



DEPARTMENT OF BUILDING AND ZONING SERVICES

Council Variance Application

111 North Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • www.columbus.gov/bzs • zoninginfo@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

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 Statement of Hardship.

Signature of Applicant [Handwritten Signature] Date 11/25/19

CV19-118

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

STATEMENT OF HARDSHIP

Property Address: N/A
Parcel ID: 010-070431-00
Owner & Applicant: Central Ohio Opportunity Fund, LLC
 1400 Dublin Road
 Columbus, Ohio 43215
Attorney: David Hodge
 Underhill & Hodge
 8000 Walton Parkway, Suite 260
 New Albany, Ohio 43054
 david@uhlfirm.com
Date: November 25, 2019

This property located at Franklin County Parcel No. 010-070431-00 is currently in the M – Manufacturing Zoning District (hereinafter “the Property”). It consists of vacant land, which was owned by Norfolk and Western Railway from 1924 until 2019. While the Property is in the Manufacturing District, the surrounding area has developed mostly with residential uses. Directly to the east is a property in the Manufacturing Zoning District with residential uses permitted and an existing single-family home on site. Directly to the west is vacant land in the Manufacturing Zoning District, but directly southwest of it are single-family homes. Directly to the south of the Property is a parcel owned by Norfolk and Western Railway, and it’s in an ARLD Multi Family Residential District. To the north of the Property is Leonard Avenue with access to Interstate 670.

Despite the existing zoning, the surrounding area is predominantly residential. With the exception of the contracting company to the east which is developed with a single-family home, there are very few, if any, manufacturing uses nearby. Therefore, the Applicant seeks a variance from the following requirement:

3363.01 - M-manufacturing districts. The Code Section provides that in an M-manufacturing district, residential uses are restricted to: (1) a dwelling unit for a resident security person and (2) units within a halfway house or community residential treatment center, a hospital, or other building specifically for human care. The Applicant seeks a variance to allow multi-family residential uses on site to accommodate affordable housing.

The proposed variance is consistent with the Near East Area Plan (hereinafter “the Plan”). The Plan provides for the prioritization of revitalization and redevelopment of vacant land within the neighborhood for housing. The Plan also discourages the intrusion of non-residential uses within residential areas. While the Plan recommends light industrial/commercial uses for the area where the site is located, those uses have not materialized. The area consists of mostly vacant land, and as the Plan provides, vacant land should be prioritized for revitalization and development, with specific focus on housing.

The proposed use will not adversely affect the surrounding properties or the neighborhood. The surrounding properties mostly consist of residential properties, making the proposed use more

CV19-118

consistent with the neighborhood. Applicant's proposed use is less objectionable than some of the Manufacturing uses which are currently permitted by right under the Columbus Zoning Code.

Due to the close proximity of the Property to residential properties, the Applicant has undue hardship developing the site for permitted Manufacturing uses. The requested use variance will not impair 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.

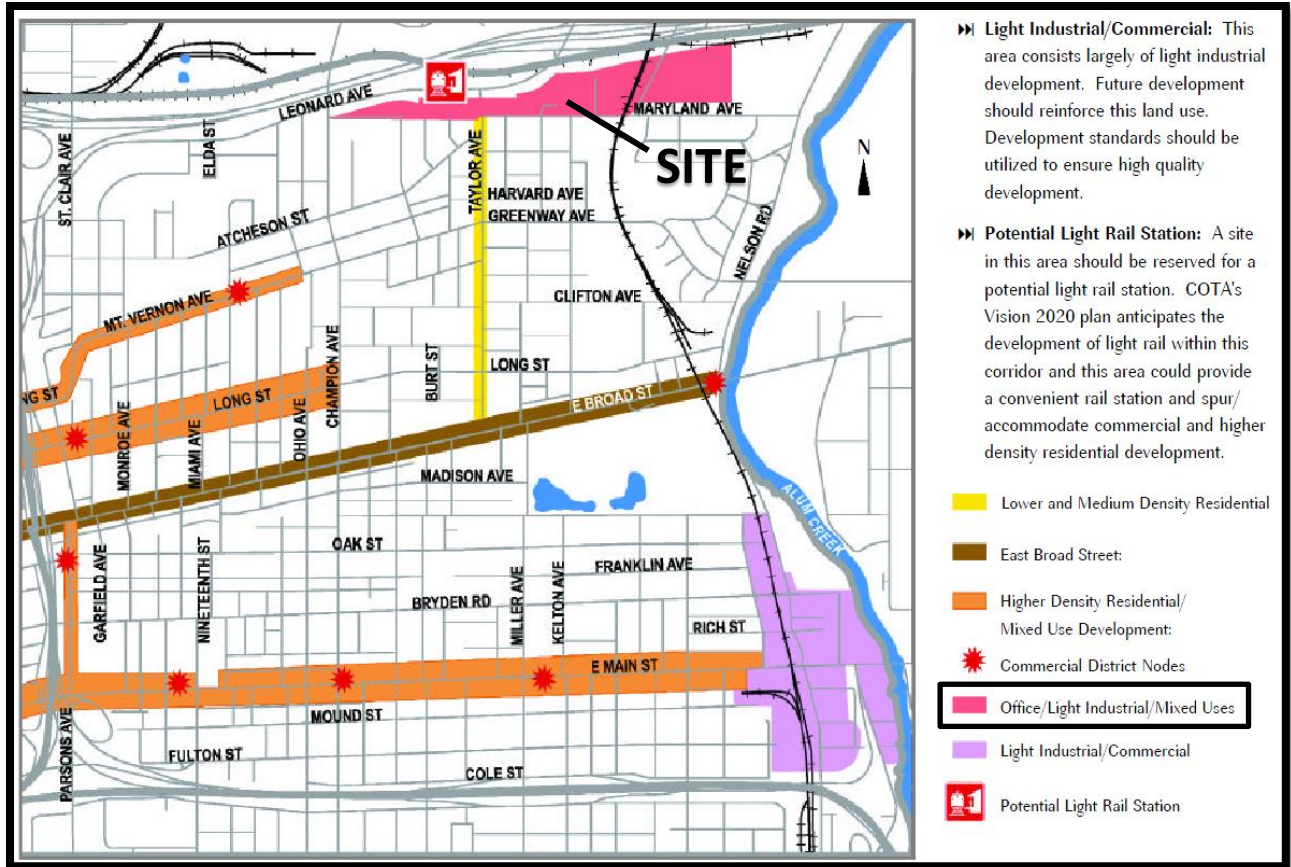
The applicant respectfully requests the approval of this use variance request.

David Hodge

By: _____



CV19-118
1750 Maryland Ave.
Approximately 4.93 acres



►► **Light Industrial/Commercial:** This area consists largely of light industrial development. Future development should reinforce this land use. Development standards should be utilized to ensure high quality development.

►► **Potential Light Rail Station:** A site in this area should be reserved for a potential light rail station. COTA's Vision 2020 plan anticipates the development of light rail within this corridor and this area could provide a convenient rail station and spur/ accommodate commercial and higher density residential development.

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DEPARTMENT OF BUILDING AND ZONING SERVICES

Standardized Recommendation Form

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FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW (PLEASE PRINT)

Case Number: CV19-118 & Z19-095
Address: 1750 Maryland Avenue, Columbus, OH 43203
Group Name: Near East Area Commission
Meeting Date: January 9, 2020

Specify Case Type:
[] BZA Variance / Special Permit
[] Council Variance
[] Rezoning
[] Graphics Variance / Plan / Special Permit

Recommendation:
(Check only one and list basis for recommendation below)
[] Approval
[] Disapproval

NOTES:
[]
[]
[]
[]
[]
[]

Vote: 10-0-0 KDB 10-0
Signature of Authorized Representative: Kathleen D. Bulky
SIGNATURE
CHAIR NEAR EAST AREA COMMISSION
RECOMMENDING GROUP TITLE
614-582-3053
DAYTIME PHONE NUMBER

Please e-mail this form to the assigned planner within 48 hours of your meeting day; or FAX to Zoning at 614-645-2463; or MAIL to: Assigned Planner, City of Columbus, Department of Building & Zoning Services, 111 N. Front St, Columbus, OH 43215.



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PROJECT DISCLOSURE STATEMENT

All parties having a 5% or more interest in the project that is the subject of this application should be listed.

THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION #: CV19-118

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) David Hodge, Esq.
of (COMPLETE ADDRESS) 8000 Walton Parkway, Suite 260, New Albany, Ohio 43054

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 (include contact name and number)
Business or individual's address
City, State, Zip Code
Number of Columbus based employees
(Limited to 4 lines per box)

Table with 2 columns and 2 rows for listing parties with interest in the project.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

[Handwritten signature: David Hodge]

Subscribed to me in my presence and before me this 22nd day of November, in the year 2019

SIGNATURE OF NOTARY PUBLIC

[Handwritten signature: Kimberly R. Grayson]

My Commission Expires:

[Handwritten: 1-11-2021]

This Project Disclosure Statement expires six months after date of notarization.



KIMBERLY R. GRAYSON
Notary Public, State of Ohio
My Commission Expires
January 11, 2021

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