



DEPARTMENT OF BUILDING AND ZONING SERVICES

COUNCIL VARIANCE APPLICATION

Department of Building & Zoning Services

Scott Messer, Director
757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov

CV16-064

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:

Multiple horizontal lines for text entry, with handwritten text "= SEE ATTACHED =" in the middle.

Signature of Applicant [Handwritten Signature] Date 10.3.16

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

CV16-064

## Statement of Hardship

**420 E. 5<sup>th</sup> Avenue, Columbus, 43201**, is located on the north side of E. 5<sup>th</sup> Avenue between Penny Street on the east, English Way on the north, and the railroad tracks on the west. The property comprises an original one-story brick warehouse dating from 1928 with four additions: one to the south (along E. 5<sup>th</sup> Ave.); two on the north, and one on the west.

The property is zoned "M" Manufacturing. It is in the Milo-Grogan neighborhood.

Applicant seeks a Zoning Variance to purchase the property for his artist studio and residence. He has developed conceptual plans for the conversion with architect Jonathan Barnes (JBAD), Columbus. He will consult with and obtain estimates for the work from MCR Services, a Milo-Grogan contractor, and Compton Construction.

Because the total square footage is greater than applicant requires for his personal use, the following renovations are envisioned:

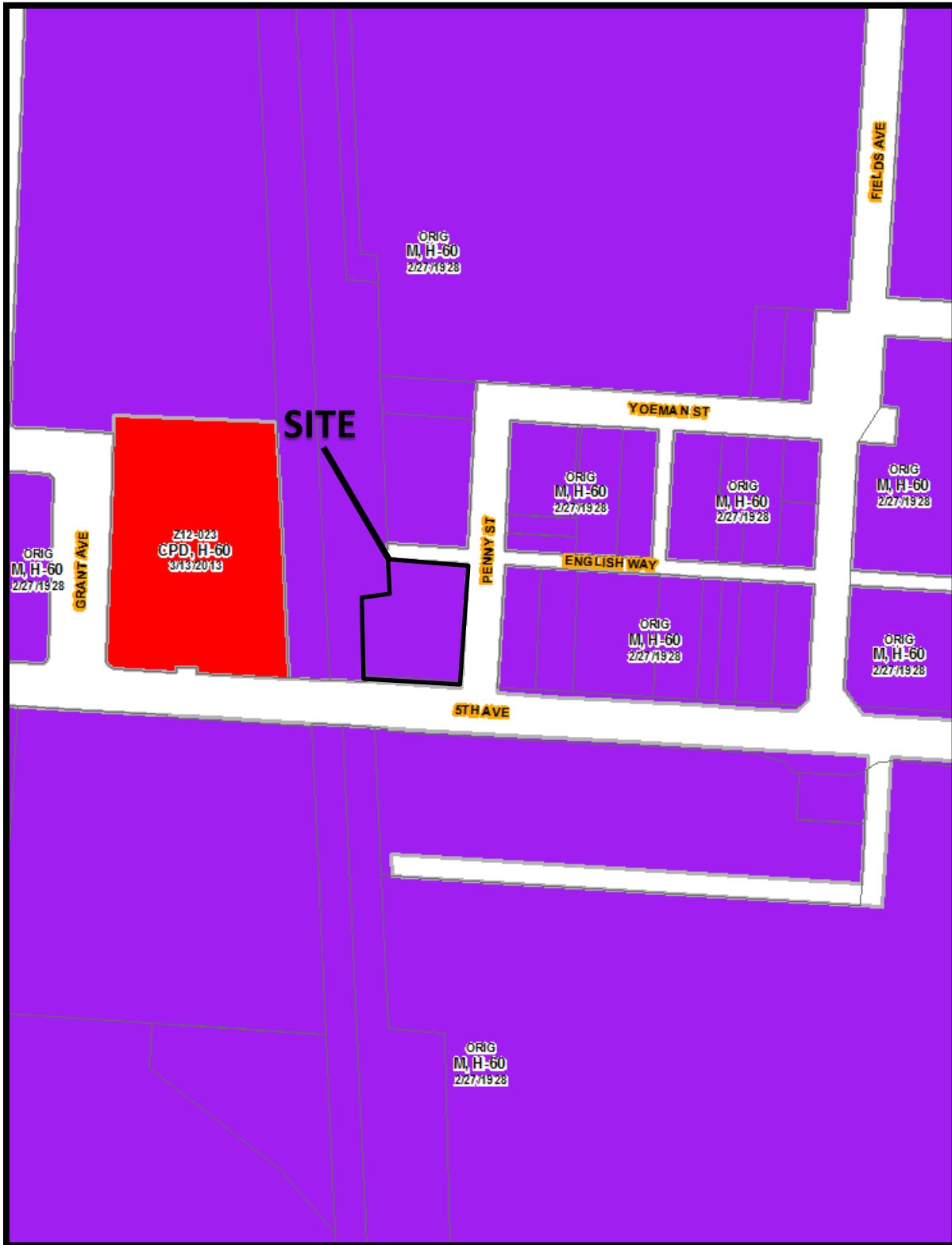
- The most recent addition, a shed on the west side, will be demolished to expose the western façade of the original brick warehouse. This will open up the area between the building and the tracks that will be used as outdoor space and for parking.
- The current offices of Central Ohio Heating and Cooling will be converted for applicant's temporary living. When work on his residence has been completed, this unit will be a rental apartment both for income and for security on the property when applicant is away.
- The 1600 sf. addition on the northwest corner will be upgraded for General Office use. Applicant envisions this space being leased by an architect, graphic designer, other design professional, or an entrepreneurial start-up firm.

Applicant has retired from teaching in the Department of Art at OSU and has decided to remain in Columbus and to establish his studio and living in a single property. He is prepared to make a considerable investment to transform the site. This will further contribute to the significant upgrades and continued growth of the E. 5<sup>th</sup> Avenue corridor and to the Milo-Grogan neighborhood.

It is pertinent to point out that the applicant's studio does not function as a retail establishment and therefore does not have traffic associated with a business dependent upon a flow of customers to the site. Its sole purpose is for creating works for exhibition or public art commissions.

### Applicant requests the following variance:

Use variance to **Section 3363.01** — M: Manufacturing Districts of the Columbus City Codes which prohibits residential use other than for a security person associated with a Manufacturing District use — to allow a 3050<sup>+/-</sup> sf. primary residence and a 1200<sup>+/-</sup> sf. rental apartment.



CV16-064  
420 East 5<sup>th</sup> Avenue  
Approximately 0.44 acres



- Single-family Residential
- Multifamily Residential
- Light Industrial
- Heavy Industrial
- Commercial
- Commercial/Multi-family
- Office
- Institutional
- Mixed Use
- Park
- Utility & City Owned

CV16-064  
420 East 5<sup>th</sup> Avenue  
Approximately 0.44 acres



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Approximately 0.44 acres

THE CITY OF  
**COLUMBUS**  
ANDREW J. GINTHER, MAYOR

DEPARTMENT OF BUILDING  
AND ZONING SERVICES

**STANDARDIZED RECOMMENDATION FORM**

Department of Building & Zoning Services  
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**FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW**

Case Number CV16-064  
Address 420 E 5TH AVE 43201  
Group Name Milo Grogan Area Commission  
Meeting Date 11 OCT 2016

Specify Case Type  
 BZA Variance / Special Permit  
 Council Variance  
 Rezoning  
 Graphics Variance / Plan / Special Permit

Recommendation (Check only one)  
 Approval  
 Disapproval

NOTES: Milo Grogan Area Commission Voted Approval  
to Permit Residence For Artist Studio to  
include Living Studio

Vote  
Signature of Authorized Representative Robert D. Boudreau Jr. (Chair)  
Recommending Group Title Chair, Milo Grogan Area Commission  
Daytime Phone Number 614-476-8634

Please e-mail this form to the assigned planner within forty-eight (48) hours of your meeting day; or FAX to Zoning at (614) 645-2463; OR MAIL to: Zoning, City of Columbus, Department of Building & Zoning Services, 757 Carolyn Avenue, Columbus, Ohio 43224.

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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 # CV16-064

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) MALCOLM COCHRAN
of (COMPLETE ADDRESS) 918 MT. PLEASANT AVE. COLUMBUS, OH 43201

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

Table with 4 columns and 2 rows for listing interested parties. Column 1 contains handwritten details for Malcolm Cochran.

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

SIGNATURE OF AFFIANT [Handwritten Signature]

Sworn to before me and signed in my presence this 4th day of October, in the year 2016

SIGNATURE OF NOTARY PUBLIC [Handwritten Signature]

11/28/17
My Commission Expires



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