

# THE CITY OF COLUMBUS ANDREW J. GINTHER, MAYOR

## **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

### STATEMENT OF HARDSHIP

Columbus City Code Section 3307.10 - Variances by City Council.

 $\text{CV21-}\,^{154}$ 

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):

See Exhibit B

Signature of Applicant

Signature of Attorney

Certif Ohio Fre. by Devid B. Newy, Thent

Date 12/27/2021

Date 12-27-2021

#### **Exhibit B**

#### **Statement of Hardship**

#### CV21-154, 1333 Edgehill Road and 885 W 5<sup>th</sup> Avenue Columbus, OH 43212

The site is a total of 5.615 +/- acres generally located at the southwest corner of W. 5<sup>th</sup> Avenue and Edgehill Road and includes all of parcels PID: 010-062643 and 010-062664. Both parcels are currently zoned M, Manufacturing.

1333 Edgehill Road development area (3.90 ac +/-) is pending rezoning (Z21-104) from M, Manufacturing to AR-3, Apartment Residential for redevelopment of the site with a 5 story, 276 (max) dwelling unit apartment building and a new parking structure in addition to the existing parking structure to be retained, as depicted on the submitted site plan. The existing building at 1333 Edgehill Road will be razed but the existing parking structure will be retained.

885 W 5<sup>th</sup> Avenue development area (1.71 ac +/-) is contiguous to the AR-3 area and is proposed to be developed with a new one (1) story 21,000 +/- SF retail building, as depicted on the submitted Site Plan. The existing building at 855 W 5<sup>th</sup> Avenue will be razed.

Applicant has a practical difficulty with compliance with the referenced code sections. The requested variances are not substantial, represent a range of prevailing conditions, code compliance and variances in the area, 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 urban development. There is no means other than the requested variances to permit the proposed development as depicted on the submitted site plan ("Goodwill Development, Zoning Site Plan), dated 10/10/2022. The proposed development is consistent with development trends and recent supported and approved developments in the area. The requested variances are consistent with urban development.

Applicant requests variances from the following sections of the Columbus Zoning Code:

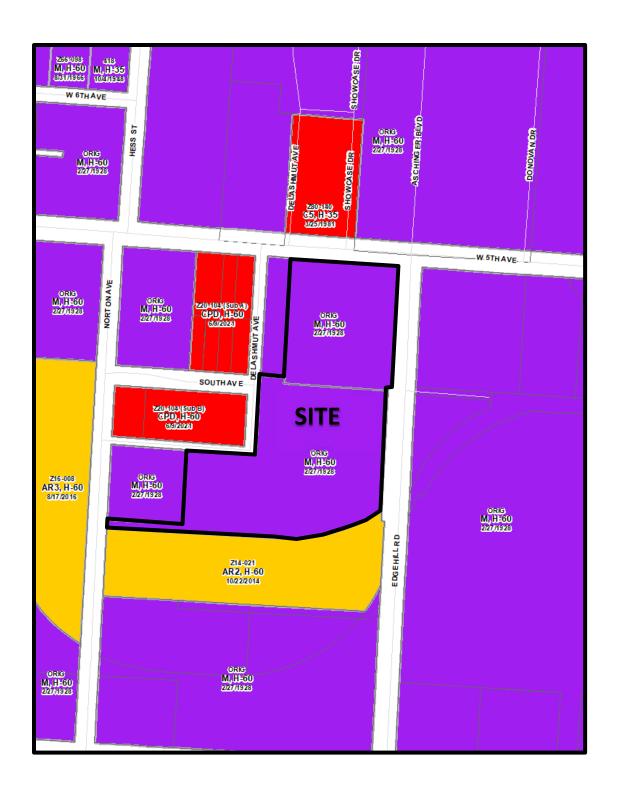
#### Residential. 1333 Edgehill Road, 3.90 +/- acres:

- 1). Section 3309.14, Height Districts, to permit building height of 76' in the H-60 Height District.
- 2). Section 3312.25, Maneuvering, to reduce maneuvering for the north row of 25 surface parking spaces from 20' to 0', subject to an easement for maneuvering on the abutting parcel to the north (885 W 5<sup>th</sup> Avenue) for maneuvering and access to Edgehill Road.

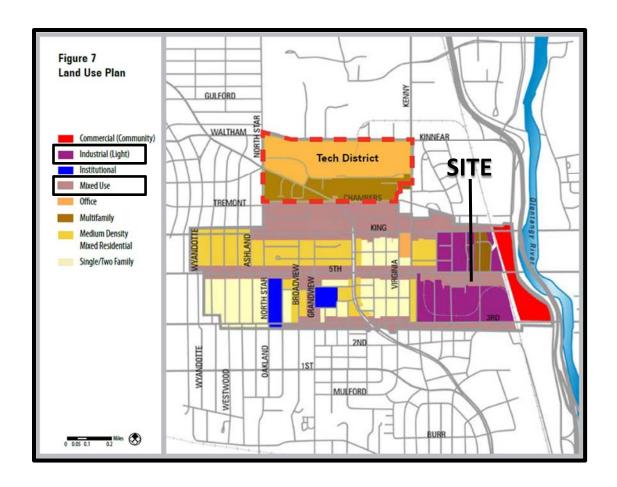
- 3). Section 3333.15(C), Basis of Computing Area, to increase building coverage from 50% to 61%.
- 4). Section 3333.18(D), Building Lines, to reduce Edgehill Road building line from 10' (minimum) to 5'.
- 5). Section 3333.24, Rear Yard, to reduce Rear Yard from 25% of lot area to 3% of lot area.
- 6). Section 3333.025, AR-2, Apartment Residential District Use, to permit non-code required parking to be used for off-site use(s). (A total of 513 parking spaces on-site with existing and proposed parking garages, while 411 spaces are required for the multi-family use. Non-code required parking, max 102 spaces may be used for off-site uses).

#### Commercial: 885 W 5<sup>th</sup> Avenue, 1.71 +/- acres:

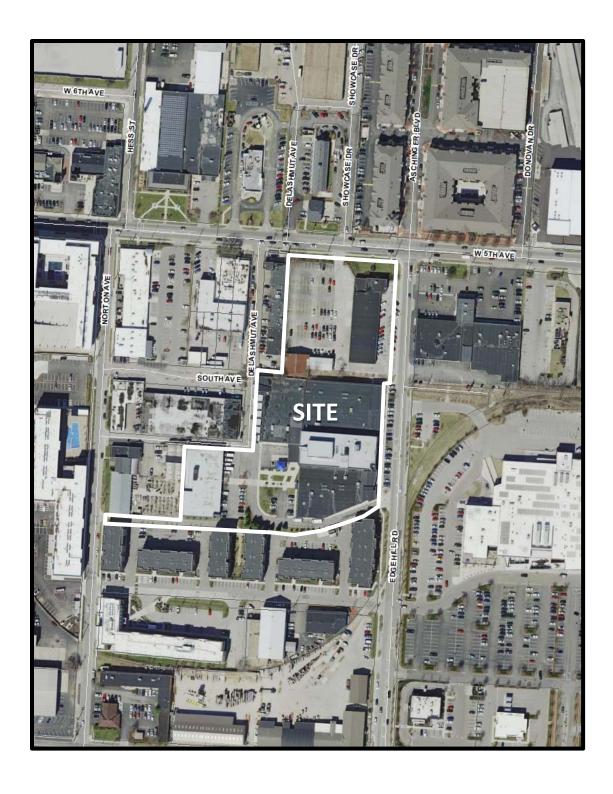
- 1). Section 3372.604, Setback Requirements, to increase the Edgehill Road building setback from 10' to 22 31'.
- 2). Section 3372.605(D), Building Design Standards, to reduce clear/non-tinted window glass on the W. 5<sup>th</sup> Avenue façade between 2' and 10' above grade from 60% to 15% with total min. glass of 73% including 58% spandrel glass; and to reduce clear/non-tinted window glass on the Edgehill Road elevation in the first 10' south of the northeast corner of the building from 60% to 0% while 60% glass is provided with spandrel glass.



CV21-154 1333 Edgehill Rd. Approximately 5.62 acres



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CV21-154 1333 Edgehill Rd. Approximately 5.62 acres

## THE CITY OF COLUMBUS

ORD #2954-2022; CV21-154; Page 8 of 9

### Standardized Recommendation Form

DEPARTMENT OF BUILDING AND ZONING SERVICES

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

FOR USE BY: AREA COM (PLEASE PRINT)	MISSION / NEIGHBORHOOD GROUP	
Case Number	Z21-104 / CV21-154	
Address	1333 Edgehill Road and 885 W 5th Avenue	
Group Name	5th by Northwest Area Commission	
Meeting Date	September 6, 2022	
	■ BZA Variance / Special Permit  ✓ Council Variance  ✓ Rezoning  □ Graphics Variance / Plan / Special Permit	
	☑ Approval □ Disapproval	
LIST BASIS FOR RECOM	IMENDATION:	
The 5th By Northwest community. A new grooptions.	AC was in favor of this proposal. We are excited by the value it will add to the ocery store will be a great addition to the neighborhood providing more shopping	
Vote	6-0 Approval	
Signature of Authorized	A O	
Recommending Group	<del></del>	
Daytime Phone Number	215-740-2835	

Please **e-mail** this form to **the assigned planner within 48 hours of meeting day**; OR **FAX** to Zoning at (614) 645-2463; OR **MAIL** to: Zoning, City of Columbus, Department of Building & Zoning Services, 111 N Front Street, Columbus, Ohio 43215.

## THE CITY OF

ORD #2954-2022; CV21-154; Page 9 of 9

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PROJECT DISCLOSURE S	TATEMENT	

APPLICATION #:\_

Parties having a 5% or more interest in the project that is the subject	t of this application.
THIS PAGE MUST BE FILLED OUT COMPLETELY AND NO	OTARIZED. 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 To	own Street, Floor 2, Columbus, OH 43215
deposes and states that ( <u>he/she</u> ) is the <del>APPLICANT, AGENT, OR</del> <u>DU</u>	JLY AUTHORIZED ATTORNEY FOR SAME and the following is
a list of all persons, other partnerships, corporations or entities havi	ng a 5% or more interest in the project which is the subject of this
application in the following format:	
	ne of Business or individual (including contact name and number) ness or individual's address; City, State, Zip Code
Num	aber of Columbus-based employees
(Lim	nited to 3 lines per box)
1.	2.
Goodwill Inds. of Cntrl. Oh., Inc.; 1331 Edgehill Rd.,	
Columbus, OH 43212; # Cols based emps: 1100	
Contact: Mark Koenig, (614) 583-0324	
· · · · · · · · · · · · · · · · · · ·	
3.	4.
	·
Check here if listing additional parties on a separate page.	
SIGNATURE OF AFFIANT MALL	lark
Sworn to before me and signed in my presence this 27th day	of Ally, in the year 2000
Than alice Walx	Notary Seal Here
SIGNATURE OF NOTARY PUBLIC	My Commission Expires
ONTO S	
MaryAlice Wolf	
Notary Public, State of Ohio	
& My Commission Every Out to accommission Every	

mmission Expires October 24, 2023

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