



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 Statement of Hardship attached hereto

Signature of Applicant

Date

7/1/04

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The subject property is a small corner site, which was formerly a gasoline filling station, located near the south end of a commercial strip on Grandview Avenue. The Applicant proposes to redevelop the site with a 5-story building. The ground floor will contain 35 parking spaces and approximately 1,340 square feet of commercial space. The upper 4 floors will contain 20 condominium units, and the ground floor parking will be designated as parking for the condominium units. The following variances are requested to permit this development:

1. Variance from Section 3356.03 to permit residential development in the C-4 district primarily above ground floor parking for the residential uses;
2. Variance from Section 3356.05 to reduce the setbacks along West Third Avenue and Grandview Avenue from 30 feet to 0 feet;
3. Variance from Section 3309.14 to increase the permitted height from 35 feet to 56 feet;
4. Variance from Section 3342.28 to reduce the number of required off-street parking spaces from 46 to 35;
5. Variance from Section 3342.19 to reduce the minimum size of parking spaces from 9 feet by 18 feet to 8 feet 5 inches by 18 feet for 2 parking spaces, 8 feet 4 inches by 18 feet for 4 parking spaces, and 8 feet 6 inches by 18 feet for 24 parking spaces;
6. Variance from Section 3342.15 to eliminate the required sufficient maneuvering area for 12 parking spaces;
7. Variance from Section 3342.09 to eliminate the proper maneuvering space required for the dumpster; and
8. Variance from Section 3342.25 to reduce the clear vision distance to zero along West Third Avenue.

A hardship exists because the size and location of the subject property make it economically unfeasible to redevelop the subject property for C-4 uses and in strict accordance with the zoning code requirements referred to above. The subject property is too small to locate an economically viable commercial project and all required parking, dumpsters and maneuvering in accordance with code. Moreover, most buildings in the area are located at a zero setback. The requested variances will relieve the hardship by permitting an economically feasible redevelopment of the site with a building having an architectural style consistent with the area and uses which provide a transition

from the commercial to the residential, with a small commercial space on the ground level and condominiums above.

The requested variances will not impair an adequate supply of light and air to adjacent properties, unreasonably increase congestion on 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 noted above, the uses are ideal transitional uses, and the reduced setbacks are consistent with the reduced setbacks of other buildings in the area. The reduction of parking will still provide at least 1 parking space per bedroom of the residential. On-street parking is available in the area and will be increased by this project because driveway aprons which served the prior use of the subject property will be replaced with curbs along which parking will be available. The 12 parking spaces for which maneuvering is not provided are part of 12 pairs of stacked parking spaces. Each stacked pair of parking spaces will be designated in the condominium documents as exclusive common area only for the use of a 2-bedroom condominium unit and will, therefore, function in the same manner as stacked parking which is permitted for a single-family use. Elimination of the required dumpster maneuvering is necessary because the size of the site does not make it possible to provide area for the refuse truck to turn around on-site, and it must, therefore, back into or out of the property from or into Third Avenue. However, this will occur with limited frequency. The reductions in sizes of parking spaces are consistent with reductions which the City has authorized in other structured parking situations, and those others have not caused a problem. The reduction of the clear vision distance is consistent with reductions authorized by the City for other structured parking and, because of the width of the sidewalk, will not create a safety hazard for vehicles exiting the parking structure.