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COUNCIL VARIANCE APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services 757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433• <u>www.columbus.gov</u>

OFFICE USE ONLY	Application Number: Date Received: Application Accepted By: Comments: Assigned to ElizaThrush U45-1341 ecthnish@columbus.gov				
	LOCATION AND ZONING REQUEST:				
	Certified Address (for Zoning Purposes) 1530 N GEANT WENNE Zip 4320 Is this property currently being annexed into the City of Columbus Yes No If the site is pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.				
	Parcel Number for Certified Address: 010-066575				
	Check here if listing additional parcel numbers on a separate page.				
	Current Zoning District(s): _PENDING AE-1				
	Recognized Civic Association or Area Commission: UNIVERSITY AREA COMMISSION (UAC) Proposed use or reason for Council Variance request: MULTI-FAMILY APARTMENTS PROPOSED Acreage: 0.797				
	APPLICANT: Name BHAKTI BANIA				
	Address 2029 FIVERSIDE DE, SMITE 202 City/State COLUMB US OHZip 43221 Phone # 614.443.2624 Fax # Email: BHAKTI @ BBCO DESIGN. COM				
	PROPERTY OWNER(S): Name 13th & INDIANOLA LLC do LMS INC.				
	Address 266 CHITTENDEN AVENUE City/State COUMBUS OH Zip 43201 Phone # 614.452.2373 Fax #614.242.3738 Email: JC @ UMSCOUMBUS. COM				
	Check here if listing additional property owners on a separate page.				
ATTORNEY / AGENT Attorney Agent					
	Name BHAKTI BANIA				
	Address 2029 EIVERSIDE DR, SUITE 202 City/State COLUMBUS Off Zip 43221				
	Phone # $@14.443.2624$ Fax # Email: BHAKTI @ BBCO DESIGN. COM				
	SIGNATURES (ALL SIGNATURES MUST BE SIGNED IN BLUE INK)				
	APPLICANT SIGNATURE				
	PROPERTY OWNER SIGNATURE				
	PROPERTY OWNER 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. For all questions regarding this form and fees please call: 614-645-4522 **Please make all checks payable to the Columbus City Treasurer**

Revised 02/14/11



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STATEMENT OF HARDSHIP

Monday, March 9, 2015

The site under consideration is located in the north-east corner of the Weinland Park neighborhood. It is a 0.797 acre property located between 11th Avenue to the south and Chittenden Avenue to the north, with Grant Avenue on the West and the railway lines to the East. The property is currently zoned for C-4 Commercial Use. It is under the University Area Commission and has the University Overlay as well. We are requesting a rezoning of the subject property to an AR-1 Apartment Residential District.

The site area is 32,960 sf and the proposed development building footprint in 6,475 sf.

Currently the site is surrounded predominantly by single family homes that are owner occupied or as rental units. With all the development by Wagenbrenner Development in the recent years, and still ongoing, the neighborhood is transitioning into a stable mixed rental and owner occupied homes. Immediately the the south of the subject property, across 11th Avenue, is a vehicle salvage business. Immediately to the south of that, on the East side of Grant Avenue, is planned a large multi-family apartment complex by the same developer mentioned earlier.

The current University District Plan Recommendations list the subject property in a Medium Density Residential Land Use Plan, as per page 42, section 3.2

Based on the current redevelopment of a large number of properties in the immediate vicinity of the subject property into rental or for sale units, we understand that the neighborhood is moving in the recommendations of the Weinland Park neighborhood plan as well as the University District Plan.

We would like to request a rezoning of the subject property to an AR-1 Apartment Residential district, in keeping with the recommendations of the University District Plan. This would be an appropriate zoning for the site, as it would allow us to design a building with 18 units in it. The units would be a mix of 2-bedrooms and 3-bedrooms with parking provided on the site.

In conclusion, this rezoning would keep the property development in alignment with the overall vision for the neighborhood not only as indicated in the Weinland Park Neighborhood Plan but also the University District Plan Recommendations for Land Use.

The following variances would be requested from the University Area Planning Overlay, as applicable to this site.

3372.521 SUPPLEMENTAL PARKING REQUIREMENTS

A. No Parking or maneuvering shall be permitted between any building and public street.

Variance requested fro parking and maneuvering between the building and Chittenden Avenue.

3372.522 COMPATIBILITY

A buildings front facade shall include a pedestrian entrance and give the appearance of primary orientation towards said street through the sizing, placement and treatment of windows and doors.

BBCODESIGN COM 2029 RIVERSIDE OR STE 202 +1 614 443 2624COLUMEUS OH 43221



Variance requested as the 2 primary entrances are oriented towards 11th Avenue and Chittenden Avenue, but there is no entrance facing Grant Avenue.

3372.564 PARKING

A. Maximum allowed lot coverage for parking = 35% = 11,536 sf Actual lot coverage for parking = 42% = 13,843 sf

Since we would like to provide all the parking that is feasible for the project on site, we are exceeding the allowable parking lot coverage.

B. Total floor area = 19,425 sf, # du = 18. Required parking spaces = 47 spaces Provided = 42 spaces

We would be providing 1 parking space per bedroom on site, which we believe to be sufficient parking for the project.

D. Screening for parking lot up to 3 feet above parking lot grade to be provided.

3372.565 BUILDING LINES

Required setback from Grant Avenue = 30 feet Provided setback from Grant Avenue = 10 feet

Required setback from 11th Avenue = 50 feet Provided setback from 11th Avenue = 30 feet

Required setback from Chittenden Avenue = 25 feet Provided setback from Chittenden Avenue = 10 feet (parking setback)

We believe that the 10 foot for setback from Grant Avenue is more appropriate for this site and project, as this makes it more urban. Bringing the building closer to the street, while providing parking behind the principal building, is more in keeping with the guidelines used in other parts of the neighborhood and on High Street.

3372.566 BUILDING SEPARATION AND SIZE

C - Maximum allowable calculated floor area = 10,200 sf Proposed calculated floor area = 19,425 sf

3372.568 HEIGHT

A. Highest point allowed for the roof = 35 feet Proposed highest point of the roof = 45 feet

B. The majority of the front principal cornice/eave of the building is at a height within 10% of the average cornice/eave height on that street.



Since the proposed project occupies the entire block from 11th Avenue to Chittenden Avenue, we do not have another building adjacent for context. We are also seeking a variance for the height of the building.

3372.569 REFUSE STORAGE

A. Not permitted in required setback from ROW

Since the proposed location for the trash enclosure is within the setback from Chittenden Avenue ROW, we will need a variance.

3312.27 PARKING SETBACK LINE

2. Parking setback required = 25 feet from ROW

Variance required as parking is 10 feet from ROW on Grant Avenue and Chittenden Avenue.



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AFFIDAVIT

(See next page for instructions)	(V15-012				
STATE OF OHIO COUNTY OF FRANKLIN	APPLICATION # CVTS -OLA				
Being first duly cautioned and sworn (1) NAME <u>BHAKTI</u> <u>BANIA</u> of (1) MAILING ADDRESS <u>2029</u> <u>PWEESIDE DP. SUITE 202.</u> <u>COLUMBUS</u> <u>0H</u> <u>4329.</u>] deposed 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 CERTIFIED ADDRESS FOR ZONING PURPOSES <u>1630 N</u> <u>GEANT AVENUE</u> for which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) <u>3/3/15</u>					
(THIS LINE TO BE FILLED OUT BY CITY STAFF)					
SUBJECT PROPERTY OWNERS NAME AND MAILING ADDRESS	(4) 13 TH & INDIANOLA LUC GO LMG INC. 266 CHITTENDEN AVENUE COLUMBUS OH 43201				
APPLICANT'S NAME AND PHONE # (same as listed on front of application)	BHAKTI BANIA G14.443.2624				
AREA COMMISSION OR CIVIC GROUP AREA COMMISSION ZONING CHAIR OR CONTACT PERSON AND ADDRESS	(5) MAC SUSAN KEENY 937-479-0201				

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 addi	tional property owners o	on a separate page.	havin	
SIGNATURE OF AFFIANT	((8)	Suma.	
Subscribed to me in my presence a	and before me this 3	<u>day</u> of <u></u>	March	_, in the year 2015
SIGNAT THE DEPOTATION ARY PUB My sector for the sector of		(8) tam 4	ela 9.5 28-19	auly
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Laser/Ink Jet Labels Use Avery[®] TEMPLATE 8160™

BBCO Design Bhakti Bania 2029 Riverside Drive Suite 202 Columbus, OH 43221

Shelby Investment Group LLC 1179 Northwest Blvd Columbus, OH 43212

> Penelope E Workman 1066 Carlisle Ave Columbus, OH 43224

David Beyerle 331 S Gill St State College, PA 16801

New York Central Lines Tax Dept 500 Water St (J-910) Jacksonville, FL 32202

13th & Indianola LLC c/o LMS Inc. 266 Chittenden Avenue Columbus, OH 43201

Weinland Park Properties LLC 575 W 1st Ave Columbus, OH 43215

Grant Avenue Properties LTD 1454 N Grant Ave Columbus, OH 43201

Norfolk Southern Railway Tax Department c/o Pennsylvania Lines LLC 110 Franklin Rd SE Roanoke, VA 24042

Huntington Mortgage Corp c/o Sharon A Sills et al PO Box 182661 Columbus, OH 43218



www.avery.com 1-800-GO-AVERY

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Huntington Mortgage Corp c/o Sharon A Sills et al PO Box 182661 Columbus, OH 43218

Red Mortgage Capital Inc. Loan SVC & Asset Mgmt c/o Spruce Bough Homes LLC 1717 Main St FI 10 Dallas, TX 75201

Huntington Mortgage Corp c/o Christopher Perry Nida Perry PO Box 182661 Columbus, OH 43218

Specialized Loan Servicing c/o Copeland Real Estate II LLC 8742 Lucent Blvd Highlands Ranch, CO 80129

> Hanks Holdings LLC 266 Chittenden Ave Columbus, OH 43201

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1-800-GO-AVERY



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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.

STATE OF OHIO COUNTY OF FRANKLIN APPLICATION # (V | 5 - 0)

Being first duly cautioned and sworn [NAME] BHAKTI BANIA

Of [COMPLETE ADDRESS] 2029 EIVEPSIDE DR, STE 202, COLUMBUS Of (GOMPLETE ADDRESS) 2029 EIVEPSIDE DR, STE 202, COLUMBUS OF GOMPLETE ADDRESS) 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 formats

Name of business or individual Business or individual's address Address of corporate headquarters City, Sate, Zip Number of Columbus based employees Contact name and number

1. MARK DECELLO 8798 KILLIE CT DUBLIN OH 43017	2. ROBERT GORWIN 5294 SPRING GROVE CT POWELL OH 43065				
3. JOHN HANKS 96 LMS INC 266 CHITTENDEN AVE COLUMBUS OH 43201	4.				
Check here if listing additional parties on a separate page. SIGNATURE OF AFFIANT Substrated the in my presentantil IDAMLETECTORS 31 day of March in the year 2015 TURE OF OFHIO STATE OF OFHIO Pires: RECORDED IN 4-28-19 FRANKLIN COUNTY My Commission Expires April 28, 2019					

This Project Disclosure Statement expires six months after date of notarization.

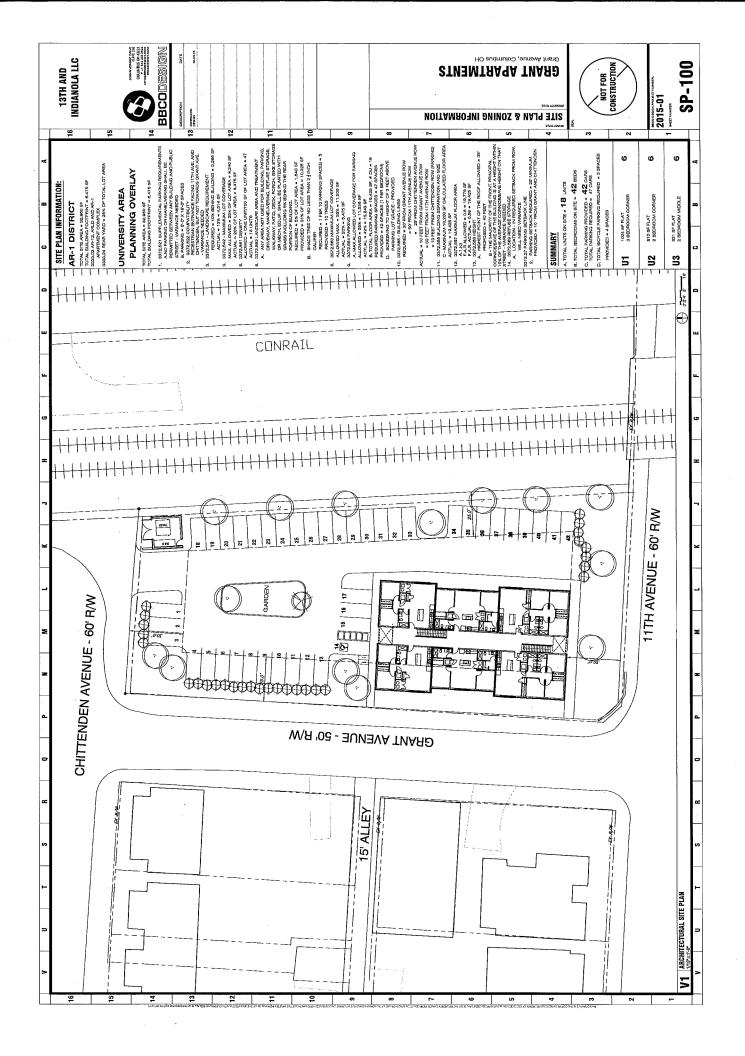
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LEGAL DESCRIPTION OF RECORD:

BASED UPON TITLE COMMITMENT NO .: 201208008; 0.730 ACRE TRACT

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF COLUMBUS, AND BEING PART OF A PARCEL FORMERLY CONVEYED TO THE COLUMBUS STREET RAILWAY COMPANY, AS RECORDED IN DEED BOOK 243, PAGE 398 AND ALL OF A PARCEL CURRENTLY CONVEYED TO THE COLUMBUS AND SOUTHERN OHIO ELECTRIC COMPANY, AS RECORDED IN DEED BOOK 1070, PAGE 471, ALL REFERENCES CONTAINED HEREIN ARE TO FRANKLIN COUNTY RECORDER'S RECORDS, FRANKLIN COUNTY, OHIO, BEING SHOWN ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART OF THEREOF AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

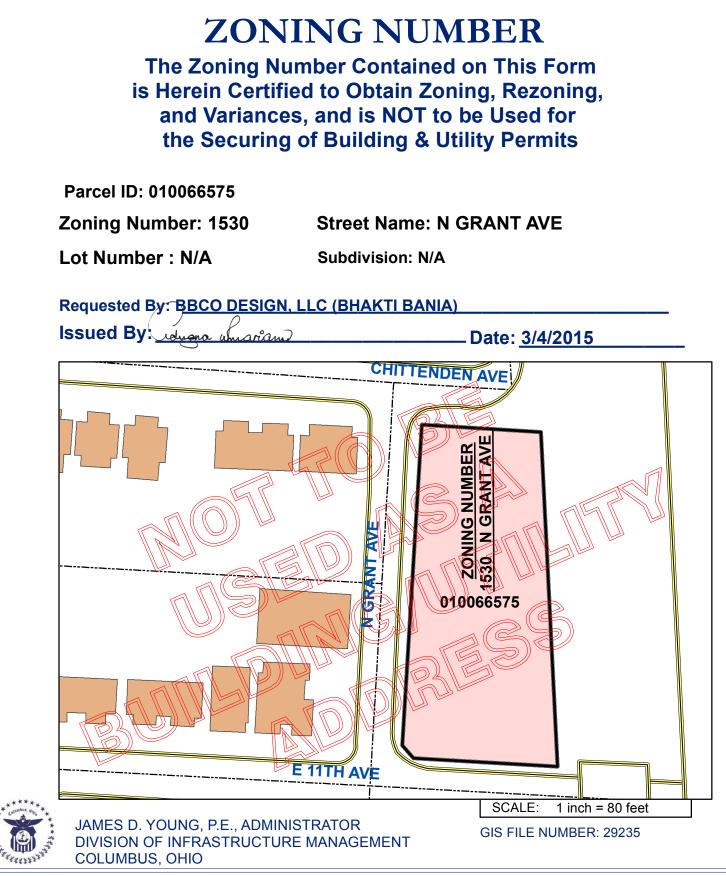
BEGINNING AT A 5/8 INCH REBAR FOUND AT THE INTERSECTION OF THE NORTH LINE OF ELEVENTH AVENUE AND THE WESTERLY LINE OF A TRACT OF LAND CONVEYED TO NEW YORK CENTRAL LINES, LLC, AS RECORDED IN INSTRUMENT NUMBER 200212180325201; THEN, N 86' 47' 13" W, 123.61 FOOT ALONG THE NORTHERLY LINE OF SAID ELEVENTH AVENUE AND PASSING CONCRETE MONUMENTS FOUND AT 5.00 FEET AND 118.61 FEET TO A 5/8 INCH IRON PIN AND CAP SET; THENCE, N 03' 14' 31" E, 268.40 FEET ALONG THE EASTERLY LINE OF SAID GRANT AVENUE AND PASSING CONCRETE MONUMENT FOUND AT 5.00 FEET AND 263.39 FEET TO A 1 INCH IRON PIPE FOUND, SAID IRON PIPE ALSO BEING IN THE SOUTHERLY LINE OF CHITTENDEN AVENUE; THENCE, S 86' 07' 09" E, 104.12 FEET ALONG THE SOUTHERLY LINE OF SAID CHITTENDEN AVENUE AND & PASSING A CONCRETE MONUMENT FOUND AT 98.97 FEET TO A 5/8 INCH ITON PIN AND CAP SET, SAID ITON PIN AND CAP ALSO BEING IN THE WESTERLY RIGHT-OF-WAY OF SAID NEW OTRK CENTRAL LINES. LLC: THENCE. S 02' 50' 00" E, 278.74 FEET ALONG THE WESTERLY RIGHT-OF-WAY OF SAID NEW YORK CENTRAL LINES, LLC AND PASSING CONCRETE MONUMENTS FOUND AT 4.98 FEET AND 273.74 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.757 ACRES, MORE OR LESS. SUBJECT TO ALL LEGAL STREETS. HIGHWAYS. RIGHT-OF-WAYS. ALLEYS. EASEMENTS, AGREEMENTS AND/OR CONDITIONS OF SUPERVISION, THIS FIFTEENTH DAY OF JULY, 2003. BEARINGS ARE BASED ON A BEARING OF S 05' 50' 00" E FOR THE WESTERLY LINE OF THE NEW YORK CENTRAL LINES, LLC RAILWAY. ALL IRON PIN AND CAPS SET ARE 5/8 X 30" REBAR WITH YELLOW CAP STAMPED CENTRAL SURVEYING CO., LTD

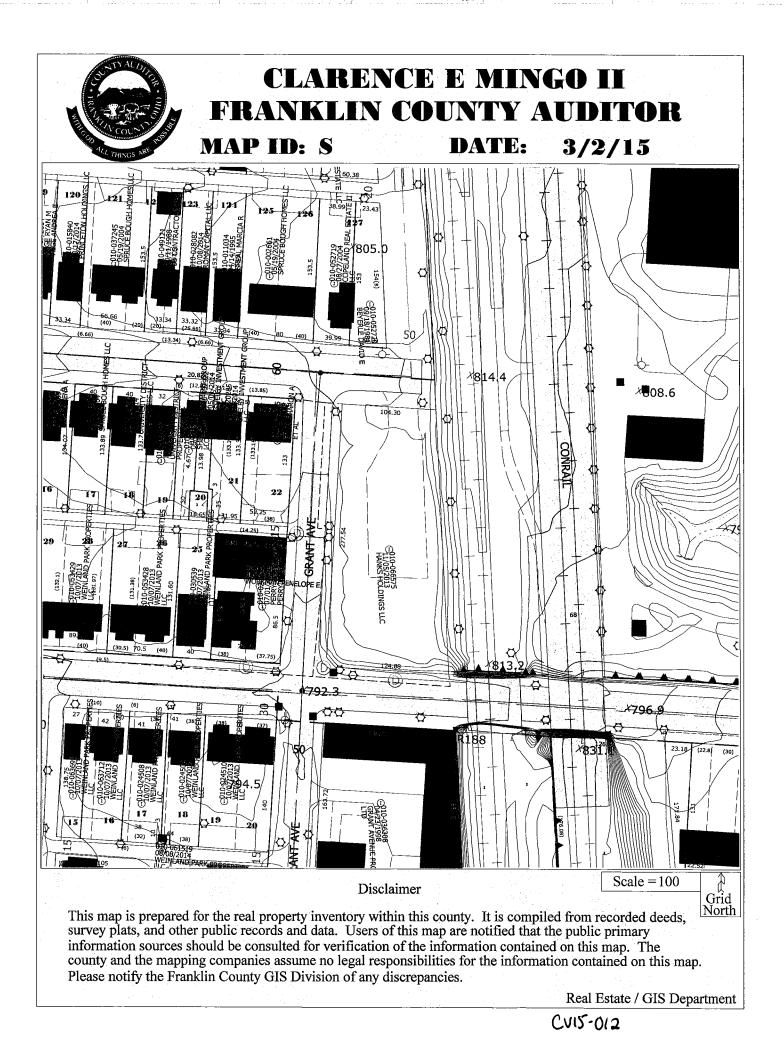


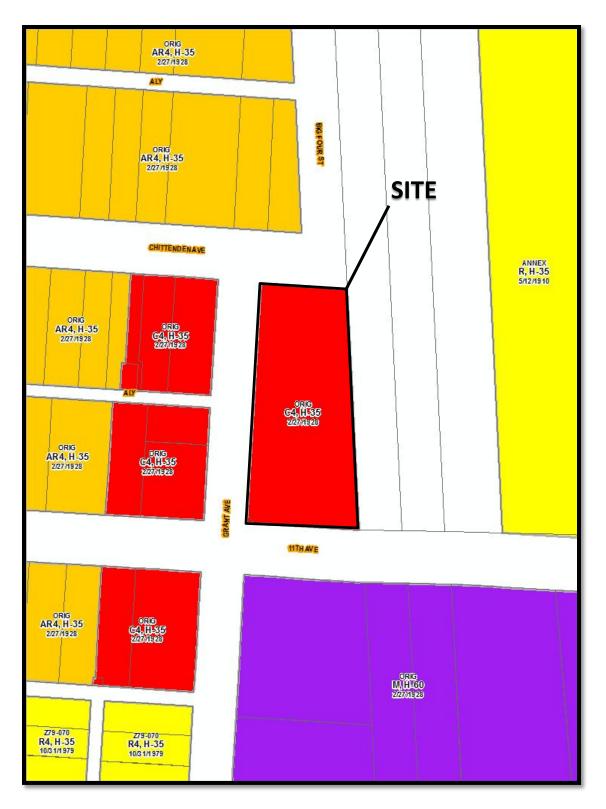


City of Columbus Zoning Plat

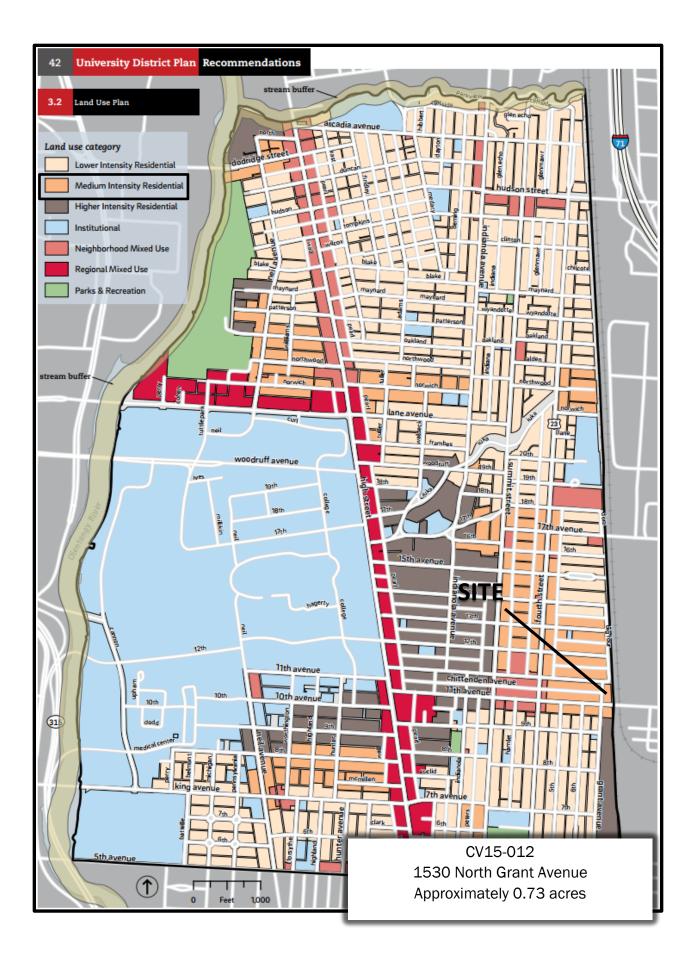
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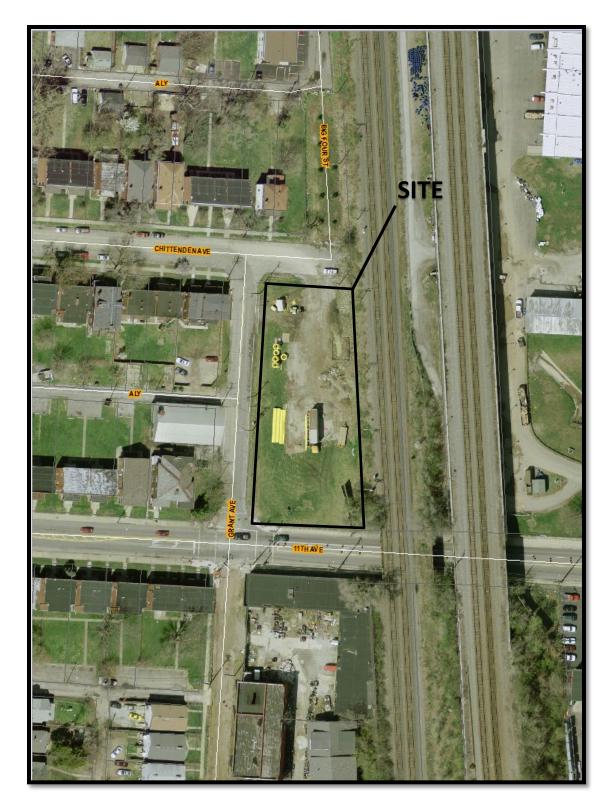






CV15-012 1530 North Grant Avenue Approximately 0.73 acres





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