City of Columbus | Department of Development | Building Services Division | 757 Carolyn /wenue, Columbus, Ohio 45224

STATEMENT OF HARDSHIP

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

Signature of Applicant

- 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.
- 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: SEG ATTACHED STATEMENT OF ITAROSITIA _____ Date___7/27/04

Applicant: BDT Investment Company

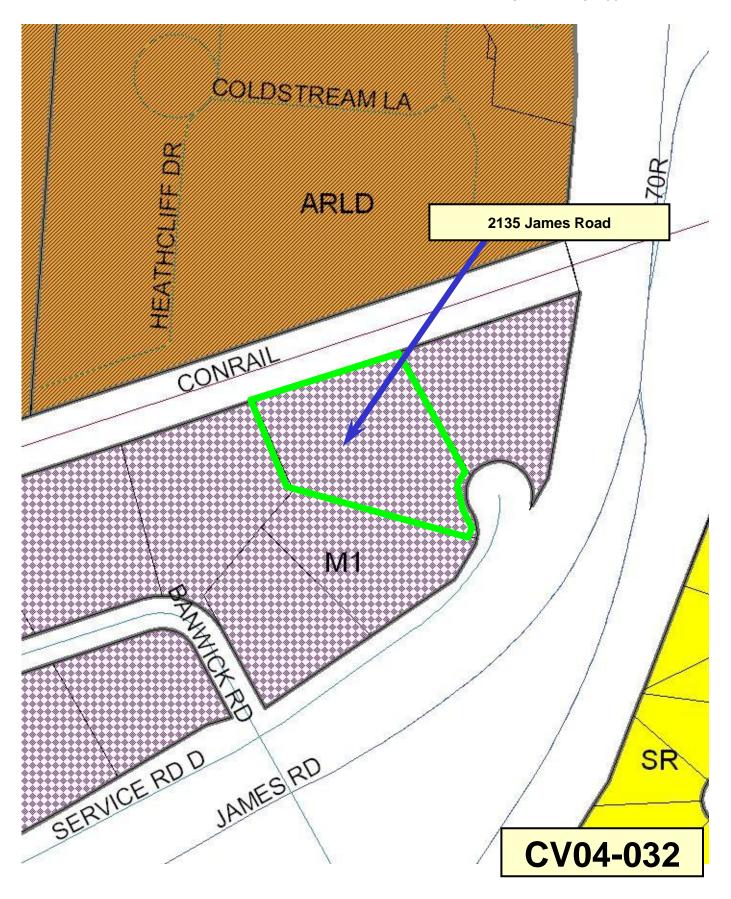
Statement of Hardship

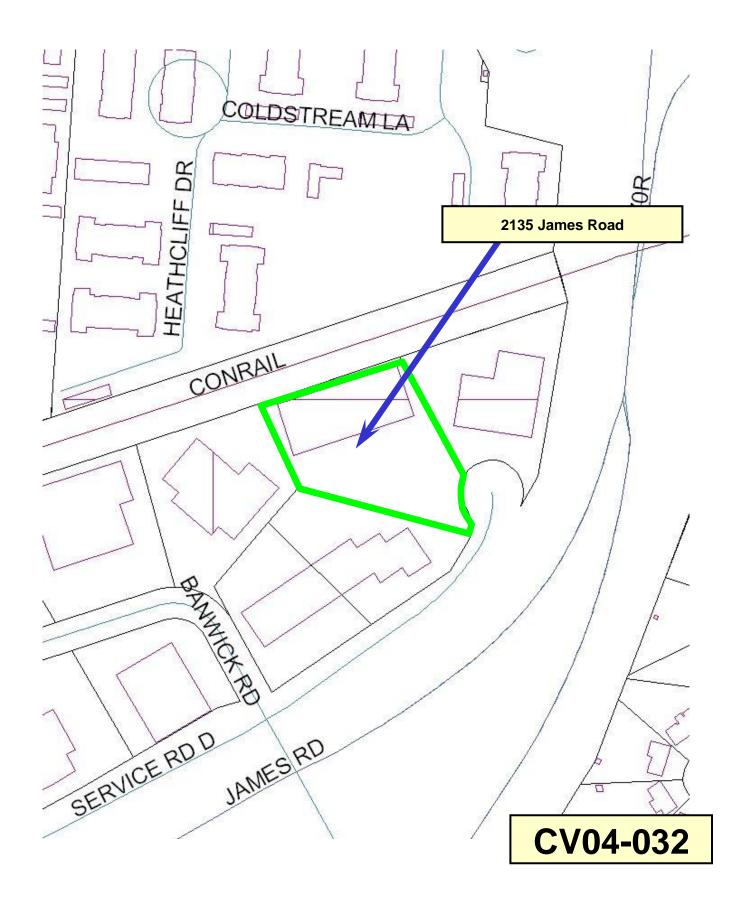
The subject property is currently zoned M-1. The Applicant desires to lease the property for use as an automotive repair and body shop, including painting. Since such use is not a permitted use under Columbus City Code §3365.01, the Applicant seeks a variance from that section.

The subject property is located in a commercial/industrial park known as Berwick Centre and is segregated from residential areas by its proximity to the James Road/I-70 interchange. In addition, railroad tracks and mature trees are located at the rear of the subject property, which provide adequate screening to adjacent apartments

It appears that other properties located in the Berwick Centre operate similar garage repair/paint shops. The Applicant faces a hardship if the subject property may not be used for the same or similar purposes as the surrounding properties. Due to the inherent nature of a commercial/industrial park, the proposed use as an automotive repair and body shop will not adversely affect the surrounding properties. In addition, the proposed use, because it is similar to other uses in the area, will not create increased risk of fire or pose a danger to public safety. The proposed use will not increase traffic in the area because it creates less traffic and less heavy truck traffic than other uses permitted in the M-1 District. The proposed use will not adversely affect supply of light or air to the adjacent properties. Since the proposed use is not unusual to the area, it will not unreasonably diminish property values in the surrounding areas.

Based on the foregoing, Council can determine that the requested 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. As such, permitting such use on the subject property will relieve a hardship and will permit the owner full use of the subject property without adversely affecting other property owners.





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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.

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STATE OF OHIO	APPLICATION # CU04-032
COUNTY OF FRANKLIN	
Being first duly cautioned and sworn (NAM	E) Sheila Nolan Gartland, Esq.
of (COMPLETE ADDRESS) 52 East Gay Street, Columbus, Ohio 43215	
deposes and states that (he/she) is the API is a list of all persons, other partnerships, subject of this application and their mailin	PLICANT, AGENT or DULY AUTHORIZED ATTORNEY FOR SAME and the following corporations or entities having a 5% or more interest in the project which is the g addresses:
NAME	COMPLETE MAILING ADDRESS
None other than Applicant	
BDT Investment Com	pany 3780 Fishinger
D D / L AUCSIN	Hilland OH
-	
SIGNATURE OF AFFIANT	Speri Notin Smith
Subscribed to me in my presence and before	ore me this, 28th day of July , in the year 2004
SIGNATURE OF NOTARY PUBLIC	-filit Lillande
My Commission Expires: This Project Disclosure	Statement expires six months after date of notarization.
Notary Scal Here	JUDITH L. MARSH Attorney at Law Notary Public Street Pho My Commission 617 - 13 - 14 - 14 on Section 147 - 14 - 14 - 14 on

page 8 — Council Variance Packet