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THE CITY OF  
**COLUMBUS**  
 ANDREW J. GINTHER, MAYOR

## Council Variance Application

DEPARTMENT OF BUILDING  
 AND ZONING SERVICES

111 N Front Street, Columbus, Ohio 43215  
 Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

### STATEMENT OF HARDSHIP

**Columbus City Code Section 3307.10 - Variances by City Council.**

City council may grant the following zoning variances:

- A. Permit a variation 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 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 established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the city.

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 not included, a new application (and applicable fees) 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

Signature of Applicant

*South El Hotel LLC*  
*by David B. Perry, Agent*

Date 2-19-2021

Signature of Attorney

*Michael H. Kelley*

Date 2/19/21

## **Exhibit B**

### **Statement of Hardship**

#### **CV21-023, 1949 – 1951 Parsons Avenue, Columbus, OH 43207**

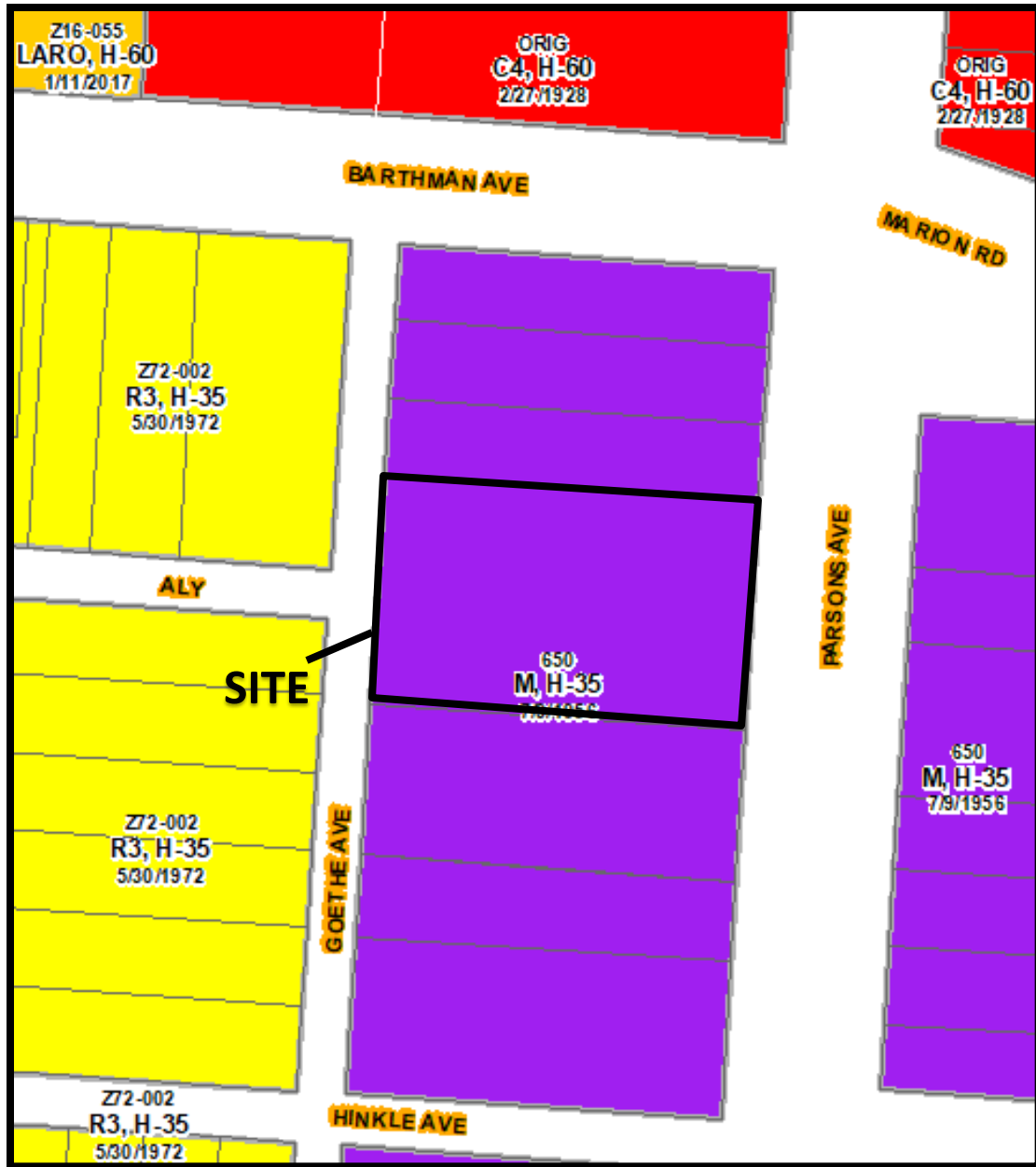
The 0.31 +/- acre site is located on the west side of Parsons Avenue, south of Marion Road. The site is zoned M, Manufacturing and is developed with a two (2) story mixed use building with retail, office and residential use. The building has 25 dwelling units including eight (8) ground level dwelling units and amenity space for the dwelling units. The City of Columbus issued building permit B9907959 November 22, 1999 for remodeling of the building reflecting its current use. Applicant is purchasing the property and proposes remodeling to result in 24 dwelling units, including ground level residential use, and change of use of two (2) retail tenant spaces totaling 2,340 SF for restaurant use. A building permit was issued June 18, 1919 for construction of the building as a “2 story store and lodging house”. The property has a history of use as a combination of retail, hotel with restaurant, restaurant use and dwelling units. The 1951 Sanborn Map, indicating restaurant use at the property, is provided as an exhibit to this application. The residential use is presently a non-conforming use in the M, Manufacturing District. In light of applicant’s pending purchase of the property and planned remodeling, this application is submitted to permit residential use in the M, Manufacturing District vs. residential use being non-conforming, and to conform current code required parking 8 existing on-site parking spaces. There is on-street parking on Parsons Avenue on the west side of Parsons Avenue, the same side as the property, there is public transit available and the building has operated for 100 years as retail, hotel with restaurant, restaurant use and dwelling units with negligible on-site parking. The site is in the Parsons Avenue Urban Commercial Overlay (UCO). There

Applicant has a hardship and practical difficulty with compliance with the cited Zoning Code sections applied to an existing building that predates the City of Columbus enacting zoning (1928) with historical use the same as or similar to the proposed uses.

Applicant requests variances from the following sections of the Columbus Zoning Code:

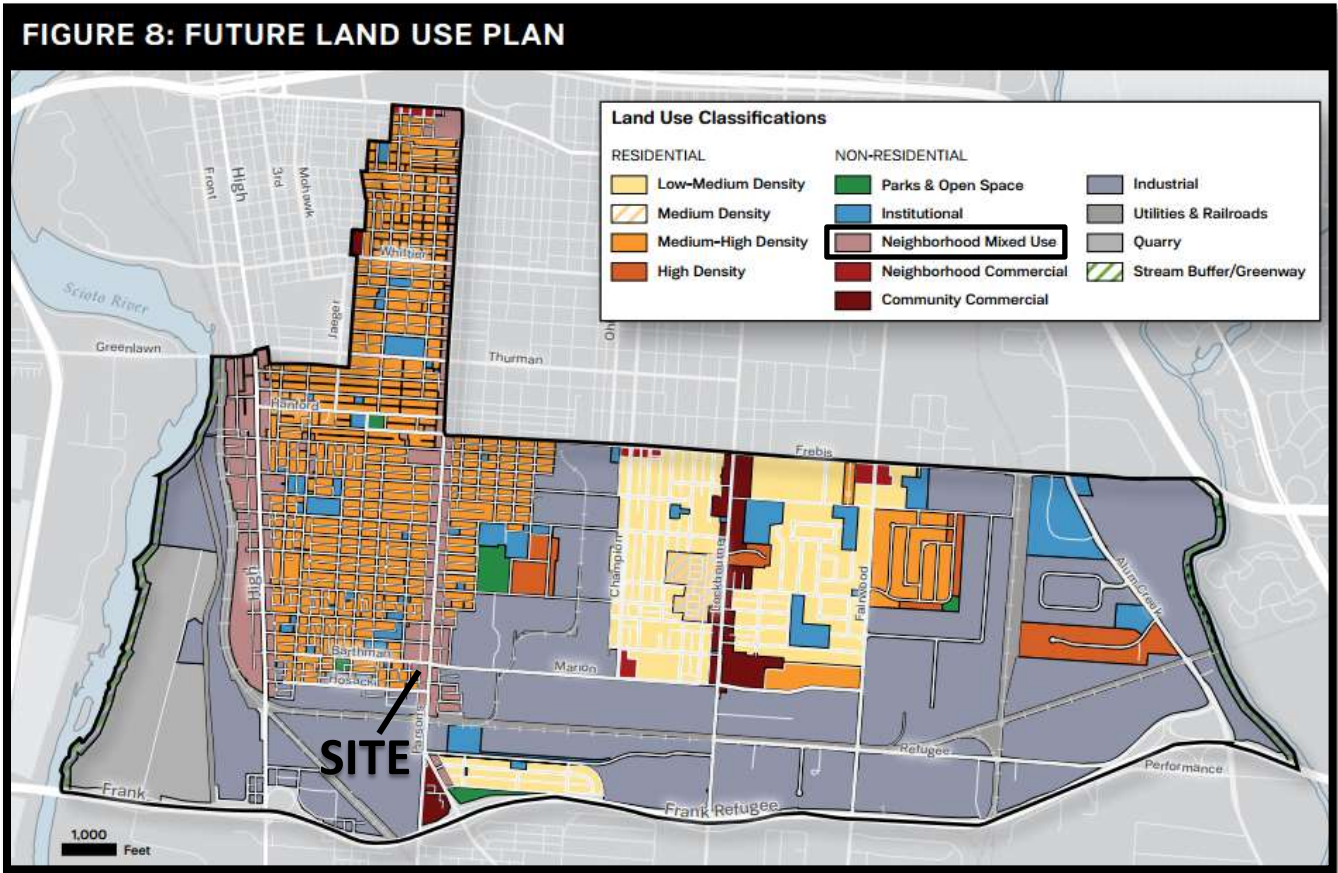
- 1). Section 3363.01, M, Manufacturing District, to permit a maximum of 24 dwelling units.
- 2). Section 3312.09, Aisle, to permit four (4) existing 45 degree parking spaces with a 13 foot aisle used for two –way travel (backing out) vs. one-way travel.
- 3). Section 3312.49, Minimum Number of Parking Spaces Required, to reduce parking from 59 spaces to 8 spaces.

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CV21-023  
1948-1951 Parsons Ave.  
Approximately 0.31 acres

South Side Plan (2014)



CV21-023  
1948-1951 Parsons Ave.  
Approximately 0.31 acres





CV21-023  
1948-1951 Parsons Ave.  
Approximately 0.31 acres

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## Standardized Recommendation Form

111 N Front Street, Columbus, Ohio 43215  
 Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

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

Application Number CV21-023

Address 1949 - 1951 Parsons Avenue

Group Name Columbus Southside Area Commission

Meeting Date March 23, 2021

Specify Case Type

☐ BZA Variance / Special Permit

☒ Council Variance

☐ Rezoning

☐ Graphics Variance / Plan / Special Permit

Recommendation (Check only one)

☒ Approval

☐ Disapproval

### LIST BASIS FOR RECOMMENDATION:

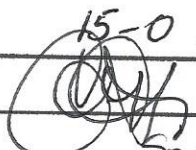
Vote

Signature of Authorized Representative

Recommending Group Title

Daytime Phone Number

15-0



SOUTHSIDE AREA COMMISSION

614-285-4901 x1100

Please e-mail this form to the assigned planner within 48 hours of meeting day; OR FAX to Zoning at (614) 645-2463; OR MAIL to: Zoning, City of Columbus, Department of Building & Zoning Services, 111 N Front Street, Columbus, Ohio 43215.

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### PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV21-023

Parties having a 5% or more interest in the project that is the subject of this application.

**THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED.** Do not indicate 'NONE' in the space provided.

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Michael Kelley, Attorney  
of (COMPLETE ADDRESS) 175 South Third Street, Suite 1020, Columbus, OH 43215  
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 (including 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. South End Hotel, LLC, 175 S Third St, Ste 1020, Columbus, OH 43215; # Cols based emps: Zero (0) Contact: Michael Kelley, (614) 372-6390	2. Kelley Companies, 175 S Third St, Ste 1020, Columbus, OH 43215; # Cols based emps: Four (4) Contact: Michael Kelley, (614) 372-6390
3. Community Housing Network, 1680 Watermark Dr, Columbus, OH 43215; # Cols based emps: 93 Contact: Samantha Shuler, (614) 487-6700	4. -----

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

SIGNATURE OF AFFIANT Michael H. Kelley

Sworn to before me and signed in my presence this 19<sup>th</sup> day of February, in the year 2021

MaryAlice Wolf  
SIGNATURE OF NOTARY PUBLIC

Notary Seal Here

My Commission Expires



MaryAlice Wolf  
Notary Public, State of Ohio  
My Commission Expires October 24, 2023  
**This Project Disclosure Statement expires six (6) months after date of notarization.**