

Statement(s) of Hardship:

Item 1 ARLD density requirement

The existing density for the site is 46.2 units per acre. The proposed density for this site is 30.5 units per acre. While still over the required density of 17.4, the proposed work would result in a decrease in density.

The hardship in this instance is that we are dealing with existing buildings, density, and conditions.

Item 2 3333.02, Allowable Uses

The proposed restaurant (C-1) is not a conforming use for an ARLD district. By allowing a restaurant use, the existing Laundromat retail space which has laid vacant for several years will again have a use which will benefit area residents. A majority of the potential restaurant users would access the building by foot, so parking would not be greatly impacted. A restaurant use is consistent with the Near East Area Plan. We are restoring an existing neighborhood commercial use.

The hardship in this instance is that we are dealing with an existing building / commercial use.

Item 3 3333.02, Allowable Uses

The property at 73-75 S. 18th Street is an existing 2-family dwelling.

The hardship in this instance is that we are dealing with an existing building.

Item 4 3342, Parking requirements

The existing site does not meet the parking requirement. With a total of twelve spaces, the proposed structures will provide a much needed amenity providing secure parking for the new residents of the condominium buildings.

The hardship in this instance is that we are dealing with existing buildings and conditions.

Item 5 3342.08, Driveway requirements

The proposed site plan shows a new driveway to access the internal part of the site. The existing building footprints will not permit the driveway to be any wider.

The hardship in this instance is that we are dealing with existing buildings and conditions.

Item 6 3333.15, Lot Area requirements

The existing lot coverage of the site is 54 %. The proposed lot coverage of the site is 60 %. Again, the proposed structures will provide a much needed amenity providing secure parking for the new residents of the condominium buildings. These structures will also help alleviate the lack of parking for the site.

The hardship in this instance is that we are dealing with existing buildings, density, and conditions.

Item 7 3333.18, Setback requirements

The existing buildings do not meet the setback requirement.

The hardship in this instance is that we are dealing with existing buildings and conditions.

Item 8 3333.20 – 3333.255, Yard requirements

The existing buildings do not meet the front, side, or rear yard requirements.

The hardship in this instance is that we are dealing with existing buildings and conditions.

Item 9 3342.25, Vision Clearance

The existing conditions do not meet the vision clearance requirement.

The hardship in this instance is that we are dealing with existing buildings and conditions.

Proposed Use or reason for Council variance request:

Item 1 All of the lots for which the buildings are located on are contained within an Apartment Residential-Low Density (ARLD) district. The allowable density for an ARLD district is 17.4 units per acre. The existing density is 46.2 units per acre. The proposed number of units for this site has been established as 27, and the overall lot square footage is 38,605 (43,560 s.f. = 1 acre) making the density 30.5 units per acre.

A variance is requested to allow a higher density of 30.5 units per acre.

Item 2 There is currently a self-service Laundromat (C-3 use) on the first floor of the 880-894 Oak Street property. The proposed use of the space is a restaurant (C-1 use). As stated in section 3333.02, a commercial use is a non-conforming use for an ARLD district.

A variance is requested to allow the C-1 restaurant use at the 880-894 Oak Street property as a conforming use.

Item 3 The property at 73-75 S. 18th Street is an existing 2-family dwelling. As stated in section 3333.02, a 2-family dwelling is a non-conforming use for an ARLD district if the property was not separately owned or of record on January 14, 1959. While the existing building meets this requirement, the request is to maintain the use in the event of catastrophic loss to the structure.

A variance is requested to maintain the existing property at 73-75 S. 18th Street as a conforming use.

Item 4 As stated in Chapter 3342, there are a certain number of parking spaces required. The calculation for the site's parking is as follows:

Existing 41 apartment units
Required spaces = 82
Existing Laundromat
Required spaces = 8

Total Required spaces = 90

Existing spaces = 15

Proposed 27 condominium units
Required spaces = 54
Proposed Restaurant
Required spaces = 25

Total required spaces = 79

Total parking spaces required for proposed use = 15

Total parking spaces proposed = 12

A variance is requested for the 3 spaces of required parking that are not being provided.

Item 5 In the proposed site plan there is a new driveway shown off Oak Street to access the internal part of the site. The driveway width can only be 13 feet wide as it falls between 2 existing buildings. As stated in section 3342.08, a width of 20 feet is required for the driveway.

A variance is requested to allow a driveway width that is less than what is allowed.

Item 6 The area of the buildings is 23,335 s.f. total, the lot area is 38,605 s.f. The calculated building coverage is 60 percent. As stated in section 3333.15, the area of all buildings on a lot cannot occupy an area greater than 50 percent of the lot area.

A variance is requested to allow a building area denser than what is allowed.

Item 7 As stated in section 3333.18, the required building setback for an ARLD district shall be 25 feet. The existing buildings on the lot do not meet the required setback.

A variance is requested to allow a setback less than 25 feet.

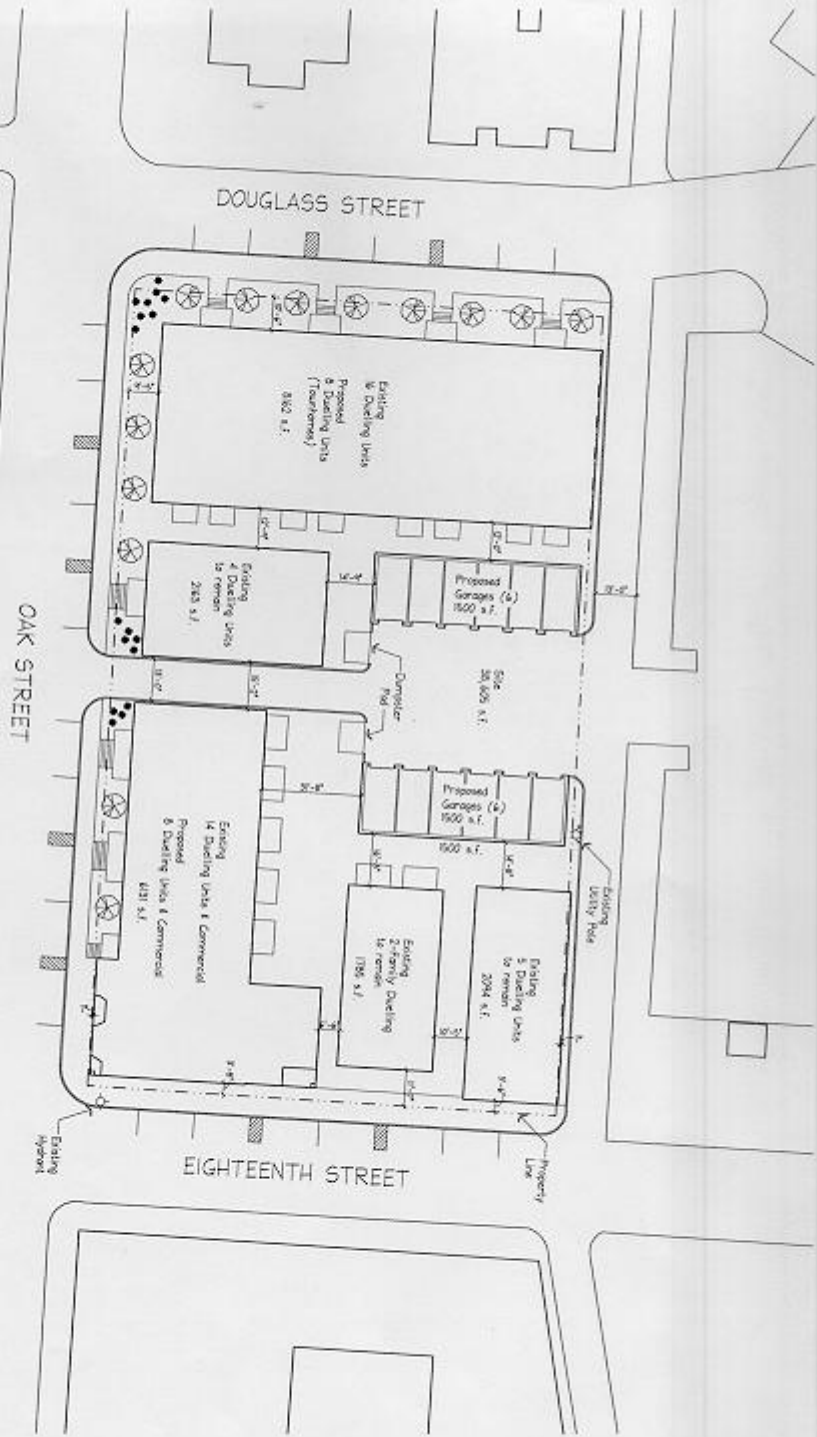
Item 8 As stated in sections 3333.20 – 3333.255, there are requirements for the size of front, side and rear yards for a building. These required sizes cannot be met due to the existing density of the site.

A variance is requested to allow the yard conditions as shown.

Item 9 As stated in section 3342.25, a vision clearance of 30 feet is required at street intersections and 10 feet at vehicular access points. Neither the main streets nor the access point to the interior of the site meet this requirement.

A variance is requested to allow a vision clearance less than what is allowed.

Fabulous
Real Estate

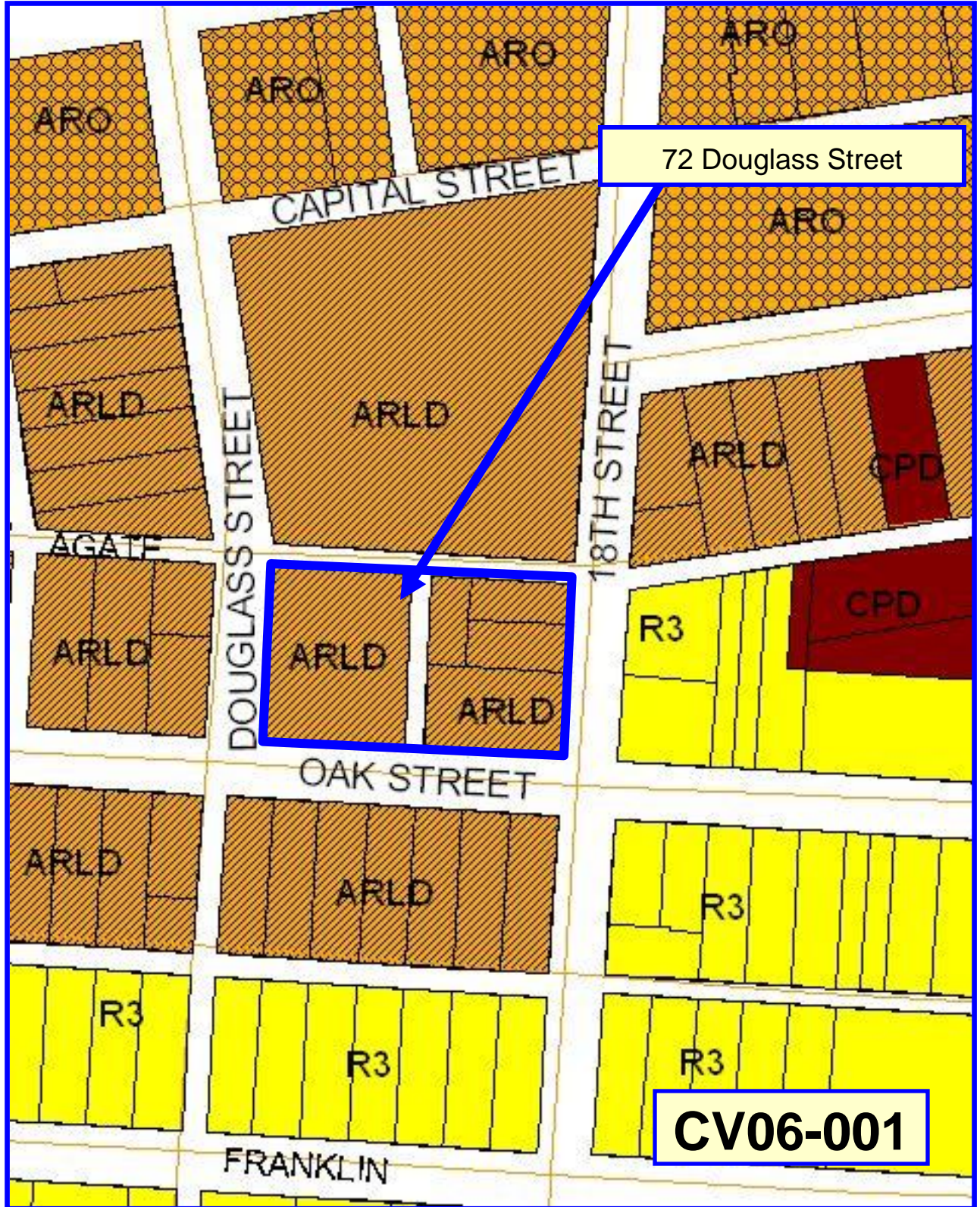


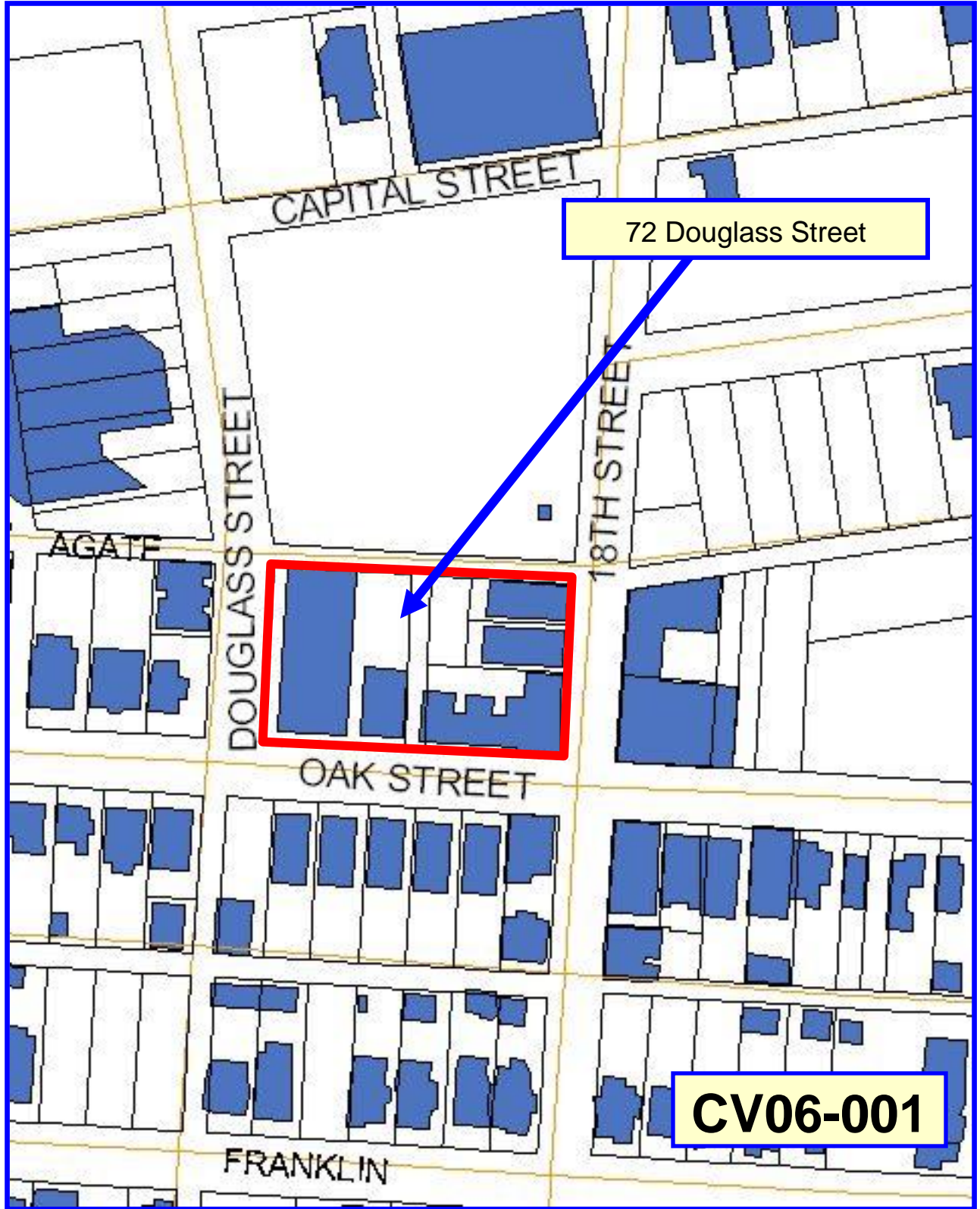
August 21st
Final
Permit 6/30/06

CV06-001
LUSKSHARKIN
ARCHITECTS AND PLANNERS
GENERAL ARCHITECTS
1400 N. 10th St. Ste. 100
Portland, OR 97228-1000



Mr. A. Pinsky
6-30-06







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

Attention: Walter Green



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

Group Name *North East Area Commission*

Meeting Date *Feb 9, 2006*

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 *CV06-001*

Recommendation (Check only one)
 Approval
 Disapproval
 Conditional Approval (please list conditions below)
 (Area Commissions, see note below*)

See attached minutes.
Approval presupposes Phase I
Environmental Study

*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 *14-FOR 0-AGAINST 0-ABSTENTION*

Signature of Authorized Representative *Kathleen D. Bal*

SIGNATURE
CHAIR *2/10/06*

RECOMMENDING GROUP TITLE

614-213-2697

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.

**Near East Area Commission Zoning Meeting
January 17, 2006**

- I. **Call to Order**
- II. **Moment of Silence for Rev. Dr. Martin Luther King, Jr.**
- III. **Roll Call (see attendance sheet)**
- IV. **A: 72 Douglas Street-CV06-001/06315-0-00001**
 Olde Towne East Condominiums. Representatives for Project: Kim Barrett, Jim Mitchell, Jim Sagraves and Kirk Casely. Applicant (Fabulous Real Estate) seeking NEAC support for multiple variances to go before City Council
- Applicants presented updated renderings/drawings and answered questions concerning the project: (size range/900 to 2500sq. ft.) (Price/\$159k to \$289K...garages extra etc. see package/drawings)
- Project to be completed in seven stages. Some issues variances address: width of main entrance/exit (13ft. vs. 20ft.)
- C3 to C1 for Laundromat to become Restaurant
 - Setback (to remain as is/less than Code requirement)
 - Parking spaces (3 less than code)
 - Additional density for acreage
 - Adding porches to Douglas structure
- NEAC recommends a Phase I Environmental Study for structure that was former laundromat site. Commissioner Womack advised applicant to bring parking plans to site visit. (Site Visit scheduled for Saturday, February 4th, 2006 at 10:00A.M.
- B /C:(CV05310-00000-001144) vote to move from table item for 257 North 20th Street (m.Fitrakis/2nd K.Powell).Applicants, Tom Donaghy and Anthony English Applicants requesting variance to parking requirements. Recommendation Letter (no decision /site visit rescheduled). Site visit rescheduled for Saturday, January 4th, 2006 at 9:00A.M.
- D: **Zoning Limitation Text Document:** (not all Commissioners familiar with text yet...will be addressed at future meeting).
- V. **A: Committee Structure:** Commissioner Womack advised Commissioners to take under consideration need for Vice-Chair and Secretary
- B: Attendance Procedure:** Commissioner Womack requested the Commissioners to call when absence is necessary.
- VI. **Announcements:** Columbus Compact Annual Meeting (February 9th, 5:00 to 6:30P.M./King-Lincoln Theatre).
- VII. **Adjournment**

Near East Area Commission Zoning Meeting

Minutes – January 17, 2006 Meeting - Commissioner Redmon

Saturday, February 4, 2006
Site Hearing Minutes

9:00 am – 257 South 20th Street – YouthBuild Columbus (CV05310-00000-001144)

Applicant Anthony English of YouthBuild Columbus seeks a variance to allow off site parking for the home to be located at 257 South 20th Street.

Upon review of site, Commissioner Womack called for a vote to allow off street parking. Commissioner Shelby Vote was moved by Commissioner Shelby and second by Commissioner Bailey. The Commissioners voted in favor of the variance for off site parking 5-0-0. (5 votes for, 0 against & 0 abstentions)

Minutes – 9:00 am Site Hearing Commissioner Womack

Saturday, February 4, 2006
Site Hearing Minutes

10:00 am - 72 Douglas Street – Olde Town East Condominium Project (CV06-001/06315-0-00001)

Olde Towne East Condominiums. Representatives for Project: Kim Barrett, Jim Mitchell, Jim Sagraves and Kirk Casely. Applicant (Fabulous Real Estate) seeking NEAC support for multiple variances to go before City Council. Applicants presented updated renderings/drawings and answered questions concerning the project.

Project encompasses several parcels and addresses located on Douglas, Oak Street and South 18th Street:

- 880-894 Oak Street
- 876 Oak Street
- 66-78 Douglas Street
- Garages in rear
- 63-71 South 18th Street
- 73-75 South 18th Street

Along with several variances which include;

- ARLD Density Requirements – decrease in density
- 3333.02 Allowable Uses – C-1 & R-2F use in ARLD district
- 3342 Parking Requirements – only 12 spaces (garages) for project
- 3342.08 Driveway Requirements – narrow driveway
- 3333.15 Lot Area Requirements – coverage to increase from 54% to 60% w/ garages

Near East Area Commission Zoning Meeting

- 3333.18 Setback Requirements – does not meet
- 3333.20 -3333.255 Yard Requirements – does not meet
- 3342.25 Vision Clearance – does not meet

Discussions were raised regarding the relationship between members of Four Corners and Fabulous Real Estate, a principle partner in this development by OTENA Trustee, Deneen Day. Jim Mitchell stated that the relationship the projects were separate and have two different management teams. Commissioner Bailey added that Four Corners has had horrible record of development on the Near East Side, which was riddled with code violations from

the city. Commissioner Womack and Mahoney suggested that the party present at the next scheduled OTENA meeting and have open dialogue regarding their concerns. Other concerns regarding parking, financing of the project and development time table were all addressed by the applicants to the satisfaction of the commissioners and community present.

Commissioner Womack stressed that the commission listens to the concerns of the civic associations in the Near East Side when making their recommendations. The Commissioners toured one of the units in its present state and moved for a vote.

Upon review of site, Commissioner Womack called for a vote to approve the variances as presented. Commissioner Shelby Vote was moved by Commissioner Bailey and second by Commissioner Shelby. The Commissioners voted in favor of the CV06-001/06315-0-00001 by a vote of 6-0-0. (6 votes for, 0 against & 0 abstentions)

Minutes – 10:00 am Site Hearing Commissioner Lake - Grant

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



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.

STATE OF OHIO
COUNTY OF FRANKLIN

APPLICATION # CV06-001

Being first duly cautioned and sworn (NAME) Kirk A. Paisley, CSI ; LUSKARKIN Architects & Planners
of (COMPLETE ADDRESS) 35 North Fourth Street, 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 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

If applicable, check here if listing additional parties on a separate page (REQUIRED)

1. Donald Kearley 2000 W. Henderson Road Suite 220 Columbus, OH 43220 614-636-0033	2. Jim Mitchell 3086 Wakeshire Drive Dublin, OH 43017 614-270-9074
3. Greg Filburn 1177 Forest Glen Westerville, OH 43081 614-794-2575	4.

SIGNATURE OF AFFIANT

Kirk A. Paisley, CSI

Subscribed to me in my presence and before me this 3 day of January, in the year 2006

SIGNATURE OF NOTARY PUBLIC

Melanie A. Ross

My Commission Expires:

July 22, 2008

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

Notary Seal Here



Melanie A. Ross
Notary Public, State of Ohio
My Commission Expires July 22, 2008