

**COUNCIL VARIANCE APPLICATION**

**Department of Building & Zoning Services**

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

OFFICE USE ONLY

Application Number: CV16-038 Date Received: 5/27/16  
Application Accepted by: MM Fee: 320<sup>00</sup>  
Comments: Assigned to James Bordin; 614-645-1341; jebordin@columbus.gov

**LOCATION AND ZONING REQUEST:**

\* Certified Address (for zoning purposes only): 825 B Front St. Cds Zip: 43206-2501  
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: N/A 010-057881  
 Check here if listing additional parcel numbers on a separate page.  
Current Zoning District(s): M1 - manufacturing District  
Area Commission or Civic Association: Brewery District Commission  
Proposed Use or reason for Council Variance request: 2Dne to Residential  
Acreage: 0.0749 acres

**APPLICANT:**

Name: Jeffrey W. Cutler Phone Number: (614) 565-2940 Ext.: \_\_\_\_\_  
Address: 7525 Perry Rd City/State: Delaware, OH Zip: 43015  
Email Address: JeffW715@aol.com Fax Number: (614) 565-2949

**PROPERTY OWNER(S)**

Check here if listing additional property owners on a separate page N/A 0.50 acre  
Name: Cutler Properties Ltd. Phone Number: (614) 565-2940 Ext.: \_\_\_\_\_  
Address: 591 Carle Ave City/State: Lewis Center, OH Zip: 43035  
Email Address: JeffW715@aol.com Fax Number: (614) 565-2940

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

Name: Jeffrey W. Cutler Phone Number: (614) 565-2940 Ext.: \_\_\_\_\_  
Address: 591 Carle Ave City/State: Lewis Center, OH Zip: 43035  
Email Address: JeffW715@aol.com Fax Number: (614) 565-2949

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

APPLICANT SIGNATURE: Jeff W. Cutler, Cutler Properties Ltd. Managing Member  
PROPERTY OWNER SIGNATURE: Jeff W. Cutler  
ATTORNEY/AGENT SIGNATURE: Jeff W. Cutler

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

**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:**

Hardship Statement for 825 S. Front Street

- 1) The following variance is being requested for the code section 3363.01 (Manufacturing Districts, to allow a residential building)
- 2) Property was originally built as a residence
- 3) Best + highest use is as a residential property
- 4) Variance is needed to secure financing of property. Lender will not loan since the residence could not be rebuilt as a residence under current zoning
- 5) Granting variance will allow this property to be sold as a residence
- 6) Without variance, property will lie vacant since no manufacturing usage is available

Signature of Applicant

Date

5/3/16

**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

THE CITY OF  
**COLUMBUS**

ANDREW J. GINTHER, MAYOR

DEPARTMENT OF BUILDING  
AND ZONING SERVICES

**COUNCIL VARIANCE APPLICATION**

**Department of Building & Zoning Services**

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

**AFFIDAVIT** (See instruction sheet)

Application Number: CV16-038

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Jeffrey W. Cutler / Cutler Properties, LTD.  
of (1) MAILING ADDRESS 591 Carle Ave. Lewis Center, Ohio 43035

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 825 S. Front St. Columbus Ohio 43026-2501

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

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME  
AND MAILING ADDRESS

(4) Cutler Properties, LTD.  
591 Carle Ave.  
Lewis Center, Ohio 43035

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

Jeffrey W. Cutler  
614-565-2940

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

(5) Brewery District Commission  
James A. Goodman 614-645-7920

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 31<sup>th</sup> day of May, in the year 2016

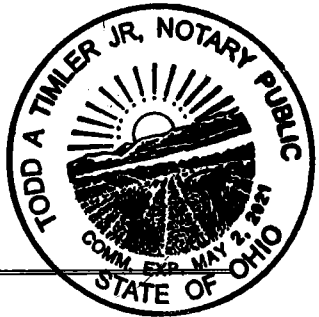
Rev [Signature]

(8) SIGNATURE OF NOTARY PUBLIC

May 2, 2021  
My Commission Expires

Notary Seal Here

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



**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

EXHIBIT A, Public Notice  
718 S High St.  
CV16-\_\_\_\_\_  
March 12, 2016

CV16 038

APPLICANT

Cutler Properties, LTD  
c/o Jeffrey Cutler  
591 Carle Ave  
Lewis Center, Oh 43035

PROPERTY OWNER

Cutler Properties, LTD  
c/o Jeffrey Cutler  
591 Carle Ave  
Lewis Center, Oh 43035

COMMUNITY GROUP

Brewery District Commission  
c/o James A Goodman, Historic  
Preservation Office, City of Columbus  
50 West Gay Street, FL4  
Columbus, Oh 43215

PROPERTY OWNERS WITHIN 125 FEET

817 South Front St LLC  
297 S. Cassady Ave  
Columbus, Oh 43209-1722

Sean P Cowan  
Abigail L Dawson  
75 W Kossuth St  
Columbus, Oh 43206-1932

James C McFarland  
Theresa L McFarland  
37 N Monroe Ave  
Columbus, Oh 43203-1857

Michael Elsschlager  
Mark Elsschlager  
2475 Harrison Rd  
Johnstown, Oh 43031-2501

Tami M Knight  
Timothy F Feltes  
3705 Surrey Hill Pl  
Columbus, Oh 43220-4758

Anchor Capitol LLC  
841 S Front St  
Columbus, Oh 43206-2501

718 S High St  
CV17-\_\_\_\_\_  
Exhibit A, Public Notice  
Page 1 of 2, 5/12/16

CV16-038

Brewers Yard Apartments LTD  
34 S 3<sup>rd</sup> St  
Columbus, Oh 43215-4201

Adam Kessler  
793 Front St  
Columbus, Oh 43206

Terri L Marshall  
54 W Kossuth St  
Columbus, Oh 43206-1914

MaryEllen K Corbett  
822 S Front St  
Columbus, Oh 43206

Anna Gunto  
828 S Front St  
Columbus, Oh 43206

Edward T Emerson  
832 S Front St  
Columbus, Oh 43206

Mark A Aalyson  
836 S Front St  
Columbus, Oh 43206

Ronald R Caldwell  
840 S Front St  
Columbus, Oh 43206

Front Street Partners LLC  
844 S Front St  
Columbus, Oh 43206

Mukhdomi Properties LLC  
4215 Gantz Rd  
Grove City, Oh 43123-2993

718 S High St  
CV16- \_\_\_\_\_  
Exhibit A, Public Notice  
Page 2 of 2, 5//12/16

THE CITY OF  
**COLUMBUS**

ANDREW J. GINTHER, MAYOR

DEPARTMENT OF BUILDING  
AND ZONING SERVICES

**COUNCIL VARIANCE APPLICATION**

**Department of Building & Zoning Services**

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224

Phone: 614-645-7433 • www.bzs.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 # CV16-033

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Jeffrey W. Cutler Managing member Cutler Properties, LTD.  
of (COMPLETE ADDRESS) 825 South Front St Columbus Ohio 43206-2501

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. <u>Cutler Properties, LTD.</u> <u>591 Carle Ave.</u> <u>Lewis Center Ohio 43035</u>	2.
3. <u>Jeffrey W. Cutler</u> <u>591 Carle Ave.</u> <u>Lewis Center Ohio 43035</u>	4.

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

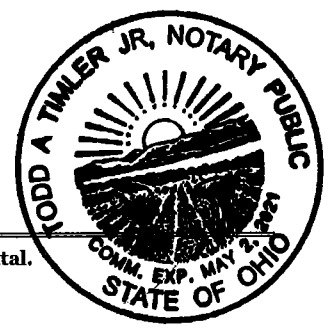
SIGNATURE OF AFFIANT [Signature]

Sworn to before me and signed in my presence this 11<sup>th</sup> day of May, in the year 2016

SIGNATURE OF NOTARY PUBLIC [Signature]

My Commission Expires May 2, 2021

Notary Seal Here



**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

CV16-038

Exhibit "A"  
Legal Description

Situated in the City of Columbus, County of Franklin and State of Ohio, and bounded and described as follows:

Being part of the North Half of Lot Number Seven (7) of T.W. TALLMADGE'S SOUTH ADDITION, as the same is shown of record in Plat Book 1, Page 412, Franklin County Records and being more particularly described as follows:

Beginning at a cross in the cement walk at the center of the East line of said Lot Number 7 and the West line of Front Street;

Thence, West and parallel with the North line of said Lot Number 7, 184.40 feet to an iron pipe in the West line of said Lot;

Thence, with the West line of said Lot, North 13 feet to an iron pipe;

Thence, Easterly and parallel with the North line of said Lot, 107.65 feet to a cross cut in the edge of the cement walk;

Thence, North at right angles to said line 5.87 feet to another cross in the cement walk;

Thence, in an Easterly direction 29.70 feet to a point in the North line of said Lot Number 7 marked by a spike in the walk;

Thence, with the North line of said Lot Easterly 45 feet to an iron pin in the Northeast corner of said Lot;

Thence, South with the East line of said Lot, 27 feet to the Place of Beginning.

Commonly Known as: 825 S. Front Street, Columbus, Ohio 43206  
Parcel Number: 010-057881-00

MORTGAGE LOCATION PLAT

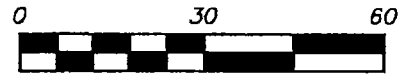
CV16-038

Being part of Lot 7  
Plat Book 1, Page 412

Tallmadge's South Add'n

Columbus, Ohio  
Franklin Co. Recorder's Office

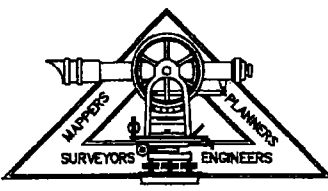
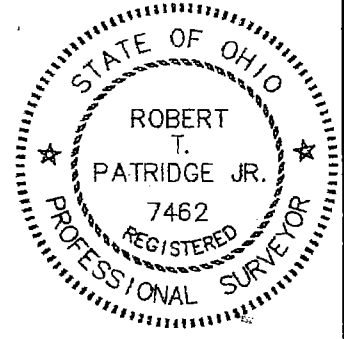
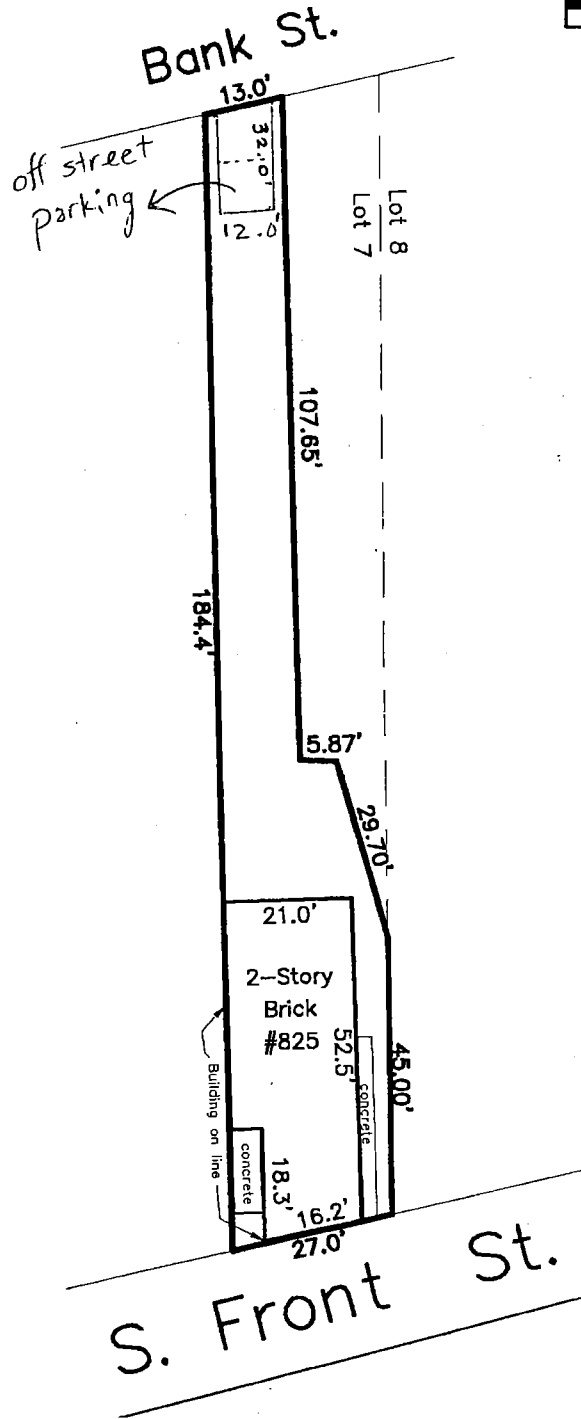
For: Jeff Cutler



Scale 1" = 30'  
June 2015



Area in Flood Zone X.  
Apparent Encroachments;  
None



PATRIDGE  
SURVEYING L.L.C.  
9464 DUBLIN ROAD  
POWELL, OHIO 43065  
TEL (614)-799-0031  
FAX (614)-300-5076

CERTIFICATION: We hereby certify that the foregoing Mortgage Location was prepared from actual field measurements in accordance with Chapter 4733-38, Ohio Administrative Code and is not a boundary survey pursuant to Chapter 4733-37 of said code. Not to be used for any construction or to erect fences.

*Robert T. Patridge Jr.*

Professional Surveyor No. 7462





CV16-038  
825 South Front Street  
Approximately 0.07 acres



CV16-038  
825 South Front Street  
Approximately 0.07 acres