

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: CV17-033 Date Received: 4/25/17

Application Accepted by: TD + KP Fee: \$1,600

Assigned Planner: Kelsey Priene; kpriene@columbus.gov; 614-645-1341

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes): 923 East Long Street; 930 Almond Avenue; 932 Almond Avenue Zip: 43203

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: 010-017390-00; 010-031034-00; 010-030364-00

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

Current Zoning District(s): R2F

Area Commission or Civic Association: Near East Area Commission

Proposed Use or reason for Council Variance request:

Construction of private playground

Acreage: 0.22 acres total

APPLICANT:

Name: Capital City Holdings LLC Phone Number: 614-224-8446 Ext.: _____

Address: 88 East Broad Street City/State: Columbus Zip: 43215

Email Address: sziegler@occh.org Fax Number: 614-224-8452

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

Name: Capital City Holdings LLC Phone Number: 614-224-8446 Ext.: _____

Address: 88 East Broad Street City/State: Columbus Zip: 43215

Email Address: sziegler@occh.org Fax Number: 614-224-8452

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

Name: Thomas F. Kibbey Phone Number: 614-365-2718 Ext.: _____

Address: 2000 Huntington Center, 41 S. High Street City/State: Columbus Zip: 43215

Email Address: tom.kibbey@squirepb.com Fax Number: 614-365-2499

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

APPLICANT SIGNATURE: _____

PROPERTY OWNER SIGNATURE: _____

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

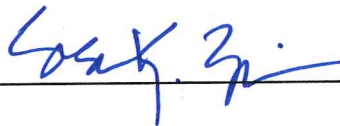
List all sections of Code to be varied and explain your reasoning as to why this request should be granted.

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 Statement of Hardship.

Signature of Applicant



Date

4/24/17

CW17-033

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CAPITAL CITY HOLDINGS LLC
923 East Long Street; 930-932 Almond Avenue
Columbus, Ohio 43203

STATEMENT OF HARDSHIP

The property that is the subject of this council variance application is comprised of three (3) tracts of real estate under the following Franklin County Auditor's Tax Parcel Numbers: 010-017390; 010-031034-00; and 010-030364-00 (collectively, the "Site"). Currently the Site is vacant. Applicant is a limited liability company that is wholly owned by Ohio Capital Corporation for Housing, a non-profit corporation dedicated to providing affordable housing to low-income tenants. Applicant seeks council approval of a use variance for the Site and variances from certain zoning requirements which will facilitate the use of the Site as private park/playground serving the daycare adjacent to the Site ("Daycare") and residents at Scholar House, a low-income housing development nearby the Site ("Scholar House").

The adjacent Daycare primarily serves tenants of the Scholar House. Occupancy of Scholar House residential units are restricted to tenants who: (1) are low-income (30% of annual median income), (2) have primary custody of at least one child, and (3) have at least one year of remaining coursework before graduation. Applicant seeks to obtain a variance to permitted uses for the Site to permit the operation on the Site of a private park/playground serving the Daycare and the Scholar House tenants. Children attending the Daycare and/or living at Scholar House need a safe and secure play area. Applicants believe that establishing a safe, secure park/playground immediately adjacent to the Daycare and close to Scholar House will encourage the children to engage in physical activity and contribute to their physical and emotional well-being.

The following variances are necessary to facilitate this project:

1. To vary the standards of 3332.037 R-2F District, to permit the operation of a private park/playground on the Site.
2. To vary the standards of 3332.05(A)(4) Area district lot width requirements, to maintain the existing lot width of 43.75 feet.
3. To vary the standards of Section 3332.21, Building lines, which requires for unimproved frontage the minimum distance of a building line from the street property line be equal to one-half of the designated right-of-way width of the frontage street, as shown on the Columbus thoroughfare plan, or if the street is not shown thereon, 25 feet. The applicant proposes to construct a 6 foot brick wall with cap and a 6 foot fixed wrought iron gate on the street property line of the Site.
4. To vary the standards of Section 3332.26, minimum side yard permitted, which require that the side yards be a minimum of 5 feet. The applicant proposes minimum side yard width 1.5 feet along the west property line, to accommodate the construction of a storage shed to hold maintenance supplies and playground equipment.

Importantly, granting of the use and other variances will not materially affect the essential character of the Site as it relates to surrounding properties nor will there be any materially adverse effect on the surrounding property owners. Furthermore, there will be no effect on the delivery of governmental services. Instead, the granting of the variances will enable the Applicant to provide recreational opportunities in a safe, secure environment for the children attending the Daycare and the children of the residents at Scholar House and add to the vibrancy of the surrounding neighborhood.

Furthermore, the granting of the use and other variances will in no way impair an adequate supply of light and air to adjacent property as the construction of a private park/playground permits the lot to remain free of larger structures such as a residence. The granting of the variances also will not unreasonably increase the congestion of the public streets, increase the danger of fires, endanger the public safety or unreasonably diminish or impair the public health, safety, comfort, morals or welfare of the inhabitants of the City of Columbus. Traffic congestion will not be materially increased as private park/playground will serve the children attending the Daycare and the residents at the nearby Scholar House and thus no additional traffic will be generated. In addition, granting of the variances will decrease the danger of fires by re-using currently vacant property, increase the public safety by repurposing a currently vacant lot and generally benefit the public health, safety, comfort and welfare of the inhabitants of the City of Columbus by contributing to the revitalization of a currently blighted area of the City and by providing a safe, secure private park/playground to children attending the Daycare and children of the residents of Scholar House.

In light of the obvious hardship and the practical difficulties being experienced by it, the Applicants respectfully request that City Council grant the variance to permit the use of the Site as a private park/playground and the associated variances necessary to permit the development of a private park/playground on the Site.

* * *

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

AFFIDAVIT (See instruction sheet)

Application Number: CV17-033

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Thomas F. Kibbey

of (1) MAILING ADDRESS 41 S. High Street, 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 the name(s) and mailing address(es) of all the owners of record of the property located at

(2) per ADDRESS CARD FOR PROPERTY 923 East Long Street, Columbus Ohio 43203

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 4/25/17

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) Capital City Holdings LLC

88 East Broad Street, Suite 1800, Columbus, OH 43215

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

Capital City Holdings LLC

614-224-8446

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

(5) Near East Area Commission

Annie Ross-Womack

874 Oakwood Avenue, Columbus, OH 43206

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)

☐ 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 4th day of April, in the year 2017

(8) SIGNATURE OF NOTARY PUBLIC

My Commission Expires

Notary Seal Here



Robert K Dodson II

Attorney At Law

Notary Public, State of Ohio

My commission has no expiration date

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

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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

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 # CV17-033

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Sue Ziegler

of (COMPLETE ADDRESS) 88 East Broad Street, Suite 1800, 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
Business or individual's address
Address of corporate headquarters
City, State, Zip
Number of Columbus based employees
Contact name and number

1. Ohio Capital Corporation for Housing 88 East Broad Street, Suite 1800 Columbus, OH 43215 43 Columbus based employees Sue Ziegler 614-224-8446	2.
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

, in the year

SIGNATURE OF NOTARY PUBLIC



Thomas F. Kibbey, Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Sec. 147.03 R.C.

Notary Seal Here

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APPLICANT/PROPERTY OWNER
Capital City Holdings LLC
110 W. 17th Ave.
Columbus OH 43210

ATTORNEY
Thomas F. Kibbey, Esq.
Squire Patton Boggs (US) LLP
41 South High Street Ste. 2000
Columbus OH 43215

AREA COMMISSION
Near East Area Commission
50 W Gay Street
Columbus OH 43215

SURROUNDING PROPERTY
OWNERS

Capital City Holdings LLC
110 W. 17th Ave.
Columbus, OH 43210

Ohio Orchard Road Investments LLC
P.O. Box 8524
Roanoke, VA 24014

Summerfield Homes LLC
88 E. Broad Street
Columbus, OH 43215

Rudolph V Robinson et al 5
4468 Landmark Rd.
Groveport OH 43125-8922

Unity Investment Holdings LLC
929 E. Long Street
Columbus, OH 43203

916 E. Gay Street LLC
64 Miami Avenue
Columbus, OH 43203

Columbus Metropolitan Housing
Authority
880 E. 11th Avenue
Columbus, OH 43211-2771

Raymond Morgan
924 E. Gay Street
Columbus, OH 43203

Harris Walter
684 New York Ave.
Columbus, OH 43201-2945

City of Columbus
50 W. Gay St., 4th Floor
Columbus, OH 43215-9070

Robert E. Henton
943 Almond Alley
Columbus, OH 43203

Donsoa Morgan
9240 Ruston Ln.
Reynoldsburg, OH 43068-9548

Johnson Lois
924 E. Gay Street
Columbus, OH 43203

Legal Description

Parcel 1: (Parcel # 010-017390, of record in instrument Number 201407080086379)

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

Being Lot Number Two (2) of Knight, Noble and English's Subdivision of a part of Half-Section No. 13, Township No. 5, Range No. 22, Refugee Lands, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 3, Page 155, Recorder's Office, Franklin County, Ohio.

Parcel No.: 010-017390-00

Street Address: 923-925 E. Long Street, Columbus, OH 43203

Parcel 2: (Parcel # 010-031034, of record in instrument Number 201411130152073)

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

Being the West one-half lot of Lot No. Three (3) of Knight, Noble & English's Subdivision, but excepting 121.45 feet off the North end of this lot, as numbered, delineated, and recorded in Plat Book 3, Page 155, Recorder's Office, Franklin County, Ohio.

Parcel No.: 010-031034-00

Street Address: 930 Almond Avenue, Columbus, Ohio 43203

Parcel 3: (Parcel # 101-030364, of record in instrument Number 201411130152073)

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

Being the East one-half Lot No. Three (3) of Knight, Noble & English's Subdivision, but excepting 121.45 feet off the North end of this lot, as numbered, delineated, and recorded in Plat Book 3, Page 155, Recorder's Office, Franklin County, Ohio.

Parcel No.: 010-030364-00

Street Address: 932 Almond Avenue, Columbus, Ohio 43203



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: 010017390

Zoning Number: 923

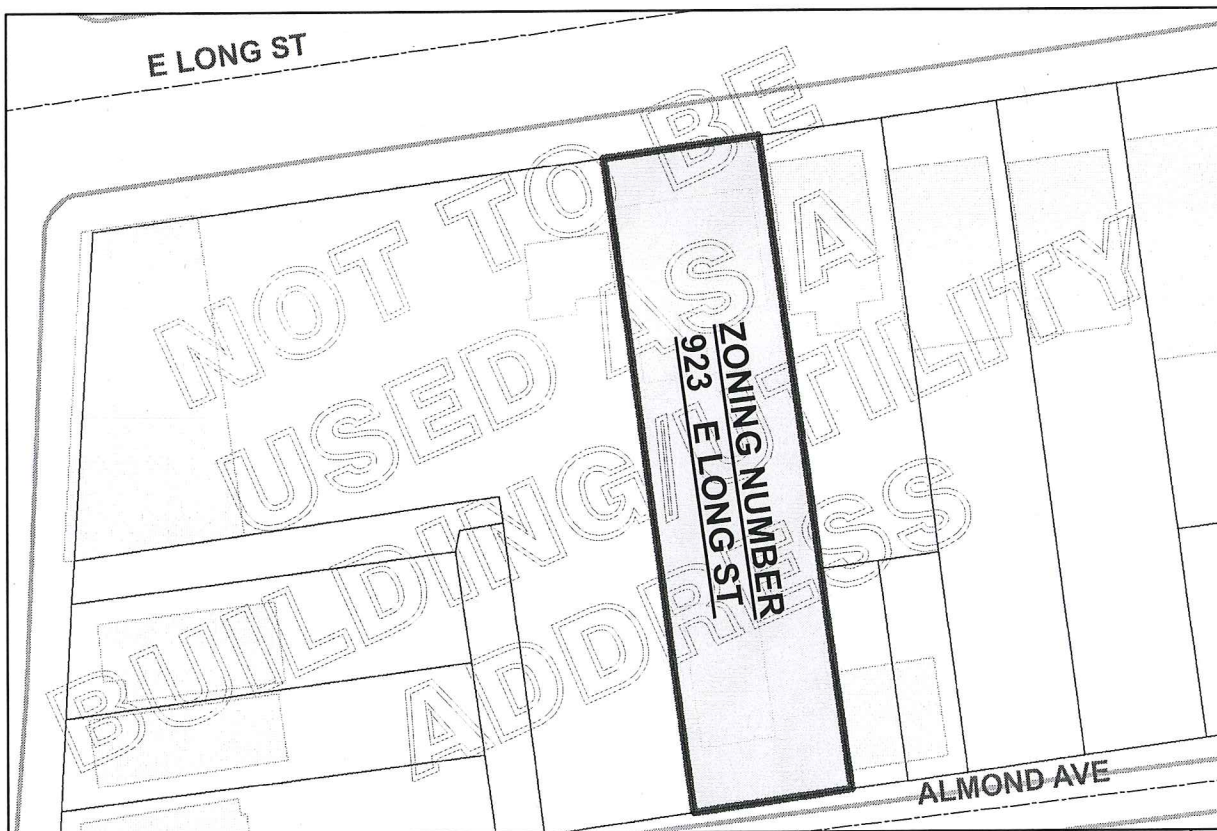
Street Name: E LONG ST

Lot Number : 2

Subdivision: KNIGHT NOBEL & ENGLISH

Requested By: SQUIRE PATTON BOGGS (US) LLP (THOMAS F. KIBBEY)

Issued By: *Adyana Harrison* Date: 9/19/2014



SCALE: 1 inch = 50 feet

GIS FILE NUMBER: 22832

CV17-033

JENNIFER L. GALLGAHER, P.E., DEPUTY DIRECTOR
DIVISION OF INFRASTRUCTURE MANAGEMENT
COLUMBUS, OHIO



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: 010031034

Zoning Number: 930

Street Name: E ALMOND AVE

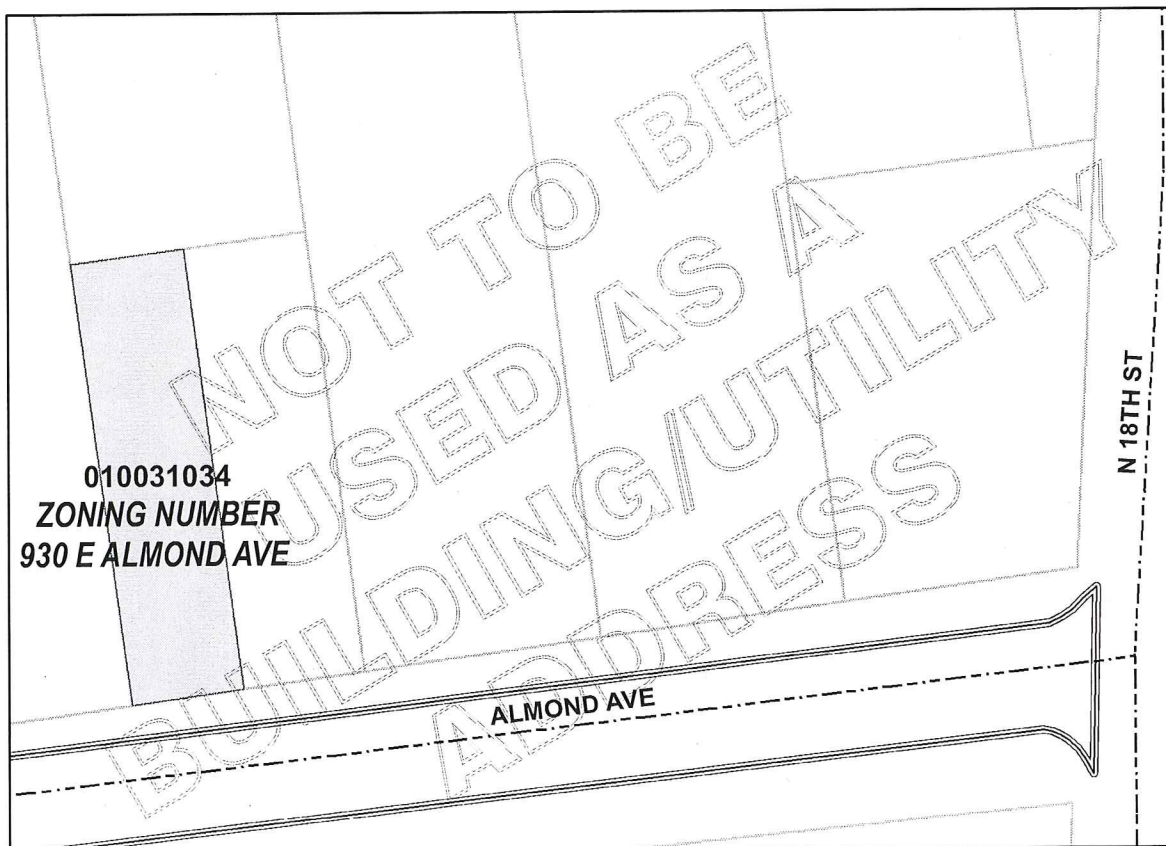
Lot Number: N/A

Subdivision: N/A

Requested By: SQUIRE PATTON BOGGS (US) LLP (THOMAS KIBBEY)

Issued By: *Adyana Amariam*

Date: 4/21/2017



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

SCALE: 1 inch = 25 feet

GIS FILE NUMBER: 90677

CV17-033

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: 010030364

Zoning Number: 932

Street Name: E ALMOND AVE

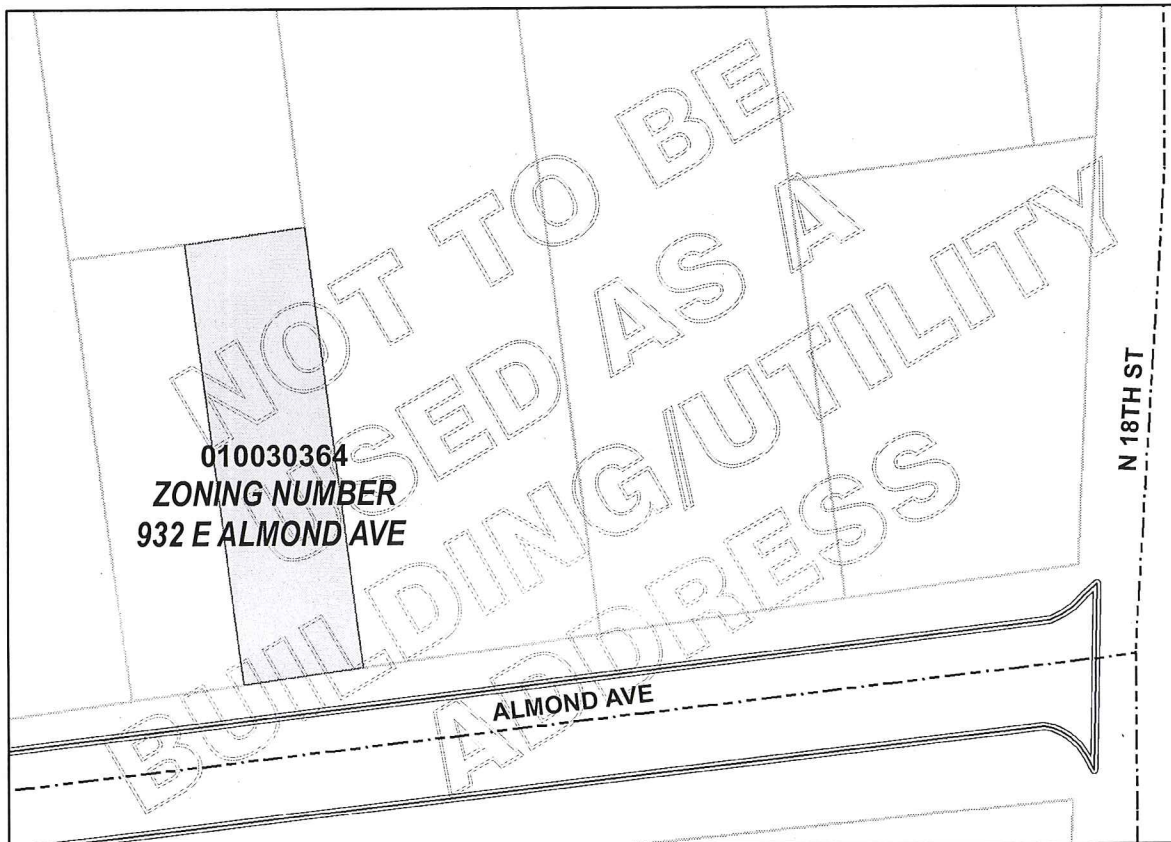
Lot Number: N/A

Subdivision: N/A

Requested By: SQUIRE PATTON (US) LLP (THOMAS KIBBEY)

Issued By: *Adyana Amariam*

Date: 4/21/2017

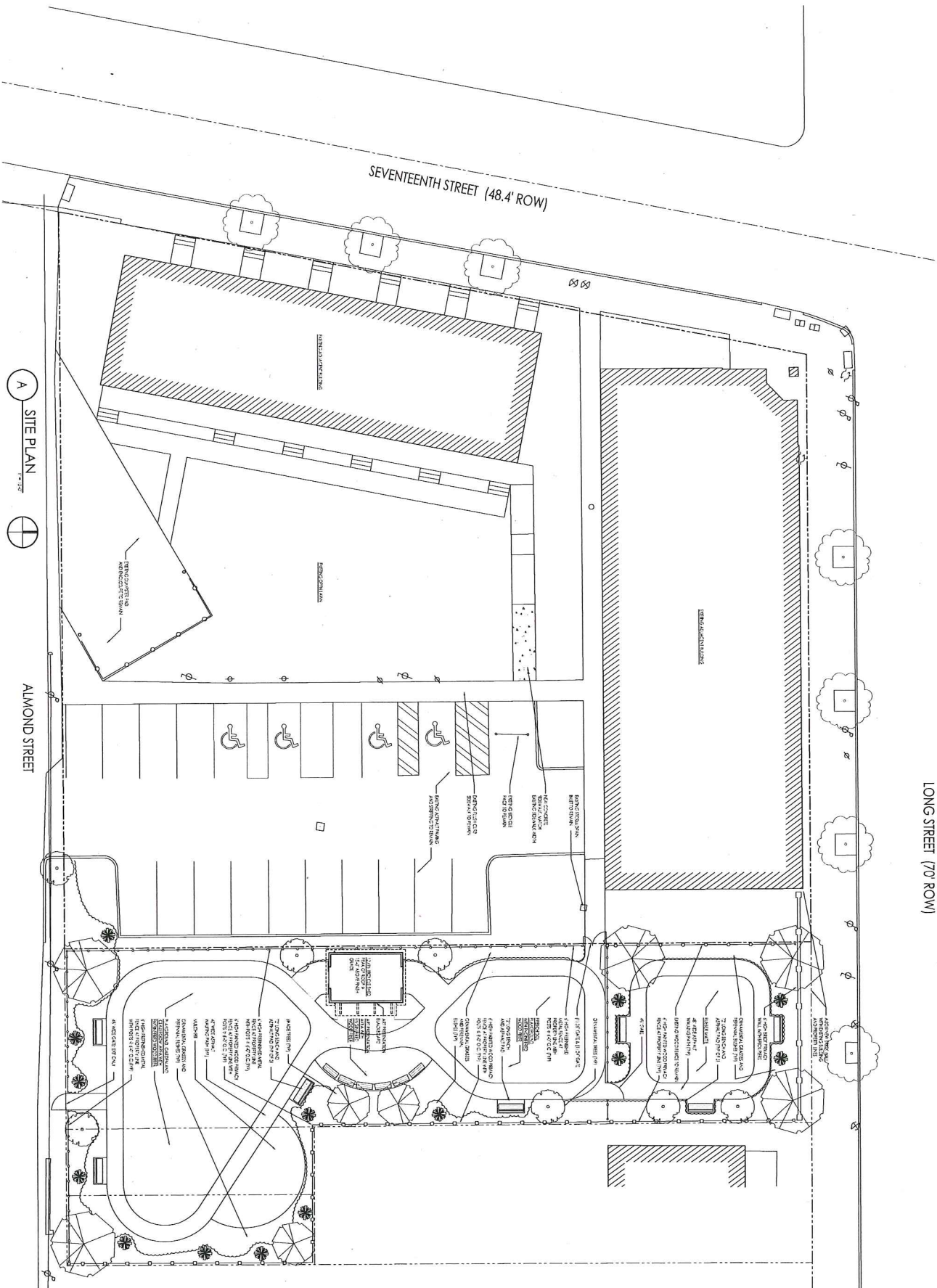


FRANK D. WILLIAMS, ADMINISTRATOR
DIVISION OF INFRASTRUCTURE MANAGEMENT
COLUMBUS, OHIO

SCALE: 1 inch = 25 feet

GIS FILE NUMBER: 90678

CV17-033



A SITE PLAN

ALMOND STREET

SEVENTEENTH STREET (48.4' ROW)

LONG STREET (70' ROW)

SP.01

SHEET NUMBER

Site Plan

SHEET TITLE

SHEET INFORMATION

Project #

Drawn by

Check

Scale



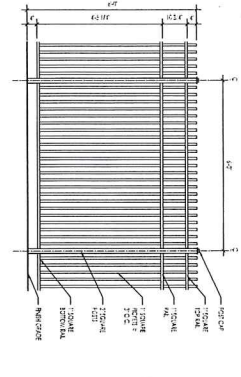
PROJECT

Playground Addition
905 East Long Street
Columbus, Ohio 43203

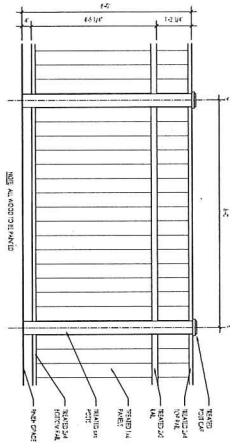
CV17-033



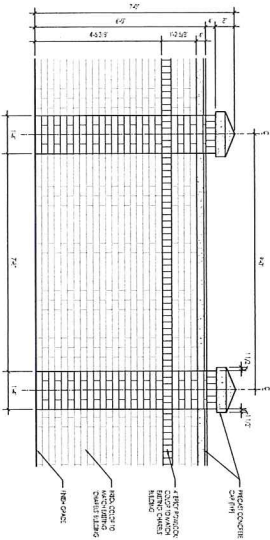
52 EAST LYNN STREET - THIRD FLOOR
COLUMBUS, OHIO 43215
(614) 548-8004
WWW.DKBARCHITECTS.COM



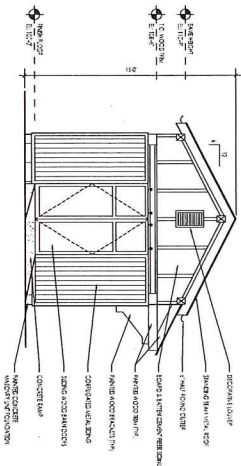
H 6' PREFINISHED METAL FENCE
1/2" = 1'-0"



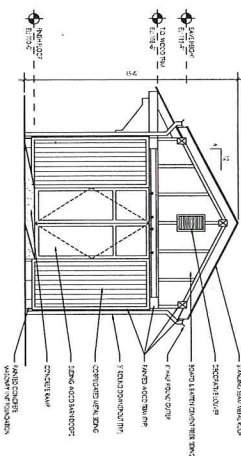
H 6' PAINTED WOOD PRIVACY FENCE
1/2" = 1'-0"



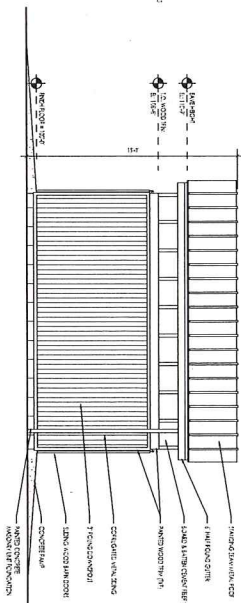
G 6' BRICK PRIVACY WALL
1/2" = 1'-0"



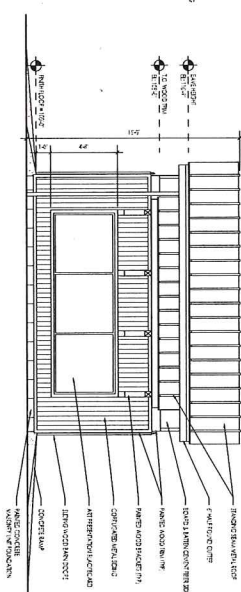
F NORTH ELEVATION
1/4" = 1'-0"



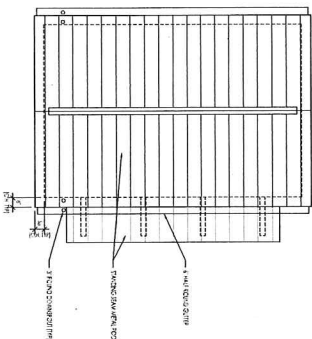
D SOUTH ELEVATION
1/4" = 1'-0"



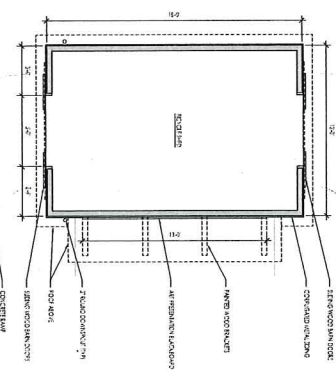
E WEST ELEVATION
1/4" = 1'-0"



C EAST ELEVATION
1/4" = 1'-0"



B ROOF PLAN
1/4" = 1'-0"



A FLOOR PLAN
1/4" = 1'-0"

PROJECT

Playground Addition
905 East Long Street
Columbus, Ohio 43203

Civil-033

dkb ARCHITECTS

52 EAST LYNN STREET - THIRD FLOOR
COLUMBUS, OHIO 43215
(614) 548-8004
WWW.DKBARCHITECTS.COM

PROJECT INFORMATION

Project # 2023-001
Date 10/10/2023
Drawn By 402117

SHEET INFORMATION

Project # 2023-001
Date 10/10/2023
Drawn By 402117

dkb ARCHITECTS

52 EAST LYNN STREET - THIRD FLOOR
COLUMBUS, OHIO 43215
(614) 548-8004
WWW.DKBARCHITECTS.COM

PROJECT INFORMATION

Project # 2023-001
Date 10/10/2023
Drawn By 402117

SHEET INFORMATION

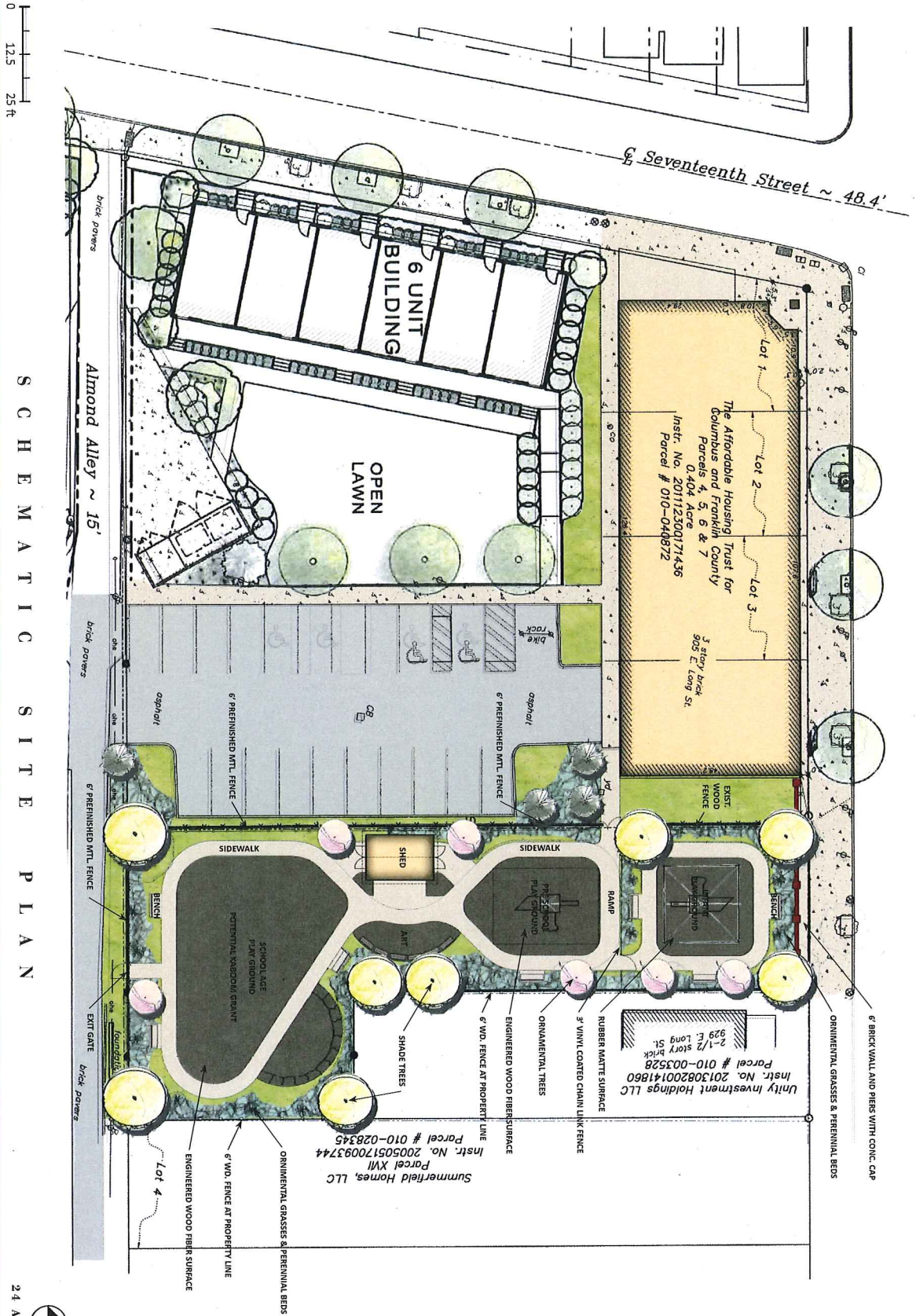
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Date 10/10/2023
Drawn By 402117

dkb ARCHITECTS

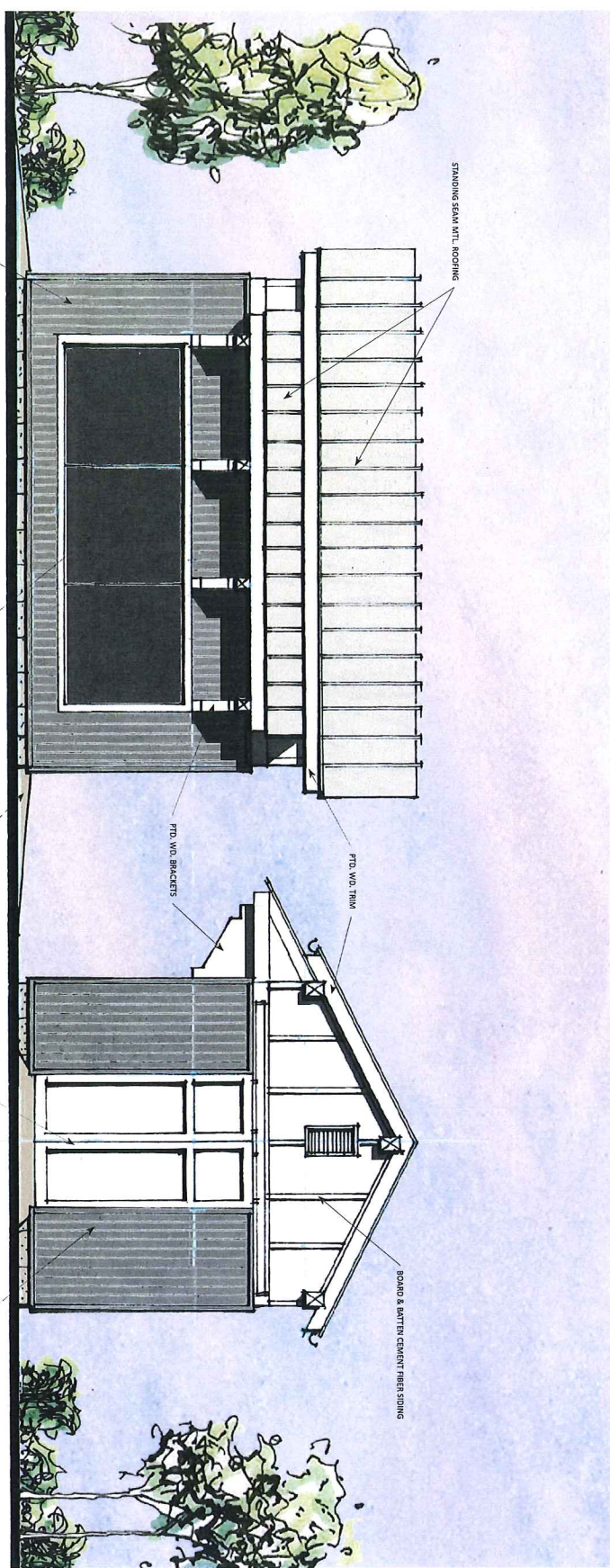
52 EAST LYNN STREET - THIRD FLOOR
COLUMBUS, OHIO 43215
(614) 548-8004
WWW.DKBARCHITECTS.COM

PROJECT INFORMATION

Project # 2023-001
Date 10/10/2023
Drawn By 402117



CV17-033



S T O R A G E B U I L D I N G E L E V A T I O N S

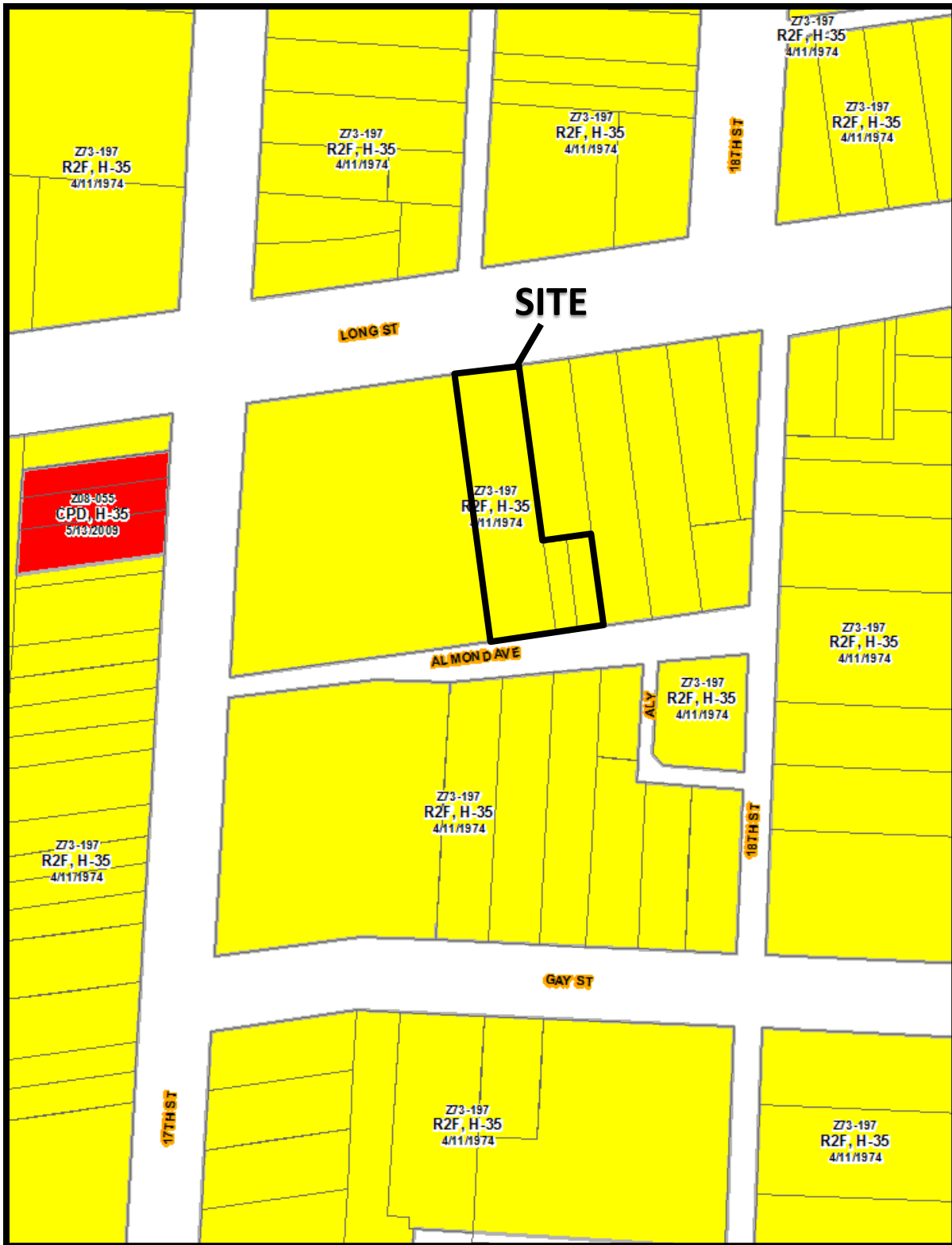
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24 April 17

cpo management
community properties of ohio

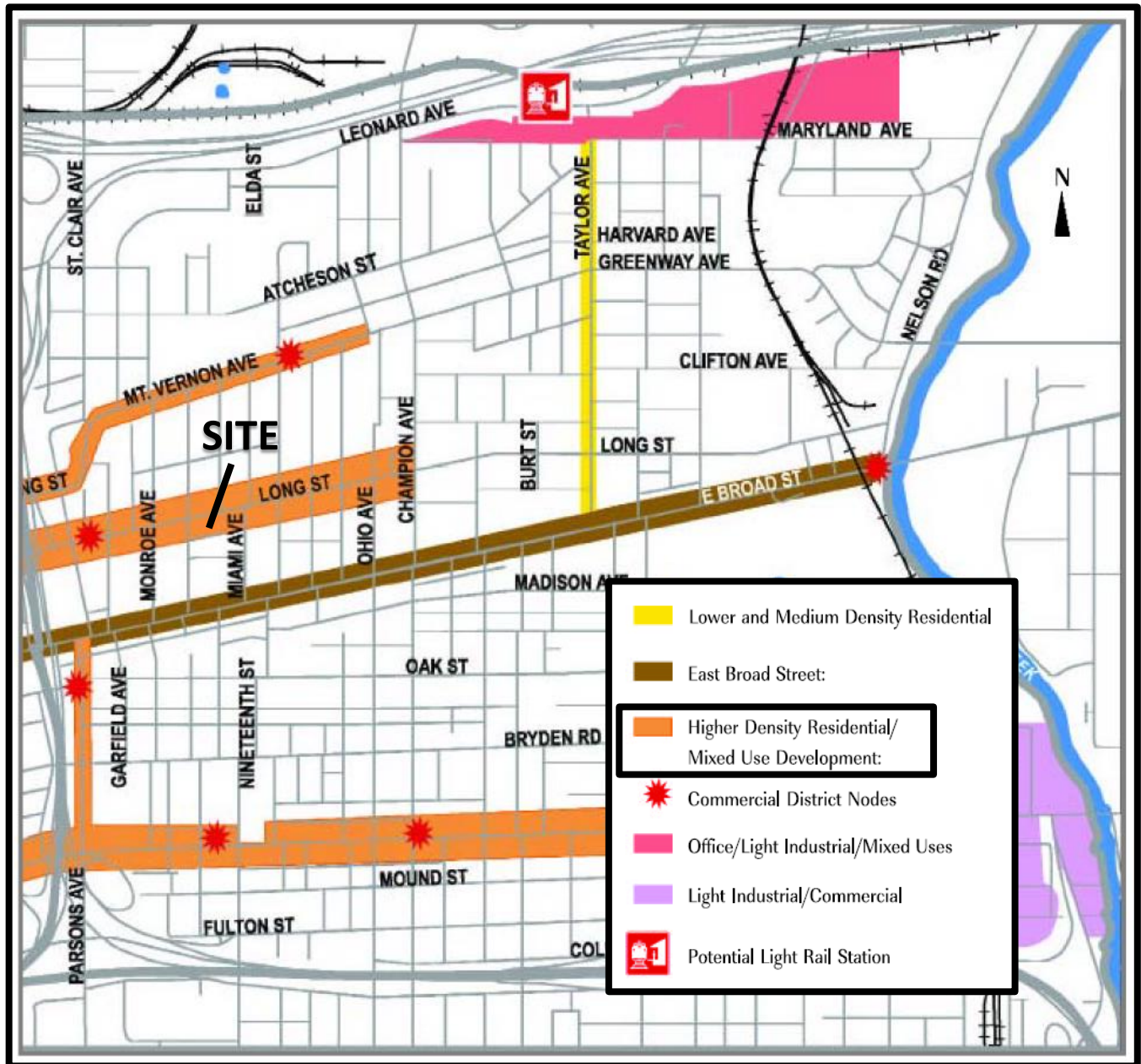
CPO PLAYGROUND
925 EAST LONG STREET - COLUMBUS, OHIO

dkb ARCHITECTS



CV17-033
923 East Long Street
Approximately 0.22 acres

Near East Area Plan (2005)



CV17-033
923 East Long Street
Approximately 0.22 acres



CV17-033
923 East Long Street
Approximately 0.22 acres