


[illegible]

**PROJECT**

**New Apartments**

95-113 E. 11th Ave.  
Columbus, Ohio 43201



Bradley A. McQuinn, 30 Victoria Estates  
© 2013 All Rights Reserved  
I am a duly Licensed Professional Engineer in the State of Ohio, No. 11518, and I hereby certify that I am the author of the design and calculations shown on this drawing. I am not providing this drawing for use on any other project without my written consent. I am not providing this drawing for use on any other project without my written consent. I am not providing this drawing for use on any other project without my written consent.

**SHEET INFORMATION**

Project #: 2013-001  
Issued For: General  
Date: 7/20/18

**Revision:**

NO.	DESCRIPTION	DATE

**SHEET TITLE**

Site Plan

**SHEET NUMBER**

CV18-042

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

DEPARTMENT OF BUILDING  
AND ZONING SERVICES

## Council Variance Application

111 North Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • www.columbus.gov/bzs • zoninginfo@columbus.gov

### STATEMENT OF HARDSHIP

Application #: CV18-042

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

Attorney: Donald Plank

Date

(Donald Plank, Plank Law Firm) Date 5/25/18

Consultant: Dave Perry

(Dave Perry, David Perry Company, Inc.) Date 5-25-18

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**

#### **CV18-042, 99 E 11<sup>th</sup> Avenue, Columbus, OH 43201**

The subject property is 0.703 +/- acres (30,625 SF) located on the south side of E. 11<sup>th</sup> Avenue, 630 +/- feet east of North High Street and 55 +/- feet east of the Gateway Parking Garage. The is zoned AR-4, Apartment Residential and is within the University Planning Overlay (UPO). E 11<sup>th</sup> Avenue is a high density and high intensity arterial corridor connecting N. High Street, I-71 and Cleveland Avenue.

The site is developed with five (5) existing buildings fronting on E 11<sup>th</sup> Avenue. The existing buildings are: 95 E 11<sup>th</sup> Avenue (4 dwelling units), 97 – 99 E 11<sup>th</sup> Avenue (2 dwelling units), 101-103 E 11<sup>th</sup> Avenue (2 dwelling units), 107-109 E 11<sup>th</sup> Avenue (2 dwelling units), and 113 E 11<sup>th</sup> Avenue (4 dwelling units). All of the existing buildings/dwelling units need remodeling and upgrades. Applicant also proposes to build a new eight (8) townhouse dwelling unit to the rear (south) of the buildings fronting E 11<sup>th</sup> Avenue. The 95 E 11<sup>th</sup> Avenue and 113 E 11<sup>th</sup> Avenue buildings will be reduced to three (3) dwelling units each. A total of 20 dwelling units are proposed with 14 existing, reduced to 12, and 8 new dwelling units. All five (5) tax parcels will be combined for the total 20 dwelling units to be on one (1) tax parcel. A total of 44 parking spaces will be provided with both surface and garage parking, as depicted on the Site Plan. The site plan titled “Site Plan – New Apartments, 95 – 113 E 11<sup>th</sup> Avenue, Columbus, OH, 43201”, dated 7-30-18, is submitted with this application. The five (5) tax parcels of the site shall be combined in conjunction with approval of the final Site Compliance Plan.

Standards from the 1991 UPO are applicable to the site, but development in the campus area, particularly on and close to N High Street has changed dramatically. Development is now larger/vertical. The 1991 parking formula was designed to discourage larger buildings, higher square footage and more bedrooms per unit, while urban development particularly on arterial corridors, has changed dramatically. Applicant has a practical difficulty with compliance with the itemized code sections. The use variance is very technical due to the Zoning Code requiring two (2) dwelling unit buildings to be on separate, individual parcels.

Applicant requests the following variances:

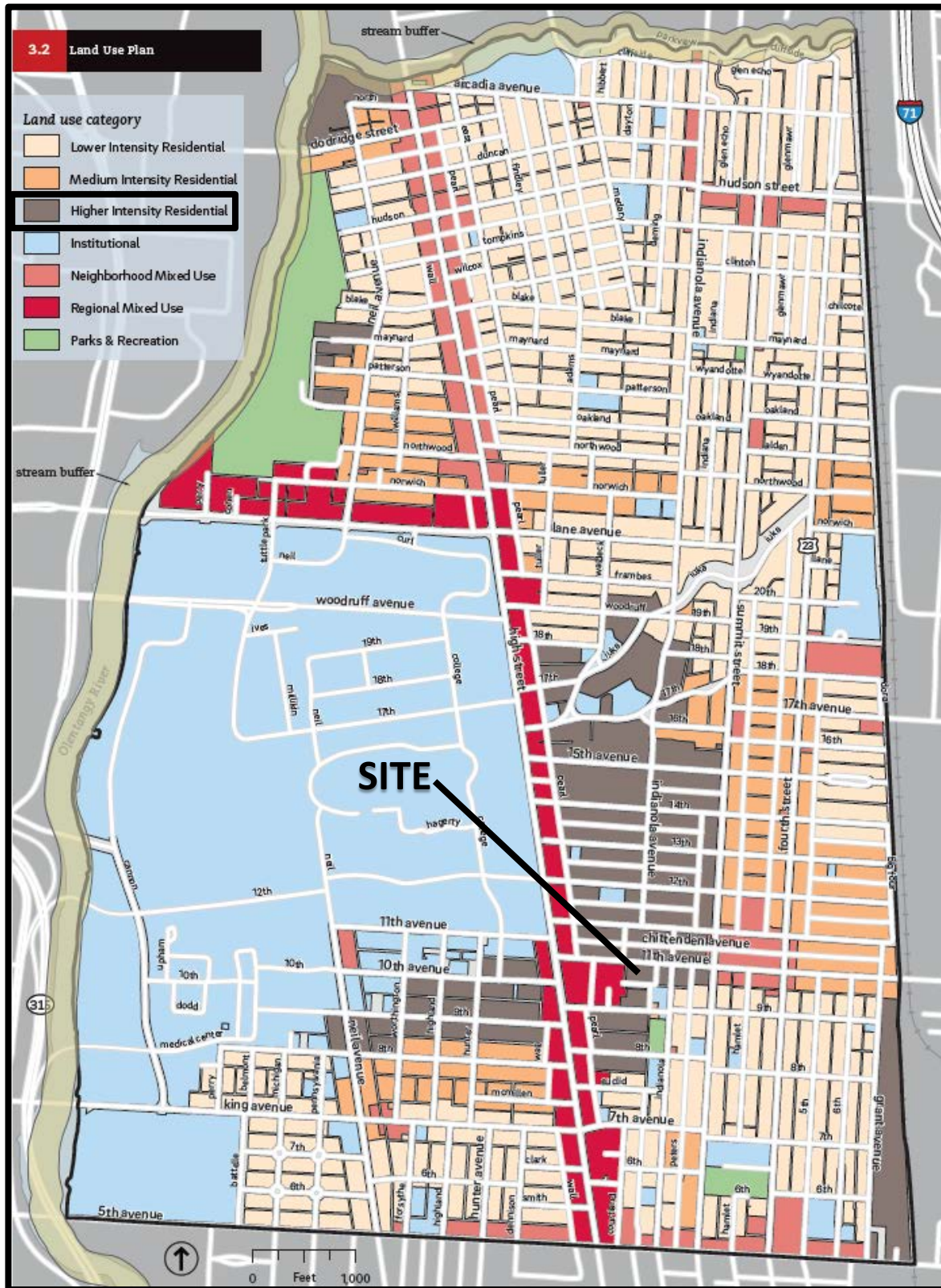
- 1). Section 3333.035, AR-4, Apartment Residential District Use, to permit three (3) existing two (2) dwelling unit buildings, to permit the change of use of two (2) existing four (4) dwelling unit buildings to three (3) dwelling units each, and to permit a proposed new eight (8) dwelling unit building for a total of 20 dwelling units, all located on one (1) tax parcel, thereby permitting the mix of two (2) unit, three (3) unit and eight (8) unit buildings on one tax parcel.
- 2). Section 3325.705, Supplemental Parking Requirements, to permit pavement of part of the west perimeter yard for a driveway to enclosed and surface parking.

99 East Eleventh Avenue  
Approximately 0.70 acres

- 3). Section 3325.905(A), Maximum Lot Coverage, to increase lot coverage from 30% to 39%.
- 4). Section 3325.907(A)(B), Parking, to increase lot area devoted to parking and maneuvering from 35% to 43% and to decrease required parking from 66 spaces to 44 spaces.
- 5). Section 3325.911(C), Building Separation and Size, to increase the permitted calculated floor area of the new eight (8) dwelling unit building from 10,200 SF to 11,640 SF.
- 6). Section 3325.913, Maximum Floor Area Ratio (FAR), to increase FAR from 0.60 to 0.87 including FAR of the 5 existing buildings and the proposed new building.
- 7). Section 3333.255, Perimeter Yard, to reduce perimeter yard from 17.5 feet to the following: East: 2' for existing E 11<sup>th</sup> Avenue dwelling and zero (0) for part of the parking lot; South: zero (0) for driveways to the new 8 dwelling unit building and to ten (10) feet for the proposed building setback; and west: zero (0) to three (3) feet for pavement and existing dwelling side yard, respectively, as depicted on the Site Plan.
- 8). Section 3333.16, Fronting, to permit the new 8 dwelling unit building to not front on a public street, as defined, while it will front on and have access from E. 10<sup>th</sup> Avenue.

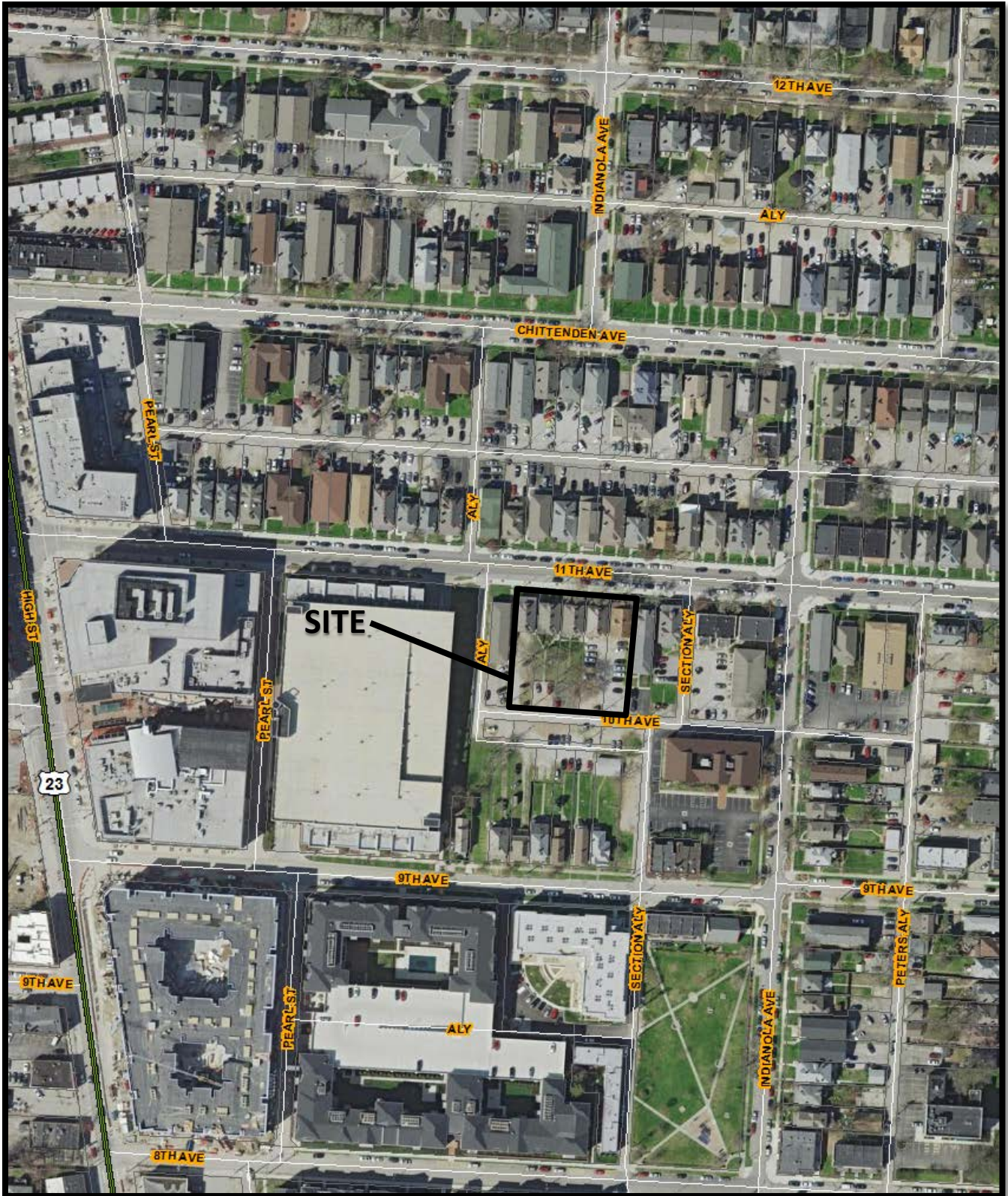


University District Plan (2015) – “Higher Intensity Residential” Recommended



CV18-042  
99 East Eleventh Avenue  
Approximately 0.70 acres





CV18-042  
99 East Eleventh Avenue  
Approximately 0.70 acres



City of Columbus  
Mayor Andrew J. Ginther

ORD # 2507-2018; CV18-042; Page 8 of 11  
**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

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Abby Kravitz  
Rory Krupp  
Michael Sharvin  
Lauren Squires  
Steve Volkmann  
Tom Wildman

TO: Shannon Pine  
111 North Front Street  
Columbus, OH 43215  
Ph: 614-645-  
[spine@columbus.gov](mailto:spine@columbus.gov)

RE: CV18-042  
Shannon:

July 28, 2018

This letter is to inform you that on July 18, 2018, the University Area Commission (UAC) voted to approve the council variance for the property located at **99 E. 11<sup>th</sup> Avenue**.

The project proposes variances to redevelop the 5 lots with two (2) apartment buildings totaling **22** dwelling units. The variances being requested:

1. Section 3333.035, AR4, Apartment Residential District Use: to permit 3 existing 2-dwelling unit buildings as part of the total of 22 dwelling units, and all dwelling units will be located on 1 tax parcel, thereby permitting 3, 2-dwelling unit buildings, not on separate parcels, in conjunction with 2, 4-dwelling unit buildings on the proposed 8-unit building.
2. Section 3325.705, Supplemental Parking Requirements: to permit pavement of part of the west perimeter yard for a driveway to surface parking.
3. Section 3325.905(A), Maximum Lot Coverage: to increase lot coverage from **30% to 39%**.
4. Section 3325.907(A)(B), Parking: to increase lot area devoted to parking and maneuvering from **35% to 43%**, & to decrease required parking from **86 spaces to 44 spaces**.
5. Section 3325.911(C), Building Separation and Size: to increase the permitted calculated floor area of the new 8-unit building from the code-maximum **10,200 SF to 11,640 SF**.
6. Section 3325.913, Max. Floor Area Ratio (F.A.R.): to increase F.A.R. from **0.60 to 0.87**, including F.A.R. of the 5 existing buildings and the proposed new building.
7. Section 3333.255, Perimeter Yard: to reduce perimeter yard from 17.5 feet to: **East**: 0-3 ft. for dumpster, maneuvering area for the proposed parking lot & the existing east side yard of 113 E. 11<sup>th</sup> Ave. **South**: zero for driveways to the new 8-dwelling -unit building and to 10 ft. for the proposed building setback; and **West**: 2-3 ft. for pavement and existing west side yard of 95 E. 11<sup>th</sup> Avenue, respectively, as depicted on the Site Plan dated 4/27/2018.
8. Section 3333.16, Fronting: to permit the new 8-dwelling-unit building to not front on a public street, as defined, while it will front on and have access from E. 10<sup>th</sup> Avenue.

From the beginning, the applicant worked with all stake holders involved with this proposed project – the UAC Zoning Committee, Weinland Park Housing Committee, and the UIDRB – which was noted and appreciated by the UAC. Keeping the existing 5 houses along E. 11<sup>th</sup> was a very positive approach to the project. Adding townhouses to the lot that fronts on the E. 10<sup>th</sup> alley is an appropriate place to add density and will improve this barren lot & alleyway. It is a good example of how to activate a leftover urban space and provide more ‘eyes on the street’, which will help make the area safer. The Commission was very supportive of this project.

**The vote to approve the above variance request was: For – 11; Against – 0; Abstentions – 0.**

Respectfully Submitted,  
Susan Keeny  
UAC Zoning Committee Chair  
c: 937-479-0201



	<b>RECOMMENDATION</b>
zoning case no.	<b>CV18-042</b>
property address	<b>99 EAST 11<sup>TH</sup> AVENUE</b>
hearing date	<b>JUNE 28, 2018</b>
applicant	<b>BRADLEY BLUMENSHEID (DKB ARCHITECTS)</b>
issue date	<b>AUGUST 28, 2018</b>

*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 (614-645-4522 / 111 North Front Street, First Floor) and following all other applicable codes and ordinances of the City of Columbus.*

The University Impact District 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 of Department. The Board has reviewed the application and taken the following action(s) in accordance with Columbus City Code 3325.115.

#### Variance or Zoning Change Request

☐  
☒  
☐  
☐

Rezoning  
 Parking Variance  
 Change of Use  
 Lot Split

☐  
☐  
☐  
☒

Graphics  
 Special permit  
 Setbacks  
 Other

#### TYPE(S) OF ACTION(S) REQUESTED:

**To support the requested variances that allow the proposal as presented to advance for later design review.**

#### RECOMMENDATION:

☒

SUPPORT REQUESTED VARIANCE  
OR ZONING CHANGE

☐

DO NOT SUPPORT REQUESTED  
VARIANCE OR ZONING CHANGE

☐

NO ACTION TAKEN

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

Daniel Ferdelman  
 University Impact District Review Board, Staff



DEPARTMENT OF BUILDING  
AND ZONING SERVICES

## Council Variance Application

111 North Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • www.columbus.gov • zoninginfo@columbus.gov

### PROJECT DISCLOSURE STATEMENT

All parties having a 5% or more interest in the project that is the subject of this application should be listed.

**THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED.** Do not indicate 'NONE' in the space provided.

(PAGE 1 of 2)

APPLICATION #: CV18-042

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 FL, 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

1. Buckeye Real Estate 34 West 9th Avenue Columbus, Ohio 43201  City of Columbus Based Employees: Thirty-three (33) Contact: Wayne Garland; Phone: 614.294.0444	2. Windstar Development, Ltd. 34 West 9th Avenue Columbus, Ohio 43201  City of Columbus Based Employees: Zero (0) Contact: Wayne Garland; Phone: 614.244.0444
3. Sliver, Ltd. 34 West 9th Avenue Columbus, Ohio 43201  City of Columbus Based Employees: Zero (0) Contact: Wayne Garland; Phone: 614.294.0444	4. Windstar Development, Ltd., II 34 West 9th Avenue Columbus, Ohio 43201  City of Columbus Based Employees: Zero (0) Contact: Wayne Garland; Phone: 614.294.0444

☐ Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

*Donald Plank*

Donald Plank, Attorney at Law

Subscribed to me in my presence and before me this 30<sup>th</sup> day of May, in the year 2018

SIGNATURE OF NOTARY PUBLIC

*MaryAlice Wolf*

My Commission Expires:

This Project Disclosure Statement expires six months after date of notarization



MaryAlice Wolf

NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES SEPTEMBER 2, 2018

Notary Seal Here

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Please make all checks payable to the Columbus City Treasurer

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

DEPARTMENT OF BUILDING  
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(PAGE 2 of 2)

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COUNTY OF FRANKLIN

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of (COMPLETE ADDRESS) 411 East Town Street, 2nd FL, 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

1. 53 Holding Company, LLC 34 West 9th Avenue Columbus, Ohio 43201  City of Columbus Based Employees: Zero (0) Contact: Wayne Garland; Phone: 614.294.0444	2. N/A
3. N/A	4. N/A

☐ Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

*Donald Plank*

Donald Plank, Attorney at Law

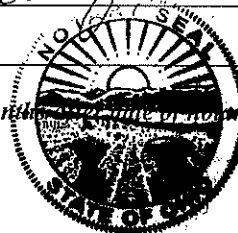
Subscribed to me in my presence and before me this 30<sup>th</sup> day of May, in the year 2018

SIGNATURE OF NOTARY PUBLIC

*MaryAlice Wolf*

My Commission Expires:

This Project Disclosure Statement expires six months after date of notarization



MaryAlice Wolf  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES SEPTEMBER 2, 2018

Notary Seal Here

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