

# Council Variance Application

DEPARTMENT OF BUILDING  
AND ZONING SERVICES

111 N Front Street, Columbus, Ohio 43215  
Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

## STATEMENT OF HARDSHIP

### **Columbus City Code Section 3307.10 - Variances by City Council.**

City council may grant the following zoning variances:

- A. Permit a variation 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 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 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.

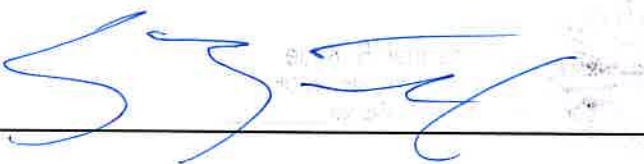
In granting a variance pursuant to this section, council may impose such requirements and conditions regarding the location, character, duration, and other features of the variance proposal as council deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the 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 not included, a new application (and applicable fees) 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):**

Signature of Applicant



Date

5/4/23

**STATEMENT OF HARDSHIP**

**Property Address:** N/A  
**Parcel ID:** 010-098968-00  
**Owner & Applicant:** Central Ohio Opportunity Fund, LLC  
577 W. Nationwide Blvd., Suite 600  
Columbus, Ohio 43215  
**Attorney:** Sean Mentel  
Kooperman Mentel Ferguson Yaross, Ltd.  
250 East Town Street, Suite 200  
Columbus, Ohio 43215  
**Date:** May 4, 2023

This property located at Franklin County Parcel No. 010-098968-00 is currently in the M - Manufacturing Zoning District (hereinafter “the Property”). It consists of vacant land. While the Property is in the Manufacturing District, the surrounding area has developed mostly with residential uses. Directly to the east are two properties in the Manufacturing Zoning District with residential uses permitted and an existing single-family home on the site furthest east. To the southwest of the Property are single-family homes. Directly to the south of the Property is a parcel owned by Norfolk and Western Railway, and it’s in an ARLD Multi Family Residential District. To the north of the Property is Leonard Avenue with access to Interstate 670.

Despite the existing zoning, the surrounding area is predominantly residential. With the exception of the contracting company to the east which is developed with a single-family home, there are very few, if any, manufacturing uses nearby. Therefore, the Applicant seeks a variance from the following requirement:

3363.01 - M-manufacturing districts. The Code Section provides that in an M-manufacturing district, residential uses are restricted to: (1) a dwelling unit for a resident security person and (2) units within a halfway house or community residential treatment center, a hospital, or other building specifically for human care. The Applicant seeks a variance to allow multi-family residential uses on site to accommodate affordable housing.

The proposed variance is consistent with the Near East Area Plan (hereinafter “the Plan”). The Plan provides for the prioritization of revitalization and redevelopment of vacant land within the neighborhood for housing. The Plan also discourages the intrusion of non-residential uses within residential areas. While the Plan recommends light industrial/commercial uses for the area where the site is located, those uses have not materialized. The area consists of mostly vacant land, and as the Plan provides, vacant land should be prioritized for revitalization and development, with specific focus on housing.

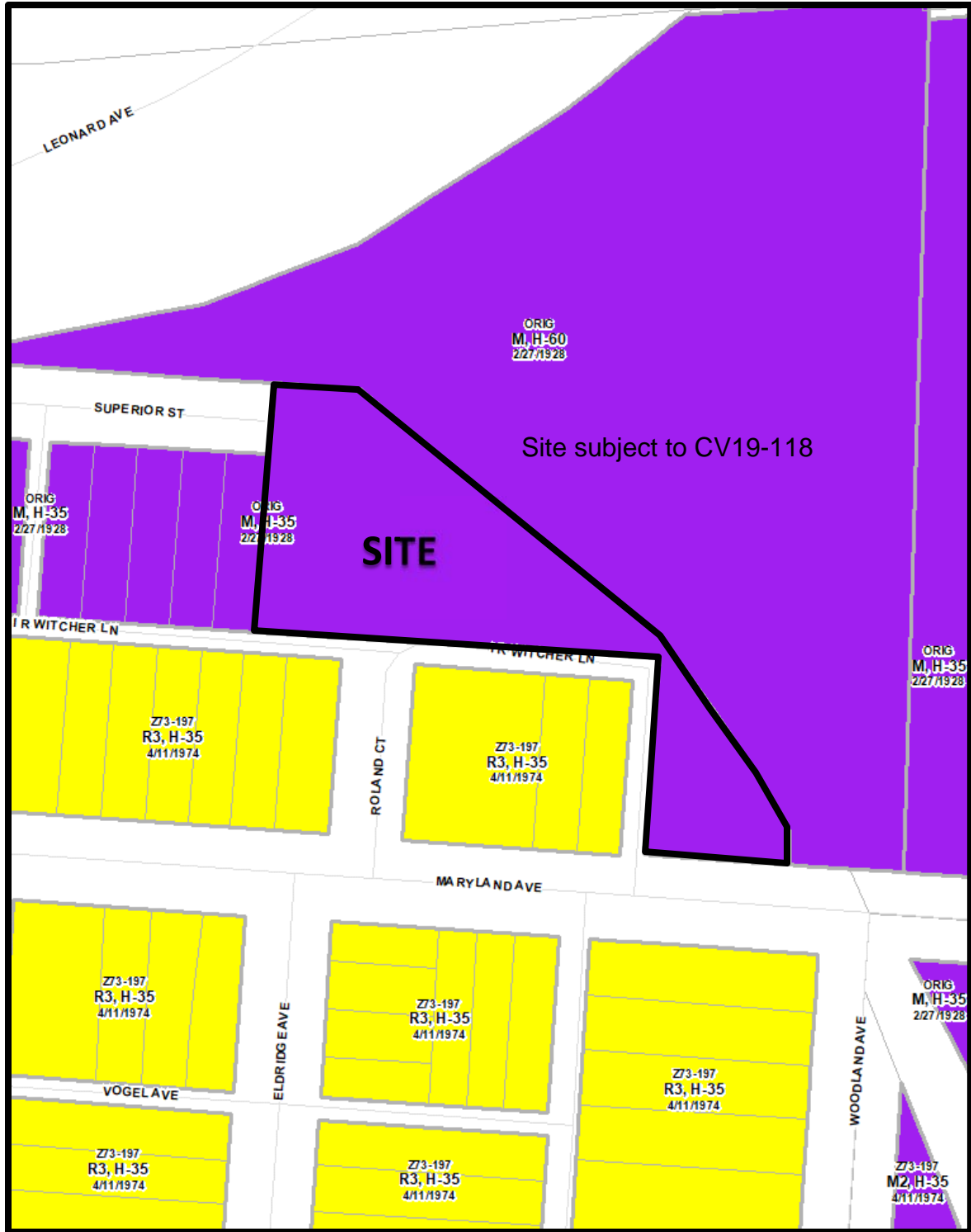
The proposed use will not adversely affect the surrounding properties or the neighborhood. The surrounding properties mostly consist of residential properties, making the proposed use more consistent with the neighborhood. Applicant’s proposed use is less objectionable than some of the Manufacturing uses which are currently permitted by right under the Columbus Zoning Code.

Due to the close proximity of the Property to residential properties, the Applicant has undue hardship developing the site for permitted Manufacturing uses. The requested use variance will not impair 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.

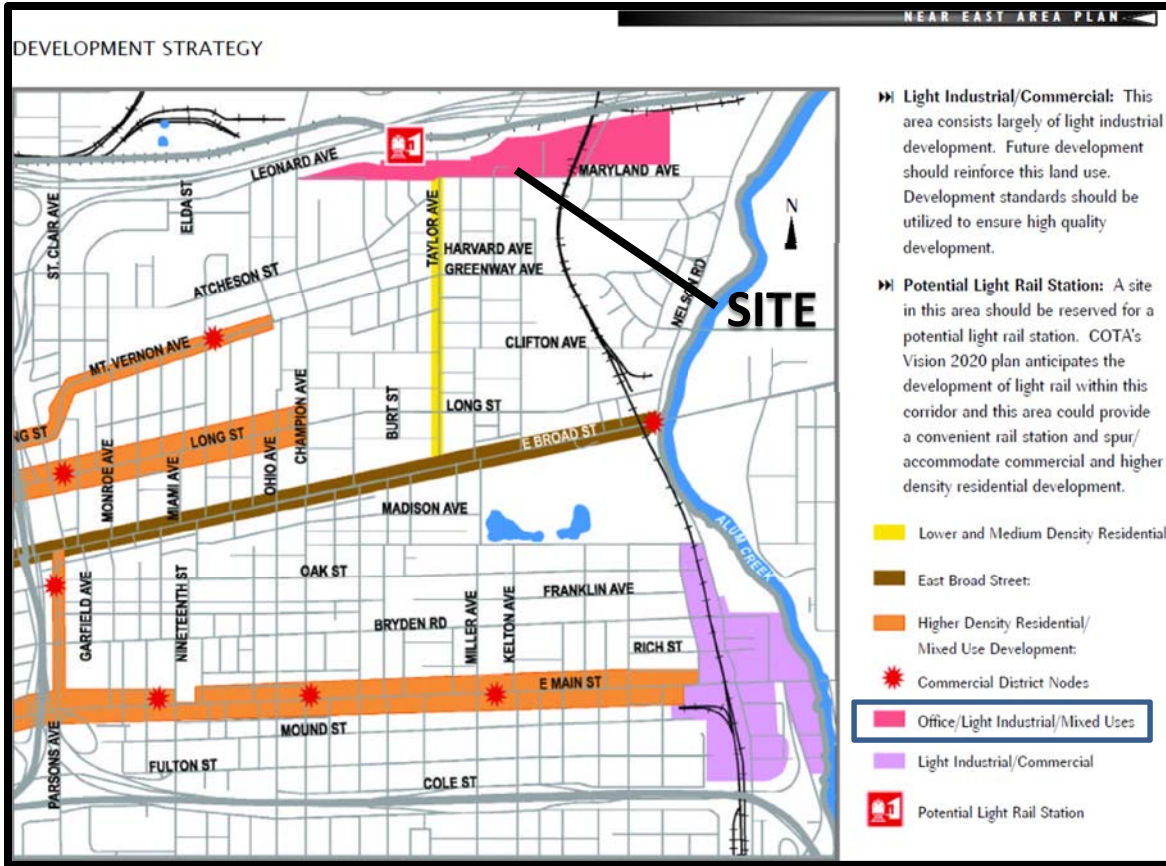
The applicant respectfully requests the approval of this use variance request.

By: \_\_\_\_\_

A handwritten signature in blue ink, consisting of stylized, cursive letters, is written over a horizontal line. The signature appears to be 'S. J. K.' or similar.



CV23-049  
1728 Maryland Ave.  
Approximately 0.90 acres



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 Approximately 0.90 acres





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# Standardized Recommendation Form

111 N Front Street, Columbus, Ohio 43215  
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DEPARTMENT OF BUILDING  
AND ZONING SERVICES

**FOR USE BY: AREA COMMISSION / NEIGHBORHOOD GROUP**  
(PLEASE PRINT)

**Case Number** CV23-049

**Address** 1728 Maryland Avenue

**Group Name** NEAC

**Meeting Date** July 13, 2023

**Specify Case Type**

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

**Recommendation**  
(Check only one)

- Approval
- Disapproval

**LIST BASIS FOR RECOMMENDATION:**

**Vote** 11-1-1

**Signature of Authorized Representative** [Signature]

**Recommending Group Title** Chair

**Daytime Phone Number** 614 403 2225

Please e-mail this form to the assigned planner within 48 hours of meeting day; OR FAX to Zoning at (614) 645-2463; OR MAIL to: Zoning, City of Columbus, Department of Building & Zoning Services, 111 N Front Street, Columbus, Ohio 43215.



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## PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV23-049

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

Being first duly cautioned and sworn (NAME) Sean Mentel  
of (COMPLETE ADDRESS) 250 E. Town Street, Suite 200, Columbus, Ohio 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 (including contact name and number)  
Business or individual's address; City, State, Zip Code  
Number of Columbus-based employees  
(Limited to 3 lines per box)

1. Central Ohio Opportunity Fund LLC 614.503.4344 577 Nationwide Blvd. Suite 600 Columbus, Ohio 43215	2.
3.	4.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 4 day of May, in the year 2023

SIGNATURE OF NOTARY PUBLIC

9-15-2027  
My Commission Expires

Notary Seal Here



**Hannah B. Kittle**  
Notary Public, State of Ohio  
My Commission Expires 9-15-2027

*This Project Disclosure Statement expires six (6) months after date of notarization.*