

STATEMENT OF HARDSHIP
3020 North High Street
Parcel #010-052796-00

The Clintonville Corporation, Inc. seeks a variance from Section 3356.03(E) C-4 Permitted Uses of the Columbus City Code and any necessary area variances (in conjunction with the use variance) for the property located at 3020 North High Street to make an existing non-conforming four (4) dwelling unit building and its use conforming in the C-4 Commercial District. The property is currently zoned C-4 with an Urban Commercial Overlay, however, as an existing residence, the property is exempt from the standards and requirements of the UCO because it is not in an architectural review district. A council variance is necessary because a four-family dwelling is not a permitted use in the C-4 Commercial District and it will alleviate the difficulties encountered by the owner of the property at 3020 North High Street.

The residential structure at 3020 North High Street was constructed in 1920 as a four (4) dwelling unit building. Both the structure and residential use of the property have continued since they were originally established in 1920.

A hardship exists because the four-family dwelling was constructed and existed before the property was both zoned commercial and placed in a commercial overlay district. The non-conforming nature of the site precludes financing and financing options and the four-family dwelling is long established on this lot. The applicant has had difficulty selling the property as potential purchasers have not been able to obtain financing or insurance due to the non-conformities.

The existing residence is generally consistent with the surrounding neighborhood. The property abutting the site to the south is an almost identical four-dwelling unit residence that was also built in 1920. The High Street area around the site is a combination of mixed commercial and residential uses and properties east of lots fronting High Street and the alley at the rear of those lots are primarily residential and single family residential in use and character. There are residential properties fronting High Street both north and south of the site and the entire block south of the site fronting the east side of High Street (between Weber Road (at its Y-intersection with Tibet Road) south to Tulane Road) is residential in character. There is a mix of commercial and residential uses west of the site.

Granting the variance will not adversely affect or be injurious to the surrounding properties or surrounding neighborhood in that the building and use already exist and were existing before many of the neighboring properties were built. A variance will not impair an adequate supply of light and air to adjacent properties. The structure is of the same scale and in character with the adjacent properties and has similar lot coverage and setbacks. A variance will not unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, or impair the public health, safety, comfort, morals or welfare of the inhabitants of the city in that the structure and use have long been established on the site and public improvements in and around the area have long accommodated its use. There will be no increase in traffic any other additional impact from the continued use of the property as a four-family residence. In addition, the variance will not unreasonably diminish or impair existing

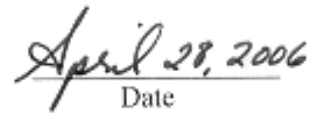
property values, but rather enhance them by facilitating the economic viability of the property, positioning the property to become insurable, saleable and transferable, and making viable investment into the property, its upkeep, update and repair.

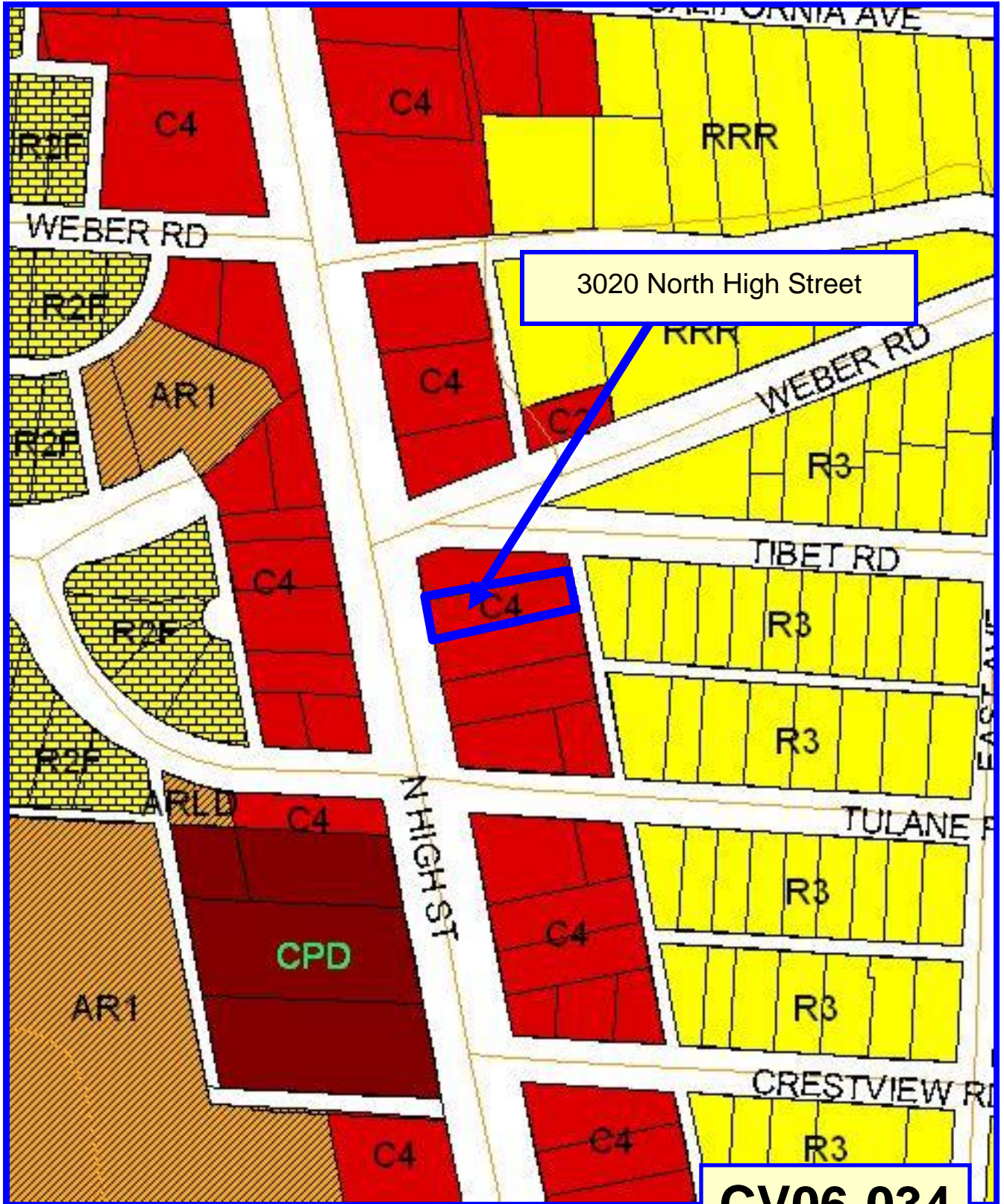
The Applicant is willing to agree as a condition to the variance that if the four (4) family dwelling is destroyed and rebuilt as a dwelling, any rebuilt dwelling and garage on the site is comparable to the existing residence and garage. The existing foot prints of the dwelling and garage shown on the attached location survey dated April 3, 2006 shall not be exceeded, and any reconstruction of the dwelling shall be subject to zoning clearance review and review by all applicable city departments. Any minor revision is subject to review and approval by the Development Director or his/her designee.

Any new residence and garage on the property would conform to R-4 Residential District standards with reduced development standards and all variances necessary to rebuild the structures comparable to the existing residence and garage on the existing lot including, but not limited to variances from the following development standards: 3332.05 to permit a lot with forty-two (42) feet of frontage; 3332.15 to permit four dwelling units on a 6,900 square foot lot; 3332.20 and 3332.21 to permit a twenty-five foot (25') building line, which may be reduced if permitted by the UCO; 3332.26 to permit three foot (3') minimum side yards for a four-(4) family dwelling and 1 foot side yards for a garage; 3332.27 to permit a rear yard as shown on the location survey dated April 3, 2006; 3332.33 and 3342 to permit one off-street parking space per dwelling unit; 3332.28 to permit a private detached garage as shown in the location survey; and any other variances necessary to reconstruct a dwelling and garage on the site that is comparable to the existing residence and garage and continue the existing use as a four dwelling unit residential structure.

Signature of Applicant:

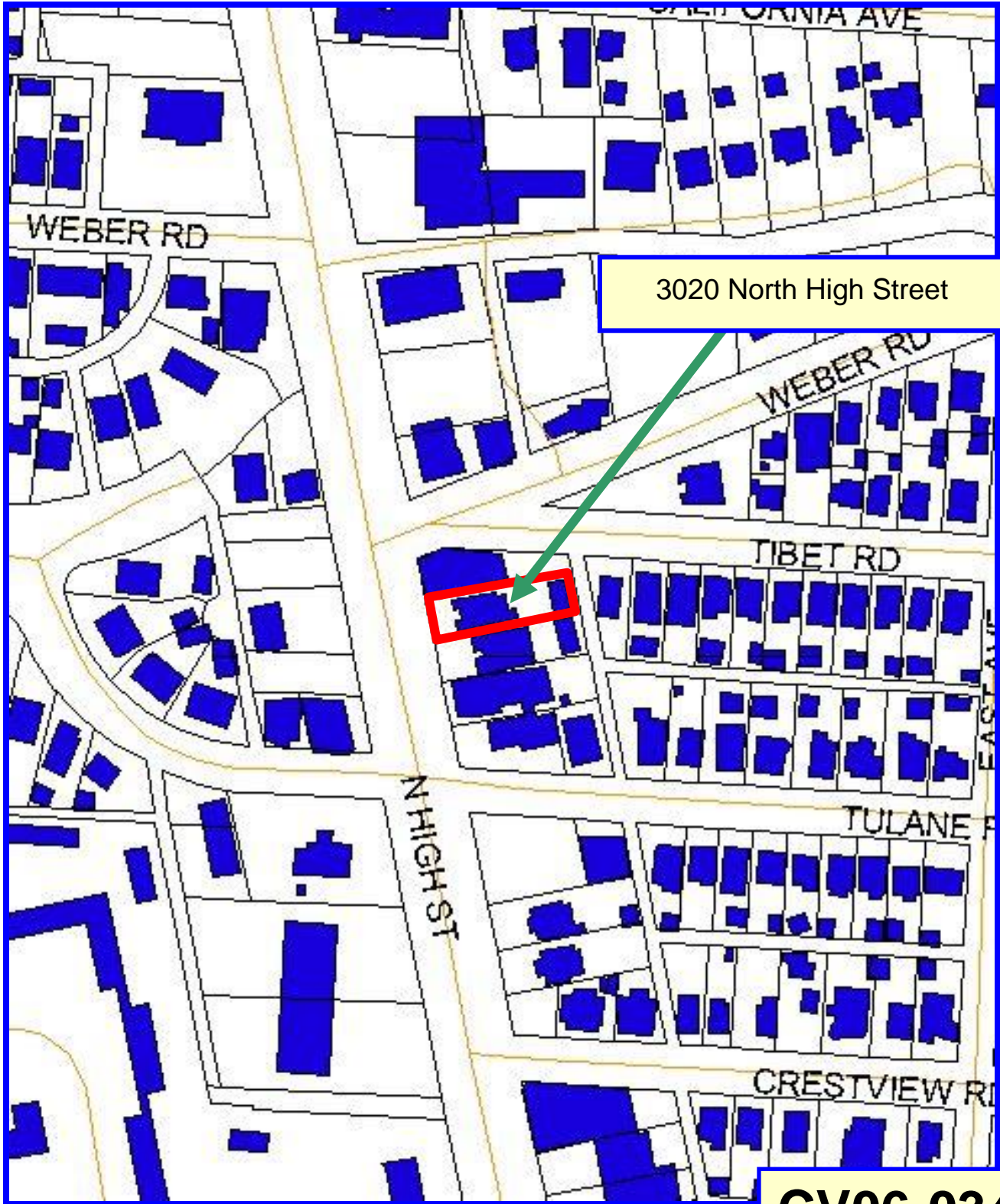

Attorney for Applicant


Date



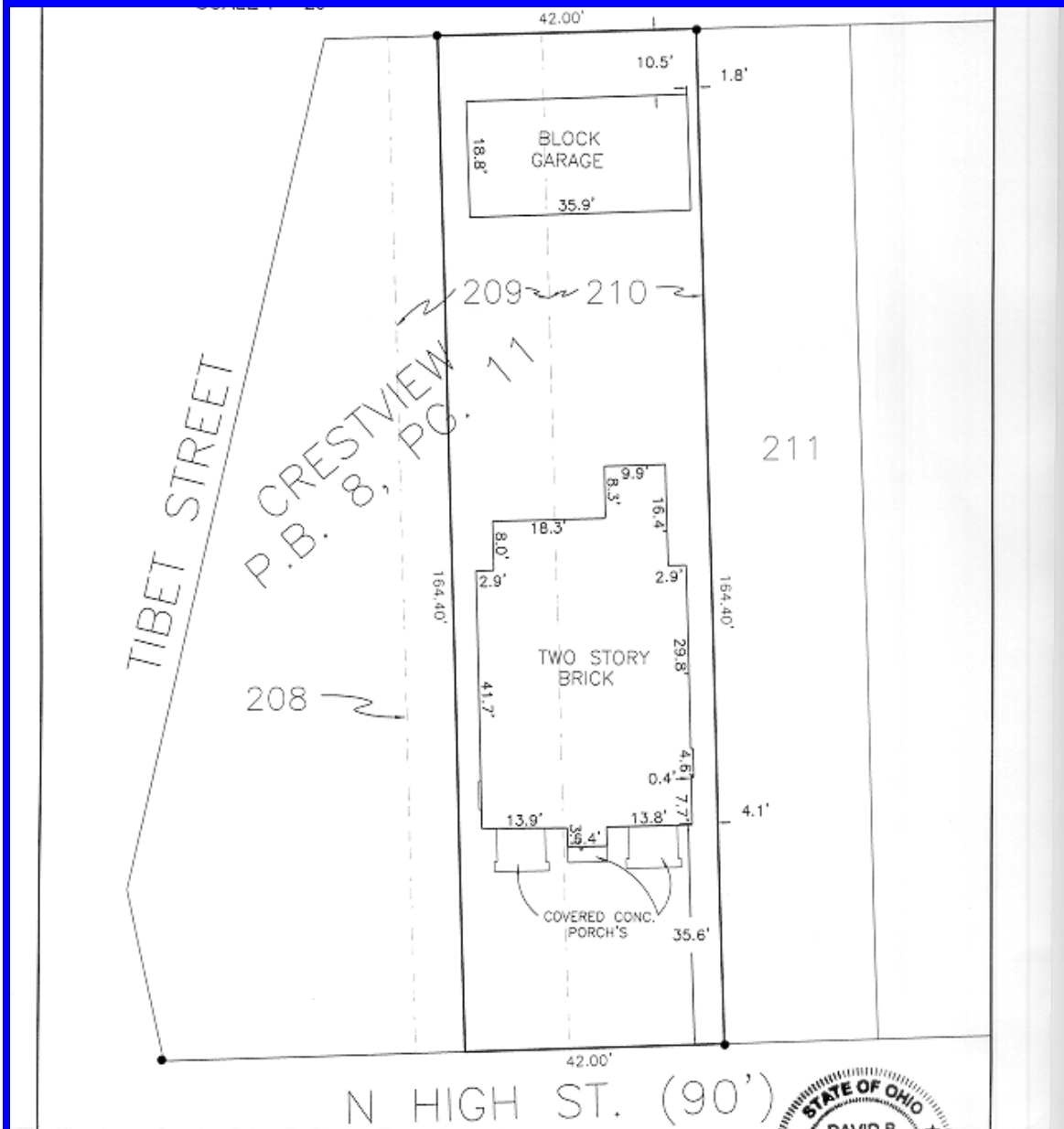
3020 North High Street

CV06-034



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LEGEND:
 ⊙ = IRON PIN SET
 ● = IRON PIN FOUND

5750 Chandler Court
 Westerville, OH 43082
 E-Mail: hoyssinc@aol.com
 Phone (614) 895-1922
 Survey Fax (614) 895-1949
 Construction Fax (614) 895-9549



Order No. 3020-NH-06

We hereby certify that the above plat was prepared from an actual field survey and to the best of our knowledge and belief is correct. All dimensions along arcs are chord distances.

HOY SURVEYING SERVICES, INC.

David B. McCoy 4/3/06
 David B. McCoy Date
 Registered Professional Surveyor



CV06-034



MEMORANDUM

To: Shannon Pine
 From: Paul Harris, Clintonville Area Commission Secretary
 Date: 7 June 2006
 Re: Zoning Variance: 3020 N. High Street, Council Variance to permit an existing four-unit residential structure to continue in a C-4 Commercial District

The Clintonville Area Commission (CAC) met Thursday, June 1 to consider a single development item. The issue was a council variance request by the owner of the property at 3020 N. High Street, The Clintonville Corporation, Inc. Attorney Catherine Cunningham of the Plank & Braum law firm was present to represent the owners.

- The request was to allow continued non-conforming use of an existing four-unit residential structure in a C-4 Commercial District. Following a recommendation to approve the zoning request by the CAC Variance and Zoning Committee, **the CAC unanimously recommended approval of the council variance request.** CAC considered these factors in arriving at its recommendation:
 - Ms. Cunningham stated that the building on the property was constructed in 1920 as a four-unit residence and has remained so since that time. Years later, the City changed the zoning of the area to C-4 Commercial, and the area now falls within the Urban Commercial Overlay (UCO).
 - Applicant asserted that the non-conforming status of the property limits options for its sale or improvement and claimed that potential purchasers of the property have not been able to secure financing or insurance due to the non-conformities. This has created a hardship for the owner.
 - The existing residence is in keeping with the surrounding neighborhood. There is a mix of residential and commercial buildings west of the site, and residential properties face High Street to the north and south. Applicant stated that the requested variance will benefit the neighborhood by remedying the zoning inconsistency, thus facilitating insurance of and investment in the property.
 - Applicant agreed to a number of conditions to the requested variance, including a restriction on building size and footprint if the present four-unit dwelling were destroyed and rebuilt. Any reconstruction of the building will be subject to review by all applicable City departments.
 - In his district report, Commissioner Mike McLaughlin said neighboring property owners expressed no opposition to the requested variance. However, the UCAN neighborhood group would prefer to see the site become commercial in accordance with the zoning.

Please feel free to contact me if you have any questions about this report.

Sincerely,

Paul Harris, Secretary
Clintonville Area Commission

Cc: Applicants

City of Columbus | Department of Development | Building Services Division | 757 Carolyn 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 # CV06-034

Being first duly cautioned and sworn (NAME) Catherine A. Cunningham
of (COMPLETE ADDRESS) Plank & Brahm, 145 E. Rich Street, Columbus, OH 43215
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
- Business or individual's address
- Address of corporate headquarters
- City, State, Zip
- Number of Columbus based employees
- Contact name and number

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

1. The Clintonville Corporation, Inc. 3721 Kennybrook Bluff Columbus, OH 43220 0 Catherine A. Cunningham - 228-4546	2.
3.	4.

SIGNATURE OF AFFIANT Catherine A. Cunningham

Subscribed to me in my presence and before me this 2nd day of May, in the year 2006

SIGNATURE OF NOTARY PUBLIC Kelly Rackley

My Commission Expires: _____

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

Notary Seal Here



KELLY L. ACKLEY
Notary Public, State of Ohio
My Commission Expires 06-08-08