

**STATEMENT OF HARDSHIP**

CV19-111

**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):**

see attached sheet

Signature of Applicant



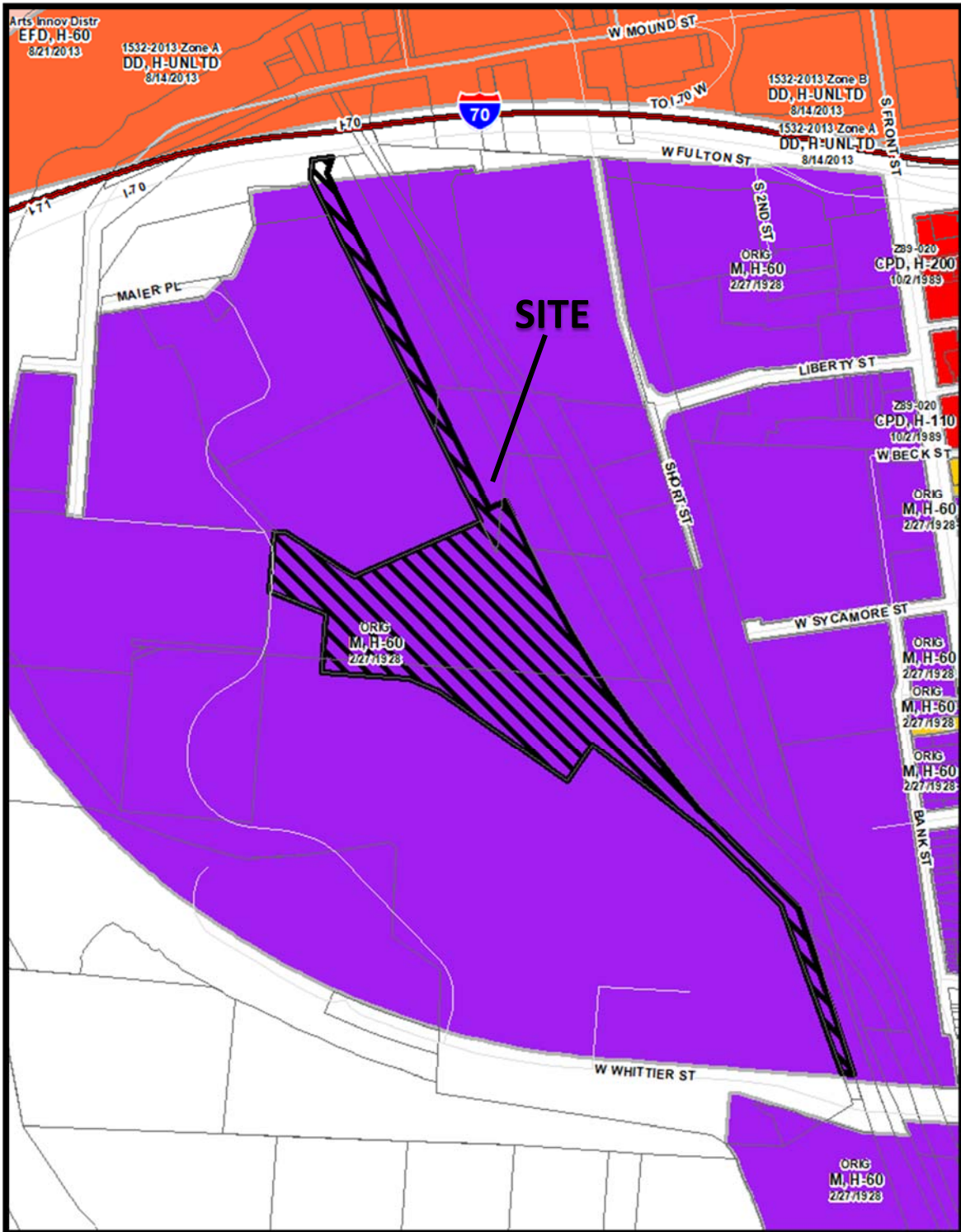
Date 01/18/22

Statement of Hardship CV19-111

The proposed zoning would allow residential above first floor commercial. The council variance would permit first floor residential. (Section 3361.02 permitted uses and section 3356.02 C-4 permitted uses). The residential element is an important part of a mixed use development: providing dwelling units for workers and customer for the commercial portion of the site. Given the surrounding development the proposed variance will not impair an adequate supply of light and air to the adjacent property, nor unreasonably increase the congestion of public streets, nor 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.

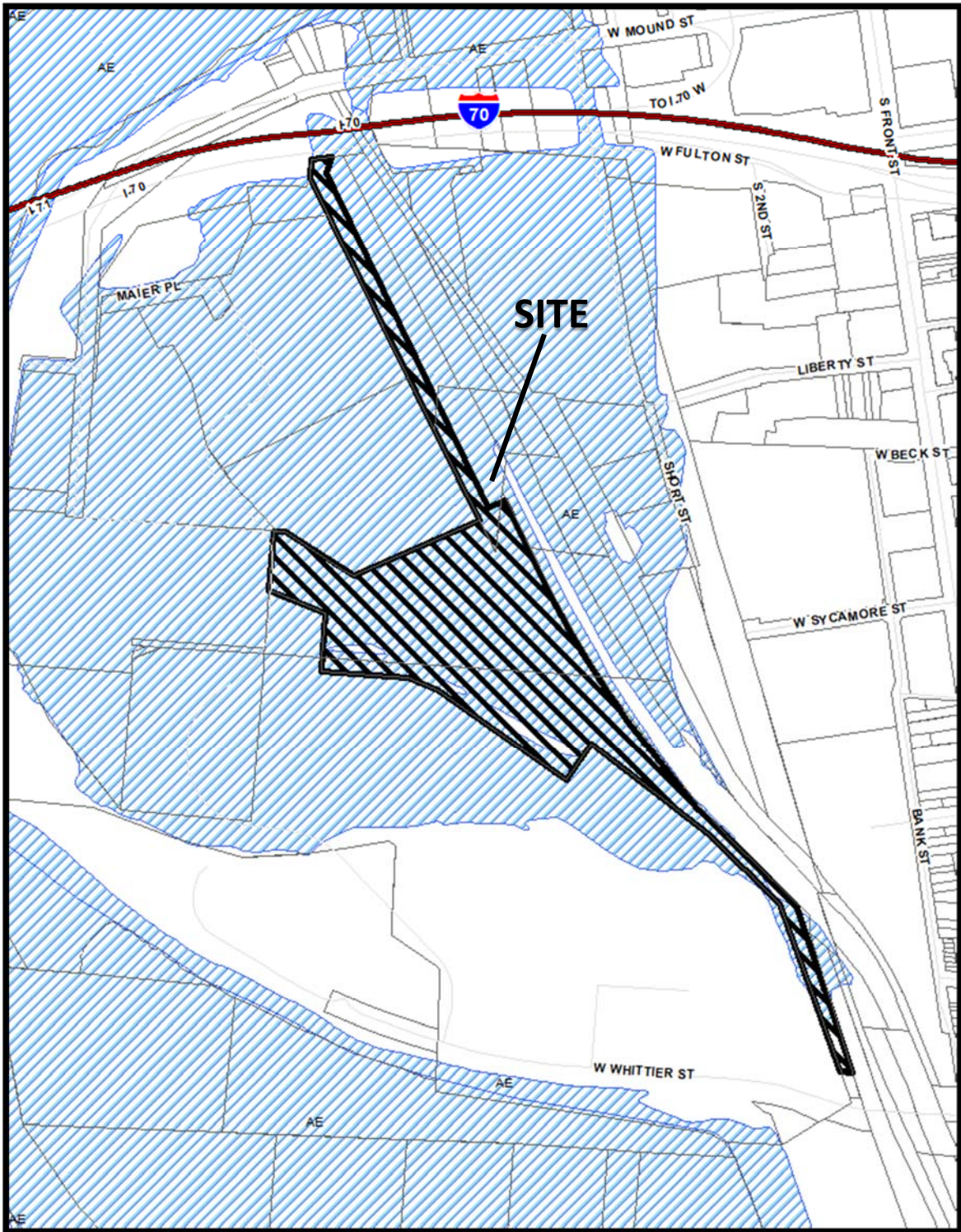
Council Variance List:

Sections 3361.02 permitted uses and 3356.03 C-4 permitted uses: to permit first floor residential.  
Section 3312.49 minimum number of parking spaces required: to reduce the number of parking spaces from 1.5 to 1.3 per multi-family dwelling unit.



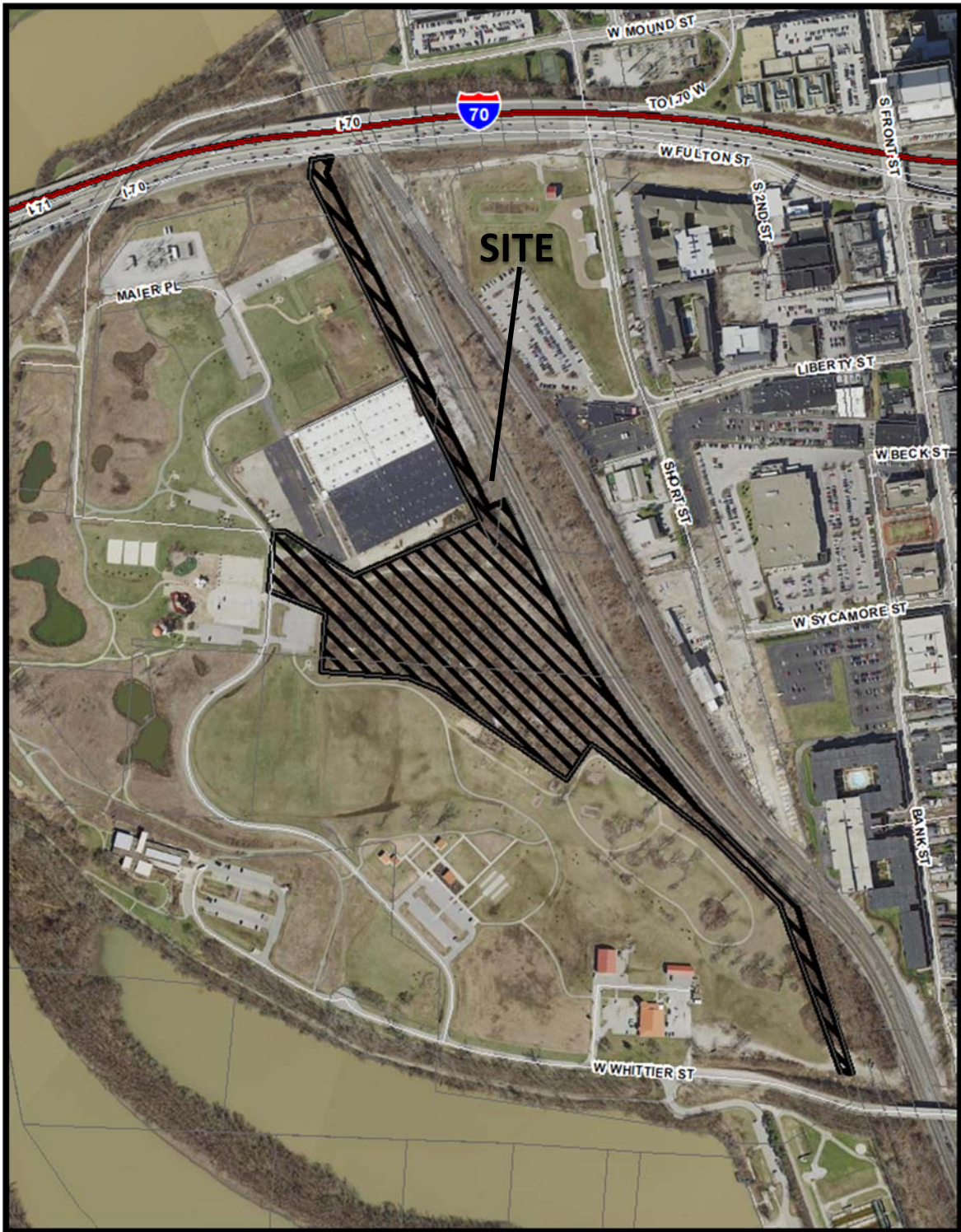
CV19-111  
142 W. Whittier St.  
Approximately 16.54 acres





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## HISTORIC DISTRICT COMMISSION RECOMMENDATION

### HISTORIC RESOURCES 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:** 142 Whittier Street

**APPLICANT'S NAME:** Zimmer Development Co. (Applicant)

CSX Transportation (Owner)

**APPLICATION NO.:** BD-21-11-004b

**COMMISSION HEARING DATE:** 11-4-2021

The Historic Resources 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.

☒ **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 # BD-21-11-004b, 142 Whittier Street, the Brewery District Commission recommends approval of the proposed variances and change of use, as submitted:

Request for Recommendation / Change of Use

- Change of use from M (Manufacturing) to CPD (Commercial Planned Development).

Request for Recommendation / Variances

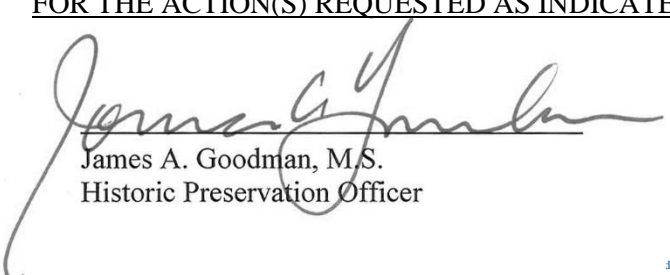
1. Section 3356.03 C-4 permitted uses: to permit first floor residential.
2. Section 3312.49 minimum number of parking spaces required: to reduce the number of parking spaces from 1.5 to 1.3 per multi-family dwelling unit.

MOTION: Mathur/Pongonis (6-0-0) RECOMMEND APPROVAL

**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.

  
James A. Goodman, M.S.  
Historic Preservation Officer

  
Cet



## Council Variance Application

111 N Front Street, Columbus, Ohio 43215  
Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

### PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV19-111

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.

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Jeffrey L. Brown  
of (COMPLETE ADDRESS) 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 (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. Zimmer Development Company LLC 111 Princess Street Wilmington, NC 28401 Landon Zimmer 910-763-4669 0 - number of Columbus based employees	2. CSX Transportation Inc. Chesapeake & Ohio RY 500 Water Street (C910) Jacksonville, FL 32202 250- number of Columbus based employees
3.	4.

☐ Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 14th day of October, in the year 2021

SIGNATURE OF NOTARY PUBLIC

My Commission Expires

Notary Seal Here



Natalie C. Timmons  
Notary Public, State of Ohio  
My Commission Expires 09-04-2025

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