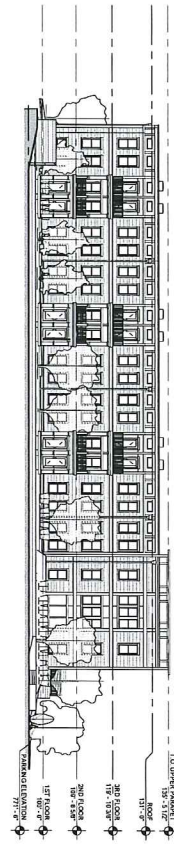
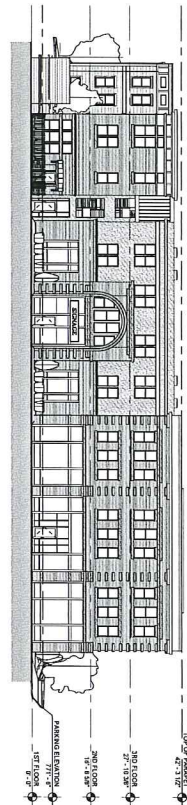




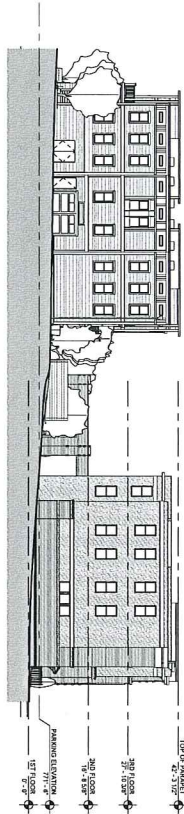
*David Hodge - author,  
Underhill Yarns + Hodge LLC  
February 12, 2016*



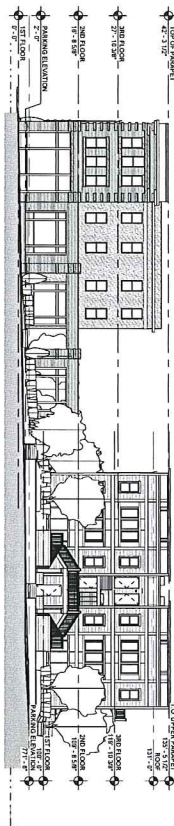
SOUTH ELEVATION (PARKING) (F)  
1/8" = 1'-0"



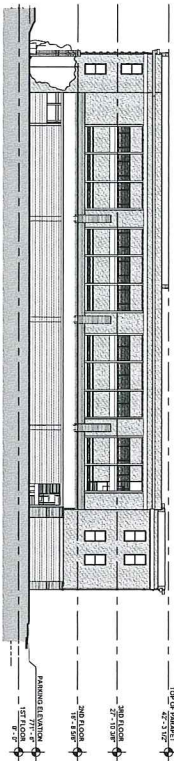
SOUTH ELEVATION (5TH AVE) (C)  
1/8" = 1'-0"



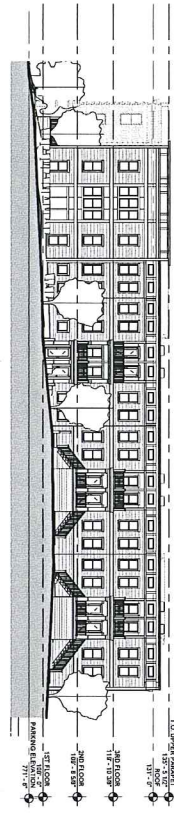
WEST ELEVATION (E)  
1/8" = 1'-0"



EAST ELEVATION (B)  
1/8" = 1'-0"



NORTH ELEVATION (PARKING) (D)  
1/8" = 1'-0"



NORTH ELEVATION (ALLEY) (A)  
1/8" = 1'-0"

BURWELL POINT  
114 5TH AVE

**SHREMSHOCK**

SHREMSHOCK ARCHITECTS, INC.  
7400 West Campus Road Suite 150 New Albany, OH 43054  
1614 545 4550 1614 545 4555 www.shremshock.com

DATE: 02/01/16  
TIME: 10:00 AM  
SCALE: 1/8" = 1'-0"  
SHEET: 150309  
DRAWING NUMBER: 150309  
PROJECT: BURWELL POINT  
CLIENT: UNDERHILL YARNS + HODGE LLC  
ARCHITECT: SHREMSHOCK ARCHITECTS, INC.  
1614 545 4550 1614 545 4555 www.shremshock.com

**V1.3**

NOTED: 2/10/16 12:00 PM





DEPARTMENT OF BUILDING  
AND ZONING SERVICES

## Council Variance Application

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 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:**

Please see attached Statement of Hardship.

Signature of Applicant By:

Date

3/31/16

**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**

### **Statement of Hardship**

The owner/applicant is seeking council variances for property consisting of .702 +/- acres, generally located to the northeast of the intersection of East Fifth Avenue and Frances Place and to the northwest of the intersection of East Fifth Avenue and Summit Street, and having the address of 114 East Fifth Avenue, Columbus, Ohio 43215. This site is currently zoned C-4. The current zoning of the property directly to the north of the site is AR-1, to the east is R-4 and C-4, to the south is R-4 and C-4 and directly to the west is R-4.

The owner/applicant is seeking these variances to allow for the redevelopment of this site to include a three story mixed use building and a three story townhome building with residential units, in addition to both covered and uncovered parking.

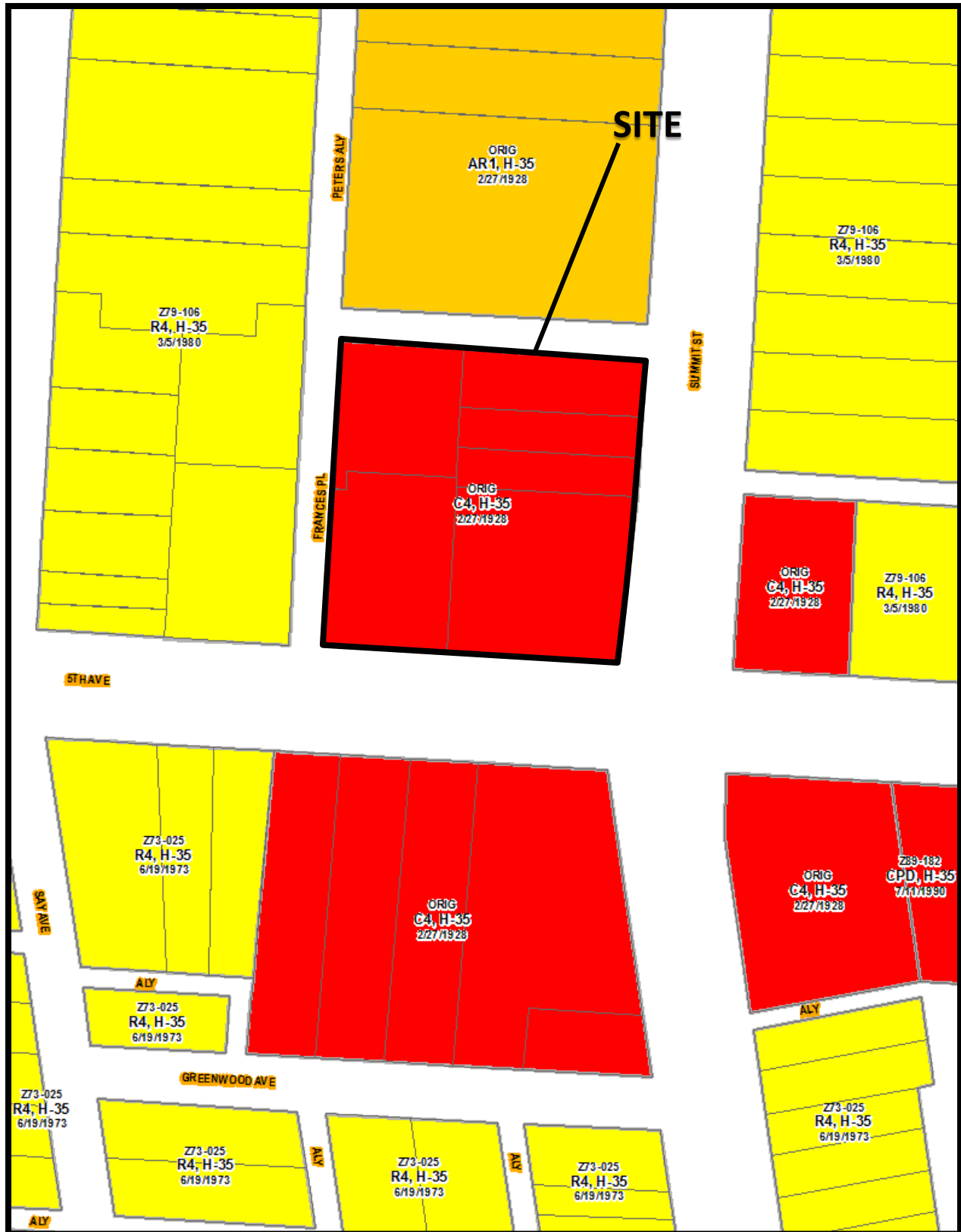
Accordingly, this application requests the following variances:

- 3356.03: Use variance to allow for residential uses on the first floor of buildings located in the C-4 zoning district;
- 3309.14: Variance to increase the permitted maximum building height on the site to 45 feet;
- 3312.21.A: Variance to reduce the number of required shade trees to be installed within parking areas from 4 trees to 0 trees;
- 3312.21.A.2: Variance to reduce the minimum required soil area and landscaped islands or peninsulas from 145 square feet per tree to 0 square feet per tree;
- 3312.49: Variance to reduce the number of required parking spaces from 58 spaces to 46 spaces. With this reduced number of parking spaces no restaurant uses shall be permitted to be operated on the site;
- 3321.05.B.2: Variance to allow encroachment into the 30' vision clearance at the corner of 5<sup>th</sup> and Summit and into the 10' vision triangle at Frances and 5<sup>th</sup>; and
- 3356.11: Variance to allow buildings containing residential uses to be subject to the minimum required building setbacks from public rights-of-way that are applicable to permitted uses in the C-4 zoning district. The applicant seeks to provide for a minimum building setback of 8 feet from the right-of-way of Summit Street, as measured prior to the required dedication of right-of-way at the northwest corner of 5<sup>th</sup> Avenue and Summit Street as detailed in that certain letter dated March 10, 2016, from Patti Austin to David Hodge.

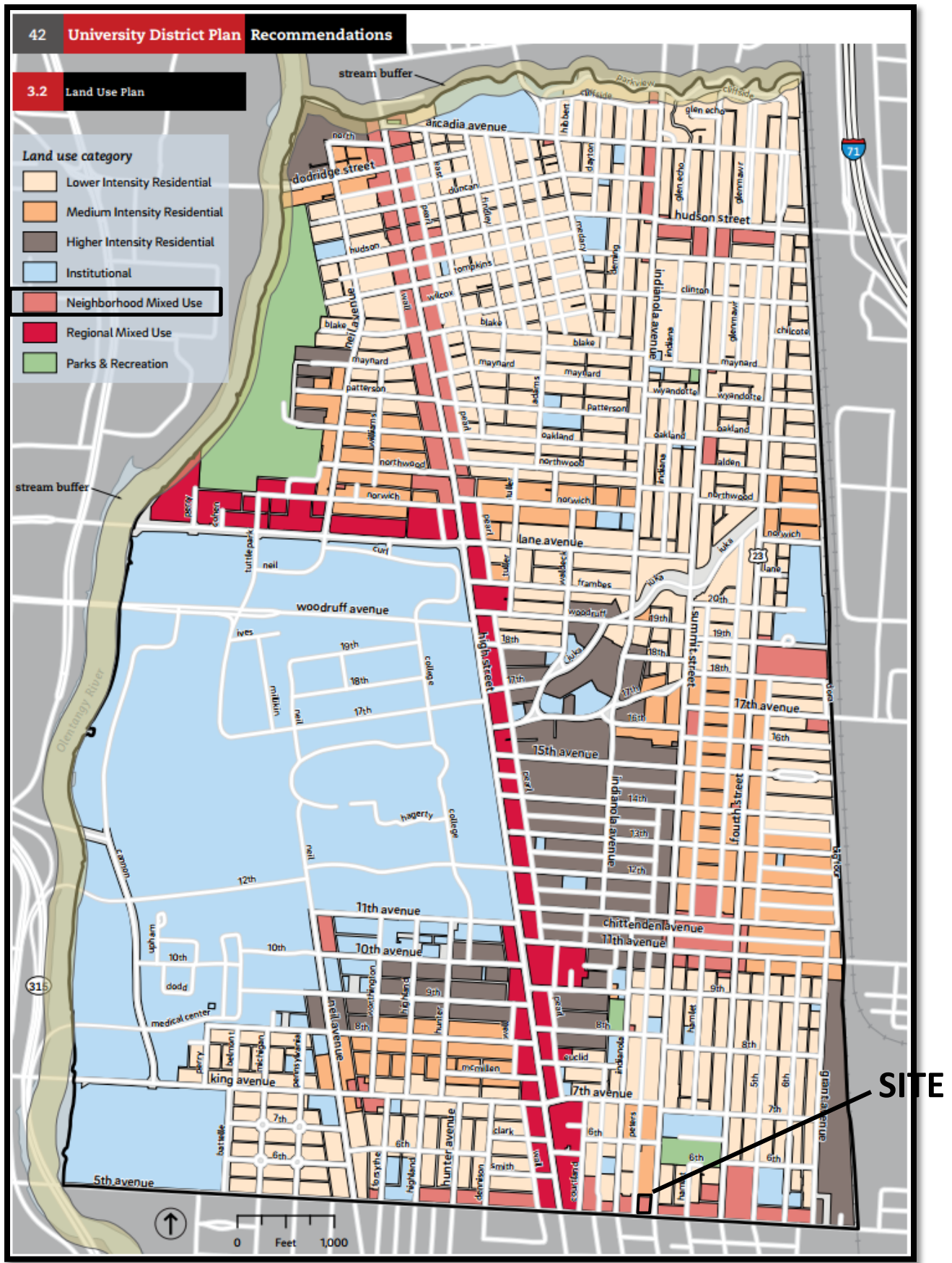
The use variance being requested will allow for a mix of commercial and residential uses on the site in a manner that is consistent with recent redevelopment trends in the area. The area variances are necessary in order to maximize the redevelopment potential of this property. The property is bounded by public streets or alleys on all sides, making strict conformance with all of the zoning provisions of the City Code a practical difficulty. The building setback reduction is a byproduct of this scenario. Smaller setbacks are common in the area and the buildings that are proposed for this site are of a size and scale of buildings with light commercial uses. The increase in permitted building height will allow for an appropriate density for residential units that make that will allow this to be a true mixed use project and will drive the economics of redeveloping a site of relatively small size. The reduction in required parking

and the adjustments to the strict application of landscaping requirements within parking areas recognize that this is an urban location and will balance the need to park the uses on the site with the goal of encouraging pedestrian activity in the area.

These variances will not impair an adequate supply of light and air to the adjacent property, will not unreasonably increase the congestion of public streets, will not increase the danger of fires, or endanger the public safety. Further, these variances will not unreasonably diminish or impair the public health, safety, comfort, morals or welfare of the inhabitants of the City of Columbus.



CV15-058  
114 East Fifth Avenue  
Approximately 0.7 acres



CV15-058  
 114 East Fifth Avenue  
 Approximately 0.7 acres





CV15-058  
114 East Fifth Avenue  
Approximately 0.7 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](http://www.universityareacommission.org)

*Serving the University Community for over 30 Years*

Doreen Uhas-Sauer  
President

Susan Keeny\*  
1<sup>st</sup> Vice President

David Hegley  
2<sup>nd</sup> Vice President

Sharon Young  
Corr. Secretary

Recording Secretary

Seth Golding\*  
Treasurer

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

James Burdin  
757 Carolyn Ave.  
Columbus, OH 43224  
Ph: 614-645-1341  
[JEBurdin@columbus.gov](mailto:JEBurdin@columbus.gov)

November 30, 2015

RE: 114 E. 5th Avenue  
Council Variance: CV15-058

Dear Mr. Burdin & Ms. Pine:

This letter is to inform you that on November 18, 2015 the University Area Commission (UAC) had a tie vote, which is a vote of *disapproval*, regarding the request for a Council Variance for the new mixed-use project proposed for 114 E. 5<sup>th</sup> Avenue. The revised site plan, dated 11/02/15, which was submitted, included the following Variances:

1. Section 3356.03, C-4 Permitted uses: to permit residential uses on the 1st floor of buildings located in a C4 zoning district.
2. Section 3309.14, Height districts: to permit maximum building height to be 45 ft. in a max. 35 ft. height district.
3. Section 3312.21(A), Landscaping & screening: to permit the number of required shade trees to be reduced from 4 to 0 trees.
4. Section 3312.21(A)(2), Landscaping & screening: to permit the min. required soil area in landscaped islands or peninsulas to be reduced from 145 SF to 0SF.
5. Section 3312.49, Minimum numbers of parking spaces required: to permit the number of required parking spaces to be reduced from 58 to 46 parking spaces.
6. Section 3356.11, C-4 district setback lines: to permit buildings with a residential use to be subject to the same minimum building setback requirements from the R.O.W. as apply to C4 permitted uses – this would be an 8 ft. setback from the Summit St. R.O.W.

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

\*Denotes Zoning  
Committee member

Opinions on the variances requested focused principally on the variances regarding setbacks and parking. Commercial sites are exempt from vision clearance requirements, but concerns remained regarding the line-of-sight at the Summit St. and 5th Ave. intersection, particularly given the new bike lanes installed along Summit St. The requested parking reduction decreased by the elimination of a first floor restaurant use, and was viewed by some as an improvement to the site plan. However, some commissioners supported the original proposed use (restaurant) as a realistic one for the property and a contribution to the neighborhood's quality of life.

In addition, some commissioners noted that the increased density and reduced parking requirement were appropriate to a site on the University District's border; other commissioners regarded the project as, on balance, too large and too dense for the site. These issues received forceful discussion yet did not result in a clear majority one way or the other – as revealed by the vote. The request for variances did not receive majority support.

**Council Variance CV15-058: For – 7; Against – 7; Abstentions – 0.**

Respectfully Submitted,  
*Susan LM Keeny*  
Susan Keeny  
UAC Zoning Committee Chair  
C: 937-479-0201

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

### 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 # CV15-058

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) David Hodge, Esq.

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  
Business or individual's address  
Address of corporate headquarters  
City, State, Zip  
Number of Columbus based employees  
Contact name and number

1. Burwell Investments LLC 1920 Beverly Road Columbus, Ohio 43221 0 employees Brad Howe - 614.946.4693	2.
3.	4.

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

SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 31<sup>st</sup> day of March, in the year 2016

SIGNATURE OF NOTARY PUBLIC

My Commission Expires

Notary Seal Here



KIMBERLY R. GRAYSON  
Notary Public, State of Ohio  
My Commission Expires  
January 11, 2021

This Project 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