

STATEMENT OF HARDSHIP

Applicant: Columbus Housing Partnership dba Homeport

c/o Laura MacGregor Comek, Esq.

17 S. High Street, Ste. 700 Columbus, Ohio 43215 <u>laura@comeklaw.com</u>

614.560.1488

Owner: Columbus Housing Partnership dba Homeport

3443 Agler Rd.

Columbus, Ohio 43219

Address: 2870 Alum Creek Dr.

Parcel Nos.: 010-267629

Zoning Districts: AR12 (companion legislation)

Date: March 27, 2023 Application No.: CV22-138

This Statement is provided in support of the Applicant's Council Variance Application, which is companion to a Rezoning Application (Z22-001) for the same project.

The subject property ("Site") is comprised of 4.167 +/- acres located along the east side of Alum Creek Drive, across from and just south and east of the Alum Crest neighborhood. The Site was previously zoned PUD 8 back in 2003 as part of a larger residential development called "Field Stone," and amended later that same year. This particular 4.167-acre subarea from the original 2003 zoning was approved for 54 "townhomes," and then reduced to 40 "townhomes" in the later 2003 amendment (Ord. 0677-03). The definition of "townhomes" in the City of Columbus Code requires platted lots on a public street. Homeport seeks to build private streets without the platted lots – but no other change of substance is being made with this rezoning.

This CV is necessary to retain the prior site design and maintain the established building line. Prior zoning included an approved at a 25-foot building setback from Alum Creek Drive (i.e., a variance/reduction from the former 60-foot building setback). This CV allows for the original setback with approval by the City of Columbus, Department of Public Service, Traffic Management Division exemption of additional right of way deducation, or, in the alternative a 5-foot building setback and variance/reduction from the new 80-foot building setback, required by Code per the Columbus Multimodal Thoroughfare Plan for this roadway.

This variance is not significant – in fact it is the same variance for the entire Field Stone Development, as already built. This being a small 'sub area' from the entire development, the site design and roadway network/access are contemplated to work throughout the development – there is no way to feasibly obviate the setback and still retain the remaining features of the plan, as approved. There is no effect on the delivery of governmental services – in fact this request eliminates the need for public road maintenance. The essential character of the development and immediate area has a significant residential character – which will be retained. To the extent this rezoning and CV are needed for a technical change in wording from 'townhome' to 'attached units' there is no other change and no real effect to the adjacent Field Stone residents or neighbors in this area.

For these reasons, the Applicant respectfully requests approval of this variance.

Respectfully submitted,

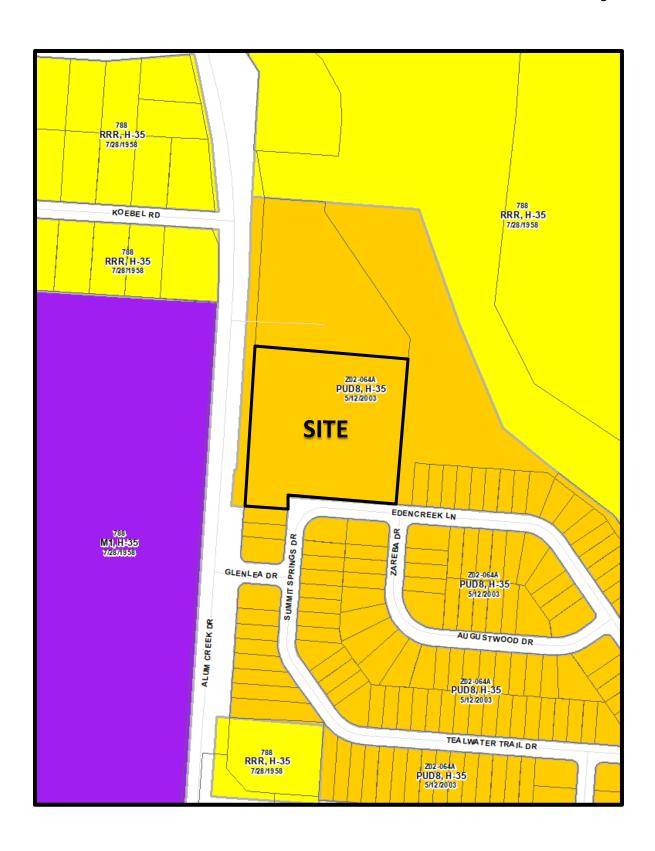
Laura MacGregor Comek, Esq.

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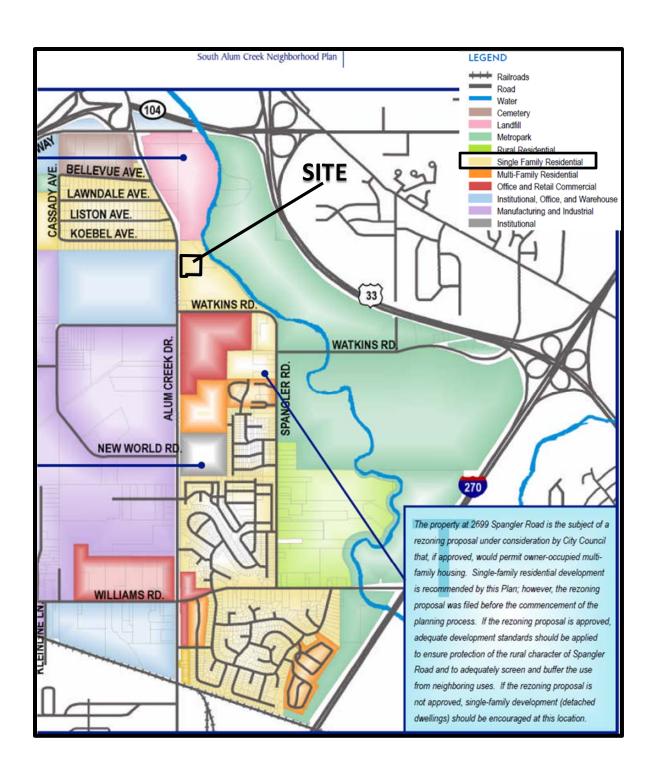
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Counsel for Owner/Applicant Columbus Housing Partnership

dba Homeport



CV22-138 2870 Alum Creek Rd. Approximately 4.17 acres



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Daytime Phone Number

Standardized Recommendation Form

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

FOR USE BY: AREA COMMISSION / NEIGHBORHOOD GROUP (PLEASE PRINT) **Case Number Address Group Name Meeting Date Specify Case Type BZA Variance / Special Permit Council Variance** Rezoning **Graphics Variance / Plan / Special Permit** Recommendation **Approval** (Check only one) **Disapproval** LIST BASIS FOR RECOMMENDATION: Vote Michael D. Walker, Sr **Signature of Authorized Representative Recommending Group Title**

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.



STATE OF OHIO 'COUNTY OF FRANKLIN

DEPARTMENT OF BUILDING AND ZONING SERVICES

Council Variance Application

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

PROJECT	DISCL	OSURE	STATE	MENT
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APPLICATION #: CV22-138

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.

Being first duly cautioned and sworn (NAME) Laura of (COMPLETE ADDRESS) 17 S. High St,	Mac Gregor Comek, Esa
of (COMPLETE ADDRESS) 17 S. High St.	1+2 +00 Cols. Oh DECORD 43215
deposes and states that (he/she) is the APPLICANT, AGENT, OR DU	ILY AUTHORIZED ATTORNEY FOR SAME and the following is
a list of all persons, other partnerships, corporations or entities havi	
application in the following format:	
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	ness or individual's address; City, State, Zip Code
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(Lim	nited to 3 lines per box)
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Check here if listing additional parties on a separate page	
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SIGNATURE OF AFFIANT	
Sworn to before me and signed in my presence this 12 m day	of October, in the year 2022
Sworn to before me and signed in my presence thisday	
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SIGNATURE OF THE PARTIC	My Commission Expires
Kristen Lee Sours, Attorney At Law NOTARY PUBLIC - STATE OF OHIO	
NOTARY PUBLIC - STATE OF OHIO My commission has no expiration date Sec. 147.03 R.C.	
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This Project Disclosure Statement expire	s six (6) months after date of notarization.