

## STATEMENT OF HARDSHIP

Property Address: 2643 North High Street

Parcel ID:

010-040672

Owner/Applicant:

**SRA Investments LLC** 

Attorney:

**David Hodge** 

**Underhill & Hodge** 

8000 Walton Parkway, Suite 260

New Albany, Ohio 43054 david@uhlawfirm.com

**Date of Text:** 

February 29, 2020

Applicant submits this Statement of Hardship in support of Council Variance Application. The subject site is located south-west of the intersection of North High Street and Dodridge Street. The Site is currently zoned C-4 and AR-2. The Site is developed with a two-story commercial building with lot parking.

The site is bordered on the west by AR-2, on the north by C-4 and AR-2, on the east across North High Street by C-4 and on the south across West Ramlow Alley by C-4 and R-2F. The site is within the boundary of the University Area Commission. The site is also within the Neighborhood Commercial Impact Subarea of the University District Zoning Overlay and subject to the University Impact District Review Board. The University District Plan recommends commercial use for the entire site.

This council variance is filed for two purposes. First, the parking lot and part of the commercial building are on the residentially zoned portion of the parcel. This council variance will allow the property to legally exist under its current conditions. Second, the Applicant proposes converting a retail commercial space within the building with a comedy theater. The Applicant must request a variance to reduce the required amount of parking to the amount which is currently provided on site. The proposed uses are 3,000 square feet of retail, 1,150 square feet of assembly, 3,000 square feet of technical school, 1,600 square feet of restaurant, and one bedroom.

To permit the proposed uses, the Applicant respectfully requests the following variances:

- 1. Section 3333.025 AR-2 permitted uses. Applicant requests a variance to allow C-4 commercial uses permitted by Section 3356.03.
- 2. 3312.49 Minimum required parking. Applicant requests a variance to reduce the required number of parking spaces from 39 to 21.

The Applicant submits that the requested use variance will not adversely affect the surrounding property owners and that denial of this variance would result in an unnecessary hardship. The requested use variance 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

The site is a commercial property along a commercial corridor. The site's neighbors are similarly situated commercial properties with zero-foot building setback and rear parking. This site is unique from its neighbors because the site is split by zoning classifications and the parking lot is under a residential designation. The council variance is necessary to rectify the existing condition and allow the property to operate how it has always operated. There will be no detrimental effect to the neighbors because there will be no change to the property as far as the neighbors are concerned.

The Applicant also submits that the requested area variance is warranted to alleviate a practical difficulty. The new proposed theater use requires a parking ratio which greatly exceeds its practical need. Also, the theater will mostly operate during evening hours, when other tenants in this building are closed. Therefore, the requested parking reduction is not substantial.

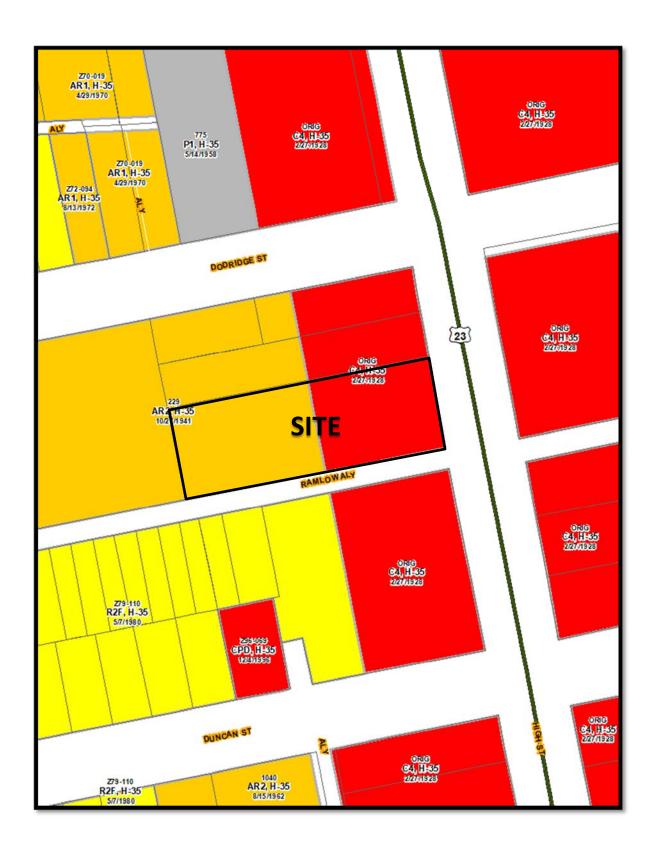
The parking reduction is appropriate because this site is along a major commercial corridor. It is anticipated that many of the patrons will seek alternate modes of transportation to the theater. The site is directly on a COTA transit route. The neighborhood is a pedestrian oriented commercial area. Further, there has been a great expansion of taxi services such as Uber and Lyft.

The requested parking variance will not alter the character of this commercial corridor nor cause neighbors substantial detriment. The variance will not adversely affect governmental services. The granting of this variance will conform to the spirit and intent behind the zoning code.

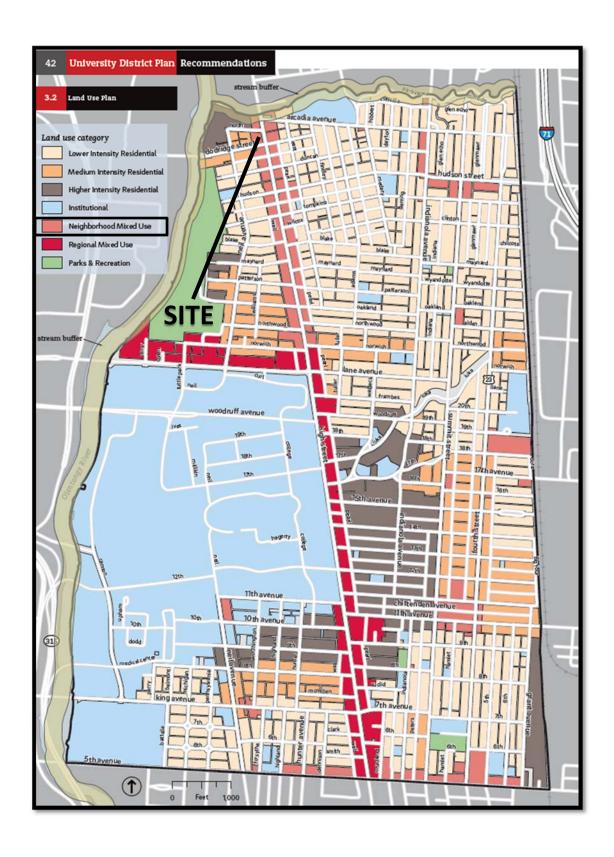
The Applicant respectfully requests that the Columbus City Council weigh these factors in its consideration and find that this Applicant suffers from a practical difficulty. The variance will not adversely affect the delivery of governmental services. Further, the spirit and intent behind the zoning requirements would be observed and substantial justice done by granting the requested variances.

Respectfully submitted

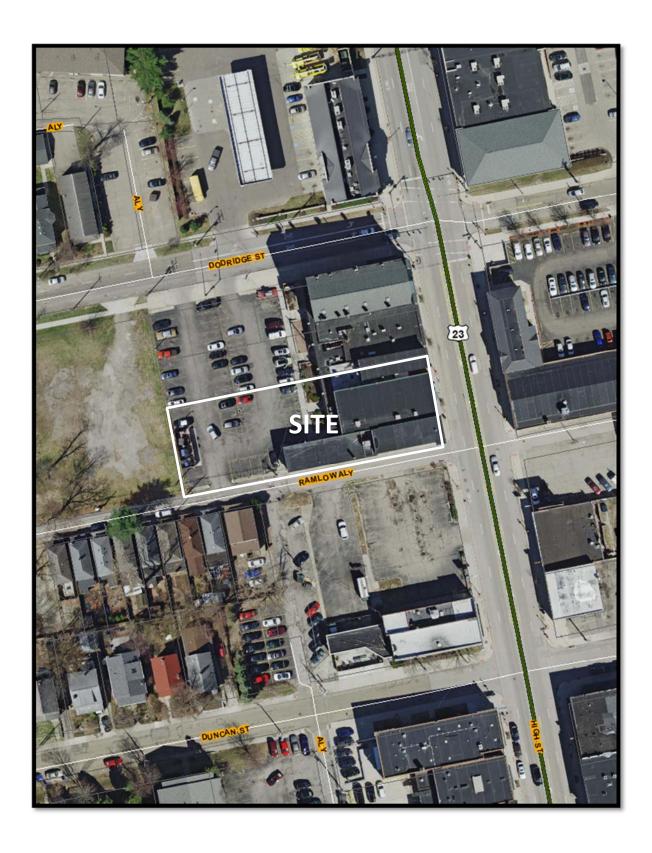
David Hodge (EST)



CV20-013 2643 N. High St. Approximately 0.44 acres



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DEPARTMENT OF BUILDING AND ZONING SERVICES

Standardized Recommendation Form
ORD #0644-2020; CV20-013; Page 7 of 9
111 N. Front Street, Columbus, Ohio 43215

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

|   | CV20-013 2643 N HIGH STREET UNIVERSITY AREA COMMISSION FEBRUARY 3, 2020                           |  |
|---|---|--|
| Address:  |   |  |
| Group Name:   |   |  |
| Meeting Date:   |   |  |
| 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:   | 10 yes; 2 no; 1 abstention  |  |
| Signature of Authorized Represo   | entative: Broma M. AROMM  |  |

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.

RECOMMENDING GROUP TITLE

614-560-5785 DAYTIME PHONE NUMBER

CV20-013 zoning case no. property address 2643 N. High St. hearing date February 27, 2020 **SRA Investments LLC** applicant March 3<sup>rd</sup>, 2020 issue date 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 **Graphics Parking Variance** Special permit Change of Use Setbacks Lot Split TYPE(S) OF ACTION(S) REQUESTED: Variances to: Section 3333.025 AR-2 permitted uses. Applicant requests a variance to allow C-4 commercial uses permitted by Section 3356.03. Section 3312.49 Minimum required parking. Applicant requests a variance to reduce the required number of parking spaces from 39 to 21. **RECOMMENDATION:** To approve the proposal with the following conditions: Additional bike parking will be added as requested. SUPPORT REQUESTED VARIANCES OR DO NOT SUPPORT REQUESTED NO ACTION TAKEN  $\boxtimes$ **ZONING CHANGE** VARIANCE OR ZONING CHANGE THIS RECOMMENDATION IS FOR CONSIDERATION BY THE DESIGNATED REGULATORY AUTHORITY FOR THE ACTION(S) REQUESTED AS INDICATED. Fatur Holland

RECOMMENDATION

Patrick Holland

University Impact District Review Board, Staff



DEPARTMENT OF BUILDING ARE ZONING REDVICES

## **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.

|  | APPLICATION#:   |  |  |
|--|---|--|--|
| STATE OF OHIO<br>COUNTY OF FRANKLIN  |   |  |  |
|  |   |  |  |
|  | 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.<br>SRA Investments, LLC<br>P.O. Box 20328<br>Columbus, Ohio 43220               | 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 39                              | The Residence of the sear 2000  |  |  |
| At Charles on Expires:   | nt expires six months after date of notarization.   |  |  |
| Notary Public, State of Onlo  My Commission Expires  January 11, 2021              | nt expires six months after date of notarization.   |  |  |