

CV12-037

**COUNCIL VARIANCE APPLICATION**

City of Columbus, Ohio • Department of Building & Zoning Services
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.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.

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 requested as detailed below:

The property is zoned C-4, Commercial and consists of three (3) first floor storefronts fronting West Fifth Avenue, six (6) second floor apartments and two (2) townhouse-style apartments (1281 and 1283 Forsythe Avenue) with existing ground floor residential use. The commercial storefronts are vacant and not viable commercial space at this time. Applicant proposes to convert the three (3) ground level store fronts to three (3) apartments and to permit the existing ground level residential use (1281 and 1283 Forsythe Avenue). The change of use of the three (3) storefronts to apartments does not require a parking variance because the change of use (residential) is a less intense use than the commercial use for parking purposes.

Applicant requests the following variance:

- 1) Section 3356.03 - C-4 permitted uses, which Section doesn't permit ground floor residential use, while applicant proposes to change the use of the three (3) existing vacant commercial storefronts fronting West Fifth Avenue to three (3) apartments and to permit the existing ground floor residential use of 1281 and 1283 Forsythe Avenue (same parcel), thereby permitting the use of the property for a total of eleven (11) dwelling units (8 existing and 3 proposed).

Signature of Applicant

Donald Plank

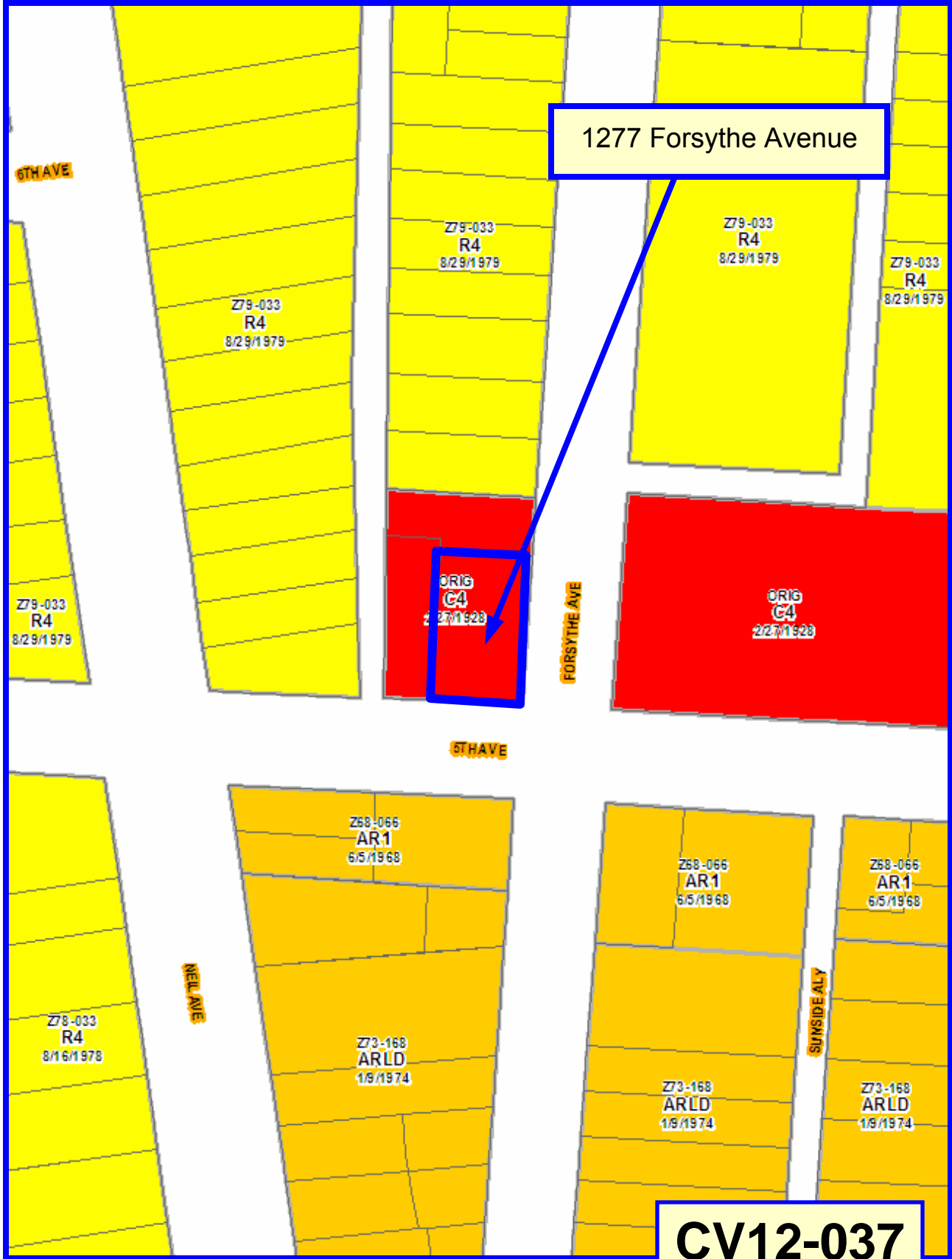
Date

7/30/2012

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 all checks payable to the Columbus City Treasurer



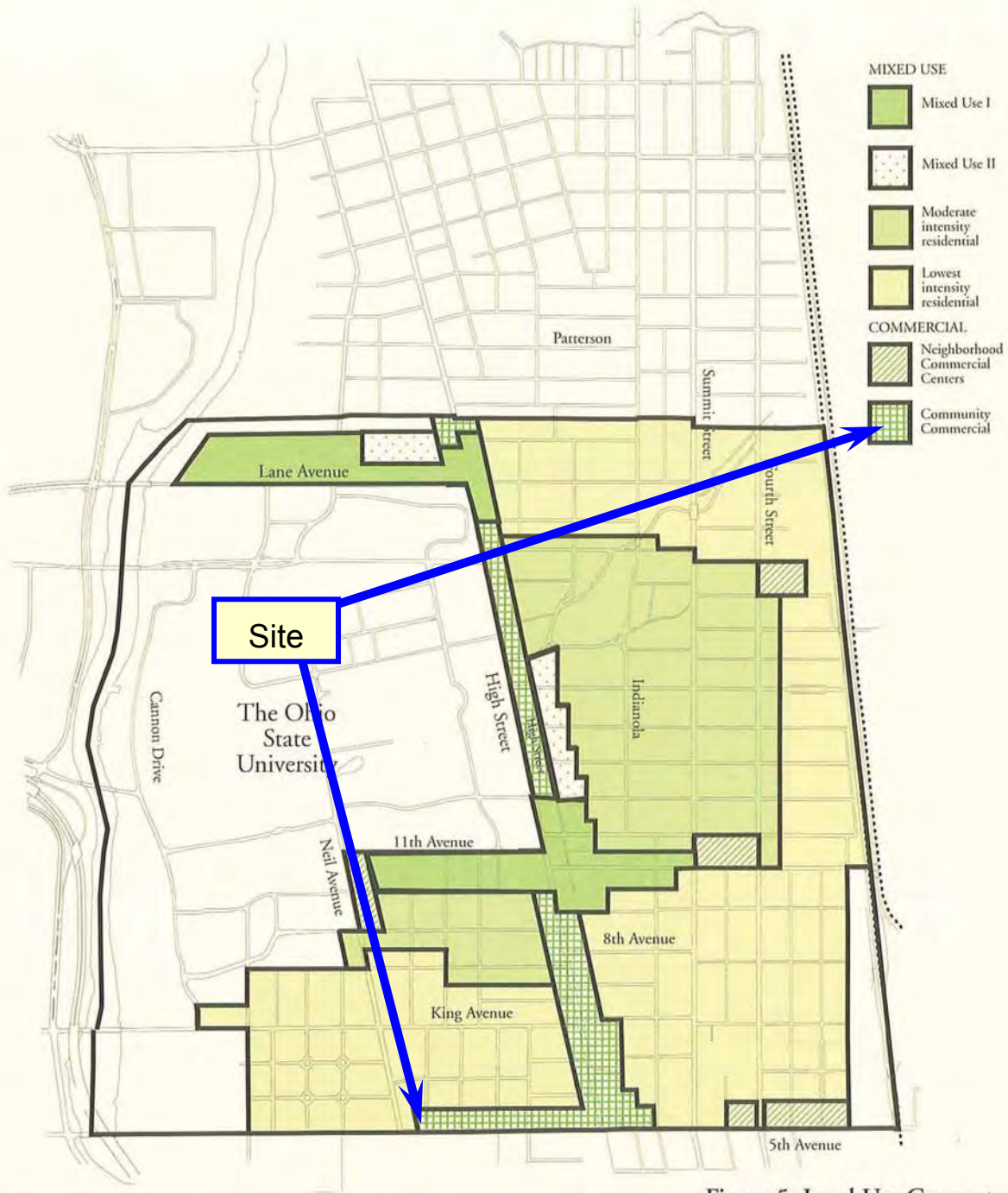


Figure 5: Land Use Concept

CV12-037



1277 Forsythe Avenue

CV12-037



City of Columbus
Mayor Michael B. Coleman

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University Area Commission

Northwood High Building
2231 North High Street
Columbus, Ohio 43201
(614) 441-8174
www.universityareacommission.org

Serving the University Community for over 30 Years

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Seth Golding
Treasurer

November 14, 2012

TO: Shannon Pine,
Planner II
757 Carolyn Ave.
Columbus, OH 43224
Ph: 614-645-2208
spine@columbus.gov

Jim Bach

Terra Goodnight

Lucas Dixon

Bill Graver

Joyce Hughes

Zach Kenitzer

Paul Kwapich

John Risteter

Charles Robol

Joaquin Serantes

Gena Shelton

Laura Shinn

Richard Talbott

Tom Wildman

RE: Council Variance for 1277 ABC Forsythe
Application No.CV12-037

Dear Ms. Pine:

This letter is to inform you that the University Area Commission voted to disapprove the request for a Council Variance to permit first floor residential use in a C4 zone for the property located at 1277-ABC Forsythe Avenue.

The Commission recognized the fact that the commercial spaces had been vacant for a long while, and that the property owner as well as a nearby resident both desire to have that space occupied. However, the Commission, along with another nearby property owner, also recognized the historic value of this small commercial node that was planned for both sides of Fifth Avenue, the block just east of Neil. The Commission felt that the existing commercial spaces have a relationship to the commercial spaces on the south side of Fifth Avenue in the Victorian Village, and are, therefore, more appropriate to the neighborhood plan. The University Area Commission recommended maintaining the existing first floor commercial spaces in the existing C4 zone.

The final vote was **1** yes, **12** no, and no abstentions. The request for variance was disapproved.

Respectfully Submitted,

Susan Keeny
UAC Zoning Committee
C: (937) 479-0201



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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 # CV12-037

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] Donald Plank

Of [COMPLETE ADDRESS] Plank Law Firm, 145 East Rich Street, Fl 3, Columbus, OH 43215
deposes and states that he 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 formats

- 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

| | |
|---|---|
| 1. OSU Properties LLC 455 Ridge Drive Naples, FL 34108 Number of Columbus Based Employees: 2 Contact Name and Number: George Kanellopoulos, (614) 226-4134 | 2. George and Laura Kanellopoulos 455 Ridge Drive Naples, FL 34108 Number of Columbus Based Employees: 2 Contact Name and Number: George Kanellopoulos, (614) 226-4134 |
| 3. <hr/> | 4. <hr/> |

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Donald Plank

Subscribed to me in my presence and before me this 12th day of SEPTEMBER, in the year 2012

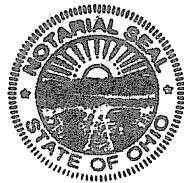
SIGNATURE OF NOTARY PUBLIC

Barbara A. Painter

My Commission Expires:

AUGUST 3, 2015

Notary Seal Here



BARBARA A. PAINTER
Notary Public, State of Ohio
My Commission Expires AUGUST 3, 2015

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

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