THE CITY OF
COLUMBUS
ANDREW J. GINTHER, MAYOR

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

STATEMENT OF HARDSHIP

Application Number: CV17-051

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 conjuction 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

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 discovered after your application is approved, a new application 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):

Please see the attached Statement of Hardship

Signature of Applicant _____ **Date** 7/24/17

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

CV17-051

Introduction:

The subject property is located at 1111 Mediterranean Avenue, City of Columbus, Franklin County, Ohio – Parcel Number: 010-200010-00.

In 1998, the then owner constructed a four (4) story and seventy (70) room hotel/motel on the subject property. The property was also improved with a parking lot with seventy-five (75) parking spaces thereon.

The subject property was used and operated as a hotel/motel, commencing sometime in the year 2000. In September 2004, SPS Hospitality purchased the property and continued its use as a franchised hotel.

In June 2015, the subject property was leased to YWCA. YWCA's downtown facilities were undergoing improvements, and pursuant to and in accordance with a duly issued temporary license, YWCA operated the subject property as a Shared Living Facility for women in transition.

That use lasted for approximately eighteen (18) months, and upon completion of its facilities, the lease with YWCA ended in December, 2016.

SPS Hospitality would like to continue the use of the subject property as a Shared Living Facility, with a lease to Columbus Housing Network, supported by Columbus Metropolitan Housing Authority and Community Shelter Board. Upon expiration of the lease, which is likely to be extended by CHN for an extended period, the Applicant wants to and will have to return to the use as a hotel/motel.

The Problem:

The subject property is located in a C-3, Commercial District. Prior to the 2008 amendments, a hotel use was permitted for C-3 zoning. However, the current uses outlined in 3355.03 for C-3, Commercial District, does not include hotel/motel, nor does it include the use as a Shared Living Facility.

While SPS Hospitality and YWCA were able to secure a temporary use for the subject property as a Shared Living Facility, such continued use for a lease with Columbus Housing Network, supported by CMHA and CSB, cannot continue without the requested variance.

Since 2008, the subject property and about ten (10) other hotel property owners in this C-3 zoned area have continued to use their respective property as a hotel/motel – a non-conforming use – given the 2008 change in the C-3 zoning uses.

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The subject property consists of a building approximately 32,000 square feet. While seventy-five (75) parking spaces are sufficient for the hotel use, the use of the shared living facility requires eighty (80) parking spaces. It should be noted that a majority of the transient occupants utilizing the subject property as a Shared Living Facility do not have personal automobiles, and there is no anticipated issue with an overflow given the current number of parking spaces.

The Solution:

For its use as a hotel / motel or Shared Living Facility, the subject property structure and improvements meet the requirements of Columbus Building Code, State Fire Marshall requirements, and the requirements of the Columbus Housing Network, the Community Shelter Board, and the Columbus Metropolitan Housing Network.

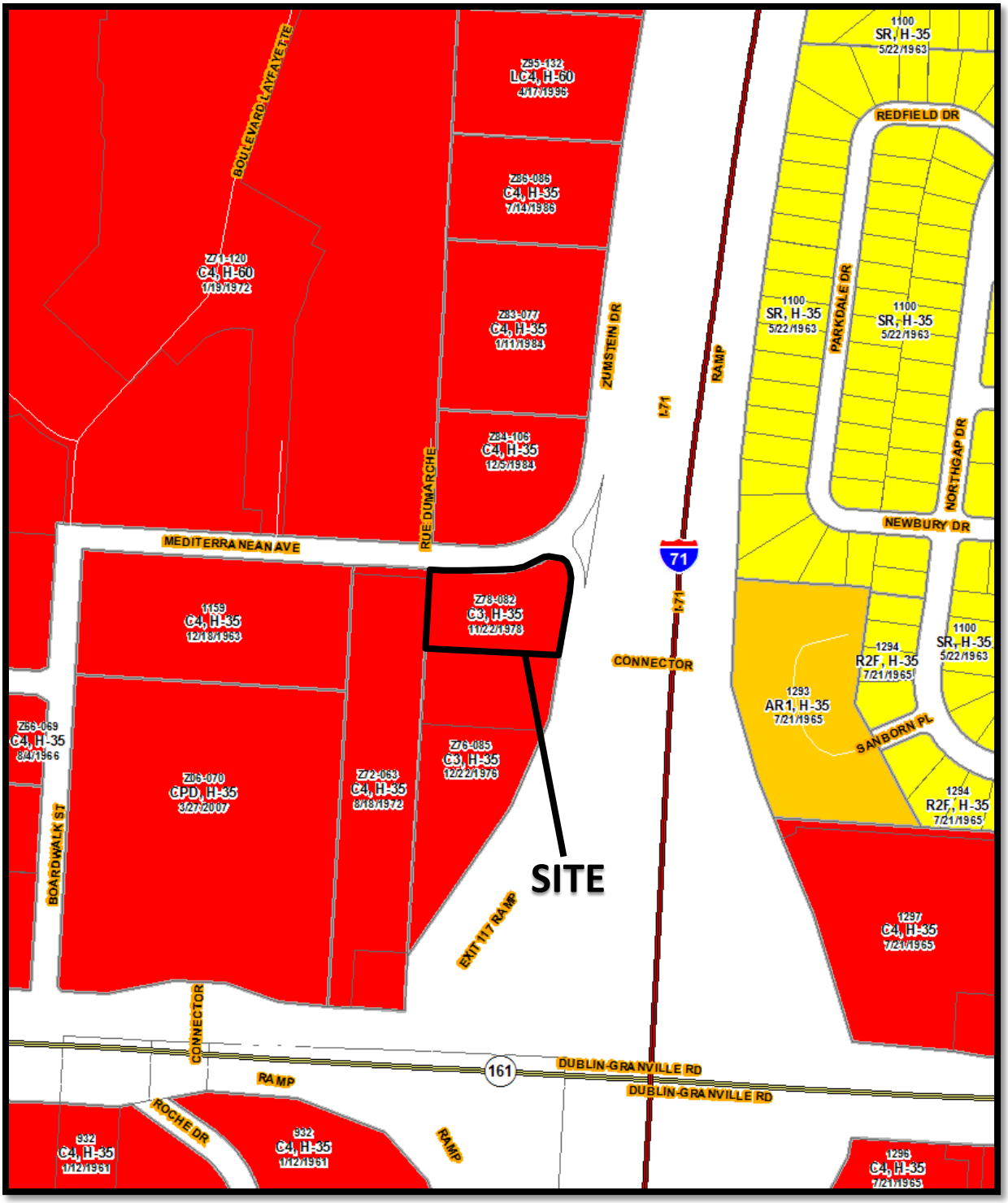
With a variance, SPS Hospitality, with a lease to, Columbus Housing Network, will be able to continue the use of the subject property as a Shared Living Facility.

While SPS Hospitality anticipates a long term lease and use of the subject property as a Shared Living Facility by Columbus Housing Network, in the event of lease termination, SPS Hospitality would like to return the use of the subject property to that of a hotel/motel.

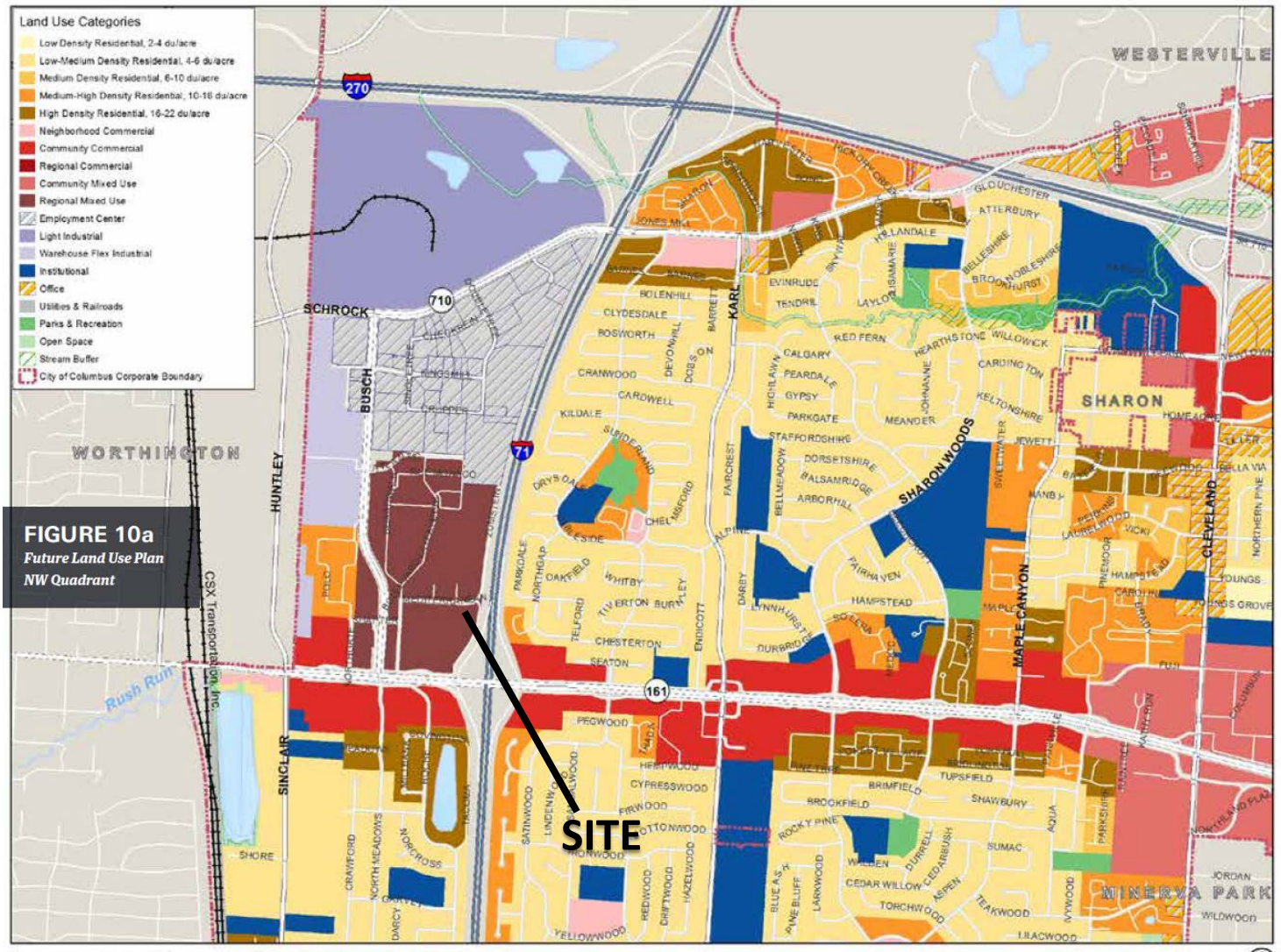
Requested Variances:

The subject property is presently zoned C-3, Commercial District. The Applicant is requesting a use variance to permit the property to be used as a "Shared Living Facility", as defined in Section 3303.19 of the City of Columbus Code, and to be used a hotel/motel, as defined in Section 3303.08.

The Applicant is also requesting a variance to allow the use as a Shared Living Facility, with the current number of parking spaces of seventy-five (75), instead of the required eighty (80).



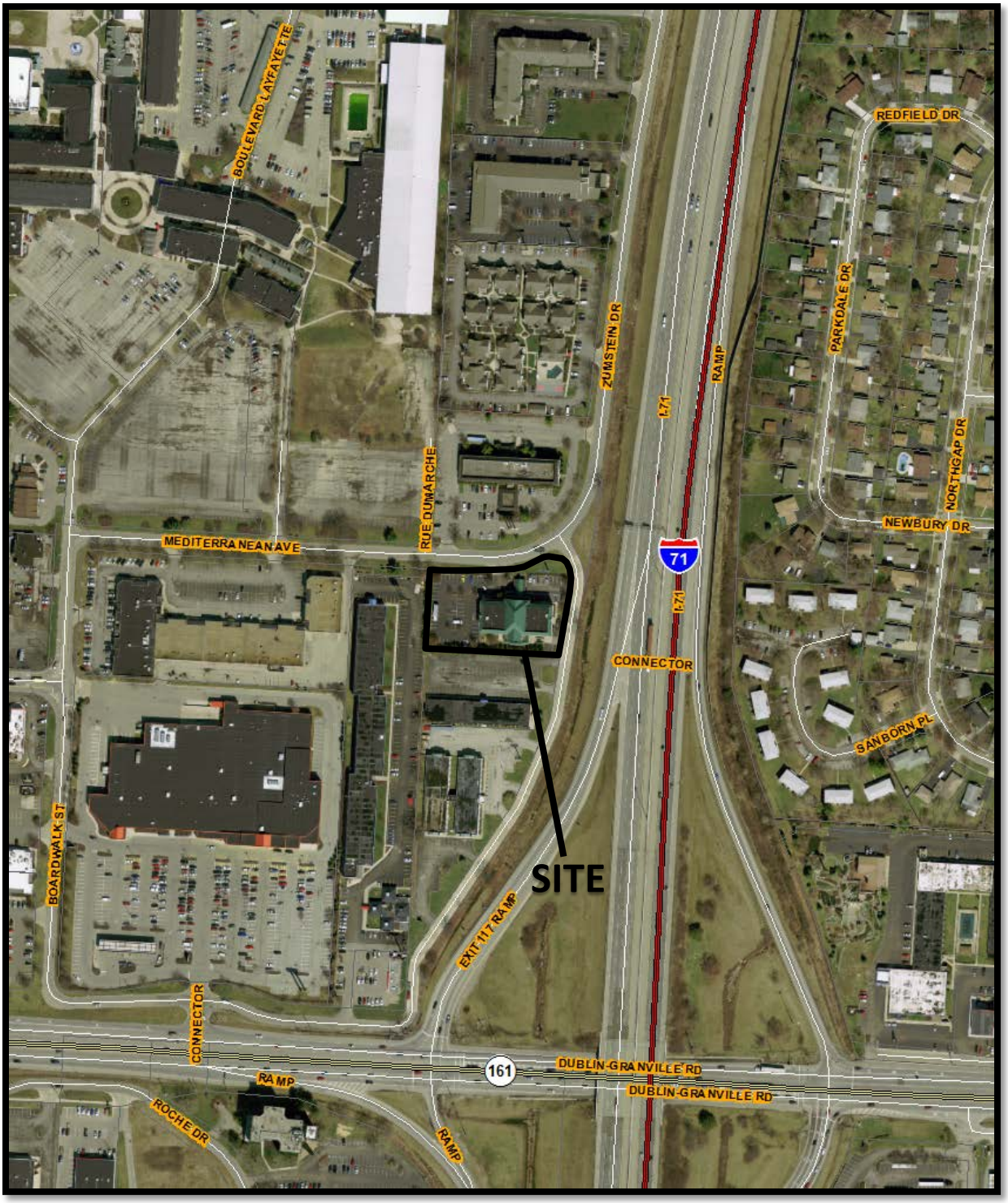
CV17-051
1111 Mediterranean Avenue
Approximately 1.32 acres



NORTHLAND I AREA PLAN - FUTURE LAND USE PLAN

Regional Mixed Use: Large scale shopping centers and regional malls, entertainment centers, big box retailers, and similar retail uses that have the potential to attract consumers from major portions of the city or the Central Ohio region. Office or institutional uses may also be appropriate. Also includes residential units located either above and/or next to the commercial, office, or institutional uses. Should be located at nodes on major arterials and at interstate highway intersections. Typical Density/Intensity: 10,000 square feet per acre, up to 22 dwelling units per acre.

CV17-051
1111 Mediterranean Avenue
Approximately 1.32 acres



CV17-051
1111 Mediterranean Avenue
Approximately 1.32 acres

Northland Community Council
Development Committee

Report

August 30, 2017 6:30 PM
Franklin County Job and Family Services
(Use south entrance)
1721 Northland Park Avenue (43229)

Meeting Called to Order: **6:32 pm** by chair **Dave Paul**

Members represented:
Voting: (15): Albany Park (APHA), Blendon Chase (BCHA), Blendon Woods (BWCA), Clinton Estates (CECA), Cooper Woods (CWCA), Forest Park (FPCA), Friendship Village (FVRA), Karmel-Woodward Park (KWPCA), Lee/Ulry (LUCA), Maize-Morse Tri-Area (MMTACA), Northland Alliance (NA), Northland Area Business Association (NABA), Preston Commons (PCHA), Rolling Ridge (RRSHA), Sharon Woods (SWCA).

Case #4: Application #CV17-051 (Council use variance to permit a operation of a shared living facility and/or hotel/motel in a C-3 district, and concurrent parking variance from §3312.49, a reduction of 5 spaces to 75)
Sanjay K. Bhatt/Bhatt Law Office, Ltd. *representing*
SPS Hospitality, LLC
1111 Mediterranean Ave (fmrly Country Inn & Suites), 43229 (PID 010-200010) Staff: Maret

- *The Committee approved (14-0 w/ 1 abstention) a motion (by CECA/BCHA) to **RECOMMEND APPROVAL** of the application.*

Executive Session **8:20 pm**

Meeting Adjourned **9:15 pm**

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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 Number: CV17-051

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Darshan Shah, Manager of SPS Hospitality, LLC
of (COMPLETE ADDRESS) 3958 Brown Park Drive, #B, Hilliard, OH 43026
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

1. Prakash Patel 5668 Hillcoat Drive Hilliard, OH 43026	2. Vibhakar Shah 4581 Huntwicke Drive Hilliard, OH 43026
3. Jayendra Patel 6 Darren Court East Brunswick, NJ 08816	4. Darshan Shah 4834 Britton Farms Drive Hilliard, OH 43026

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

SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 24th day of July, in the year 2017

SIGNATURE OF NOTARY PUBLIC

My Commission Expires NO-EXP.

Notary Seal Here

NOTARIAL SEAL
STATE OF OHIO

SANJAY K. BHATT, ESQ.
ATTORNEY AT LAW
NOTARY PUBLIC
STATE OF OHIO
Sec 147.03 O.R.C.

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