



Mayor Michael B. Coleman

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:

See Exhibit B

Signature of Applicant

Donald Plenk

Date

9/27/12

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

EXHIBIT B
Statement of Hardship

362 East 11th Avenue, Columbus, OH 43201

Council Variance # CV12-_____

The site consists of 24 parcels on both the north and south side of East 11th Avenue between North Fourth Street and North Grant Avenue. All of the buildings are vacant and boarded. All of the buildings are in the New Indianola Historic District. All of the parcels are zoned AR-4, Apartment Residential, except 393-395 East 11th Avenue, 394-396 East 11th Avenue and 397-403 East 11th Avenue, which are zoned C-4, Commercial. Twenty-three (23) of the 24 parcels are developed with apartment buildings that will be completely renovated for market rate housing. The 24th parcel has a building, but it will be razed. The total number of dwelling units is 90 and the number of dwelling units per building, as itemized on the submitted data table, corresponds to the use of record for each building. Applicant proposes to permit the dwellings in the C-4, Commercial District and develop new and expanded parking areas to provide a total of 186 parking spaces or 2.06/DU. Development of the parking areas requires variances to site development standards due to property lines and proposed parking space stacking. All of the buildings are on separate parcels and need to remain on separate parcels.

Given working with the existing buildings and maintaining the existing separate parcels, applicant has a practical difficulty with literal compliance with parking lot design standards, while, in effect, code requirements will be met through common ownership and easements where applicable. Applicant also has a practical difficulty in complying with applicable development standards to an area of Columbus where many properties don't comply with current design standards since these properties and the area were developed before the current design standards existed. Applicant believes a hardship exists in that there is no zoning district to which the property could be rezoned to conform the parcels and buildings to applicable current zoning regulations. Applicant believes the proposed variances meet the criteria contained in City of Columbus form, "Statement of Hardship", which form is hereby incorporated by reference. It is the intention of this application to permit the proposed project and to grant all applicable variances for existing conditions so the project is conforming to the zoning code by variance, as applicable.

Applicant requests the following variances:

- 1) 3356.03, C-4 Permitted Uses, which Section does not permit buildings used exclusively for residential purposes or any ground level residential use, while 393-395 East 11th Avenue, 397-403 East 11th Avenue and 394-396 East 11th Avenue were built before this current use limitation of the C-4 district, are exclusively used for residential purposes

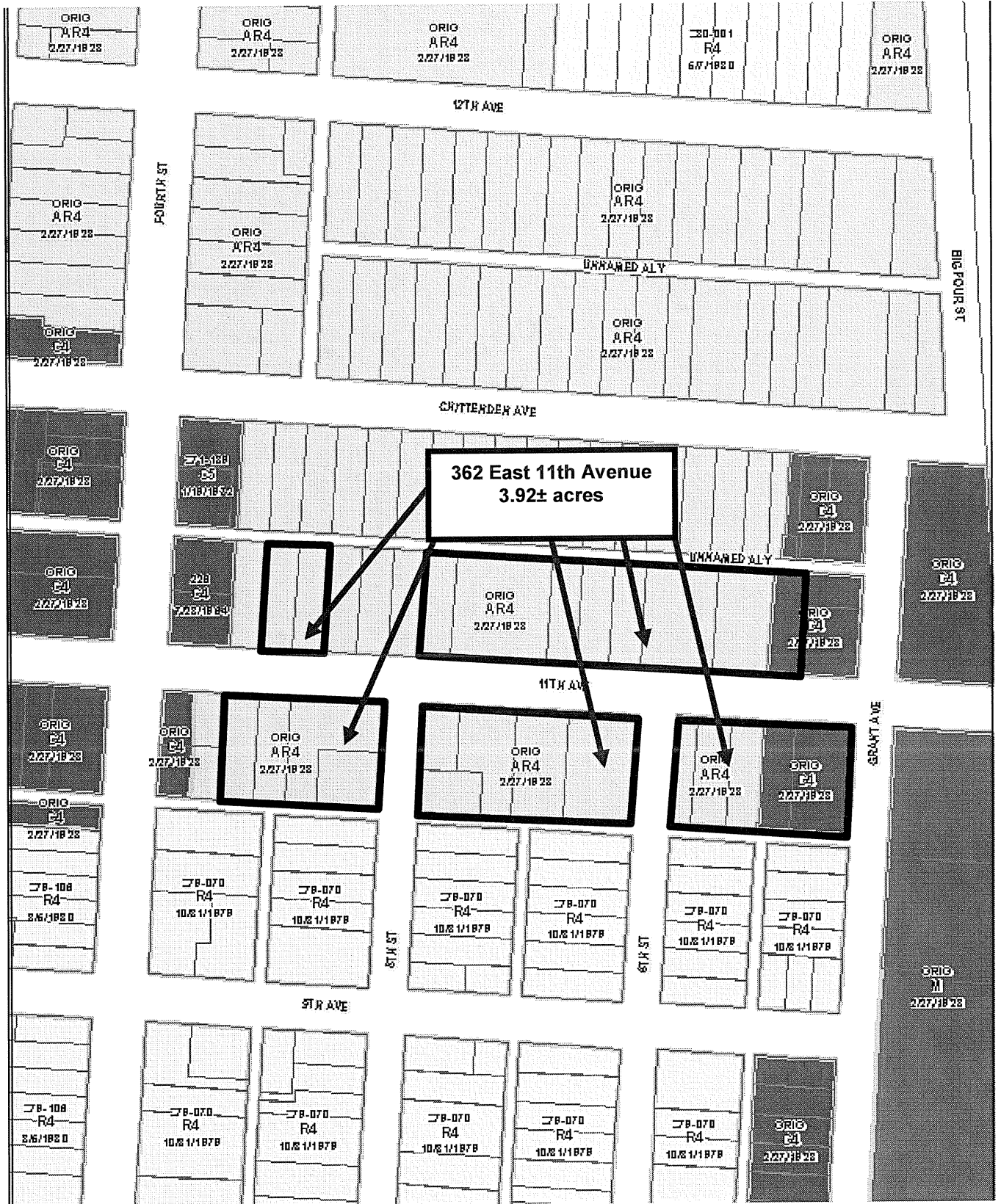
and contain four (4), four (4) and two (2) dwelling units, respectively, and applicant proposes to permit the residential use of these buildings as a permitted use by variance in the C-4, Commercial District.

- 2) 3333.12, AR-1 and AR-4 Area District Requirements, which Section requires 1,200 square feet of lot area/dwelling unit, other than corner lots, while certain existing parcels with existing buildings and no change in number of existing/permitted dwelling units don't comply with 1,200 square feet of lot area/dwelling unit.
- 3) 3333.22, Maximum Side Yard Required, which Section requires 20% of the lot width to be provided in side yard, while 20% of lot width does not exist in total side yard on various parcels with the existing buildings.
- 4) 3333.23, Minimum Side Yard Permitted, which Section requires a five (5) foot minimum side yard, while buildings in the project have existing side yards of less than five (5) feet.
- 5) 3312.09, Aisle, which Section requires a minimum of twenty (20) foot aisle for 90 degree parking spaces, while applicant proposes to develop new parking areas at the rear of existing buildings on existing parcels and certain aisles will be divided by existing property lines, thereby creating aisles on each side of a property line that are less than twenty (20) feet, as well as certain parking spaces will be configured in a stacked arrangement, while the overall aisle width will meet or exceed twenty (20) feet and easements as applicable will be provided for the aisle to function as a single aisle divided by a property line and stacked spaces will be assigned in pairs to the same dwelling unit.
- 6) 3312.13, Driveway, which Section requires a twenty (20) foot wide driveway, while applicant proposes to develop new parking areas at the rear of existing buildings on existing parcels and certain driveways will be divided by existing property lines, thereby creating driveways divided by property lines with each part of the driveway less than twenty (20) feet wide, while the overall driveway width will meet or exceed twenty (20) feet and easements as applicable will be provided for each driveway to function as a single driveway even though divided by a property line.
- 7) 3312.17, Parking Setback Line, which Section requires a minimum parking setback line of ten (10) feet, regardless of permitted calculated building setback, while applicant proposes a parking area at 361-369 East 11th Avenue that is behind the established building setback (2') on North Sixth Street, but five (5) feet from the North Sixth Avenue right of way.
- 8) 3312.25, Maneuvering, which Section requires a minimum of twenty (20) feet of maneuvering area for 90 degree parking spaces, while applicant proposes to develop new parking areas at the rear of existing buildings on existing parcels and certain maneuvering areas will be divided by existing property lines, thereby creating maneuvering area on each side of a property line that is less than twenty (20) feet and applicant while the overall maneuvering area will meet or exceed twenty (20) feet and easements as applicable will be provided for the maneuvering area to function as a single maneuvering area divided by a property line.
- 9) 3312.29, Parking Space, which Section requires 90 degree parking spaces to be no less than 9 feet wide by 18 feet deep, while applicant proposes certain 8 foot wide parking spaces, as otherwise permitted by the University Planning Overlay, and also proposes to

develop new parking areas at the rear of existing buildings on existing parcels and certain new parking spaces will be divided by existing property lines, thereby creating part of a parking space on each side of the existing property line, while the overall parking space will meet or exceed the required dimensions and easements as applicable will be provided for the divided parking spaces to function as single parking spaces divided by a property line.

- 10) 3321.01, Dumpster Area, which Section treats dumpster boxes as a structure, while the location of certain dumpsters may be across existing property lines and, for purposes of locating dumpster boxes, property lines will be disregarded and no parcel combination shall be required.

09/30/12



362 East 11th Avenue
 3.92± acres

ORIG
 AR4
 2/27/18 28

ORIG
 AR4
 2/27/18 28

ORIG
 AR4
 2/27/18 28

ORIG
 E1
 2/27/18 28

78-070
 R4
 10.8 1/1878

78-070
 R4
 10.8 1/1878

78-070
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ORIG
 AR4
 2/27/18 28

ORIG
 AR4
 2/27/18 28

ORIG
 AR4
 2/27/18 28

30-001
 R4
 6/7/1820

ORIG
 AR4
 2/27/18 28

ORIG
 AR4
 2/27/18 28

FOURTH ST

ORIG
 AR4
 2/27/18 28

12TH AVE

ORIG
AR4
2/27/18 28

UNNAMED ALY

ORIG
AR4
2/27/18 28

BIG FOUR ST

CRITTENDEN AVE

24-138
 E1
 1/18/1832

ORIG
 E1
 2/27/18 28

ORIG
 E1
 2/27/18 28

228
 E1
 2/28/1833

ORIG
 AR4
 2/27/18 28

UNNAMED ALY

ORIG
 E1
 2/27/18 28

ORIG
 E1
 2/27/18 28

ORIG
 E1
 2/27/18 28

11TH AVE

ORIG
 E1
 2/27/18 28

ORIG
 E1
 2/27/18 28

78-108
 R4
 8.6/1820

78-108
 R4
 8.6/1820

ORIG
 E1
 2/27/18 28

ORIG
 AR4
 2/27/18 28

ORIG
 AR4
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ORIG
 AR4
 2/27/18 28

GRANT AVE

78-070
 R4
 10.8 1/1878

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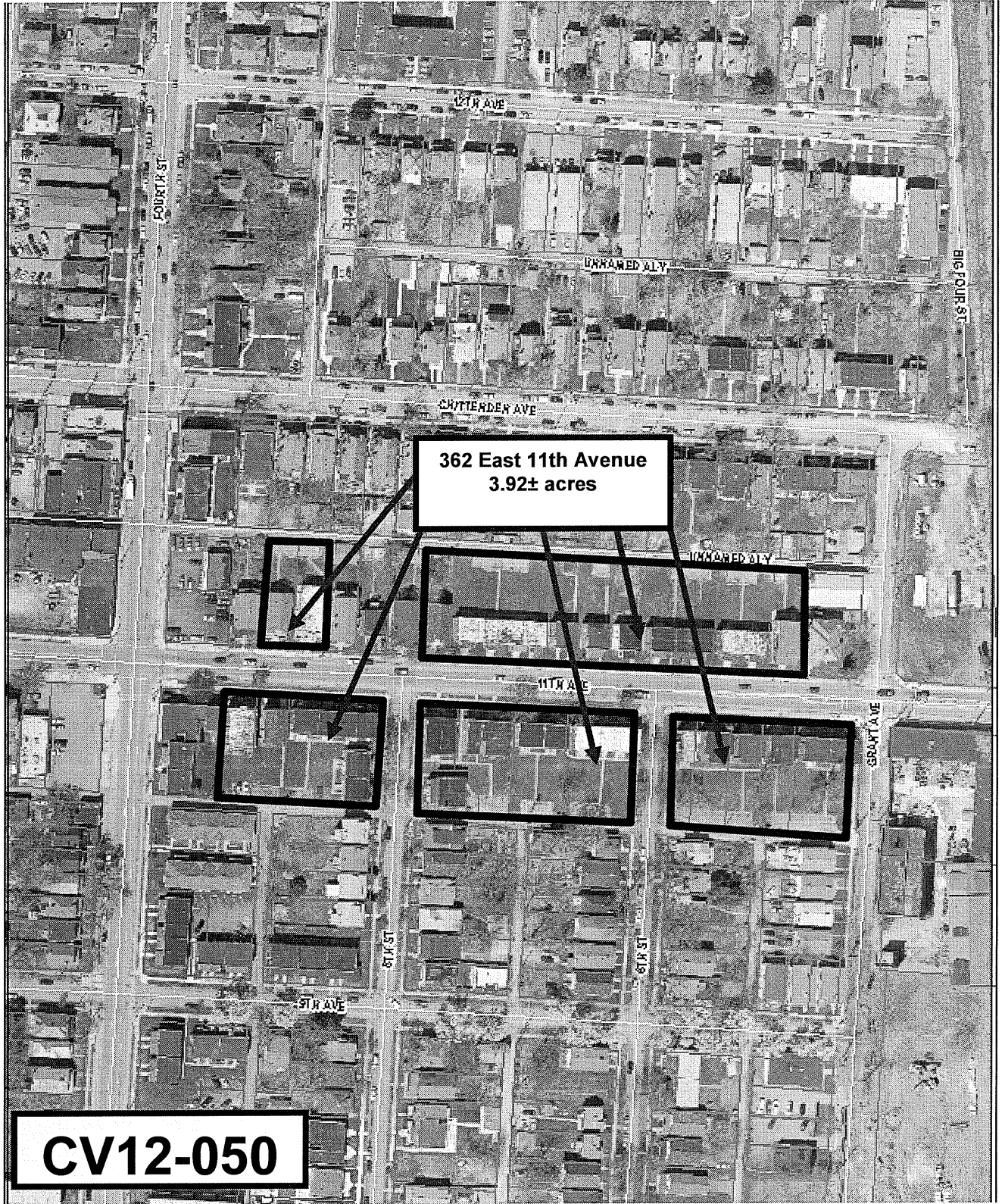
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78-070
 R4
 10.8 1/1878

ORIG
 E1
 2/27/18 28



**362 East 11th Avenue
3.92± acres**

CV12-050



City of Columbus
Mayor Michael B. Coleman

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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President

Susan Keeny
1st Vice President

David Hegley
2nd Vice President

Sharon Young
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Recording Secretary

Seth Golding
Treasurer

November 14, 2012

TO: Dana Hitt
757 Carolyn Ave.
Columbus, OH 43224
Ph: 614-645-2395
dahitt@columbus.gov

Jim Bach
Terra Goodnight
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 CV12-050
362 E. 11th Ave.

Dear Mr. Hitt:

This letter is to inform you that the University Area Commission voted to approve the recommendation by the Zoning Committee regarding the request for Council Variance for the properties on East 11th Avenue, certified address of 362 E. 11th Avenue. The request for council variance allows the existing residential units to remain as residential in a C4 zone, and also includes the parking variances that would allow the creation of required parking spaces to the rear of the renovated residential units.

The Commission commended the applicant for this project which will help improve a significant gateway entrance to the University District.

The vote was **13** yes, **0** no, and no abstentions. The request for council variance was unanimously approved.

Respectfully Submitted,

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

COPY

HISTORIC DISTRICT COMMISSION RECOMMENDATION

HISTORIC RESOURCES 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: 362 East Eleventh Avenue /Multiple Properties New Indianola Historic District
APPLICANT'S NAME: Weinland Park Properties, LLC. (A) Community Properties of Ohio III, LLC. (O)
APPLICATION NO.: 12-11-11 **COMMISSION HEARING DATE:** 11/15/2012

The Historic Resources 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 & 3117 and the architectural guidelines:

Variance or Zoning Change Request

- Rezoning
- Parking Variance
- Change of Use
- Lot Split

- Special permit
- Setbacks
- Other

TYPE(S) OF ACTION(S) REQUESTED:

Recommend approval of Application #12-11-11, 362 East Eleventh Avenue /Multiple Properties, New Indianola Historic District, for ten (10) variances, as submitted.

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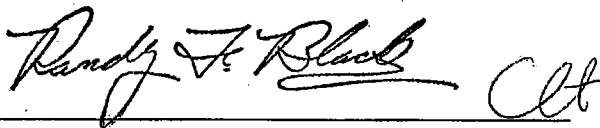
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MOTION: Clark/Rowan (4-0-0) RECOMMENDED

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



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

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 # CV12-050

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/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 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. Community Properties of Ohio III LLC c/o Susan K. Ziegler 88 East Broad Street, Suite 1800 Columbus, OH 43215 # of City of Columbus Based Employees: 50 Contact: Susan K. Ziegler, (614) 228-8446	2. Weinland Park Properties LLC 575 West First Avenue, Suite 100 Columbus, OH 43215 # of City of Columbus Based Employees: 0 Contact: Joe Williams, (614) 545-3688
3. Harrison Park Ventures LLC 575 West First Avenue, Suite 100 Columbus, OH 43215 # of City of Columbus Based Employees: 0 Contact: Joe Williams, (614) 545-3688	4.

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 1st day of OCTOBER, 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.

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