



STATEMENT OF HARDSHIP

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

A. Permit a variance in the yard, height, or parking requirement 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 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 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.

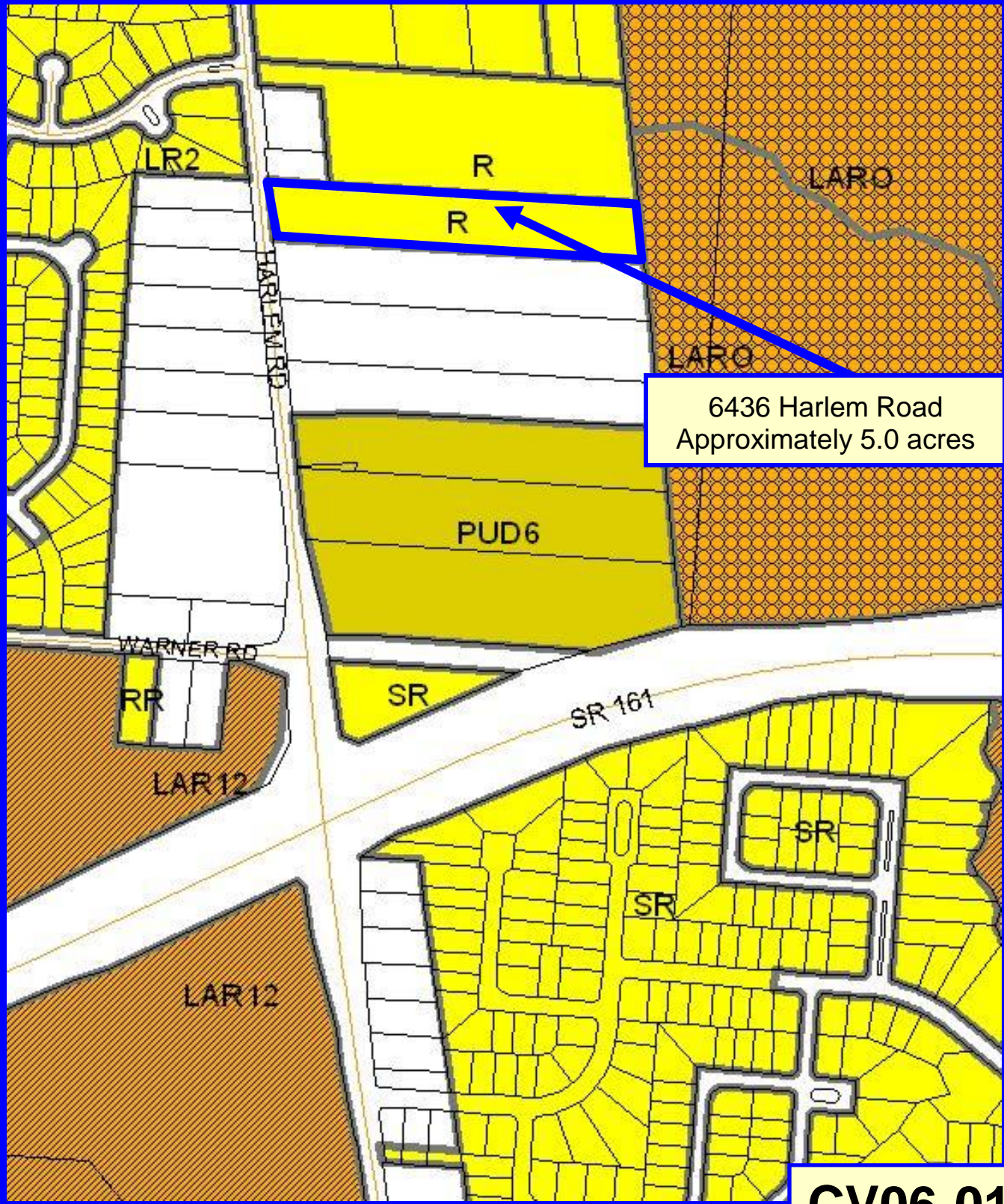
I have read the foregoing and believe my application for relief from the requirements of the Zoning Code contains the necessary hardship, will not adversely affect surrounding property owners and will comply with the variance requested as detailed below:

The applicant is requesting a council variance to Section 3332.02 R, Rural to permit a daycare / montessori school. The R, Rural District permits a church, a church run daycare and a school. The applicant wants to open a daycare / montessori preschool. The city code does not permit a non church run daycare or a school where the student is not required under state law to attend. The applicant wants to use the former church building as its new facility. A council variance request seems more appropriate than a rezoning to a commercial district given the surrounding residential uses. The granting of this 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 City of Columbus.

Signature of Applicant (Signed in BLUE INK)

John J. [Signature]
attorney for applicant

Date 6/20/06



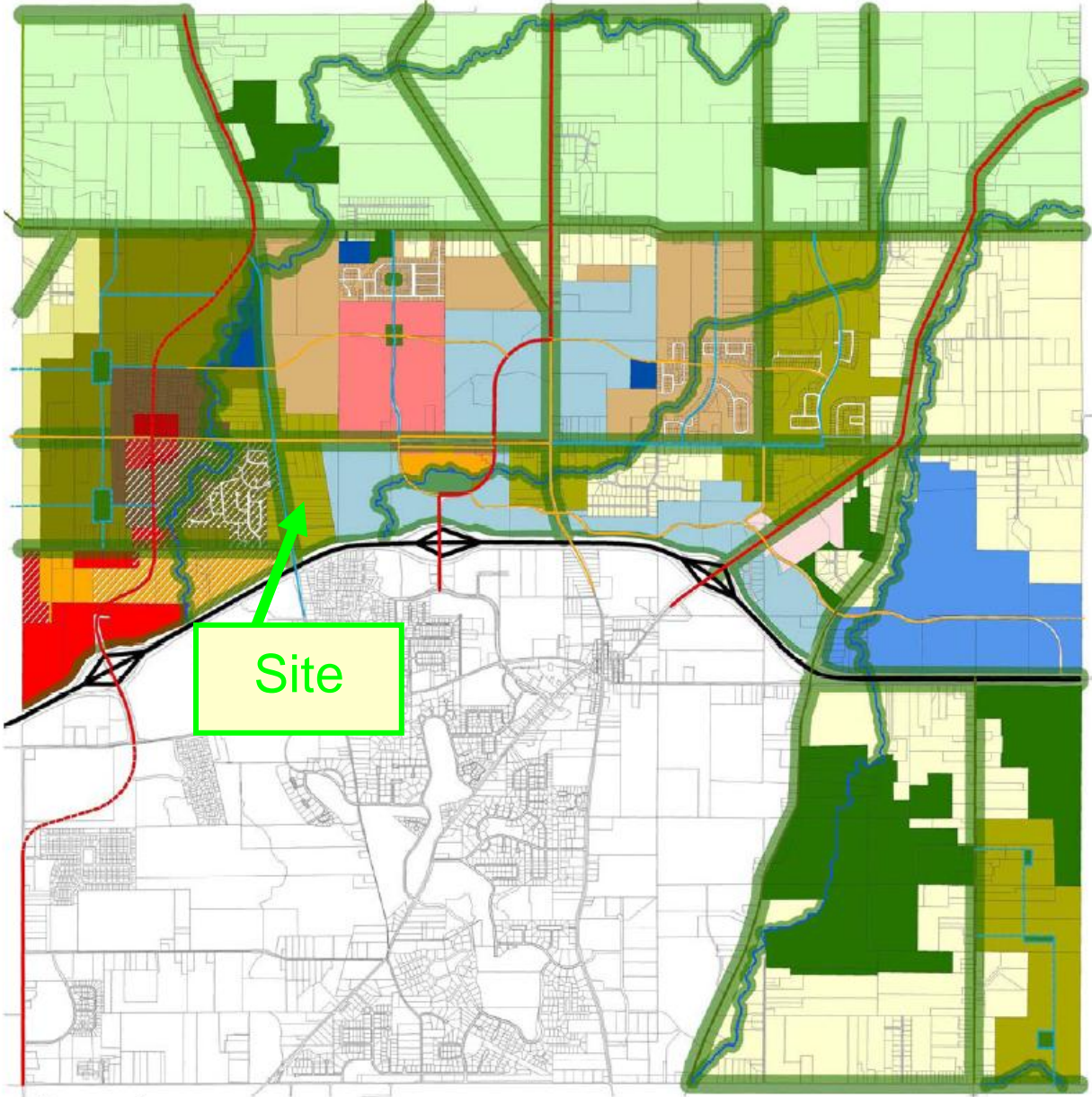
6436 Harlem Road
Approximately 5.0 acres

CV06-012



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Approximately 5.0 acres

CV06-012



Legend

- | | | |
|------------------|---------------------|--------------------------------|
| Office | Park/Open Space | Edge |
| Office/Warehouse | Village Mixed Use | Neighborhood |
| Town Mixed Use | Town Residential | Neighborhood Center |
| Commercial | Village Residential | Neighborhood Center Commercial |
| Multi-Family | Rural Residential | Park Zone |
| Civic/Schools | | |

Preexisting zoning represented by hatching.

ROCKY FORK - BLACKLICK ACCORDIMPLEMENTATION PANEL**RECORD OF PROCEEDINGS - excerpt****June 15, 2006**

7:00 PM
 New Albany Village Hall
 99 West Main Street, New Albany

I. Call to Order

Meeting opened at 7:07 pm at New Albany Village Hall with the following members present: Doug Burnip, Bill Carleton, Michele Shuster, Tedd Hardesty, and Andrew Show. Eileen Pewitt was absent.

Staff members present were Ken Klare and Kathryn Meyer.

3. 6436 Harlem Road (CV06-012) (Today's Child Montessori School / Day Care)

Review & Action of Columbus council variance application to permit a day care use 5.0 acres located on the east side of Harlem Road south of Central College Road

Zoning Request: To obtain a council variance to permit a day care use within the R, Rural zoning district

Proposed Use: Private school & day care — reuses church; retains frontage house

Applicant: New Albany (Today's) Montessori Child; c/o Jeff Brown

Applicant Presentation: Mr. Jeff Brown presented the plan. He explained the need for the variance. The new use would occur within the existing church building with an exterior play area located at the rear of the building. The existing frontage house would be used for storage. Mr. Brown said Jessica Green of the city's Traffic department has not yet determined whether a turn lane would be necessary, but that an additional 20' of right-of-way is requested. The existing tree stand at the rear of the lot would be maintained, except that a small portion, just east of the gas line easement, may be needed by the adjacent property owner. Applicant agreed to provide parking lot screening per city code.

Staff Input: Ken briefly acknowledged the proposal and why staff brought this council variance application to the Panel.

Public Input: Diane Spiezio, one of the school's owners clarified that they operated as a private school and not as a day care. Mr. Brown explained that the use was defined by city code as a day care.

Panel Discussion: Mr. Carleton raised a concern that the frontage house wouldn't look like a vacant or boarded-up property.

MOTION: To recommend this application to permit a day care use be approved.

MOTION BY: Hardesty / Carleton

RESULT: Passed (5-0)

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 # CV06-012

Being first duly cautioned and sworn (NAME) Jeffrey L. Brown
of (COMPLETE ADDRESS) 37 West Broad St., Suite 725, 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. Today's Child Montessori School 6436 Harlem Rd. New Albany, OH 43054 8 employees	2.
3.	4.

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 10th day of July, in the year 2006

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

no expiration



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

DAVID L. HODGE
ATTORNEY AT LAW
Notary Public, State of Ohio
My Commission Has No Expiration
Section 147.03 R.C.