



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 10/21/04
 Donald Plank

EXHIBIT B

Statement of Hardship

29 Clark Place, Columbus, OH

CV04-036

The site is 0.26+/- acres located immediately adjacent to Wall Street (20'), west of North High Street. North High Street is a major north/south arterial through the City of Columbus. Wall Street (20') is the alley immediately abutting the arterial corridor and commercial (C-4) zoning typical of the North High Street corridor. The subject parcel is a small parcel immediately abutting the west side of the alley and is immediately adjacent to the commercial corridor serviced by Wall Street (20'). Along the older commercial arterial corridors, of which there are many, including North High Street, the City of Columbus seeks to limit vehicular access points on the arterial. The adjacent alleys, parallel to the arterial corridors, take on added significance in these areas in that they provide substantial vehicular circulation and access for the arterial fronting commercial uses.

Applicant proposes to develop the site for a small parking lot for uses located on parcel 010-016153. Parcel 010-016153 is known as 1301 North High Street and is developed with the North Central Mental Health Services offices. North Central has recently spent \$1.5 million on remodeling and expansion of the facility. Applicant proposes to develop the 0.26 +/- acre site for additional parking. This variance request is conditioned on a specific site plan depicting permitted site development. The proposed parking area is adjacent to entrances to the North Central Mental Health building.

Applicant initially submitted an application to rezone the parcel. The development proposal with rezoning was the same as is now proposed by variance. Community representatives stated a preference for the parking lot proposal to be done by variance rather than rezoning so the underlying residential zoning was left intact. The application was changed from an application to rezone from R-4 to CPD to this request for a variance to the R-4 district because of the community preference. By the variance application, the parcel will remain zoned R-4 but, with approval of the variance, will be developed with a parking lot as depicted on the registered site plan, which is incorporated by reference into the ordinance and also attached as an exhibit to the ordinance. A hardship exists in that the only way to permit a parking lot in the R-4 district is by variance.

The older commercial corridors are typically shallow in depth from the arterial. The City of Columbus has, for many years, supported the use of property adjacent to the alleys that are parallel to the commercial corridors for additional parking for the commercial uses located on the arterial corridors. There are many examples throughout the older areas of the city, and in the University Commission area, of parking being established adjacent to the alleys parallel to the commercial arterial corridors. The parking lot is well designed and buffered. The site plan has been amended at the request of the University Area Commission to provide a five (5) foot high masonry wall for screening along the west property line rather than the wood fence originally proposed.