



DEPARTMENT OF BUILDING AND ZONING SERVICES

Council Variance Application
111 North Front Street, Columbus, Ohio 43215
Phone: 614-645-4522 • www.columbus.gov/bzs • zoninginfo@columbus.gov

STATEMENT OF HARDSHIP

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):

See Exhibit B

Signature of Applicant [Handwritten Signature] Date 3/31/20
Signature of Attorney [Handwritten Signature] Date 3/31/20

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

Exhibit B

Statement of Hardship

CV20-033, 777 Neil Avenue

Applicant's development site is 5.1 +/- acres (PID: 010-140811), being the block bound by Neil Avenue (east), Collins Avenue (south), Thurber Drive East (west) and Buttles Avenue (north). The site is presently zoned C-3, Commercial and is developed with an older retail shopping center and large parking lot. By rezoning application Z20-030, applicant proposes to rezone 2.3 +/- acres adjacent to Neil Avenue, Buttles Avenue and Collins Avenue from C-3 to CPD, Commercial Planned Development, for new commercial development, and 2.8 +/- acres adjacent to Thurber Drive East, Buttles Avenue and Collins Avenue for new residential development. This variance application is submitted for applicable variances for the AR-3 area.

The AR-3 area is proposed for up to 230 dwelling units, a community center and structured parking. The dwelling unit buildings are proposed to be 5 story. The AR-3 area will be split from the CPD area and both the AR-3 and CPD areas will be developed in more than one phase. See illustrative exhibits: Thurber Village Phasing Plan – Phase 1 and Thurber Village Phasing Plan – Phase 2, both dated 06/17/2022. Site development requires phased construction for development of both the CPD and AR-3 areas. 48 parking spaces within the structured parking will be available for commercial use by the commercial uses in the adjacent CPD area. The existing shopping center building, located in the AR-3 area with rezoning (Z20-030), will be razed in phases. Interim commercial surface parking may be provided in the adjacent AR-3 area as the CPD area is redeveloped and the existing shopping center building is razed in phases. The 48 commercial use spaces in the AR-3 area are exclusive for commercial use. There will be 312 spaces for residential use in the AR-3 area.

Applicant has a hardship as well as a practical difficulty with compliance with the referenced code sections to build in a dynamic historic urban neighborhood with many styles and heights of housing. For applicants proposed development, there is no zoning district to which the site can be rezoned without also requiring variances. Since the neighborhood was built before Columbus adopted zoning, there are many buildings/parcels not in compliance with aspects of the Zoning Code and many new development projects have sought and received comparable variances as proposed. The proposed use and proposed site development are appropriate for the site and location, with similar multi-story residential development located to the south, including Westminster Thurber and the Arena District. The proposed use is consistent with the dense, urban area of the site. The requested variances are not substantial given the urban environment, will not affect the delivery of government services, the variances are

necessary for reasonable use of the property and are consistent with the spirit of the zoning requirement given the urban environment.

Applicant requests the following variances:

- 1). Section 3333.03, AR-3, Apartment Residential District Use, to permit the use of the parking in the AR-3 area of the site for 48 commercial parking spaces related to the commercial uses on the adjacent CPD, Commercial Planned Development area and to permit new parking developed in the AR-3 area as interim parking for commercial use to support the phased development of the CPD area as the shopping center building in the AR-3 area is razed in phases.
- 2). Section 3312.13, Driveway, to reduce the width the driveway for two-way travel for the refuse service area from 20' to 14'.
- 3). Section 3312.21(A), Landscaping and Screening, to reduce interior parking lot trees for the 16 space surface parking lot to be used for 16 of the 48 commercial spaces on the east side of the AR-3 area from 2 trees to 0 trees, subject to 2 trees being provided within the AR-3 area; and to reduce interior parking lot trees for the 11 space surface parking lot on the west side of the AR-3 area from 2 trees to 0 trees, subject to 2 trees being provided within the AR-3 area.
- 4). Section 3312.27, Parking Setback Line, to reduce the parking setback of any parking developed for interim commercial use to five (5) feet from any public street.
- 5). Section 3312.49, Minimum Numbers of Parking Spaces Required, to reduce parking for up to 230 dwelling units from 345 spaces to 312 spaces, and to reduce parking to zero (0) spaces for Phase 1 development with the existing CVS tenant space remaining until Building B is built in the CPD area with 40 spaces to be provided for the existing CVS tenant space, which spaces will be off-site of the CVS tenant space if the lot split of the CPD and AR-3 areas occurs prior to completion of Building B. See illustrative exhibits: Thurber Village Phasing Plan – Phase 1 and Thurber Village Phasing Plan – Phase 2, both dated 06/17/2022. Site development requires phased construction for development of the CPD and AR-3 areas.
- 6). Section 3333.18, Building Lines, to reduce the Buttles Avenue and Thurber Drive East building setback lines from 25' to 15' and 10', respectively.
- 7). Section 3333.24, Rear Yard, to reduce rear yard from 25% of lot area to 5% of lot area.

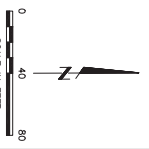
FOR INFORMATIONAL PURPOSES ONLY



LEGEND

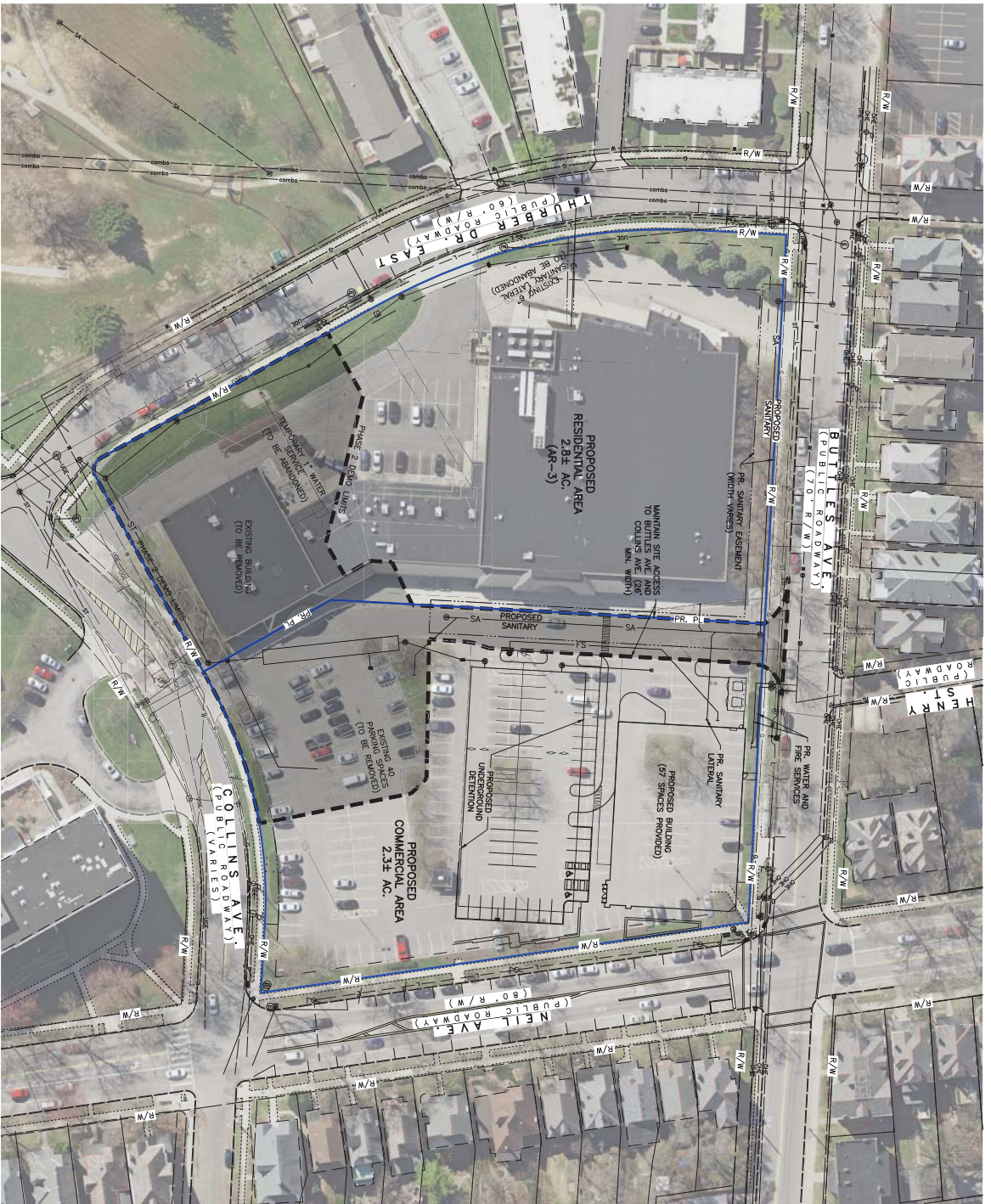
PR. CENTER LINE	PR. STORM MANHOLE
PR. RIGHT-OF-WAY	PR. STORM CURB INLET
PR. LOT LINE	PR. SANITARY MANHOLE
PR. ROADWAY CENTERLINE	PR. STORM SEWER
EDGE OF PARKWAY/ROAD OR CURB	PR. DOWNSPOUT LINE
DOE OF DRIVEWAYS	PR. SANITARY SERVICE
DOE OF DRIVEWAYS	PR. WATER SERVICE
EX. FIRE HYDRANT	PR. FIRE SERVICE
EX. WATER SERVICE VALVE	PR. GAS LINE
EX. HULL BOX	PR. TELECOM
EX. TREE	PR. WATER VALVE
EX. SANITARY MANHOLE	PR. CONCRETE WALL/POINTE
EX. CATCH BASIN	PR. CLEAN-OUT
EX. STORM MANHOLE	PR. FLOOD ROUTE
EX. STORM CURB INLET	PR. DRAINAGE ROW
EX. UTILITY POLE	PR. DIRECTION, ROW
EX. LIGHT POLE	PR. CONSTRUCTION LIMITS
EX. UNDERGROUND TELEPHONE	TRM
EX. MAILBOX	TRM
EX. SIGN	TRM
EX. FENCE	TRM
EX. WATER LINE	TRM
EX. WATER SERVICE (LOCATION PER RECORD PLAN)	TRM
EX. UNDERGROUND TELEPHONE	TRM
EX. UNDERGROUND TELEPHONE	TRM
EX. STORM	TRM
EX. SANITARY	TRM
EX. COMBINED SEWER	TRM
EX. UNDERGROUND ELECTRIC	TRM
EX. OVERHEAD ELECTRIC	TRM
EX. OVERHEAD STREET LIGHTING	TRM
EX. UNDERGROUND STREET LIGHTING	TRM
EX. FIBER OPTIC	TRM
EX. STRUCTURE NUMBER (PER A10)	TRM

Z20-030 / CV20-033
ILLUSTRATIVE PHASING PLAN



<p>E. P. FERRIS & ASSOCIATES, INC. CONSULTING CIVIL ENGINEERS AND SURVEYORS</p>		<p>CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO THURBER VILLAGE CASTO DEVELOPMENT</p>		
<p>REVISIONS</p>	<p>DATE BY CHK</p>	<p>JOB NO. 0956010</p>	<p>THURBER VILLAGE PHASING PLAN - PHASE 1</p>	
<p>DATE BY CHK</p>	<p>DATE BY CHK</p>	<p>DESIGNED BY: JAK</p>	<p>SHEET NO. 1 OF 2</p>	
<p>DATE BY CHK</p>	<p>DATE BY CHK</p>	<p>DRAWN BY: JAK</p>	<p>SCALE: 1" = 40'</p>	
<p>DATE BY CHK</p>	<p>DATE BY CHK</p>	<p>CHECKED BY: CJP</p>	<td> </td>	
<p>DATE BY CHK</p>	<p>DATE BY CHK</p>	<p>APPROVED BY: CJP</p>		
<p>DATE BY CHK</p>	<p>DATE BY CHK</p>	<p>DATE: 06/17/22</p>		

FOR INFORMATIONAL PURPOSES ONLY

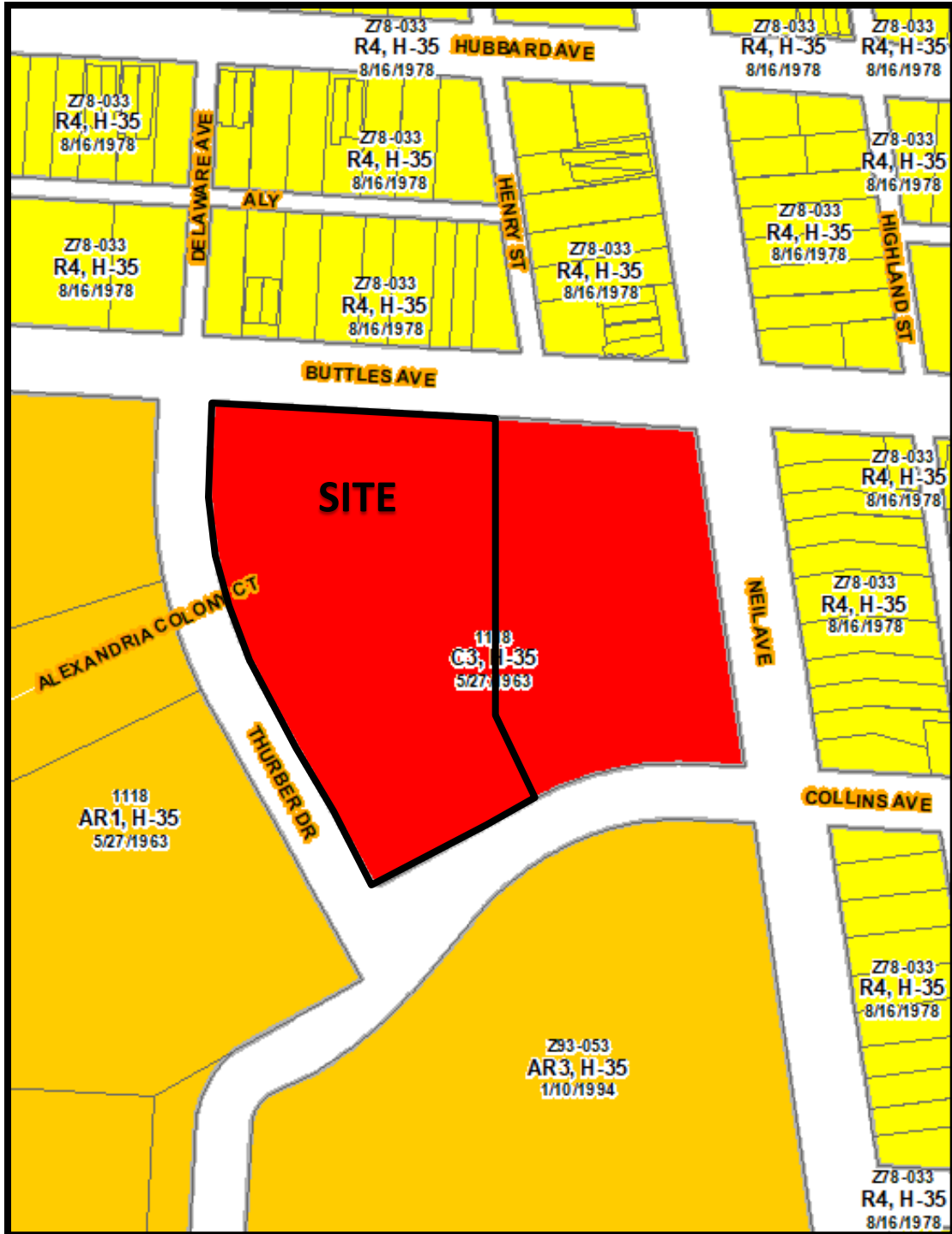


LEGEND

— R/W	PROPOSED LINE	■	PR. CATCH BASIN
— R/W	EX. RIGHT-OF-WAY	⊙	PR. STORM MANHOLE
— R/W	EX. RIGHT-OF-WAY	⊙	PR. STORM CURB INLET
— R/W	LOT LINE	⊙	PR. SANITARY MANHOLE
— R/W	ROADWAY CENTERLINE	⊙	PR. STORM MANHOLE
— R/W	EDGE OF PARKWAY/ROAD OR CURB	⊙	PR. STORM MANHOLE
— R/W	EDGE OF DRIVEWAYS	⊙	PR. STORM MANHOLE
— R/W	EDGE OF DRIVEWAYS	⊙	PR. STORM MANHOLE
— R/W	EX. WATER SERVICE VALVE	⊙	PR. WATER SERVICE
— R/W	EX. HALL BOX	⊙	PR. WATER SERVICE
— R/W	EX. FIRE	⊙	PR. FIRE SERVICE
— R/W	EX. SANITARY MANHOLE	⊙	PR. GAS LINE
— R/W	EX. STORM MANHOLE	⊙	PR. WATER VALVE
— R/W	EX. STORM CURB INLET	⊙	PR. CONCRETE WALL/GROVE
— R/W	EX. UTILITY POLE	⊙	PR. CLEAN-OUT
— R/W	EX. LIGHT POLE	⊙	PR. FLOOD ROUTE
— R/W	EX. UNDERGROUND TELEPHONE	⊙	PR. DRAINAGE ROW
— R/W	EX. MAILBOX	⊙	PR. DRAINAGE ROW
— R/W	EX. SIGN	⊙	PR. DRAINAGE ROW
— R/W	EX. FENCE	⊙	PR. DRAINAGE ROW
— R/W	EX. WATER LINE	⊙	PR. DRAINAGE ROW
— R/W	EX. WATER SERVICE (LOCATION PER RECORD PLAN)	⊙	PR. DRAINAGE ROW
— R/W	EX. UNDERGROUND TELEPHONE	⊙	PR. DRAINAGE ROW
— R/W	EX. GAS	⊙	PR. DRAINAGE ROW
— R/W	EX. STORM	⊙	PR. DRAINAGE ROW
— R/W	EX. SANITARY	⊙	PR. DRAINAGE ROW
— R/W	EX. COMBINED SEWER	⊙	PR. DRAINAGE ROW
— R/W	EX. UNDERGROUND ELECTRIC	⊙	PR. DRAINAGE ROW
— R/W	EX. OVERHEAD ELECTRIC	⊙	PR. DRAINAGE ROW
— R/W	EX. OVERHEAD STREET LIGHTING	⊙	PR. DRAINAGE ROW
— R/W	EX. UNDERGROUND STREET LIGHTING	⊙	PR. DRAINAGE ROW
— R/W	EX. FIBER OPTIC	⊙	PR. DRAINAGE ROW
— R/W	EX. STRUCTURE NUMBER (PER A14)	⊙	PR. DRAINAGE ROW

**Z20-030 / CV20-033
ILLUSTRATIVE PHASING PLAN**

<p>E. P. FERRIS & ASSOCIATES, INC. CONSULTING CIVIL ENGINEERS AND ARCHITECTS</p> <p>880 KING AVENUE COLUMBUS, OHIO 43212 (614) 298-2992 (Fax) WWW.EPFERRIS.COM</p>		<p>CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO THURBER VILLAGE CASTO DEVELOPMENT</p>									
<p>REVISIONS</p> <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>BY</th> <th>CHK</th> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>	NO.	DATE	BY	CHK					<p>DATE BY CHK</p>	<p>JOB NO. 0956010</p> <p>DESIGNED BY: JAK</p> <p>DRAWN BY: JAK</p> <p>CHECKED BY: CJP</p> <p>APPROVED BY: CJP</p> <p>DATE: 06/17/22</p>	<p>THURBER VILLAGE PHASING PLAN - PHASE 2</p> <p>SHEET NO. 2 OF 2</p>
NO.	DATE	BY	CHK								



CV20-033
777 Neil Ave.
Approximately 2.68 acres



CV20-033
777 Neil Ave.
Approximately 2.68 acres



Standardized Recommendation Form

DEPARTMENT OF BUILDING AND ZONING SERVICES

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

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

Case Number CV20-033

Address 777 Neil Avenue

Group Name Harrison West Society

Meeting Date March 16, 2022

- 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

6-2

Signature of Authorized Representative

[Handwritten Signature]

Recommending Group Title

Planning Committee Chair

Daytime Phone Number

(646) 957-4765

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.

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

PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV20-033

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 Leibowitz
of (COMPLETE ADDRESS) CASTO, 250 Civic Center Drive, Suite 500, Columbus, OH 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. SC Thurber Village Limited; 250 Civic Center Drive, #500, Columbus, OH 43215; Cols based emps: 0 Contact: Eric Leibowitz, (614) 744-2027	2. -----
3. -----	4. -----

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT *Eric Leibowitz*

Sworn to before me and signed in my presence this 20th day of June, in the year 2022

MaryAlice Wolf
SIGNATURE OF NOTARY PUBLIC

Notary Seal Here
My Commission Expires _____



MaryAlice Wolf
Notary Public, State of Ohio
My Commission Expires October 24, 2023
This Project Disclosure Statement expires six (6) months after date of notarization.