

WEST ELEVATION

840 MICHIGAN AVENUE

CV22-011A Final Received 1/25/2021 Sheet 2 of 3

Michael Shannon 1-25-21

PRESENTATION DATE: 01.07.21
PRELIMINARY: NOT FOR CONSTRUCTION

0.9



NORTH ELEVATION

840 MICHIGAN AVENUE

CV22-011A Final Received 1/25/2021 Sheet 3 of 3

0.10

Michael Shannon 1-25-21

PRESENTATION DATE: 01.07.21
PRELIMINARY: NOT FOR CONSTRUCTION

**STATEMENT IN SUPPORT OF
COMPANION AREA VARIANCES**

APPLICATION: CV22-011

ADDRESS: 840 Michigan Avenue

PARCEL: 010140800

APPLICANT: JDS Companies

PROPERTY OWNER: Swac IV LLC

ATTORNEY: Michael Shannon, Underhill and Hodge

DATE: February 22, 2022

The Applicant submits this application to amend the building setback variance previously granted by application CV20-105. It was discovered upon submission of a final site compliance plan that the prior survey mistakenly plotted the existing building frame a few feet west of its actual location. This application is submitted to correct that previous mistake.

This site is located between Michigan Avenue, Buttles Avenue, and Thurber Drive West. The site is zoned M. The site is bordered by property zoned AR1 on the west (multifamily), M on the south (extended stay hotel), M and AR2 on the west (office and multifamily), and M on the north (office). The building's frame has already been constructed from a previously abandoned proposal and it cannot be moved.

In 2020, the Applicant submitted a rezoning application to rezone the property to AR3 to permit multifamily use and submitted a companion council variance application to vary certain area development standards. Many of the variances granted were similar to the variances which were previously granted by BZA15-084 and BZA17-143. That rezoning application and companion council variance application were subsequently granted.

The Applicant requests the following variances to develop the property as proposed:

1. 3312.27 - Parking setback line. Under this section, where a required building setback line is less than 25 feet, the parking setback line shall follow the building setback line or the established parking setback, whichever is less, but in no case shall the parking setback line be less than ten feet from the street right-of-way line. The Applicant requests a variance to reduce the parking setback line to 10 feet from Michigan Avenue. This variance has already been approved.
2. 3312.49 – Minimum numbers of parking spaces required. Under this section, 54 dwelling units require 81 parking spaces. Applicant requests a variance to reduce the minimum number of required parking spaces from 81 to 41. This variance has already been approved.
3. 3333.18 – Building lines. Under this section the building line shall be 25 feet. The Applicant requests a variance to reduce the building lines from 25 feet to 9 feet from Buttles Avenue, 13 feet from Thurber Drive West, and 23 feet from Michigan Avenue. The Applicant also requests a variance from this section to allow the transformer/generator to be located within the building setback. This is the amended variance request.

The Applicant requests these area variances in conjunction with a requested zoning due to practical difficulties in the carrying out of the provisions of the district resulting from the irregular shape of the lot and other conditions. With respect to the reduced building setback lines, it is significant that the proposed building lines were previously approved by BZA15-084 and BZA17-143 and that the property already began development with these setbacks. The structure of the first floor and elevator shafts are already in place. The proposed development plans to build upon these existing structures.

Further, the site abuts three streets and the Code requires a 25-foot building setback line from all three streets. It is a practical difficulty to comply with the code required setback because three separate building setback lines would significantly reduce the site's developable area.

It is notable that the structure's frame has already been constructed. The frame was installed for a previously abandoned project. The frame was installed under previous entitlements granted by BZA15-084 and BZA17-143 which reduced the building lines to 9 feet. The request here is to reduce the building line to 13 feet from Thurber Drive to accommodate the existing frame's location.

The requested variances for reduced landscaping requirements are also a result of the irregular shape of the lot and other conditions. The goal of the project is to utilize as much of the property as possible to maximize the quality of the project. It is necessary to allow reduced landscaping standards in order to make this happen. Further, the site will provide other forms of landscaping which achieve the goals of the Code but do not meet the definition of code compliance. For example, there are 6 trees which are adjacent to the exterior parking lot but these This will not cause substantial detriment to neighbors nor alter the character of the neighborhood.

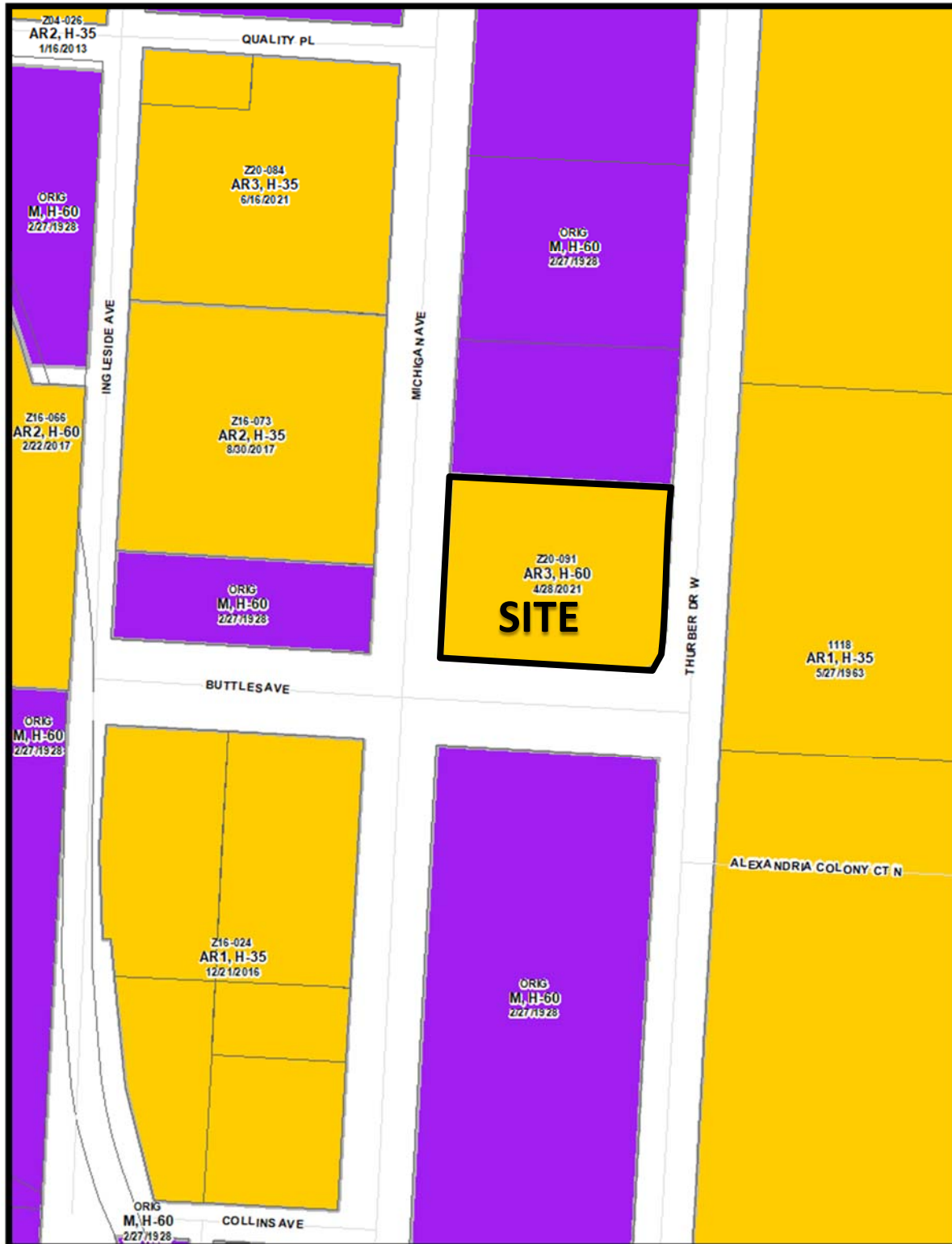
The requested parking reduction is not significant and will not cause any detriment. The Applicant conducted a parking study pursuant to the Department of Public Service guidelines and the results show that there is an abundance of street parking available within the vicinity. Further, our relationship with automobile ownership has changed and it is increasingly common to rely on public transportation and rideshare options rather than automobile ownership. With this property so close to work and play destinations such as the short north, downtown, and Grandview, it is expected that many of the residents will utilize bicycles, public transportation, and rideshare as primary modes of transportation.

The Applicant respectfully requests the Columbus City Council weigh these factors in its consideration and find that this Applicant suffers from a practical difficulty. The variances will not seriously affect any adjoining property or the general welfare. Further, the spirit and intent behind the zoning requirements would be observed and substantial justice done by granting the requested variances.

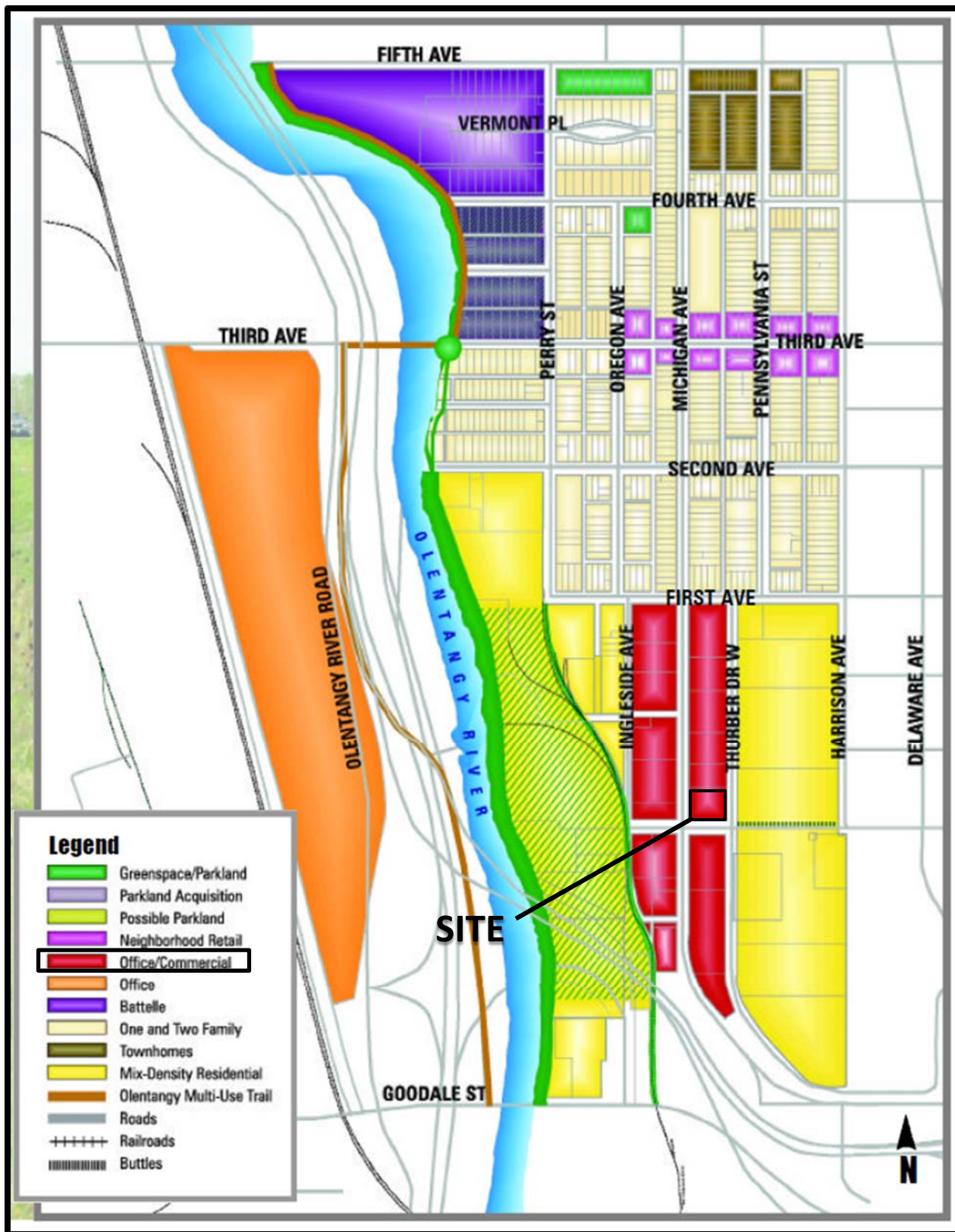
Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Michael Shannon", with a long horizontal flourish extending to the right.

Michael Shannon



CV22-011A
840 Michigan Ave.
Approximately 0.62 acres



CV22-011A
840 Michigan Ave.
Approximately 0.62 acres



CV22-011A
840 Michigan Ave.
Approximately 0.62 acres

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

Case Number CV22-0113

Address 840 Michigan Aven

Group Name Harrison West Society


Meeting Date June 15, 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:

Vote 10-1

Signature of Authorized Representative  Digitally signed by David E-Signature
Date: 2022.06.20 14:57:23 -04'00'

Recommending Group Title Harrison West Society

Daytime Phone Number (646)957-4765

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.

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 #: CV22-011 A

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) Eric Zartman

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 (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. JDS Companies 447 East Main Street, Suite 200 Columbus, Ohio 43215	2. Swac IV LLC 447 East Main Street, Suite 200 Columbus, Ohio 43215
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 18th day of February, in the year 2022

SIGNATURE OF NOTARY PUBLIC

My Commission Expires

Notary Seal Here



KIMBERLY R. GRAYSON
Notary Public, State of Ohio
My Commission Expires
01-11-2026

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