

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: CV15-070 Date Received: 11/3/15
Application Accepted by: SP + JB Fee: \$960
Comments: Assigned to Shannon Pine, 645-2209, spine@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 1660 Harrisburg Pike Zip: 43223

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: 425-270757, 425-273194

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

Current Zoning District(s): L-AR-O

Area Commission or Civic Association: Southwest Area Commission

Proposed Use or reason for Council Variance request:

Variances in conjunction with rezoning application Z15-052

Acreage: 2.697 +/-

APPLICANT:

Name: Community Housing Network, Inc. Phone Number: 614-947-8600 Ext.: -----
c/o Donald Plank, Plank Law Firm

Address: 145 E Rich St, Floor 3 City/State: Columbus, Ohio Zip: 43215

Email Address: dplank@planklaw.com Fax Number: 614-228-1790

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

Name: Community Housing Network, Inc. Phone Number: 614-947-8600 Ext.: -----
c/o Donald Plank, Plank Law Firm

Address: 145 E Rich St., Floor 3 City/State: Columbus, Ohio Zip: 43215

Email Address: dplank@planklaw.com Fax Number: 614-228-1790

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

Name: Donald Plank, Plank Law Firm Phone Number: 614-947-8600 Ext.: -----

Address: 145 E Rich Street, Floor 3 City/State: Columbus, Ohio Zip: 43215

Email Address: dplank@planklaw.com Fax Number: 614-228-1790

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

APPLICANT SIGNATURE Donald Plank attorney

PROPERTY OWNER SIGNATURE Donald Plank attorney

ATTORNEY/ AGENT SIGNATURE Donald Plank

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 CV15- 070
1660 Harrisburg Pike, Columbus, OH 43212

SUPPLEMENTAL PROPERTY OWNER EXHIBIT

Community Housing Network, Inc.
c/o Ryan Cassell
1680 Watermark Drive
Columbus, Ohio 43215

Briggsdale Apartments, LLC
c/o Ryan Cassell
1680 Watermark Drive
Columbus, OH 43215

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CV15-070

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 Exhibit "B"

Signature of Applicant

Donald Plenk

Date

10/30/15

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Exhibit B

Statement of Hardship

CV15- 070, 1660 Harrisburg Pike

Rezoning application Z15-052 is pending to rezone the 2.697 +/- acre property to the L-AR-O Limited Apartment Residential District. This variance application is submitted for variances to certain applicable site development standards of the L-AR-O district as a companion application to the pending rezoning. The current property lines of the two (2) tax parcels will be reconfigured by lot split to correspond to Subareas A and B, as depicted on the Subarea Plan, titled "Rezoning Exhibit for CHN Briggsdale II, hereafter "Subarea Plan" and site plan titled "Preliminary Site Plan, 1660 Harrisburg Pike", hereafter "Site Plan". Subarea A is proposed to be developed with a 40 dwelling unit apartment building. The existing 35 dwelling unit apartment house will be located within Subarea B. Accessory parking will be located on each Subarea and the parking lot will be divided by a property line, as depicted on the Site Plan. All applicable easements shall be provided for the common access to Harrisburg Pike and use of and circulation through the parking lots (Subarea A and B). The plan titled "Preliminary Site Plan, 1660 Harrisburg Pike", dated _____, depicts the proposed development of the property. This council variance application is submitted in conjunction with and as companion to rezoning application Z15-052 for variances related to the proposed development of the property. Applicant has a hardship in that there is no zoning district to which the property could be rezoned for the proposed development and not need variances to code standards and applicant has a practical difficulty with compliance to develop the property in a comprehensive, coordinated way, as proposed.

Applicant requests the following variances:

- 1). 3312.21 (A), (B), Landscaping and Screening, Interior Landscaping, to provide a total of five (5) interior parking lot trees for the sum of the Subarea A (27 parking spaces) and Subarea B (24 parking spaces) parking lots (total of 51 spaces), but without interior trees being allocated to Subareas A and B separately, as depicted; to provide no parking lot screening along the interior common proposed property line of Subareas A and B; and to permit pavement in the Harrisburg Pike parking setback only for a fire lane, as may be required by the Columbus Fire Department.
- 2). 3312.25, Maneuvering, to permit three (3) parking spaces on Subarea A to have zero (0) maneuvering area due to the location of the proposed property line, while code required maneuvering area is provided with the adjacent aisle on Subarea B, subject to applicable easement(s) being provided.
- 3). 3312.49, Minimum Numbers of Parking Spaces Required, to reduce required parking in Subarea A from 60 spaces (1.5 space/DU) to 27 spaces (0.67 space/DU) and in Subarea B from 53 spaces (1.5 space/DU) to 24 spaces (0.68 space/DU).

Community Housing Network, Inc. (CHN) owns and operates over 1,200 apartment units in Franklin County. Nearly all of the units are single occupancy. Through many years of managing these units for the population CHN serves, it is CHN's experience that the proposed number of parking spaces is more than adequate and likely even overstates the parking demand for both residents and visitors. It is CHN's mission as well as obligation through public financing requirements to provide affordable apartments. It is CHN's experience that few CHN residents have cars.

4). 3333.18, Building Lines, to reduce the Harrisburg Pike building setback line from 60 feet to 30 feet for the proposed building in Subarea A. Sixty (60) feet of right of way presently exists, in accordance with the Columbus Thoroughfare Plan.

5). 3333.23(b), Minimum Side Yard Permitted, to reduce the minimum side yard along the south property line to permit dumpster boxes one (1) foot from the south property line.

6). 3333.24, Rear Yard, to permit 6% rear yard in Subarea A.

11/01/2015

Council Variance Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

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

AFFIDAVIT (See instruction sheet)

Application Number: CW15-070

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Donald Plank, Plank Law Firm
of (1) MAILING ADDRESS 145 E Rich St., Floor 3 Columbus, Ohio 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 1660 Harrisburg Pike

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 11/3/15

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) Community Housing Network, Inc.
c/o Donald Plank, Plank Law Firm
145 E. Rich Street, 3rd Floor
Columbus, Ohio 43215

See Supplemental Property
Owner List

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

Community Housing Network, Inc.
c/o Donald Plank, 614-947-8600

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

(5) Southwest Area Commission
c/o Stefanie Coe
1437 Wilson Avenue
Columbus, Ohio 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

Donald Plank

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

(8) SIGNATURE OF NOTARY PUBLIC

Stacey L. Danza

11-5-2018
My Commission Expires



Stacey L. Danza
Notary Public, State of Ohio
My Commission Expires 11-05-2018
This Affidavit expires six (6) months after the date of notarization.

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EXHIBIT A, Public Notice
1660 Harrisburg Pike
CV15- 070
October 30, 2015

APPLICANT

Community Housing Network, Inc.
c/o Donald Plank, Plank Law Firm
145 East Rich Street, FL 3
Columbus, OH 43215

PROPERTY OWNER

Community Housing Network, Inc.
c/o Donald Plank
Plank Law Firm
145 East Rich Street, FL 3
Columbus, OH 43215

ATTORNEY

Donald Plank, Plank Law Firm
145 East Rich Street, FL 3
Columbus, OH 43215

COMMUNITY GROUP

Southwest Area Commission
c/o Stefanie Coe
1437 Wilson Avenue
Columbus, Ohio 43206

Briggsdale Apartments, LLC
c/o Donald Plank
Plank Law Firm
145 East Rich Street, FL 3
Columbus, OH 43215

PROPERTY OWNERS WITHIN 125 FEET

Donald E. Morris
Deborah K. Morris
6600 Alkire Road
Galloway, Ohio 43119

Central Ohio Community Improvement
Corp (COCIC)
373 S High Street, 15th Floor
Columbus, Ohio 43206

Commissioners of Franklin County
373 S High Street, 26th Floor
Columbus, Ohio 43215-4591

Jeff Hatfield
1628 Harrisburg Pike
Columbus, Ohio 43223

Darrell G. Neese
1678 Harrisburg Pike
Columbus, OH 43223

Rodger P. Morris
2380 Kunz Road
Galloway, Ohio 43119

Troy Alderman
1632 Harrisburg Pike
Columbus, Ohio 43223

Arnold A Miller
Helen C Miller
1655 Harrisburg Pike
Columbus, Ohio 43223

Richard A. Montesi
2306 Autumn Village Court
Columbus, Ohio 43223

Jack Gibson
2464 Chambers Avenue
Columbus, Ohio 43223

Elma E. Dorsey
110 Gale Court
Circleville, Ohio 43113

CV15- 070
Exhibit A, Public Notice
Page 1 of 2, 10/30/2015

Dana E. Bull, TOD
2306 Autumn Village Court
Columbus, Ohio 43223

James L. King
2295 Autumn Village Court
Columbus, Ohio 43223

Dustin D. Strickler
2278 Golden Leaf Lane
Columbus, Ohio 43223

Richard A. Clark
3783 Broadway
Grove City, Ohio 43123

Steven M. McGee
2272 Golden Leaf Lane
Columbus, Ohio 43223

Addo Kwasi
2284 Golden Leaf Lane
Columbus, Ohio 43223

Richard L. Hudson
Ladonna L. Hudson
2285 Golden Leaf Lane
Columbus, Ohio 43223

John E. Sisco, Jr.
Opal Yolanda Sisco
2279 Golden Leaf Lane
Columbus, Ohio 43223

Thomas G. Thornton
Laurie A. Thornton
2273 Golden Leaf Lane
Columbus, Ohio 43223

Tiwana M. Caldwell
1627 Harrisburg Pike
Columbus, Ohio 43223

New Horizons United Methodist
Church
1665 Harrisburg Pike
Columbus, Ohio 43223

Community Housing Network, Inc.
1680 Watermark Drive
Columbus, Ohio 43215

Briggsdale Apartments, LLC
1680 Watermark Drive
Columbus, OH 43215

ALSO NOTIFY

Walt Whitmyre
Community Housing Network, Inc.
1680 Watermark Drive
Columbus, OH 43215

Ryan Cassell
Community Housing Network, Inc.
1680 Watermark Drive
Columbus, OH 43215

Samantha Shuler
Community Housing Network, Inc.
1680 Watermark Drive
Columbus, OH 43215

Dave Perry
David Perry Company, Inc.
145 East Rich Street, FL 3
Columbus, OH 43215

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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 # CVIS-070

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald Plank
of (COMPLETE ADDRESS) Plank Law Firm, 145 E Rich St., FL 3, Columbus, Ohio 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

<p>1. Community Housing Network, Inc. 1680 Watermark Drive Columbus, Ohio 43215 # Columbus Based Employees: 93 Contact: Ryan Cassell 614-487-6782</p>	<p>2. Briggsdale Apartments, LLC 1680 Watermark Drive Columbus, Ohio 43215 # Columbus Based Employees: 0 Contact: Ryan Cassell 614-487-6782</p>
<p>3.</p>	<p>4.</p>

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

SIGNATURE OF AFFIANT

Donald Plank

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



Stacey L. Danza
Notary Public, State of Ohio
My Commission Expires 11-05-2018

11-5-2018
My Commission Expires

Notary Seal Here

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

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City of Columbus Zoning Plat



CV15-070

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: 425273194

Zoning Number: 1660

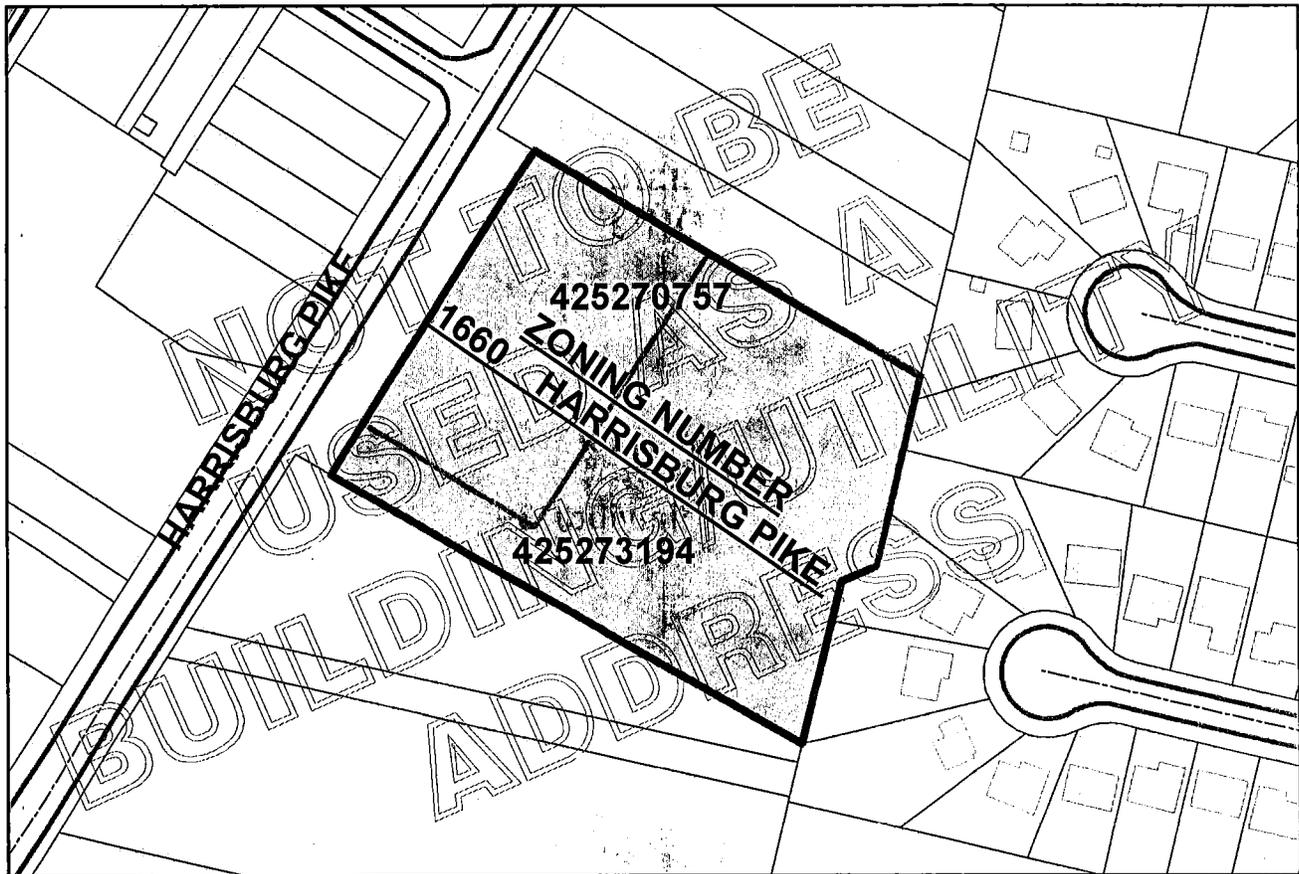
Street Name: HARRISBURG PIKE

Lot Number : N/A

Subdivision: N/A

Requested By: VORYS, SATER, SEYMOUR & PEASE (JILL TANGEMAN, ESQ)

Issued By: *Adyana Williams* Date: 8/19/2014

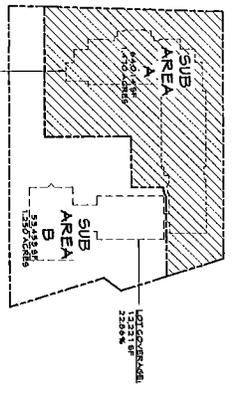


SCALE: 1 inch = 150 feet

GIS FILE NUMBER: 21866

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





SITE DEVELOPMENT DATA

ADDRESS: 1320 HARRISBURG PKE
 TOTAL AREA: 2.132 ACRES
 SUB AREA A: 1.320 ACRES
 SUB AREA B: 1.320 ACRES
 P.D. # 132-310151-425-13194

EXISTING ZONING: C-20 COMMERCIAL PLANNED DEVELOPMENT (C20-1) AND L-16-2
 PROPOSED ZONING: L-16-2 LIMITED APARTMENT RESIDENTIAL
 CONROLL VARIANCE: (2) 1'

HEIGHT RESTRICTION: H-35
 HEIGHT: BUILDING 41.80 FT. / 12.73 M.
 SUB AREA A: 41.80 FT. / 12.73 M.
 SUB AREA B: 41.80 FT. / 12.73 M.
 DECORATIVE CURB: 41.80 FT. / 12.73 M.

PROPOSED USE: ONE APARTMENT BUILDING EACH ON SUB AREA A & B
 ONE APARTMENT BUILDING ON SUB AREA B
 SUB AREA A: BUILDING 35 UNIT APARTMENT BUILDING
 SUB AREA B: BUILDING 40 UNIT APARTMENT BUILDING

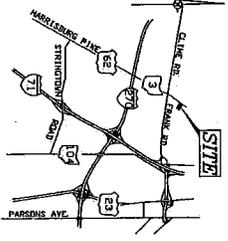
5873 ACRES: AS NOTED

LOT CORNER: 35194
 SUB AREA A: 35194
 SUB AREA B: 35194

REAR YARD: 6.51%
 SUB AREA A: 35194
 SUB AREA B: 35194

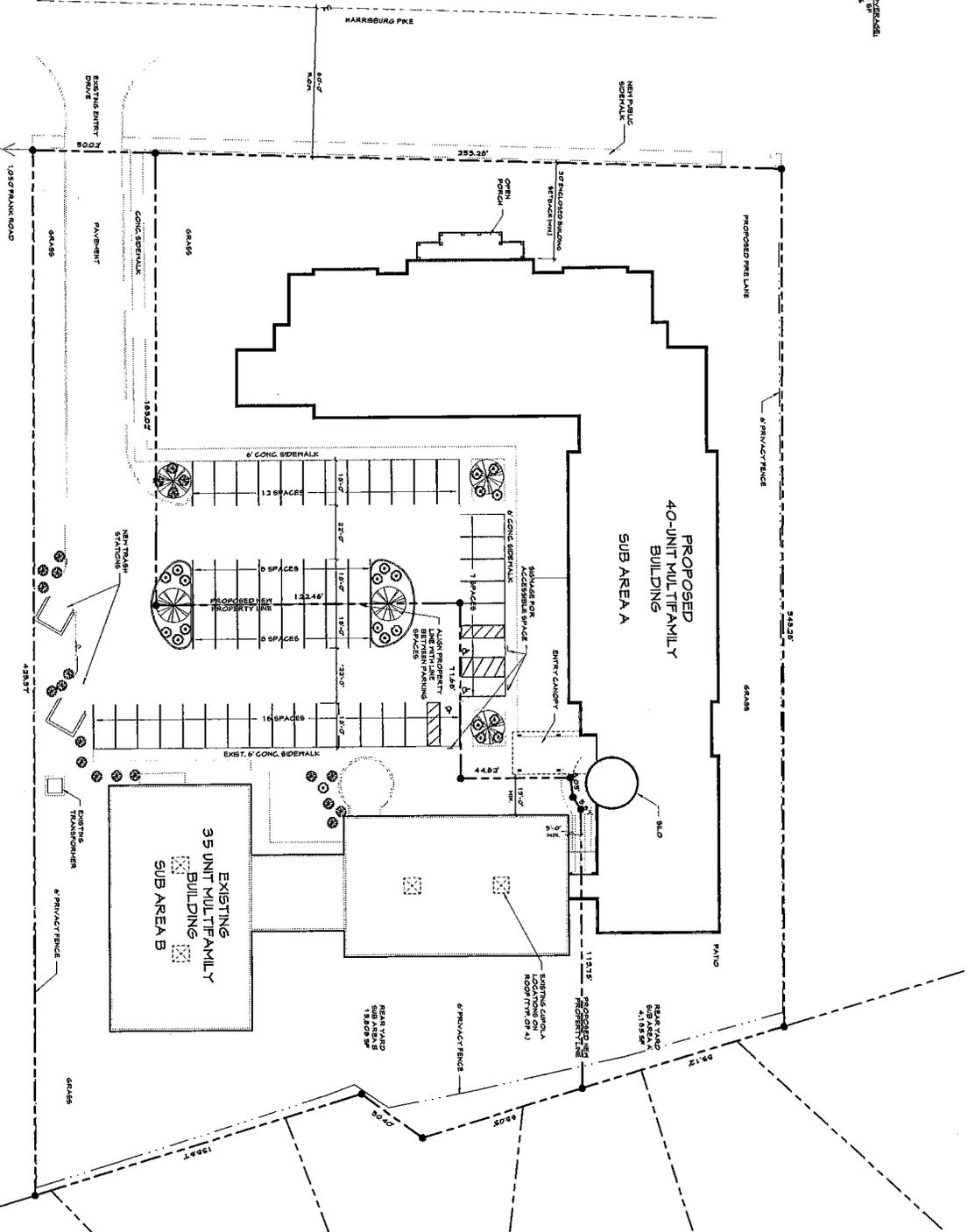
PANORAMA: 35194
 SUB AREA A: 40' TO 27' VARIANCE SPACES
 SUB AREA B: 35' TO 24' VARIANCE SPACES
 SUB AREA C: 35' TO 24' VARIANCE SPACES
 SUB AREA D: 35' TO 24' VARIANCE SPACES

REQUIREMENTS: 35' VARIANCE REQUIRED PER SUB AREA A PROVIDED
 SUB AREA A: 40' TO 27' VARIANCE SPACES
 SUB AREA B: 35' TO 24' VARIANCE SPACES
 TOTAL STORAGE CAPACITY PROVIDED: 1500 CUBIC YDS
 PRIVATE WALKER / OUT-GOAT / COLUMBIAS SERVICE
 POINT SERVICES ON SUB AREA B



PRELIMINARY SITE PLAN

1" = 20'-0"



1A

PRELIMINARY SITE PLAN

Barardi +

1000 North Main Street, Suite 200
 Nashville, TN 37203
 615.259.1111
 www.barardi.com

SCHEMATIC DESIGN

PROJECT DATE: 06/15/14
 PROJECT #: 1415
 SHEET NO: 10091

DATE: 06/15/14

1000 North Main Street, Suite 200
 Nashville, TN 37203
 615.259.1111
 www.barardi.com

CHN
Briggsdale II

CV15-070

CW15-070



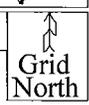
CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: S DATE: 10/21/15



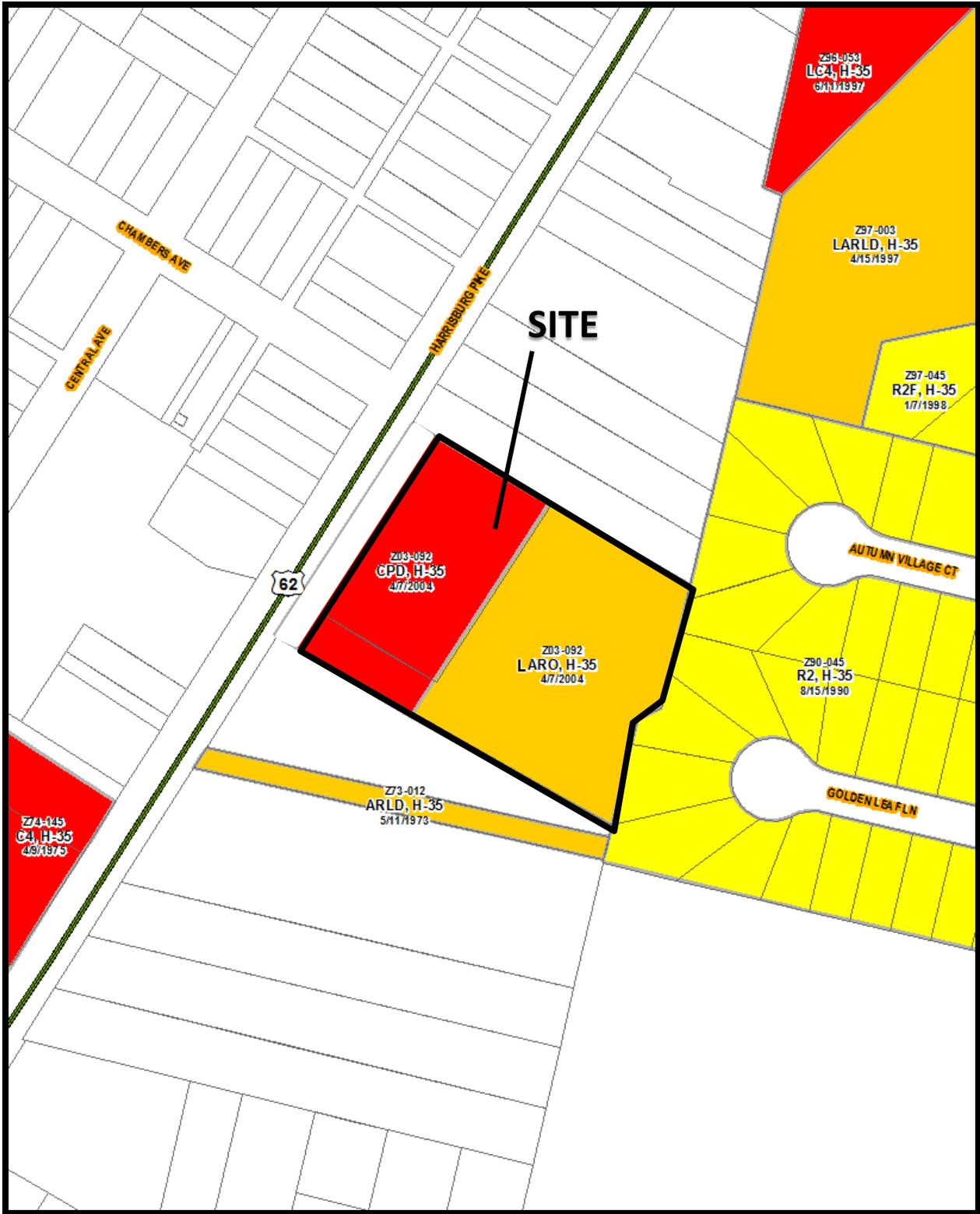
Disclaimer

Scale = 250

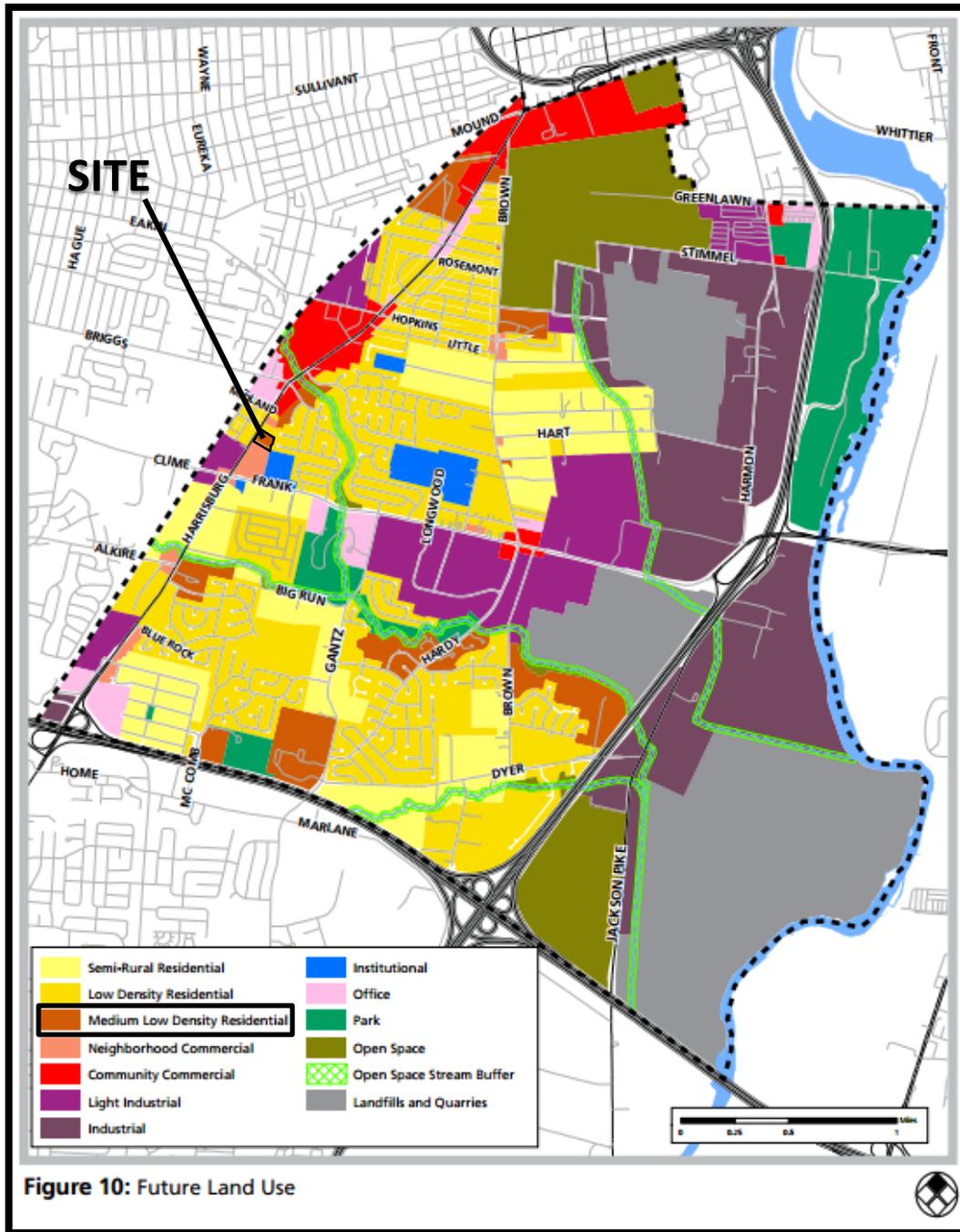


This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

Real Estate / GIS Department



CV15-070
1660 Harrisburg Pike
Approximately 2.7 acres



Southwest Area Plan (2009)
 CV1515-070
 1660 Harrisburg Pike
 Approximately 2.7 acres



CV15-070
1660 Harrisburg Pike
Approximately 2.7 acres