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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

Application #•	CNB	-097	

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

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'

ser Companies Inc Signature of Applicant Date Attorney: (Donald Plank, Plank Law Firm) Date Consultant: (Dave Perry, David Perry Company, Inc.) Date 10-

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

## CV18-097, 27 West Jenkins Avenue

The site is 2.53 +/- acres located on the south side of W. Jenkins Avenue, 170 +/- feet west of S. High Street. The site is zoned M, Manufacturing. Applicant proposes to develop the site with a 60 dwelling unit apartment building.

Applicant has a hardship in that there is no zoning district to which the site could be rezoned without also needing variances. Rezoning the site will create a hardship on the current property owner as the property won't be purchased by applicant without Ohio Housing Finance Agency (OHFA) funding, which won't be determined until approximately July 2019, while applicant has a February 2019 OHFA application deadline. Applicant will submit for rezoning if OHFA funding is granted and the property is purchased. This variance request will not impair an adequate supply of light and air to adjacent properties, unreasonably increase congestion on public streets, increase the risk of fire, nor endanger the public health, safety or welfare of the inhabitants of the City of Columbus. The use is appropriate given the location and adjacent zoning.

Applicant requests the following variances:

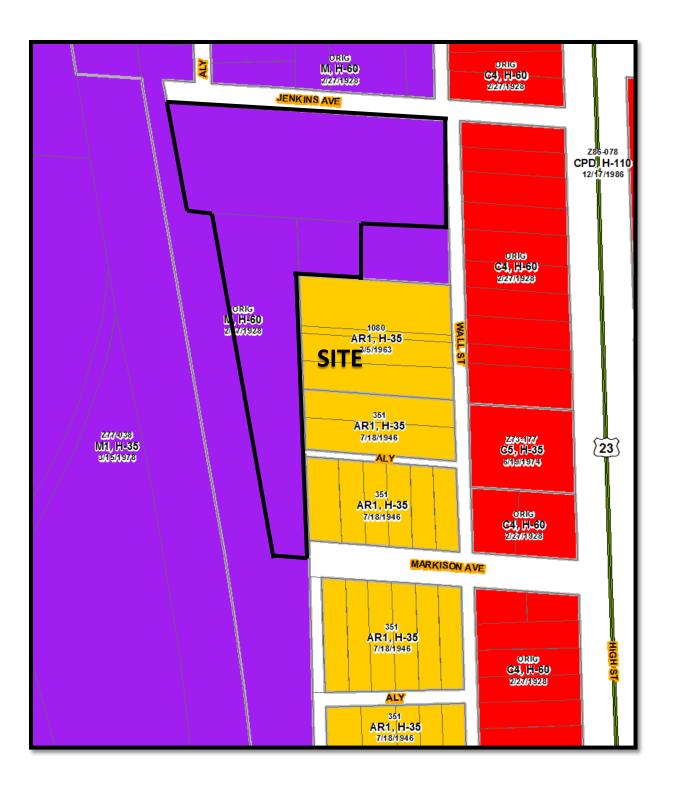
1). Section 3363.01, M, Manufacturing District, to permit a 60 dwelling unit apartment building.

2). Section 3309.14, Height Districts, to increase height from 35 feet to 40 feet.

3). Section 3312.21(D)(1), Landscaping and Screening, to reduce the height of parking lot screening from five (5) feet to three (3) feet for the east 20 feet of screening along the south property line adjacent to S. Wall Street (20').

4). Section 3312.49, Minimum Numbers of Parking Spaces Required, to reduce parking for 60 dwelling units from 90 spaces to 62 spaces.

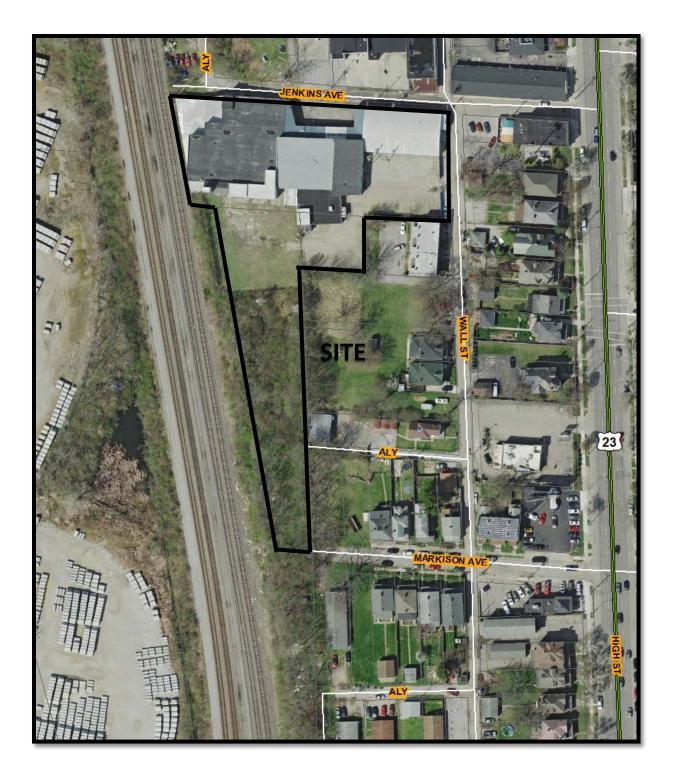
01-09-2019



#### Southside Plan (2014)



CV18-097 27 West Jenkins Avenue Approximately 2.53 acres





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DEPARTMENT OF BUILDING AND ZONING SERVICES Standardized Recommendation Form

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# FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW (PLEASE PRINT) CV18-097 **Case Number:** 27 WEST JENKINS AVE Address: SouthsIDE AREA ComMISSION Group Name: 12/10/2018 **Meeting Date: Specify Case Type: BZA Variance / Special Permit** V **Council Variance** Rezoning Graphics Variance / Plan / Special Permit **Recommendation:** Approval (Check only one and list basis Disapproval for recommendation below) NOTES: FOR OAGAINST Vote: Signature of Authorized Representative: SIGNATURE DOUTHSIDE AREA COMMISSION RECOMMENDING GROUP TITLE 614-285-4901 X1100 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, 111 N. Front St., Columbus, OH 43215.



AND ZONING SERVICES

DEPARTMENT OF BUILDING

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**Council Variance Application** 

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# **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.

APPLICATION #: CV18-09

STATE OF OHIO COUNTY OF FRANKLIN

Donald Plank (Plank Law Firm) Being first duly cautioned and sworn (NAME)

of (COMPLETE ADDRESS) 411 East Town Street, 2nd FL, Columbus, OH 43215

deposes and states that the source and the source and the 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. Woda Cooper Companies, Inc. 500 South Front Street, 10th Floor Columbus, Ohio 43215 Number of Columbus-based Employees: Contact: Joseph McCabe; Phone: 614.396.3223		S R and J S Properties, LLC P.O. Box 20328 Columbus, Ohio 43220 Number of Columbus-based Employees: Zero (0) Contact: Sam Allabozini; Phone: 614.827.3111	
3.	4.		
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Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

**Donald Plank** 2302 Octol Subscribed to me in my presence and before me this day of in the year 20/8

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:



This Project Disclosure Statement expires six months after date of notarization. Craig J. Moncrief, Attornev At Law NOTARY PUBLIC - STATE OF OHIO My commission has no expiration date Sec. 147.03 R.C.

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