

CV07-005

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



**STATEMENT OF HARDSHIP**

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 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.

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 requested as detailed below:

SEE ATTACHED

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of Applicant *[Handwritten Signature]* Date 7/10/07

### ***Statement of Hardship***

The property that is the subject of this council variance application is comprised of five parcels (the "Site") and a total of 1.96+ acres. Applicant proposes to develop a multi-family development consisting of 52 dwelling units for homeownership. The development will consist of two Sub-areas: Sub-area A, a total of four buildings containing a maximum of 38 dwelling units and Sub-area B, a total of two buildings, containing a maximum of 14 dwelling units. A hardship exists since the underlying district, R-3, Residential District does not permit the intended use and no district exists that would permit the intended development.

The existing R-3, Residential District was established as a part of an area wide "down zoning" in 1973. However, the site is located within an area of mixed land uses, including: a commercial use across Oak to the north, multi- and single-family to south, multi-family to the east and west. The proposed use is consistent with this development trend and is designed to complement the historic architecture in the area. The site is one block from Franklin Park.

The granting of this variance will in no way impair an adequate supply of light and air to adjacent properties. The granting of this variance also will not unreasonably increase the congestion of the public streets, increase the danger of fires, endanger the public safety or unreasonably diminish or impair the public health, safety, comfort, morals or welfare of the inhabitants of the City of Columbus, as the use of the property is compatible with the surrounding uses. Instead, the granting of this variance will quantifiably increase the health, safety and welfare of the residents of the City of Columbus by encouraging the redevelopment of a vacant property.

**List of Variances for 1551 Oak Street Council Variance  
CV07-005  
Revised 9/12/07**

**Use**

1. Applicant request a variance to Section 3332.035, R-3, Residential District to permit a maximum of 38 dwelling units and a maximum 1000 square feet of sales office and common recreation/meeting space within 4 buildings in Sub-area A; and a maximum of 14 dwelling units within two buildings in Sub-area B.

**Height**

2. Applicant requests a variance to Section 3332.29, Height district, to permit a maximum height of 45 feet.

**Lot Coverage**

3. Applicant requests a variance to Section 3332.18(D), Basis of Computing area, to permit a development with lot coverage of 80% (including building and parking areas).

**Building Line**

4. Applicant requests a variance to Section 3332.21, Building lines, to permit a minimum building setback of 7 feet six inches along Oak, a minimum setback of 5 feet along Kelton Avenue, for Sub-area A and to permit a minimum building setback of 2 feet along Oak, a minimum setback of 2 feet along Kelton Avenue, for Sub-area B.

**Fronting on a public street**

5. Applicant requests a variance to Section 3332.19, Fronting, to permit dwellings to front a private parking area. Buildings A, D, and E will have a primary entrance that front the parking area.

**Maximum Side Yard**

6. Applicant requests a variance to Section 3332.25 to permit maximum side yards to be less than 16 feet.

**Minimum Side Yard**

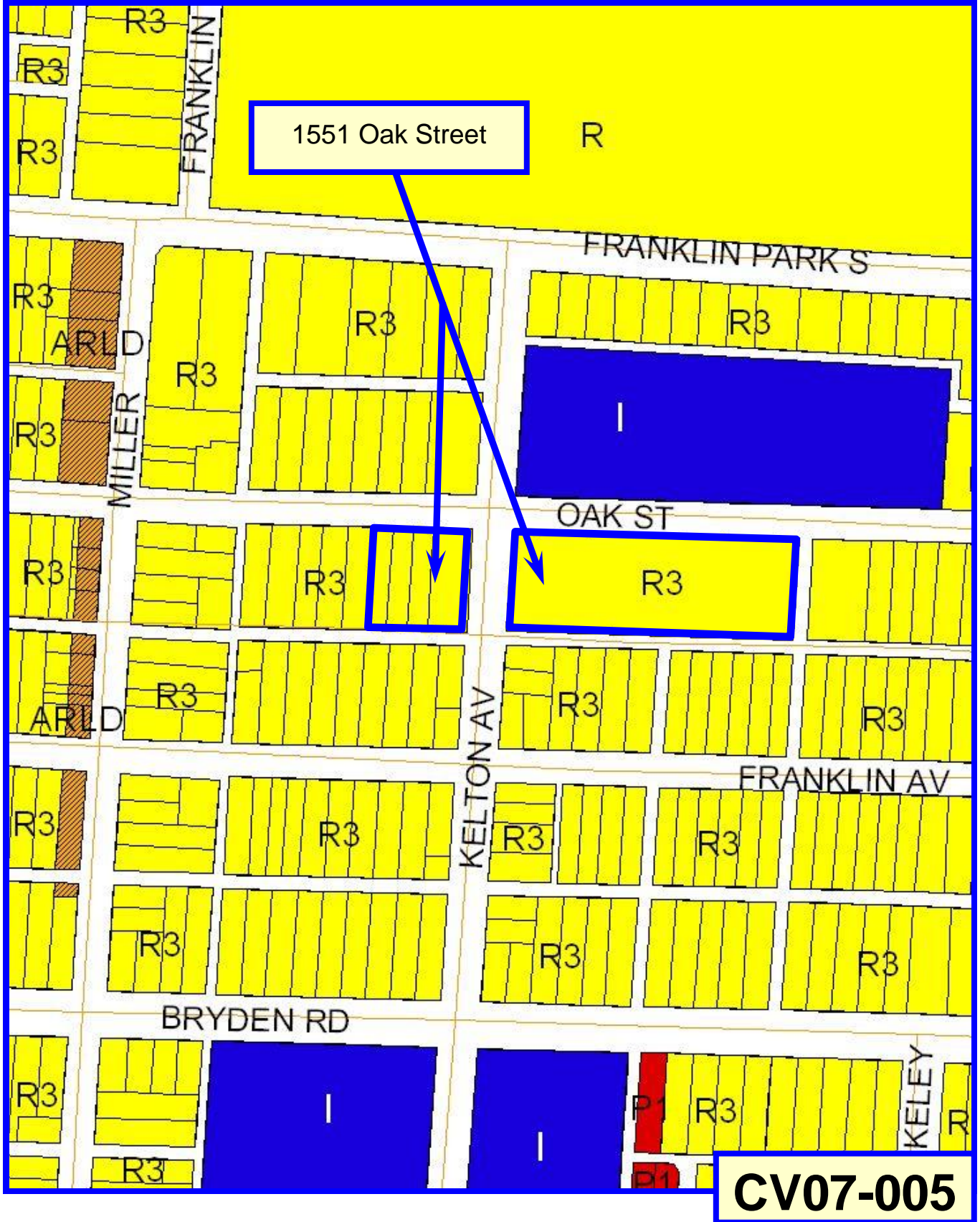
7. Applicant requests a variance to Section 3332.26(B) to permit no side yard along Elliot Alley.

**Rear Yard**

8. Applicant requests a variance to Section 3332.27, Rear Yard, to permit no rear yard.

**Parking**

9. Applicant requests a variance to Section 3342.28, Minimum number of parking spaces required to permit a minimum of 66 spaces for Sub-area A and a minimum of 18 spaces for Sub-area B for the proposed development.





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Well maintained pocket park at Linwood and Mound.

**ISSUE 2:**  
*Revitalization of residential areas, including vacant land and structures*

**POLICY:**  
Prioritize the revitalization and redevelopment of residential areas illustrated on the Development Strategy map (page 27). Vacant land within the neighborhood is a resource that should be redeveloped as housing, pocket parks, or as additional yard space for adjacent homeowners.

**STRATEGIES:**

- Support agencies and private sector developers working to assemble/develop land in a manner consistent with this plan.
- Tour existing developments by prospective developers, if possible, to learn more about their product.
- Work with the city's Land Bank and other non-profit agencies to secure vacant land for redevelopment.
- Investigate the removal of foundations from the sites associated with the failed "Youth Impressions" project to facilitate their development in a manner consistent with the housing design guidelines from this plan.
- Prioritize the development of new housing that is consistent with the housing design guidelines from this plan.
- Narrow or odd shaped, vacant parcels located adjacent to well maintained homes should be considered for a lot-split with each adjacent homeowner receiving one-half of the vacant lot as additional yard space or sold to one homeowner as a side yard.
- Larger vacant lots located in appropriate places may be considered for development as pocket parks when park space is needed and desired by the neighborhood. Utilize local artists to enhance pocket parks with sculpture or other amenities.
- Work with local agencies to develop vacant lots as community gardens until redevelopment as housing or other use.
- Vacant, historic church buildings should be preserved and redeveloped as new churches or other community-related uses. Housing or other secular uses should be considered for vacant churches when a community-related use is not viable.
- Focus the development of higher density apartments, condominiums and townhomes, including affordable units, within and adjacent to the commercial districts, which are the visible edges of the adjacent neighborhood (see Development Strategy map).
- Ensure that Urban Infrastructure Recovery Fund (UIRF) projects and other public investments are targeted to areas where infill development is desired, i.e., commercial districts, etc.

**"Infill development cannot begin in the middle of the neighborhood; it must start at the visible edges and work in."**

*Source: Urban Land Institute*

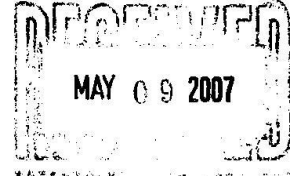


CV07-005



1150 E. Main Street  
Columbus, OH 43205

May 7, 2007



**OFFICERS**

**KATHLEEN BAILEY**  
NEAC CHAIRPERSON

**ANNIE ROSS-WOMACK**  
VICE CHAIRPERSON

**MARGARET COOLEY**  
SECRETARY

**DEEDRA BUXTON**  
ASSISTANT SECRETARY

**ELAINE KOLB**  
TREASURER

**Jonathan Beard**  
President/GEO  
Columbus Compact  
1000 E. Main Street  
Columbus, Ohio 43205

Dear Mr. Beard,

The Near East Area Commission (NEAC) voted to support the Columbus Compact's development proposal to construct a series of condos and garden apartments located at currently vacant land listed as 1551 Oak Street.

The construction of these units is in keeping with the goal of the Near East area plan to revitalize the residential areas of the Near East side through market rate, architecturally compatible rehabs and new builds.

NEAC has expressed one caveat. Since you have indicated that presently you do not have financing, we want you to revisit this project with the NEAC Planning Committee at such time that you do.

We look forward to this wonderful addition to the Near East side.

Sincerely yours,

  
**Kathleen Bailey**  
Chair

Cc: Commissioner Womack, NEAC Vice- Chair  
Commissioner Shaffer, NEAC Planning Committee

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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.

STATE OF OHIO  
COUNTY OF FRANKLIN

APPLICATION # CV07-005

Being first duly cautioned and sworn (NAME) Jonathan C. Beard, for City Heritage LLC  
of (COMPLETE ADDRESS) 1000 E. MAIN ST., Columbus, OH 43205  
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 of individual's address
- Address of corporate headquarters
- City, State, Zip
- Number of Columbus based employees
- Contact name and number

<u>City Heritage LLC</u> <u>% Jonathan C. Beard</u> <u>1000 E. Main Street</u> <u>Columbus, OH 43205</u>	<u>LIN Partnership</u> <u>% Yhezel Levi</u> <u>309 S. Fourth St., Suite 109</u> <u>Columbus, OH 43215</u>

\* If applicable, check here if listing additional parties on a separate page (required)

SIGNATURE OF AFFIANT  
Subscribed to me in my presence and before me this 10<sup>th</sup> day  
of July, in the year 2007  
SIGNATURE OF NOTARY PUBLIC Deborah D. Woody  
My Commission Expires: 6/29/10



DEBORAH D. WOODY  
Notary Public, State of Ohio  
My Commission Expires 06-29-10

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