

Statement of Hardship

136 Parsons Avenue

The applicant requests this council variance in conjunction with a rezoning of the property from its current apartment residential classification – ARLD, to the CPD, Commercial Planned Development District. The variance requested is to allow first floor residential uses in the CPD district. The applicant proposes to have a total of four (4) handicap accessible first floor residential uses located on either side of the centrally located retail uses in the building.

The following variance is requested:

C.C. 3361.02 Permitted uses.

This section allows the residential uses of the C-1, C-2, C-3, C-4 and C-5 districts of the zoning code, which with the exception of the C-5 district, allow dwelling units above certain first floor commercial uses. Here the applicant requests a variance to allow four (4) handicapped accessible first floor dwelling units.

Allowing this limited first floor residential use as a part of this mixed-use redevelopment of the property will not adversely affect the surrounding property or surrounding neighborhood. These first floor residential uses will provide for handicap accessible units in the building which will not impair an adequate supply of light and air to any adjacent property, nor will they unreasonably increase the congestion of 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.

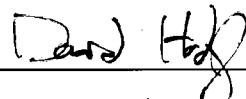
This variance request is warranted, provides a useable and necessary accommodation, and should be supported in conjunction with the companion rezoning request.

The applicant respectfully requests that the variance be granted.

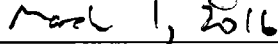
Parsons Parc II, LLC

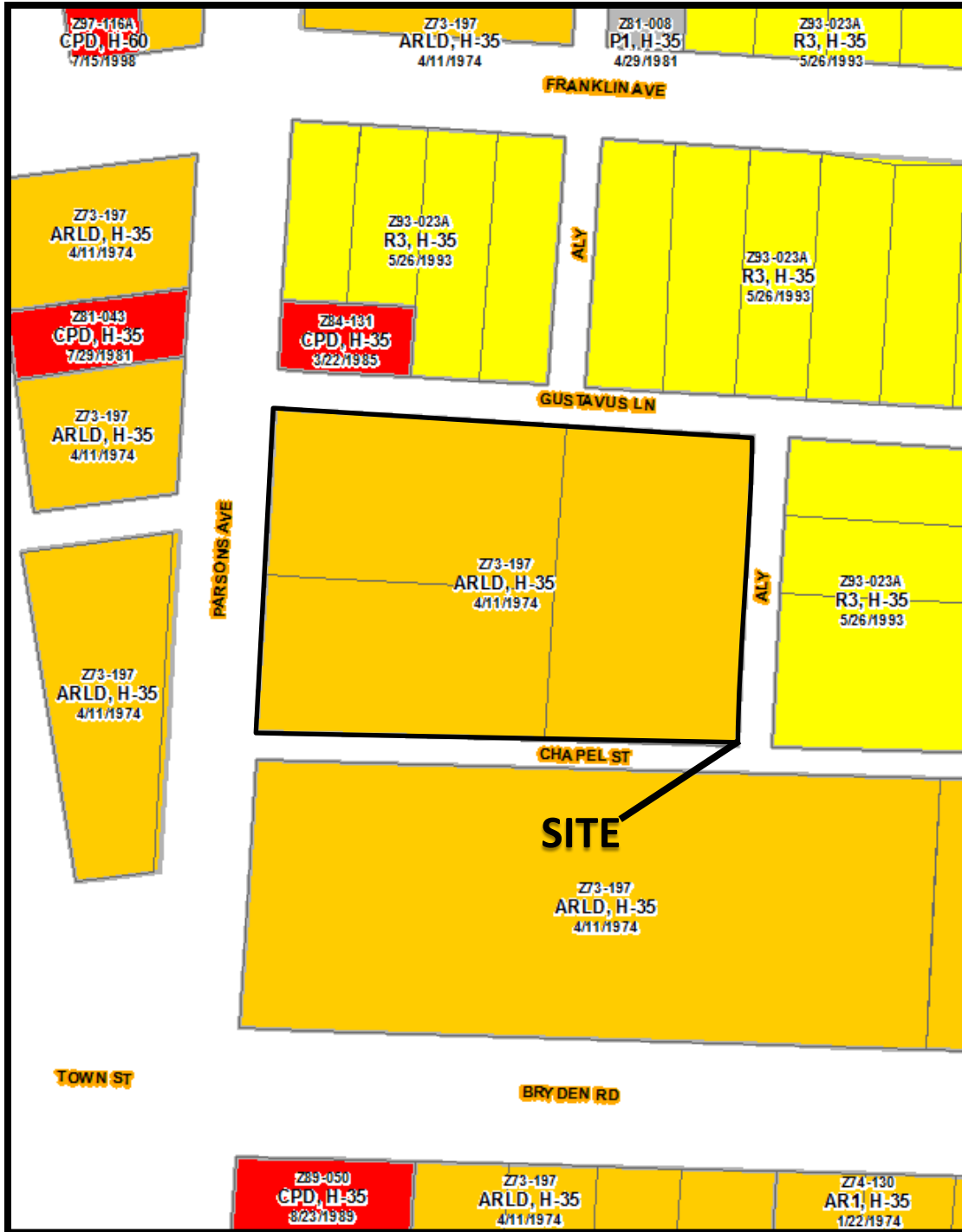
By:

Signature of Applicant:

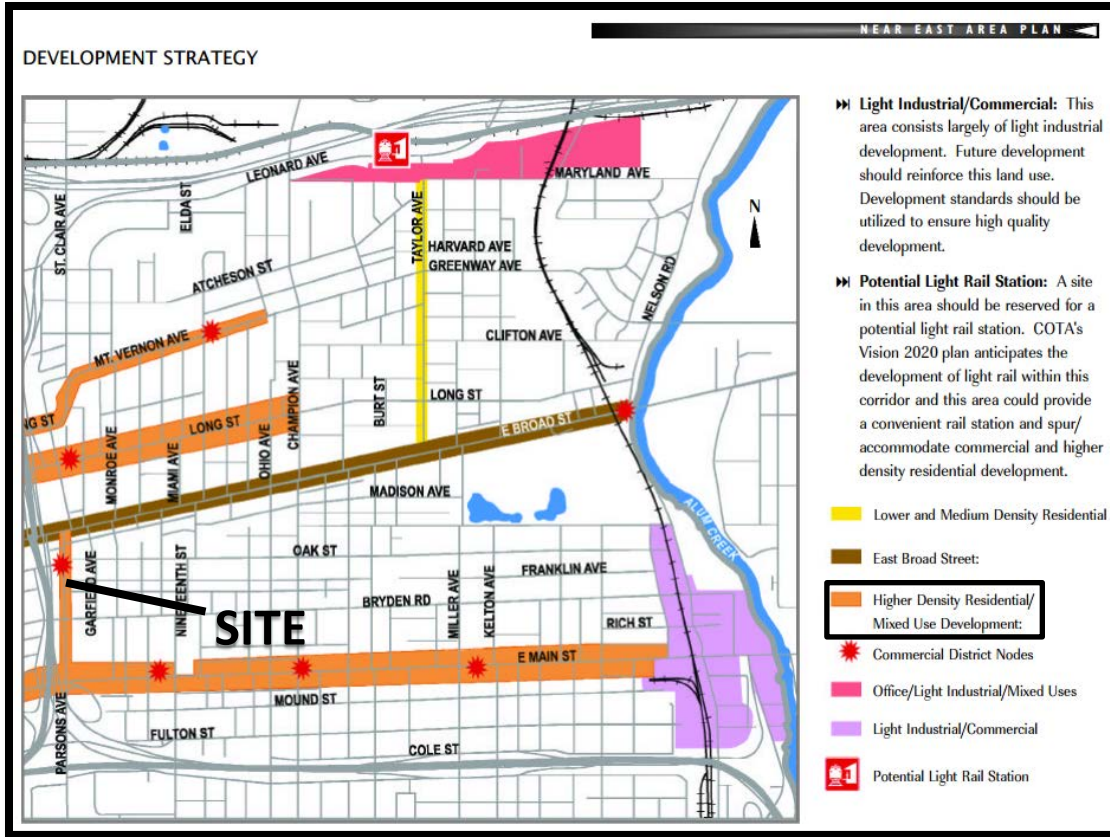


Date:





CV16-017
136 Parsons Avenue
Approximately 1.08 acres



CV16-017
 136 Parsons Avenue
 Approximately 1.08 acres



CV16-017
136 Parsons Avenue
Approximately 1.08 acres

Burdin, James E.

From: Kathleen Bailey <kathleendbailey@hotmail.com>
Sent: Thursday, April 28, 2016 12:50 AM
To: David Hodge; Burdin, James E.; Annie Ross-Womack
Cc: Pine, Shannon L.; drbleschmidt@columbus.gov; Bailey Kathleen
Subject: RE: 136 Parsons Avenue Z16 - 017 Correction

I motioned and it was 'some degree of buffering'. This was after Ms. Donaldson read a very specific list of buffering requirements she wanted NEAC to tack on to any vote in the affirmative for the project. I thought this was too exacting especially since the project is primarily residential. By passing the motion, NEAC agreed that the applicant would come up with an adequate response. Use of the exterior walls to provide buffering meets the proviso of the motion.

From: david@uhlfirm.com
To: JEBurdin@columbus.gov; kathleendbailey@hotmail.com; awd44@aol.com
CC: SPine@Columbus.gov; drbleschmidt@columbus.gov
Subject: RE: 136 Parsons Avenue Z16 - 017 Correction
Date: Thu, 28 Apr 2016 02:26:57 +0000

Hi All-

I thought I ought to circle back w/ everyone to see if I could add some clarity. Everyone is copied, so if I get it wrong, please correct me.

The Near East Area Commission did take action on both applications for 136 Parsons Ave. The rezoning request, Z16 – 017, to change the zoning to the CPD district, and the Council Variance request, CV16 – 017, to allow the 4 first floor handicap accessible residential units.

The “approval with some degree of screening” language was from the Saturday morning Site Hearing. I felt like that discussion was centered around the discussion from Dr. Moore and his wife (her name escapes me) and maybe some others, about the applicability of the screening requirements of C.C. 3321.09, which has since been determined to be inapplicable due to fact that alleys intervene between this property and the adjacent residential uses.

I also believe, that if C.C. 3321.09 were applicable, this project would meet that requirement, as follows:

“A property with a nonresidential zoning classification abutting residentially zoned property shall provide screening that shall include a fence, wall, landscaped mound, densely planted planting strip, or combination thereof....”

Abutting the residential uses with this building are walls and/or garages.

Because of the building configuration, if the condition is some degree of landscape screening along the alleys, we cannot meet that condition. The building is too close to the property lines, and where landscaping might be installed it would not be able to thrive due to the amount of area, and the proximity to the alleys.

If folks are satisfied that the exterior walls of the building are adequate to screen the use, and I think they are, then we do meet the condition.

Okay, this is already "wordy" enough, sorry to ramble on.

Thanks to all of you for your attention to this project. We believe it's a good one.

David Hodge
Underhill & Hodge LLC
8000 Walton Parkway, Suite 260
New Albany, OH 43054
(614) 306-4649 mobile
(614) 335-9324 direct
(614) 335-9320 office
david@uhlawfirm.com

Please note e-mail address change and update your records accordingly.

From: Burdin, James E. [mailto:JEBurdin@columbus.gov]
Sent: Monday, April 25, 2016 8:43 AM
To: 'Kathleen Bailey' <kathleendbailey@hotmail.com>; Annie Ross-Womack <awd44@aol.com>; David Hodge <david@uhlawfirm.com>
Cc: Pine, Shannon L. <SPine@Columbus.gov>; drbleschmidt@columbus.gov
Subject: RE: 136 Parsons Avenue Z16 - 017 Correction

Ms. Bailey,

I wanted to clarify that 136 Parsons is subject to both rezoning Z16-017 and Council variance CV16-017. The rezoning is to convert the property to CPD and includes all standards variances and the commitment to a site plan. The Council variance is only to allow ground floor residential for the four handicapped-accessible units. Does the recommendation below encompass both of those applications?

Thanks,

James Burdin
Planner I

City of COLUMBUS
Department of Building & Zoning Services
Zoning/Council Activities Section
757 Carolyn Avenue
Columbus, OH 43224
Direct: 614.645.1341
Fax: 614.645.2463
E-mail: jeburdin@columbus.gov
www.columbus.gov

From: Kathleen Bailey [mailto:kathleendbailey@hotmail.com]
Sent: Monday, April 25, 2016 12:27 AM
To: Annie Ross-Womack; david@uhlawfirm.com; Burdin, James E.
Cc: Pine, Shannon L.; drbleschmidt@columbus.gov
Subject: RE: 136 Parsons Avenue Z16 - 017 Correction

I was off on the count and got the correction from Commissioner Cooley - NEAC Secretary

62 Parsons Ave (Carabar) BZA16-917

10-0-4 (Heffernan, Stone, Waddy, Moessner)

136 Parsons CV16-017

10-0-4 (Heffernan, Waddy, Savage, Stone)

There was a total of 15 commissioners present. As Chair I do not vote unless there is a tie.

From: kathleendbailey@hotmail.com

To: awd44@aol.com; david@uhlfirm.com; jeburdin@columbus.gov

CC: spine@columbus.gov; drbleschmidt@columbus.gov

Subject: RE: 136 Parsons Avenue Z16 - 017

Date: Sat, 23 Apr 2016 00:38:27 -0400

The vote was 10-1-4 (only 1 against). As Commissioner Womack pointed out there were four abstentions. One was Mike Woods who had previously presented a proposal for the same parcel; the other was Ann Heffernan who was advised by her attorney to abstain; not sure why the other two abstained. The text of the motion read " approval with some degree of screening" . We are leaving it up to the applicant to determine how much screening can be accomplished without having any adverse effect on the CPD text.

The changes addressed in BZA16-917 and CV16-017 were discussed as a whole. The vote represents the final recommendation for both. Vote occurred on April 14, 2016 at the monthly General Business meeting of the Near East Area Commission (NEAC).

Date: Fri, 22 Apr 2016 01:40:20 -0400

From: awd44@aol.com

To: david@uhlfirm.com; jeburdin@columbus.gov

CC: SPine@Columbus.gov; drbleschmidt@columbus.gov; kathleendbailey@hotmail.com

Subject: Re: 136 Parsons Avenue Z16 - 017

Greetings All,

Mr. Hodge is correct that NEAC approved the applications with two stipulations, one was screening on the residential alleys and the other was explore the entrances to the parking lot to accommodate traffic flow.

The vote although it was an approval was not 10 - 0, because several commissioners present abstained from the voting due to conflicts of interest. Chair Bailey, who has been copied on this e-mail will inform you of the correct vote as it was recorded in our General Session on last Thursday.

***From The Personal Email Of:
Ms. Annie J. Ross - Womack***

THE CITY OF
COLUMBUS
MICHAEL B. COLEMAN, MAYOR

Council Variance Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov

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.

APPLICATION # CV16-017

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) David Hodge, Esq.
of (COMPLETE ADDRESS) Underhill Yaross & Hodge LLC, 8000 Walton Parkway, Suite 260, New Albany, Ohio 43054
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
Business or individual's address
Address of corporate headquarters
City, State, Zip
Number of Columbus based employees
Contact name and number

1. Parsons Parc II LLC 1480 Dublin Road Columbus, Ohio 43215	2.
3.	4.

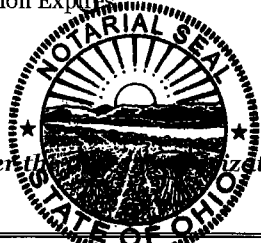
Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT David Hodge

Sworn to before me and signed in my presence this 15th day of March, in the year 2016

Kimberly R. Grayson
SIGNATURE OF NOTARY PUBLIC

January 11, 2021 Notary Seal Here
My Commission Expires



This Project Disclosure expires six (6) months after the date of this application.

KIMBERLY R. GRAYSON
Notary Public, State of Ohio
My Commission Expires
January 11, 2021

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.
Applications must be submitted by appointment. Call 614-645-4522 to schedule.
Please make checks payable to the Columbus City Treasurer