

#### STATEMENT OF HARDSHIP

PROPERTY ADDRESS: 31 East Hubbard Avenue, Columbus, Ohio 43215

APPLICANT: The Woods Companies, c/o Michael T. Shannon, Esq.

CRABBE, BROWN & JAMES, LLP 500 South Front Street. Suite 1200

Columbus, Ohio 43215 mshannon@cbjlawyers.com

DATE: February 28, 2014

APPLICATION #: CV14-005

The Site consists of three parcels (PIDs: 010-029476, 010-023191, 010-010941). The Site is located at 31 East Hubbard Avenue in the Italian Village Historic District. The Site is located on the east side of North Pearl Street between East Hubbard Avenue and Hull Alley. The Site is currently used as a parking lot and contains a small accessory structure. The Site does not have any distinguishing characteristics.

The Site is currently zoned Commercial, C-4. The Site is subject to the Italian Village Historic District and the I-670 Graphics Control Planning Overlay.

Applicant proposes the construction of a multi-family apartment residential development. The development will have 42 residential units, 53 parking spaces, and stand approximately 72 feet tall.

Applicant requests the following variances:

- 1. 3356.03, C-4, Permitted Uses, which Section does not permit multi-family residential use. Applicant proposes a variance to allow those AR-1 uses permitted in 3333.02, Apartment Residential District Use.
- 2. 3309.12, Height District, which Section limits the height of buildings in the H-35 District to 35 feet. Applicant proposes a variance to allow a 72 foot building height.
- 3. 3321.05(B)(1), Vision Clearance, which Section requires a 10 foot clear vision triangle at the intersection of Pearl Alley and Hubbard Avenue. Applicant proposes a 0 foot building setback on both Pearl Alley and Hubbard Avenue.
- 4. 3356.11(3), C-4, District Setback Lines, which Section requires a building setback of no less than 25 feet. Applicant proposes a 0 foot building setback on Hubbard Avenue.
- 5. 3312.49(C), Minimum Number of Parking Spaces Required, which Section requires 63 parking spaces for 42 dwelling units at 1.5 spaces/unit. Applicant proposes to provide 53 parking spaces for 42 dwelling units at 1.26 spaces/unit.

A hardship exists in that the proposed development cannot conform to the underlying commercial zoning districts, nor could it completely conform to any of the residential zoning districts established by the City's Zoning code. The development will appreciate and enhance the existing neighborhood, and therefore will not adversely affect the surrounding property or surrounding neighborhood, but rather will alleviate a hardship or difficulty which warrants a variance from the Commercial C-4 zoning code.

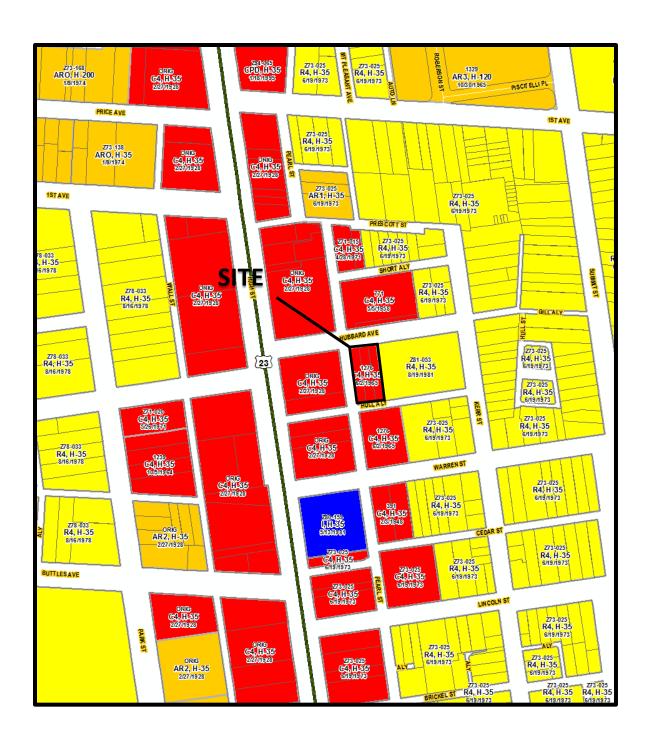
The requested variance will not impair an adequate supply of light or air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals, or welfare of the inhabitants of the city.

For the reasons stated above, Applicant respectfully requests approval of the requested Council Variances.

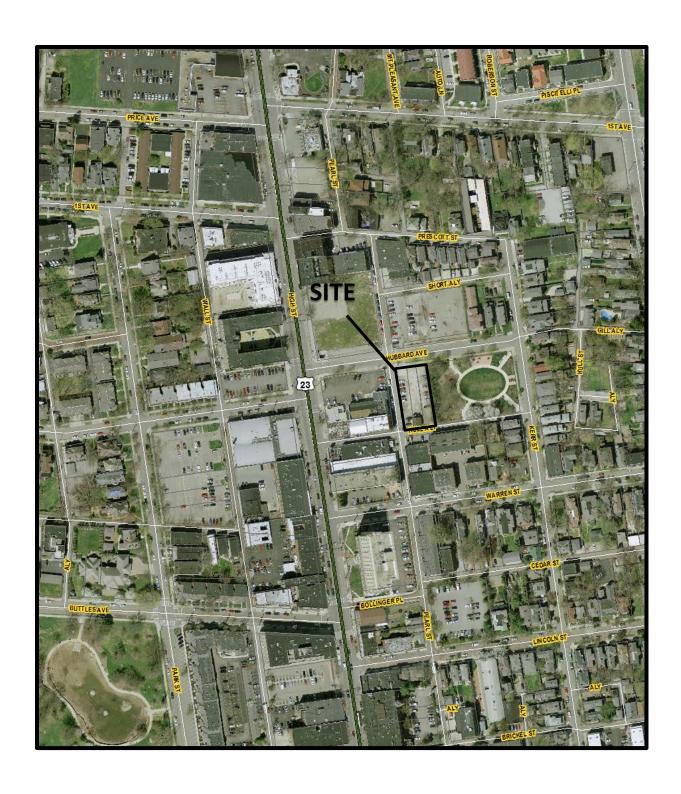
Respectfully Submitted,

Michael T. Shannon, Esq.

Attorney for Applicant



CV14-005 31 East Hubbard Avenue Approximately 0.27 acres



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STEVEN R. SCHOENY Director



# Certificate of Appropriateness ITALIAN VILLAGE COMMISSION

This Certificate of Appropriateness is <u>not</u> a zoning clearance or a building permit. This document does <u>not</u> relieve the applicant from the responsibility of filing for and obtaining any required zoning clearance and/or building permit from the City of Columbus Department of Building & Zoning Services (645-6090 / 757 Carolyn Avenue) and following all other applicable codes and ordinances of the City of Columbus.

PROPERTY ADDRESS: 796 North Pearl Street

APPLICANT'S NAME: Jonathan Barnes (Applicant)

Short North Properties, LLC. (Owner)

**APPLICATION NO.:** 13-4-12

**HEARING DATE: 12-17-2013** 

**EXPIRATION:** 12-17-2014

The Italian Village Commission hereby certifies that the application for the above referenced property and a copy of this Certificate of Appropriateness are on file with the city's Historic Preservation Office. The Commission has reviewed the application and taken the following action(s) in accordance with Columbus City Code 3116 & 3119 and the architectural guidelines:

Approved: Exterior alterations per APPROVED SPECIFICATIONS

Recommendation for Approval: Requested re-zoning/special permit/variance per APPROVED SPECIFICATIONS

#### APPROVED SPECIFICATIONS:

Approve Application 13-4-12, 796 North Pearl Street, with all clarifications, as noted:

**New Construction** 

- Construction of an approximately 85,000 square foot, mixed-use apartment development, per the submitted site plan and elevation drawings dated 12/03/2013.
- Proposed development to consist of 47 apartments on floors three through seven; two (2) townhouse units on the ground floor; and two parking decks, above and below grade.
- Parking decks to be concrete and upper floors structural steel.
- The project is seven (7) stories tall on the Pearl Street side, and five (5) stories high on the park side.
- <u>Final construction drawings to be submitted to Historic Preservation Office staff for final review and approval, in consultation with the Italian Village Commission, prior to issuance of the Certificate of Appropriateness.</u>

MOTION: Lapp/Goodman (4-0-0) APPROVED

Drawings Required

This Certificate of Appropriateness is only valid for work performed in accordance with the motion so passed and approved by the Commission, and shall accompany plans submitted for zoning clearance and/or building permits.

Randy F. Black

Historic Preservation Officer



CV14-005



### COUNCIL VARIANCE APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433• <a href="https://www.columbus.gov">www.columbus.gov</a>

## 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 #

STATE OF OHIO COUNTY OF FRANKLIN	
Being first duly cautioned and sworn [NAME]	Michael T. Shannon
Of [COMPLETE ADDRESS] 500 S. Front St., Ste. 1200, Columbus, Ohio 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 formats	
	Name of business or individual Business or individual's address Address of corporate headquarters City, Sate, Zip Number of Columbus based employees Contact name and number
1. The Wood Companies 21 West Hubbard Ave., Ste. D Columbus, Ohio 43215 Mark Wood (614.298.9663)	2.
3.	4.
Check here if listing additional parties on a separate page.	
SIGNATURE OF AFFIANT Subscribed to me in my presence and before me this	
SIGNATURE OF NOTARY PUBLIC  My Connussion Expires:  Notary Flore  O  This Project Disclosure Statement expires six months	CAROL A. STEWART  NOTARY PUBLIC, STATE OF OHIO MY COMMISSION EXPIRES 06/28/2014
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