



### **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

#### STATEMENT OF HARDSHIP

Columbus City Code Section 3307.10 - Variances by City Council.

CV21-026

City council may grant the following zoning variances:

- A. Permit a variation 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 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 established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the city.

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 not included, a new application (and applicable fees) 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

7.	have long	pares	ky	
Signature of Applicant	Devid	lan	Sout	Date 2-22-21
Signature of Attorney	Jan Ce	id	•	Date 2-21-21

#### **Exhibit B**

### Statement of Hardship

#### CV21-026

#### 1408 N. Grant Avenue, Columbus, OH 43201

The 20.75 +/- acre site is the site of the Grant Park development in the Weinland park neighborhood. The site is located on both the east and west sides of N Grant Avenue between E. 5th Avenue and E. 11<sup>th</sup> Avenue and also portions of the east side of N. 6<sup>th</sup> Street. Prior to 2015, the east side of N. Grant Avenue was developed with a closed blighted factory. The west side of N. Grant Avenue and east side of N. 6<sup>th</sup> Street had many vacant lots and some blighted houses. The factory and non-salvageable houses were razed for the development of Grant Park. Grant Park is now almost fully built and consists of new single family dwellings, condominiums, and multi-family uses with 0.86 acre designated open space.

All of Grant Park is zoned M, Manufacturing, C-2, Commercial, C-4, Commercial, and CPD Commercial Planned Development District. Zoning for Grant Park was established by variance to the applicable zoning district to permit the various forms of housing. The following are the applicable variance ordinances in effect today: Ordinance 0347-2010 (CV09 – 036), Ordinance 1047-2019, (CV15 – 050A), Ordinance 1780-2017 (CV17 – 042), Ordinance 0578-2020, CV19 – 123.

Rezoning application Z21-018 is pending to rezone 14 development areas, identified as Parcel 1 – 14, inclusive, to applicable zoning districts reflecting the existing uses, except Parcel 7, which is being added at this time to Grant Park. See Z21-018/CV21-026, 1408 N Grant Avenue, Zoning District Summary Exhibit for a summary of Parcels 1 – 14 area, height district and pending zoning district.

This Council Variance application is submitted to request applicable zoning variances to conform existing uses and the proposed use (multi-family) to the zoning districts specified in pending rezoning application Z21-018. Parcels 1-6, inclusive, and Parcels 8-14, inclusive, were developed in non-residential districts by variance and were not subject to the University Planning Overlay (UPO), now University District Zoning Overlay (UDZO)(2017). To the extent applicable, structures on Parcels 1-6, inclusive, and Parcels 8-14, inclusive, shall be treated as non-conforming structures if not in compliance with UDZO. Development on Parcel 7 is proposed new construction and is subject to UDZO. Applicable UDZO variances are cited for Parcel 7.

Applicant has a hardship and practical difficulty with compliance with the specified zoning code sections due to the need to conform existing development to new zoning districts reflecting the developed use and proposed use (Parcel 7 only) and the prevailing character of urban neighborhoods with smaller parcel sizes and reduced setbacks than otherwise permitted by the Zoning Code. The proposed standards variances are common with urban development.

Applicant requests the following variances:

#### Parcel 1 (AR-2, Apartment Residential District):

- 1). Section 3312.09, Aisle, to reduce the required 20' minimum aisle width for two-way travel due to proposed property lines dividing certain aisles, while applicant proposes certain aisles to be divided by a property line, but the total aisle width shall meet or exceed to overall minimum width of 20' and applicable easements shall be provided for use of the aisles.
- 2). Section 3312.25, Maneuvering, to reduce required maneuvering area for 90 degree parking spaces from 20' to 2' 12' due to proposed property lines in parking lot aisles, while all code required maneuvering shall be provided in the aisles with easements where applicable.
- 3). Section 3312.27(3), Parking Setback Line, to reduce the N. Grant Avenue parking setback line from ten (10) feet to seven (7) feet for two (2) parallel parking spaces at the south driveway from North Grant Avenue.
- 4). Section 3312.49, Minimum Numbers of Parking Spaces Required, to reduce parking from 369 spaces (1.5 spaces/DU) to 292 spaces (1.19 spaces/DU).
- 5). Section 3321.05(A.1), Vision Clearance, to reduce the required clear vision triangle for the driveway intersection with N. Grant Avenue on Parcel 1 from 10'x10' to 7'x7' to permit a parallel parking space 7' from the property line on each side of the driveway.
- 6). Section 3333.18 (D)(1), Building Lines, to reduce the N. Grant Avenue building setback from 10 feet to 7 feet, with 7 feet also being applicable to open porches.
- 7). 3 Section 3333.255, Perimeter Yard, to reduce Perimeter Yard from 25 feet to 10 feet along the east property line and to 0' for pavement at the north and south property lines.

#### Parcel 2 (AR-2, Apartment Residential District):

1). Section 3312.09, Aisle, to reduce the required 20' minimum aisle width for two-way travel due to proposed property lines dividing certain aisles, while applicant proposes certain aisles to be divided by a property line, but the total aisle width shall meet or

exceed to overall minimum width of 20' and applicable easements shall be provided for use of the aisles.

- 2). Section 3312.25, Maneuvering, to reduce required maneuvering area for 90 degree parking spaces from 20' to 2' 12' due to proposed property lines in parking lot aisles, while all code required maneuvering shall be provided in the aisles with easements where applicable.
- 3). Section 3312.49, Minimum Numbers of Parking Spaces Required, to reduce parking from 162 spaces (1.5 spaces/DU) to 101 spaces (0.94/spaces/DU).
- 4). Section 3333.18, (D)(1), Building Lines, to reduce the N. Grant Avenue building setback from 10 feet to 7 feet, with 7 feet also being applicable to open porches.
- 5). 3333.255, Perimeter Yard, to reduce Perimeter Yard from 25 feet to 10 feet along the east property line and to 0' for pavement at the north and south property lines.

#### <u>Parcel 3 (ARLD, Apartment Residential Low Density District):</u>

- 1). Section 3312.09, Aisle, to reduce the required 20' minimum aisle width for two-way travel due to proposed property lines dividing certain aisles, while applicant proposes certain aisles to be divided by a property line, but the total aisle width shall meet or exceed to overall minimum width of 20' and applicable easements shall be provided for use of the aisles.
- 2). Section 3312.25, Maneuvering, to reduce required maneuvering area for 90 degree parking spaces from 20' to 2' 12' due to proposed property lines in parking lot aisles, while all code required maneuvering shall be provided in the aisles with easements where applicable.
- 3). Section 3321.05(B.2), Vision Clearance, to reduce the 30'x30' clear vision triangle for the intersection of the north/south and east/west areas of N. Grant Avenue to 25'x25'.
- 4). Section 3333.18 (D)(1), Building Lines, to reduce the N. Grant Avenue building setback from 10 feet to 7 feet, with 7 feet also being applicable to open porches and from 25 feet to 23 feet, not including open porches, on the east/west portion of N. Grant Avenue.
- 5). Section 3333.255, Perimeter Yard, to reduce Perimeter Yard from 25 feet to 10 feet along the east property line and to 0' for pavement at the north and south property lines.

#### Parcel 4 (R-3, Residential District):

Section 3332.035, R-3, Residential District, to permit a private park.

#### Parcel 5 (AR-3, Apartment Residential District):

- 1). Section 3312.49, Minimum Numbers of Parking Spaces Required, to reduce parking from 63 spaces (1.5 spaces/DU) to 23 spaces (0.54/spaces/DU), subject to Parcel 6 (P-1) being developed with 16 spaces for the exclusive use with Parcel 5.
- 2). Section 3333.15(C), Basis of Computing Area, to increase lot coverage from 50% to 65%.
- 3).3333.18, (D)(1), Building Lines, to reduce the N. Grant Avenue building setback from 25 feet to 10 feet (north/south portion of N. Grant Avenue and 15 feet (east/west portion of N. Grant Avenue. and the E 5<sup>th</sup> Avenue building setback.
- 4). Section 3333.24, Rear Yard, to reduce Rear Yard from 25% to 20% of lot area.

#### Parcel 6 (P-1, Private Parking District)

Parcel 6 shall be conditioned upon being exclusive parking for Parcel 5.

Section 3371.02, Building Lines in Residential and Apartment Residential Districts, to reduce the N. Grant Avenue pavement setback from a calculated setback to 16 feet to three (3) feet.

#### Parcel 7 (AR-2, Apartment Residential District):

- 1). Section 3333.025, AR-2, Apartment Residential District Use, to permit a community center building for Grant Park to be located on Parcel 7, for all of Grant Park, including off-site Grant Park parcels.
- 2), Section 3325.905(A), Maximum Lot Coverage, to increase maximum lot coverage from 30% to 42%.
- 3). Section 3325.907(B), Parking, to reduce parking from 89 spaces to 35 spaces (0.72 spaces/DU), subject to an additional 14 parking spaces being provided on the adjacent Parcel 1, abutting to the south, as depicted on the Site Plan, for a total of 49 spaces (1.02 spaces/DU) for Parcel 7.
- 4). Section 3325.911(C), Building Separation and Size, to increase the maximum building size from 10,200 SF to 17,658 SF (total floor area).
- 5). Section 3325.913 Maximum Floor Area Ratio (FAR), to increase FAR from 0.60 to 0.86.
- 6). Section 3325.915 Height, to increase building height from 35 feet to 38 feet.

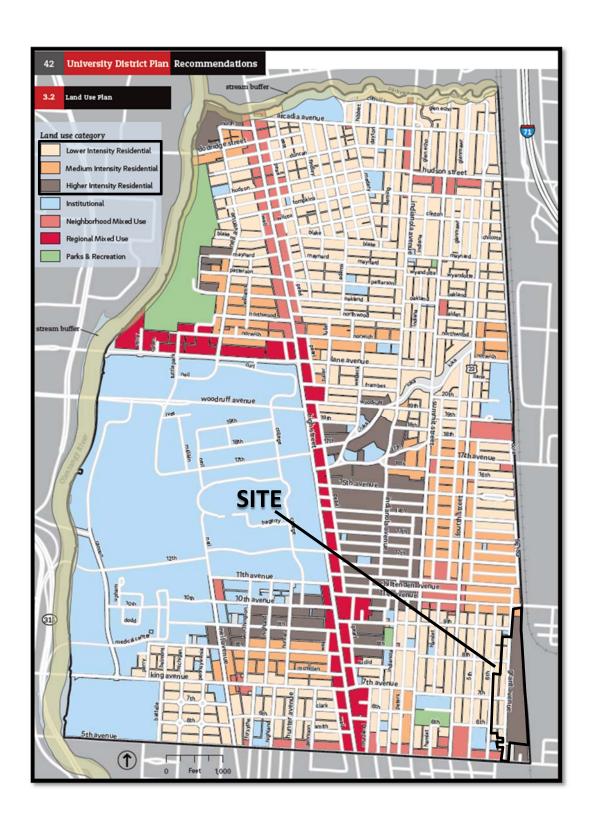
- 7). Section 3333.18, (D)(1), Building Lines, to reduce the E. 11<sup>th</sup> Avenue building setbacks from 40 feet (Thoroughfare Plan) to 10 feet for the proposed north building and 1' foot for the north wall (18' +/-) of the existing north building and to reduce the Grant Avenue building setback from 10' to 1' for part of the existing west wall of the north building, as the existing walls are depicted on the Site Plan.
- 8). Section 3333.255, Perimeter Yard, to reduce Perimeter Yard from 25 feet to 5 feet along the east property line and to 0' for pavement at the south property line.

#### Parcels 8 – 14, inclusive (R-3, Residential District):

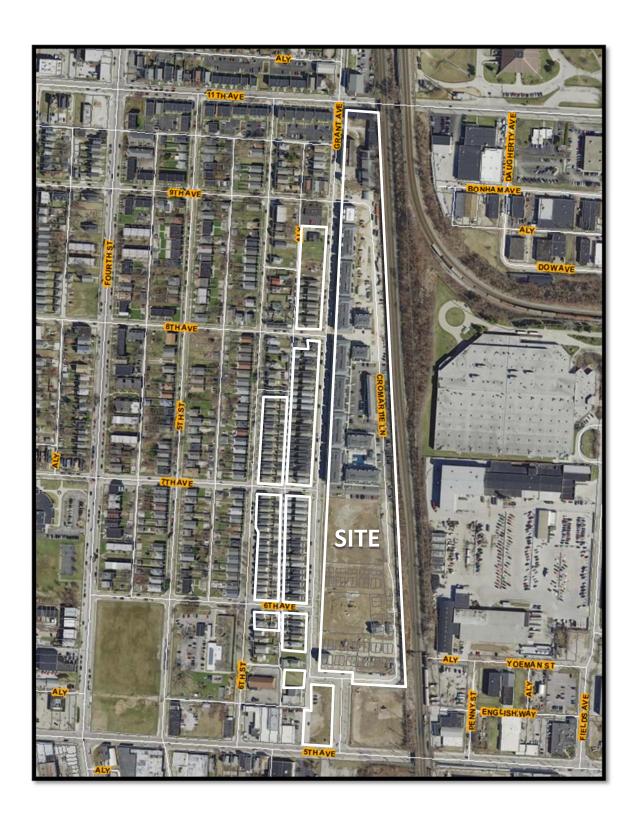
- 1). Section 3332.05(4), Area District Lot Width Requirements, to reduce lot width from 50 feet to 28 feet.
- 2). Section 3332.13, R-3, Area District Requirements, to reduce lot area from 5,000 SF to 2,680 SF, subject to Section 3321.18(C), Basis of Computing Area, which limits lot area to 3 times the width, so for purposes of Section 3332.13, minimum lot area is reduced to 2.350 SF.
- 3). Section 3332.21, Building Lines, to reduce the N, Grant Avenue building setback from 25 feet to 10 feet, subject to the setback of an open porch being a minimum of 4 feet.
- 4) Section 3321.05, Vision clearance, requires clear vision triangles of 30'x30' at the intersection of two streets while the applicant proposes clear vision triangles of 5'x5' 10'x10' for existing houses on all corner lots.



CV21-026 1408 N. Grant Ave. Approximately 20.74 acres



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**Standardized Recommendation Form**ORD #3166-2021; CV21-026; Page 18 of 22
111 N. Front Street, Columbus, Ohio 43215

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Case Number:	CV21-026	
Address:	1408 N. GRANT AVE.	
Group Name:	UNIVERSITY AREA COMMISSION	
Meeting Date:	4/21/21	
Specify Case Type:	<ul> <li>□ BZA Variance / Special Permit</li> <li>□ Council Variance</li> <li>□ Rezoning</li> <li>□ Graphics Variance / Plan / Special Permit</li> </ul>	
Recommendation: (Check only one and list basis for recommendation below)	Approval Disapproval	
NOTES.		
<b>NOTES:</b> Project was approved by both the Zo	oning Committee and full University Area Commission	
	oning Committee and full University Area Commission	
	oning Committee and full University Area Commission	
	oning Committee and full University Area Commission  Yes 18 No 0	
Project was approved by both the Zo	Yes 18 No 0	
Project was approved by both the Zo	Yes 18 No 0  Digitally signed by Michael Kehlmeier Date: 2021.04.24 12:08:14 -04'00'	

Please e-mail this form to the assigned planner within 48 hours of your meeting day; or MAIL to: Assigned Planner, City of MAIL to: Columbus, Department of Building & Zoning Services, 111 N. Front St, Columbus, OH 43215.

DAYTIME PHONE NUMBER

#### PROJECT DISCLOSURE STATEMENT

Application No.: <u>Z21-018 / CV21-026</u>

#### STATE OF OHIO COUNTY OF FRANKLIN

Being first duly cautioned and sworn <u>Joseph M. Reidy, Attorney, of Thrive Companies, 842 North 4<sup>th</sup> Street, deposes and states that he is the duly authorized attorney for same and the following is a list of all persons, other partnerships, corporations or entities having an interest in the project which is the subject of this application:</u>

Ashley E. Marsh, 91 Colburn Court Worthington, OH 43085	Kara L Crosthwaite, Brett A McCabe, 1350 North 6 <sup>th</sup> Street Columbus, OH 43201
Weinland Park Homes, LLC, 5309 Transportation Blvd. Cleveland, OH 44125	Grant Park Homes, LLC, 842 North 4 <sup>th</sup> Street, Suite 200 Columbus, OH 43215
Travis D. Westbrook, 1409 North Grant Avenue	George Charles Manning, III, 234 South Monroe Avenue
Columbus, OH 43201	Columbus, OH 43201
Cherie Mehan, Christopher Mehan, 1881 Lost Valley Road	Brian Guerrero, Marc J. Guerrero, 1397 North Grant
Powell, OH 43065	Avenue, Columbus, OH 43201
Christopher David Yoha, 1395 North Grant Avenue	Zach Gebhardt, 221 Vine Street, Suite 334
Columbus, OH 43201	Columbus, OH 43215
Ryan Joseph, Rebecca Joyce Oconnor, 1387 North Grant	CM Barnes, LLC, 4186 Windermere
Avenue, Columbus, OH 43201	Columbus, OH 43220
Tim Henry, Jacqueline Severt, 1371 North Grant Avenue Columbus, OH 43201	Brittany N. Smith, 379 East 8 <sup>th</sup> Avenue Columbus, OH 43201
Vladimir, Laura K. Kogan, 1367 North Grant Avenue	Chad H. Goines, Melissa P. Goines, 1363 North Grant
Columbus, OH 43201	Avenue, Columbus, OH 43201
Jonathan Lucyshyn, Jocelyn M. Bush, 1359 North Grant	Abha Athale, Apurva Lingnurkar, 1355 North Grant
Avenue, Columbus, OH 43201	Avenue, Columbus, OH 43201
Jinit N. Haria, Sunrita Sen, 1351 North Grant Avenue	Christopher P., Holly F. Moritz, 1347 North Grant Avenue
Columbus, OH 43201	Columbus, OH 43201
Cyrus Binion, Dale Beato, 1343 North Grant Avenue	Daniel K., Molly Hagele, 1339 North Grant Avenue
Columbus, OH 43201	Columbus, OH 43201

# PROJECT DISCLOSURE STATEMENT AFFIDAVIT Z21-018 / CV21-026 1408 North Grant Avenue

Preetpaul S. Brar, 1335 North Grant Avenue	Edmond, Chiu, Anna Chin, 1331 North Grant Avenue	
Columbus, OH 43201	Columbus, OH 43201	
Paul C. Keels, Jr., 1327 North Grant Avenue	Alexander E. Timm, 1323 North Grant Avenue	
Columbus, OH 43201	Columbus, OH 43201	
Nicholas Hemmerich, Ellis Pohlmann, 1319 North Grant	Michael Morante, 1315 North Grant Avenue	
Avenue, Columbus, OH 43201	Columbus, OH 43201	
Jason A. Kafader, 1311 North Grant Avenue	Anita Yalamanchi, 1307 North Grant Avenue	
Columbus, OH 43201	Columbus, OH 43201	
David A. Lyle III, Caitlin G. Shaw, 1303 North Grant	David A. Guthrie, 1299 North Grant Avenue	
Avenue, Columbus, OH 43201	Columbus, OH 43201	
Patrick T Westerlund, Grace Johnston, 1295 North Grant	Jonathan W, Stacy Y Song, 1291 North Grant Avenue	
Avenue, Columbus, OH 43201	Columbus, OH 43201	
Michael A, Jennifer H Bernth, 1283 North Grant Avenue	Julie M, Harwin Vander Wal, 1279 North Grant Avenue	
Columbus, OH 43201	Columbus, OH 43201	
Annetta Richardson, 1275 North Grant Avenue	Jane P, Robin E Roth, 1271 North Grant Avenue	
Columbus, OH 43201	Columbus, OH 43201	
Erin E, Jacob A Schmitt, 1267 North Grant Avenue	Courtenay Hollington, 1263 North Grant Avenue	
Columbus, OH 43201	Columbus, OH 43201	
Alvaro, Eunice Montenegro-Neto, 1259 North Grant	Jeff Kauzlarich, 1255 North Grant Avenue	
Avenue, Columbus, OH 43201	Columbus, OH 43201	
Madeline N Napier, John Patrick Keegan, 1251 North	David E Landreman, 1247 North Grant Avenue	
Grant Avenue, Columbus, OH 43201	Columbus, OH 43201	
Raymond Vincent Monti, Jessica R Derov, 1243 North	Caitlin M Slevin, 1239 North Grant Avenue	
Grant Avenue, Columbus, OH 43201	Columbus, OH 43201	
Amanda J Doucette, Richard J Dvorak, 1235 North Grant	Ryan J Wineland, Joshua C McNett, 1231 North Grant	
Avenue, Columbus, OH 43201	Avenue, Columbus, OH 43201	
Michael Leopold, 1227 North Grant Avenue	Brandon T. Miller, 1223 North Grant Avenue	
Columbus, OH 43201	Columbus, OH 43201	
Caitlin McCarthy, 1199 North Grant Avenue	L&N Alum Creek, LLC, 139 East Main Street	
Columbus, OH 43201	Columbus, OH 43215	
Kathryn E. Nuss, 6034 Heritage View Court	Weinland Park Development, 575 West 1st Avenue	
Hilliard, OH 43026	Columbus, OH 43215	

## PROJECT DISCLOSURE STATEMENT AFFIDAVIT Z21-018 / CV21-026 1408 North Grant Avenue

Weinland Park Development, LLC, 842 North 4 <sup>th</sup> Street Columbus, OH 43215	Barbara Patrice Jones Gunner, James Scott Jones 4895 Pleasant Valley Drive, Columbus, OH 43220	
Grant Park Apartments Three, LLC, 842 North 4 <sup>th</sup> Street, Suite 200, Columbus, OH 43215	Grant Park Apartment Holdings, LLC, 842 North 4 <sup>th</sup> Street Columbus, OH 43215	
Leah K. Skoczen, 1256 North Grant Avenue Columbus, OH 43201	Grant Park Townhomes, LLC, 842 North 4 <sup>th</sup> Street Columbus, OH 43215	
Beau A, Emilee E Schultz, 1250 North Grant Avenue Columbus, OH 43201	Steven Zhou, 1259 North Grant Avenue Columbus, OH 43201	
D A, 1244 North Grant Avenue	Courtney A Ingersoll, 1248 North Grant Avenue	
Columbus, OH 43201	Columbus, OH 43201	
Kyle P, Jennifer Susanne Radcliffe, 1238 North Grant	Julianne, Ann Lyle, 1242 North Grant Avenue	
Avenue, Columbus, OH 43201	Columbus, OH 43201	
Christopher Fugarino, 1232 North Grant Avenue	Macy Scott Rees, Adam Brennan Schmidt, 1236 North	
Columbus, OH 43201	Grant Avenue, Columbus, OH 43201	
Jason B, Julie Sims, 1219 Cromartie Lane	Regina M Behum, 1230 North Grant Avenue	
Columbus, OH 43201	Columbus, OH 43201	
Christopher G, Denise A Greenfelder, 1211 Cromartie Lane	Pallavi R Mandiga, 1121 Neil Avenue	
Columbus, OH 43201	Columbus, OH 43201	
Brittany N Warner, 1205 Cromartie Lane	Robert E Poletto, 1209 Cromartie Lane	
Columbus, OH 43201	Columbus, OH 43201	
1196 North Grant Avenue, LLC, 2616 Wexford Road Columbus, OH 43221	Max D Lefkowitz, 1203 Cromartie Lane Columbus, OH 43201	
Dustin M, Leslie A Fisher, 5308 Grand Legacy Drive Maineville, OH 45039	Jeffrey Allen McDonald, 1198 North Grant Avenue Columbus, OH 43201	
Miraj P, Nikhita B Shah, 1208 North Grant Avenue	Jeffrey, Deirdre Campbell, 1204 North Grant Avenue	
Columbus, OH 43201	Columbus, OH 43201	
Paige M Neuman, John M Paulson, 825 Junction Way, Apt #204, Columbus, OH 43212	Nicolaus Schuetz, 1210 North Grant Avenue Columbus, OH 43201	
Kathleen A Bauer, Thomas J Schmidt, 1402 North Grant	James A Dowdle, Jacob Yount, 1216 North Grant Avenue	
Avenue, Columbus, OH 43201	Columbus, OH 43201	
Markisha Wilder, 1226 North Grant Avenue	Adam J Longstreth, 1222 North Grant Avenue	
Columbus, OH 43201	Columbus, OH 43201	

## PROJECT DISCLOSURE STATEMENT AFFIDAVIT Z21-018 / CV21-026 1408 North Grant Avenue

Maressa, Maressa F Bucci, 1192 North Grant Avenue	Patrick Leneghan, III, 750 Civitas Avenue
Columbus, OH 43201	Columbus, OH 43215
Azher M Puri, 2330 Reafan Road	Sharon S Kahn, Joshua Goldstein, 1190 North Grant
Reynoldsburg, OH 43068	Avenue, Columbus, OH 43201
Jennifer Petrosino, 1173 Cromartie Lane	Matthew W Harney, 135 Bast 4th Avenue
Columbus, OH 43201	Columbus, OH 43201
Julian J Donofrio, Christina Barshel, 1179 Cromartie Lane	Lucia Herrera, 60 East 8th Avenue, #459
Columbus, OH 43201	Columbus, OH 43201
Jody L Poth, 1185 Cromartie Lane	Zachary, Emma Peugh, 1181 Cromartie Lane
Columbus, OH 43201	Columbus, OH 43201
Robert C. Smith, 1191 Cromartie Lane	David, Hilary MacDonald, 1187 Cromartie Lane
Columbus, OH 43201	Columbus, OH 43201
Grant Park Apts. Four QOZB, LLC, 842 North 4th Street, Suite 200, Columbus, OH 43215	Alicia M Jones, 1193 Cromartie Lane Columbus, OH 43201

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 15

day of Fumber in the year 2001

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

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

Notary Seal Here



MaryAlice Wolf
Notary Public, State of Ohio
My Commission Expires October 24, 2023