





DEPARTMENT OF BUILDING
AND ZONING SERVICES

Council Variance Application

111 North Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • www.columbus.gov/bzs • zoninginfo@columbus.gov

STATEMENT OF HARDSHIP

Chapter 3307 of the Columbus Zoning Code

CV19-060

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

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):

See Exhibit B

Signature of Applicant

Station 324 LLC by

Date

5-24-19

Signature of Attorney

Donald Plank

Date

5/24/19

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

Exhibit B
Statement of Hardship CV19- 060
324 E. Second Avenue, Columbus, OH 43201

The site is 4.228 +/- acres on the north side of E. Second Avenue, 80 +/- feet east of N. 6th Street. The site is zoned M, Manufacturing. Ordinance 0986-2018, passed April 16, 2018 (CV17-068) permits multi-unit residential development subject to a Site Plan titled "Acorn Apartments" dated March 20, 2018. The site plan depicts a 196 dwelling unit apartment development. The apartment development is presently under construction. Ordinance 0986-2018 requires applicant to submit "an application to rezone this property to an appropriate apartment residential district along with a concurrent Council variance (if applicable) for reduced development standards within one year of the effective date of this ordinance (0986-2018)". A rezoning application (Z19- 041) and this Council variance application are being submitted to fulfil the condition (Section 5) of Ordinance 0986-2018.

The rezoning application requests the AR-2, Apartment Residential District to conform the land use and density. This variance application is submitted to conform the apartment development to applicable development standards of the AR, Apartment Residential District. This variance application is necessary because, in addition to the use district variance in Ordinance 0986-2018 by which an apartment development is permitted in the M, Manufacturing District, site development standards variances were also included in Ordinance 0986-2018, and a site development standard, perimeter yard, is applicable in the AR, Apartment Residential District but was not applicable to the M, Manufacturing District.

Applicant has a hardship as well as a practical difficulty with compliance with the referenced code sections, applicant is required to submit this application by Ordinance 0986-2018 and there is no zoning district to which the site could be rezoned without also requiring variances. In conjunction with the processing of Ordinance 0986-2018, the Italian Village Commission and the City of Columbus determined the multi-unit residential development is appropriate for the site and area. The proposed use is consistent with the area and extensive existing and pending residential development in the area. The proposed variances will conform the multi-unit residential development that is under construction to the AR-2, Apartment Residential district for which rezoning is pending (Z19- 041). The requested variances are not substantial, will not alter the residential character of the neighborhood, will not affect the delivery of government services, require the variances as noted for reasonable use of the property and are consistent with the spirit of the zoning requirement.

Applicant requests the following variances:

- 1). Section 3312.27, Parking Setback Line, requires a parking setback of 25 feet along East Second Avenue, while applicant proposes parking setback of ten (10) feet.
- 2). Section 3333.18, Building Lines, requires a building setback of no less than 25 feet from East Second Avenue, while applicant proposes a 2.75 foot building setback.

3). Section 3333.255, Perimeter Yard, requires a perimeter yard of 25 feet along the north, east and west property lines, while applicant proposes a 0' – 4.5', 0' – 3' and 5' – 18' perimeter yard, respectively, to reduce perimeter yard, as depicted on the Site Plan.

The Site Plan titled "Zoning Site Plan" dated 06/15/18 is submitted with this variance application.

CV19-060
324 E 2nd Ave
Approximately 4.2' acres



CV19-060
324 E 2nd Ave
Approximately 4.2' acres

HISTORIC DISTRICT COMMISSION RECOMMENDATION

ITALIAN VILLAGE COMMISSION

This is a recommendation to the appropriate regulatory body as identified per City Code. It is not a zoning clearance or a building permit. This document does not 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 and following all other applicable codes and ordinances of the City of Columbus.

PROPERTY ADDRESS: 324 East Second Street (Station 324)

APPLICANT'S NAME: Dave Perry (Applicant)/ Station 324, LLC (Owner)

APPLICATION NO.: IV-19-10-015

COMMISSION HEARING DATE: 10-08-19

The Italian Village Commission hereby certifies that the application for the above referenced property and a copy of this Recommendation 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:

☒ **Variance or Zoning Change Request**

- | | |
|--|--|
| <input checked="" type="checkbox"/> Rezoning | <input type="checkbox"/> Special Permit |
| <input type="checkbox"/> Parking Variance | <input checked="" type="checkbox"/> Setbacks |
| <input type="checkbox"/> Change of Use | <input checked="" type="checkbox"/> Other |
| <input type="checkbox"/> Lot Split | |

TYPE(S) OF ACTION(S) REQUESTED:

Recommend approval of application #IV-19-10-015, 324 East Second Street, as submitted with any/all clarifications noted:

Variances Recommendation Requests:

- Rezoning: M, Manufacturing to AR-2, Apartment Residential (Z19-041)
- Section 3312.27, Parking Setback Line, requires a parking setback of 25 feet along East Second Avenue, while applicant proposes parking setback of ten (10) feet.
- Section 3333.18, Building Lines, requires a building setback of no less than 25 feet from East Second Avenue, while applicant proposes a 2.50 foot building setback.
- Section 3333.255, Perimeter Yard, requires a perimeter yard of 25 feet along the north, east and west property lines, while applicant proposes a 0' – 4' (variable), 0' – 2' (variable), and 5' – 18' (variable) perimeter yard, respectively, to reduce perimeter yard, as depicted on the Site Plan.

RECOMMENDATION:

☒ RECOMMEND APPROVAL ☐ RECOMMEND DENIAL ☐ NO ACTION TAKEN

THIS RECOMMENDATION IS FOR CONSIDERATION BY THE DESIGNATED REGULATORY AUTHORITY FOR THE ACTION(S) REQUESTED AS INDICATED.



THE CITY OF
COLUMBUS
ANDREW J. GINTHER, MAYOR

DEPARTMENT OF BUILDING
AND ZONING SERVICES

Council Variance Application

111 North Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • www.columbus.gov • zoninginfo@columbus.gov

PROJECT DISCLOSURE STATEMENT

All parties having a 5% or more interest in the project that is the subject of this application should be listed.
THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION #: CV19-060

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald Plank
of (COMPLETE ADDRESS) Plank Law Firm, 411 East Town Street, Floor 2, 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 format:

Name of business or individual (include contact name and number)
Business or individual's address
City, State, Zip Code
Number of Columbus based employees
(Limited to 4 lines per box)

1. Station 324, LLC; 1220 Dublin Road Columbus, Ohio 43215 Number of Columbus based Employees: Zero (0) Contact: Jeffrey E. Meacham; Phone: 614-488-4000	2. _____
3. _____	4. _____

☐ Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Donald Plank

Subscribed to me in my presence and before me this 24th day of May, in the year 2019

SIGNATURE OF NOTARY PUBLIC

MaryAlice Wolf

My Commission Expires:

Notary Seal Here



Project Disclosure Statement expires six months after date of notarization.

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

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 all checks payable to the Columbus City Treasurer