

ZONING

# **Council Variance Application**

DEPARTMENT OF BUILDING AND ZONING SERVICES

THE CITY OF

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

#### **STATEMENT OF HARDSHIP**

Application No. CV23- 129

#### 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 Exhibit B

is Homes QOZB, ZZC Date 10 - 24 - 2013Date 10/24/23Signature of Applicant Signature of Attorney

ba 01/23

### Exhibit B Statement of Hardship CV23-129 , 333 Kendall Place

The undeveloped site is 0.14 +/- acres (6,117 SF) located on the west side of Kendall Place, 440' +/- north of E. Main Street, and being Franklin County Auditor Tax Parcel 010-137328. The site is zoned R-3, Residential from an area rezoning. Residential uses in the area include a range of uses including single-family, two-family, and multi-family uses, as well as commercial uses. Applicant proposes to develop the site with a four (4) dwelling unit building, as depicted on the site plan "Zoning Plan Kendall Place", hereafter Site Plan. There is no alley providing vehicular access to the parcels fronting the west side of Kendall Place. A Kendall Place driveway is proposed for site access and parking. There are numerous driveways on the west side of Kendall Place between E Main Street and Bryden Road.

The site is located in the Near East Area Commission and is part of the Near East Area Plan ("Plan") area. The Plan encourages a mix of land uses and development of new housing.

Applicant has a hardship and practical difficulty with compliance with the cited Zoning Code sections applied to urban development, for which closer building setbacks, reduced yards and other variances are common.

### Applicant requests variances from the following sections of the Columbus Zoning Code:

1). Section 3332.035, R-3, Residential District, to permit a four (4) dwelling unit building.

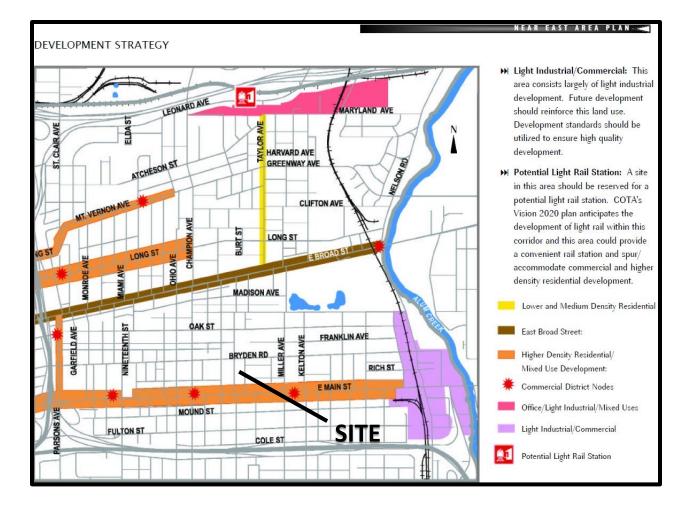
2). Section 3332.21(F), Building Lines, to reduce the Kendall Place building setback from 25' to 16'.

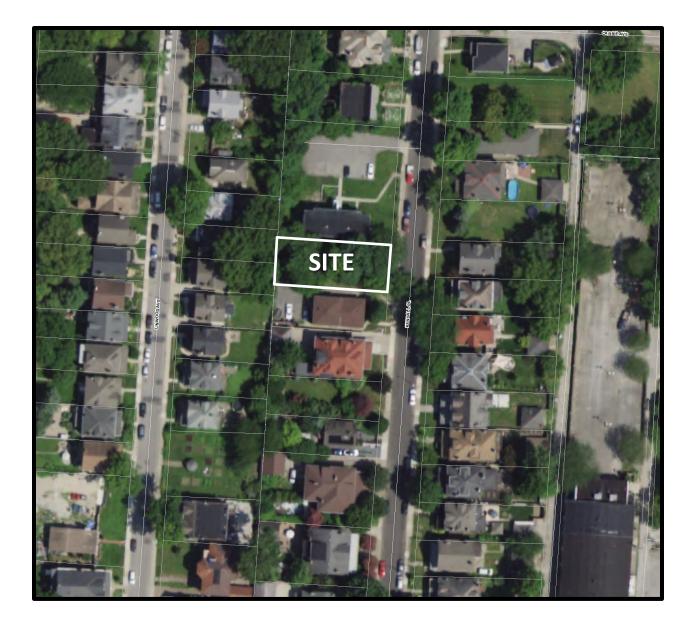
3). Section 3332.25, Maximum Side Yard Required, to reduce the sum of the side yards from 10' to 6'.

4). Section 3332.26(F), Minimum Side Yard Required, to reduce the minimum side yard from 5.83' to 3' for both the north and south side yards.

5). Section 3332.27, Rear Yard, to reduce Rear Yard from 25% of lot area to 9%.







CV23-129 333 Kendall Place Approximately 0.14 acres

## **Standardized Recommendation Form**

DEPARTMENT OF BUILDING AND ZONING SERVICES

COLUMBUS

ANDREW J. GINTHER, MAYOR

THE CITY OF

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

Case Number	CV23-129	
Address	333 KENDALL PLACE	
Group Name	NEAR EAST AREA COMMISSION	
Meeting Date	1/11/2024	
Specify Case Type	<ul> <li>BZA Variance / Special Permit</li> <li>Council Variance</li> <li>Rezoning</li> <li>Graphics Variance / Plan / Special Permit</li> </ul>	
<b>Recommendation</b> (Check only one)	Approval Disapproval	

### LIST BASIS FOR RECOMMENDATION:

Vote	15-0-0
Signature of Authorized Representative	
Recommending Group Title	Chair O
Daytime Phone Number	614 403 2225

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.

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#### **PROJECT DISCLOSURE STATEMENT**

APPLICATION #: C	V23-	129	
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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

THE CITY OF

ANDREW J. GINTHER, MAYOR

 Being first duly cautioned and sworn (NAME)
 Donald Plank

 of (COMPLETE ADDRESS)
 Plank Law Firm, 411 East Town Street, Floor 2, 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.	2.
Blue Chip Homes QOZB, LLC; 1165 W Third Ave,	Fisk Properties, LLC; 655 Academy Dr, Galloway,
Ste E, Cols, OH 43212; # Cols-based emps: Zero (0)	OH 43119; # Cols-based emps: Zero (0)
Contact: Lonnie Freeman, (614) 571-0910	Contact: Jacob Fisk, (614) 949-9680
3.	4.
Check here if listing additional parties on a separate page.	
SIGNATURE OF AFFIANT	ile
- the	
Sworn to before me and signed in my presence this $\mathcal{H}^{\mu\nu}$ day	of <u>REPUC</u> , in the year 202
Sworn to before me and signed in my presence this <u>Hu</u> day	of <u>CLARC</u> , in the year <u>COS</u> Notary Seal Here
Sworn to before me and signed in my presence this $\frac{24^{\mu u}}{M}$ day $\frac{1}{3}$ SIGNATURE ØF NOTARY PUBLIC	
Mary Delice WAX	Notary Seal Here