

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: CV15-064 Date Received: 10-30-15
Application Accepted by: JB, MM, SP, TD Fee: \$1600
Comments: Assigned to Tim Dietrich; 645-6665; tedietch@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 933 East Gay Street Zip: 43209

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: 010-042199-00

☒ 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:

To allow the existing building to be used for office purposes and to permit the construction of storage buildings on the site.

Acreage: .5047 acre

APPLICANT:

Name: Community Properties of Ohio Management Services, LLC Phone Number: 614-253-0984 Ext.: _____

Address: 910 East Broad Street City/State: Columbus, OH Zip: 43205

Email Address: _____ Fax Number: _____

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

Name: Community Properties of Ohio Management Services, LLC Phone Number: 614-253-0984 Ext.: _____

Address: 910 East Broad Street City/State: Columbus, OH Zip: 43205

Email Address: _____ Fax Number: _____

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 [Signature]

PROPERTY OWNER SIGNATURE [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

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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.

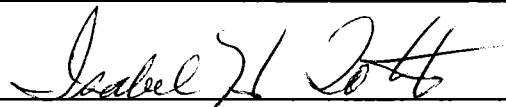
Before authorizing any variance from the Zoning Code in a specific case, City Council shall first determine that such variance will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the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

Signature of Applicant



Date

10/30/15

CV15-064

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COMMUNITY PROPERTIES OF OHIO MANAGEMENT SERVICES, LLC
933 East Gay Street
Columbus, Ohio 43209

STATEMENT OF HARDSHIP

The property that is the subject of this council variance application is comprised of six (6) tracts of real estate under the following Franklin County Auditor's Tax Parcel Numbers: 010-042199, 010-039002, 010-006552, 010-038646, 010-017577 and 010-025716 ("Site"). Applicant is a limited liability company that acts as a community based property management company dedicated to meeting the needs of residents and the community, including coordination of tenant supportive services. Applicant is wholly owned by Ohio Capital Corporation for Housing, a non-profit corporation dedicated to providing affordable housing to low-income tenants.

The Site currently contains one (1) existing structure on the tract of land identified as Tax Parcel #010-042199: a commercial warehouse constructed around 1910 that was substantially rehabilitated by Applicant in 2005 to serve as a maintenance facility. The Site is currently subject to Council Variance 03-023, which permitted use of the Site as the maintenance facility and certain other variances. Applicant's needs with respect to the Site have changed and Applicant desires council approval of a use variance for the Site and variances from certain zoning requirements, which will facilitate the change of use of the Site to offices, community space and a training facility and permit construction of outside storage. Such changes will facilitate Applicant's ongoing mission to provide community-based property management and tenant supportive services.

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 offices, community space and a training facility on the Site and to permit outside storage.
2. To vary the standards of 3332.18(D), basis of computing area, which requires that no dwelling shall occupy greater than fifty (50) percent of the lot area. Applicant proposes to maintain the existing nonconforming lot coverage of the building and parking areas as depicted on the site plan and construction of new outside storage as indicated on the site plan.
3. To vary the standards of Section 3332.21, building lines, which requires that the setback be the average distance of building setbacks on contiguous lots or parcels, but in no case less than ten (10) feet. Applicant proposes to maintain a zero (0) foot building line along Gay Street.
4. To vary the standards of Section 3332.25, maximum side yard required, which requires the sum of the widths of each side yard shall equal or exceed twenty (20) percent of the width of the lot, provided that not more than sixteen (16) feet need be so devoted. Applicant proposes to reduce the maximum side yard from 16 feet to the present 15.6 feet for the existing building.

5. To vary the standards of Section 3332.26, minimum side yard permitted, which requires a side yard of no less than five (5) feet. Applicant proposes a minimum side yard of three (3) feet to accommodate the proposed construction of outside storage.

6. To vary the standards of Section 3332.27, rear yard, which requires a rear yard totaling no less than twenty-five (25) percent of the total lot area. Applicant proposes no rear yard.

7. To vary the standards of Section 3332.28, side or rear yard obstruction, which requires the area in a required side or rear yard to be open and unobstructed from the established grade to the sky. Applicant proposes to obstruct the required side and rear yards.

8. To vary the standards of Section 3312.51(2), loading space, which requires the size of a loading space to have dimensions of not less than fifty (50) feet in length. Applicant proposes a loading space forty (40) feet in length.

9. To vary the standards of Section 3312.25, maneuvering, which requires that a loading space have sufficient maneuvering area. Applicant proposes to use only the twenty (20) feet of the alley along the east property line for maneuvering.

10. To vary the standards of Section 3312.21, parking lot screening, which requires screening of commercial parking lots within eighty feet of residentially zoned property to an opacity of not less than 75 %. Applicant proposes to provide fencing and plantings that have an opacity of less than 75%.

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 meet the needs of residents and the community, including coordination of tenant supportive services and provision of community space.

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 undergo only interior remodeling except for construction of a ramp and vestibule on the southwest corner of the building and an enclosure will be built to house the existing dumpster and a newly constructed pole barn. 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 change in use will not result in additional traffic. In addition, granting of the variances will generally benefit the public health, safety, comfort and welfare of the inhabitants of the City of Columbus by contributing to the continued revitalization of a currently blighted area of the City and by providing Applicant with additional capacity to provide property management and supportive services coordination to the area's low-income and elderly residents.

In light of the obvious hardship and the practical difficulties being experienced by it, the Applicant respectfully requests that City Council grant the variance to permit the use of the Site as offices, community space and a training facility with outside storage and the associated variances necessary to permit the contemplated use of the Site.

Council Variance Application

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

AFFIDAVIT (See instruction sheet)

Application Number: CV15-064

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 933 East Gay 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) 10-30-2015

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) Community Properties of Ohio Management Services, LLC
910 East Broad Street
Columbus, OH 43205

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

Community Properties of Ohio Management Services, LLC
614-253-0984

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

[Signature]

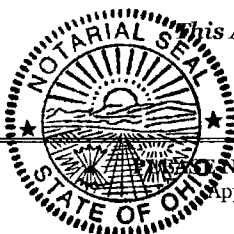
Sworn to before me and signed in my presence this 30th day of October, in the year 2015

(8) SIGNATURE OF NOTARY PUBLIC

[Signature]

May 5 2019
My Commission Expires

Notary Seal Here



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

DEBRA J. PASTOREK
Notary Public State of Ohio
My Commission Expires

May 5, 2019

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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 # CV15-064

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Isabel Toth
of (COMPLETE ADDRESS) 910 E. Broad Street, Columbus, OH 43205

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 E. Broad Street, Suite 1800
Columbus, OH 43215
43 Columbus based employees
Harold D. Keller 614-224-8446

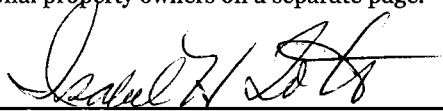
2.

3.

4.

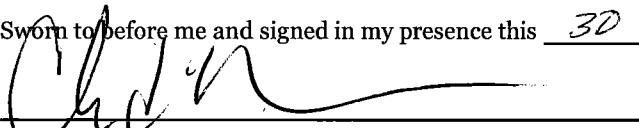
☐ Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT



Sworn to before me and signed in my presence this 30 day of October, in the year 2015

SIGNATURE OF NOTARY PUBLIC



My Commission Expires

10-27-18

Notary Seal Here



Chad Ketter
Notary Public, State of Ohio
My Commission Expires 10-27-2018

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

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Owners of Record within 125 feet of the exterior boundaries of 933 East Long Street, Columbus, Ohio

1. Ohio Capital Corporation for Housing 88 East Broad Street, 18 th Floor Columbus, OH 43215	2. Kelly D. Burke TOD 69 North Miami Ave., #A Columbus, OH 43203
3. City of Columbus 50 West Gay St., 4 th Floor Columbus, OH 43215	4. Community Properties of Ohio Management Services LLC 910 East Broad Street Columbus, OH 43215
5. James E. Allen and Barbara J. Allen 909 East Gay Street Columbus, OH 43202	6. Gwendolyn E. Porshinsky 283 South State Street Westerville, OH 43081
7. Nikki T. Baszynski and Joseph R. Baszynski 51 Miami Avenue Columbus, OH 43203	8. Rolonda Warren 1210 East Rich Street Columbus, OH 43205
9. Stephanie Bland 907 East Gay Street Columbus, OH 43203	10. Joan M. Robinson 6273 Post Road Dublin, OH 43017
11. John R. Early, Sr. 40 North 17 th Street Columbus, OH 43203	12. Robert E. Henton 943 Almond Alley Columbus, OH 43203
13. Tawana Owens 31 North Miami Avenue Columbus, OH 43203	14. Columbus Metropolitan Housing Authority 880 East 11 th Avenue Columbus, OH 43211-2771
15. Raymond Morgan 924 East Gay Street Columbus, OH 43203	16. Drake W. Dickerson 1059 East Long Street Columbus, OH 43203
17. Juanita Freeman 903 East Gay Street Columbus, OH 43203	18. James B. Flynn and Kevin E. Wynne 64 Miami Avenue Columbus, OH 43203
19. Christy A. Morgan 2134 Tremont Road Columbus, OH 43221-2439	20. Community Properties of Ohio II LLC 88 East Broad Street, 18 th Floor Columbus, OH 43215
21. Community Properties Revitalization I LLC 88 East Broad Street, 18 th Floor Columbus, OH 43215	22. Rudolph V. Robinson et al 5 4468 Landmark Road Groveport, OH 43125
23. Adrienne Shields 367 W. 6 th Ave., Apt 2 Columbus, OH 43201	24. Joan Robinson 62 North 17 th Street Columbus, OH 43203

APPLICANT/PROPERTY OWNER

Community Properties of Ohio
Management Services LLC
910 East Broad Street
Columbus OH 43205

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

Ohio Capital Corporation for
Housing
88 East Broad Street, 18th Floor
Columbus, OH 43215

Kelly D. Burke TOD
69 North Miami Ave., #A
Columbus, OH 43203

City of Columbus
50 West Gay St., 4th Floor
Columbus, OH 43215

Community Properties of Ohio
Management Services LLC
910 East Broad Street
Columbus, OH 43215

James E. Allen and Barbara J. Allen
909 East Gay Street
Columbus, OH 43202

Gwendolyn E. Porshinsky
283 South State Street
Westerville, OH 43081

Nikki T. Baszynski and Joseph R.
Baszynski
51 Miami Avenue
Columbus, OH 43203

Rolonda Warren
1210 East Rich Street
Columbus, OH 43205

Stephanie Bland
907 East Gay Street
Columbus, OH 43203

Joan M. Robinson
6273 Post Road
Dublin, OH 43017

John R. Early, Sr.
40 North 17th Street
Columbus, OH 43203

Robert E. Henton
943 Almond Alley
Columbus, OH 43203

Tawana Owens
31 North Miami Avenue
Columbus, OH 43203

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

Raymond Morgan
924 East Gay Street
Columbus, OH 43203

Drake W. Dickerson
1059 East Long Street
Columbus, OH 43203

Juanita Freeman
903 East Gay Street
Columbus, OH 43203

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

Christy A. Morgan
2134 Tremont Road
Columbus, OH 43221-2439

Community Properties of Ohio II
LLC
88 East Broad Street, 18th Floor
Columbus, OH 43215

Community Properties
Revitalization I LLC
88 East Broad Street, 18th Floor
Columbus, OH 43215

Rudolph V. Robinson et al 5
4468 Landmark Road
Groveport, OH 43125

Adrienne Shields
367 W. 6th Ave., Apt 2
Columbus, OH 43201

Joan Robinson
62 North 17th Street
Columbus, OH 43203

LEGAL DESCRIPTION OF SUBJECT PROPERTY

PARCEL #1 (010-042199):

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, AND CITY OF COLUMBUS: BEING LOTS NUMBERS SIXTEEN (16), SEVENTEEN (17), EIGHTEEN (18), NINETEEN (19) AND TWENTY (20) OF KNIGHTS, NOBLE AND ENGLISH'S SUBDIVISION, AS THE SAME ARE NUMBERED AND DELINEATED UPON THE RECORDED PLAT THEREOF, OF RECORD IN PLAT BOOK 3, PAGE 115, RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO. EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PREMISES: BEING EIGHTY-ONE (81) FEET OFF THE NORTH END OF LOT 16 AND A TRACT OF LAND SIX FEET SEVEN INCHES (6'7") BY EIGHTY-ONE (81) FEET OFF THE NORTHWEST CORNER OF LOT NO. 17 IN KNIGHT, NOBLE AND ENGLISH'S SUBDIVISION, TO THE CITY OF COLUMBUS, AS THE SAME ARE NUMBERED AND DELINEATED UPON THE RECORDED PLAT THEREOF, OF RECORD IN PLAT BOOK 3, PAGE 155, RECORDER'S OFFICE, FRANKLIN OHIO; SAID LATTER TRACT OF LAND BEING BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT NO. 16; THENCE EAST SIX FEET SEVEN INCHES (6'7") ALONG THE NORTHERN LINE OF LOT NO. 17;

THENCE SOUTH EIGHTY-ONE (81) FEET ON A LINE PARALLEL TO THE EAST LINE OF LOT NO. 16; THENCE WEST SIXT FEET SEVEN INCHES (6'7") ON A LINE PARALLEL TO THE NORTH LINE OF LOT NO. 17;

THENCE NORTH EIGHTY-ONE (81) FEET ALONG THE EAST LINE OF LOT NO. 16 TO THE PLACE OF BEGINNING. IN NO EVENT IS THE PREMISES HEREIN EXCEPTED TO EXTEND FURTHER EAST THAN EIGHT (8) FEET EAST OF THE EAST LINE OF A CERTAIN DWELLING HOUSE NOW LOCATED ON LOT NO. 16.

PARCEL #2 (010-039002):

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

Being Lot Number Twenty-Five (25), in KNIGHTS, NOBLE & ENGLINGH'S SUBDIVISION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 3, page 155, Recorder's Office, Franklin County, Ohio.

PARCEL #3 (010-038646):

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

Being Lot Number Twenty-Four (24), in KNIGHTS, NOBLE & ENGLINGH'S SUBDIVISION, of certain lands in Half Section No. 12, Township 5, Range 22, Refugee Lands, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 3, page 155, Recorder's Office, Franklin County, Ohio.

PARCEL #4 and #5 (010-006552; 010-017577)

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

Being Lots Numbers Twenty-two (22) and Twenty-three (23) of KNIGHTS, NOBLE & ENGLISH SUBDIVISION, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 3, page 155, Recorder's Office, Franklin County, Ohio.

PARCEL #6 (010-025716)

Being Lot Number Twenty-One (21), in KNIGHT, NOBLE & ENGLISH'S SUBDIVISION of certain lots in Half Section No. 13, Township 5, Range 22, Refugee Lands as described and delineated upon the recorded plat thereof, of record in Plat Book No. 3, page 155, in the Recorder's Office, Franklin County, Ohio also known as 928 Avon Court.



CREATIVE HOUSING SOLUTIONS, INC. 936 LENOX PLACE CINCINNATI, OHIO 45229 (613) 961-4400 FAX: (613) 961-2233	Drawn By: M. SNYDER	Project Number: 1336
AS NOTED	Date: 7.15.15	Scale:

RENOVATION OF
CPO MANAGEMENT
933 GAY STREET, COLUMBUS, OHIO 43205

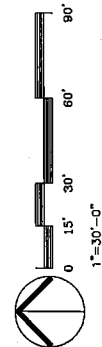
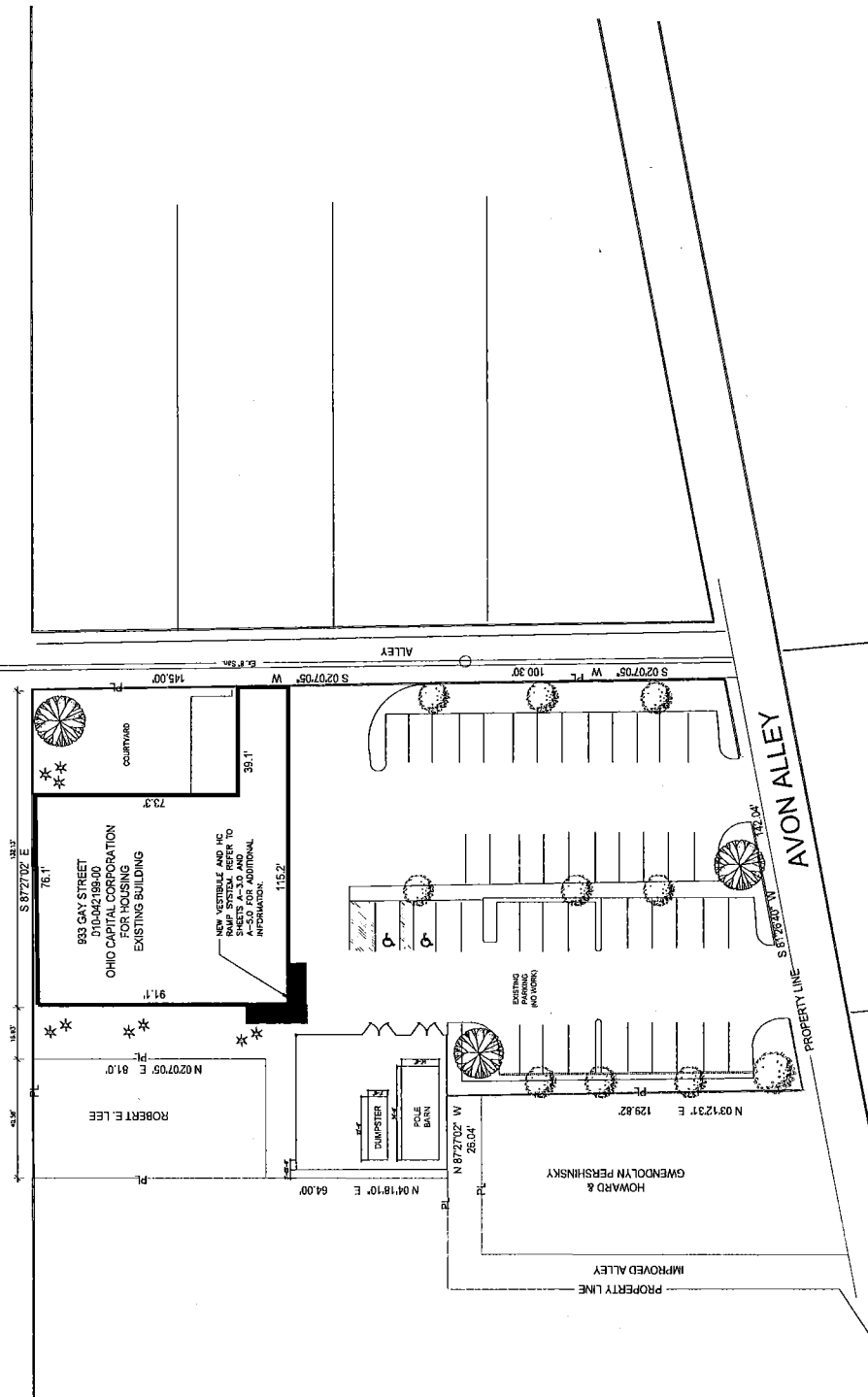
NO.	DESCRIPTION	DATE
1	POINT REVISION	10/15

SHEET TITLE
SITE
PLAN

CVIS-064
SHEET NUMBER
A-1.1

GAY STREET

6x8" Water



SITE PLAN
SCALE: 1" = 30'-0"

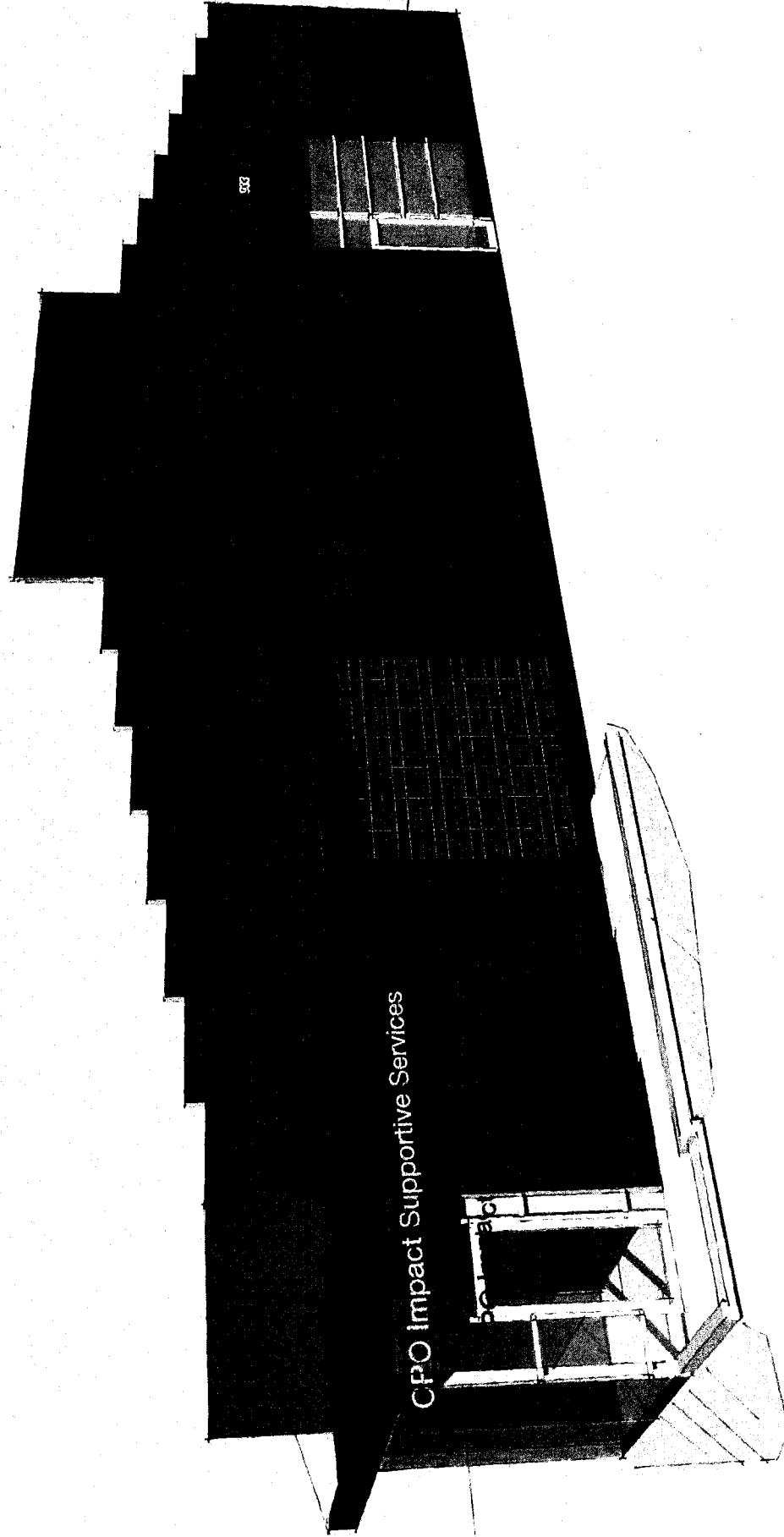
COMMUNITY PROPERTIES
OF OHIO III, LLC

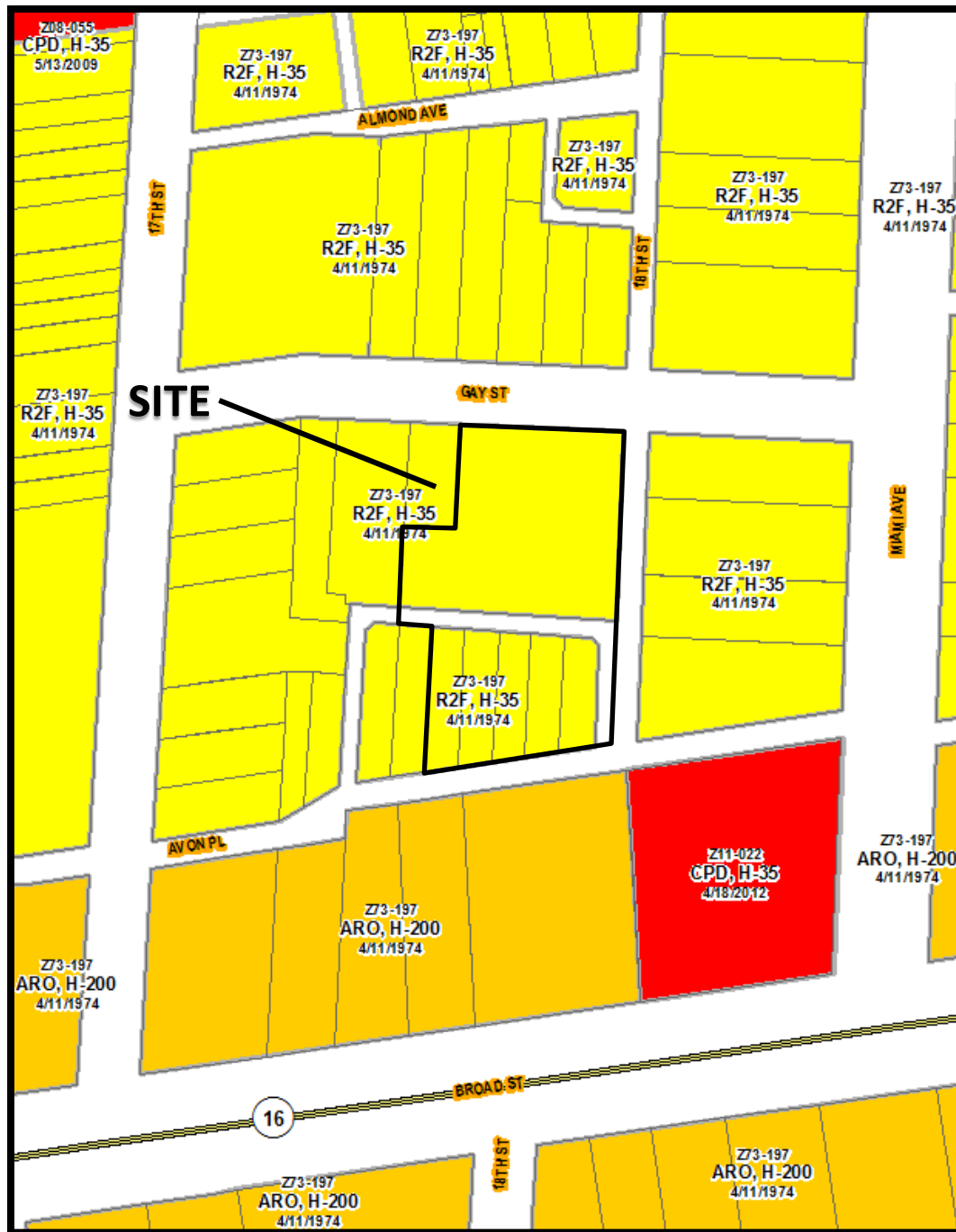
OHIO CAPITAL CORPORATION
FOR HOUSING
810 EAST BROAD STREET

933 NEW ENTRY



933 NEW ENTRY





CV15-064
933 East Gay Street
approximately 0.51 acres



CV15-064
933 East Gay Street
approximately 0.51 acres