

Final Site Plan Received 3/20/2024 Sheet 1 of 1 CV23-081

Council Variance Application

DEPARTMENT OF BUILDING
 AND ZONING SERVICES

111 N Front Street, Columbus, Ohio 43215

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

STATEMENT OF HARDSHIP

Columbus City Code Section 3307.10 - Variances by City Council.

City council may grant the following zoning variances:

- A. Permit a variation 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 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 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.

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 not included, a new application (and applicable fees) 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):

The existing parcels north and east of this property are zoned C4. This portion of Cleveland Ave is mostly commercialized. The demand for daycare is very high in this area while current daycare centers are very limited.

3332.027 - RR rural residential district permitted uses: to allow a daycare center

3332.05 - Area district lot width requirements: vary from 80' to 79'

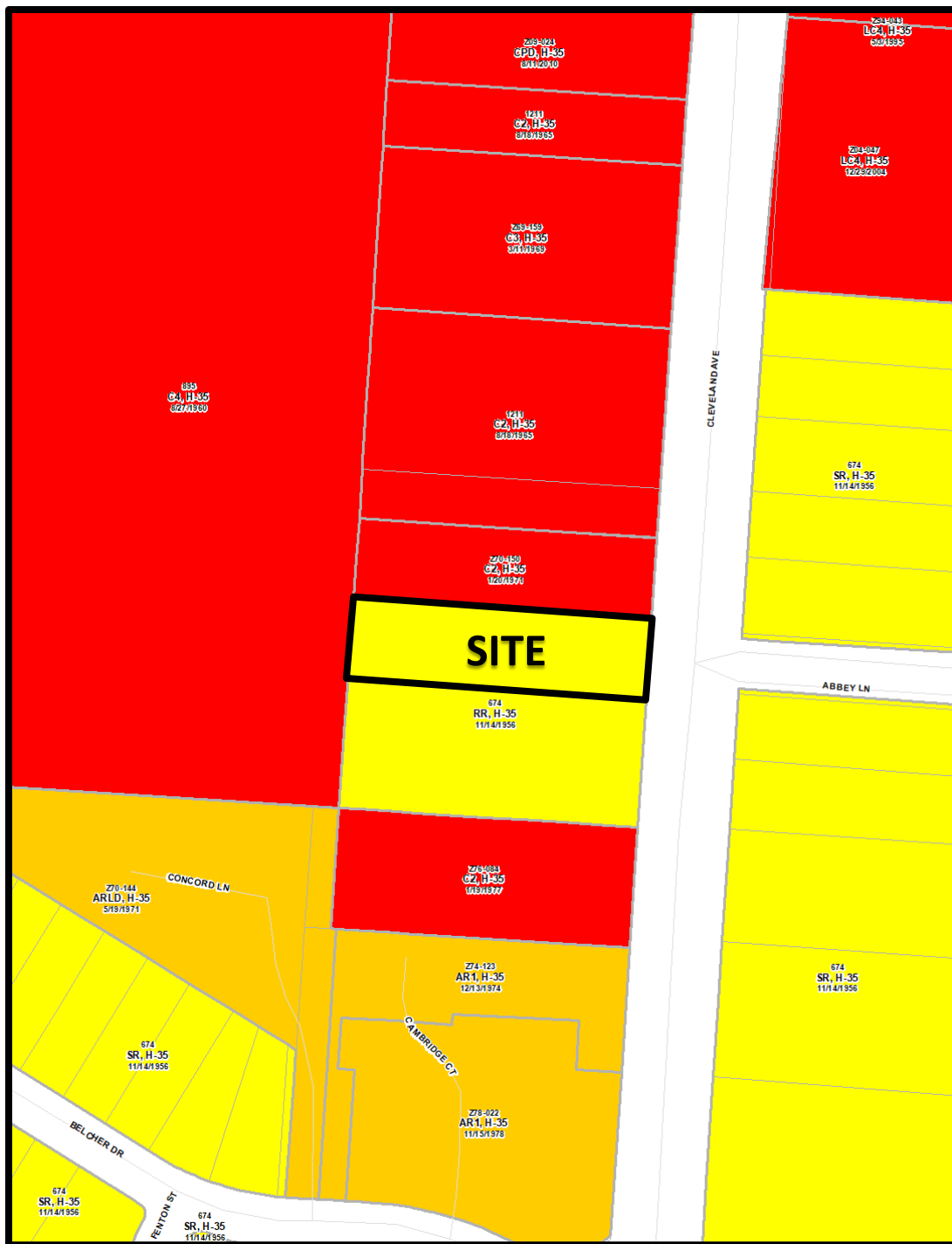
3312.21(D)(1) Screening for parking lot to right of way, least 4' in width, 3' in height.

3312.21(D)(1) Screening for parking lot within 80' of residential, to the height of 5' in a 4-foot wide landscaped buffer.

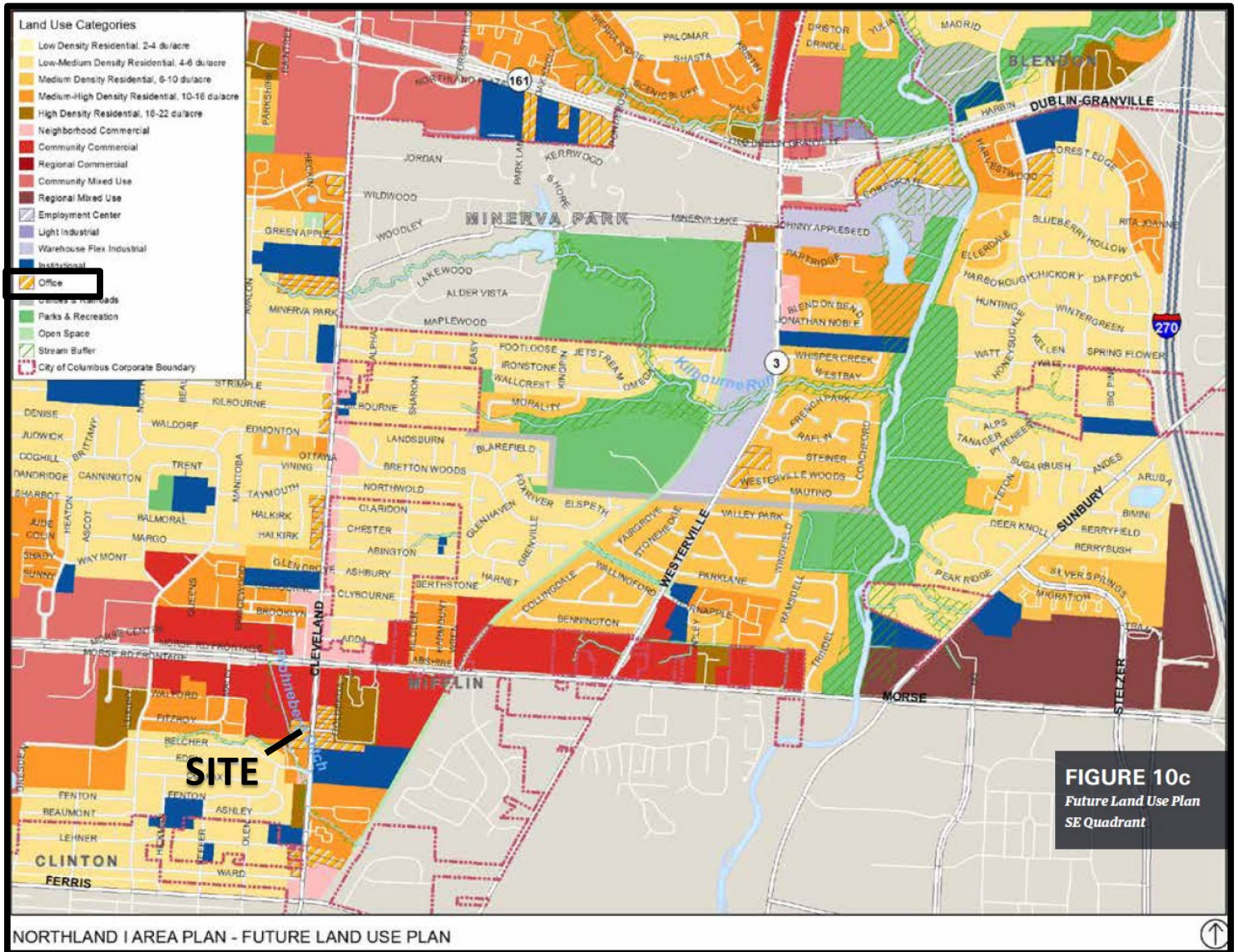
Signature of Applicant

Dua Magan

Date 3-6-2024



CV23-081
4295 Cleveland Ave.
Approximately 0.55 acres



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Approximately 0.55 acres



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Approximately 0.55 acres



Northland Community Council
Development Committee
Report

August 30, 2023 6:30 PM
Franklin County Job and Family Services
(Use south entrance)
1721 Northland Park Avenue (43229)

Meeting Called to Order: 6:30 pm by co-chairs Dave Paul and Bill Logan

Members represented:

Voting: (14): Albany Park (APHA), Asherton Grove (AGHA), Blendon Chase (BCCA), Clinton Estates (CECA), Elevate Northland (EN), Forest Park (FPCA), Karmel Woodward Park (KWPCA), Lee/Ulry (LUCA), Little Turtle (LTCA), Minerva Park (MP), Northland Alliance (NA), Northland Area Business Association (NABA), Salem (SCA), Westerwood (WRA).

Case #1 Application #GC23-028 (Graphics plan for rebranding auto dealership incorporating variances from §3377.15(C), §3372.806(C) and §3372.806(E)(3))
Zack Cowan/Zoning Resources *representing*
Sign Smith
2900 Morse Rd, 43231 (PID 600-204543) Smedley

- *The Committee approved (13-1) a motion (by KWPCA, second by SCA) to **RECOMMEND DISAPPROVAL** of the application.¹*

Case #2 Application #Z23-017 (Rezone 5.9 AC± from R-1 to AR-12 for the construction of a new multifamily residential project)
Behzad Vedaie/Innovative Engineering Group, Inc. *representing*
Directed Paths Organization
6261 Maple Canyon Ave, 43229 (PID 010-147417 and 010-290766) Rose

- *The Committee approved (13-0 w/ 1 abstention) a motion (by KWPCA, second by CECA) to **RECOMMEND APPROVAL** of the application.*

Case #3 Application #CV23-081 (Council use variance to permit a daycare facility to operate in a district zoned RR residential, superseding previous use variance permitting a barbershop)
Behzad Vedaie/Innovative Engineering Group, Inc. *representing*
Dua Magan
4295 Cleveland Ave, 43229 (PID 010-103738) Carpenter

- *The Committee approved (14-0) a motion (by FPCA, second by EN) to **RECOMMEND APPROVAL** of the application.*
-

Executive Session

8:10 pm

Meeting Adjourned

8:30 pm

¹ The applicant's representative was advised prior to the meeting of Morse Road Regional Commercial Overlay (RCO) requirements applicable to this parcel concerning the maximum height (8 ft) and sign area (80 SF) of a monument sign set back >10 feet from ROW. The representative was unable to justify the requested variance from §3372.806(C) other than to express the applicant's desire to maintain consistent trade dress with related locations outside the RCO, likely >=5 AC, and in vastly different commercial districts. After a brief discussion of the intent and purpose of the RCO, the applicant's representative declined the opportunity to table and discuss further with the applicant.

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PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV23-081

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

Being first duly cautioned and sworn (NAME) Dva Magan
of (COMPLETE ADDRESS) 4295 Cleveland Ave Columbus, OH 4322+
deposes and states that they are 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:

For Example: Name of Business or individual
Contact name and number
Business or individual's address; City, State, Zip Code
Number of Columbus-based employees

1. <u>Faduma Hasan</u> <u>614-615-9900</u> <u>5735 catchfly Rd.</u> <u>Westerville, OH 43081</u>	2. <u>Dva Magan</u> <u>614-370-3763</u> <u>4295 Cleveland Ave</u> <u>Columbus, OH 4322+</u>
3.	4.

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

SIGNATURE OF AFFIANT

Faduma Hasan

Sworn to before me and signed in my presence this 16th day of March, in the year 2024

SIGNATURE OF NOTARY PUBLIC

[Signature]

07/15/2026
My Commission Expires

Notary Seal Here



KAIYA WALKER
Notary Public
State of Ohio
My Comm. Expires
July 15, 2026

This Project Disclosure Statement expires six (6) months after date of notarization.