

115-038



# **Council Variance Application**

DEPARTMENT OF BUILDING AND ZONING SERVICES 757 Carolyn Avenue, Columbus, Ohio 43224 Phone: 614-645-7433 • www.bzs.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 conjuction 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 the variance requested as detailed below:

See attached Statement of Hardship

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

tmt 01/15

### CAPITAL CITY HOLDINGS LLC 923 East Long Street Columbus, Ohio 43203

### STATEMENT OF HARDSHIP

The property that is the subject of this council variance application is comprised of one (1) tract of real estate under the following Franklin County Auditor's Tax Parcel Number: 010-017390 ("Site"). There is one (1) existing structure on the Site: a vacant 2½ story dwelling. Applicant is a limited liability company that is wholly owned by Ohio Capital Corporation for Housing, a non-profit corporation dedicated to providing affordable housing to low-income tenants. Applicant seeks council approval of a use variance for the Site and variances from certain zoning requirements, which will facilitate the re-use of the Site as a Child Day Care Center or Type A Child Care Home serving the residents at Scholar House, a low-income housing development adjacent to the Site, residents of other low-income housing projects that Applicant or its affiliates manage and/or invest in, and employees of Applicant and its affiliates.

The existing building on the Site is a vacant two-family building which previously was used for residential purposes. The adjacent property owner recently constructed a multi-family low-income housing development called "Scholar House". Occupancy of Scholar House residential units are restricted to tenants who: (1) are low-income (30% of annual median income), (2) have primary custody of at least one child, and (3) have at least one year of remaining coursework before graduation. Applicant seeks to obtain a variance to permitted uses for the Site to permit the operation on the Site of a Child Day Care Center or Type A Child Care Home serving the Scholar House tenants and others. The Scholar House tenants are in need of affordable quality child care and Applicants believe that establishing affordable quality child care their children are receiving and permit the tenants to concentrate on their studies.

The following variances are necessary to facilitate this project:

1. To vary the standards of 3332.037 R-2F District to permit the operation of a child day care center or Type A child care home on the Site.

2. To vary the standards of 3332.05(A)(4) Area district lot width requirements to maintain the existing lot width of 43.75 feet.

3. To vary the standards of Section 3312.49 Minimum numbers of parking spaces required, which require that the Site contain two (2) off-street parking spaces for the dwelling, and one (1) off-street parking space per five hundred (500) square feet of day care facility space. Applicant proposes that the minimum number of parking spaces required be zero, due to the fact that the majority of the parties utilizing the Child Day Care Center or Type A Child Care Home will be residents of the adjoining Scholar House and that requiring any off-street parking will result in a significant reduction in the amount of greenspace available for the children being provided care at the Site.

4. To vary the standards of Section 3332.21 Building Lines, which require a ten (10) foot building line. Applicant proposes an 8.9 foot building line to accommodate the fact that the existing building, which will remain on the Site, is located approximately 8.9 feet from the front boundary of the Site.

5. To vary the standards of Section 3332.25 maximum side yards, which require the side yard to be 20% of the lot width. The applicant proposes a side yard width of 14.7% of the lot width to accommodate the fact that the existing building will remain on the Site and the existing side yards are approximately 14.7% of the lot width.

6. To vary the standards of Section 3332.26, minimum side yard permitted, which require that the side yards be a minimum of 5 feet. The applicant proposes minimum side yard widths of 1.7 feet along the east property line, and 4.75 feet along the west property line, to accommodate the fact that the existing building, which will remain on the Site, does not meet the required side yards.

Importantly, granting of the use and other variances will not materially affect the essential character of the Site as it relates to surrounding properties nor will there be any materially adverse effect on the surrounding property owners. Furthermore, there will be no effect on the delivery of governmental services. Instead, the granting of the variances will enable the Applicant to lease the property to a person who will provide affordable quality child day care to low-income residents of the City and add to the vibrancy of the surrounding neighborhood.

Furthermore, the granting of the use and other variances will in no way impair an adequate supply of light and air to adjacent property as the existing building will merely be remodeled and a 15 foot by 22 foot two-story addition and an 8 foot by 14 foot unenclosed covered porch will be added. The granting of the variances also will not unreasonably increase the congestion of the public streets, increase the danger of fires, endanger the public safety or unreasonably diminish or impair the public health, safety, comfort, morals or welfare of the inhabitants of the City of Columbus. Traffic congestion will not be materially increased as the Child Day Care Center or Type A Child Care Home will serve primarily the residents at the adjacent Scholar House and thus little additional traffic will be generated. In addition, granting of the variances will decrease the danger of fires by modernizing the building systems, increase the public safety by repurposing a currently vacant house and generally benefit the public health, safety, comfort and welfare of the inhabitants of the City of Columbus of the City of Columbus of the City of Columbus are as the danger of the inhabitants of the city of columbus and thus little additional traffic will be generated. In addition, granting of the variances will decrease the danger of fires by modernizing the building systems, increase the public safety by repurposing a currently vacant house and generally benefit the public health, safety, comfort and welfare of the inhabitants of the City of Columbus by contributing to the revitalization of a currently blighted area of the City and by providing much-needed affordable quality child care to low-income residents of the neighborhood.

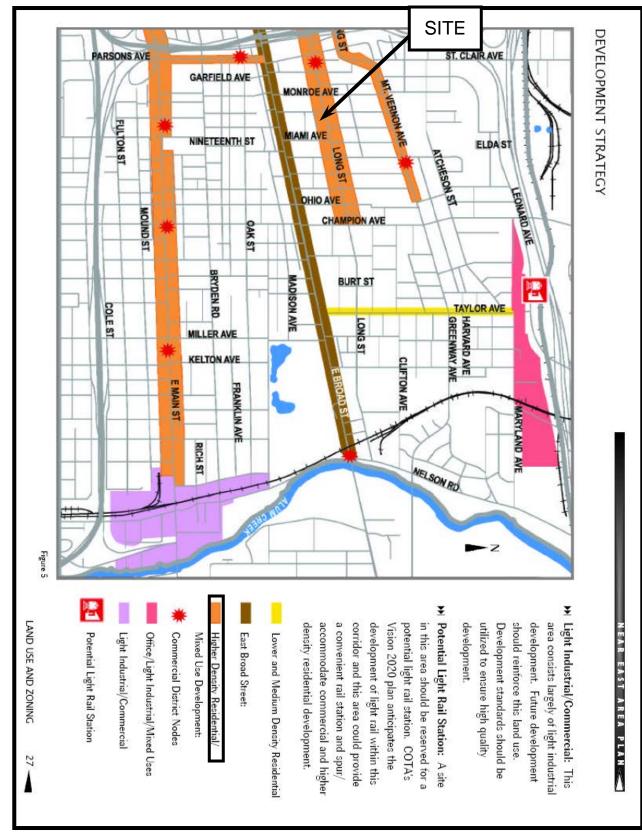
In light of the obvious hardship and the practical difficulties being experienced by it, the Applicants respectfully request that City Council grant the variance to permit the use of the Site as a child day care center or Type A child care home and the associated variances necessary to permit the modernization and re-use of the building on the Site.

### ORD # 2624-2015; CV15-038; Page 5 of 9



CV15-038 923 East Long Street Approximately 0.21 acres





CV15-038 923 East Long Street Approximately 0.21 acres

# ORD # 2624-2015; CV15-038; Page 7 of 9



CV15-038 923 East Long Street Approximately 0.21 acres

### Pine, Shannon L.

From:	Kathleen Bailey <kathleendbailey@hotmail.com></kathleendbailey@hotmail.com>
Sent:	Sunday, October 11, 2015 5:49 PM
То:	Pine, Shannon L.
Subject:	CV15-0' ,

The Near East Area Commission (NEAC) voted (11-0-0) to support CV15-0 to include usages of 92 925 E. Long Street as a Type A child Care or Child Day Care Center. The vote occurred at the October 8th 2015 General Business meeting.

Please contact me with any questions or concerns.

614-582-3053



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#### PROJECT DISCLOSURE STATEMENT

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.

APPLICATION #\_ (VIS-D3

#### STATE OF OHIO COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Harold D. Keller

of (COMPLETE ADDRESS) 88 East Broad Street, Suite 1800, 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 Business or individual's address Address of corporate headquarters City, State, Zip Number of Columbus based employees Contact name and number	
<ol> <li>Ohio Capital Corporation for Housing 88 East Broad Street, Suite 1800 Columbus, OH 43215 43 Columbus based employees Harold D. Keller 614-224-8446</li> </ol>	2.	
з.	4.	
Check here if listing additional property owners on a sepa SIGNATURE OF AFFIANT Sworn to before me and signed in my presence this 23 <sup>12</sup> da	y of June, in the year 2015	
SIGNATURE OF NOTARY PUBLIC	$\frac{\mathcal{U}_{15}}{\mathcal{W}_{2510}}$	Notary Seal Here
This Project Disclosure expires six (	Rebecca S S	tockdole
PLEASE NOTE: Incomplete information Applications must be submitted by a Please make checks payable	DAMESTIC AND AND STATISTICS STATISTICS	the of Ohio as 04-15-2019