

DEPARTMENT OF BUILDING  
AND ZONING SERVICES

**COUNCIL VARIANCE APPLICATION**

**Department of Building & Zoning Services**

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

**STATEMENT OF HARDSHIP**

Application Number: CV18-010

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

**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 discovered after your application is approved, a new application 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'

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

Attorney: Donald Plank (Donald Plank, Plank Law Firm) Date 2/20/18

Consultant: Dave Perry (Dave Perry, David Perry Company, Inc.) Date 2-20-18

**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**

#### **CV18-010, 819 Cleveland Avenue, Columbus, OH 43201**

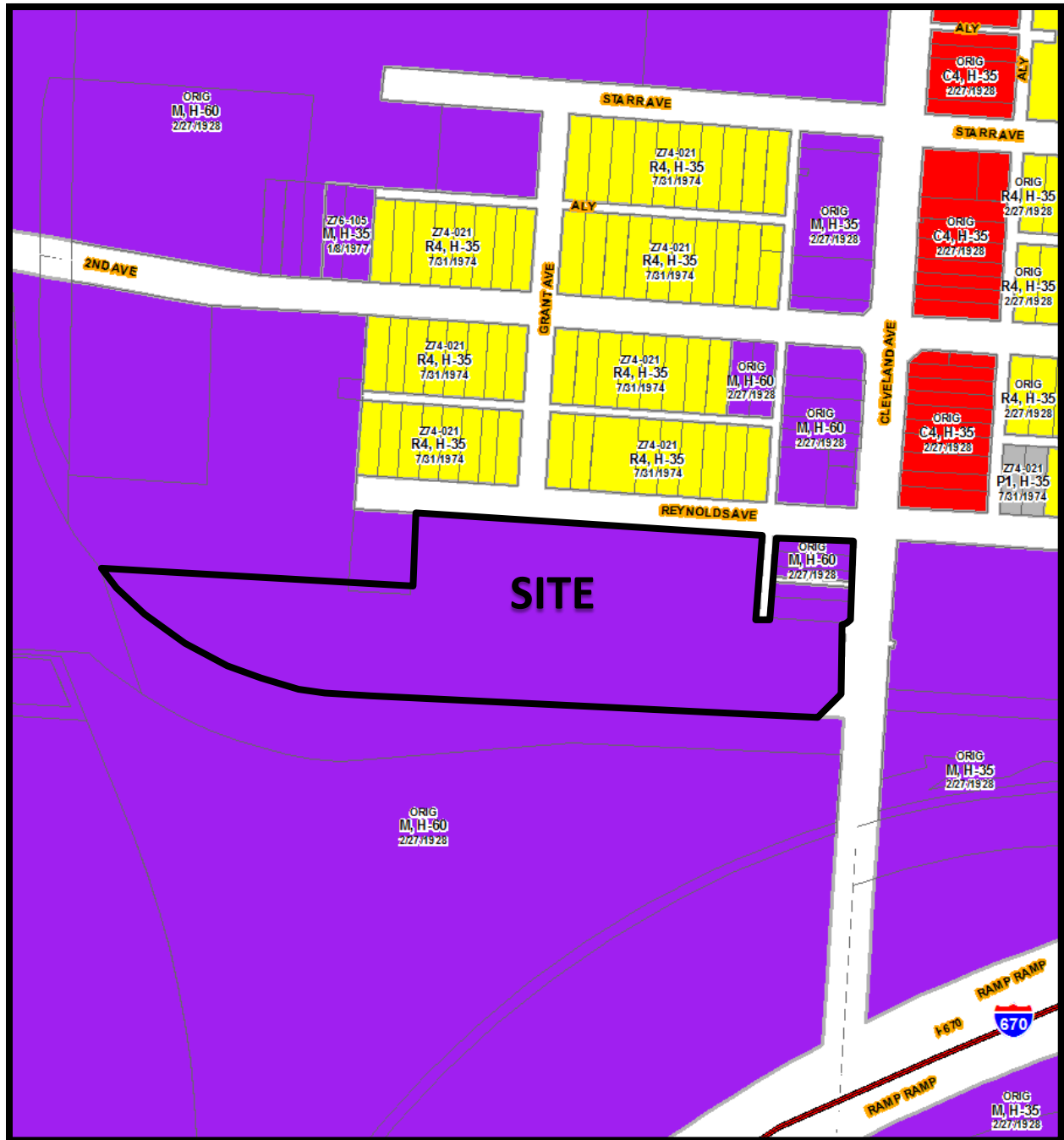
The subject property is 5.4 +/- acres located on the west side of Cleveland Avenue and the south side of Reynolds Avenue. It is presently zoned M, Manufacturing. Applicant has submitted an application to rezone (Z18-009) the site to the L-AR-2, Limited Apartment Residential District to build a 192 dwelling unit apartment complex. This Council Variance application is submitted for certain standards variances as a companion ordinance to the rezoning. The Site Plan titled "Cleveland Avenue Apartments", hereafter "Site Plan", dated 06-20-18 is submitted with this application.

Applicant has a physical and practical difficulty warranting variances from these site standards. The site is an urban development to which a suburban yard design standard, Perimeter Yard, is applied vs. typically closer urban setbacks. Parking is provided at one (1) space per bedroom. Approximately 80% of the dwelling units will be one (1) bedroom units. There is no zoning district to which the site could be rezoned without the need for standards variances for the proposed development. The proposed standards variances are reasonable for the site, are not substantial, and do not alter the essential character of the neighborhood nor impact the delivery of government services.

Applicant requests the following variances:

- 1). Section 3312.49, Minimum Numbers of Parking Spaces Required, to reduce required parking from 1.5 spaces/dwelling unit (288 spaces) to 1.18 spaces/dwelling unit (227 spaces).
- 2). Section 3321.05(B)(2), Vision Clearance, to reduce the 30'x30' clear vision triangle at the southwest corner of Cleveland Avenue and Reynolds Avenue to 10'x10', net of 10' of Cleveland Avenue right of way dedication, as shown on the Site Plan.
- 3). Section 3333.18(A), Building Lines, to reduce the Cleveland Avenue building setback line from 60 feet (Thoroughfare Plan) to two (2) feet, net of ten (10) feet of right of way dedication to the City of Columbus, and to reduce the Reynolds Avenue building setback from a 20' calculated building setback to ten (10) feet, both as shown on the Site Plan.
- 4). Section 3333.255, Perimeter yard, to reduce perimeter yard from 25' to 0 – 15 feet to permit structures and pavement for parking and aisles in the perimeter yard, as shown on the Site Plan

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06-20-18



CV18-010  
819 Cleveland Avenue  
Approximately 5.4 acres



*Milo Grogan Neighborhood Plan (2007)*

CV18-010  
819 Cleveland Avenue  
Approximately 5.4 acres





CV18-010  
819 Cleveland Avenue  
Approximately 5.4 acres

**STANDARDIZED RECOMMENDATION FORM**

**Department of Building & Zoning Services**

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224-3218

Phone: 614-645-7433 www.columbus.gov

**FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW**

Case Number: Z18-009 / CV18-010

Address: 819 Cleveland Avenue

Group Name: Milo Grogan Area Commission

Meeting Date: \_\_\_\_\_

Specify Case Type:

- ☐ BZA Variance / Special Permit  
☒ Council Variance  
☒ Rezoning  
☐ Graphics Variance / Plan / Special Permit

Recommendation:

(Check only one)

- ☒ Approval  
☐ Disapproval

**NOTES:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Vote: 5 YES  
1 NO

2-ADJUTANT

Charles P. P. 3/13/18.  
Manuel P. 3/13/18  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of Authorized Representative:

SIGNATURE

President, Milo Grogan Area Commission

RECOMMENDING GROUP TITLE

DAYTIME PHONE NUMBER

Please e-mail this form to the assigned planner within 48 hours of your meeting day; or FAX to Zoning at 614-645-2463; or MAIL to: Assigned Planner, City of Columbus, Department of Building & Zoning Services, 757 Carolyn Avenue, Columbus, OH 43224.



THE CITY OF  
**COLUMBUS**  
ANDREW J. GINTHER, MAYOR

DEPARTMENT OF BUILDING  
AND ZONING SERVICES

**COUNCIL VARIANCE APPLICATION****Department of Building & Zoning Services**

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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 Number: CV18-010

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald Plank (Plank Law Firm)  
of (COMPLETE ADDRESS) 411 East Town Street, 2nd Floor, Columbus, Ohio 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

1. Avenue Partners 100 West Third Avenue, 240R Columbus, Ohio 43201 # of Columbus Based Employees: 2 Contact: Paul Pardi (614) 721-1101	2. EJB, Inc. 805 Cleveland Avenue Columbus, Ohio 43201-3611 # of Columbus Based Employees: 1 Contact: R. C. Robinson (614) 294-5217
3. _____	4. _____

☐ 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 20<sup>th</sup> day of February, in the year 2018

Notary Seal Here

SIGNATURE OF NOTARY PUBLIC

Stacey L. Danza

11-5-2018  
My Commission Expires



Stacey L. Danza  
Notary Public, State of Ohio  
My Commission Expires 11-05-2018

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