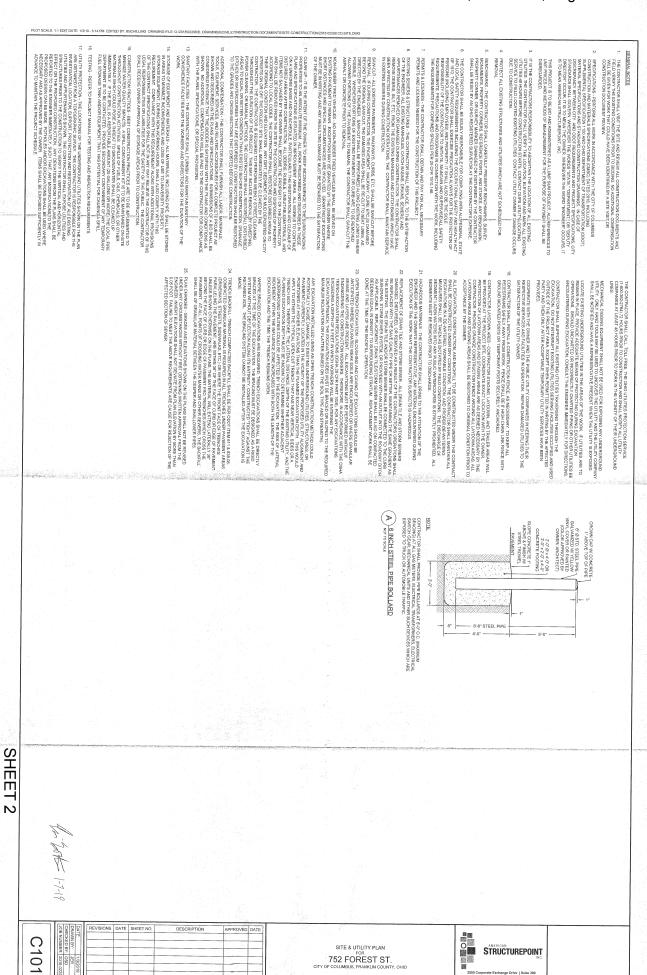


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CV18-091; Final Received 1/8/19

COLUMBÚS

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

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 Attached.

Signature of Applicant

Date 10-22-18

Statement of Hardship

Property Address: 752 Forest St. Owner/Applicant: Kreais LLC

8518 Stonechat Loop Dublin, Ohio 43017

Attorney: David Hodge

Eric Zartman

Underhill & Hodge, LLC

8000 Walton Parkway, Suite 260

New Albany, Ohio 43054

Date of Text: January 16, 2019

Application: CV18 - 091

The Subject Site, PID: 010-077910, is situated northwest of the intersection of Forest Street and May Alley. The Site is currently zoned R-4. The Site is bounded on all sides by property zoned R-4.

The Site is within the Southern Orchards neighborhood of the Columbus South Side Area Commission. The Site is not subject to a commercial overlay, planning overlay, nor is it a historic site. The Site is not within the boundary of the South Side Plan.

This property historically has been everything from a bar and a church, and many things in between. The Applicant proposes rehabilitation of the Site with approximately 1,700 square feet of general office space, primarily for use as a real estate office.

The Applicant proposes a lot split as shown on the submitted Site Plan. This subdivision was originally platted so that the properties ran west to east from 18th Street to May Alley. At some point the parcel for the subject site was created and it ran north to south along May Alley. The Applicant proposes the lot split for two reasons. First, the lot split will allow the office to be located on its own parcel. Second, the remainder of the split will be reunited with PID: 010-041947 and it will reestablish the parcel's original platting and make the property more attractive for residential development.

To accommodate the proposed development, the Applicant respectfully requests the following variances:

- 1. 3332.039(A), R-4 permitted uses. The Applicant requests a variance to permit general office uses.
- 2. 3312.49(C), Minimum number of parking spaces required. This section requires 1 parking space for every 450 square feet of general office space. The Applicant requests a variance to reduce the required parking spaces from 4 to zero.

- 3. 3321.05(B)(1), Vision clearance. This section requires a clear vision triangle of 10 feet at the intersection of Forest Street and May Alley. The Applicant requests a variance to reduce the clear vision triangle from 10 feet to zero feet. This variance is requested to legitimize the existing vision clearance blockage at the corner of Forest Street and May Alley.
- 4. 3332.05(A)(5), Area district lot width requirements. This section requires a minimum lot width of 50 feet. The Applicant requests a variance to reduce the minimum lot width from 50 feet to approximately 40 feet. This lot width is an existing condition and this variance is requested to legitimize the existing condition.
- 5. 3332.15, R-4 area district requirements. This section requires a principal building to be situated on a lot of no less than 5,000 square feet in area. The Applicant requests a variance to reduce the minimum lot area from 5,000 square feet to approximately 1,840 square feet which will in turn allow the lot to the north to be returned to the original platted subdivision lot.
- 6. 3332.18(D), Basis of computing area. This section requires that no building shall occupy greater than 50 percent of the lot area. The Applicant requests a variance to allow an increased lot coverage of 94% percent of the lot area of the newly created parcel.
- 7. 3332.21, Building lines. This section requires a minimum building line of 10 feet. The Applicant requests a variance to reduce the minimum building line from 10 feet to zero feet. The building wall will maintain its existing three-foot setback from the Forest Street right-of-way, but the requested reduction is to zero feet to allow an awning over the existing setback.
- 8. 3332.25, Maximum side yards required. This section requires the sum of the widths of each side yard to equal or exceed 20 percent of the width of the lot width, here approximately 8 feet. The Applicant requests a variance to reduce the maximum side yards required from 8 feet to zero feet. These side yards are existing conditions and this variance is requested to legitimize the existing conditions.
- 9. 3332.26, Minimum side yard permitted. This section requires a minimum side yard of 3 feet. The Applicant requests a variance to reduce the minimum side yard from 3 feet to zero feet. These side yards are existing conditions and this variance is requested to legitimize the existing conditions.
- 10. 3332.27, Rear yard. This section requires a rear yard totaling no less than 25 percent of the total lot area. The Applicant requests a variance to reduce the minimum rear yard from 25 percent of the total lot area to zero percent, again this will allow the lot to the north to be returned to its original platted subdivision lot condition.

This property, with the underlying R-4 zoning district, has operated historically either illegally or as a legal nonconforming use. Its development form demonstrates commercial corner commercial development in a residential neighborhood, probably predating the adoption of zoning. Both a hardship and practical difficulty exist because the Applicant cannot develop the Site as proposed while still conforming to the underlying zoning district established by the City's Zoning Code.

The requested parking variance is not substantial nor will it cause significant detriment to the neighbors. The total requested reduction is only four parking spaces. This is such a small number

of required parking that Forrest Street provides ample street parking to accommodate the proposed office uses.

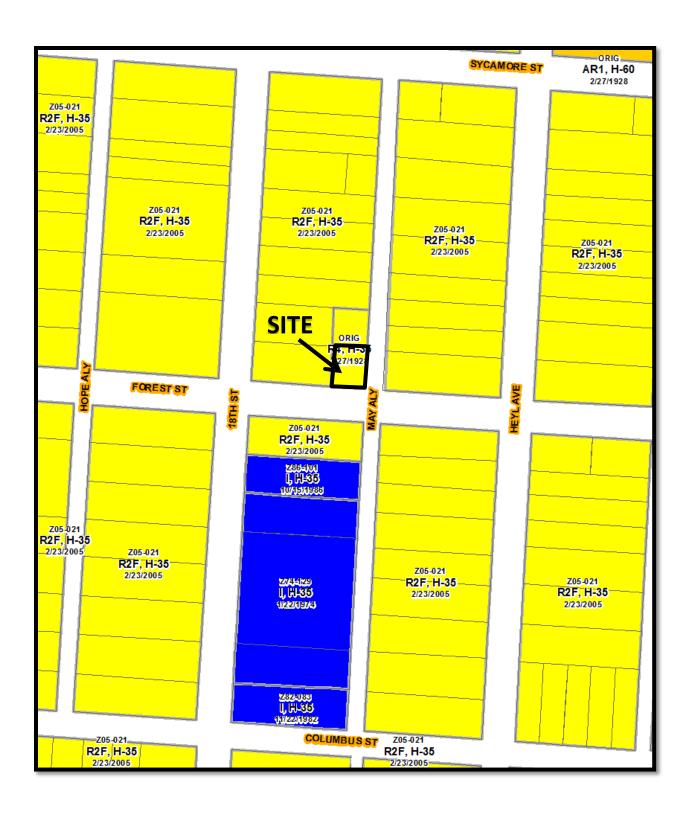
Notably, many of the requested variances are existing, non-conforming conditions. The Applicant's requested use variances will not adversely affect the surrounding property or surrounding neighborhood. The requested use variances will not impair supply of light or air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, nor unreasonably diminish or impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus. Further, the Applicant's requested area variances will not seriously affect any adjoining property or the general welfare.

For the reasons stated above, the Applicant respectfully requests approval of the requested variances.

Respectfully submitted,

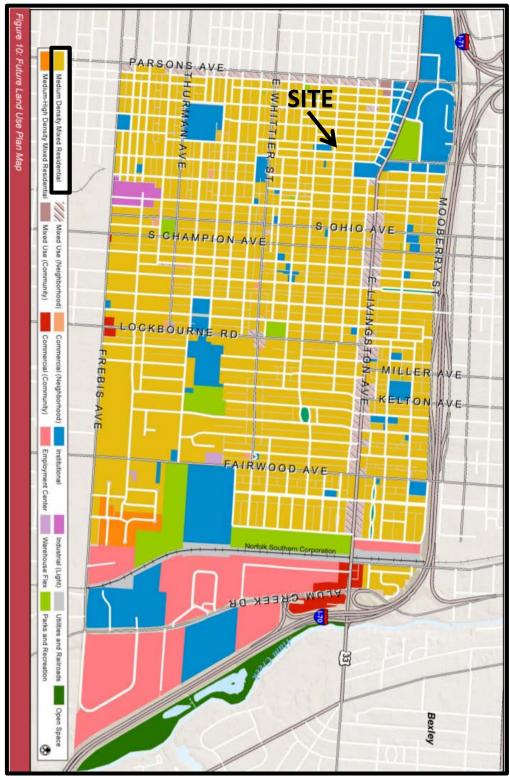
David Hooge

David Hodge Eric Zartman



CV18-091 752 Forest Road Approximately 0.04 acres

Near Southside Plan (2011)



CV18-091 752 Forest Road Approximately 0.04 acres



CV18-091 752 Forest Road Approximately 0.04 acres



DEPARTMENT OF BUILDING

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Standardized Recommendation Form

111 North Front Street, Columbus, Ohio 43215

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

R USE BY: AREA COMMISSION (ASE PRINT)	N / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW
Case Number:	CV-18-091
Address:	752 FOREST STREET
Group Name:	SOUTHS IDE AREA COMMISSION
Meeting Date:	11/27/18
Specify Case Type:	 □ BZA Variance / Special Permit □ Council Variance □ Rezoning □ Graphics Variance / Plan / Special Permit
Recommendation: (Check only one and list basis for recommendation below)	Approval Disapproval
Vote: Signature of Authorized Represe	entative: 12 For
Signature of Authorized Represe	SIGNATURE SIGNATURE SOUTHSIDE AREA COMMISSION RECOMMENDING GROUP TITLE C14 - ZESS - 4901 × 1100
	014-285-4901 × 1100 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.



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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

THIS PAGE MUST BE FILLED OUT COMPLETELY A	AND NOTARIZED. Do not indicate 'NONE' in the space provided.	
	APPLICATION#: CY18-091	
STATE OF OHIO COUNTY OF FRANKLIN		
deposes and states that (he/she) is the APPLICANT, AGENT	ton Parkway, Suite 260, New Albany, Ohio 43054 For DULY AUTHORIZED ATTORNEY FOR SAME and the ons or entities having a 5% or more interest in the project which	
	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. Kreais, LLC 8518 Stonechat, Lp. Dublin, Ohio 43017	2.	
3.	4.	
Check here if listing additional parties on a separate page.		
SIGNATURE OF AFFIANT LA	Swit	
Subscribed to me in my presence and before me this SIGNATURE OF NOTARY PUBLIC	had day of Otolor, in the year 1018	
My Commission Alexanders:	2021	
Notary Public, State of Ohlo My Commission Expires January 11, 2021	ent expires six months after date of notarization.	
Sall Harming		