



AMENDED

STATEMENT OF HARDSHIP

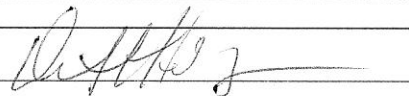
Chapter 3307 of the Columbus Zoning Code
Section 3307.10 Variances by City Council

- A. Permit a variance 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 or unusual hardships 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 the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus.

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.

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 requested as detailed below:

See STATEMENT OF HARDSHIP attached hereto

Signature of Applicant  Date October 7, 2010

STATEMENT OF HARDSHIP

771 South Front Street

Case No. CV03-031

October 7, 2010

The Applicant proposes to redevelop 0.194± acres located on the west side of South Front Street north of Whittier Street and extending west to Bank Street with four dwelling units having seven parking spaces. The redevelopment will consist of the construction of two new buildings: one building containing one dwelling unit and one building containing three dwelling units, generally in accordance with the site plan filed with this Application. One dwelling unit will have an attached one 1-car garage; two dwelling units will each have an attached 2-car garage; and one unit will have an attached 1-car garage and one stacked surface parking space in front of its garage. The redevelopment will also include parking for two bicycles.

A hardship warranting the granting of a use variance exists because the subject property is currently zoned M, Manufacturing, and the use of the subject property for manufacturing, distribution or warehouse uses would be inappropriate for the area and contrary to the City’s plans for the redevelopment of the Brewery District. In addition, the unusual shape of the subject property and the location of the subject property in an urban area in which compliance with the suburban-oriented development standards of the Zoning Code is both impractical and inappropriate for the existing environment, constitute unusual and practical difficulties for which variances from certain development standards of the Zoning Code are appropriate. Moreover, the proposed development is less intense, and the proposed variances vary less from code requirements, than the developments on, and variances which have been granted for, other properties in the Brewery District pursuant to Case Nos. CV99-039, CV00-015A and CV03-003, as shown in the following table:

<u>Case No.</u>	<u>Density</u>	<u>Variance from Required Parking Spaces</u>	<u>Height Variance</u>
CV03-031 Subject Property	20.62 du/ac	no reduction (more than code-required parking is provided)	None (height district is 60', but building height is only 35')
CV99-039 Brewers Yard	48.38 du/ac	25% reduction	Increase from 60' to 65'
CV00-051A Liberty Place	46.66 du/ac	25% reduction	None (but height district is 60' and building heights are approximately 49')

<u>Case No.</u>	<u>Density</u>	<u>Variance from Required Parking Spaces</u>	<u>Height Variance</u>
CV03-003 Columbus Jack	35.10 du/ac	25% reduction	Increase from 35' to 48'

In order to alleviate the hardship and accommodate the usual and practical difficulties described above, the following variances are necessary:

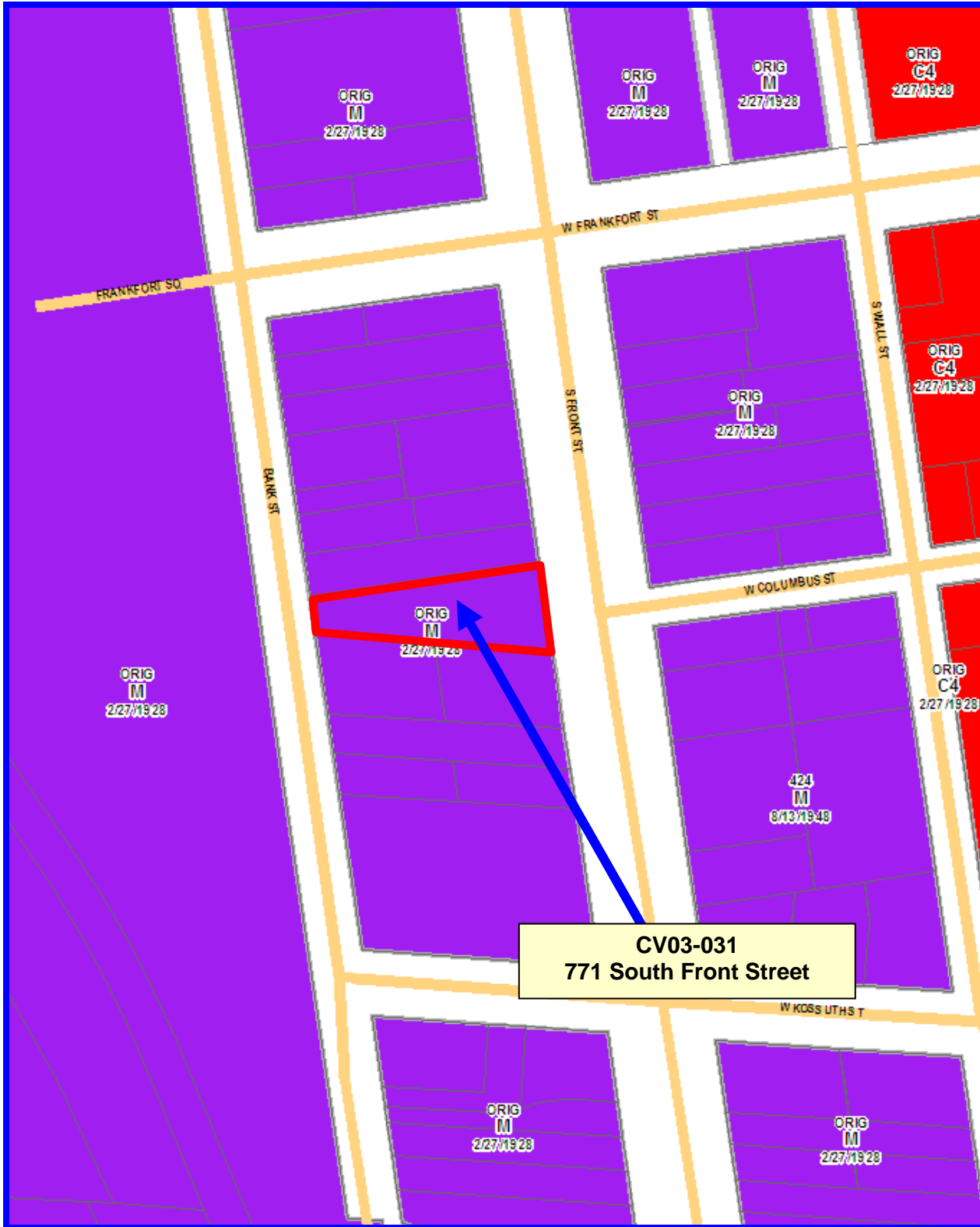
1. Variance from Section 3363.01 to permit 4 dwelling units and uses accessory thereto in the M, Manufacturing District.
2. Variance from Section 3363.24(f) to reduce the required minimum building setback along Front Street from approximately 13.75 feet to 3 feet.
3. Variance from Section 3312.25 to permit the maneuvering for two parking spaces in Bank Street.
4. Variance from Section 3312.27 to reduce the minimum required parking setback for one parking space from 10 feet to zero feet along Bank Street.
5. Variance from Section 3312.29 to permit one stacked parking space behind another parking space.
6. Variance from Section 3312.13A to increase the maximum width for the driveway on Front Street from 20 feet to 39 feet 8 inches substantially as shown on the Site Plan, dated October 6, 2010 prepared by Urban Design LLC (the "Site Plan").

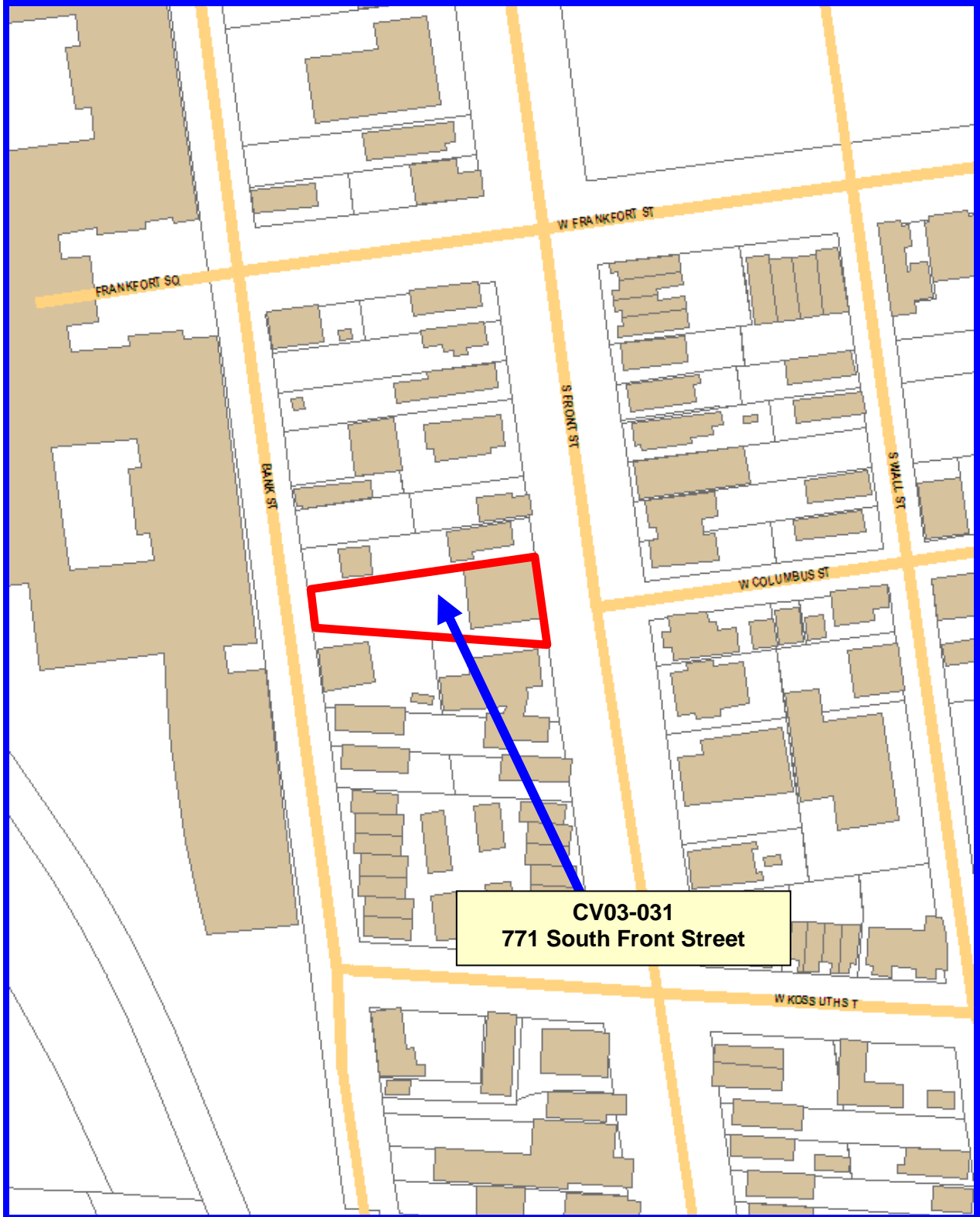
The Applicant requests that the granting of the variances be conditioned on the following requirements:

- A. The security gates giving access to and from the one-way drive aisle shall be equipped with mechanisms that permit the gates to open only when the gates are approached from the east side.
- B. A "Do Not Enter" sign shall be installed and maintained on the west side of each gate.
- C. Directional traffic flow plates shall be installed and maintained in the two garage parking spaces accessed directly off of Front Street substantially as shown on the Site Plan. Those flow plates shall be Python 1240.100 Flow Plates or other directional traffic flow plates approved by the Operations & Planning Division or its successor as being reasonably comparable to the Python 1240.100 Flow Plates.

The requested variances will permit the redevelopment of this property in a manner consistent with development on other properties in the area and consistent with the

City's plans for the area. Accordingly, the requested variances will not seriously or adversely affect any adjoining property or the general welfare. In fact the proposed redevelopment of the subject property will benefit properties in the area by eliminating a commercial/industrial facility from an area that is generally residential. Moreover, the requested variances will not impair an adequate supply of light and air to the adjacent properties, 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 areas or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City.







CV03-031
771 South Front Street



City of Columbus
Mayor Michael B. Coleman

Department of Development
Boyce Safford III, Director

COPY

**CERTIFICATE OF APPROPRIATENESS
BREWERY DISTRICT COMMISSION**

This Certificate of Appropriateness is not a zoning clearance, nor a building permit. This document does not relieve the applicant from the responsibility of filing for and obtaining any required zoning clearance (645-7314) and/or building permit (645-7433) from the City of Columbus Building & Development Services Division (757 Carolyn Ave.) and following all other applicable codes and ordinances of the City of Columbus.

PROPERTY ADDRESS: 771 South Front Street
APPLICANT'S NAME: Bank Street Ventures, LLC (Owner)

APPLICATION NO.: 10-10-6 **HEARING DATE:** 10-7-10 **EXPIRATION DATE:** 10-7-11

The Brewery District Commission hereby certifies that the application for the above referenced property and a copy of this Certificate of Appropriateness are on file with the city's Historic Preservation Office. The Commission has reviewed the application and taken the following action(s) in accordance with Columbus City Code 3116 & 3321 and the architectural guidelines:

- Approved:** Exterior alterations per APPROVED SPECIFICATIONS
- Recommendation for Approval:** Requested re-zoning/special permit/variance per APPROVED SPECIFICATIONS

APPROVED SPECIFICATIONS:

Recommend Variance Application #10-10-6, 771 South Front Street, as submitted with the following clarifications:
Variance Recommendation Request

- CC3363.01 – to permit four (4) dwelling units in the M-Manufacturing district.
- CC3363.24 (f) – to reduce the minimum required building setback from approximately 13.75-ft to 3.0-ft.
- CC3312.25 – to permit the maneuvering for two (2) parking spaces in Bank Street.
- CC3312.27 – to reduce the minimum parking setback for one space from 10.0-ft to Zero (0) feet along Bank Street.
- CC3312.29 – to permit one (1) stacked parking space behind another parking space.
- CC3312.13A – to increase the maximum width for driveway on Front Street from 20' to 39'-8" as shown on siteplan date October 6, 2010.
- A variance shall be requested for the north building setback line from code minimum to 1'-10".

MOTION: Pongonis/Nestinger (4-0-1) RECOMMEND APPROVAL. [Schottenstein]

Drawings Required

This Certificate of Appropriateness is only valid for work performed in accordance with the motion so passed and approved by the Commission, and shall accompany plans submitted for zoning clearance and/or building permits.


Randy F. Black
Historic Preservation Officer

City of Columbus | Department of Development | Building Services Division | 757 Cardyn Avenue Columbus, Ohio 43224



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

APPLICATION # CV03-031

Being first duly cautioned and sworn (NAME) Daniel H. Schoedinger
of (COMPLETE ADDRESS) PO Box 1008, Columbus, OH 43216

deposes and states that (he/she) is the ~~APPLICANT/AGENT~~ 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 formats

Name of business or individual
Business of individual's address
Address of corporate headquarters
City, State, Zip
Number of Columbus based employees
Contact name and number

Bank Street Ventures LLC
c/o Arshot Investment Corporation
107 South High Street
Columbus, OH 43215

William J. Schottenstein
c/o Arshot Investment Corporation
107 South High Street
Columbus, OH 43215

Thomas H. Schottenstein
c/o Arshot Corporation
107 South High Street
Columbus, OH 43215

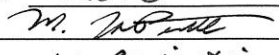
Ilene Wuensch
c/o Arshot Corporation
107 South High Street
Columbus, OH 43215

If applicable, check here if listing additional parties on a separate page (required)


SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 30th day of August, in the year 2010

SIGNATURE OF NOTARY PUBLIC


No Expiration

My Commission Expires:

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

Notary Seal Here

M. HOWARD PETRICOFF
ATTORNEY AT LAW
NOTARY PUBLIC STATE OF OHIO
MY COMMISSION HAS NO EXPIRATION DATE
SECTION 147.03 R.C.