

COUNCIL VARIANCE APPLICATION

Department of Building & Zoning Services

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224

Phone: 614-645-7433 • www.bzs.columbus.gov

OFFICE USE ONLY

Application Number: CV16-076 Date Received: 11/1/16

Application Accepted by: SP Fee: \$800 (In conjunction with rezoning)

Comments: Assigned to Kelsey Priene, kpriene@columbus.gov; 614-645-1341

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 1315 City Park Avenue Zip: 43207

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: 010-046829 & 010-047400

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

Current Zoning District(s): LAR1 & R2F

Area Commission or Civic Association: South Side Area Commission and Merion Village Association

Proposed Use or reason for Council Variance request:
Rezoning

Acreage: 0.34 acres

APPLICANT:

Name: City Park Acquisitions, LLC Phone Number: 614-563-3533 Ext.: _____

Address: 1349 Dennison Avenue City/State: Columbus, OH Zip: 43201

Email Address: bhiggins@archcitydevelopment.com Fax Number: n/a

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

Name: City Park Investment Properties, LLC Phone Number: 614-264-2106 Ext.: _____

Address: 241 Red Tail Drive City/State: Canal Winchester, OH Zip: 43110

Email Address: skeech@gmail.com Fax Number: _____

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

Name: NATHAN SAMPSON (BEHAL SAMPSON DIETZ) Phone Number: 614-464-1933 Ext.: _____

Address: 990 W. 3RD AVE. City/State: COLUMBUS, OH Zip: 43212

Email Address: nsampson@bsdarchitects.com Fax Number: 614-298-2149

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

APPLICANT SIGNATURE: [Signature]

PROPERTY OWNER SIGNATURE: [Signature] Thomas Murphy

ATTORNEY / AGENT 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

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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.

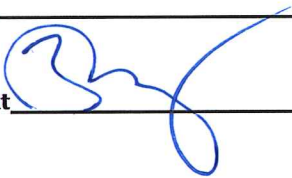
Before authorizing any variance from the Zoning Code in a specific case, City Council shall first determine that such variance will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the 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:

SEE EXHIBITS A AND B ON THE FOLLOWING PAGES.

Signature of Applicant



Date

11.1.16

CV16-076

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EXHIBIT A

Board of Zoning Adjustment Application - List of Requested Variances

Zoning Number: 1315 City Park Avenue

Parcel IDs #010-046829, 010-047400

Parcels	010-046829, 010-047400
Existing zoning	LAR-1, Apartment Residential (Z06-024) - #010-046829 R2F, Residential (Z05-022) - #010-047400
Height district	H-35
Area Commission	Columbus Southside Area Commission
Combined lot area	15,979 sq.ft. (0.367 acres)
(2 combined parcels + center of S. Pearl Street per ccc3333.15(b))	
Proposed 8-unit apartment house footprint	4,992 sq.ft.
Proposed 4-unit dwelling footprint	2,587 sq.ft.
Proposed total building footprint	7,579 sq.ft. (47.4% lot coverage)
Proposed building height	35 feet
Proposed dwelling units	12
Proposed zoning	AR-1, Apartment Residential district
Lot density	32.70 dwelling units per acre
Rear yard (8-unit apartment house)	4,562 sq.ft. (28.5% total lot area)
Rear yard (4-unit dwelling)	0 sq.ft. (0% total lot area)

Variances:

3312.49(C) – Minimum number of parking spaces required

To permit the minimum number of off-street parking spaces to be reduced from 18 to 16.

3321.01(A) – Dumpster area

To permit a dumpster and enclosure to be located between the building line and the right-of-way line along E. Moler Street.

3321.05(B)(2) – Clear vision for other driveways

To reduce the clear vision for other driveways from 30 feet to 16 feet at E. Moler St. and City Park Avenue

3333.02 - AR-12, ARLD and AR-1 apartment residential district use

To allow an arrangement of one (1) 8-unit apartment house and one (1) 4-unit dwelling

3333.16 – Fronting

To permit one (1) 4-unit dwelling to front upon a private drive in lieu of a public street

3333.18(D)(1) – Building lines

To reduce the building line from 10 feet to 4.75 feet on City Park Avenue

To reduce the building line from 10 feet to 1.0 feet on E. Moler Street

3333.22 - Maximum side yard required

To reduce the sum of the widths of each side yard from 16 feet to 12 feet

3333.23 - Minimum side yard permitted

To reduce the minimum side yard permitted from 5.8 feet (3333.23(c)) to 0 feet

3333.24 – Rear yard

To reduce the required rear yard from totaling no less than 25 percent of the total lot area to no less than 0 percent of the total lot area for the 4-unit dwelling.

EXHIBIT B

Board of Zoning Adjustment Application - Statement of Hardship

Zoning Number: 1315 City Park Avenue

Parcel IDs #010-046829, 010-047400

These parcels are located in Merion Village and within the Columbus Southside Area Commission and are bounded by City Park Avenue to the east, E. Moler Street to the south, S. Pearl Street to the west and an adjacent parcel to the north. The larger parcel to the south is currently zoned LAR-1, Apartment Residential and the smaller parcel to the north is currently zoned R2F, Residential. The existing LAR-1 zoning for the south parcel would permit an Apartment House use containing 5 or more dwelling units or a Dwelling use containing 3-4 dwelling units.

To effectively redevelop these properties, the developer is requesting a rezoning of these parcels to AR-1 - Apartment Residential use which, in conjunction with the requested variances, will allow the developer to combine these parcels into a single parcel, construct one (1) 8-unit Apartment House and one (1) 4-unit Dwelling (both condominiums) with sixteen (16) off-street parking spaces.

The rezoning of this parcel will permit this proposed structure to contain a higher density of dwelling units per acre, which is necessary to proceed with the redevelopment of this site. The requested variances are essential to maintaining an appropriate rhythm of the existing urban streetscape by complementing the setbacks of the existing structures along City Park Avenue and E. Moler Street.

In the best interest of surrounding property owners, this development will be an attractive addition to the neighborhood, will continuing to promote further investment and development of this neighborhood and will help to foster increased property values.

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Department of Building & Zoning Services

Scott Messer, Director

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AFFIDAVIT (See instruction sheet)

Application Number: CV16-076

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Brian Higgins

of (1) MAILING ADDRESS 1349 Dennison Avenue, Columbus, OH 43201

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 1315 City Park Avenue

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 11/1/16

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) City Park Investment Properties, LLC Thomas Murphy
241 Red Tail Drive 12325 Matville Rd
Canal Winchester, OH 43110 Orient, OH 43146

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

City Park Acquisitions, LLC
614-563-3533

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

(5) South Side Area Commission
Curtis Davis
584 East Moler Street, Columbus, OH 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

Sworn to before me and signed in my presence this 31st day of October, in the year 2016

Rev

(8) SIGNATURE OF NOTARY PUBLIC

My Commission Expires 01-01-20

Notary Seal Here

CHRISTINA L HUNTLEY
Notary Public, State of Ohio
My Commission Expires 01-01-2020

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

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Hitesh and Pratima Pandya
5238 Cascade Drive
Powell, OH 43065

Or Woodyard Company
1346 South High Street
Columbus, OH 43207

Bash 3, LLC
1119 Regency Drive
Columbus, OH 43220

Bailey Investment Properties, LLC
241 Red Tail Drive
Canal Winchester, OH 43110

Michael Martin
39 East Moler Street
Columbus, OH 43207

Scott Schweitzer
2344 Northwest Blvd
Upper Arlington, OH 43221

Marcia Arnold
3856 Hillcrest Street E
Hilliard, OH 43026

Kory Larimore
1967 Wolverhampton Road
Powell, OH 43065

Matthew Groom
2868 Bryden Road
Columbus, OH 43209

James Caudill
184 State Street
Jackson, OH 45640

Paul Stephens
51 Frebis Avenue
Columbus, OH 43206

Brian Ridenour
Joshua McAdams
1295 City Park Avenue
Columbus, OH 43206

James & Erin Heinzman
1289 City Park Avenue
Columbus, OH 43206

1283 City Park, LLC
4701 SW Admiral Way, #175
Seattle, WA 98116

City Park Acquistions, LLC
1349 Dennison Avenue
Columbus, OH 43201

City Park Investment Properties, LLC
241 Red Tail Drive
Canal Winchester, OH 43110

Thomas Murphy
12325 Matville Road
Orient, OH 43146

South Side Area Commission
c/o Curtis Davis
584 East Moler Street
Columbus, OH 43207

Nathan Sampson
Behal Sampson Dietz
990 W. 3rd Avenue
Columbus, OH 43212

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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 # CV16-076

STATE OF OHIO
COUNTY OF FRANKLIN

Brian Higgins

Being first duly cautioned and sworn (NAME) Brian Higgins
of (COMPLETE ADDRESS) 1349 Dennison Avenue, Columbus, OH 43201

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. MDB Lakeshore Holdings, LLC 1555 Lake Shore Drive Columbus, OH 43204	2. VHS City Park, LLC 823 East Long Street, 2nd Floor Columbus, OH 43203
3.	4.

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

SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 03rd day of October, in the year 2016

SIGNATURE OF NOTARY PUBLIC

Notary Seal Here

01-01-20
My Commission Expires
CHRISTINA L HUNTLEY
Notary Public, State of Ohio
My Commission Expires 01-01-2020

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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: 010046829, 010047400

Zoning Number: 1315

Street Name: CITY PARK AVE

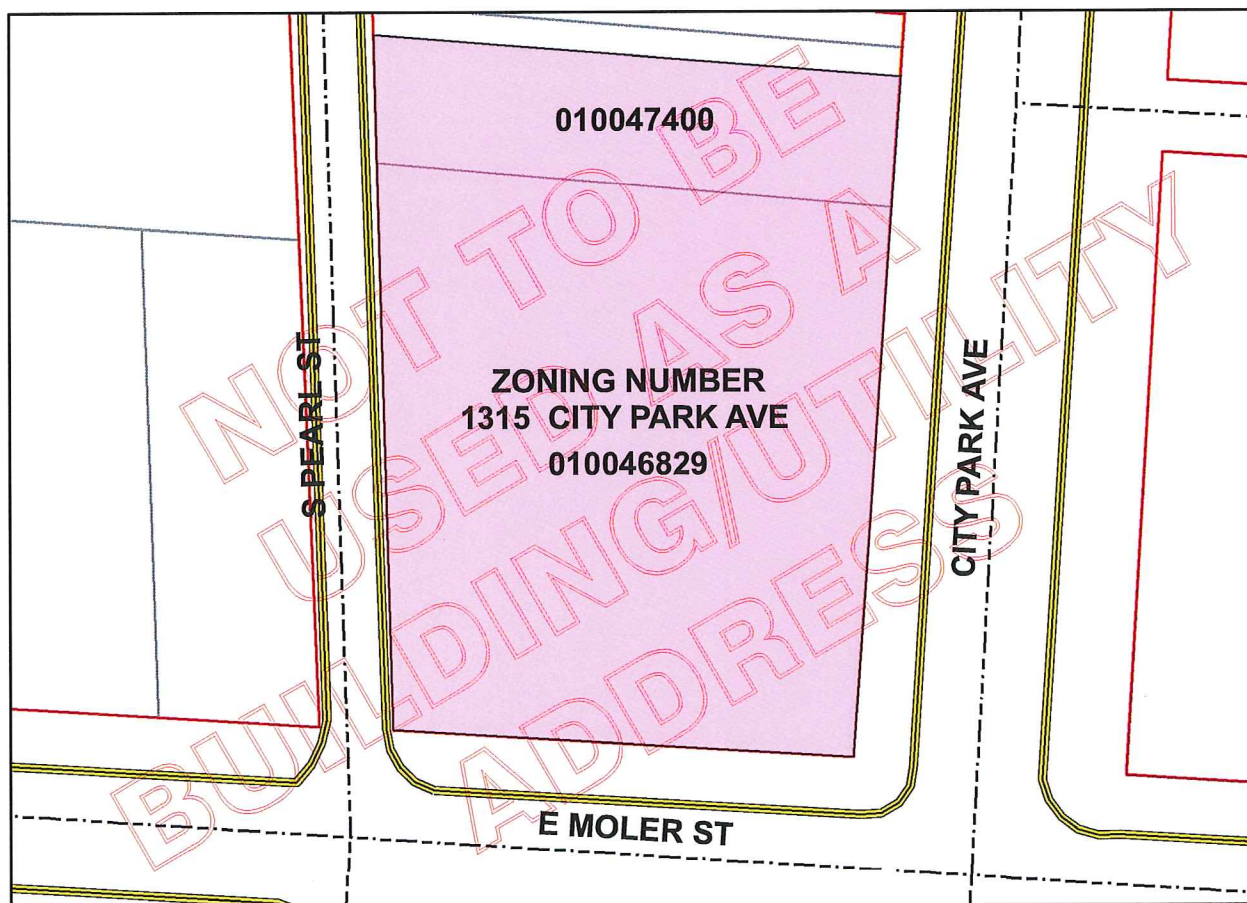
Lot Number: N/A

Subdivision: N/A

Requested By: BEHAL SAMPSON DIETZ (MARK OSWANSKI)

Issued By: *Edyana Amariam*

Date: 10/28/2016



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

SCALE: 1 inch = 40 feet

GIS FILE NUMBER: 77563

CW16-076

EXHIBIT A - LEGAL DESCRIPTION

Legal Description:

Tract 1:

Situate in the City of Columbus, in the County of Franklin and State of Ohio, and being more particularly described as follows:

Being Lot Numbers One (1) and Two (2) of Catherine Loechler's Subdivision of Lot Number Six (6) of Nathaniel Merion's Amended Subdivision of a part of Half Section No. 29, Township No. 2, Range No. 22, Refugee Lands, as the same is numbered and delineated on the recorded plat thereof, of record in Plat Book No. 2, page 355, Recorder's Office, Franklin County, Ohio.

EXCEPTING however from the above described premises Nine (9) feet off the south and thereof, heretofore condemned by the City of Columbus, Ohio, for the purposes of widening Moler Street and excepting also twenty-six (26) feet, measured on the East line of said Lot Numbered Two (2) off of the north ends of said Lot Numbers One (1) and Two (2) above described and known as Number 28 East Moler Street, Columbus, Ohio.

TOGETHER with a seven (7) foot strip of an alley vacated by Columbus City Ordinance 37.249 passed June 28, 1926, and extending along the entire east side of the above described premises.

Easements, restrictions, etc.: Subject to easements, conditions, and restrictions of record.

Parcel Number: 010-046829-00

Property Address: 28 Moler St, Columbus OH 43201

Prior Reference: Instrument No. 200603020040251

Tract 2:

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

Being 26 feet off of the North ends of Lots Number One (1) and Two (2), in Gottlieb Loechler's Subdivision of Lot Number Six (6) of N. Merion's Subdivision of part of half Section 29, Township 5, Range 22, Refugee lands, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, Page 355, Recorder's Office, Franklin County, Ohio, together with that portion of an alley lying East of the above described premises as vacated by Ordinance No. 37249, passed June 28, 1926, City of Columbus.

Parcel Number: 010-047400-00

Property Address: 1305 City Park Avenue, Columbus, OH 43206

Prior Reference: Instrument No. 20030521050686

Easements, restrictions, etc.: Subject to easements, conditions, and restrictions of record.

CV16-076

Tract 3:

Situated in the State of Ohio, County of Franklin, City of Columbus, and being more particularly described as follows:

Beginning at the true point of beginning, and being the northeast corner of Lot 2 of Gottlieb Loechler's Subdivision of Lot 6 of Nathaniel Merion's Amended Subdivision of part of half Section 29, Township 5, Range 22 of the Refugee lands, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, Page 355, of the Franklin County Recorder's Office;

Thence with the northerly line of Lots 2 and 1 of said subdivision and the southerly line of the herein described alley, N 88° 18' 02" W a distance of 112.11 feet to an iron pin set at the northwest corner of Lot No. 1 of said subdivision and a point on the easterly line of Pearl Street;

Thence with the easterly line of Pearl Street, extended, to the center of the herein described alley, N 13° 48' 52" W a distance of 6.23 feet to a PK nail set in the center of said alley;

Thence with the centerline of the herein described alley, S 88° 18' 02" E a distance of 113.73 feet to a PK nail set at the intersection of said centerline and the westerly right-of-way line, extended, of City Park Avenue;

Thence with said westerly line of City Park Avenue, S 01° 13' 29" W a distance of 6.00 feet to the TRUE POINT OF BEGINNING, containing 0.015 acres more or less.

Iron pins set are 30" in length and 58" in diameter with a yellow cap "Property Line PS-7616".

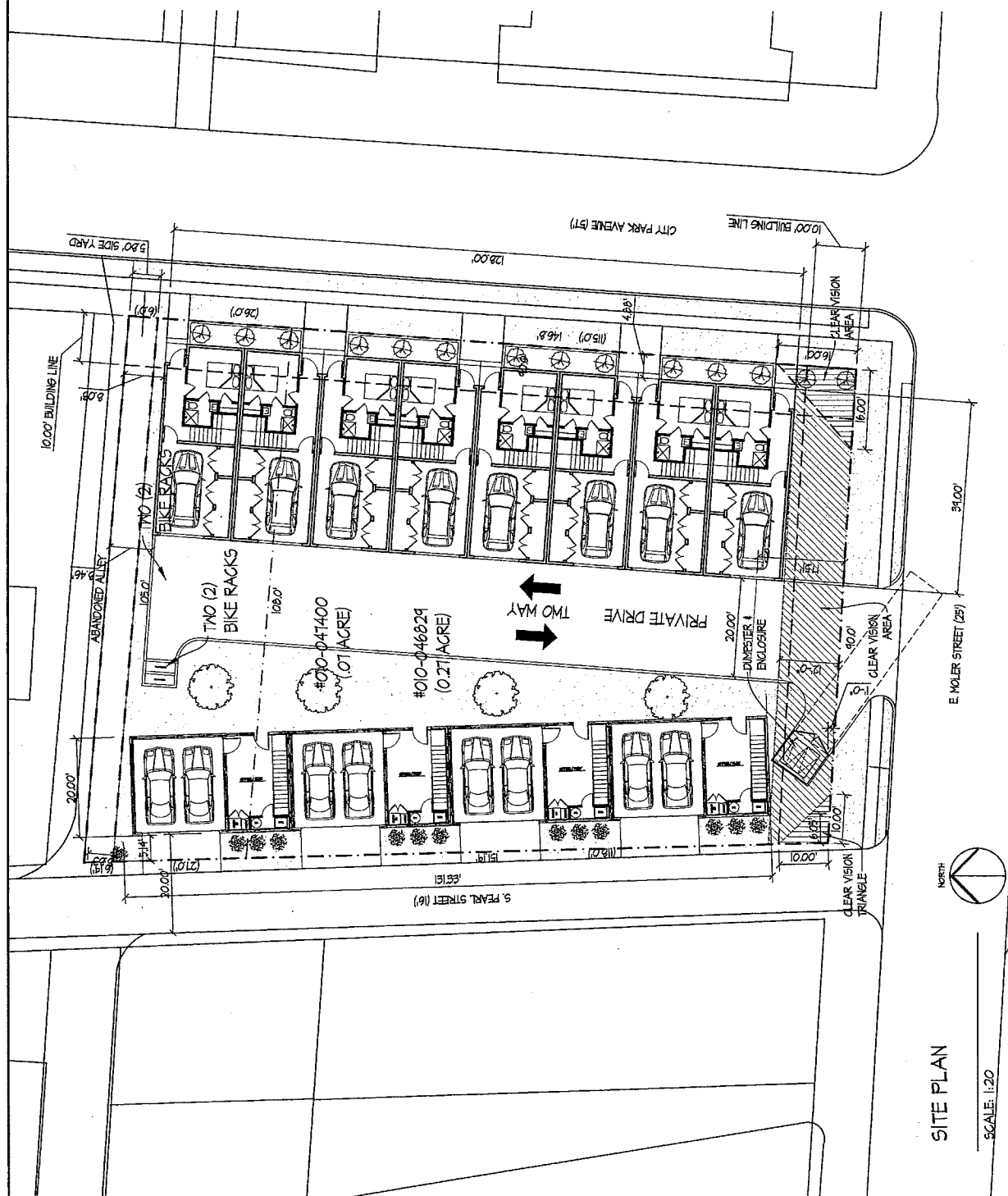
Easements, restrictions, etc.: Subject to easements, conditions, and restrictions of record.

Parcel Number: 010-250522-00

Property Address: City Park Avenue, Columbus, OH 43206

Prior Reference: Instrument No. 200305090137947

SCHEMATIC SITE PLAN DESIGN FOR
1305 CITY PARK AVE
NOVEMBER 1, 2016
CV16-074



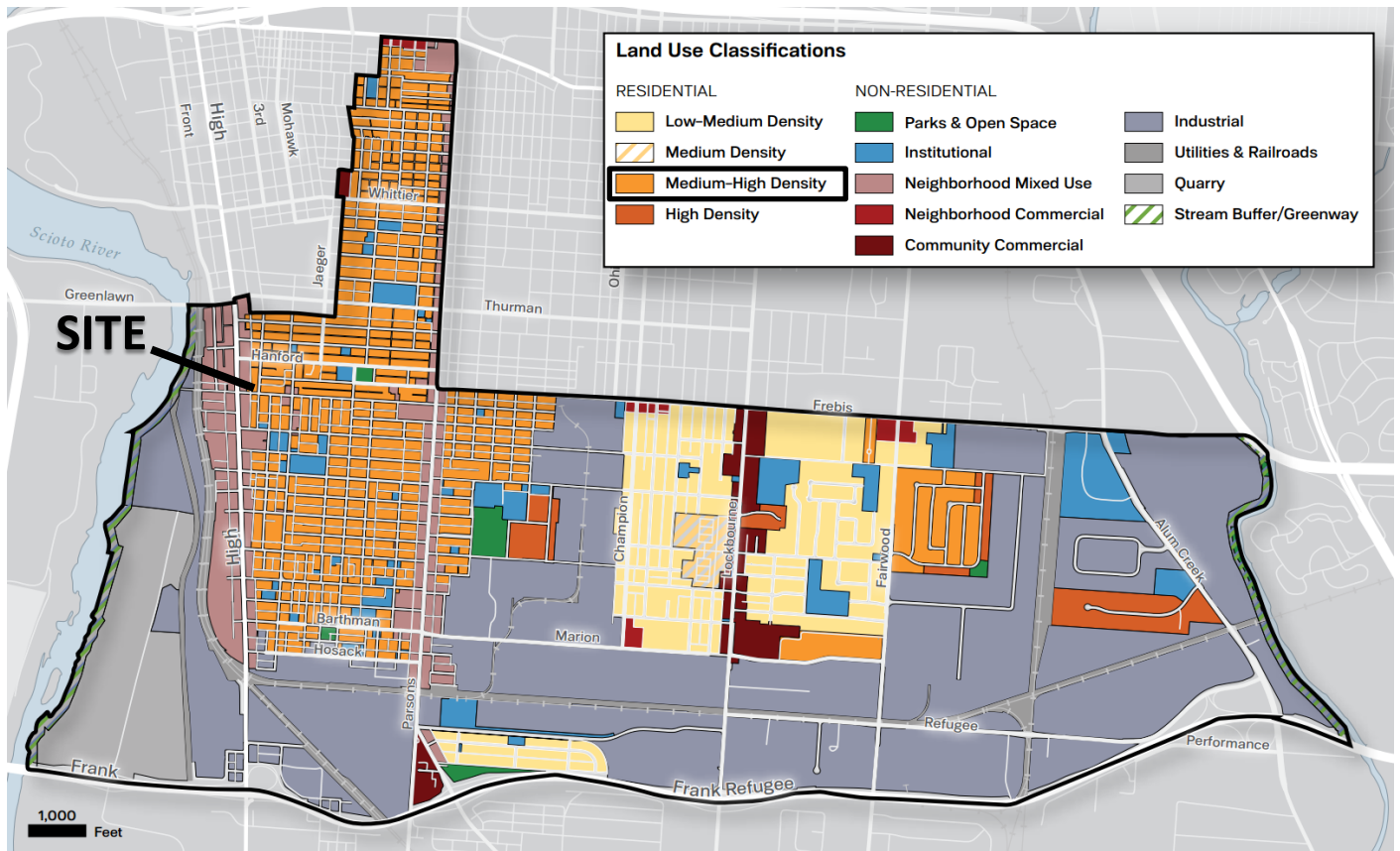
BEHAL SAMPSON DIETZ
990 WEST THIRD AVE.
COLUMBUS, OHIO 43212

DESIGN CALCULATIONS AND VARIANCES		SITE PLAN NOTES	
PARCELS	010-04629, 010-04700	LANDSCAPING AND SCREENING SHALL COMPLY WITH OCC312.1	
EXISTING ZONING	LAR-1, APARTMENT RESIDENTIAL (Z06-024) - R10-04629	PARKING SPACES SHALL COMPLY WITH OCC312.9	
HEIGHT	R2F, RESIDENTIAL (Z09-022) - R10-04700	PARKING SPACE FOR ADA COMPLIANCE SHALL COMPLY WITH OCC312.11	
AREA COMMISSION	H-35	REQUIRED SURFACE FOR PARKING SHALL COMPLY WITH OCC312.15	
	COLUMBUS SOUTHWEST AREA COMMISSION	STREETING AND MARKING SHALL COMPLY WITH OCC312.9	
		BICYCLE PARKING SHALL COMPLY WITH OCC312.4(a)	
COMBINED LOT AREA	15,471 SQ.FT. (0.357 ACRES)	DUMPSTER AREA SHALL COMPLY WITH OCC312.10	
12 COMBINED PARCELS - CENTER OF S. PEARL STREET 8 UNIT APARTMENT HOUSE FOOTPRINT	4,970 SQ.FT.	LIGHTING SHALL COMPLY WITH OCC312.17	
PROPOSED 8 UNIT DWELLING FOOTPRINT	2,597 SQ.FT.	LANDSCAPING SHALL COMPLY WITH OCC312.17	
PROPOSED 4 UNIT DWELLING FOOTPRINT	1,574 SQ.FT. (47.4% LOT COVERAGE)	SCREENING SHALL COMPLY WITH OCC312.19	
PROPOSED TOTAL BUILDING FOOTPRINT	95 FEET		
PROPOSED BUILDING HEIGHT	12		
PROPOSED DWELLING UNITS	32 TO DWELLING UNITS PER ACRE		
PROPOSED ZONING	4,563 SQ. FT. (0.105% TOTAL LOT AREA)		
LOT DENSITY	0 SQ.FT. (0% TOTAL LOT AREA)		
REAR YARD (8-UNIT APARTMENT HOUSE)			
REAR YARD (4-UNIT DWELLING)			
VARIANCES:			
3312.4(c) - MINIMUM NUMBER OF PARKING SPACES REQUIRED	TO PERMIT THE MINIMUM NUMBER OF OFF-STREET PARKING SPACES TO BE REDUCED FROM 15 TO 16.		
332.01(a) - DUMPSTER AREA	TO PERMIT A DUMPSTER AND ENCLOSURE TO BE LOCATED BETWEEN THE BUILDING LINE AND THE RIGHT-OF-WAY LINE ALONG E. WOLFE STREET.		
331.05(b)(2) - CLEAR VISION FOR OTHER DRIVEWAYS	TO REDUCE THE CLEAR VISION FOR OTHER DRIVEWAYS FROM 30 FEET TO 16 FEET AT E. WOLFE ST. AND CITY PARK AVENUE		
333.02 - AR-12, AR-10 AND AR-1 APARTMENT RESIDENTIAL DISTRICT USE	TO ALLOW AN ARRANGEMENT OF ONE (1) 8-UNIT APARTMENT HOUSE AND ONE (1) 4-UNIT DWELLING		
333.16 - FRONTING	TO PERMIT ONE (1) 4-UNIT DWELLING TO FRONT UPON A PRIVATE DRIVE IN LIEU OF A PUBLIC STREET		
333.18(d)(1) - BUILDING LINES	TO REDUCE THE BUILDING LINE FROM 10 FEET TO 4.15 FEET ON CITY PARK AVENUE		
333.12 - SIDE YARD REQUIRED	TO REDUCE THE BUILDING LINE FROM 10 FEET TO 10 FEET ON E. WOLFE STREET		
333.23 - MINIMUM SIDE YARD REQUIRED	TO REDUCE THE SUM OF THE PORTIONS OF EACH SIDE YARD FROM 16 FEET TO 12 FEET		
333.23 - MINIMUM SIDE YARD PERMITTED	TO REDUCE THE MINIMUM SIDE YARD PERMITTED FROM 5.0 FEET (333.23(c)) TO 0 FEET		
333.24 - REAR YARD	TO REDUCE THE REQUIRED REAR YARD FROM TOTALING NO LESS THAN 25 PERCENT OF THE TOTAL LOT AREA TO NO LESS THAN 0 PERCENT OF THE TOTAL LOT AREA FOR THE 4-UNIT DWELLING.		

SCHEMATIC SITE PLAN DESIGN FOR
1305 CITY PARK AVE
NOVEMBER 1, 2016
CV16-076



CV16-076
1315 City Park Avenue
Approximately 0.34 acres



CV16-076
 1315 City Park Avenue
 Approximately 0.34 acres



CV16-076
1315 City Park Avenue
Approximately 0.34 acres