

STATEMENT OF HARDSHIP

Application Number: CV17-053

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

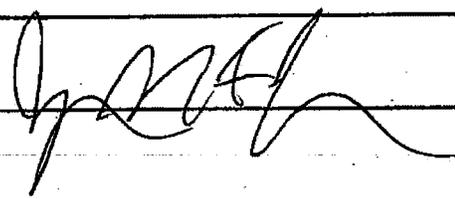
- A. Permit a variance in the yard, height, or parking requirements of any district only in conjunction with a change in zoning or a use variance and only where there are unusual and practical difficulties or unusual hardships in the carrying out of the zoning district provisions due to an irregular 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):

TODAY'S REQUEST INVOLVES TWO ITEMS - A VARIANCE TO ZONING CODE 3312.49-PARKING.
AND NOW AN APPLICATION FOR A VARIANCE TO ALLOW A FITNESS STUDIO USE WITHIN
THE APPROXIMATE 9,500 SF OF THE EXISTING FACILITY AT 279 E. FIFTH STREET.
THE FITNESS STUDIO USE WILL REQUIRE A VARIANCE TO ZONING CODE 3370.05-
LIMITED OVERLAY PERMITTED USES AND 3363.01-OFFICE USE. THE
USE OF A FITNESS CLUB IN THE AREA/NEIGHBORHOOD DOES NOT HAVE
A NEGATIVE IMPACT ON THE SURROUNDING PROPERTIES ZONED FOR OFFICE OR
LESS OBSTACULABLE MANUFACTURING USES. THE FITNESS STUDIO SHOULD FIT
WELL WITHIN THE CHARACTER OF THE NEIGHBORHOOD.

Signature of Applicant 

Date 8/16/17



850 King Ave., Columbus, OH, 43212 phone 614.421.7774 fax 614.421.2213

August 23, 2017

To: Ms. Shannon Pine
Planning Manager
City of Columbus Department of Building & Zoning Services
757 Carolyn Avenue, Columbus OH 43224

RE: CV17-053
Ohio Strength – 279 East 5th Avenue
Fitness Center

Council Variance Application - Statement of Hardship Elaboration

Dear Ms. Pine,

Per our most recent correspondence we are providing additional information regarding the Statement of Hardship pertaining to the Council Variance Application in relation to the number of parking spaces to be provided on the property. The originally submitted plan included the parking layout as currently exists on the site. The Division of Traffic Management has requested that the layout be revised to ensure that any parking provided on the property comply with current parking standards rather than utilize any existing spaces not in compliance.

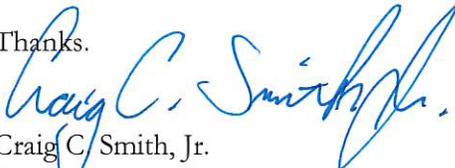
A revised site plan has been submitted showing the proposed parking layout to meet the current requirements. This revised plan indicates that the number of spaces able to be accommodated within the site shall be ten (10) parking spaces. Per the Zoning requirements, as outlined on the submitted plan, the number of required spaces shall be forty-five (45). This number includes the proposed fitness center and the adjacent tenant already on the property and shows a current shortfall of thirty-five (35) spaces between what can be provided and the required amount of parking.

The Ohio Strength fitness facility works with clients by appointment only. The number of clients seen at the facility at any given time, plus staff, would bring the facility occupancy to six (6) persons at peak times. The typical class schedule has client appointments in the early morning (5am – 7am), lunchtime (1pm) and afternoon (4:30pm – 7:30pm). This schedule does not conflict with the surrounding business by placing a higher demand for parking at peak times.

Additionally the Owner of Ohio Strength has begun to enter into an agreement with a neighboring church property to allow the use of the church parking lot during the church's 'off hours'. This agreement will allow for up to forty (40) spaces to be utilized by the Ohio Strength clientele. A letter outlining this agreement should be available shortly.

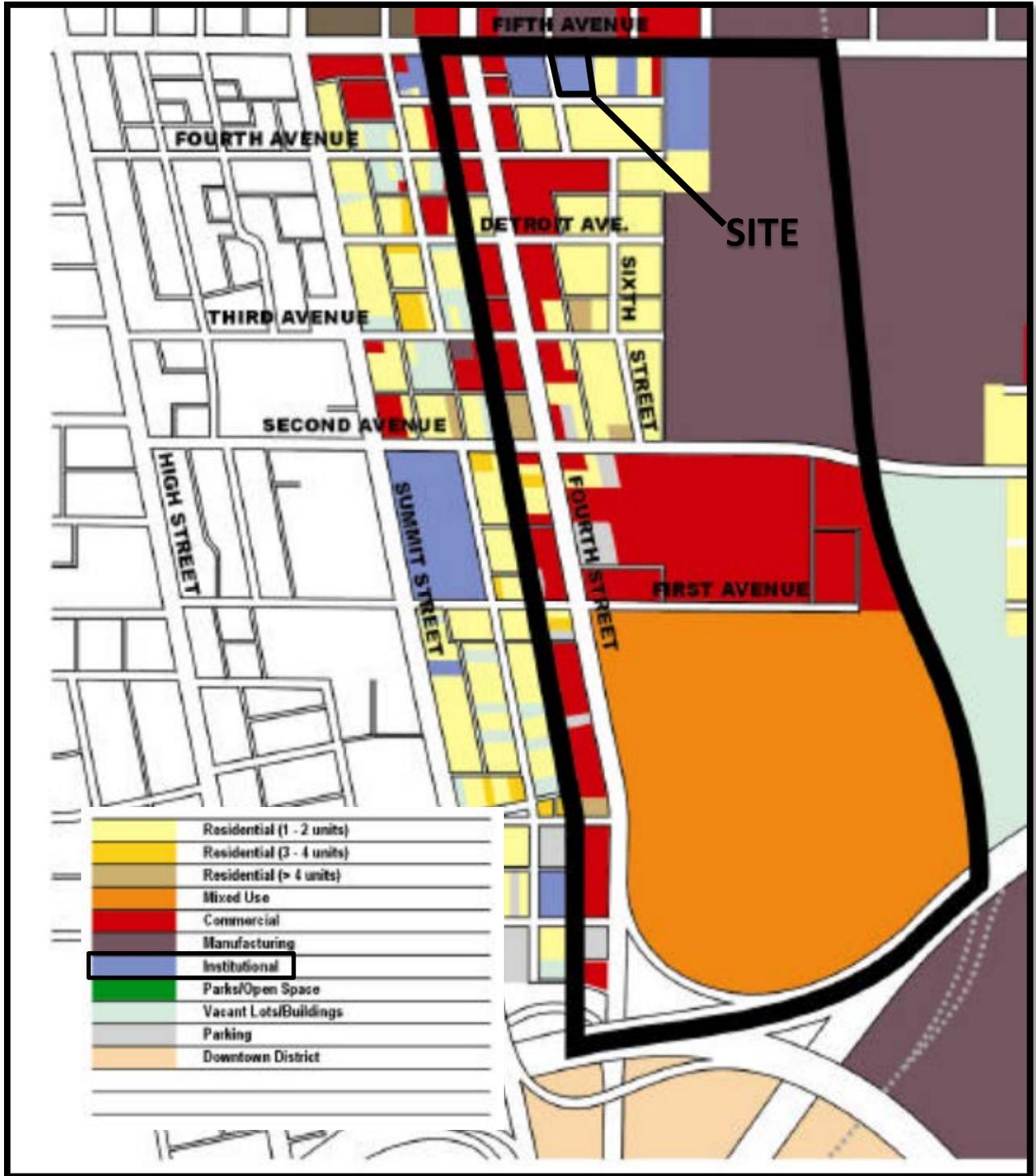
Please feel free to contact me if you require any additional information.

Thanks.


Craig C. Smith, Jr.
Project Architect



CV17-053
279 East Fifth Avenue
Approximately 0.61 acres



Italian Village East Redevelopment Plan (2000)

CV17-053
279 East Fifth Avenue
Approximately 0.61 acres



CV17-053
279 East Fifth Avenue
Approximately 0.61 acres

**HISTORIC DISTRICT COMMISSION
RECOMMENDATION**

ITALIAN VILLAGE COMMISSION

This is a recommendation to the appropriate regulatory body as identified per City Code. It is not a zoning clearance or a building permit. This document does not relieve the applicant from the responsibility of filing for and obtaining any required zoning clearance and/or building permit from the City of Columbus Department of Building & Zoning Services (645-6090 / 757 Carolyn Avenue) and following all other applicable codes and ordinances of the City of Columbus.

PROPERTY ADDRESS: 279 E. Fifth Ave.

APPLICANT'S NAME: Bogden Architects, Inc. (Applicant) FK IV, LP, (Owner)

APPLICATION NO.: 17-9-14b **COMMISSION HEARING DATE:** 9-19-17

The Italian Village Commission hereby certifies that the application for the above referenced property and a copy of this Recommendation are on file with the city's Historic Preservation Office. The Commission has reviewed the application and taken the following action(s) in accordance with Columbus City Code 3116 & 3119 and the architectural guidelines:

Variance or Zoning Change Request

- | | |
|--|---|
| <input type="checkbox"/> Rezoning | <input type="checkbox"/> Special Permit |
| <input checked="" type="checkbox"/> Parking Variance | <input type="checkbox"/> Setbacks |
| <input type="checkbox"/> Change of Use | <input checked="" type="checkbox"/> Other |
| <input type="checkbox"/> Lot Split | |

TYPE(S) OF ACTION(S) REQUESTED:

Recommend approval of application #17-9-14b, 29 E. Fifth Ave., as submitted:

Variance Recommendation Request

- 3312.49: Parking – To reduce the number of parking spaces from 45 spaces to 7 Spaces.
- 3370.05: Permitted uses – to allow fitness center use within an L-M district, limited overlay permitted use district.
- 3363.01: M-manufacturing districts – to allow office use within M district.

MOTION: Boyer/Goodman (4-0-0) APPROVED.

RECOMMENDATION:

- RECOMMEND APPROVAL RECOMMEND DENIAL NO ACTION TAKEN

THIS RECOMMENDATION IS FOR CONSIDERATION BY THE DESIGNATED REGULATORY AUTHORITY FOR THE ACTION(S) REQUESTED AS INDICATED.


Randy F. Black
Historic Preservation Officer



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 Number: CV17-053

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Craig Smith / Bogden Architects Inc.
of (COMPLETE ADDRESS) 850 King Ave, Columbus, OH 43212

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.</p> <p>F K I V L P Attn: Mr. Mike Maloof 2362 N. High Street, Columbus, OH 43202 (614) 271-7572</p>	<p>2.</p> <p>Ohio Strength 279 E. Fifth Avenue Columbus, OH 43201</p>
<p>3.</p>	<p>4.</p>

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

SIGNATURE OF AFFIANT *Craig C. Smith*

Sworn to before me and signed in my presence this 14th day of August, in the year 2017

Belinda Menix
SIGNATURE OF NOTARY PUBLIC

12-9-17
My Commission Expires

Notary Seal Here



BELINDA MENIX
Notary Public, State of Ohio
My Commission Expires
12-09-2017

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