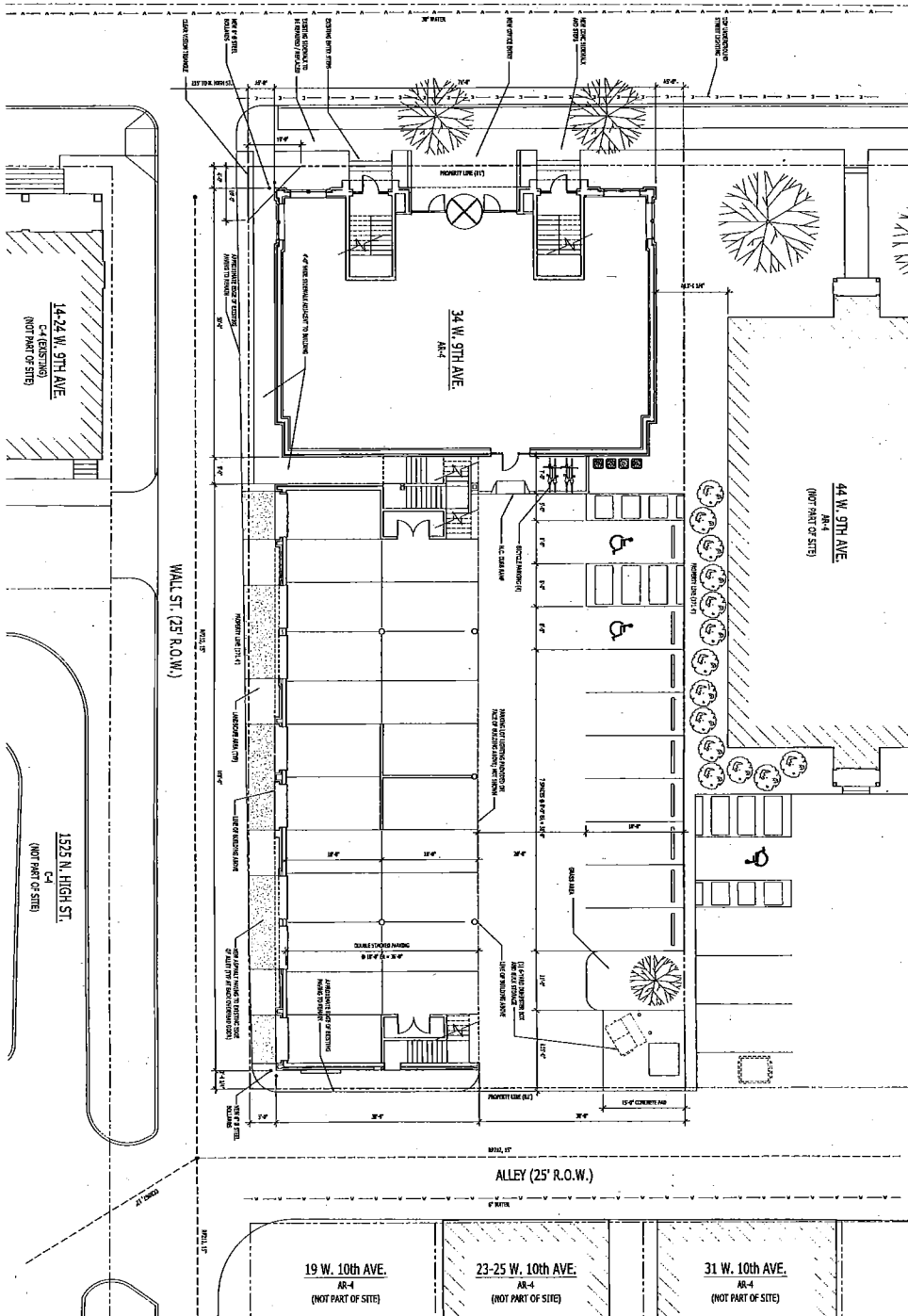
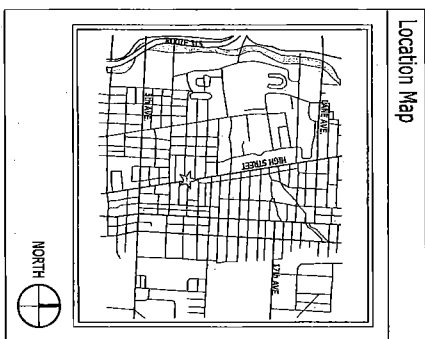


W. 9th AVE. (60' R.O.W.)



Variance Site Plan
1" = 10' 0"



NOTES

1. This site plan is submitted in accordance with the provisions of the City of Columbus, Ohio, and the Board of Public Works.
2. The site plan is submitted for the purpose of obtaining a variance from the existing zoning ordinance.
3. The site plan is submitted for the purpose of obtaining a variance from the existing zoning ordinance.
4. The site plan is submitted for the purpose of obtaining a variance from the existing zoning ordinance.
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9. The site plan is submitted for the purpose of obtaining a variance from the existing zoning ordinance.
10. The site plan is submitted for the purpose of obtaining a variance from the existing zoning ordinance.

David Paul
David Paul
11/23/15

CV15-045 Final Received
11/23/15

SEAL OF THE CITY OF COLUMBUS

RECEIVED
NOV 23 2015

CV15-045

The Apartments at

9th & Wall

34 W. 9th Ave. Columbus, OH 43201

Project Number: 2015-014.1

BUCKEYE REAL ESTATE

Barret Jardine & Associates

300 N. High St. Columbus, OH 43215

614.444.4022

RHYTHM architecture

Dylan Architecture and Design | 51 E. 1st St. Suite 302 Columbus, OH 43215

Phone: 614.444.4022 | Fax: 614.444.4023 | www.rhythm-arch.com

THE CITY OF
COLUMBUS
MICHAEL B. COLEMAN, MAYOR

Council Variance Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov

CV15-045

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 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 the variance requested as detailed below:

See Exhibit B

Signature of Applicant

Donald P. Rank

Date

11/23/15

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

Exhibit B

Statement of Hardship

CV15-045, 34 West 9th Avenue

The site is zoned AR-4, Apartment Residential, presently consists of two (2) tax parcels (010-021983, 010-012756) and is 13,883 +/- SF (0.319 +/- acres). The existing building on the site will be razed for the proposed new construction. Applicant proposes to develop the site with two (2) three (3) story buildings for a total of eight (8) dwelling units and up to 6,400 SF of general office for a property management company. The 6,400 SF of office consists of the ground floor of the building fronting W 9th Avenue and the basement. The new basement exceeds six (6') in height and must be included in the calculation of "calculated floor area" (3372.502 (C), Definitions) because the height of the basement exceeds 6 feet in height. The site is within the University Impact District, and is therefore subject to review by the University Area Review Board (UARB) and is regulated by the AR-4 district and applicable provision of the University Planning Overlay (UPO).

The environment of the site is very urban and adjacent to the major arterial through the campus area. The project requires a variance because of the mixed use with office and residential and preference to not extend commercial zoning west of Wall Street. Given the location and unique characteristics of the campus area, a property management office is completely appropriate for the location. Applicant has a hardship and practical difficulty with compliance with certain development standards, as itemized, due to the mixed use aspect of the project.

Applicant requests the following variances:

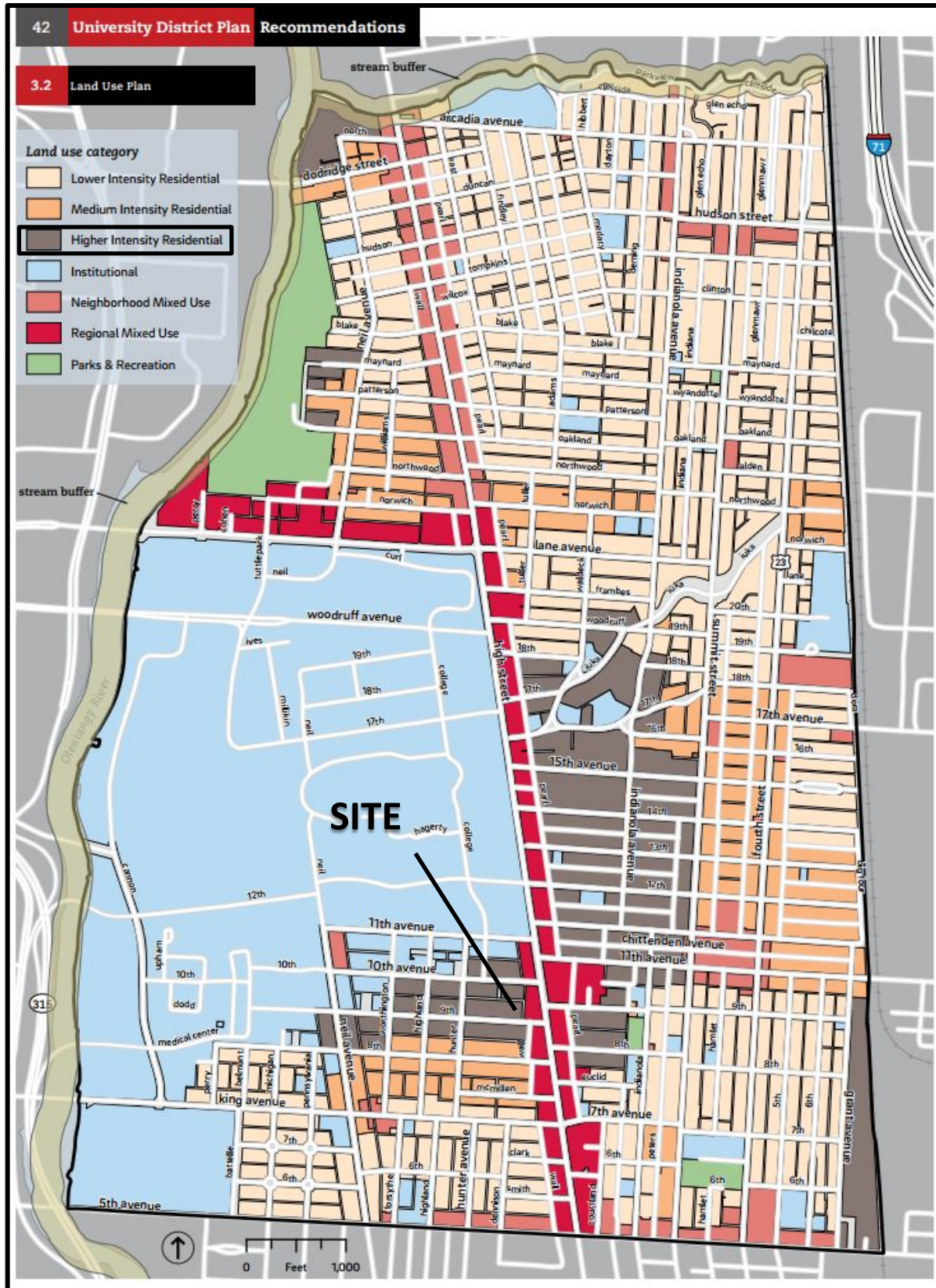
1. Section 3333.035, AR-4, Apartment Residential District Use, to permit 6,400 SF of general office use for a property management company.
2. Section 3333.22, Maximum Side Yard Required, to reduce maximum side yard (14.2') to 10 feet with two (2) side yards of five (5) feet each.
3. Section 3333.24, Rear Yard, to reduce rear yard from 25% to 1.9% of open lot area located behind the rear surfaces of the principal buildings (2), while 28% +/- (3,950 +/- SF) of lot area is located behind the rear building surfaces but, the area is also used for car and bike parking and refuse area.
4. Section 3372.562(A)(B), Landscaped Area and Treatment, which Section requires a minimum of 5% (694 SF) of lot area (13,883 SF) to be landscaped and located behind most rear portion of building, while 84 SF (0.60%) of lot area is located behind (north of) the most rear portion of building parallel to Wall Street (25'), and one parking lot shade tree/10 parking spaces is required to be planted in rear yard, 31 parking spaces are proposed, four (4) shade trees are required in rear yard and one (1) parking lot tree will be provided.
5. Section 3372.563, Maximum Lot Coverage, to increase permitted lot coverage from 30% to 56%.

6. Section 3372.564(A)(B), Parking, to increase permitted parking as a percent of lot area from 35% to 56% and to reduce required parking from 46 spaces to 31 spaces.
7. Section 3372.565, Building Lines to decrease the calculated average setback from 18.5' (adjacent buildings east and west) to 4'.
8. Section 3372.566(C), Building Separation and Size, to reduce building separation from 10 feet to 5 feet and to increase the maximum calculated floor area from 10,200 SF to 18,180 SF, including 3,200 SF of basement in the building fronting W. 9th Avenue.
9. Section 3372.567, Maximum Floor Area, to increase permitted floor area ratio from 0.60 to 0.83 (apartments) and 1.30 (total building area: apartments and office).
10. Section 3372.568, Height, to permit the proposed building to be 35' feet, thereby exceeding the default permitted height (17 – 23 feet).
11. Section 3321.05 (B), Vision Clearance, to reduce the required clear vision triangle at the northwest corner of the intersection of W 9th Avenue and Wall Street (alley) from 10'x10' to 8'x8'.
12. Section 3312.49(C), Minimum Numbers of Parking Spaces Required, which Section requires 15 parking spaces for 6,400 square feet of general office use for a property management company and parking for the eight (8) dwelling units is calculated with the formula contained in Section 3372.564, Parking, of the University Planning Overlay (UPO), which requires 31 spaces for eight (8) dwelling units, for total code required parking of 46 spaces, while the applicant proposes a total of 31 spaces.
13. Section 3333.16, Fronting, to permit a four-unit dwelling to front upon an alley.

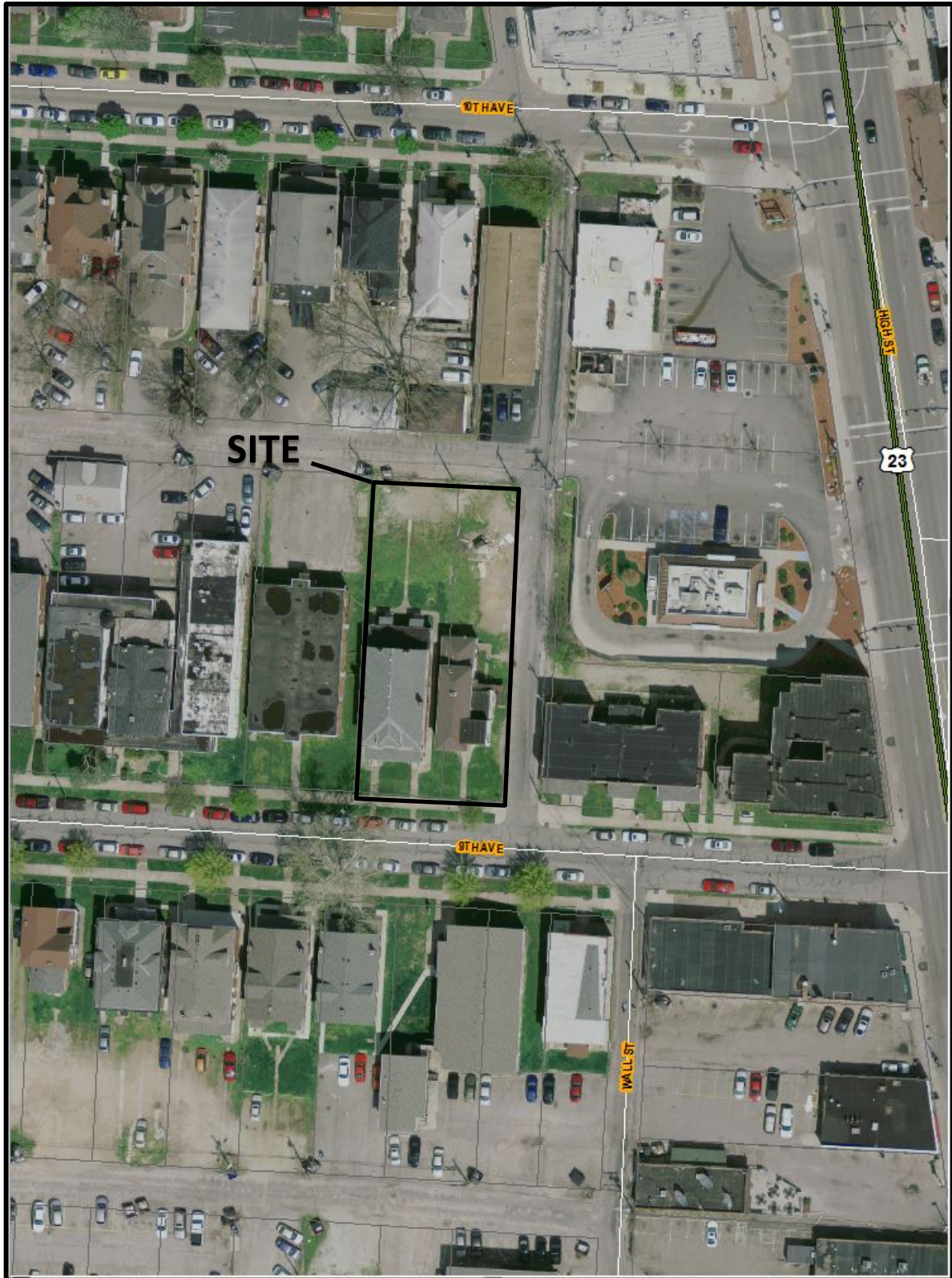
11/23/2015



CV15-045
34 West 9th Avenue
0.32 Acres



CV15-045
 34 West 9th Avenue
 0.32 Acres
 University District Plan (2015)



CV15-045
34 West 9th Avenue
0.32 Acres



City of Columbus
Mayor Michael B. Coleman

University Area Commission

Northwood High Building
2231 North High Street
Columbus, Ohio 43201
(614) 441-8174
www.universityareacommission.org

Serving the University Community for over 30 Years

Doreen Uhas-Sauer
President
Susan Keeny*
1st Vice President
David Hegley
2nd Vice President
Sharon Young
Corr. Secretary
Jennifer Mankin
Recording Secretary
Seth Golding*
Treasurer

August 30, 2015

TO: Shannon Pine
757 Carolyn Ave.
Columbus, OH 43224
Ph: 614-645-2208
spine@columbus.gov

RE: 34 W. 9th Avenue
Council Variance: CV15-045

Rachel Beeman
Craig Bouska*
Pasquale Grado*
Ethan Hansen*
Joyce Hughes*
Rory Krupp*
Kate Neithammer
Colin Odden
Sam Runta
Michael Sharvin
Deb Supelak*
Richard Talbot*
Steve Volkmann
Tom Wildman*

*Denotes Zoning
Committee member

Dear Ms. Pine:

This letter is to inform you that on August 19, 2015 the UAC voted to approve the request for a Council Variance for the construction of a new 8-unit apartment building and a 3,200 SF office for Buckeye Real Estate, in the AR-4 zoning district. The requested variances are as follows:

1. **Section 3333.035, AR4, Apartment Residential District Use:** to permit 3,200 SF of office use for a property management company in an apartment district.
2. **Section 3372.562(A)(B), Landscaped Area & Treatment:** (A) – to permit 84 SF (0.6%) lot area located behind most rear portion of building to be landscaped rather than the min. of 5% (694 SF) of lot area (13,883 SF); (B) – to reduce shade trees from 4 to 0. (1 shade tree per 10 parking spaces = 4 trees/33 parking spaces.)
3. **Section 3372.563, Max. Lot Coverage:** to increase permitted lot coverage from 30% to 56%.
4. **Section 3372.564 (A), Parking:** to increase permitted parking as a percent of lot area from 35% to 58%.
5. **Section 3372.565, Building Lines:** to decrease the calculated average setback of adj. buildings east & west from 18.5 ft. to 4 ft.
6. **Section 3372.566(C), Building Separation & Size:** to increase the max. calculated floor area from 10,200 SF to 14,630 SF.
7. **Section 3372.567, Max. Floor Area:** to increase permitted floor area ratio (F.A.R.) from 0.60 to 0.83 (apartments) & 1.06 (total building area: apartments & office).
8. **Section 3372.568, Height:** to permit 35 ft. height to exceed the default permitted height (17-23 ft.).
9. **Section 3372.22, Max. Side Yard Required:** to reduce max. side yard (16 ft.) to 10 ft. with two side yards of 5 ft. each.

This project was formerly a part of a larger council variance request that had been approved by the University Area Commission in January 2015. The relationship of this current project and its variances to the former project involved some discussion and concern. Once it was understood that the original project was reduced in scale due to unanticipated, city-required infrastructure costs, and that the owner was still committed to the preservation and adaptive reuse of two existing architecturally contributing buildings on that block, there was overall support for the current project and its required variances. There was also appreciation of the amount of parking on site and how it was incorporated into overall building design.

The vote to approve the above variances for the Council Variance for the property located at 34 W. 9th Avenue was: **For – 13; Against – 2; Abstentions – 3.**

Respectfully Submitted,

Susan LM Keeny

Susan Keeny
UAC Zoning Committee Chair
C: 937-479-0201

University Area Review Board

50 West Gay Street, Fourth Floor
Columbus, Ohio 43215-9031
(614) 645-6096 (614) 645-1483 fax

THE CITY OF
COLUMBUS
MICHAEL B. COLEMAN, MAYOR

DEPARTMENT OF
DEVELOPMENT

RECOMENDATION

property address	34 WEST NINTH AVENUE CV15-045
hearing date	August 20, 2015
applicant	Dave Perry (Dave Perry Co.)
issue date	November 24, 2015

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.

The University Area Review Board hereby certifies that the application for the above referenced property and a copy of this Recommendation are on file with the City of Columbus Planning Division within the Development Department. The Board has reviewed the application and taken the following action(s) in accordance with Columbus City Code 3372.580.

☒ Variance or Zoning Change Request

<input checked="" type="checkbox"/>	Rezoning
<input type="checkbox"/>	Parking Variance
<input checked="" type="checkbox"/>	Change of Use
<input type="checkbox"/>	Lot Split

<input type="checkbox"/>	Special permit
<input checked="" type="checkbox"/>	Setbacks
<input checked="" type="checkbox"/>	Other

TYPE(S) OF ACTION(S) REQUESTED:

In a unanimous 5-0 vote of the University Area Review Board, the Board recommended to:

To support the requested variances to advance the current design proposal.

RECOMMENDATION:

<input checked="" type="checkbox"/> SUPPORT REQUESTED VARIANCE OR ZONING CHANGE	<input type="checkbox"/> DO NOT SUPPORT REQUESTED VARIANCE OR ZONING CHANGE	<input type="checkbox"/> NO ACTION TAKEN
--	--	--

THIS RECOMMENDATION IS FOR CONSIDERATION BY THE DESIGNATED REGULATORY AUTHORITY FOR THE ACTION(S) REQUESTED AS INDICATED.

Daniel Ferdelman
University Area Review Board, Staff

Council Variance Application

757 Carolyn Avenue, Columbus, Ohio 43224
 Phone: 614-645-7433 • www.bzs.columbus.gov

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 #

CV15-045

STATE OF OHIO
 COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald Plank
 of (COMPLETE ADDRESS) Plank Law Firm, 145 E. Rich Street, FL 3, 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

<p>1. Garland Properties, Ltd. PO Box 8310 Columbus, OH 43201 # Columbus based employees: 0 Contact: Wayne Garland (614) 294-0444</p>	<p>2.</p>
<p>3.</p>	<p>4.</p>

☐ Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT

Donald Plank

Sworn to before me and signed in my presence this 10th day of JULY, in the year 2015

Barbara A. Bainter
 SIGNATURE OF NOTARY PUBLIC

AUGUST 3, 2020
 My Commission Expires

Notary Seal Here

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

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