

COUNCIL VARIANCE APPLICATION

Department of Building & Zoning Services
Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224-3218
Phone: 614-645-7433 www.columbus.gov

14315-00000-00695

OFFICE USE ONLY

Application Number: CV14-046 Date Received: 9/29/14
Fee: \$1600 Application Accepted by: S. Pine
Comments: Assigned to S. Pine, 645-2208, spine@columbus.gov

LOCATION AND ZONING REQUEST

Certified Address (for Zoning Purposes) 923 East Long Street Zip 43203

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: 010-017390-00
☐ Check here if listing additional property owners on a separate page.

Current Zoning District(s): R2F

Civic Association or Area Commission: Near East Area Commission

Proposed use or reason for Council Variance request: Type A Child Care Home

Acreage: 8,974.55 square feet

APPLICANT: Name Capital City Holdings LLC

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

Phone # 614-224-8446 Fax # 614-224-8452 Email hkeller@occh.org

PROPERTY OWNER(S): Name Capital City Holdings LLC

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

Phone # 614-224-8446 Fax # 614-224-8452 Email hkeller@occh.org

ATTORNEY/AGENT (CHECK ONE IF APPLICABLE) ☒ Attorney ☐ Agent

Name Thomas F. Kibbey

Address, City, State & Zip 41 South High Street, 2000 Huntington Center, Columbus, OH 43215

Phone # 614-365-2718 Fax # 614-365-2499 Email tom.kibbey@squirepb.com

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 all checks payable to the Columbus City Treasurer

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CV14-046

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

Harold P. Miller

Date

9/26/14

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CV14-046
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 Type A Child Care Home serving the residents at Scholar House, a low-income housing development adjacent to the Site.

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 Type A Child Care Home solely serving the Scholar House tenants. 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.

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 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 increased as the daycare home will serve only the residents at the adjacent Scholar House and thus no 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 Type A child care home and the associated variances necessary to permit the modernization and re-use of the building on the Site.

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757 Carolyn Avenue, Columbus, Ohio 43224-3218

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

AFFIDAVIT

(See next page for instructions)

APPLICATION # CV14-046

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

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 923 East Long Street, Columbus, Ohio 43203
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) 9/29/14

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME

(4) Capital City Holdings LLC

AND MAILING ADDRESS

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

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

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.

SIGNATURE OF AFFIANT

(8) [Signature]

Subscribed to me in my presence and before this 20th day of September, in the year 2014

SIGNATURE OF NOTARY PUBLIC

(8) [Signature]

My Commission Expires: 5-5-2019

Notary Seal Here



DEBRA J. PASTOREK

Notary Public, State of Ohio

My Commission Expires

May 5, 2019

Complete information will result in the rejection of this submittal.
submitted by appointment. Call 614-645-4522 to schedule.
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CV14-046

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 th Street Columbus OH 43203	2. AHT Holdings LLC 110 N 17th Street Columbus OH 43203
3. City of Columbus Ohio 50 W Gay Street, 4 th 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. W Earl Jennings 5411 Gordon Way Dublin OH 43017	8. Clemya E Matthews 223 N 20 th 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 th Street Columbus OH 43203
13. Summerfield Homes LLC 88 E Broad Street Columbus OH 43215	14. Unity Investment Holdings LLC 225 N 4 th Street, Suite 303 Columbus OH 43215

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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 17th Street
Columbus OH 43203

AHT Holdings LLC
110 N 17th Street
Columbus OH 43203

City of Columbus Ohio
50 W Gay Street, 4th 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

W Earl Jennings
5411 Gordon Way
Dublin OH 43017

Clemya E Matthews
223 N 20th 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 17th Street
Columbus OH 43203

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Columbus OH 43215

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Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224-3218

Phone: 614-645-7433 www.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 # CW14-046

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 formats:

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 parties on a separate page.

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before this 26th day of September, in the year 2014

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

Notary Seal Here



THOMAS F. KIBBEY
Attorney at Law
Notary Public, State of Ohio
My Commission Has No Expiration
Section 147.03 R.C.

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

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City of Columbus Zoning Plat



CV14-046

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

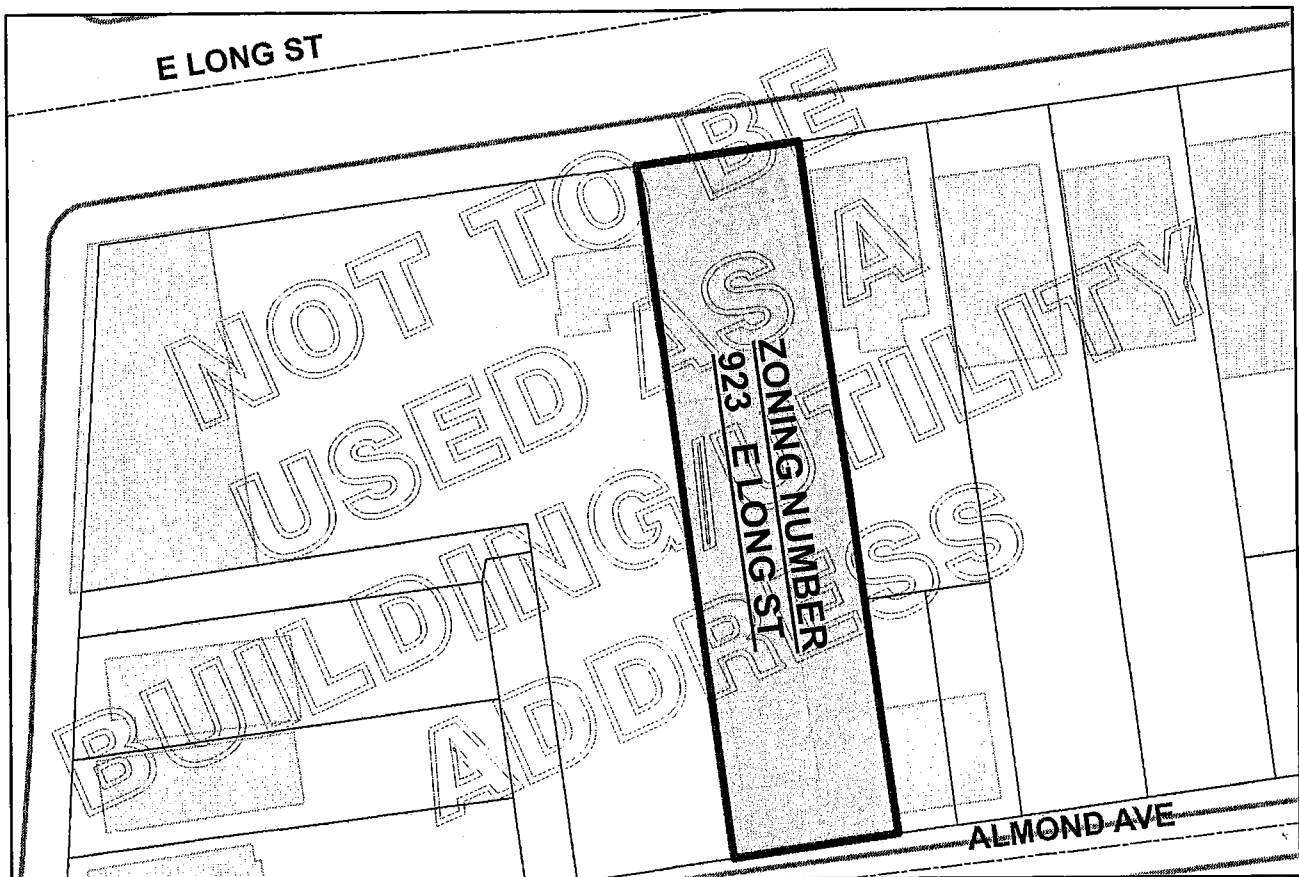
Lot Number : 2

Subdivision: KNIGHT NOBEL & ENGLISH

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

Issued By: *Adyana Chaurasia*

Date: 9/19/2014



SCALE: 1 inch = 50 feet



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

GIS FILE NUMBER: 22832

CV14-046

Legal Description – 923 E. Long Street

(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:

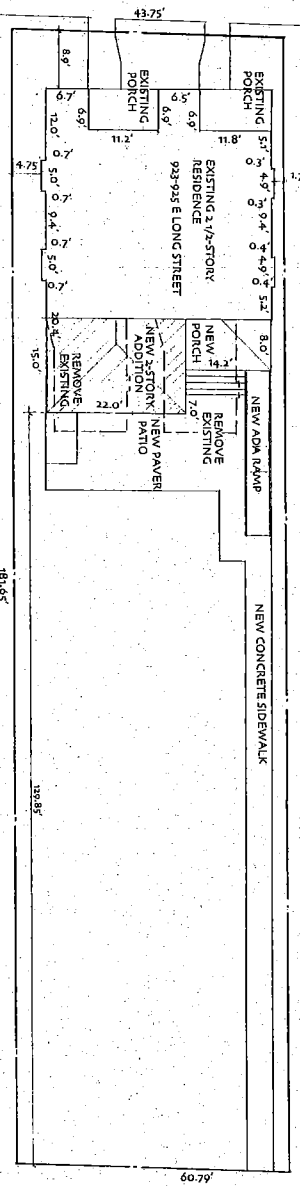
Being Lot Number Two (2) of Knight, Noble and English's Subdivision of a part of Half-Section No. 13, Township No. 5, Range No. 22, Refugee Lands, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 3, Page 155, Recorder's Office, Franklin County, Ohio.
Permanent Parcel No.: 010-017390

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

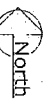
Real Estate / GIS Department

East Long Street 70.0' R/W

EXISTING PUBLIC SIDEWALK



Site Plan



Scale = 1/8" = 1'-0"

Project Scope

The scope of this project involves removing two 2-story additions to a two family residence. Converting the existing 1 1/2-story residence to a single family residence. We will also be adding a new 8'0" x 5'4" unenclosed covered porch. 5'-0" x 22'-0" porch.

Zoning Information

Parcel ID Number	090007090
Zoning District	RS - Family Residential
Proposed Use	Single Family Type A Child Care
Flood Zone	OUT
Setbacks	
North	Existing 12.0'
East	12.0'
West	12.0'
Parking	0 spaces
Lot Size	43.75' x 18.45' (7948 SQ FT)
Lot Coverage	1,750.27 SF (24.0 %)
Existing to be removed	418.15 SF
Existing to remain	1,332.12 SF
Added new addition	1,040.16 SF (24.9 %)
Total	

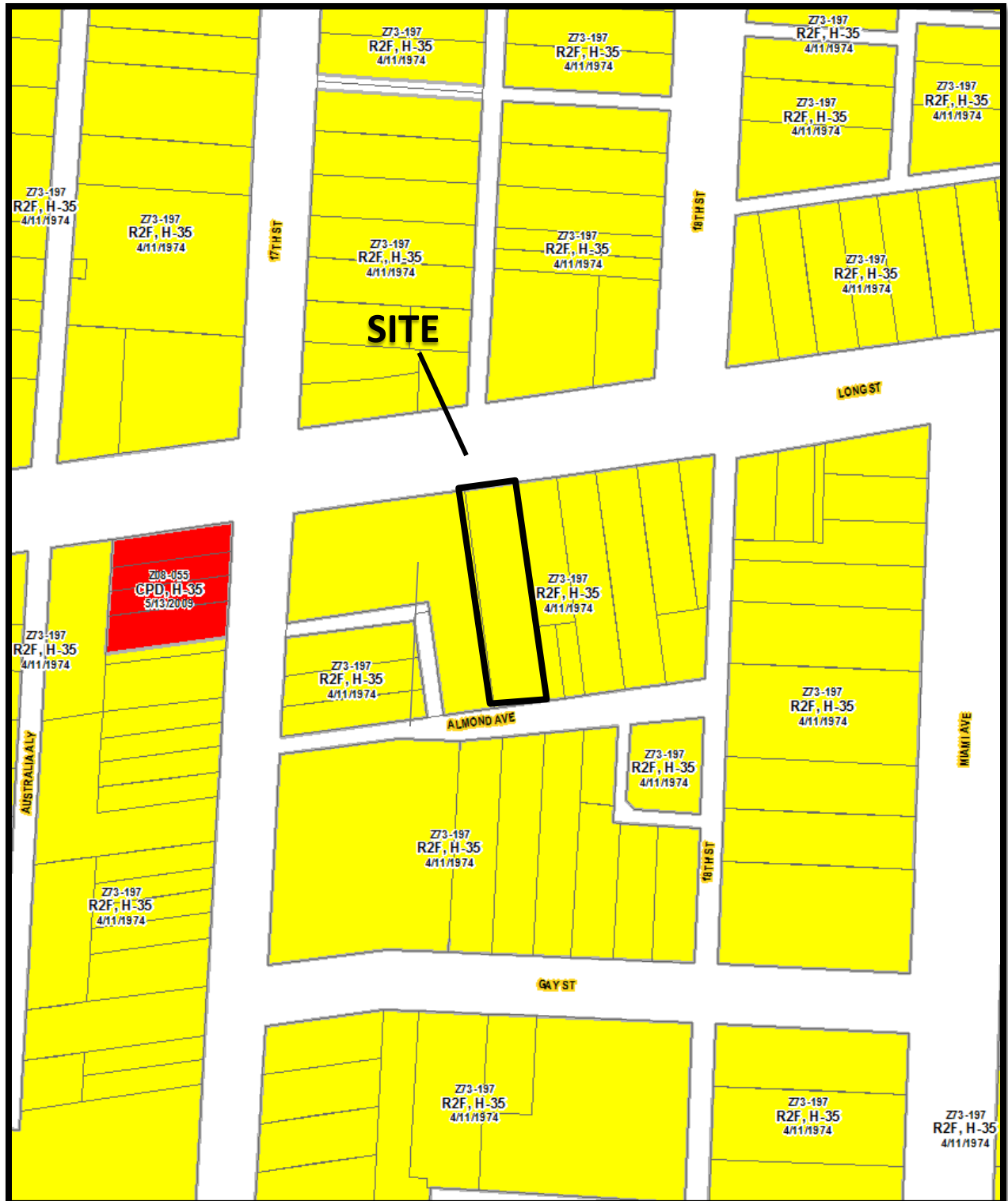
Almond Alley 15.0' R/W

CV14-046

- ☐ PRELIMINARY
- ☒ CONSTRUCTION

Interior Alterations & Addition to:
923-925 East Long Street
Columbus, Ohio

Urbanorder
ARCHITECTURA
797 summit street, columbus ohio 43215
tel. 614-299-9028 urbanorder.com



CV14-046
923 East Long Street
Approximately 0.21 acres

DEVELOPMENT STRATEGY

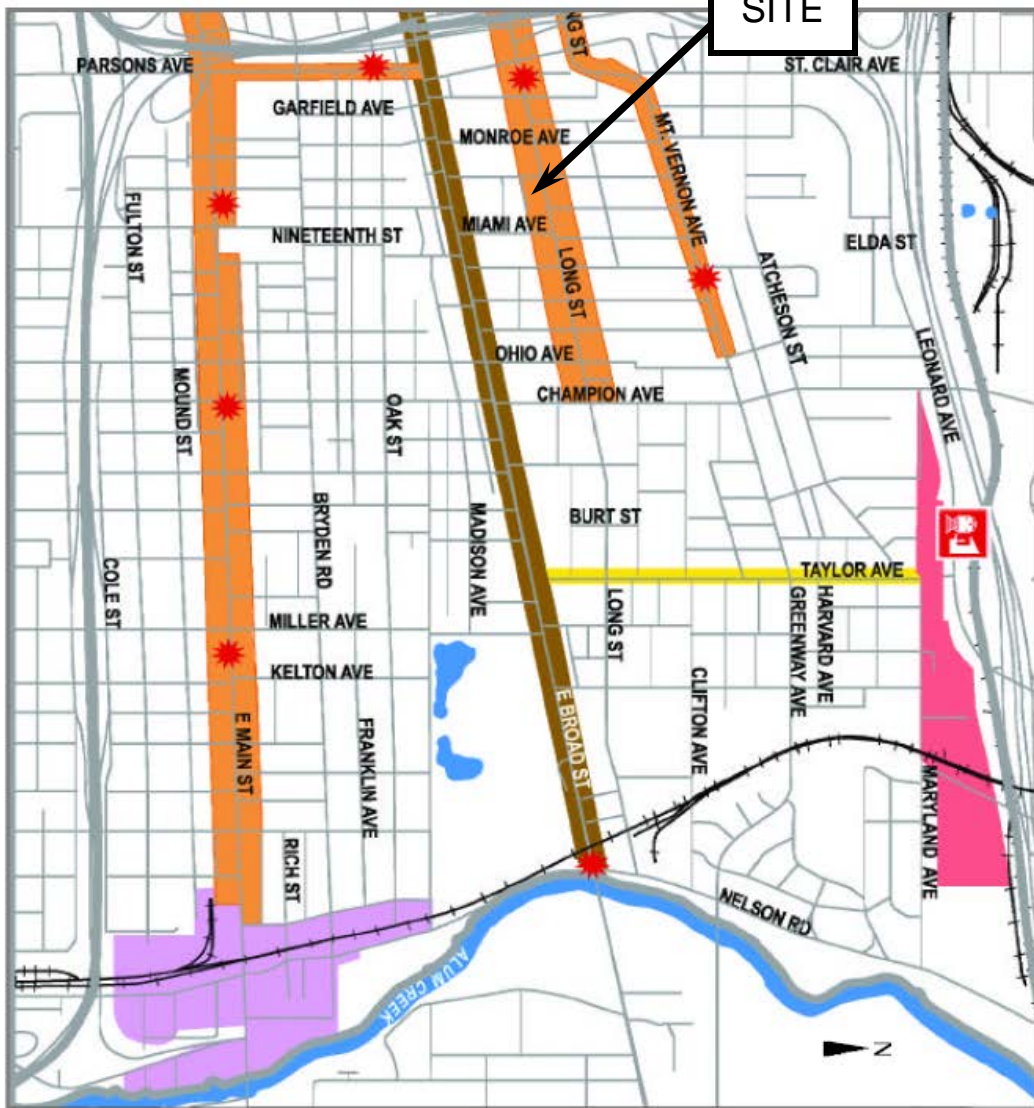


Figure 5

- » **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



CV14-046
923 East Long Street
Approximately 0.21 acres