

Council Variance Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov

OFFICE USE ONLY

Application Number: CV16-050 Date Received: 3/2/16
Application Accepted by: SP Fee: \$1600
Comments: Assigned to Tim Dietrich; 614-645-6665; tedietrich@columbus.gov
Shannon Pine; 614-645-2208; spine@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 601 S. 9th Street, Columbus, Ohio 43206 Zip: _____

Is this application being annexed into the City of Columbus? Select one: ☐ YES ☒ NO

If the site is currently pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.

Parcel Number for Certified Address: 010-049752 & 010-042938

☐ Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s): R-2F

Area Commission or Civic Association: Southside Area Commission

Proposed Use or reason for Council Variance request:

Development standard variances to foster urban redevelopment of the property with townhouse condominiums.

Acreage: .69 +/-

APPLICANT:

Name: Hondros Family of Companies Phone Number: 888.466.3767 Ext.: _____

Address: 4140 Executive Parkway City/State: Westerville, Ohio Zip: 43081

Email Address: _____ Fax Number: 614.508.6225

PROPERTY OWNER(S) ☒ Check here if listing additional property owners on a separate page

Name: 597 South Ninth Street LLC Phone Number: _____ Ext.: _____

Address: P.O. Box 12754 City/State: Columbus, Ohio Zip: 43212

Email Address: _____ Fax Number: _____

ATTORNEY / AGENT (Check one if applicable): ☒ Attorney ☐ Agent

Name: David Hodge, Esq., Underhill & Hodge LLC Phone Number: 614.335.9320 Ext.: _____

Address: 8000 Walton Parkway, Suite 260 City/State: New Albany, Ohio Zip: 43054

Email Address: david@uhlawfirm.com Fax Number: 614.335.9329

SIGNATURES (All signatures must be provided and signed in blue ink)

APPLICANT SIGNATURE By: [Signature]

PROPERTY OWNER SIGNATURE By: [Signature]

ATTORNEY / AGENT SIGNATURE [Signature]

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that the City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc. may delay the review of this application.

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

Additional Property Owner

Nathan Sampson & Charmaine Sutton
601 South Ninth Street
Columbus, Ohio 43206

CU16-050

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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.

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 requested as detailed below:

Please see attached Statement of Hardship.

Signature of Applicant _____ By: _____ Date _____

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Statement of Hardship

601 S. 9th Street

The applicant, Hondros Family of Companies, files this council variance request to foster the redevelopment of the subject property in a manner consistent with the existing built environment of the neighborhood. With this request the applicant commits to the site plan, and the buildings developed shall be substantially similar to the architectural elevations and renderings submitted. This proposal is consistent with the recommendations of the South Side Area Plan, and will provide condominium residential uses on this property.

Variance requests of this nature are appropriate in this neighborhood and allow an applicant to make commitments to delivering the product represented on site plans and architecture through the process. Further such variance requests are necessary for most, if not all, urban redevelopment in established neighborhoods. The following variances are necessary:

C.C. 3332.037 R-2F residential district.

To allow an 18-unit multiple dwelling development, consisting of 6 three-unit dwellings, on a newly created parcel created by combining four parcels in the R-2F district where this zoning district only allows two-family and single family dwellings.

C.C. 3332.14, R-2F area district requirements.

This section requires 3,000 square feet of lot space per dwelling unit, here the applicant is requesting 18 units, 1 per 1,666 square feet of lot space.

C.C. 3332.18(D), Basis of computing area.

This section provides for a lot coverage not to exceed 50% of the lot area, the applicant proposes lot coverage of approximately 61.2%.

C.C. 3332.21(E), Building lines.

This section provides for a minimum building setback of 10 feet, here the applicant proposes setbacks of 3.1 feet on Jackson Street, and 4.5 feet along S. 9th Street.

C.C. 3332.285, Perimeter yard.

This section provides for a perimeter yard of 20 feet, the applicant proposes 3.1 feet along the south property line, and 4.5 feet along the west property line.

C.C. 3321.05(A)(1), (B)(1), and (B)(2), Vision clearance.

Vision clearance requires a 10 foot X 10 foot vision clearance triangle at the intersection of driveways and public streets and a 30 foot X 30 foot vision clearance at street intersections. The applicant proposes encroachments into these vision clearance triangles as depicted on the Site Plan.

These variance requests are appropriate and typical of this type of development. The grant of these variances will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the dangers of fires, endanger public safety, unreasonably diminish or impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus.

The applicant's goal with this redevelopment is to provide an upscale condominium development to appeal to employees of nearby Children's Hospital, and who work downtown Columbus. Children's Hospital is in the midst of a vast expansion, and they will be hiring more and more staff in the near future. The location and price point of this product makes it very appealing to doctors and other medical staff who need to reside in close proximity to the hospital. Within less than five minutes' time, residents of this complex could be at the Hospital. The design and amenities of this complex make it very attractive to doctors or others in the health care industry.

The applicant respectfully requests approval of the variances requested.

Hondros Family of Companies

By:

Signature of Applicant:

David Hondros

Date:

August 2, 2016

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557 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov

AFFIDAVIT (See instruction sheet)

Application Number: 2016-050

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME David Hodge, Esq.

of (1) MAILING ADDRESS Underhill & Hodge LLC, 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 the name(s) and mailing address(es) of all the owners of record of the property located at

(2) per ADDRESS CARD FOR PROPERTY 601 S. 9th Street, Columbus, Ohio 43206

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 8/2/16

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) 597 South Ninth Street LLC & Nathan Sampson & Charmaine Sutton
P.O. Box 12754 601 South Ninth Street
Columbus, Ohio 43212 Columbus, Ohio 43206

APPLICANT'S NAME AND PHONE #
(same as listed on front application)

Hondros Family of Companies
888.466.3767

AREA COMMISSION OR CIVIC GROUP
AREA COMMISSION ZONING CHAIR
OR CONTACT PERSON AND ADDRESS

(5) Southside Area Commission
Curtis Davis
584 East Moler Street, Columbus, Ohio 43207

and that the attached document (6) is a list of the **names** and **complete mailing addresses**, including **zip codes**, as shown on the **County Auditor's Current Tax List or the County Treasurer's Mailing List**, of all the **owners of record of property within 125 feet** of the exterior boundaries of the property for which the application was filed, **and** all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property (7)

☐ (7) Check here if listing additional property owners on a separate page.

(8) SIGNATURE OF AFFIANT

David Hodge

Sworn to before me and signed in my presence this 2nd day of August, in the year 2016

(8) SIGNATURE OF NOTARY PUBLIC

Kimberly R. Grayson

1-11-2021
My Commission Expires

Notary Seal Here



KIMBERLY R. GRAYSON
Notary Public, State of Ohio
My Commission Expires
January 11, 2021

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Please make checks payable to the Columbus City Treasurer

APPLICANT:

Hondros Family of Companies
4140 Executive Parkway
Westerville, Ohio 43081

PROPERTY OWNER(S):

Nathan Sampson & Charmaine Sutton
601 South Ninth Street
Columbus, Ohio 43206

597 South Ninth Street LLC
P.O. Box 12754
Columbus, Ohio 43212

AREA COMMISSION:

Southside Area Commission
Curtis Davis, Zoning Chair
584 East Moler Street
Columbus, Ohio 43207

ATTORNEY:

David Hodge, Esq.
Underhill & Hodge LLC
8000 Walton Parkway, Suite 260
New Albany, Ohio 43054

SURROUNDING PROPERTY OWNERS:

Bernard Gaudi
611 Lathrop Street
Columbus, Ohio 43206

Schiller Park Partners LLC
180 Reinhard Avenue
Columbus, Ohio 43206

Jonathan Striker
581 Lathrop Street
Columbus, Ohio 43206

Patrick S. Phillips, Tr.
Patricia A. Phillips, Tr.
247 Lear Street
Columbus, Ohio 43206

Theodore Hill
39 Warren Street
Columbus, Ohio 43215

Heritage Investments of Ohio
200 Caboose Lane
Dublin, Ohio 43015

Nichole M. Reiss
577 Lathrop Street
Columbus, Ohio 43206

Andrew Hanas
9872 Camelot Street
Pickerington, Ohio 43147

Christopher Flynn
451 Jackson Street
Columbus, Ohio 43206

TPBES LLC
437 Jackson Street
Columbus, Ohio 43206

Judith Herr
600 S. Ninth Street
Columbus, Ohio 43206

Richard Jardiolin
602 S. Ninth Street
Columbus, Ohio 43206

Thomas Fenzl
208 Reinhard Avenue, Apt. B
Columbus, Ohio 43206

Bryce Glass
610 S. Ninth Street
Columbus, Ohio 43206

James Yappel
616 S. Ninth Street
Columbus, Ohio 43206

Kelvin Gholston
4694 Cemetery Road
Hilliard, Ohio 43026

Ball Alley Properties LLC
750 Clinton Place
River Forest, Illinois 60305

CV16-050

Fred and Lora Marcum
416 Jackson Street
Columbus, Ohio 43206

Robert and Betty Messer
424 Jackson Street
Columbus, Ohio 43206

Nathan Kaufman
575 S. Ninth Street
Columbus, Ohio 43206

Marion Elizabeth Mast
9827 Schlottman Road
Loveland, Ohio 45140

CBS Partnership
567 S. Ninth Street
Columbus, Ohio 43206

CBS Partnership
139 Main Street, Unit 103
Columbus, Ohio 43215

Erika Garber
9338 Wayne Brown Drive
Powell, Ohio 43065

Elisabeth Baldock
444 Jackson Street
Columbus, Ohio 43206

Steven and Theresa Morbitzer
603 Lathrop Street
Columbus, Ohio 43206

Walter Thieman
676 Neil Avenue
Columbus, Ohio 43215

Brooke and Eric Albrecht
390 E. Beck Street
Columbus, Ohio 43206

Charles A. Mandator, II
617 Lathrop Street
Columbus, Ohio 43206

William Thieman
613 Lathrop Street
Columbus, Ohio 43206

James Roemke
404 E. Beck Street
Columbus, Ohio 43206

Capital Holdings East LLC
139 Franklin Park West
Columbus, Ohio 43205

PGI Enterprises LLC
2841 La Mancha Court
Punta Gorda, Florida 33950

Martin Hynes
436 E. Beck Street
Columbus, Ohio 43206

Declan Smithies
442 E. Beck Street
Columbus, Ohio 43206

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PROJECT DISCLOSURE STATEMENT

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.

APPLICATION # CV16-050

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) David Hodge, Esq.

of (COMPLETE ADDRESS) Underhill & Hodge LLC, 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
Business or individual's address
Address of corporate headquarters
City, State, Zip
Number of Columbus based employees
Contact name and number

1. Nathan Sampson & Charmaine Sutton 601 South Ninth Street Columbus, Ohio 43206	2. 597 South Ninth Street LLC P.O. Box 12754 Columbus, Ohio 43212
3.	4.

☐ Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT

David Hodge

Sworn to before me and signed in my presence this 2nd day of August, in the year 2016

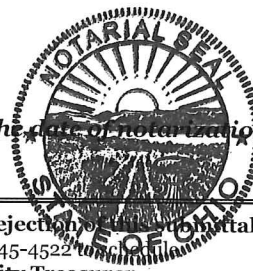
SIGNATURE OF NOTARY PUBLIC

Kimberly R. Grayson

My Commission Expires

1-11-2021

Notary Seal Here



KIMBERLY R. GRAYSON
Notary Public, State of Ohio
My Commission Expires
January 11, 2021

This Project Disclosure expires six (6) months after the date of notarization.

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City of Columbus Zoning Plat



ZONING NUMBER

The Zoning Number Contained on This Form
is Herein Certified to Obtain Zoning, Rezoning,
and Variances, and is NOT to be Used for
the Securing of Building & Utility Permits

Parcel ID: 010049752

Zoning Number: 601

Street Name: S 9TH ST

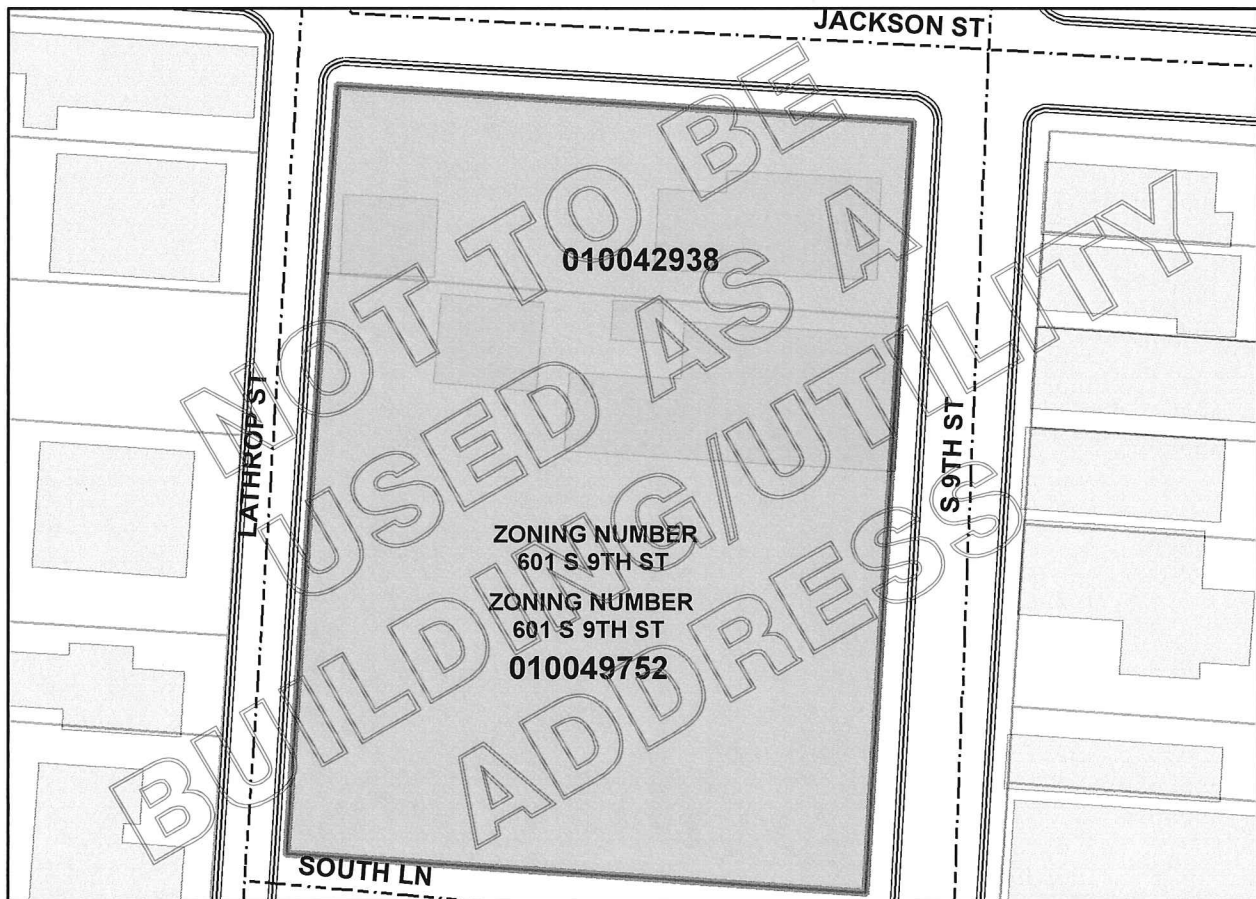
Lot Number: N/A

Subdivision: N/A

Requested By: UNDERHILL & HODGE LLC, (DAVID HODGE)

Issued By: *Adyana Amarian*

Date: 6/24/2016



FRANK D. WILLIAMS, ADMINISTRATOR
DIVISION OF INFRASTRUCTURE MANAGEMENT
COLUMBUS, OHIO

SCALE: 1 inch = 50 feet

GIS FILE NUMBER: 67315

Legal Description

Situated in the County of Franklin, in the State of Ohio, and in the City of Columbus:

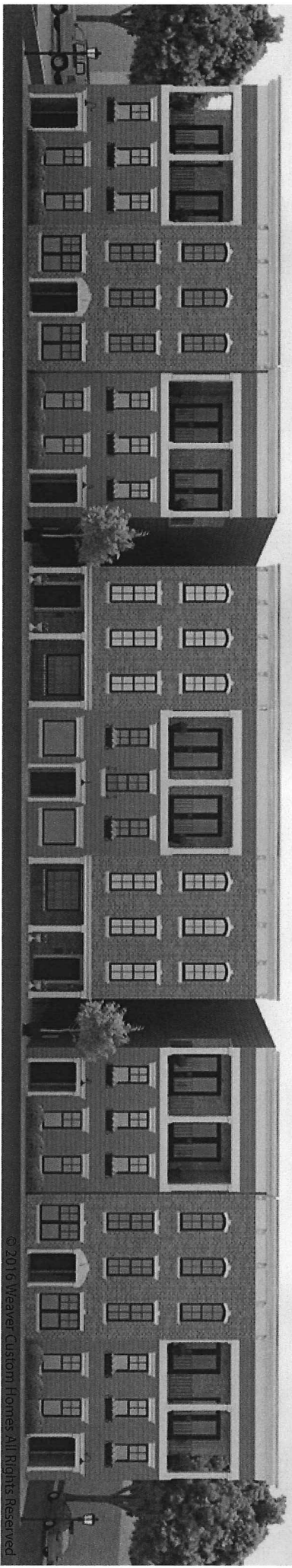
Being Lots Numbered Fifteen (15), Sixteen (16), Seventeen (17), and Eighteen (18) of James Bryden's Second Addition to the City of Columbus, Ohio, as the same are numbered and delineated upon the recorded plat thereof, of record in Deed Book 38, Page 275, Recorder's Office, Franklin County, Ohio.

Hondros Legal

CUL6-050

The Strada

Schumacher Place Columbus, Ohio



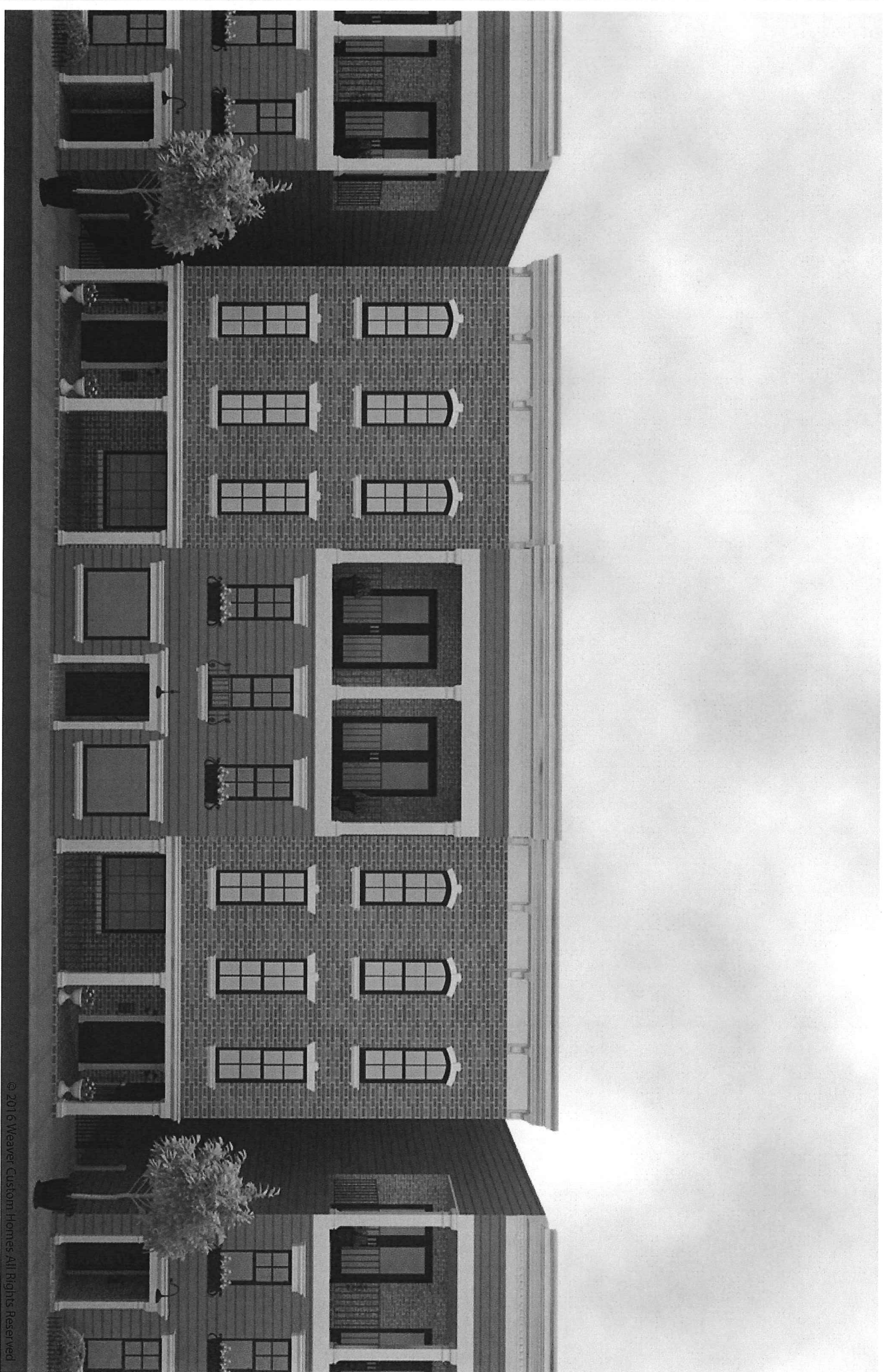
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CVL6-050



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Cu16-050



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Cv16~050

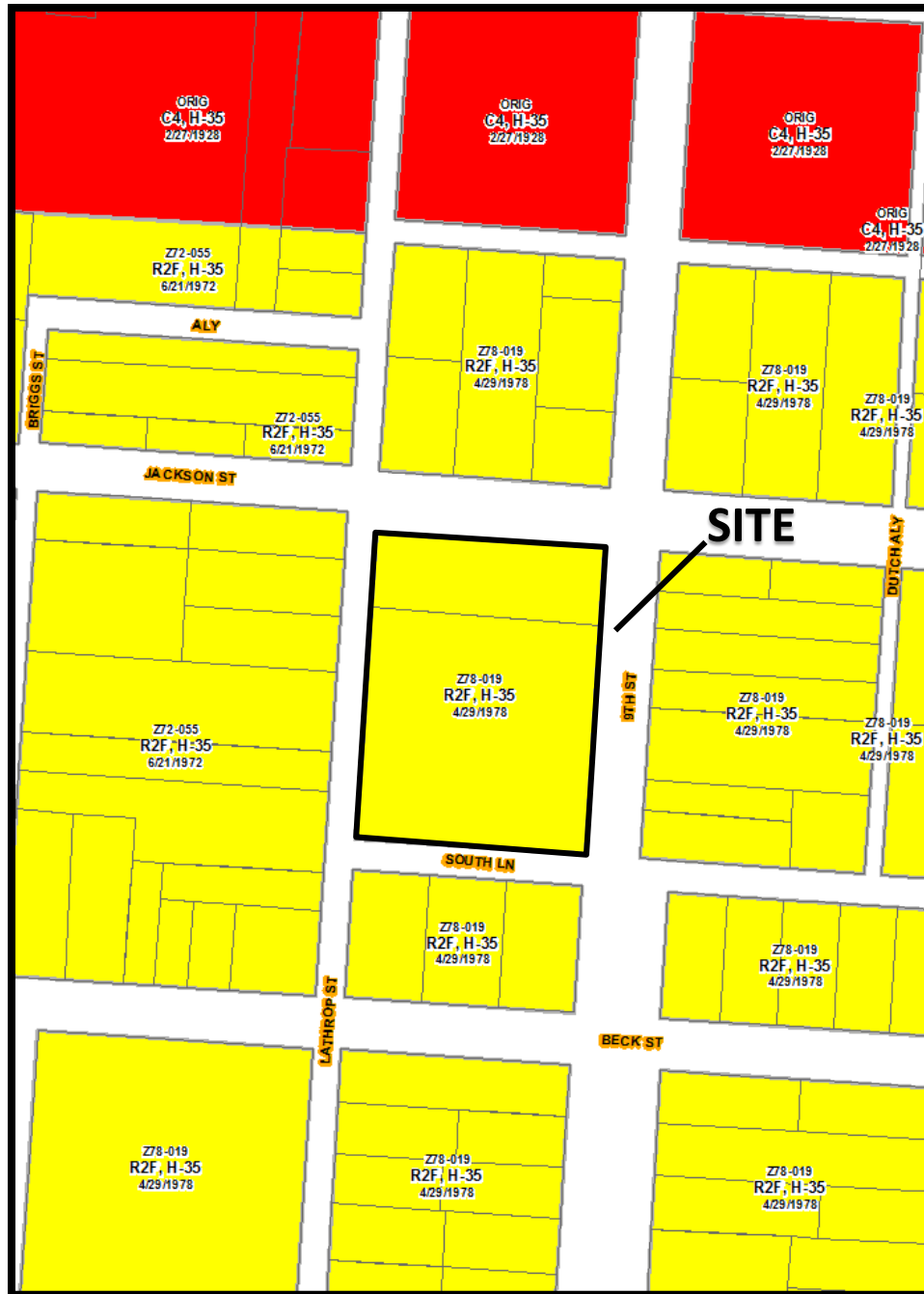


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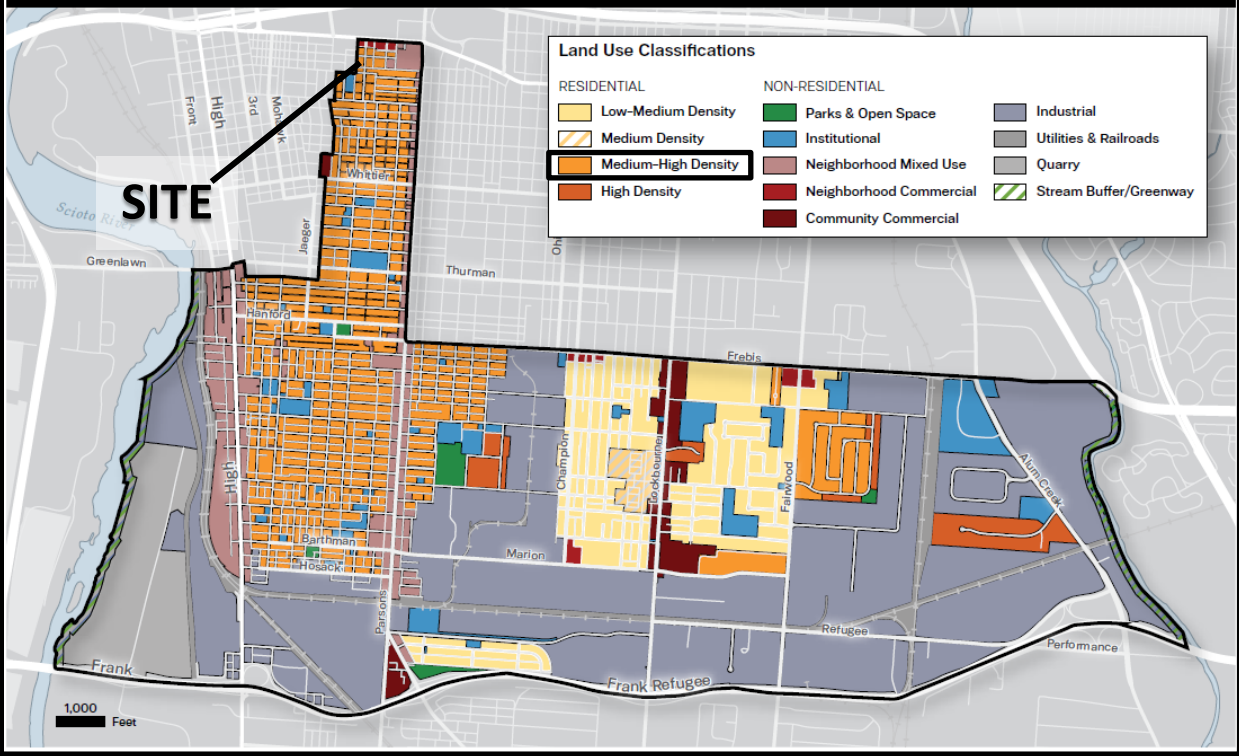
CU16-050



C016-0550



CV16-050
601 South Ninth Street
Approximately 0.69 acres

FIGURE 8: FUTURE LAND USE PLAN

CV16-050
601 South Ninth Street
Approximately 0.69 acres



CV16-050
601 South Ninth Street
Approximately 0.69 acres