



DEPARTMENT OF BUILDING AND ZONING SERVICES

COUNCIL VARIANCE APPLICATION

Department of Building & Zoning Services

Scott Messer, Director
757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov

STATEMENT OF HARDSHIP

CV17-060

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

List all sections of Code to be varied and explain your reasoning as to why this request should be granted.

PLEASE NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are discovered after your application is approved, a new application will be required.

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(s) requested as detailed below (use separate page if needed or desired):

Please see attached Statement of Hardship.

Multiple horizontal lines for providing details of the hardship.

Signature of Applicant By: [Handwritten Signature] Date 8/29/17

PLEASE NOTE: Incomplete information will result in the rejection of this submittal. Applications must be submitted by appointment. Call 614-645-4522 to schedule. Please make checks payable to the Columbus City Treasurer

**Statement of Hardship**

**4660 Kenny Road**

**October 13, 2017**

This property was rezoned from the M-1 – Manufacturing district, to the L-AR-1 – Limited Apartment Residential district in late 2016. That rezoning contemplates redevelopment of the existing flex office / industrial building on the property with 60 apartments. Redevelopment of the property is expected to occur within the next 3 to 5 years. However, there are certain ongoing uses of the property that were occurring under the M-1 zoning prior to the current owner’s acquisition. This Council Variance is necessary to allow those uses to continue during the interim period prior to redevelopment of the property.

The Council Variance request is therefore to allow the less objectionable uses of Chapter 3365, M-1 Manufacturing, as well as limited commercial uses substantially similar to existing commercial uses on the property, which include Automotive Maintenance and Repair of Section 3356.03, C-4 permitted uses; and Exercise and Health Facilities and Camera, Photo finishing and Photographic Supplies Stores, Art Dealers, and Arts and Crafts of Section 3355.03; to continue where these uses are not allowed under Section 3333.02, AR-12, ARLD, and AR-1 apartment residential district use of the Columbus Zoning Code.

The applicant, when they acquired the property, inherited leases with renewal options for many uses, and also signed new leases for shorter terms assuming certain use rights existed on the property prior to redevelopment.

C.C. 3307.10 Variances to city council provides that City Council may grant variances permitting a use of 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.

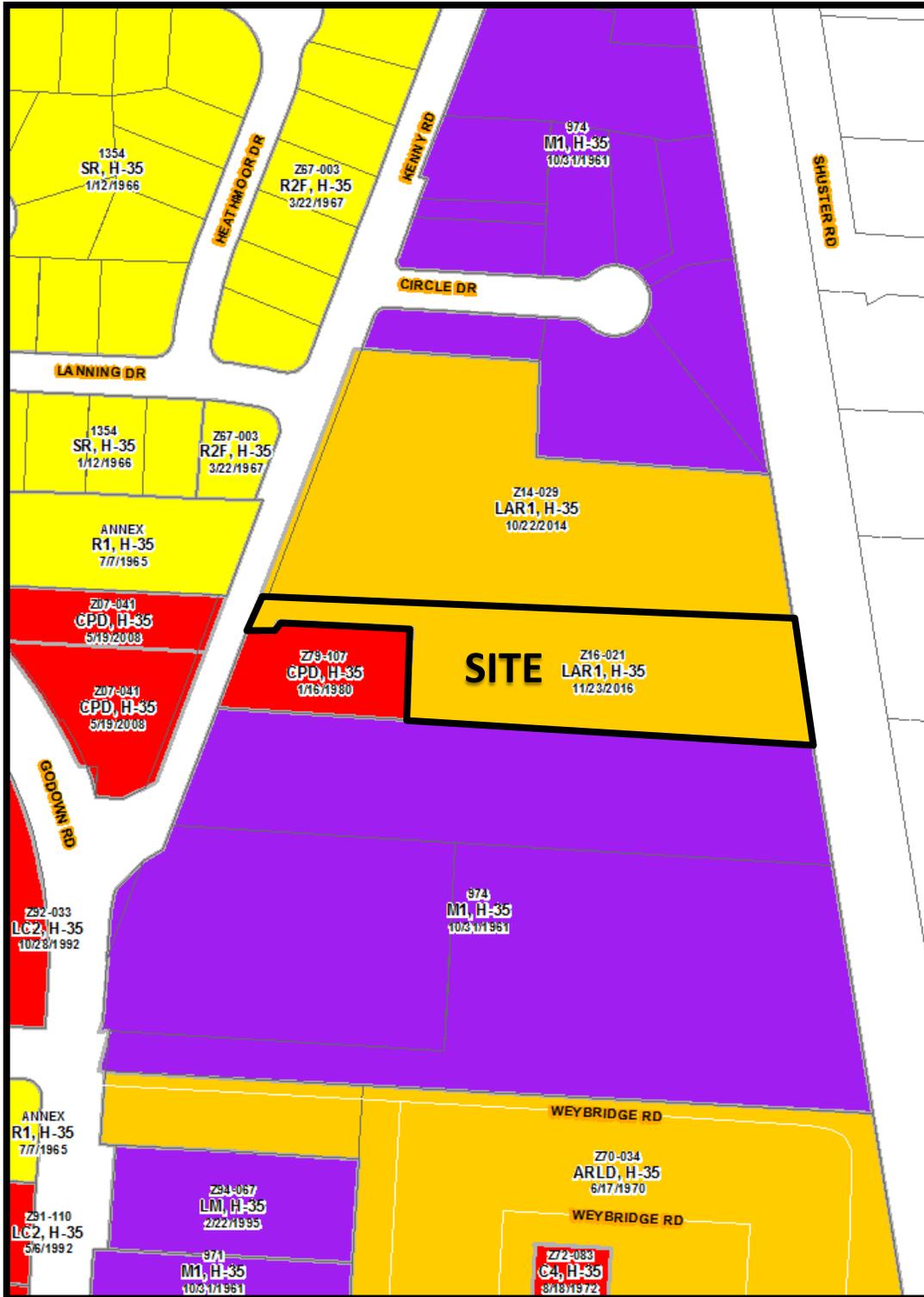
Here, these uses have existed over a period of time on the subject property without incident and without any adverse effect on any surrounding property or the surrounding neighborhood. Further, if granted, these additional use rights will not impair an adequate supply of light and air to adjacent property, 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.

The applicant respectfully requests the approval of this use variance request.

Kenny Road Storage LLC

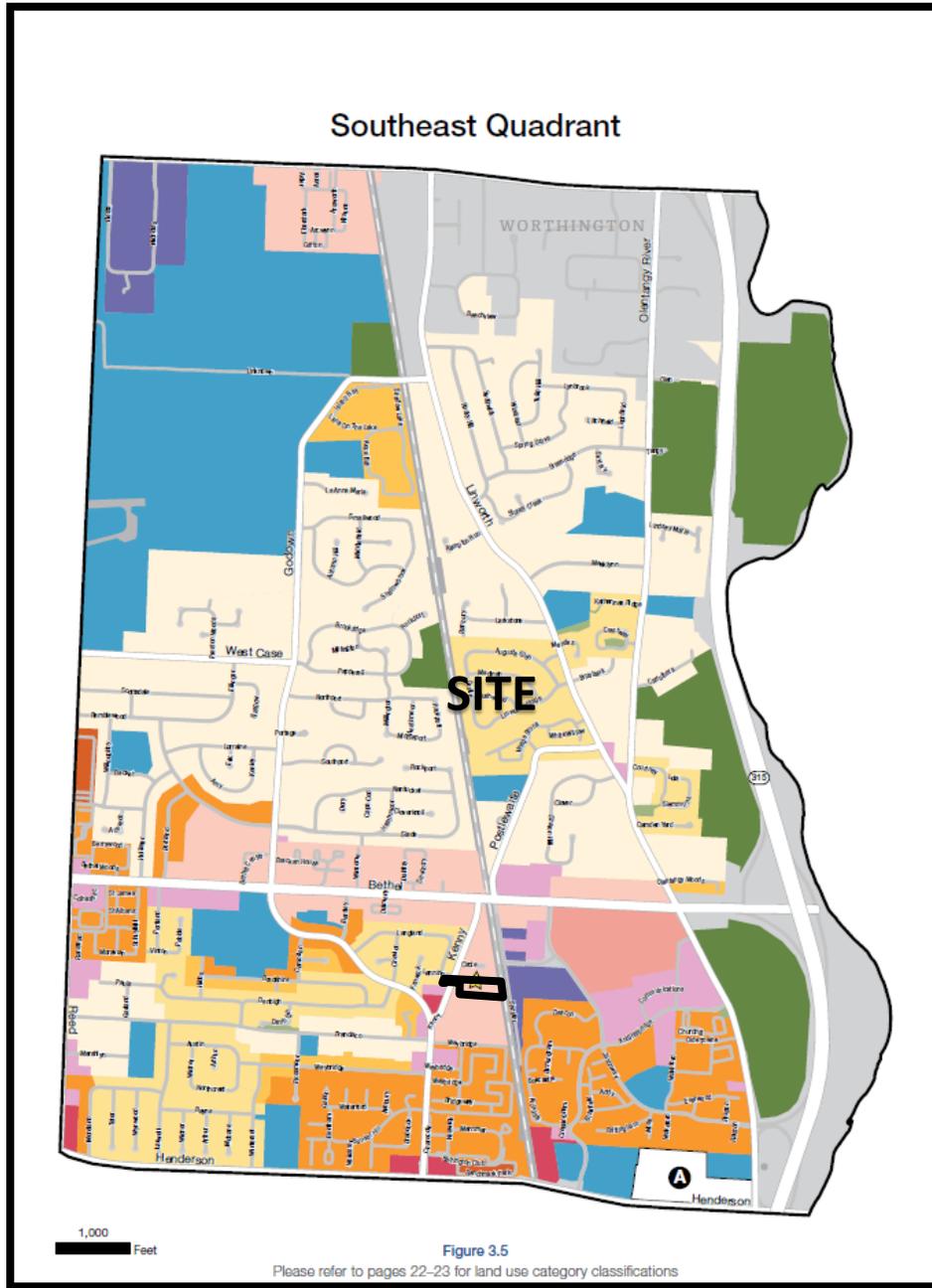


Signature of Applicant: By: \_\_\_\_\_



CV17-060  
4660 Kenny Road  
Approximately 1.85 acres

The Northwest Plan (2016)



Mixed Use 1	Less than 24 du/acre		<p>Commercial classification with residential uses supported. Development may include a mix of uses on one site (for example, residential units located either above and/or next to the commercial uses), or it may include only one use per site. The designation does not require a mix of uses, but instead promotes mixed use development where it is a viable development scenario.</p> <p>★ For the area designated Mixed Use 1 located on the east side of Kenny Road between Weybridge Road and Bethel Road, the existing Manufacturing uses (M) are recognized and supported. Expansion of a manufacturing use in this area should be supported provided it is consistent with the Industrial and Warehouse classification policies and Commercial Design Guidelines. Additional retail development is not supported in this area.</p>
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4660 Kenny Road  
Approximately 1.85 acres



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**FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW**

Case Number: CV17-060

Address: 4660 Kenny Road, Columbus, OH 43220

Group Name: Northwest Civic Association

Meeting Date: October 4, 2017

Specify Case Type:

- BZA Variance / Special Permit
- Council Variance
- Rezoning
- Graphics Variance / Plan / Special Permit

Recommendation:  
(Check only one)

- Approval
- Disapproval

**NOTES:**

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Vote: 11 For; 0 Against

Signature of Authorized Representative: Marilyn J. Goodman  
SIGNATURE

Zoning Committee Chair  
RECOMMENDING GROUP TITLE

614-889-0359  
DAYTIME PHONE NUMBER

Please e-mail this form to the assigned planner within 48 hours of your meeting day; or FAX to Zoning at 614-645-2463; or MAIL to: Assigned Planner, City of Columbus, Department of Building & Zoning Services, 757 Carolyn Avenue, Columbus, OH 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.

APPLICATION # CV17-060

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) David Hodge  
of (COMPLETE ADDRESS) Underhill & Hodge LLC, 8000 Walton Parkway, Suite 260, New Albany, Ohio 43054

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

<p>1. Kenny Road Storage LLC 750 Communications Parkway Columbus, Ohio 43214</p>	<p>2. Preferred Living 750 Communications Parkway Columbus, Ohio 43214</p>
<p>3.</p>	<p>4.</p>

Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT *David Hodge*

Sworn to before me and signed in my presence this 29<sup>th</sup> day of August, in the year 2017

*Kimberly R. Grayson*  
SIGNATURE OF NOTARY PUBLIC

1-11-2021  
My Commission Expires

Notary Seal Here



**KIMBERLY R. GRAYSON**  
Notary Public, State of Ohio  
My Commission Expires  
January 11, 2021

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