

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

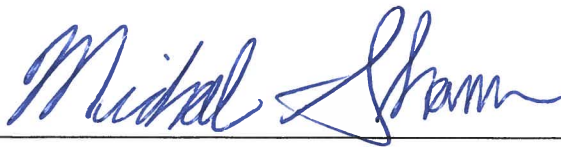
List all sections of Code to be varied and explain your reasoning as to why this request should be granted.

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):

See attached.

Signature of Applicant



Date



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

Property Address: 23 West 2nd Avenue
Owner/Applicant: 23 West 2nd Holdings, LLC
c/o Jessica Schueren
30 Warren St.
Columbus, Ohio 43215
Attorney: Michael Shannon, Esq.
Underhill and Hodge, LLC
8000 Walton Parkway, Suite 260
New Albany, Ohio 43054
Date of Text: February 8, 2021
Application: CV17-036

The Subject Site consists of six parcels, PIDs: 010-005157, 010-018756, 010-026613, 010-026612, 010-025855, and 010-023218. The Site is bounded on the north by W. 2nd Ave. and on the south by Price Ave and located to the west of N. High St. The Site is situated within the Victorian Village Historic District and subject to the Victorian Village Commission. The Site is also subject to the I-670 Graphics Control Planning Overlay. The Site is not situated within a Commercial Overlay.

On the Site stands a vacant building which was formerly occupied by the International Brotherhood of Electrical Workers offices, a parking lot, and other undeveloped parcels.

The Site is currently classified with two zoning districts. The parcel fronting West 2nd Avenue is classified C-4. The parcels fronting Price Avenue are predominantly classified AR-O with half of one parcel classified C-4. The Site is bordered on the north by parcels classified C-4 and CPD, on the east by parcels classified C-4, on the south by parcels classified AR-O, and on the west by parcels classified AR-O, ARLD, and C-3.

Applicant proposes for the site a mixed-use development providing approximately 10,000 square feet of commercial space, approximately 158 dwelling units, and approximately 171 parking spaces. Applicant requests the following use and area variances to allow for the construction of the proposed development:

Requested variances for AR-O district:

1. 3333.04 – Permitted Uses in the AR-O. Applicant requests a variance to allow parking within the AR-O district to serve commercial uses within the C-4 district.
2. 3333.15(c) – Lot Area. This section does not allow a residence building to occupy alone or together with any other building greater than 50 percent of the total lot area. Applicant requests a variance to allow the building to occupy a maximum of 90 percent of the lot area.

3. 3333.18(f) – Building lines. This section requires a building line equal to the average of building on contiguous lots, but in no case less than 10 feet. The average building line of the contiguous lots is 6 feet. Applicant requests a variance to reduce the building line from 10 feet to zero feet.

4. 3333.24 – Rear Yard. This section provides that each dwelling, apartment house, or other principal building shall be erected so as to provide a rear yard totaling no less than 25 percent of the total lot area. Applicant requests a variance to allow a rear yard that is zero percent of the total lot area.

5. 3321.07(B) – Landscaping. This section requires a minimum of one tree for every ten dwelling units or fraction thereof on residentially zoned lots. The applicant requests a variance to reduce the tree requirement from 15 trees to zero trees for the approximately 143 dwelling units in this AR-O district. As a mitigating factor, the Applicant's provides landscaping to cover the built environment, reduce storm water runoff, moderate temperature, and conserve energy resources.

Requested variances for C-4 district:

6. 3356.05 – C-4 District Limitations. Applicant requests a council variance to permit residential uses for parcel 010-025855.

7. 3309.14 – Height District. Applicant requests a variance to allow a height of 89 feet.

Requested variances for all districts:

8. 3312.29 – Parking Space. Applicant requests a variance to allow parking spaces with reduced parking space size of 8'X16.5' to count toward the minimum parking requirement.

The proposed use variances will not adversely affect the surrounding property or surrounding neighborhood and a variance is warranted to alleviate a hardship or difficulty. The Applicant requests a variance to allow ground floor residential use in the C-4 district and a variance to allow commercial parking in the AR-O district.

Parcel 010-025855 fronts Price Avenue. The west half of the parcel is zoned AR-O like the rest of this project's parcels which front Price Avenue. The east half of the parcel, however, is zoned C-4. The Applicant proposes placement of its residential amenities on the C-4 half of this parcel. This variance will alleviate a hardship of difficulty because the residential portion of this mixed-use development fronts Price Avenue and this use variance will complement these residential uses. Further, this project does not propose any commercial use along Price Avenue. The leasing office and residential amenities are low intensity and will not adversely affect the surrounding property or neighborhood.

Permitting commercial parking in the AR-O district is a factor which will allow for a better designed project for the neighborhood. A majority of the parking will be consolidated on the AR-O parcels which are currently undeveloped. This variance will serve to mitigate the level of demolition and development on the IBEW site and promote historic preservation by allowing more parking on the AR-O district. This variance will also serve to improve the connectivity of this project by clearing any issues resulting from multiple zoning classifications within a single mixed-use development.

These 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, a practical difficulty exists because Applicant cannot develop the Site as proposed while still meeting the underlying development standards established by the City's Zoning Code. Applicant's requested area variances will not seriously affect any adjoining property or the general welfare.

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

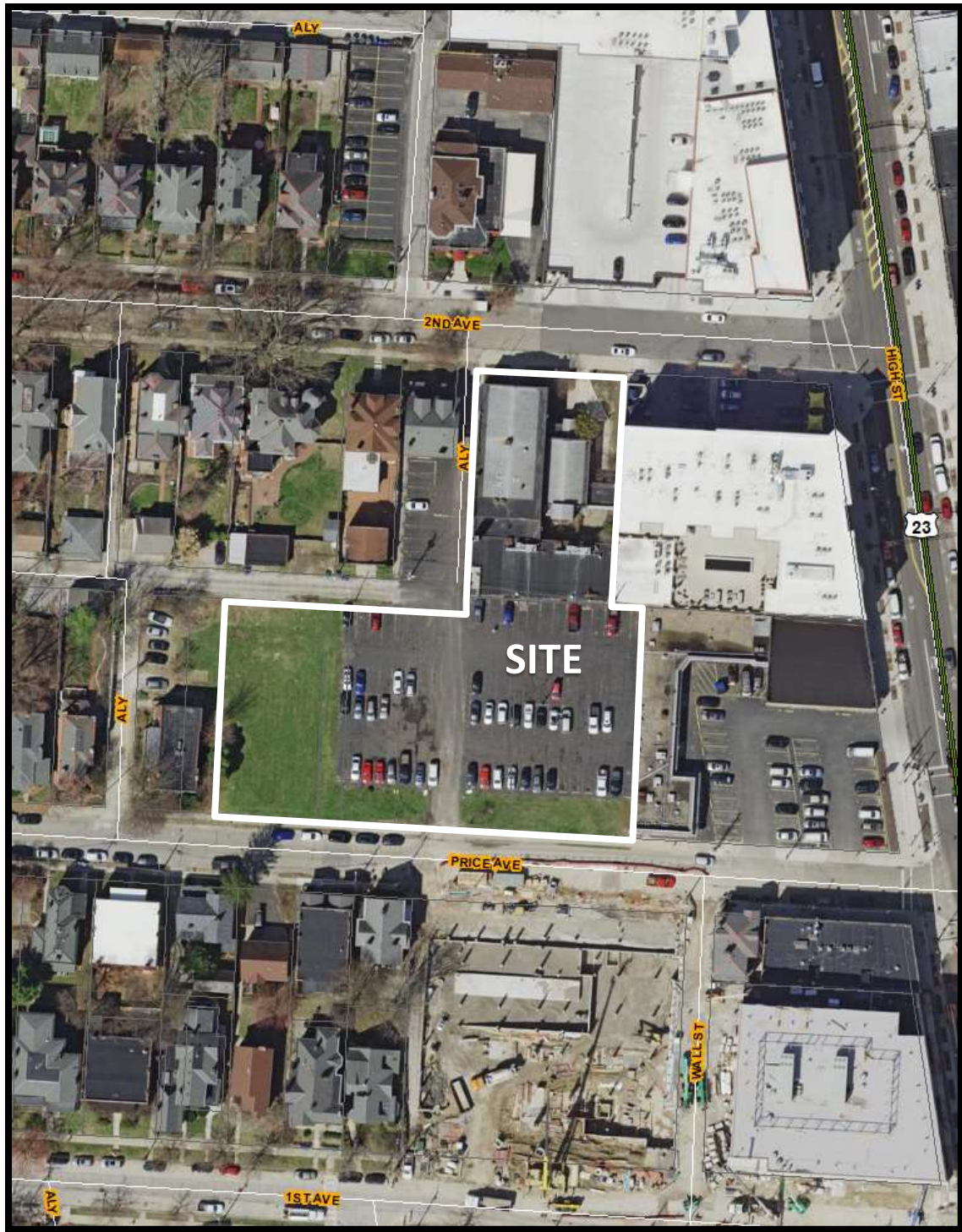
Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Michael Shannon", with a long horizontal flourish extending to the right.

Michael Shannon, Esq.



CV17-036
23 W. 2nd Ave.
Approximately 1.4 acres



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This Certificate of Appropriateness 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 (645-6090 / 111 N. Front Street) and following all other applicable codes and ordinances of the City of Columbus.

PROPERTY ADDRESS: 23 W Second Avenue

APPLICANT'S NAME: Jessica Schueren (Applicant) / Kaufman Development

APPLICATION NO.: VV-20-10-021B

MEETING DATE: 10-14-2020

EXPIRATION: 10-14-2021

The Victorian Village Commission hereby certifies that the application for the above referenced property and a copy of this Certificate of Appropriateness are on file with the city's Historic Preservation Office. The Commission has reviewed the application and taken the following action(s) in accordance with Columbus City Code 3116 & 3319 and the architectural guidelines:

- ☐ **Approved: Commission** ☐ **or Staff** ☐ Exterior alterations per APPROVED SPECIFICATIONS
☒ **Recommendation for Approval:** Requested re-zoning/special permit/variance per APPROVED SPECIFICATIONS

APPROVED SPECIFICATIONS:

Following additional discussion and review the Commissioners split the application into two parts, Part A and Part B, for clarity of review:

Recommend approval of application VV-20-10-21B, 23 W Second Avenue, as submitted:

Variances

Requested Variances for AR-O District:

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- 3321.07(B) – Landscaping. Requires a minimum of one tree for every ten dwelling units. The applicant requests a variance to reduce the tree requirement from 15 trees to zero trees for the approximately 143 dwelling units in this AR-O district. As a mitigating factor, the Applicant's provides landscaping to cover the built environment, reduce storm water runoff, moderate temperature, and conserve energy resources.

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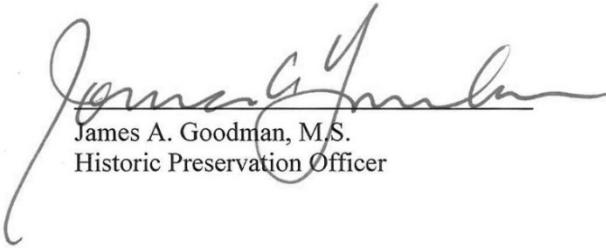
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MOTION: Kotheimer/Hissem (4-1-0) APPROVED. [Decker]

☐ **Drawings Required**

This Certificate of Appropriateness is only valid for work performed in accordance with the motion so passed and approved by the Commission and shall accompany plans submitted for zoning clearance and/or building permits.


James A. Goodman, M.S.
Historic Preservation Officer

SM

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 #: CV17-036STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Eric Zartman
of (COMPLETE ADDRESS) 8000 Walton Parkway, Suite 260, New Albany, Ohio 43054
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 3 lines per box)

1. 23 West 2nd Holdings LLC 30 Warren Street Columbus, Ohio 43215	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 8th day of February, in the year 2021

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:



This Project Disclosure Statement expires six months after date of notarization.
KIMBERLY R. GRAYSON
Notary Public, State of Ohio
My Commission Expires
01-11-2026

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