

STATEMENT OF HARDSHIP

The subject project is a 30 unit condominium project on a 1.84 acre parcel, created by the developers of the award winning "Delaware Place" home and condominium project in Victorian Village. The project will create home ownership opportunities in a Community Reinvestment Act tract of Columbus within the Columbus Public School District. Currently an abandoned ice cream factory and a restaurant, surrounded by a completely paved area, constitute the improvements on the subject property.

The first variance needed is from Section 3333.18, reducing the front setback to 25 feet. There is a practical difficulty in meeting the code standard in that it imposes a disparate and unattractive gap in the street's predominant setback and reduces developable area of a small site considerably in comparison to the setback enjoyed by all properties with a like use along the relevant portion of Northwest Boulevard.

An almost uniform setback of approximately 25 feet exists for the numerous multifamily structures along the relevant portion of Northwest Boulevard. The sole exception is a commercial structure adjacent to the subject property with a deep setback. Were it not for the adjacency of the commercial structure, this variance would not be necessary due to the application of Section 3333.18(E).

The proposed variance has no negative impact to public welfare or adjoining properties. The impact is positive. It extends the uniformity of residential use setback as exists on both sides of Northwest Boulevard and preserves the look of the neighborhood.

The second variance sought is to section 3333.225, reducing the perimeter yard setback to 5 feet. The code imposed 25 foot perimeter yard setback is typically applied to large apartment projects and is awkwardly imposed against such a small site. It creates a practical difficulty in development in its removal from use of a disproportionately large portion of the site, and it also imposes a development standard far in excess of setbacks enjoyed by properties of similar use immediately adjacent and in the neighborhood of the subject property.

Every adjacent property, and virtually every multifamily site in the general area enjoys a 0' perimeter setback. Access roads, parking garages and parking spaces regularly extend to the lot line in the area. The proposed 5 foot perimeter setback is a substantial enhancement compared to the non-existent setbacks in the neighborhood.

The justification for such extensive buffering does not exist in this neighborhood. The subject property is surrounded with like uses, other than the commercial property to the south. The commercial property does not need buffering from a less intensive use such as residential. Regardless, for aesthetic reasons the applicants do not want to follow the norm of lack of perimeter yard setback in the neighborhood and desire to institute a five foot greenspace around the perimeter.