

STATEMENT OF HARDSHIP

Applicant purchased the three (3) subject parcels, located at the southwest corner of Sullivant Avenue and Georgesville Road, with the intent to develop a neighborhood retail center as permitted under the C-4 zoning classification (C.C.C. §3356.03). City records (copies attached), incorrectly identified the parcels as C4 and/or C5 zoning, consistent with other intensive commercial zoning categories surrounding the subject site. After acquiring the property and in the process of applying for building permits, the Applicant was informed that at least one of the parcels is actually zoned R1. A literal interpretation of the Code is creating a serious legal and financial hardship on the Applicant. Applicant seeks councilmatic approval of the appropriate variances to accommodate the neighborhood retail center planned for the subject site. Below is a list of Code sections for which the Applicant seeks variances to:

- < C.C.C. §3332.03: R-1, Residential District, to permit construction of a retail center otherwise permitted under the C-4 Commercial District;
- < C.C.C. §3357.01: C-5, Commercial District, to permit construction of a retail center otherwise permitted under the C-4 Commercial District;
- < **C.C.C. §3342.07: To reduce the number of required stacking spaces from eight (8) to five (5), to alleviate stacking spaces from blocking Code-required parking spaces.**
- < **C.C.C. §3342.27: To reduce the number of required loading spaces. A literal interpretation of the Code would impact parking spaces and safe traffic circulation. Further, the loading spaces are not needed for the proposed uses.**

Approval of the requested variances would give the Applicant an opportunity to perhaps be heard by City Council before their summer recess, to allow construction to commence.

As a condition of Council's approval of the same, the Applicant will file a rezoning application for the site within thirty (30) days of approval of the council variance.

Respectfully submitted,

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