

Board of Zoning Adjustment Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

111 N Front Street, Columbus, Ohio 43215
Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

OFFICE USE ONLY

Application Number: _____ Date Received: _____
Assigned Planner: _____ Fee: _____
Contact Information: _____
Comments: _____

TYPE(S) OF ACTION REQUESTED (Check all that apply):

Variance Special Permit

Project Description:

78 room hotel with commercial uses permitted in M manufacturing district. Parking study already conducted. Request is for a parking reduction only based on previous support for parking reduction. Parking study is attached to application with site plan.

LOCATION Check here if listing additional parcel numbers on separate page

Certified Address: 278 S Glenwood Ave City: Columbus Zip: 43223

Parcel Number(s): 010-018394-00

Neighborhood Group: Franklinton Area Commission Current Zoning: M, Manufacturing

APPLICANT (If different from Owner):

Applicant Name: _____ Phone: _____ Ext: _____

Address: _____ City/State: _____ Zip: _____

Email Address: _____ Fax Number: _____

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

Name: Pink Development and Construction, Rob Ellis Phone: 614-400-8762 Ext: _____

Address: PO Box 12128 City/State: Miami, FL Zip: 33101

Email Address: rob@pink-construction.com Fax Number: _____

AGENT (Check one if applicable) Attorney Agent Licensed Architect or Engineer Landscape Architect

Name: _____ Phone: _____ Ext: _____

Address: _____ City/State: _____ Zip: _____

Email Address: _____ Fax Number: _____

SIGNATURES

APPLICANT SIGNATURE

Robert Ellis dotloop verified
09/27/24 12:17 AM EDT
CCDL-HA5N-E7RB-IW6F

PROPERTY OWNER SIGNATURE

Robert Ellis dotloop verified
09/27/24 12:17 AM EDT
FSRC-ORXE-VIS6-KDKM

AGENT SIGNATURE _____

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STATEMENT IN SUPPORT OF VARIANCE(S)

3307.09 Variances by Board.

List all sections of Code to be varied and explain your reasoning as to why this request should be granted.

PLEASE NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are not included, a new application (and applicable fees) will be required.

A. The Board of Zoning Adjustment shall have the power, upon application, to grant variances from the provisions and requirements of this Zoning Code (except for those under the jurisdiction of the Graphics Commission and except for use variances under the jurisdiction of the Council). The board shall take into account all of the following facts and conditions when considering variances. Please answer in detail the following and check either Y or N.

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance.

Yes No

Without the variance for a parking reduction to zero, the property cannot yield a reasonable return due to excessive parking requirements. The project's viability depends on on-street parking availability, as shown in our study supported by the columbus division of parking.

2. Whether the variance is substantial.

Yes No

The requested variance for a parking reduction to zero is not substantial, as it aligns with the demonstrated parking availability in the area. The hotel will still meet operational needs without exceeding typical parking demand for similar developments.

3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.

Yes No

Granting the variance will not substantially alter the neighborhood's character, as it supports the ongoing development of hotel services that align with existing uses. The ample on-street parking ensures that adjoining properties will not experience any detriment.

4. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse service).

Yes No

The variance will not adversely affect the delivery of governmental services, as the hotel will continue to comply with all necessary regulations and infrastructure requirements. The existing utilities are adequate to support the proposed use without any negative impact.

5. Whether the property owner purchased the property with knowledge of the zoning restriction.

Yes No

The property owner was aware of the zoning restrictions at the time of purchase; however, a subsequent parking study, which is required, demonstrates ample on-street parking availability, justifying the request for a parking reduction variance.

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6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.

Yes No

The property owner's predicament cannot be resolved through alternatives other than a variance, as structured parking is prohibitively expensive and land availability for additional parking is limited. The requested variance is essential for the project's viability.

7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

Yes No

Granting the variance would uphold the spirit and intent of the zoning requirement by promoting efficient land use and aligning with the neighborhood's character. It ensures that the hotel can operate effectively while supporting the availability of on-street parking for the

B. In granting a variance, the Board may impose such requirements and conditions regarding the location, character, and other features of the proposed uses or structures as the Board deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard public safety and welfare.

C. Nothing in this section shall be construed as authorizing the Board to affect changes in the Zoning Map or to add to the uses permitted in any district.

I have read the foregoing and believe my application for relief from the requirements of the Zoning Code demonstrates practical difficulty as contemplated by C.C. 3307.09(A), in the following ways (use separate page if needed or desired):

I have read the foregoing and believe my application for relief from the requirements of the Zoning Code demonstrates practical difficulty as contemplated by C.C. 3307.09(A), in the following ways:

The requested parking reduction to zero is critical for the hotel's operational viability.
A required parking study shows that there is ample on-street parking available.
The neighborhood context has evolved, necessitating flexibility in parking requirements.
Constructing structured parking is financially impractical for this development.
Available land for additional parking is scarce, limiting feasible alternatives.
The strict application of the current zoning code results in undue hardship.
Granting the variance will not adversely affect the character of surrounding properties.
The intent of zoning regulations is upheld by promoting efficient land use.
Denying the variance would significantly limit the benefits this project can provide to the community.

Signature of Applicant:

Robert Ellis
dotloop verified
09/27/24 12:17 AM EDT
50G5-GDQF-NLNS-UC5V

Date: 09/27/2024

Board of Zoning Adjustment Application

STATEMENT IN SUPPORT OF SPECIAL PERMIT REQUEST

3307.06 Special Permits

The board of zoning adjustment shall have the power:

- A. To grant special permits for uses listed in [Chapter 3389](#) where it is shown that the special use can be granted without substantial detriment to the public good, without substantial impairment of the general purpose and intent of the zoning district in which the use is proposed to be located, and without significant incompatibility with the general character of the neighborhood.
- B. To grant special permits for the relocation or expansion of nonconforming uses, where it can be shown that the relocation or expansion of the nonconforming use can be granted without substantial impairment of the general purpose and intent of the underlying zoning district, and without significant incompatibility with the general character of the neighborhood. No expansion of a nonconforming use shall exceed 50 percent of the total floor area the original nonconforming use occupied.
- C. To impose such requirements and conditions regarding the location, character, and other features of the proposed uses or structures as the board deems necessary to carry out the intent and purpose of the Zoning Code and to otherwise safeguard the public safety and welfare.
- D. Upon application by the city attorney, to revoke any special permit whose condition has been violated after notice and opportunity to conform have been given.
- E. To grant special permits for the relocation or expansion of nonconforming uses, where it can be shown that the relocation or expansion of the nonconforming use can be granted without substantial impairment of the general purpose and intent of the underlying zoning district, and without significant incompatibility with the general character of the neighborhood. No expansion of a nonconforming use shall exceed 50 percent of the total floor area the original nonconforming use occupied.

List all sections of Code relevant to your Special Permit request and explain your reasoning as to why this request should be granted.

PLEASE NOTE: It is the applicant's responsibility to identify the Special Permit required for the project. If the necessary Special Permit is not requested, a new application (and applicable fees) will be required.

I have read the foregoing and believe my application meets the criteria of C.C. 3307.06 in the following ways (use separate page if needed or desired):

~~Parking Reduction: We seek to reduce the required 85 spaces (78 lodging, 7 retail) to 0 per C.C. 3312.49(C), supported by a city-conducted parking study showing ample on-street parking.~~

~~Practical Difficulty: Full compliance would impose practical difficulties due to land availability, making structured parking unfeasible.~~

Zoning Spirit: Granting this variance aligns with the zoning code's intent by optimizing land use in the community.

Signature of Applicant: _____

<i>Robert Ellis</i>	dotloop verified 09/27/24 12:17 AM EDT GDTA-7RAH-GMME-IQQG
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Date: 09/27/2024

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AFFIDAVIT

STATE OF OHIO COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Robert Ellis of Pink Development and Construction LLC of (1) MAILING ADDRESS PO Box 12128 Miami, FL 33101

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 PROPERTY ADDRESS 278 S Glenwood Ave Columbus, OH 43223

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services

SUBJECT PROPERTY OWNER'S NAME AND MAILING ADDRESS (3) Pink Development and Construction LLC PO Box 12128 Miami, FL 33101

APPLICANT'S NAME AND PHONE # (same as listed on front application) Pink Development and Construction LLC, Rob Ellis 614-400-8762

NEIGHBORHOOD GROUP ZONING CHAIR OR CONTACT PERSON AND EMAIL ADDRESS (4) Franklinton Area Commission Jackie Miles jmiles.fac@gmail.com

and that the attached document (5) 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.

Robert Ellis as member

SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 26 day of September, in the year 2024

SIGNATURE OF NOTARY PUBLIC Bruce Toledo My Commission Expires 9-26 Notarized online using audio-video communication



months after date of notarization.

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INSTRUCTIONS FOR AFFIDAVIT

- (1) Name and address of the person who did the research. It is important that the person who does the research is the same person who signs the notarized affidavit.
 - (2) Address of the subject site as indicated on the address card from the Department of Building & Zoning Services, Map Room; Phone (614) 645-5661.
 - (3) From real property records located on the 19th floor of the Franklin County Court House Building, 373 South High Street, or other applicable government records, such as the County Auditor website: enter the name and mailing address of the owner(s) of the subject property (this must be the same as the “Property Owners” shown on the application).
 - (4) Fill in the appropriate Neighborhood Group and complete contact information. Go to CbusAreaCommissions.org to identify the Area Commission and, for areas not served by one, use the [ONE Map \(gis.columbus.gov/one\)](http://gis.columbus.gov/one). Then, contact the Department of Neighborhoods at 614-645-1993 or the assigned Neighborhood Liaison to confirm this information.
 - (5) A “Proximity Report” listing the surrounding property owners can be obtained from the applicable County Auditor. This list shall include properties across the street and in other municipalities and jurisdictions, if applicable. From the Franklin County Auditor’s website, after having opened the subject property record, select the Mapping page and run a 125-foot Buffer Search around the property (including contiguously-owned property), and generate the Proximity Report to obtain an Excel list of surrounding property owners.
 - (5a) It is the affiant’s responsibility to determine the actual address, including personally visiting the properties, if necessary.
 - (5b) DO NOT list a mortgage company as a mailing address for the property unless title to the property is held by the mortgage company, thereby making the company the actual property owner. It is the affiant’s responsibility to exercise reasonable diligence to determine the address of the actual property owner.
 - (5c) For owner-occupied dwelling units, please also include “or Current Occupant” after the owner(s) name.
 - (5d) If property owners appear on the list more than once, please provide only one mailing label.
 - (5e) **Please submit an MS Word document in Avery #5160 format (example provided), emailed to staff with the application, listing the names and complete addresses of the applicant; property owner(s); agent; applicable Area Commission or Neighborhood Group; and surrounding real property owners as explained in (5) above. Make sure that the last two lines of the address label contain the street address and the city, state, and zip code.**
 - (6) This Affidavit form must be signed in the presence of a Notary Public. The Affidavit expires six (6) months after date of notarization.
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EXAMPLE LABEL SET

APPLICANT	PROPERTY OWNER	AGENT
ACME Inc. C/O Brad Clark 555 Main Street Anytown, USA 10000	Jeffrey Jackson 430 Main Street Anytown, USA 10000	John W. Smith Law Office LP 123 Main Street Anytown, USA 10000
AREA COMMISSION OR NEIGHBORHOOD GROUP		
Neighborhood Group Name c/o Zoning Chair Person 100 Main Street Anytown, USA 10000		
	SURROUNDING PROPERTY OWNERS	
Jeffrey Johnson/or current occupant 430 Main Street Anytown, USA 10000	Robert Miller/or current occupant 425 Main Street Anytown, USA 10000	Jane Lewis/or current occupant 429 Main Street Anytown, USA 10000
Country Snaps LP/or current occupant c/o Shopping Centers Inc. 355 Town Street Anytown, USA 10000	Joel and Carla Nelson/ or current occupant 434 Main Street Anytown, USA 10000	Susan Griffin/or current occupant 505 High Street Anytown, USA 10000

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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

Being first duly cautioned and sworn (NAME) Robert Ellis of Pink Development and Construction LLC
of (COMPLETE ADDRESS) PO Box 12128 Miami, FL 33101

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 and their mailing addresses:

NAME	COMPLETE MAILING ADDRESS
<u>Pink Development and Construction LLC</u>	<u>PO Box 12128 Miami, FL 33101</u>
<u>Seminole 33 Investments LLC</u>	<u>PO Box 12128 Miami, FL 33101</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

Robert Ellis as member

SIGNATURE OF AFFIANT _____

Sworn to before me and signed in my presence this 26 day of September, in the 2024

Bruce Toledo

9-26

Notary Seal Here

Notarized online using audio-video communication _____
SIC _____ Commission Expires _____



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

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PUBLIC HEARINGS APPLICATION INSTRUCTIONS

- Applications are submitted by email to ZoningInfo@columbus.gov. Call 614-645-4522 or email for any questions. Follow-up appointments may be arranged with the assigned planner, if necessary. Incomplete applications will NOT be accepted.
- It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are discovered after your application is approved, a new application (and applicable fees) will be required.
- Applicants must confirm whether the subject site lies within the boundaries of an Area Commission, recognized Neighborhood Group, Historic Architectural Review Commission, or Design Review Area. Information can be obtained from the Columbus Zoning Map, at CbusAreaCommissions.org, or the ONE Map (gis.columbus.gov/one); search by address or parcel ID. You may also contact the Department of Neighborhoods at 614-645-1993 to confirm the area where the site is located.
- The applicant must arrange to meet with the group identified above, and obtain a written recommendation prior to the public hearing.
- Be advised that the applicant will be assessed additional fees for requests for tabling, reconsideration, etc. These fees are listed on Page 2 of the application and on the Department of Building and Zoning Services website.
- The applicant or agent must attend the hearing.
- The City of Columbus makes no determination whether a property contains area(s) that might be classified as wetlands by the Army Corps of Engineers and the Ohio Environmental Protection Agency; nor does approval at the public hearing imply the site has complied with wetlands guidelines. It is the applicant's responsibility to determine if wetlands exist on the site.
- A traffic impact and/or access study may be required by the Department of Public Service, Division of Traffic Management; the applicant should make contact for this determination as early as possible. All traffic studies must be submitted forty-five (45) days prior to the deadline for the public hearing agenda.
- The Development Department Planning Division, as part of the variance or special permit process, reviews applications for consistency with adopted city plans. As part of that review, detailed information such as a site plan or building elevations may be requested. These materials are not necessarily required as part of the variance or special permit application, but may be requested as part of the application review. Contact the Planning Division at planninginfo@columbus.gov or 614-724-4437 for more information.
- For properties undergoing annexation, applications cannot be accepted until the County Commissioners have approved the annexation petition.
- An order of the Board of Zoning Adjustment becomes effective immediately. All variances and special permits, unless otherwise specified by the Board, will be void one (1) year after the date issued unless extended by the Board or unless an affirmative action by the applicant has been taken.
- Other permits, clearances, and/or licenses may be required.

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CUTOFF	STAFF REVIEW (Internal)	HEARING DATE (Earliest Possible)
11/20/23	12/7/23	1/23/24
12/18/22	1/4/24	2/27/24
*1/16/24	2/1/24	3/26/24
*2/20/24	3/7/24	4/23/24
3/18/24	4/4/24	5/28/24
4/15/24	5/2/24	6/25/24
5/20/24	6/6/24	7/23/24
6/17/24	7/11/24	8/27/24
7/15/24	8/1/24	9/24/24
8/19/24	9/5/24	10/22/24
9/16/24	10/3/24	11/26/24
10/21/24	11/7/24	**12/17/24
11/18/24	12/5/24	1/28/25
12/16/24	1/2/25	2/25/25

*Tuesday due to holiday

**3rd Tuesday due to holiday

MEETINGS WILL BE HELD IN THE SECOND FLOOR HEARING ROOM. ALL MEETINGS BEGIN AT 4:30 PM.

STAFF ISSUES MUST BE RESOLVED AND NEIGHBORHOOD GROUP RECOMMENDATIONS MUST BE COMPLETE BEFORE APPLICATIONS ARE CONSIDERED BY THE BOARD.