

CVO4-046



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.

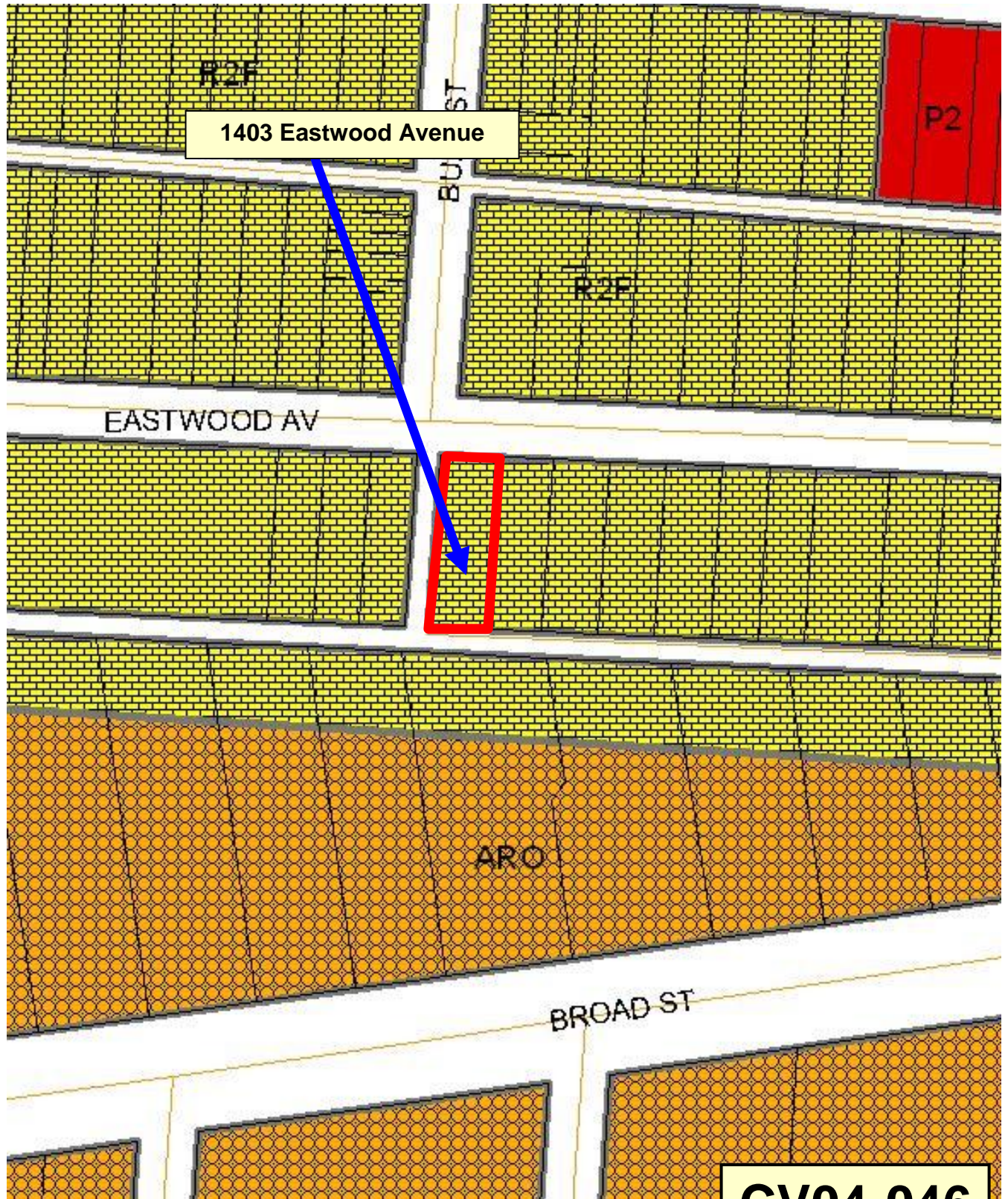
I have read the foregoing and believe my application for relief from the requirements of the Zoning Code contains the necessary hardship, will not adversely affect surrounding property owners and will comply with the variance requested as detailed below:

See Exhibit "B"

Signature of Applicant Donald Plank Date 11/24/04

EXHIBIT B**STATEMENT OF HARDSHIP****1403 EASTWOOD AVENUE, COLUMBUS, OH 43203**CV04-046

The site is zoned R-2-F, Residential and is developed with a single-family dwelling. Applicant proposes to use the existing house as a Bed and Breakfast establishment. A Bed and Breakfast use is typically located within a neighborhood and seeks to allow visitors to experience the ambiance and charm of a neighborhood rather than being located on commercial corridors. A Bed and Breakfast requires a variance at any location other than commercially zoned property. This particular location is adjacent to properties fronting East Broad Street (AR-O) and to a large synagogue parking lot to the west. The use is a low intensity use that will allow visitors to experience the neighborhood and Columbus while staying in a beautiful home. Some examples of Bed and Breakfast uses that have integrated well into residential areas are: Lincoln House (50 East Lincoln, Italian Village) and Harrison House (313 West 5th Avenue, Harrison West).



CV04-046



CV04-046

City of Columbus | Department of Trade and Development | Building and Development Services | 757 Carolyn Avenue, Columbus, Ohio 43224



FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW
STANDARDIZED RECOMMENDATION FORM

Group Name NEAR EAST AREA COMMISSION

Meeting Date 1/13/05

- Specify Case Type
- BZA Variance (Begins with "V")
 - BZA Special Permit (Begins with "SP")
 - Council Variance (Begins with "CV")
 - Rezoning (Begins with "Z")
 - Graphics (Begins with "VG")
 - Graphics Special Permit (Begins with "SPG")

Case Number 04-046

- Recommendation (Check only one)
- Approval
 - Disapproval
 - Conditional Approval (please list conditions below)
(Area Commissions, see note below*)

*Ordinances sent to council will contain only a recommendation for "approval" or "disapproval". If a recommendation for "conditional approval" is sent, the conditions should be concise and specific. Staff will determine whether conditions are met when the final ordinance is prepared unless a revised response indicating "approval" has been received. If staff determines that conditions have not been met, your group's recommendation will be listed as "disapproval".

Vote 11-FOR 0-AGAINST 1-ABS

Signature of Authorized Representative Kathleen D. Berg

CHAIR
SIGNATURE

614-252-3283
RECOMMENDING GROUP TITLE

DAYTIME PHONE NUMBER

Please FAX this form to Zoning at (614) 645-2463 within 48 hours of your meeting day;
OR MAIL to: Zoning, City of Columbus, Building and Development Services, 757 Carolyn Avenue, Columbus, Ohio 43224.



CONGREGATION TIFEREETH ISRAEL

1403 East Broad Street Columbus, Ohio 43209 Tel: 614-255-8523 Fax: 614-255-8323 Http: www.tiferethisrael.org

Harold J. Berman, Rabbi
Michael N. Ungar, Rabbi
Jack Chorasky, Cantor
Marc M. Neiwirth, Executive Director
Rabbi Wendy H. Ungar, Education Director
Shani Close, Youth Director

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Reid Wasserstrom
Dr. Cheryl Weiner
Mark Weinstein
Linda Weinstock
Gordon Q. Zeidman

Past President:

HONORARY TRUSTEE
Edward Schieringer

December 30, 2004

Richard Smiley and Megann Moses
206 East Mithoff
Columbus, OH 43206

Dear Richard and Megann,

This letter serves as a written documentation of the Good Neighbor Agreement which was discussed during our meeting in October of this year. As discussed, guests of the proposed Bed and Breakfast at 1403 Eastwood Avenue may have use of parking spaces in the our synagogue parking lot. It is the understanding of Congregation Tifereth Israel that the proposed Bed and Breakfast will accommodate five guest rooms. It is also understood that Congregation Tifereth Israel assumes no responsibility for vehicles parked on their premises.

I wish you both much success in this new endeavor. With all best wishes, I remain

Sincerely,

MARC M. NEIWIRTH
Executive Director



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.

STATE OF OHIO
COUNTY OF FRANKLIN

APPLICATION # CV04-046

Being first duly cautioned and sworn (NAME) Donald T. Plank, Esq.
of (COMPLETE ADDRESS) Plank & Brahm, 145 E. Rich Street, 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 and their mailing addresses:

| NAME | COMPLETE MAILING ADDRESS |
|--------------------------|--|
| <u>Richard A. Smiley</u> | <u>1403 Eastwood Avenue Columbus, Ohio 43203</u> |
| <u>Meeagan K. Moses</u> | <u>1403 Eastwood Avenue Columbus, Ohio 43203</u> |
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SIGNATURE OF AFFIANT Donald Plank

Subscribed to me in my presence and before me this 24th day of November, in the year 2004

SIGNATURE OF NOTARY PUBLIC Stacey L. Danza

My Commission Expires: 11-05-08

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

Notary Seal Here



STACEY L. DANZA
Notary Public, State of Ohio
My Commission Expires 11-05-08