

# Council Variance Application 

## STATEMENT OF HARDSHIP

## Columbus City Code Section 3307.10 - Variances by City Council.

City council may grant the following zoning variances:
A. Permit a variation 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 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 established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the city.

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 not included, a new application (and applicable fees) 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):
requesting change to the following:
3333.18 - Building lines; from 40 feet to 20 feet along Brentnell Avenue as shown on the submitted site plan.
3333.18 - Building lines; from 40 feet to 30 feet along Leonard Avenue as shown on the submitted site plan.

This change is necessary in order to successfully meet city development standards. Unless this variance is granted, the project will not be able to create the rear yard size desired by city development officials.

See attached for further information


Date
5/4/22

## Statement of Hardship

The property is currently in the process of being rezoned R 4 to AR-12. The existing property requirements call for a 40 foot setback along Brentnell Ave and Leonard Ave.

The property is currently undeveloped, and has historically been unused. The owner wishes to work with the local area commission to create new housing on the site, which would improve the property and neighborhood.

Maintaining a 40-foot setback at the front of the property would limit the available yard space at the rear of the property to 962 total square feet per unit, of which 540 feet are taken up by driveway and 153 feet are required for trash, refuse, and HVAC compressor. This leaves each unit with a functional green yard space of only 269 square feet per unit, which is undesirable for the intended residents.

The city development council and the local area commission would prefer to have larger rear yards, which is disallowed by the existing setback. By changing the setback from a 40 -foot to a 20 -foot setback along Brentnell Avenue and a 30 -foot setback along Leonard Avenue, the applicant will create more desirable residences that better fulfill city development intentions.

Maintaining a 40 -foot setback at the front of the property would also force the builder to create a single, a-typical unit in order to fit within the existing setback lines. Changing the setback from a 40 -foot to a 20 -foot setback along Brentnell Avenue and a 30 -foot setback along Leonard Avenue will enable the applicant to create more equitable residences.

In order to fulfill the intended use of the property by applicant, the applicant requests the following variances:

1. Variance from 3333.18 to reduce setback lines from 40 feet to 20 feet along Brentnell Avenue.
2. Variance from 3333.18 to reduce setback lines from 40 feet to 30 feet along Leonard Avenue.


CV22-043
2006 E, $5^{\text {th }}$ Ave.
Approximately 1.72 acres

The North Central Plan (2002)


CV22-043
2006 E, $5^{\text {th }}$ Ave.
Approximately 1.72 acres


CV22-043
2006 E, $5^{\text {th }}$ Ave.
Approximately 1.72 acres

FOR USE BY: AREA COMMISSION / NEIGHBORHOOD GROUP
(PLEASE PRINT)

| Case Number | CV22-043 |
| :---: | :---: |
| Address | 2006 E. 5TH AVE. |
| Group Name | NORTH CENTRAL AREA COMMISSION |
| Meeting Date | June 2nd, 2022 |
| Specify Case Type | BZA Variance / Special Permit Council Variance Rezoning Graphics Variance / Plan / Special Permit |
| Recommendation (Check only one) | Approval Disapproval |

## LIST BASIS FOR RECOMMENDATION:

The North Central Area Commission met on Thursday, June 2nd 2022 with a quorum. A motion was made to approve the following:

Alteration to setbacks needed in order to build on lot; concurrent Council variance to reason for request: rezoning request Z22-017
Variance from 3333.18 - Building lines; from 40 feet to 20 feet along Brentnell AVE as shown on the submitted site plan

Variance from 3333.18 - Building lines; from 40 feet to 30 feet along Leonard AVE as shown on the submitted site plan

A vote was taken via roll-call vote; results were all in favor ( 8 yes; 0 no), with no abstentions.

| Vote | All in favor (8 yes; 0 no), with no abstentions |
| :---: | :---: |
| Signature of Authorized Representative |  |
| Recommending Group Title | North Central Area Commission, Zoning Chair |
| Daytime Phone Number | 614-271-6884 |

Please e-mail this form to the assigned planner within 48 hours of meeting day; OR FAX to Zoning at (614) 645-2463; OR MAIL to: Zoning, City of Columbus, Department of Building \& Zoning Services, 111 N Front Street, Columbus, Ohio 43215.

## 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 ' $N$ ONE' in the space provided.

## STATE OF OHIO <br> COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Joaquin Serantes of (COMPLETE ADDRESS) 4700 Reed Rd, Ste O Columbus OH 43220
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 (including contact name and number) Business or individual's address; City, State, Zip Code
> Number of Columbus-based employees
> (Limited to 3 lines per box)

| 1. | 2. |
| :---: | :---: |
| Logan Gianna LLC, represented by Ryan Bryson | Ryan Bryson |
| 1676 Franklin Ave, Columbus OH 43205 | 1676 Franklin Ave, Columbus OH 43205 |
| 0 employees | 0 employees |
| 3. | 4. |
| $\square$ Check here if listing additional parties on a separate page. <br> SIGNATURE OF AFFIANT $\qquad$ |  |
|  |  |
| Sworn to before me and signed in my presence this 14 _ day of May_, in the year_202 |  |
| Lowt | $\qquad$ |
| SIGNATURE OF NOTARY PUBLIC My Commission Expires |  |
| , "waus, <br> Notary Public, State of Ohio <br> My Commission Expires <br> March 23, 2026 |  |

