

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 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):

Please See Attached

Signature of Applicant

Date

9.24.19

CV19-096

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

Applicant: Homeport
c/o Laura MacGregor Comek, Esq.
501 S. High Street
Columbus, Ohio 43215
laura@comeklaw.com
614.560.1488

Owners: Fisher Development Ltd

Address: o West Broad St.

Parcel Nos.: 570-255269-00
570-255270-00

Zoning Districts: CPD

Date: November 12, 2019

This Statement is provided in support of the Applicant's Council Variance Application. The CV seeks develop 48 units of affordable housing on a parcel currently zoned CPD. This application for CV, rather than a full rezoning, is sought due to the OHFA annual funding cycle and the need for approvals by end of year for applications to be submitted early in 2020.

This Council Variance is being sought to vary certain use and development standards as set forth in the CPD district.

Columbus City Code (CCC) Sections:

3361.02 to permit 48 multi-family units in the CPD district without first floor commercial uses (and Ord. 1523-2008).

The Applicant intends to construct affordable housing – ie., a 48-unit apartment house at the corner of W Broad Street and Galloway Road. The corner lot is zoned CPD, which permits apartment houses as a legal use of right, above a first floor commercial. To the rear, along Galloway Road is a well buffered parcel zoned R and developed with a single family home. To the southeast is Westland High School. To the immediate east, along W. Broad street, there is a gap property zoned R, and then a significant proliferation of extended stay and apartment units constructed in the CPD district, which has essentially transformed this block or two into a higher-density corridor. The remainder of surrounding properties included developed commercial uses, including a Kroger (north west), a Walgreens, Trailer Repair/Outdoor Storage.

The proposed architecture is similar to that seen within the corridor. Pitched roofs, etc.

The area plan calls for commercial uses, which would permit residential if built above. Here, the residential component is primary.

The Site is only 4.364 acres which includes a significant riparian corridor (preserved in the attached site plan), maintains the existing building and parking setbacks and is adequately parked at 72 spaces provided.

The variances are not significant and are mostly technical in nature. The results provide parking numbers within code and important investment for redevelopment and affordable housing in

this west side corridor. Residential is a growing use within this block of W Broad Street and would be permitted as of right above commercial uses if developed as such.

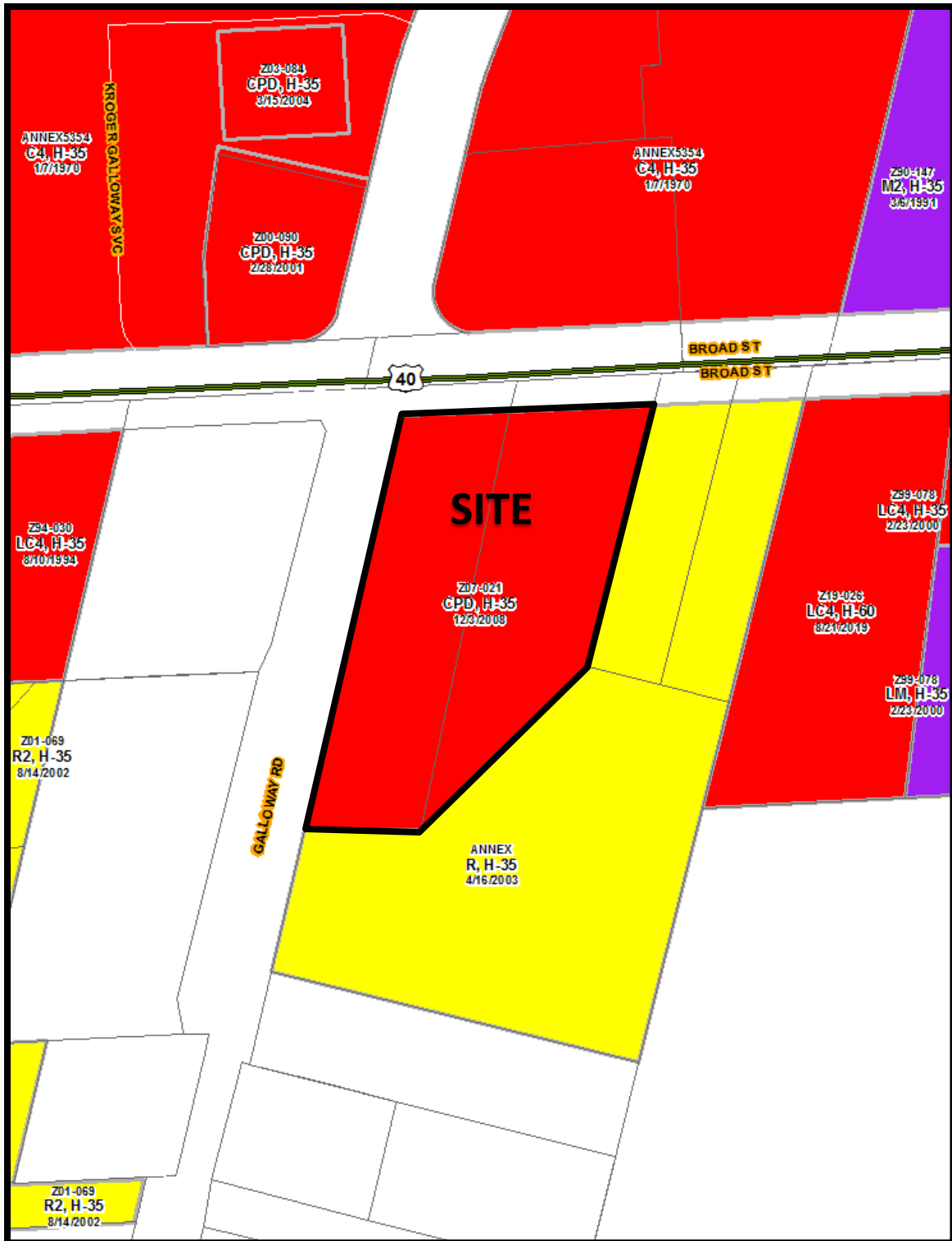
There are no adverse effects to adjacent landowners – in fact a betterment to have new development that provides its own parking. There is no effect on the delivery of governmental services.

The Applicant cannot feasibly obviate the minor use variance – and to the extent they can be limited to achieve remaining green space and parking – the Applicant has done so.

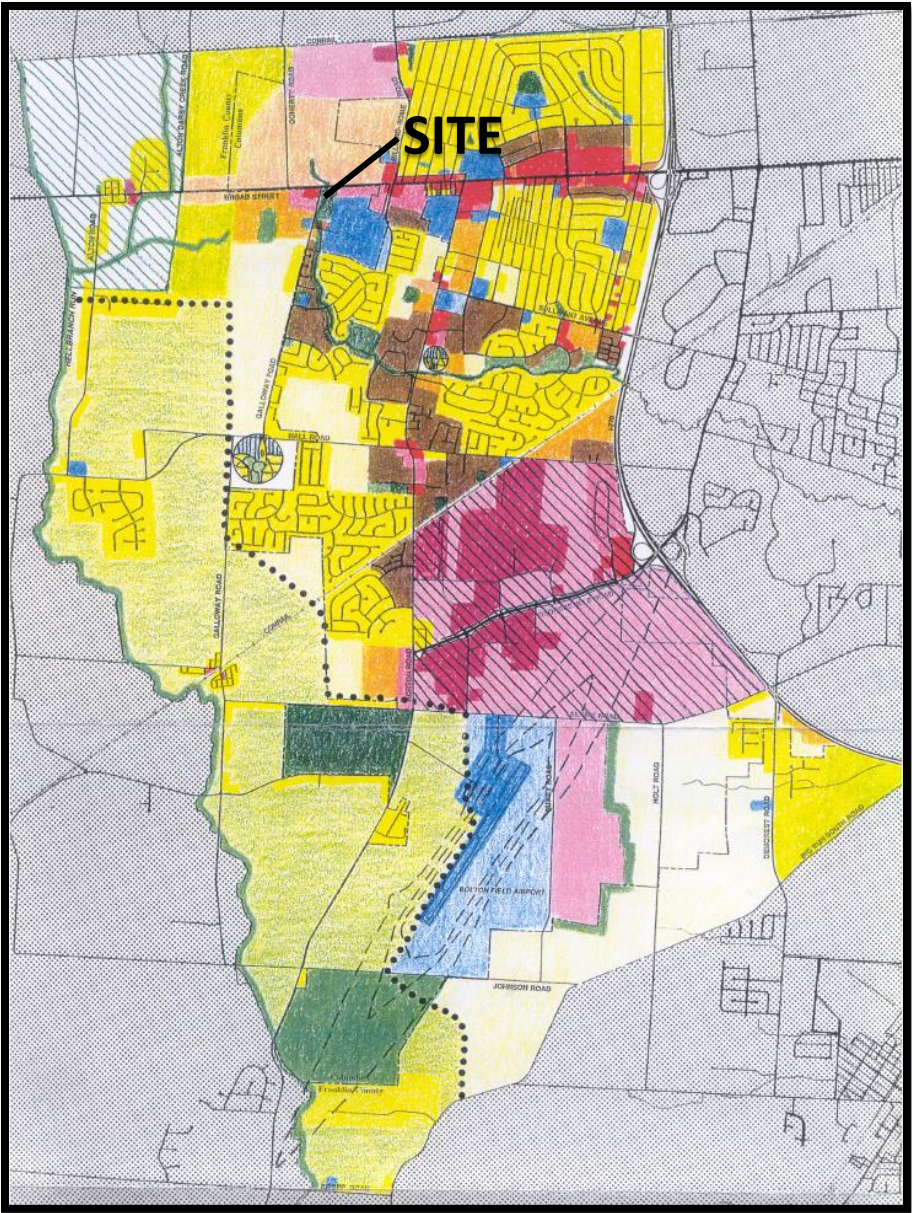
For these reasons, the Applicant respectfully requests approval of these variances.

Respectfully submitted,

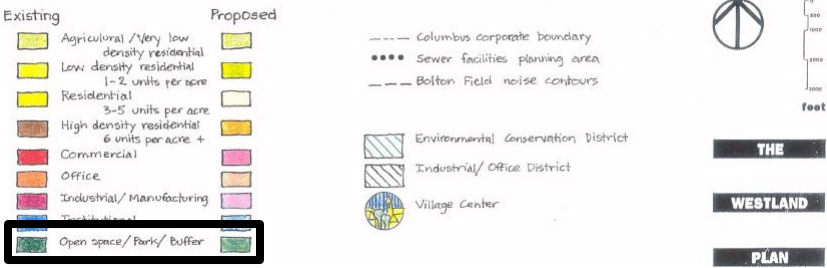
Laura MacGregor Comek, Esq.
501 S. High St.
Columbus, Ohio 43215
Phone: 614.560.1488
Laura@comeklaw.com
Counsel for Owner/Applicants



CV19-096
5719 W. Broad St.
Approximately 4.38 acres



PROPOSED LAND USE



CV19-096
5719 W. Broad St.
Approximately 4.38 acres



CV19-096
5719 W. Broad St.
Approximately 4.38 acres

DEPARTMENT OF BUILDING
AND ZONING SERVICES**Standardized Recommendation Form**

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

FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW
(PLEASE PRINT)

Case Number:

CV 19-096

Address:

5719 West Broad Street

Group Name:

Westland Area Commission

Meeting Date:

October 16, 2019

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

NOTES:

Vote:

9-2

Signature of Authorized Representative:

Michael J. McKay
SIGNATUREChairman, Zoning Committee
RECOMMENDING GROUP TITLE614-745-5452
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.

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 #: CV19-096

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME)
of (COMPLETE ADDRESS)

Laura MacGregor Corneli, Esq
501 S. High St
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 (include contact name and number)
Business or individual's address
City, State, Zip Code
Number of Columbus based employees
(Limited to 4 lines per box)

1. <u>Homeport</u> <u>3443 Agler Rd</u> <u>Cols., On 43219</u> <u>37 cars</u>	2.
3.	4.

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

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 12th day of September, in the year 2019

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:



This Project Disclosure Statement expires six months after date of notarization.
Jennifer Wilkins
Notary Public, State of Ohio
My Commission Expires 4/17/21