



COUNCIL VARIANCE APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.columbus.gov

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:

The owner/applicant is seeking the council variance to address residential use on the first floor of a commercially zoned lot and various development standard variances for an infill project in the Italian Village Commission area. The owner/applicant is seeking to develop an urban infill type of project with the building pulled up to the right of way and parking behind the structure, which is in keeping with the established precedent set in the neighborhood. The proposed townhome proposed along Greenwood Alley is appropriate as a transition from the residential uses south of the site to the commercial uses proposed along the 5th Avenue and Summit Street frontages.

The proposed variances will not negatively impact surrounding properties and is not in contravention of the Columbus Zoning Code. The variances are warranted given other properties in the area operate under similar circumstances and not granting the variances would put the owner/applicant in a detrimental position.

Signature of Applicant

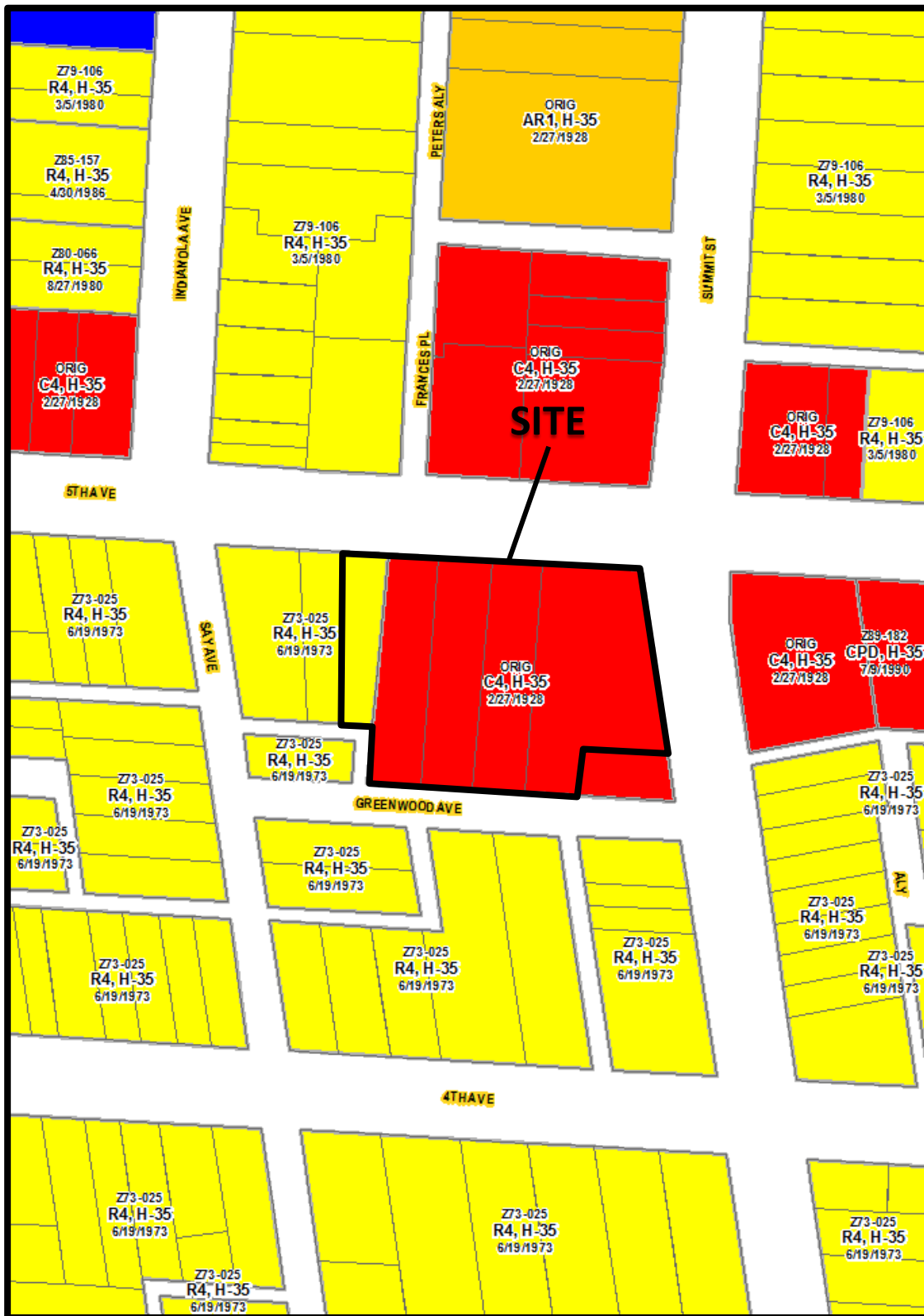
Date

10/8/14

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 all checks payable to the Columbus City Treasurer

Council Variance Request
97 East 5th Avenue
Burwell Investments

1. 3356.03(C-4) – variance to allow residential use on 1st floor
2. 3309.142(a) height (35') – variance to allow building to be 75' tall
3. 3332.039 (R-4) variance to allow commercial use on the residential property
4. 3312.49(c) Parking spaces – to reduce the required number of parking spaces from 182 to 134 (a reduction of 48 spaces)
5. 3312.13 Driveway width – to reduce the required driveway width from 20' to 12'
6. 3332.25 Maximum side yard – to reduce the maximum side yard from 6.5' to 0'
7. 3332.26 Minimum side yard – to reduce the minimum side yard from 5' to 0'
8. 3332.18 lot coverage (50%) – to allow 100% lot coverage
9. 3332.27 Rear yard (25% of lot) to omit rear yard area
10. 3332.29 Height (35') variance to allow building to be 75' tall
11. 3312.53(B) to reduce the required on-site loading space from 1 to 0
12. 3372.604(A) Setback requirements - to increase the setback from 10' to 26' along the Summit Avenue right-of-way.



CV14-053
97 East Fifth Avenue
Approximately 0.90 acres



CV14-053
97 East Fifth Avenue
Approximately 0.90 acres

**HISTORIC DISTRICT COMMISSION
RECOMMENDATION**

ITALIAN VILLAGE COMMISSION

This is a recommendation to the appropriate regulatory body as identified per City Code. It is not a zoning clearance or a building permit. This document does not relieve the applicant from the responsibility of filing for and obtaining any required zoning clearance and/or building permit from the City of Columbus Department of Building & Zoning Services (645-6090 / 757 Carolyn Avenue) and following all other applicable codes and ordinances of the City of Columbus.

PROPERTY ADDRESS: 97 East Fifth Avenue/Burwell Heights

APPLICANT'S NAME: Burwell Investments LLC c/o Jack Reynolds (Applicant) Burwell Investments, LLC (Owner)

APPLICATION NO.: 15-4-23

COMMISSION HEARING DATE: 4-21-2015

The Italian Village Commission hereby certifies that the application for the above referenced property and a copy of this Recommendation are on file with the city's Historic Preservation Office. The Commission has reviewed the application and taken the following action(s) in accordance with Columbus City Code 3116 & 3119 and the architectural guidelines:

Variance or Zoning Change Request

- Rezoning
- Parking Variance
- Change of Use
- Lot Split

- Special permit
- Setbacks
- Other

TYPE(S) OF ACTION(S) REQUESTED:

Upon review of Application #15-4-23, 97 East Fifth Avenue, the Italian Village Commission recommends approval of the proposed variances, as follows:

Request for Variance Recommendation

1. 3356.03(C-4) – variance to allow residential use on 1st floor
2. 3309.142(a) height (35') – variance to allow building to be 75' tall (variance of 40')
3. 3332.039 (R-4) variance to allow commercial use on the residential property
4. 3349.12(c) Parking spaces – to reduce the required number of parking spaces from 178 to 134 (a reduction of 44 spaces)
5. 3312.13 Driveway width – to reduce the required driveway width from 20' to 15' (a reduction of 5')
6. 3312.21(c) – Screening – to omit screening along the west side of the ramp area
7. 3332.21 Setback (25') – to reduce the building setback from 25' to 0' (variance of 25')
8. 3332.25 Maximum sideyard (16') – to reduce the maximum sideyard to 0' (variance of 16')
9. 3332.26 Minimum sideyard (5') – to reduce the minimum sideyard from 5' to 0' (variance of 5')
10. 3332.18 lot coverage (50%) – to allow 100% lot coverage
11. 3332.27 Rearyard (25% of lot) to omit rearyard area
12. 3332.29 Height (35') variance to allow building to be 72' tall (variance of 37')
13. 3312.21 Landscaping – to omit tree requirement on surface parking lot (3 trees to 0)

Note: On December 9, 2014, the Italian Village Commission recommended approval for thirteen (13) variances relating to the Burwell Heights/Burwell Court development. COA/Recommendation # 15-4-23 modifies Item # 2 and # 4 only of COA/Recommendation # 14-12-19.



Note: An affirmative recommendation of these variances does not denote support or approval of any specific building design.

Reasons for an affirmative recommendation:

- 1) In recommending Item # 4 for approval, the Commission anticipates a mix of daytime and nighttime uses to lessen the nighttime parking load.
- 2) The proposed Burwell Heights/Burwell Court development, at this corner of this specific intersection, will provide a magnet for an important entry into Italian Village.

MOTION: Lapp/Boyer (4-0-0) APPROVAL RECOMMENDED

RECOMMENDATION:

RECOMMEND APPROVAL RECOMMEND DENIAL NO ACTION TAKEN

THIS RECOMMENDATION IS FOR CONSIDERATION BY THE DESIGNATED REGULATORY AUTHORITY FOR THE ACTION(S) REQUESTED AS INDICATED.

Randy F. Black
Historic Preservation Officer

Council Variance Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

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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 # CV14-053

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Jackson B. Reynolds, III
of (COMPLETE ADDRESS) Smith & Hale LLC, 37 West Broad Street, Suite 460, Columbus, OH 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
Business or individual's address
Address of corporate headquarters
City, State, Zip
Number of Columbus based employees
Contact name and number

<p>1. Burwell Investments LLC 1920 Beverly Road Columbus, OH 43221 0 employees Brad Howe - 946-4693</p>	<p>2.</p>
<p>3.</p>	<p>4.</p>

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

SIGNATURE OF AFFIANT Jackson B. Reynolds III

Sworn to before me and signed in my presence this 19th day of May, in the year 2015

SIGNATURE OF NOTARY PUBLIC Natalie C. Timmons

My Commission Expires 9/4/15



Notary Seal Here
Natalie C. Timmons
Notary Public, State of Ohio
My Commission Expires 09-04-2015

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

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