeriTitle, Inc. and/or Merrill Lynch Credit Corporation

Legal Description: Situated in The State of Ohio, County of Franklin, City of Columbus Being Part of Lots 90 and 91 Bleech and Kramer's Subdivision Plt Book 3, Page 434

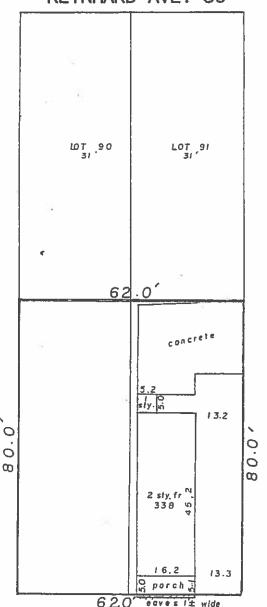
Applicant: Brian Misencik 22773ssrf

Posted Address: 338 Siebert Street, Columbus, Ohio

F.E.M.A. Flood Zone Designation: Flood Zone "X" as per F.I.R.M. 390170 0255H

Apparent Encroachments: 1) Eaves and Gutters Over Property Line.

REINHARD AVE. 50'





WE HAVE RECEIVED A COPY OF THIS SURVEY AND FIND THE CONDITIONS ACCEPTABLE

BRUCK ST

SIEBERT ST. 50

We hereby certify that the foregoing Mortgage Location survey was prepared from actual field measurements in accordance with Chapter 4733-38 Ohio Administrative Code, and is not a boundary survey pursuant to Chapter 4733-37 of said code.

THE INFORMATION SHOWN HEREON IS NOT TO BE UTILIZED FOR THE INSTALLATION OF BUILDINGS, FENCES, LANDSCAPING OR OTHER PERMANENT IMPROVEMENTS.

ALBERT MYERS

AND STREET OF OATTO

Myers Surveying Co., Inc.

Mer Muy

Professional Surveyor

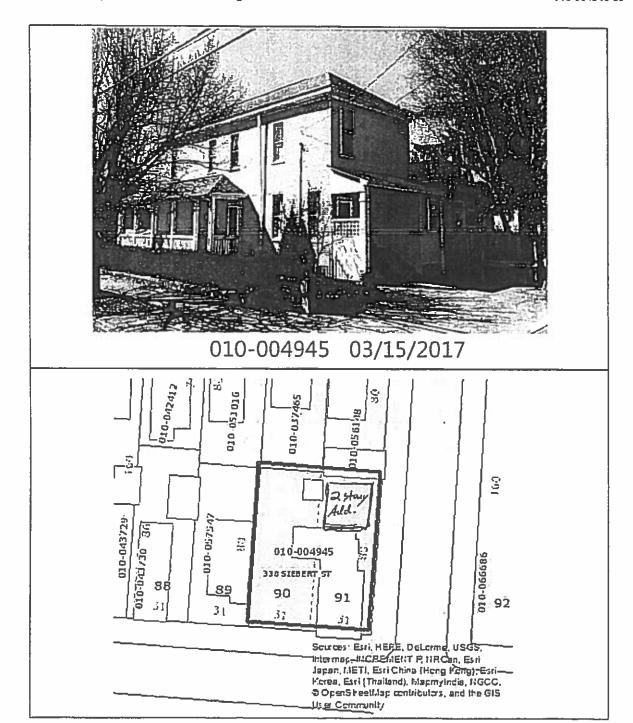
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CONTRACTOR SECURISES

Board of Zoning Adjustment Application

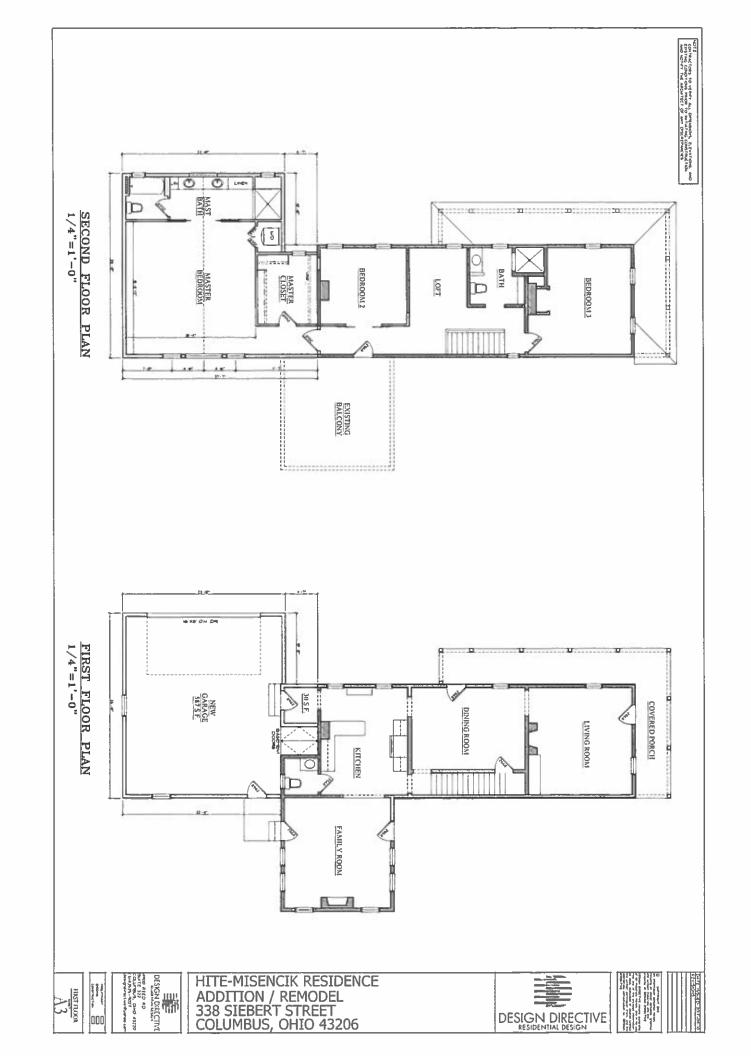
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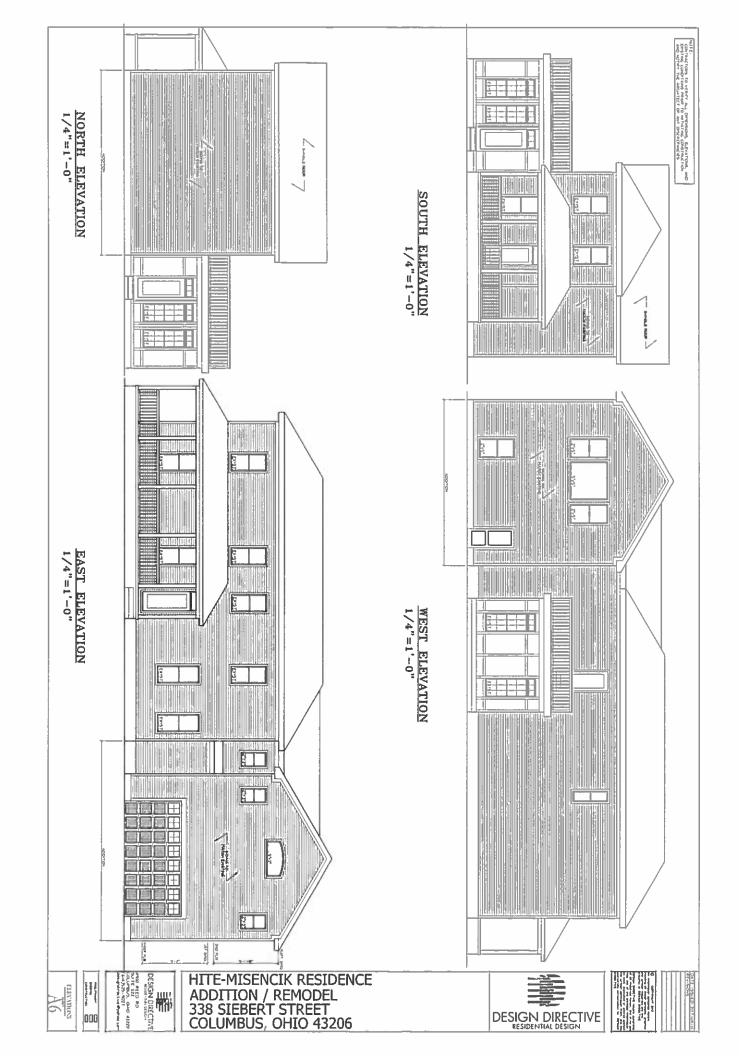
PROJECT DISCLOSURE STATEMENT

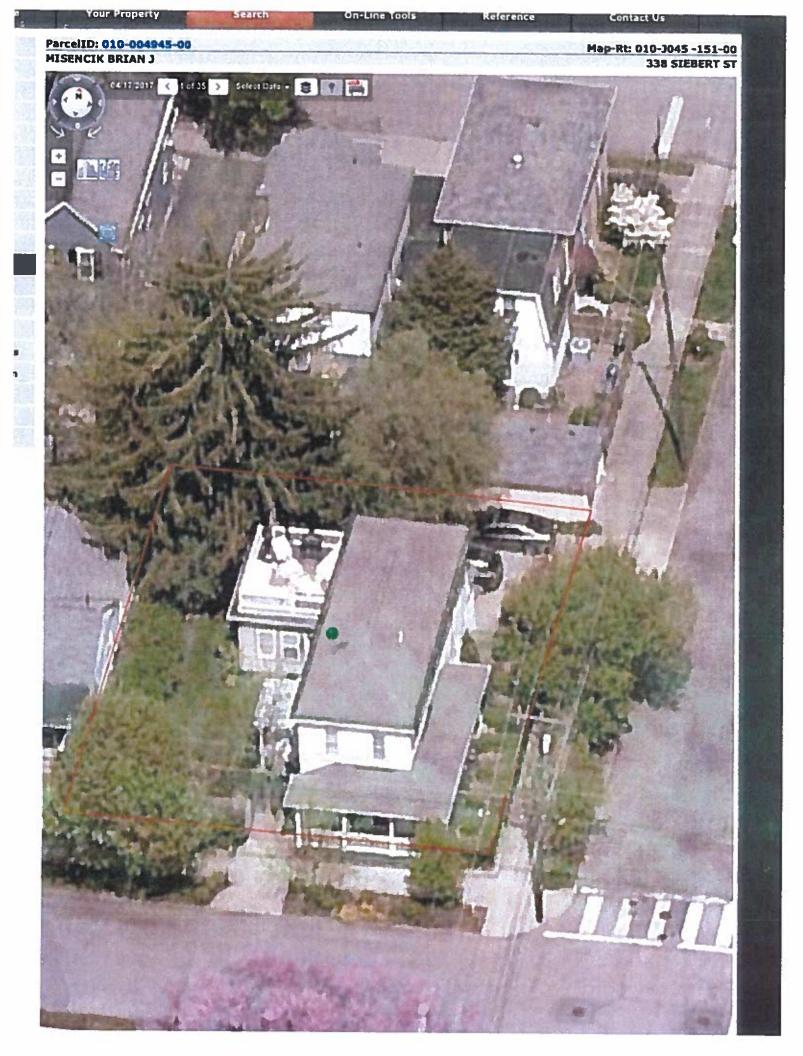
Parties having a 5% or more interest in the project that is the subject of this application.

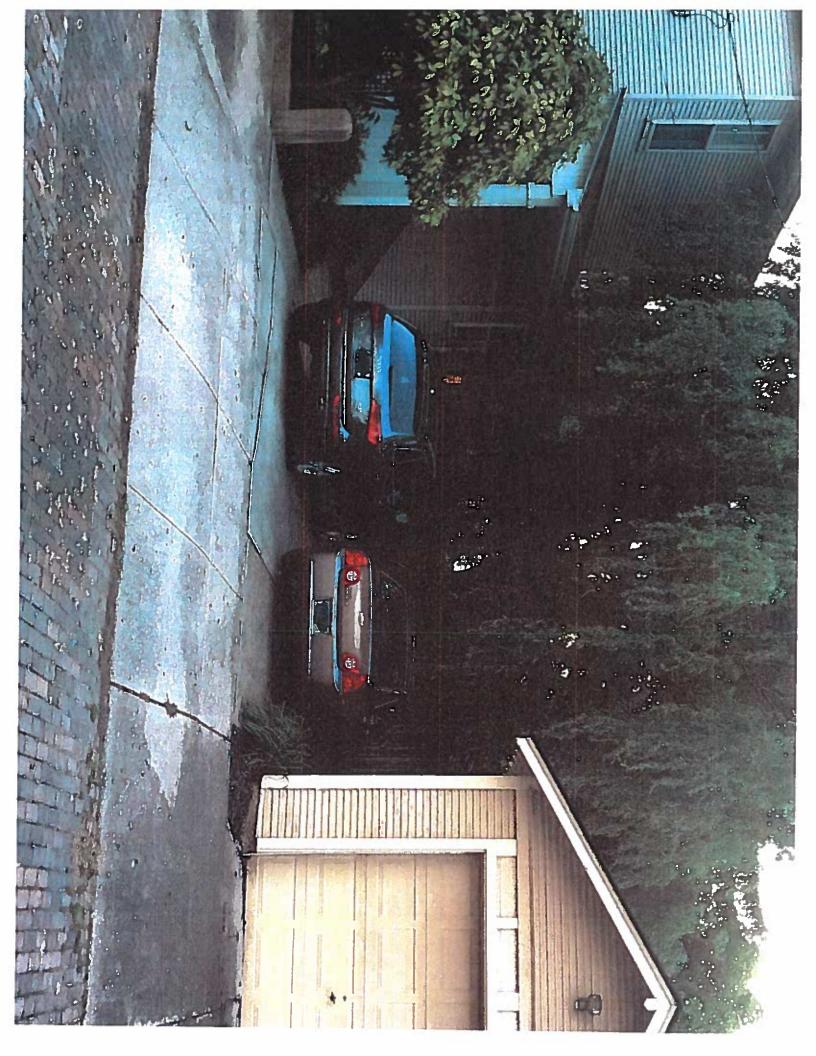
THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

	APPLICATION #
deposes and states that (he/she) is the A	PPLICANT, AGENT, OR DULY AUTHORIZED ATTORNEY FOR SAME and the following s, corporations or entities having a 5% or more interest in the project which is the subject of
NAME	COMPLETE MAILING ADDRESS
Brian Misencik	338 Siebert Street, Columbus, OH 43206
Kevin Hite	338 Siebert Street, Columbus, OH 43206
U.S. Savings Bank	P.O. Box 740461, Cincinnati, OH 45274
SIGNATURE OF AFFIANT	
SIGNATURE OF AFFIANT Sworn to before me and signed in my pres SIGNATURE OF NOTARY PUBLICATION NOTARY PU	ence this day of September, in the year 2017 Notary Seal Here My Commission Expires Notary Seal Here













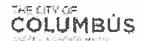
Board of Zoning Adjustment Application

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PUBLIC HEARINGS APPLICATION INSTRUCTIONS

Applications must be submitted by appointment. Call 614-645-4522 for Public Hearings staff to schedule. All applications must be submitted in duplicate.

THING	S TO REMEMBER
	Applications are accepted by appointment only, and incomplete applications will NOT be accepted.
	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.
	Applicants must confirm whether the subject site lies within the boundaries of an Area Commission, Historic Architectural Review Commission or recognized civic association. This information can be obtained at http://columbus.gov/areacommissions/. You may also contact the Neighborhood Liason for the area where the site is located.
	The applicant must arrange to meet with the group identified above, and obtain a written recommendation prior to the public hearing.
	Be advised that the applicant will be assessed additional fees for requests for tabling, reconsideration, amended proposals, etc. These fees are listed on the Department of Building and Zoning Services website.
	The City of Columbus makes no determination whether a property contains area(s) that might be classified as wetlands by the Army Corps of Engineers and the Ohio Environmental Protection Agency; nor does approval at the public hearing imply the site has complied with wetlands guidelines. It is the applicant's responsibility to determine if wetlands exist on the site.
	A traffic impact and/or access study may be required by the Department of Public Service, Division of Planning and Operations; the applicant should make contact for this determination as early as possible. All traffic studies must be submitted forty-five (45) days prior to the deadline for the public hearing agenda.
	For properties undergoing annexation, applications cannot be accepted until the County Commissioners have approved the annexation petition.
	All zoning legislation passed by City Council becomes effective thirty (30) days after passage unless amended to emergency with the approval of the City Clerk's Office. Applicants should contact the City Clerk's Office at 614-645-7380 for information about requesting emergency legislation. Board of Zoning Adjustment and Graphics Commission actions are effective immediately. Applications for building permits may not be submitted until the legislation is effective.
	Other permits, clearances, and/or licenses may be required.



GSMETERNA DR FLORESCE SAT COMBUS PRESCES

Standardized Recommendation Form

757 Carolyn Avenue, Columbus, Ohio 43224 Phone: 614-645-7433 • www.bzs.columbus.gov

FOR USE BY: AREA C	OMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW
Case Number	
Address	
Group Name	
Meeting Date	
Specify Case Type	☐ BZA Variance / Special Permit ☐ Council Variance ☐ Rezoning
1.0	Graphics Variance / Plan / Special Permit
Recommendation (Check only one)	Approval Disapproval
NOTES:	
11	
Vote	
Signature of Authori	zad Representative
Recommending Gro	
Daytime Phone Number	
onjume i none itun	
Please c-mail this form to the WAIL to: Zoning, City of Co	he assigned planner within 48 hours of meeting day; OR FAX to Zoning at (614) 645-2463; OR lumbus, Department of Building & Zoning Services, 757 Carolyn Avenue, Columbus, Ohio 43224.