CV05-015

City of Columbus | Department of Development | Building Services Division | 757 Carolyn Avenue, Columbus, Ohio 43224

STATEMENT OF HARDSHIP



Chapter 3307 of the Columbus Zoning Code Section 3307.10 Variances by City Council

Signature of Applicant

- 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

he variance reques	ted as detailed below:			
SE	E ATTACHED.			
	-			_

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CV05-015

JOHNSON & FISCHER PROPERTIES 2, LLC 499 DERRER ROAD COLUMBUS, OHIO 43204

STATEMENT OF HARDSHIP

Johnson & Fischer Properties 2, LLC, (hereafter "Applicant") is the owner of the subject property. Applicant is a painting company currently operating from a nearby office at 3436 Sullivant Avenue, located at the corner of Sullivant Avenue and Derrer Road.

The subject property is currently zoned C-4. The Applicant desires to develop the property in two phases. The first phase will involve the building of a 120' x 60' garage. The second phase involves the development of an office building adjacent to the garage. Since using a portion of the subject property for a garage is not a permitted use under Columbus City Code § 3356.03, the Applicant seeks a use variance from that section.

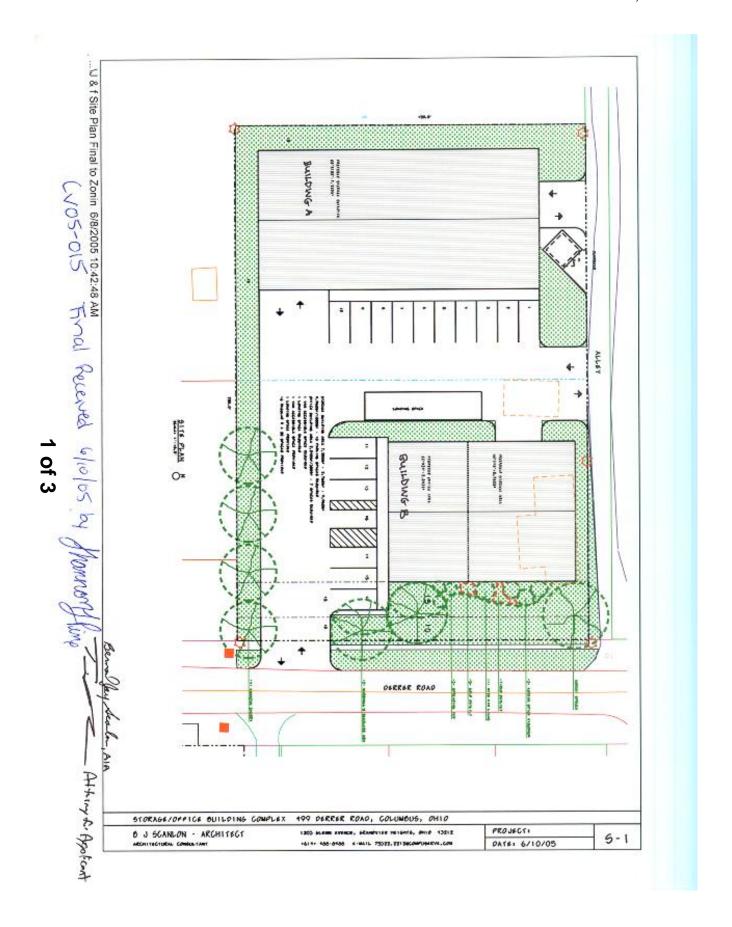
The Applicant intends to use the garage to store business equipment including, painting vans, ladders, scaffolding, large quantities of new rags and large quantities of new buckets. The Applicant will not engage in any sales or distributions from the garage. The Applicant will not store business equipment outside the garage.

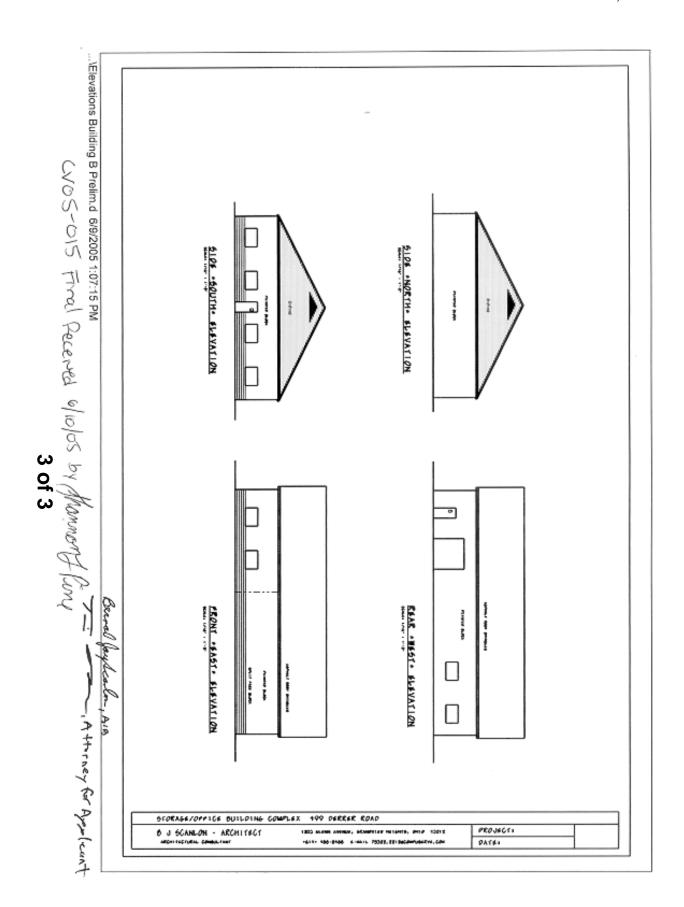
The Applicant faces hardship if the Applicant cannot store its business equipment in a garage that is in close proximity to the Applicant's business offices. Applicant needs to store its equipment in a garage to prevent theft of the equipment. Applicant currently stores select business equipment outside its Sullivant Avenue offices. Unfortunately, Applicant has experienced a history of having Applicant's vans vandalized and Applicant's ladders and scaffolding stolen. Additionally, Applicant's business practice requires the business equipment to be located near the business offices, to facilitate employee access to the business equipment.

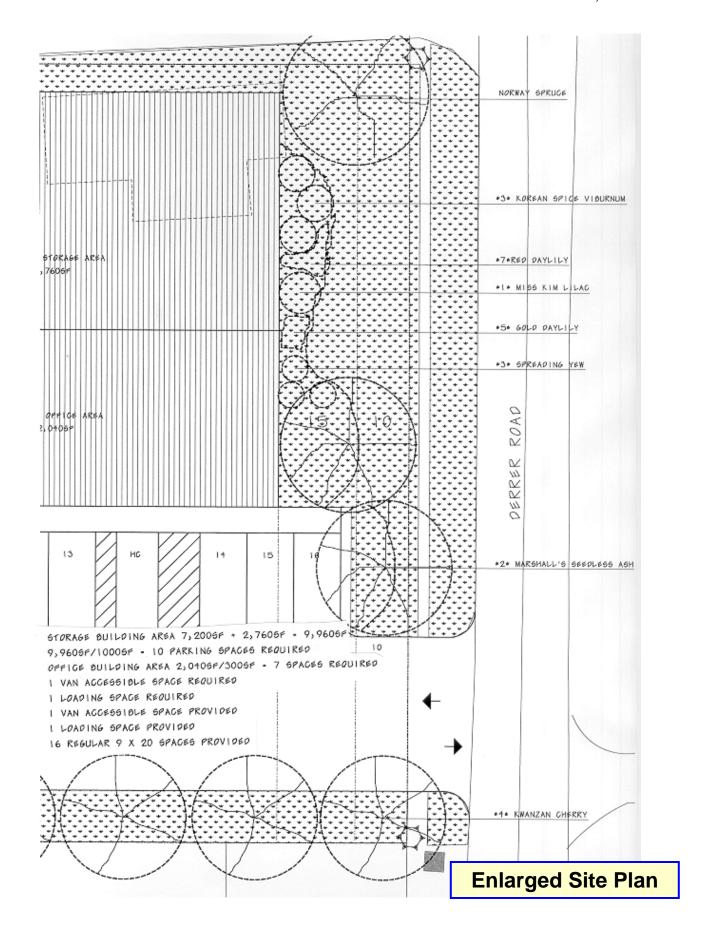
Because the property is not located directly on Sullivant Avenue, the property is not conducive to a C-4 commercial use. Additionally, a retail use of the property would undoubtedly cause more traffic and hold would thus be detrimental to the neighboring properties. The intended use of the subject property is no more intrusive than existing commercial uses in the area. Due to the nature of the commercial zoning, the proposed use will not adversely affect the surrounding properties. The proposed use will not create an increased risk of fire or pose a danger to public safety. The proposed use will not increase traffic in the area and will not diminish property values in the surrounding areas.

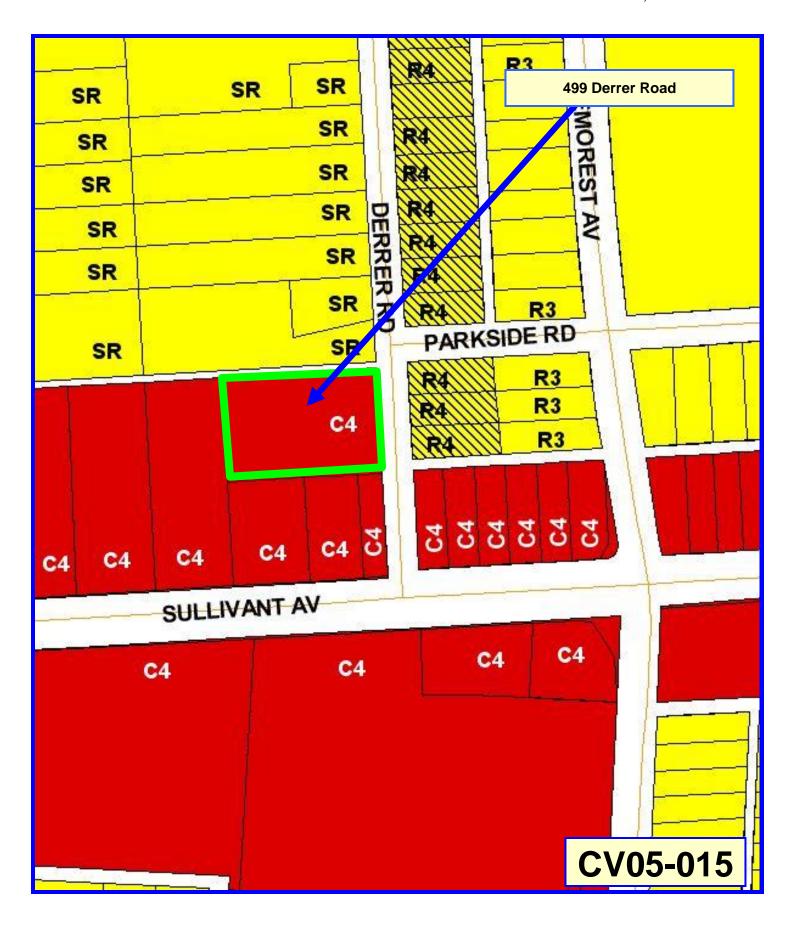
Granting the use variance will have a positive impact on the neighborhood. The proposed development on the subject property will increase in tax value of the subject property and increase the tax revenue to the City.

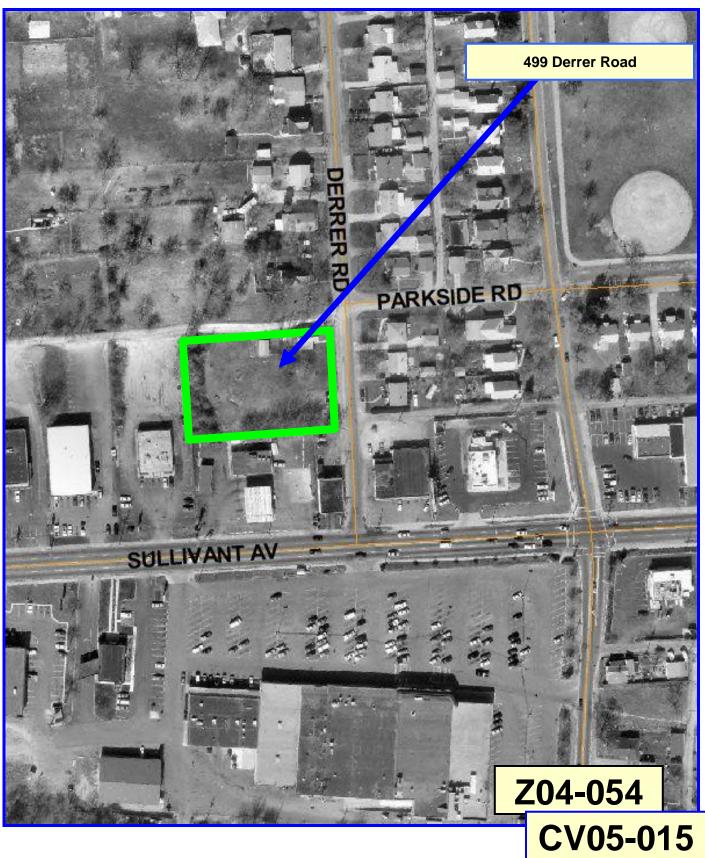
The Applicant respectfully requests that City Council grant the variance to permit the above described use of the subject property.











COMMUNITY GOALS

- Maintain the existing character of the Greater Hilltop's residential areas from inappropriate commercial and industrial development
- Balance the amount of residential, commercial, industrial and other land uses to develop a "total community"
 Revitalize the West Broad Street and
- Revitalize the West Broad Street and Sullivant Avenue corridors within the Greater Hilltop. Promote appropriate land uses
- Create community assets, such as parks, new residential/commercial infill development or side yards for adjacent development, as appropriate, on currently vacant lots
- Develop the Hilltop State Lands property in a comprehensive manner. Protect the existing natural landscape.

PLANNING ISSUES AND STRATEGIC RECOMMENDATIONS

Strategic Recommendations

with the surrounding area

Existing zoning is not always appropriate or consistent

 Inappropriately zoned parcels, in both residential and commercial areas, should be rezoned so that they are consistent with current land use and surrounding uses. An inappropriate designation might include a

- parcel that is zoned commercial but that is used for residential or a parcel with an intense commercial zoning that is adjacent to a residential area
- Initiate a rezoning effort on the south side of West Broad Street, from Glenwood Park west to Highland Avenue. The rezoning should maintain multi-family residential as the desired land use and should allow office use, where appropriate
- Support community-based group storefronts and national and local commercial uses along West Broad Street west of Highland Avenue
- Study the feasibility of a parcel-by-parcel rezoning on both sides of Sullivant Avenue from Wheatland Avenue east to the Conrail Railroad. The rezoning should maintain residential as the desired land use and allow, where appropriate, higher density residential uses
- Support the development of commercial nodes at major intersections along Sullivant Avenue
- Consider expanding the permitted uses in older commercial areas to allow for limited "manufacturing" uses, such as fabrication and assembly

The Greater Hilltop Plan (2001)



Department of Trade and Development Development Regulation Division

1250 Fairwood Avenue Columbus, Ohio 43206-3372 (614) 645-7314

AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW STANDARDIZED RECOMMENDATION FORM

	GREATURE HILLTON AREA COUNTY
MEETING DATE:	MAY 10, 2005
SPECIFY CASE TYPE: (check only one)	☐ BZA Variance (Begins with "V") ☐ BZA Special Permit (Begins with "SP") ☑ Council Variance (Begins with "CV") ☐ Rezoning (Begins with "Z") ☐ Graphics Variance (Begins with "VG") ☐ Graphics Special Permit (Begins with "SPG")
CASE NUMBER:	499 DERECERE TECAS
RECOMMENDATION: (check only one)	Approval Oisapproval Conditional Approval: (please list conditions below) [Area Commissions see note below*]
concurant approval is sent, the conc met when the final ordinance is prepare determines that conditions have not be	only a recommendation for "approvel" or "diseppreval". If a recommendation for fillions should be concise and specific. Stall will determine whicher conditions are ed unless a revised response indicating "approval" has been received. If stall en met, your group's recommendation will be listed as "disapprovel".
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met when the final ordination is precam	illitions should be concise and specific. Staff will determine whicher concisions are ed unless a revised response indicating "approval" has been received. It staff en met, your group's recommendation will be fisted as "desapproval".

Please fax this form to Zoning at 645-2463 within 48 hours of your meeting day; or mail to: Zoning - Regulations Division, 1250 Fairwood Avenue, Columbus, Ohio 43206.

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(614) 870-8338

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May 13 05 06:42a

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PROJECT DISCLOSURE STATEMENT

Notary Seal Here



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 APPLICATION # COUNTY OF FRANKLIN Being first duly cautioned and sworn (NAME) Timothy G. Madison of (COMPLETE ADDRESS) Swedlow, Butler, Lewis, Madison & Dye, 10 W. Broad St., #2400, Columbus, deposes and states that (he/she) is the APPLICANT, AGENT or DULY AUTHORIZED ATTORNEY FOR SAME and the following OH 43215 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 and their mailing addresses: COMPLETE MAILING ADDRESS NAME Johnson & Fischer Properties 2, LLC 3434 Sullivant Avenue Columbus, OH 43204 SIGNATURE OF AFFIANT Subscribed to me in my presence and before me this , 31st SIGNATURE OF NOTARY PUBLIC My Commission Expires: No experation

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

KRISTIN E. ROSAN
Attorney at Law
Notary Public, State of Ohio
y Commission Has No Expiration
Section 147.03 R.C.