

## Council Variance Application

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

OFFICE USE ONLY

Application Number: CV15-038 Date Received: 6/25/15  
Application Accepted by: S. Pine Fee: \$1000 -  
Comments: Assigned to Shannon Pine, 645-2200, spine@columbus.gov

### LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 923 East Long Street 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

☐ 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:

Child Day Care Center

Acreage: 8,974.22 square feet

### APPLICANT:

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

Address: 88 East Broad Street, Suite 1800 City/State: Columbus, OH Zip: 43215

Email Address: hkeller@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: 614-224-8445 Ext.: \_\_\_\_\_

Address: 88 East Broad Street, Suite 1800 City/State: Columbus, OH Zip: 43215

Email Address: hkeller@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: 41 South High Street, 2000 Huntington Center City/State: Columbus, OH 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**

**Council Variance Application**

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CV15-038

**STATEMENT OF HARDSHIP**

Chapter 3307 of the Columbus Zoning Code

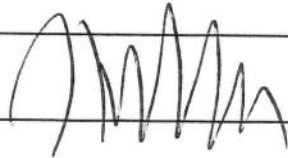
**Section 3307.10 Variances by City Council**

- 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 attached Statement of Hardship

Signature of Applicant



Date

6/23/15

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**Please make checks payable to the Columbus City Treasurer**

C15-038

**CAPITAL CITY HOLDINGS LLC**  
**923 East Long Street**  
**Columbus, Ohio 43203**

**STATEMENT OF HARDSHIP**

The property that is the subject of this council variance application is comprised of one (1) tract of real estate under the following Franklin County Auditor's Tax Parcel Number: 010-017390 ("Site"). There is one (1) existing structure on the Site: a vacant 2½ story dwelling. 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 re-use of the Site as a Child Day Care Center serving the residents at Scholar House, a low-income housing development adjacent to the Site, and others.

The existing building on the Site is a vacant two-family building which previously was used for residential purposes. The adjacent property owner recently constructed a multi-family low-income housing development called "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 Child Day Care Center serving the Scholar House tenants and others. The Scholar House tenants are in need of affordable quality child care and Applicants believe that establishing affordable quality child care immediately adjacent to the Scholar House will alleviate the tenants' minds about the care their children are receiving and permit the tenants to concentrate on their studies.

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 child day care center 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 3312.49 Minimum numbers of parking spaces required, which require that the Site contain two (2) off-street parking spaces for the dwelling, and one (1) off-street parking space per five hundred (500) square feet of day care facility space. Applicant proposes that the minimum number of parking spaces required be zero, due to the fact that the majority of the parties utilizing the Child Day Care Center will be residents of the adjoining Scholar House and that requiring any off-street parking will result in a significant reduction in the amount of greenspace available for the children being provided care at the Site.
4. To vary the standards of Section 3332.21 Building Lines, which require a ten (10) foot building line. Applicant proposes an 8.9 foot building line to accommodate the fact that the

existing building, which will remain on the Site, is located approximately 8.9 feet from the front boundary of the Site.

5. To vary the standards of Section 3332.25 maximum side yards, which require the side yard to be 20% of the lot width. The applicant proposes a side yard width of 14.7% of the lot width to accommodate the fact that the existing building will remain on the Site and the existing side yards are approximately 14.7% of the lot width.

6. 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 widths of 1.7 feet along the east property line, and 4.75 feet along the west property line, to accommodate the fact that the existing building, which will remain on the Site, does not meet the required side yards.

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 lease the property to a person who will provide affordable quality child day care to low-income residents of the City 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 existing building will merely be remodeled and a 15 foot by 22 foot two-story addition and an 8 foot by 14 foot unenclosed covered porch will be added. 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 the Child Day Care Center will serve primarily the residents at the adjacent Scholar House and thus little additional traffic will be generated. In addition, granting of the variances will decrease the danger of fires by modernizing the building systems, increase the public safety by repurposing a currently vacant house 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 much-needed affordable quality child care to low-income residents of the neighborhood.

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 child day care center and the associated variances necessary to permit the modernization and re-use of the building on the Site.

## Council Variance Application

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

**AFFIDAVIT** (See instruction sheet)

Application Number: CV15-038

STATE OF OHIO  
COUNTY OF FRANKLIN

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

of (1) MAILING ADDRESS 41 South High Street, 2000 Huntington Center, 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) 6/25/15

(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

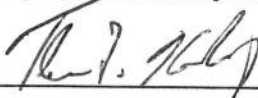
Annie Ross-Womack, Zoning Committee Chair

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)

☐ (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 23rd day of June, in the year 2015

(8) SIGNATURE OF NOTARY PUBLIC

Notary Seal Here

5-5-2019  
My Commission Expires

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



**DEBRA J. PASTOREK**

Notary Public State of Ohio

**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

CVIS-028

Owners of Record within 125 feet of the exterior boundaries of 923 East Long Street, Columbus, Ohio

1. Affordable Housing Trust et al 110 N 17 <sup>th</sup> Street Columbus OH 43203	2. Capital City Holdings LLC 88 East Broad Street, Suite 1800 Columbus OH 43215
3. City of Columbus Ohio 50 W Gay Street, 4 <sup>th</sup> Floor Columbus OH 43215	4. James B Flynn Kevin E Wynne 64 Miami Avenue Columbus OH 43203
5. Walter Harris 684 New York Avenue Columbus OH 43201	6. Robert E Henton 943 Almond Alley Columbus OH 43203
7. Erik Kardatzke 4211 Braganza Avenue Miami, FL 33133	8. Clemya E Matthews 223 N 20 <sup>th</sup> Street Columbus OH 43203
9. Donsoa Morgan 9240 Ruston Lane Reynoldsburg OH 43068	10. Raymond Morgan 924 E Gay Street Columbus OH 43203
11. Rudolph V Robinson et al 4468 Landmark Road Groveport OH 43125	12. Second Baptist Church of the City of Columbus 186 N 17 <sup>th</sup> Street Columbus OH 43203
13. Summerfield Homes LLC 88 E Broad Street Columbus OH 43215	14. Unity Investment Holdings LLC 225 N 4 <sup>th</sup> Street, Suite 303 Columbus OH 43215

## Council Variance Application

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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 #

CV15-038

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Harold D. Keller

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 Harold D. Keller 614-224-8446	2.
3.	4.

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

SIGNATURE OF AFFIANT

*[Handwritten Signature]*

Sworn to before me and signed in my presence this 23<sup>rd</sup> day of June, in the year 2015

SIGNATURE OF NOTARY PUBLIC

*[Handwritten Signature]*

My Commission Expires

4/15/2019

Notary Seal Here

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

PLEASE NOTE: Incomplete information will result in the rejection of the application.  
Applications must be submitted by 4:00 PM on the day of the Council meeting.  
Please make checks payable to the Columbus City Treasurer



Rebecca S. Stockdale  
Notary Public, State of Ohio  
Commission Expires 04-15-2019

## Standardized Recommendation Form

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

**FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW**

Case Number

CVIS-038

Address

923 East Long Street

Group Name

Near East Area Commission

Meeting Date

Specify Case Type

- ☐ BZA Variance / Special Permit  
☒ Council Variance  
☐ Rezoning  
☐ Graphics Variance / Plan / Special Permit

Recommendation  
(Check only one)

- ☐ Approval  
☐ Disapproval

**NOTES:**

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Vote

Signature of Authorized Representative

Recommending Group Title

Daytime Phone Number

Please e-mail this form to the assigned planner within forty-eight (48) hours of your meeting day; or FAX to Zoning at (614) 645-2463; OR MAIL to: Zoning, City of Columbus, Department of Building & Zoning Services, 757 Carolyn Avenue, Columbus, Ohio 43224.

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CV15-038

APPLICANT/PROPERTY OWNER

Capital City Holdings LLC  
88 E Broad Street, Suite 1800  
Columbus OH 43215

ATTORNEY

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

AREA COMMISSION

Near East Area Commission  
50 W Gay Street  
Columbus OH 43215

SURROUNDING PROPERTY OWNERS

Affordable Housing Trust et al  
110 N 17<sup>th</sup> Street  
Columbus OH 43203

Capital City Holdings LLC  
88 East Broad Street, Suite 1800  
Columbus OH 43215

City of Columbus Ohio  
50 W Gay Street, 4<sup>th</sup> Floor  
Columbus OH 43215

James B Flynn  
Kevin E Wynne  
64 Miami Avenue  
Columbus OH 43203

Walter Harris  
684 New York Avenue  
Columbus OH 43201

Robert E Henton  
943 Almond Alley  
Columbus OH 43203

Erik Kardatzke  
4211 Braganza Avenue  
Miami FL 33133

Clemya E Matthews  
223 N 20<sup>th</sup> Street  
Columbus OH 43203

Donsoa Morgan  
9240 Ruston Lane  
Reynoldsburg OH 43068

Raymond Morgan  
924 E Gay Street  
Columbus OH 43203

Rudolph V Robinson et al  
4468 Landmark Road  
Groveport OH 43125

Second Baptist Church of the  
City of Columbus  
186 N 17<sup>th</sup> Street  
Columbus OH 43203

Summerfield Homes LLC  
88 E Broad Street  
Columbus OH 43215

Unity Investment Holdings LLC  
225 N 4<sup>th</sup> Street, Suite 303  
Columbus OH 43215



# City of Columbus Zoning Plat

CVIS-038



## 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

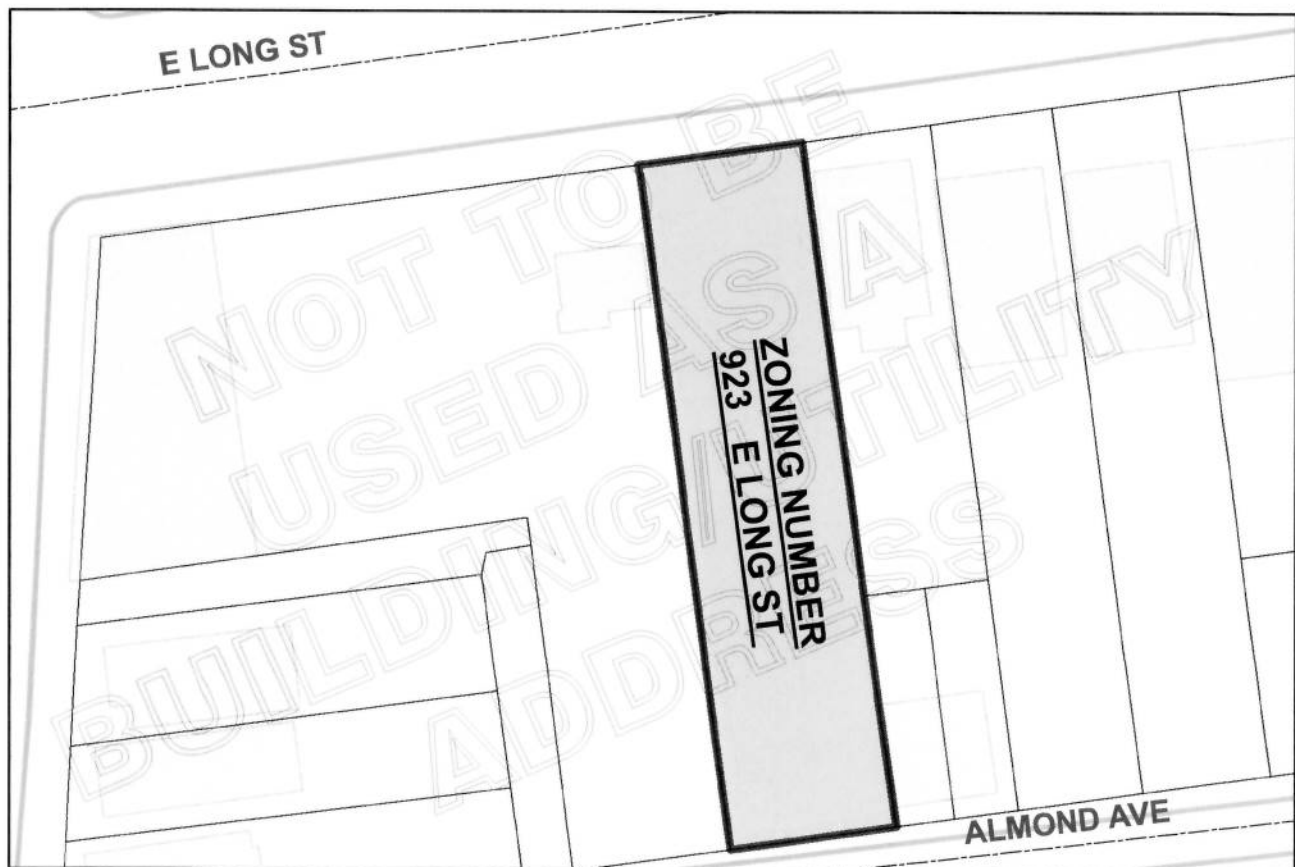
Lot Number : 2

Subdivision: KNIGHT NOBEL & ENGLISH

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

Issued By: *Jennifer L. Gallgaier*

Date: 9/19/2014



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

SCALE: 1 inch = 50 feet

GIS FILE NUMBER: 22832

CV15-038

Legal Description

(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:

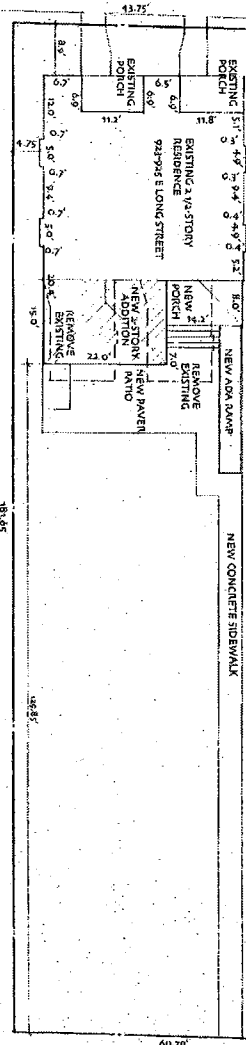
Being Lot Number Two (2) of Knight, Noble and English's Subdivision of a part of Half-Section No. 13, Township No. 5, Range No. 22, Refugee Lands, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 3, Page 155, Recorder's Office, Franklin County, Ohio.

Permanent Parcel No.: 010-017390

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



EXISTING PUBLIC SIDEWALK



Site Plan  
Scale 1" = 10'-0"




## Zoning Information

The scope of this project involves combining two, 2-story additions to a two family residence. Converting the two family residence to a single family Type A child care home and adding a new 15'-0" X 22'-0" 2-story addition. We will also be adding a new 8'-0" X 14'-0" sunroom, covered porch.

## Zoning Information

CVIS-038

<input type="radio"/> PRELIMINARY <input type="radio"/> CONSTRUCTION 7/29/14	Interior Alterations & Addition to: <b>923-925 East Long Street</b> Columbus, Ohio	 <p>797 Summit Street, Columbus Ohio 43215          Tel: 614-299-9028    <a href="http://urbanorder.com">urbanorder.com</a></p>
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CV15-038  
923 East Long Street  
Approximately 0.21 acres

# DEVELOPMENT STRATEGY

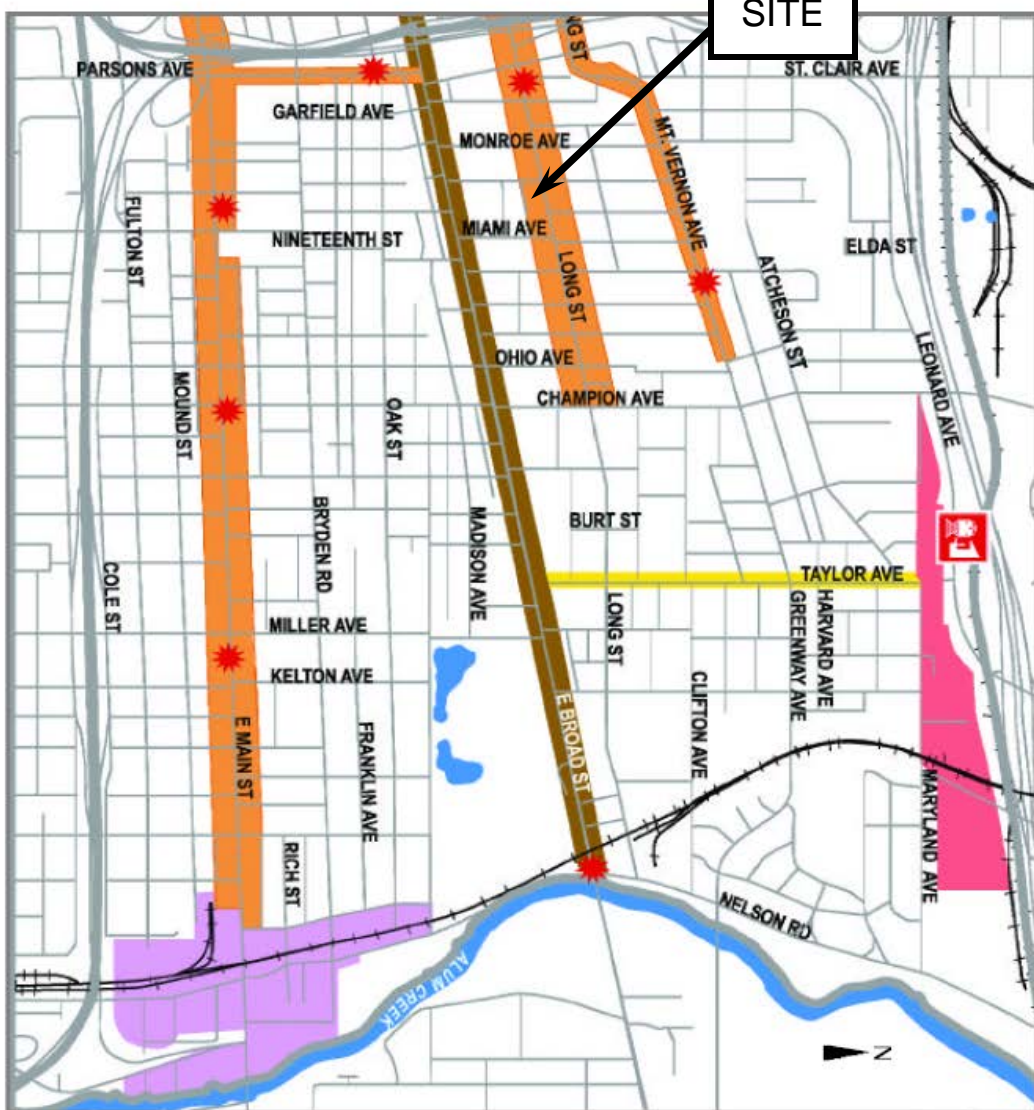


Figure 5

- » **Light Industrial/Commercial:** This area consists largely of light industrial development. Future development should reinforce this land use. Development standards should be utilized to ensure high quality development.
  - » **Potential Light Rail Station:** A site in this area should be reserved for a potential light rail station. COTA's Vision 2020 plan anticipates the development of light rail within this corridor and this area could provide a convenient rail station and spur/accommodate commercial and higher density residential development.
- LAND USE AND ZONING**
- Higher Density Residential/ Mixed Use Development
  - Commercial District Nodes
  - Office/Light Industrial/Mixed Uses
  - Light Industrial/Commercial
  - Potential Light Rail Station
  - Lower and Medium Density Residential
  - East Broad Street



CV15-038  
923 East Long Street  
Approximately 0.21 acres