

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):

Please see Exhibit "B".

Signature of Applicant



Date 11/23/2021

Exhibit “B”**Council Variance Application
Area Variances Requested (Practical Difficulties) for
7272 Huntington Park Drive and 7300 Huntington Park Drive, Columbus, Ohio**

The Property, the subject of this zoning application, consists of real property with a combined, total acreage of approximately 5.0436 acres, located at 7272 Huntington Park Drive and 7300 Huntington Park Drive, Columbus, Ohio 43235, consisting of Franklin County Auditor Tax Parcel Id. No.’s: 610-250019-00 and 610-211628-00. The Property is located east of U.S. Route 23, south of East Campus View Boulevard, west of the Norfolk Southern railroad, and north of I-270, and is located immediately north and west of properties zoned in the Worthington jurisdiction.

The Property is currently zoned Commercial Planned Development (CPD) District and is improved with hotel buildings.

The Applicant proposes to re-zone the subject Property from the CPD District to the L-AR-2 District for multi-family residential dwellings to permit the conversion of hotel units into a total of one hundred and ninety-eight (198) residential multi-family dwelling units on the Property, as also shown on the site plan dated February 17, 2022 (the “Site Plan”) submitted with Application #Z21-098.

The proposed use and conversion of the existing buildings on the Property for residential, multi-family dwelling units will not adversely affect the surrounding property or surrounding neighborhood, which is developed, and consists of a mix of uses such as multi-family residential, hotels, movie theater, offices, condominiums, recreational, and warehouse. The essential character of the neighborhood is a true mixed-use development, and this multi-family residential development is consistent with, and will help support, the businesses and other uses in the neighborhood.

Below are the area variances that Applicant is seeking:

- 1.) Section 3312.49 – Parking spaces required: Applicant seeks a variance from the minimum number of parking spaces required for a residential use. The minimum number of parking spaces required is 1.5 parking spaces per dwelling unit. This would equate to 297 parking spaces, for 198 units. However, Applicant is providing 278 parking spaces (with 198 parking spaces being an existing condition of the built environment and 80 additional parking spaces to be added on the Property).
- 2.) Section 3321.01(A) – Dumpster area: Applicant seeks a variance for the existing dumpsters being located in the perimeter yard, said locations to be determined at site compliance review.
- 3.) Section 3333.255 – Perimeter yard:
 - a.) Applicant seeks a variance from the perimeter yard requirement to provide a perimeter yard at thirty-three feet (33’) wide, if you base perimeter yard on ten percent (10%) of the average lot width. The zoning code states, “Perimeter yard width is determined by computing ten percent of the average lot width. A perimeter yard must be a minimum of ten feet wide but is “not required to exceed 25 feet in width.” The perimeter yard, at its most narrow point, is less than 1 foot wide, as an existing condition, but is much wider in all other areas of the Property, up to sixty-two (62) feet wide.

- b.) In addition, Applicant seeks a variance for any portion of the existing parking areas that are within the perimeter yard.

Area Variances – Test of Practical Difficulties

1. Whether property will yield reasonable return or whether there can be any beneficial use of property without the variance.

In an urban infill development, a less than 1' perimeter yard (at its most narrow point) is warranted and is compatible with the general character of the neighborhood. In addition, the suburban requirements of the zoning code as it pertains to parking in urban areas just does not make sense as it relates to true urban infill development for a conversion project. Relative to the required rear yard provided and perimeter yard, as well as parking on the Property, these are existing conditions of the Property, and the Property cannot be expanded to meet these technical requirements as the Applicant does not own or control adjacent properties. In addition, the minimum number of parking spaces per dwelling unit in the zoning code assumes more than one bedroom in each dwelling unit, or that there will be more than one driver in a dwelling unit household. However, in fact, Applicant proposes only 36 two-bedroom dwelling units, out of the total of 198 dwelling units. Applicant proposes 162 dwelling units as one-bedroom dwelling units or studios. Although the number of parking spaces existing on the Property at 198 meets the business objectives of Applicant and will satisfy actual parking needs for the safe and efficient operation of a multi-family residential development, with 162 one-bedroom and studio dwelling units and 36 two-bedroom dwelling units, but in order to substantially reduce the parking variance needed, Applicant shall provide a minimum of 278 parking spaces on the Property. The Applicant is providing an aesthetically pleasing conversion product, with ample yard space/green space, and ample shade and perimeter trees within the yard space/green space. The product will be a nice, diverse housing stock offering in the neighborhood and will help to increase property values for properties in the neighborhood.

2. Whether the variance is substantial.

These requests for variances are not substantial. The variances requested are the most minimal deviations necessary, in order to just conform existing conditions of the built and improved Property, in order to offer an attractive development, with adequate parking for the operation of a multi-family residential development, that will provide ample living space for the residents of each dwelling unit along with ample green space (dog walk), community center, and amenities, such as a pool.

3. Whether the essential character of neighborhood would be substantially altered or whether adjoining properties would suffer substantial detriment as a result of variance.

The variances requested provide for and legitimize standards and features that comport with existing conditions on the Property, and would not substantially alter, the essential character of the neighborhood. There would be no substantial detriment to adjoining properties if the variances were approved. The requested variances are standard for this type of development as an urban/suburban infill development or conversion.

4. Whether variance would adversely affect delivery of governmental services.

There will be no adverse effect on the delivery of governmental services to the Property if these variance requests are approved. There are adequate public services and facilities, as well as utilities to the Property, and fire and police safety responders and vehicles will have adequate ingress-egress and maneuverability in

and out of the Property.

5. Whether property owner purchased property with knowledge of zoning restrictions.

The Applicant did not know the type of project that it desired to develop on the Property until those plans were firmed up recently, by and through submission of this application. These variances are minimal and technical in nature and legitimize existing features and conditions of the built environment as it relates to the Property.

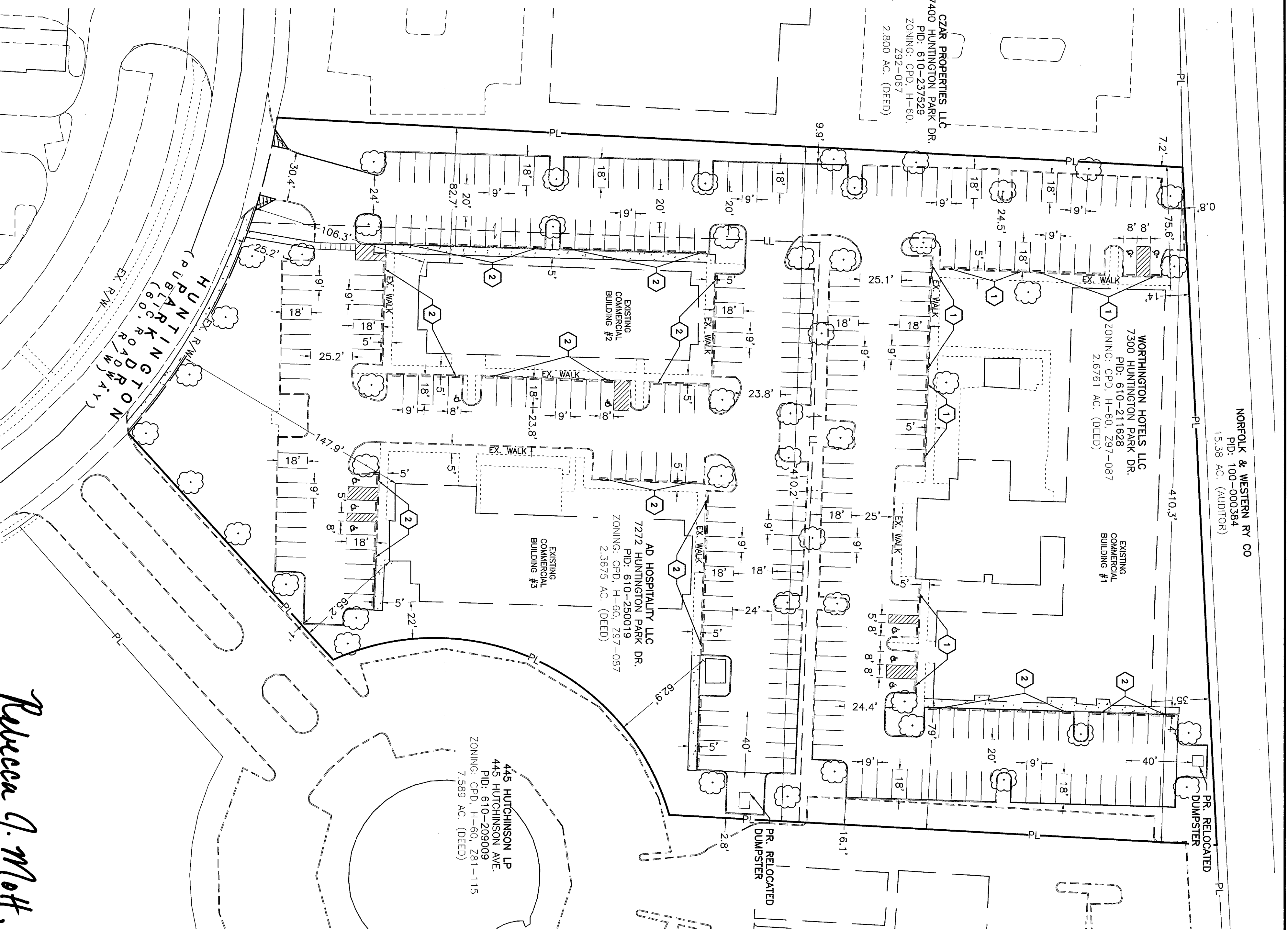
6. Whether property owner's predicament feasibly can be obviated through some method other than variance.

In order to develop the Property in conformance with essential character of the neighborhood and adhere to best practices for urban/suburban infill development, the variances are necessary.

7. Whether spirit and intent behind zoning requirement would be observed and substantial justice done by granting variance.

The spirit and intent behind the zoning requirements and substantial justice may be done by granting the requested variances.

Site Plan Included with Z21-098 Provided for Informational Purposes Only

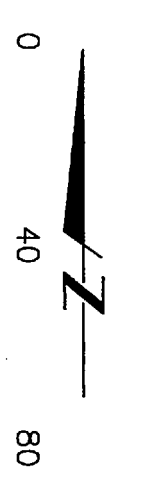
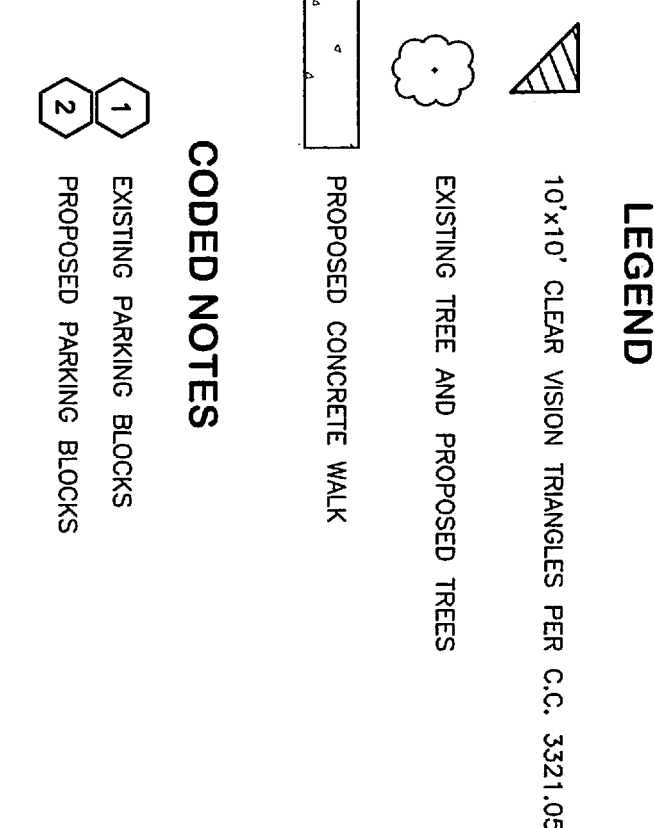
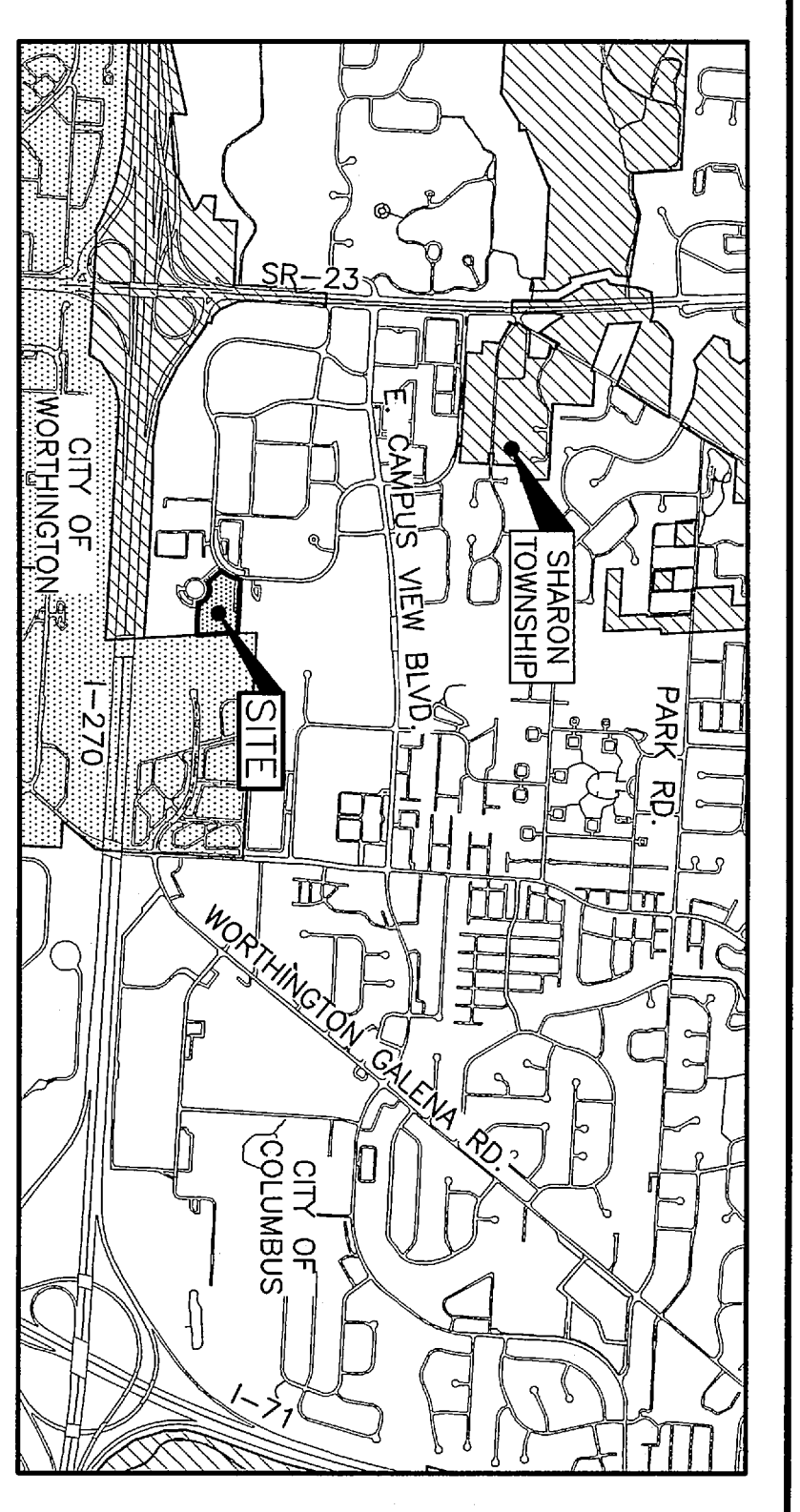


SITE & BUILDING INFORMATION

ADDRESS:	7272 & 7300 HUNTINGTON PARK DR.		
PID:	610-250019, 610-211628		
SITE AREA:	5.0436 AC. (DEED); 219,699 S.F.		
EXISTING ZONING:	COMMERCIAL PLANNED DEVELOPMENT		
PROPOSED ZONING:	L-AR-2		
HEIGHT DISTRICT:	H-60		
PROPOSED HEIGHT:	H-60		
ACTUAL HEIGHT:	H-60		
RE-ZONING AND COUNCIL VARIANCE:	CV21-127, Z21-098		
EXISTING USE:	410 - MOTEL/TOURIST CABINS		
PROPOSED USE:	MULTI-FAMILY RESIDENTIAL DWELLINGS - L-AR-2		
PARKING:	USE	UNIT #	PARKING REQUIREMENT
	RESIDENTIAL #1	104 UNITS	156
	RESIDENTIAL #2 & #3	94 UNITS	141
		(116 TOTAL BEDS)	
TOTAL REQUIRED SPACES:	297 SPACES		
TOTAL PROVIDED SPACES:	278		
ACCESSIBLE PARKING REQUIRED:	7 SPACES		
ACCESSIBLE PARKING PROVIDED:	10 SPACES (EXISTING)		
BICYCLE SPACES REQUIRED:	15 BIKE SPACES		
BICYCLE SPACES PROVIDED:	15 BIKE SPACES		
SETBACKS:	AS NOTED		
DWELLING UNIT TREES REQUIRED:	20 TREES (1 PER 10 DWELLING UNITS)		
SHADE TREES REQUIRED:	28 TREES (1 PER 10 PARKING SPACES)		
TOTAL TREES PROVIDED:	48 TREES (28 TREES MEETING REQUIREMENT 3312.21)		
LOT COVERAGE:	19% BUILDING COVERAGE		
REFUSE:	SERVICE BY PRIVATE HAULER		
FLOOD ZONE:	"X"		
PANEL NO.:	39049C00157K (06/17/2008)		

PERMETER YARD: 10% OF AVERAGE LOT WIDTH = 33'; MAXIMUM REQUIRED = 25'; ACTUAL = 0.8'
 FRONT YARD: REQUIRED = 25'; ACTUAL = 106'

LOCATION MAP
NOT TO SCALE



E. P. FERRIS & ASSOCIATES, INC.
 880 KING AVENUE
 COLUMBUS, OHIO 43212
 (614) 299-2898
 (614) 299-2892 (Fax)
 WWW.EPFERRIS.COM

Rebecca G. Mott, Attorney
 February 9, 2022

CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO
HUNTINGTON PARK DR.
 DIVERSIFIED FUNDING INCORPORATED

REVISIONS

DATE	BY	CHK

JOB NO. 1232.001
 DESIGNED BY: JAR
 DRAWN BY: JAR
 CHECKED BY: CLP
 APPROVED BY: CLP
 DATE: 02/09/22

SCALE: 1" = 40'

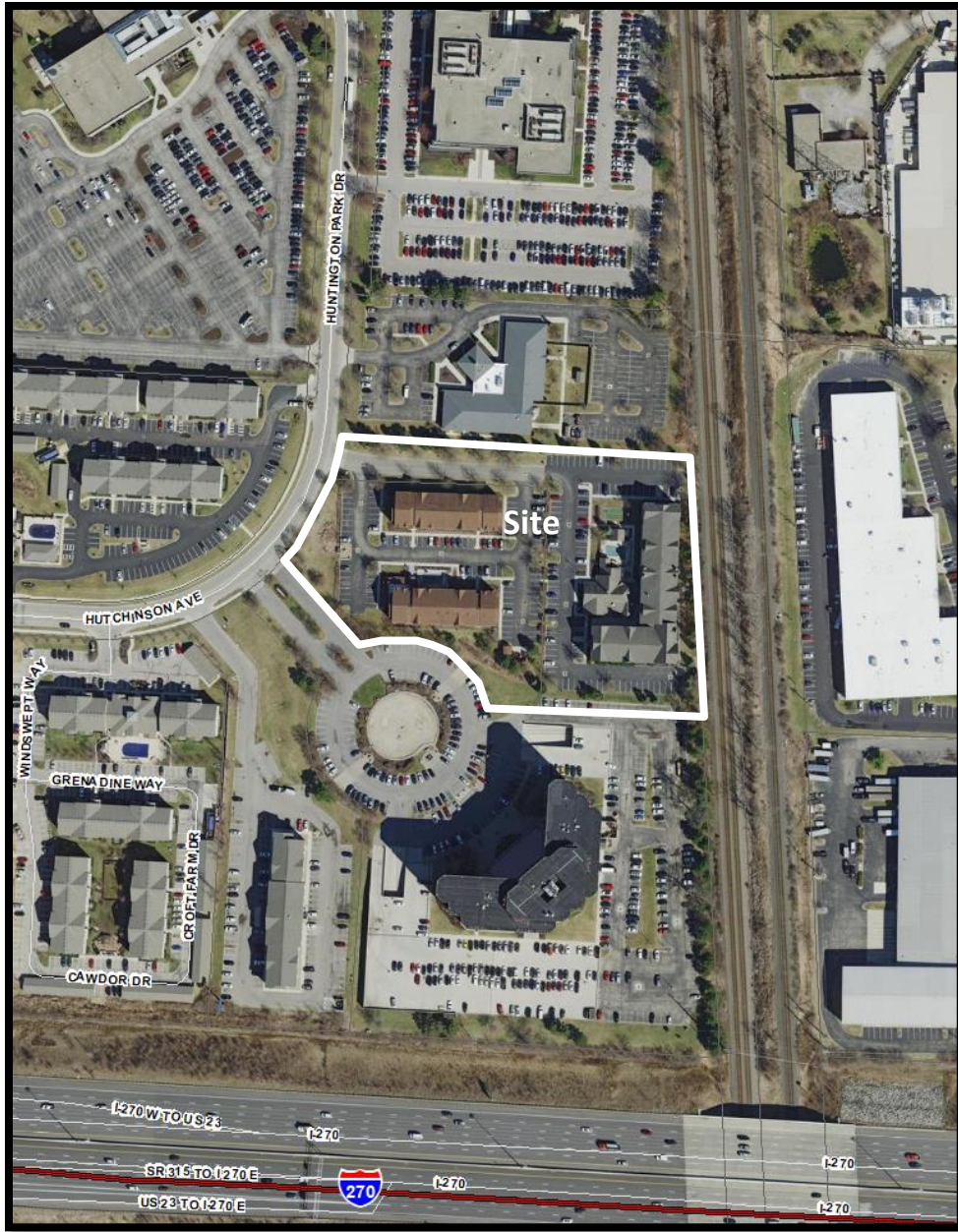
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M:\1232001_HuntingtonParkDr\DWG\Exhibits\Alternate Parking Layout.dwg ~Alternate Parking Layout LAST EDITED BY:RAY ON 2/17/22

E.P. FERRIS & ASSOCIATES, INC.



CV21-127
7272 Huntington Park Dr.
Approximately 5.04 acres



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7272 Huntington Park Dr.
Approximately 5.04 acres

FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW
(PLEASE PRINT)

Case Number: CV21-127 & Z21-098

Address: 7272 & 7300 Huntington Park Dr

Group Name: Far North Community Coalition

Meeting Date: Jan 4, 2022

Specify Case Type:

BZA Variance / Special Permit
 Council Variance
 Rezoning
 Graphics Variance / Plan / Special Permit

Recommendation: Approval
(Check only one and list basis for recommendation below) Disapproval

NOTES:

Applicant developed an alternative parking plan as we had mutually agreed to. There were 2 Trustees who still had issues with the new use as multi-family. The other Trustees were satisfied with the effort made by the applicant regarding the major issue which was parking.

Ms. Mott has agreed to forward to us a red-line version of the final text, rather than make the approval contingent on anything, or further delay the process.

Vote: 7-2

Signature of Authorized Representative: *James Palmisano*
SIGNATURE

FNCCC President
RECOMMENDING GROUP TITLE

614/832-9083
DAYTIME PHONE NUMBER

Please e-mail this form to the assigned planner within 48 hours of your meeting day; or MAIL to: Assigned Planner, City of Columbus, Department of Building & Zoning Services, 111 N. Front St, Columbus, OH 43215.

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PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV21-127

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) Rebecca J. Mott, Esq., Plank Law Firm, LPA
of (COMPLETE ADDRESS) 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 (including contact name and number)
Business or individual's address; City, State, Zip Code
Number of Columbus-based employees
(Limited to 3 lines per box)

<p>1. Richard Bendetson (Manager and Owner) - 100% 63 Atlantic Avenue, Boston, MA 02110 estimated 6 to 8 Columbus-based employees</p>	<p>2.</p>
<p>3.</p>	<p>4.</p>

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT Rebecca J. Mott

Sworn to before me and signed in my presence this 23 day of November, in the year 2021

Lynette Mapes
SIGNATURE OF NOTARY PUBLIC

8/10/24 Notary Seal Here
My Commission Expires



Lynette Mapes
Notary Public, State of Ohio
My Commission Expires 8-10-24

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