

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 _____

David Hodge

Date 3.23.21 _____

STATEMENT OF HARDSHIP**Application: CV21-038****Address: 805 East Long Street****Parcel(s): 010-049607, 010-026172, 010-031834, 010-008259, 010-042250, 010-051794, 010-048133, 010-049753, 010-004281****Property Size: +/- 0.86 Acres****Current District: R2F, H-35****Proposed District: CPD, H-60****Area Commission: Near East Side Area Commission****Applicant(s): Metropolitan Holdings****Attorney: David Hodge, Underhill & Hodge LLC****Date: November 10, 2021**

The Applicant submits this statement in support of its companion council variance. The subject property ("Site") is approximately +/- 0.86 acres and located on the south side of East Long Street, between North Garfield Avenue and Talmadge Street. The Site is currently zoned R2F and is vacant. Adjacent properties on the east and south are zoned R2F. Adjacent properties on the west (across North Garfield Avenue) and on the north (across East Long Street) are zoned CPD. The Lincoln Theater is on the west and a mixed-use development is being developed on the north.

The site is located within the boundaries of the East Long Street Urban Commercial Overlay (UCO) and the planning area of the Near East Area Plan (2005). This area of East Long Street is a historic commercial corridor on the visible edge of the surrounding neighborhood and presents an opportunity for mixed use developments and new higher density housing within walking distance of shops/offices and contribute to a lively atmosphere. Accordingly, the Plan recommends "higher density residential and mixed-use development" at this location.

The Applicant proposes the construction of a mixed-use development which is appropriate under the guidelines of the Near East Area Plan and the East Long Street Urban Commercial Overlay. The development will provide approximately 2,650 square feet of commercial space, 599 square feet of commercial patio space, and 72 dwelling units. The site will provide a minimum of 77 vehicular parking spaces and 20 bicycle parking spaces. In furtherance of establishing the proposed mixed-use, mixed-income redevelopment, the Applicant commits to providing 20% of the residential units at an affordable level as defined by the City of Columbus.

This development includes a proposal for ground floor residential uses. Accordingly, the Applicant requests the following council variance in companion with its submitted rezoning application:

3356.03 – C-4 Permitted Uses. Applicant requests a council variance to permit ground floor residential uses.

The requested council variance to permit ground floor residential use will not adversely affect the surround properties or surrounding neighborhood and is warranted to alleviate a difficulty. Nor will the council variance impair adequate supply of light and air to the adjacent properties,

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.

The proposed development is one that will reinforce the economic development recommendations set forth in the Near East Area Plan. The Plan has the following goals:

- Sustain/create a mix of land uses that contributes to a walkable and diverse neighborhood.
- Develop the commercial districts with a mix of higher density residential and retail/commercial uses along the East Long Street commercial corridor.
- Create economically active commercial districts that reflect the urban nature of the Near East Side.
- Establish residential areas that support the commercial districts.
- Increase the availability of good jobs within the neighborhood.

The Plan recognizes that high density, mixed-use developments are appropriate along the East Long Street commercial corridor and will contribute to the growing economic fabric of the neighborhood. This development compliments those goals and the vision for the Plan by bringing both jobs and residents to the Site.

The Applicant submits that the spirit and intent behind the zoning requirements would be observed and substantial justice done by granting the requested variance. The primary purpose of a zoning code is to protect a property owner's rights and those of their neighbors. Variances exist under this system to allow developments which fit within the spirit and intent of the zoning district but do not exactly fit under the strict letter of the zoning code. In this case, Applicant proposes a development which falls within the spirit and intent of the zoning code and the Near East Side Plan.

The Applicant respectfully requests that the Columbus City Council weigh these factors in its consideration and find that the variance is warranted to alleviate a difficulty.

Respectfully submitted,



David Hodge, Esq.
Attorney for Applicant



CV21-038
805 East Long St.
Approximately 0.86 acres



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Approximately 0.86 acres

FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW
(PLEASE PRINT)

Case Number: Z21-029 / CV21-038

Address: 805 E. LONG ST

Group Name: NEAR EAST AREA COMMISSION

Meeting Date: _____

Specify Case Type: BZA Variance / Special Permit
 Council Variance
 Rezoning
 Graphics Variance / Plan / Special Permit

Recommendation: Approval
(Check only one and list basis Disapproval
for recommendation below)

NOTES:

The city has not sufficiently addressed density related traffic safety and it takes for long after development to address ie ie mt venon and Chapman

Vote: 5-76-0

Signature of Authorized Representative: [Signature]

SIGNATURE

RECOMMENDING GROUP TITLE

DAYTIME PHONE NUMBER

Please e-mail this form to the assigned planner within 48 hours of your meeting day; or MAIL to: Assigned Planner, City of
MAIL to: Columbus, Department of Building & Zoning Services, 111 N. Front St, Columbus, OH 43215.

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PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV21-038

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) Eric Zartman
of (COMPLETE ADDRESS) 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 (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)

<p>1. Metropolitan Holdings 1433 Grandview Avenue, Columbus, Ohio 43212 Emps: 0 Contact: Joseph McCabe 614-488-1900 x22</p>	<p>2. City of Columbus, Land Redevelopment Office 845 Parsons Avenue, Columbus, Ohio 43206 Emps: 10,000+ Contact: John Turner 614-645-2551</p>
<p>3. 104 Garfield LLC c/o Metropolitan Holdings 1433 Grandview Ave. Columbus, Ohio 43212</p>	<p>4.</p>

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT [Signature]

Sworn to before me and signed in my presence this 10th day of November in the year 2021

[Signature] My Commission Expires 1-11-2026 Notary Seal Here

SIGNATURE OF NOTARY PUBLIC



KIMBERLY R. GRAYSON
Notary Public, State of Ohio
My Commission Expires
01-11-2026

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