

**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

**List all sections of Code to be varied and explain your reasoning as to why this request should be granted.**

**PLEASE NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are discovered after your application is approved, a new application will be required.**

**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(s) requested as detailed below (use separate page if needed or desired):**

See Attached.

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Signature of Applicant Stev D. Kelly

Date January 23, 2017

Council Variance Application – Statement of Hardship

This a two tenant building located at the corner of Zane Trace Drive and Roberts Road. Currently Rossati Windows occupies approximately 55,680 SF of the 98,880 SF building, and has for 15+ years. They currently have a showroom open to the public and walk-in retail sales. The applicant is proposing to have a similar use in the balance of the building. This would be a retail showroom for high end furniture along with associated storage and distribution. They would have limited hours, only opened from Friday – Sunday along with holidays being observed on Mondays, for the general public and attract many of the same customers searching out Rossati (along with several other similar uses in the surrounding area). The current M-2 zoning does not permit retail sales and thus are seeking a variance to allow such as it does not deviate much, if at all from the current operations at the property or several users in the surrounding area. The granting of this 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.

The applicant is seeking a variance in order to sell high end furniture to the general public at this location. The space they are proposing to lease is 43,200 SF (total building is 98,880 SF) of which 28,000 SF is intended as open showroom floor, 2,000 SF of corporate office and 13,200 SF of warehousing/distribution. Currently the property is zoned M-2 in the city of Columbus and does not allow retail sales, while commercial zoning does not allow for warehousing.

In addition to the above, and in order to maximize the parking consistent with that up and down Zane Trace at other properties, we're requesting to allow parking in the 50' setback within the M2 Zoning district. Specifically these are variances C.C.C. 3367.15(C) & 3367.15(D). Further, this is consistent with the existing parking lot at the property.



CV16-081  
3635 Zane Trace Drive  
Approximately 5.24 acres

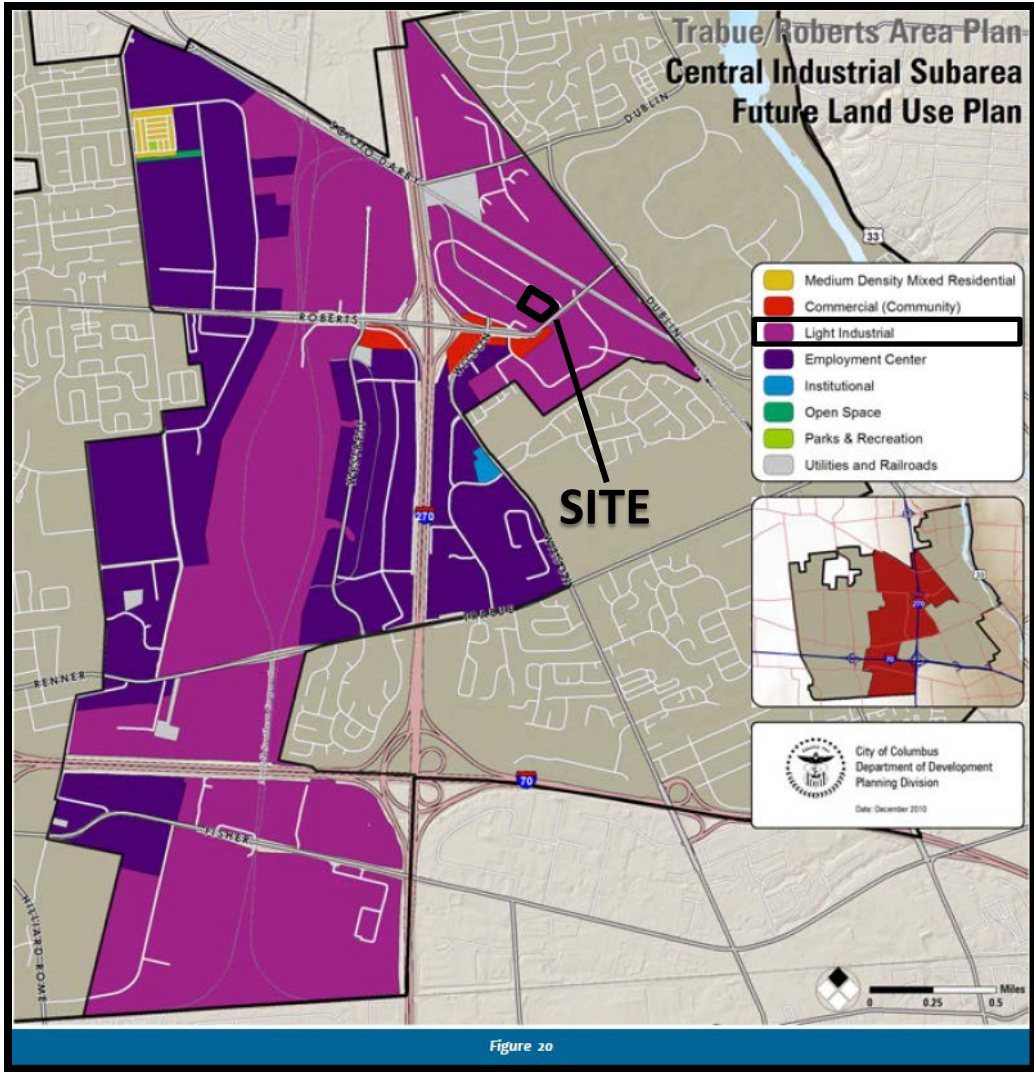


Figure 20

CV16-081  
3635 Zane Trace Drive  
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3635 Zane Trace Drive  
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COUNCIL VARIANCE APPLICATION

Department of Building & Zoning Services

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

DEPARTMENT OF BUILDING AND ZONING SERVICES

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 # CV16-081

STATE OF OHIO COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Mr. Steven Kandel of (COMPLETE ADDRESS) 130 S. Merkle Rd., Col., OH 43209

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

Table with 2 columns and 2 rows containing names and addresses of interested parties: 1. Mr. Steven Kandel, 2. Mrs. Amy Kandel, 3. Exeter 3635 Zane Trace LLC, 4. (empty)

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

SIGNATURE OF AFFIANT [Handwritten Signature]

Sworn to before me and signed in my presence this 22 day of December, in the year 2016

SIGNATURE OF NOTARY PUBLIC [Handwritten Signature]

7/31/18 My Commission Expires

Notary Seal Here



ANNA MARIA TRIMPE Notary Public, State of Ohio My Comm. Expires 7-31-2018

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