

C204020



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 Attached

Signature of Applicant *[Handwritten Signature]* Date *5/18/09*

Nathan Fisher
Peak 10 Development
3400 N. High Street
Suite 200
Columbus, OH 43202
614-246-7153 ext 1002 614-246-7157 (fax)

Statement of Hardship
(revised 01/10/05)

The property that is the subject of this council variance application is comprised of two (2) parcels of real estate under the following Franklin County Auditor's Tax Parcel Number: 010-039616 and 010-039617 (the "Site). The council variance request is for use and or standards. Applicant will have ownership of the Site transferred to its name if the council variance is granted and desires, and will construct a 4-unit residential building with a detached 4-car garage (4 separate bays) and 4 surface parking spaces.

Importantly, granting of this variance will not in any way affect the essential character of the neighborhood as it relates to the surrounding properties nor will there be any adverse effect on the surrounding property owners. Furthermore, there will be no effect on the delivery of governmental services.

The Applicant is committed to construct a 4-unit residential building that will generally resemble the attached color rendering. The materials and construction to be used in this building are as follows:

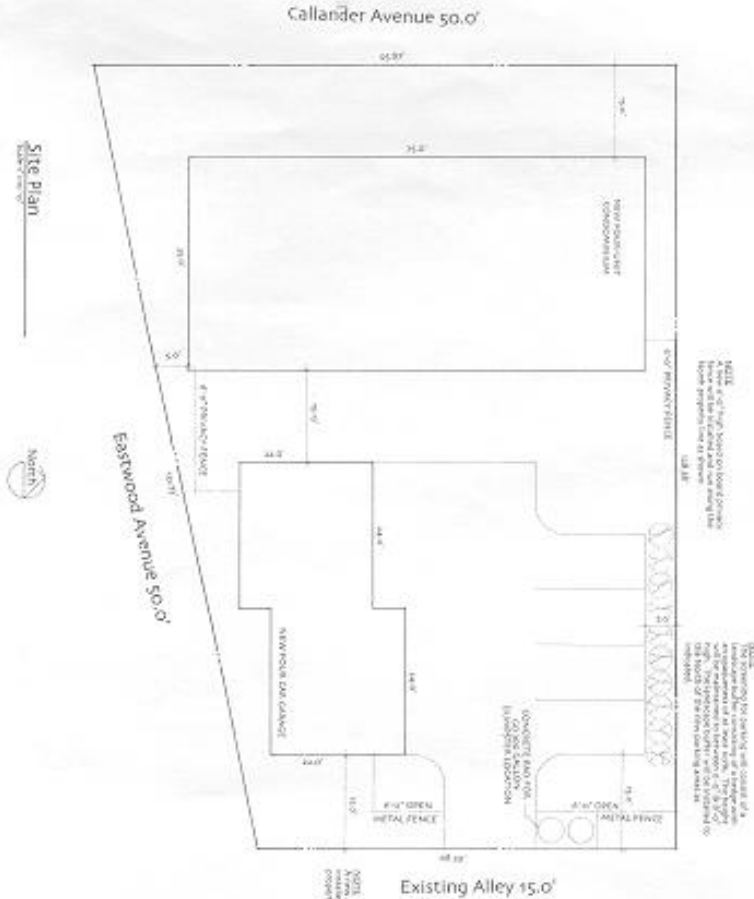
- *All exterior walls to be brick- garage & main building*
- *Flat membrane roof on main building*
- *Hip roof with dimensional shingles on the garages.*
- *Steel or wood frame construction*
- *Vinyl clad wood windows*

This project will be a condominium development, as designated per the Chapter 5311 of the Revised Code of Ohio.

Furthermore, the granting of this variance will in no way impair an adequate supply of light and air to adjacent property as the structure to be constructed will be a two-story structure similar in height to the structures in the area. The granting of this variance will not unreasonably increase the congestion of the public streets, increase the danger of fires, endanger the public safety or unreasonably diminish or impair the public health, safety, comfort, morals or welfare of the inhabitants of the City of Columbus, as the ultimate use of the property will remain the same. Instead, the granting of this variance will quantifiably increase the health, and safety and welfare of the residents of the City of Columbus by resulting in a much-needed increase in the number of quality housing units in the neighborhood.

The Applicant respectfully requests that City Council grant the council variance to permit the construction of a new multi-family housing structure within the current R-3 zoning. The building will consist of a 4 units, 2 bedroom town home style units with detached garages. The main structure will be all brick. The garages will be all bricks and will have a pitched roof. The garages will utilize a dimensional asphalt shingle. The architectural design will generally appear as represented in the attached rendering and is subject to minor design changes.

*CV04-020
Final Received 9/28/04
Shannon Fano*



NOTE:
A 4' x 4' hole is shown in the plan for the utility company's use at the location.

Existing Alley 15.0'

Zoning Information

Zoning District District Name District Code District Description District Map District Website	Zoning District District Name District Code District Description District Map District Website
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*Withler
9/28/04*

Not ready for use
 Construction

New Four Family Condominium at:
32-38 North Callender Ave
Columbus Ohio



Zoning Information

Parcel Number	010-039616 & 010-039617
Flood Zone	X
Existing Zoning	R-3
Proposed Use	Four unit Condominium
Lot Size (+/- 82 X 130)	10,660 SQ FT
1/2 Alley	1,317 SQ FT
Per Columbus Zoning Code Section 3332.18(B)	11,977 SQ FT
Total Lot	3,681 SQ FT (30.7%)
Lot Coverage	Zoning Code Section 3332.18(D)
Dwelling and Garage only per Columbus	6013.02 SQ FT
Rear Yard	(2,994 SQ FT Required)
Building Setbacks	
North	5.0'
South	+/- 5.0'
East	15.0'
West	15.0' to parking/garage 78.13' to main building
Proposed Building Height	+/- 30.0'



34 Callender Avenue

LONG ST

CALLENDER AV

WOODLAND AV

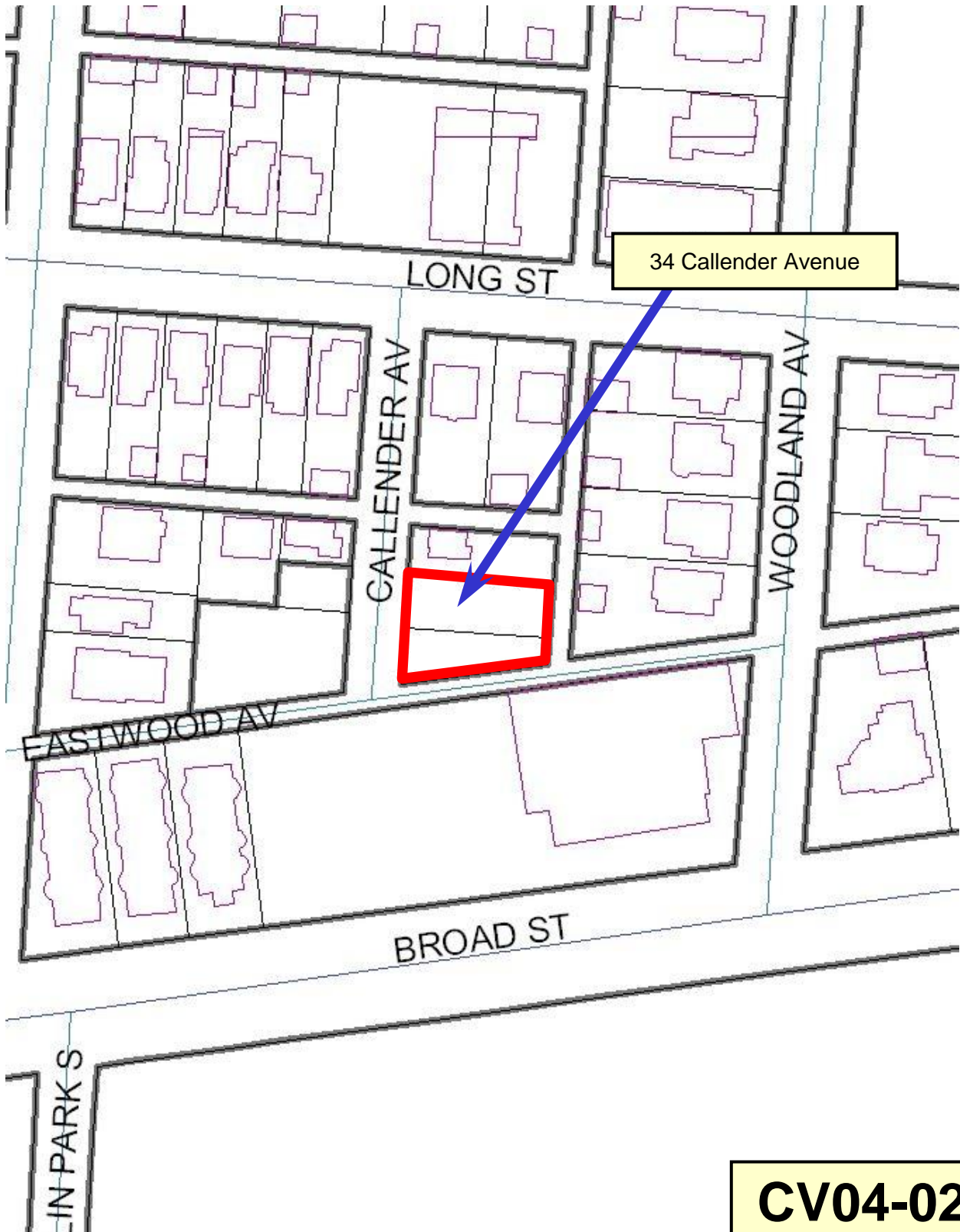
EASTWOOD AV

BROAD ST

CV04-020

IN PARKS

R



34 Callender Avenue

CV04-020



P.O. BOX 83344
COLUMBUS, OH 43203-0344
September 13, 2004

Dana Hitt
Zoning
The City of Columbus
757 Carolyn Avenue
Columbus, Ohio 43224

2000-2003 OFFICERS

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LARRY W. ROBERTS

VICE CHAIR

KIMULA POWELL

SECRETARY

MARGARET COOLEY

ASST. SECRETARY

PAT LEWIS

TREASURER

Dear Dana,

The Near East Area Commission (NEAC) voted (8 for 7 against 2 abstentions) to support CV04-020 for the construction of 4 condominiums. The Woodland Civic Association (see attached) opposed the variance primarily on the ground that it could become a multi-family unit and that it would have an adverse effect on property values. The supporters of the variance felt that the sale value (170,000) was enough to ensure the kind of occupant who would maintain and even appreciate the value of the property. It was pointed out that the Callender location was sufficiently distant from any of the large single-family homes on Long Street and Woodland Avenue. The applicant also presented supporting documentation that the condos would not unduly increase density and that the asking price was well within reason for that location. It was also noted that there is very little vacant land in the vicinity of the proposed construction thus negating the fact that it would lead to a dramatic increase in multi family structures.

Should you have any questions or concerns, I may be reached at 252-3283.

Sincerely yours,


Kathleen Bailey
Chair

City of Columbus | Department of Trade and Development | Building and Development Services | 757 Carolyn Avenue, Columbus, Ohio 43224



FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW
STANDARDIZED RECOMMENDATION FORM

Group Name

New East Area Commission

Meeting Date

9/9/04

Specify Case Type

- BZA Variance (Begins with "V")
- BZA Special Permit (Begins with "SP")
- Council Variance (Begins with "CV")
- Rezoning (Begins with "Z")
- Graphics (Begins with "VG")
- Graphics Special Permit (Begins with "SPG")

Case Number

04-020

Recommendation
(Check only one)

- Approval
- Disapproval
- Conditional Approval (please list conditions below)
(Area Commissions, see note below*)

*Ordinances sent to council will contain only a recommendation for "approval" or "disapproval". If a recommendation for "conditional approval" is sent, the conditions should be concise and specific. Staff will determine whether conditions are met when the final ordinance is prepared unless a revised response indicating "approval" has been received. If staff determines that conditions have not been met, your group's recommendation will be listed as "disapproval".

Vote

8-FOR 1-AGAINST 2-ABS

Signature of Authorized Representative

Matthew D. Bell

SIGNATURE

Chair

RECOMMENDING GROUP TITLE

252-3283

DAYTIME PHONE NUMBER

Please FAX this form to Zoning at (614) 645-2463 within 48 hours of your meeting day;
OR MAIL to: Zoning, City of Columbus, Building and Development Services, 757 Carolyn Avenue, Columbus, Ohio 43224.



WOODLAND PARK
Neighborhood Association
c/o Asbury United Methodist Church
1586 Clifton Avenue
Columbus, Ohio 43203

September 9, 2004

Ms. Kathleen Bailey, Chair
Near East Area Commission
950 East Main Street
Columbus, Ohio 43205

Re: Peak10 Development Variance Request

Dear Ms. Bailey:

I write to inform you that the membership of Woodland Park Neighborhood Association opposes the variance requested by Nathan Fisher and Peak 10 Development regarding 32-38 Calendar Avenue, and it requests that the Near East Area Commission likewise oppose the variance.

I would like to thank the Near East Area Commission for affording our neighborhood the opportunity to consider the merits of Peak10 Development's request for a zoning variance. Mr. Nathan Fisher spoke at WPNA's membership meeting held July 12, 2004, regarding Peak 10's proposed development. After hearing Mr. Fisher's proposal and the concerns of the residents of Woodland Park, WPNA's membership voted unanimously to oppose the variance request. The reasons for the membership's opposition are many, but mainly include concerns that the project would engender the increased traffic and increased density that a multi-family housing project normally entails. Many members are likewise concerned with increased neighborhood instability, given the ease with which the proposed development could be converted to a multi-family rental property.

In sum, the zoning and land use restrictions that have been in place in Woodland Park for over thirty years have resulted in lower density, lower crime, higher incidents of home ownership and renovation, and a higher quality of life for our residents. It is the view of the Woodland Park Neighborhood Association that the proposed project does not justify deviating from the current zoning which has served our neighborhood so well for so long.

Sincerely

A handwritten signature in cursive script that reads "Deborah Parker-Shaheed".

Deborah Parker-Shaheed, President

