

## 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: CV16-045 Date Received: 6/28/16  
Application Accepted by: Rev TD Fee: None (Converted from 216-030)  
Comments: Assigned to Tim Dietrich; 614-645-6665; tdietrich@columbus.gov  
Shanon Pine; 614-645-2208; spine@columbus.gov

#### LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 920-924 -924 1/2 East Long Street, Columbus Zip: 43203

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: 010-048889

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

Current Zoning District(s): R2F Residential

Area Commission or Civic Association: Near East Area Commission

Proposed Use or reason for Council Variance request:

Open the wall between two store front spaces

Acreage: 0.04

#### APPLICANT:

Name: Abbas Eltilib Phone Number: 614-702-5257 Ext.: \_\_\_\_\_

Address: 8309 Orange Station Loop City/State: Lewis Center Zip: 43035

Email Address: eltilib75@yahoo.com Fax Number: \_\_\_\_\_

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

Name: Clemya E Matthews Phone Number: 614-582-5396 Ext.: \_\_\_\_\_

Address: 223 North 20th Street City/State: Columbus Zip: 43203

Email Address: clemya1@gmail.com Fax Number: \_\_\_\_\_

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

Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_ Ext.: \_\_\_\_\_

Address: \_\_\_\_\_ City/State: \_\_\_\_\_ Zip: \_\_\_\_\_

Email Address: \_\_\_\_\_ Fax Number: \_\_\_\_\_

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

APPLICANT SIGNATURE [Signature]

PROPERTY OWNER SIGNATURE [Signature]

ATTORNEY / AGENT 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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### Department of Building & Zoning Services

Scott Messer, Director  
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Phone: 614-645-7433 • www.bzs.columbus.gov

**AFFIDAVIT** (See instruction sheet)

Application Number: CU16-048

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Abbas Eltilib

of (1) MAILING ADDRESS 8309 Orange Station Loop, 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 920-924-924 1/2 East Long 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) 7/5/16

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME  
AND MAILING ADDRESS

(4) Clemya E Matthews

223 North 20th Street

Columbus, Ohio 43203

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

Abbas Eltilib 614-702-5257

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

(5) Near East Area Commission

Annie Ross-Womack

874 Oakwood 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

Sworn to before me and signed in my presence this 27<sup>th</sup> day of June, in the year 2016

Rev

(8) SIGNATURE OF NOTARY PUBLIC

7-22-2016  
My Commission Expires

Notary Seal



DANIEL MOORE  
NOTARY PUBLIC  
STATE OF OHIO  
Comm. Expires  
August 22, 2016  
Recorded in  
Franklin County

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

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Please make checks payable to the Columbus City Treasurer

**APPLICANT**

Abbas Eltilib  
8309 Orange Station Loop  
Lewis Center, OH 43035

**PROPERTY OWNER**

Clemya E. Matthews  
223 North 20<sup>th</sup> Street  
Columbus, OH 43203

**AREA COMMISSION**

Near East Area Commission  
c/o Annie Ross-Womack  
874 Oak Avenue  
Columbus, OH 43206

**SURROUNDING PROPERTY  
OWNERS**

Second Baptist Church  
242 North 17<sup>th</sup> Avenue  
Columbus, OH 43203

Unity Investment Holdings, LLC  
225 N. 4<sup>th</sup> Street, Suite 303  
Columbus, OH 43215

Summerfield Homes, LLC  
17174 Main Street, 10<sup>th</sup> Floor  
Dallas, TX 75201

Capital City Holdings, LLC  
88 E. Broad Street, Suite 1500  
Cincinnati, OH 45215

Affordable Housing Trust, et al  
110 N. 17<sup>th</sup> Street  
Columbus, OH 43203



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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.

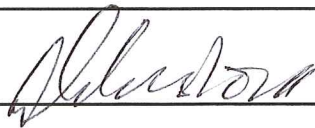
Before authorizing any variance from the Zoning Code in a specific case, City Council shall first determine that such variance will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the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

Requesting to open the wall between the two spaces for the convenience of my patrons

Signature of Applicant



Date

6/28/16

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**Please make checks payable to the Columbus City Treasurer**

**Council Variance Request**  
**920-924-924 1/2 E. Long Street**  
**Tax Parcel 010-048889-00**  
**Columbus Compact Corporation**  
**1000 E. Main Street**  
**Columbus, OH 43205**

The applicant seeks a Council Variance for the property and located at 920-924-924 1/2 E. Long Street (more completely described below).

The site is approximately .05 acres located on the south side of Long Street. Thence easterly with said north line 50.20 feet to the west line of the first alley east of 17<sup>th</sup> street in the said City; thence southerly with the line said to the north line of Long Street; thence westwardly with the north line of Long Street to the place of beginning.

Excepting thence from the part sold off the east said thereof, for an alley to the City of Columbus, Ohio which said alley is described as follows: Being part of the Hinderer tract and beginning at a point in the north line of said tract, also being the southeast corner of Lot No.1 of Dewitt and Hoffman's Subdivision; thence eastwardly with the north line of said tract for a distance of 8.625 feet more or less, to the northeast corner of the premises owned by William F Steininger, thence southwestwardly with the east line of said premises to the north line of Long Street to a point westwardly with the north line of Long Street to a point where the west line of the alley west of 18<sup>th</sup> Street if extended southwardly would intersect the same; thence northwardly on a line which is the west line of the alley west of 18<sup>th</sup> extended southwardly to a point in the north line of Long Street, to the place of beginning.

A masonry two story commercial building of approximately 3,166 square feet is currently located on the site. Although it is improved with a commercial building, the property is currently zoned R2F as the result of a district wide "down-zoning" that occurred in 1974. Near by sites on Long Street include additional commercial buildings that are zoned R2F. The subject site is included in the Long Street NCR district.

The Applicant seeks a Council Variance for the property located at 920-924-924 1/2 East Long Street.

The following variances are requested:

1-. The expansion of the grocery store to another tenant space. This is an older building on a busy street with street parking and public transportation. The variances I am asking for includes Section 3332.037 R-2F Residential District to permit you to operate a barber shop/beauty & nail salon, and a grocery store. I am also requesting a parking variance from 12 required parking spaces to 0.

2. Allow the following uses: Grocery Stores, Barber Shop, Nail Salon, Beauty Salon, Baked Goods Stores, Cafes, Delicatessens and Restaurants, Florists, Gift, Novelty and Souvenir Stores, Specialty Food Stores, Radio and Television Broadcasting Stations and Studios, Recording Studios, Art Dealers and Galleries, Arts and Crafts, Compact Disc, Music, Record and Video Stores (includes rental), Jewelry Stores.

CV16-045



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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 # CV16-045

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Etilib Abbas

of (COMPLETE ADDRESS) 8309 Orange Station Loop, 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 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. Abbas Etilib 8309 Orange Station Loop Lewis Center, Ohio 43035	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 28<sup>th</sup> day of June, in the year 2016

SIGNATURE OF NOTARY PUBLIC

DANIEL MOORE  
NOTARY PUBLIC  
STATE OF OHIO  
Comm. Expires  
August 22, 2016  
Recorded in  
Franklin County

My Commission Expires

Notary Seal Here



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# QUITCLAIM DEED

Instr 200312240402750 12/24/2003  
Pages 3 F 136 00 11 04AM  
Robert G Montgomery TDC30148634  
Franklin County Recorder PLOLENYA E

THIS QUITCLAIM DEED, executed this by \_\_\_\_\_ day of \_\_\_\_\_  
first party, Grantor, **Louis A Matthews**  
whose post office address is **223 North 20<sup>th</sup> Street, Columbus, Ohio 43203**  
to second party, Grantee, **Clemya E Matthews**  
whose post office address is **223 North 20<sup>th</sup> Street, Columbus, Ohio 43203**

WITNESSETH, That the said first party, for good consideration and for the sum of One Dollar

Dollars (\$1.00)

paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim unto the said second party forever, all the right, title, interest and claim which the said first party has in and to the following described parcel of land, and improvements and appurtenances thereto in the County of **Franklin**, State of **Ohio**, City of **Columbus** to wit:

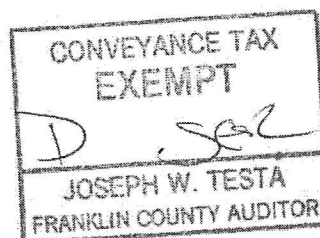
**First Tract:** Being 50 feet of the east end of Lot No. 1 of Dewitt and Hoffman's Subdivision of 13 ½ acres of land, being part of Half Section 13, Township 5, Range 22, Refugee Lands, as the same is numbered and delineated on the recorded plat thereof, of record in Plat Book 2, page 197, Recorder's Office Franklin County, Ohio.

**Second Tract:** Being also part of Half Section No. 13 aforesaid and bounded and described as follows: Being at a point in the north line of Long Street where the east line of John W Baker's Australia Addition to said City Intersect the same: thence northwardly along the east line of said Australia Addition 49.03 feet of the northwest corner of the east half of a parcel of land conveyed by Jeremiah Armstrong to Henery Miller and Gottlieb Hinderer by deed recorded in D.B. 12 Page 352 Franklin, County Recorder's Office.

**SEE SCHEDULE A**

KNOW AS: 920-924-924 ½ East Long Street, Columbus, Ohio 43203  
Prior Instrument Reference Vol. #27055 F12 of the Deed Records of Franklin County  
Parcel # 10-48889-9

apak



916855  
TRANSFERRED  
DEC 24 2003  
JOSEPH W. TESTA  
AUDITOR  
FRANKLIN COUNTY, OHIO

CV16-045



IN WITNESS WHEREOF, The said first party has signed and sealed these presents the day and year first above written. Signed, sealed and delivered in presence of:

Darlene L. Newton

Signature of Witness

Darlene L. Newton

Print name of Witness

Yoon G. Yoon

Signature of First Party

Louis A. Matthews

Print name of First Party

Signature of Witness

Print name of Witness

Signature of First Party

Print name of First Party

State of OHIO

County of Franklin

On December 24, 2003 before me, ~~Louis A. Matthews~~ Darlene L. Newton

appeared Louis A. Matthews personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Darlene L. Newton

Signature of Notary



DARLENE L. NEWTON  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES 12-15-04

Affiant \_\_\_\_\_ Known \_\_\_\_\_ Produced ID \_\_\_\_\_

Type of ID \_\_\_\_\_

(Seal)

State of \_\_\_\_\_  
County of \_\_\_\_\_  
On \_\_\_\_\_

appeared

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature of Notary

Affiant \_\_\_\_\_ Known \_\_\_\_\_ Produced ID \_\_\_\_\_

Type of ID \_\_\_\_\_

(Seal)

Signature of Preparer

Print Name of Preparer

Address of Preparer

CU/6-045



## SCHEDULE A

thence easterly with said north line 50.20 feet to the west line of the first alley east of 17<sup>th</sup> Street in the said City; thence southerly with the line of said alley to the north line of Long Street; thence westwardly with the north line of Long Street to the place of beginning. ]

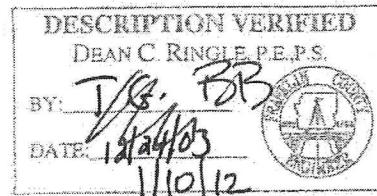
OK ADH. 6/8/16

Excepting there from the part sold off the east said thereof, for an alley, to the City of Columbus, Ohio which said alley is described as follows: Being part of the Hinderer tract and beginning at a point in the north line of said tract, also being the southeast corner of Lot No. 1 of Dewitt and Hoffman's Subdivision; thence eastwardly with the north line of said tract for a distance of 8.625 feet more or less, to the northeast corner of the premises owned by William F Steininger, thence southwestwardly with the east line of said premises to the north line of Long Street to a point westwardly with the north line of Long Street to a point where the West line of the alley west of 18<sup>th</sup> Street if extended southwardly would intersect the same; thence northwardly on a line which is the west line of the alley west of 18<sup>th</sup> Street extended southwardly to a point in the north line Long Street, to the place of beginning.

KNOWN AS: 920-924-924 ½ East Long Street

Parcel#10-48889-9

Prior Instrument Reference: Vol #27055 F12



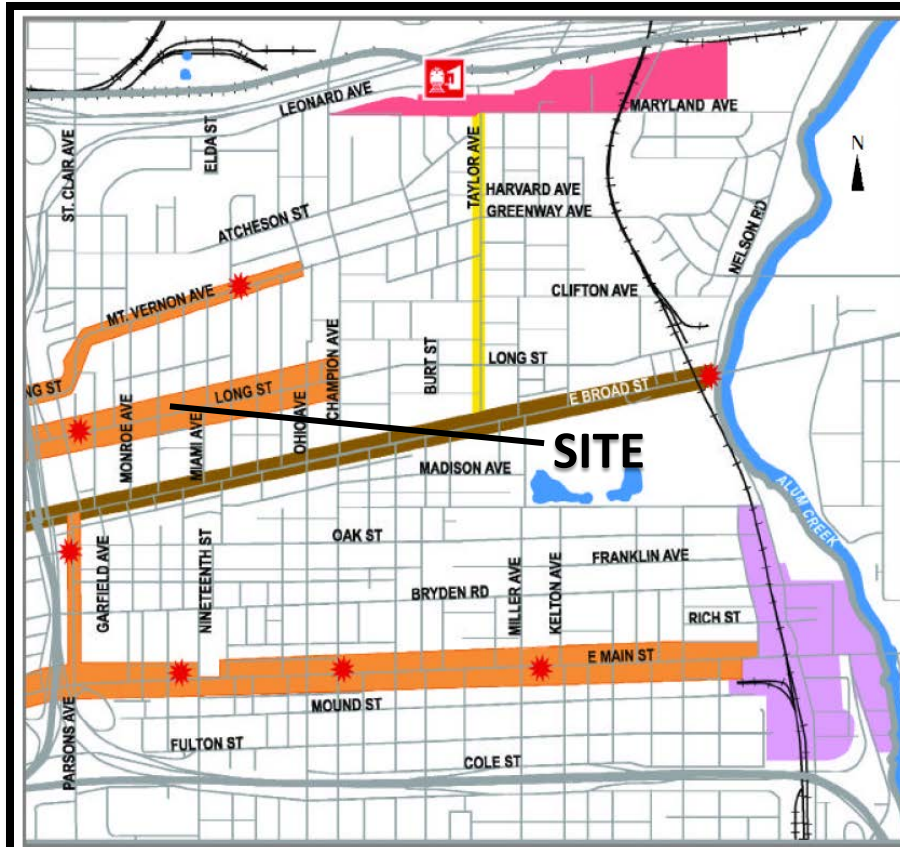
H059

ALL of (010) 48889



CV16-045  
920 East Long Street  
Approximately 0.04 acres





» **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.

- Lower and Medium Density Residential
- East Broad Street:
- Higher Density Residential/  
Mixed Use Development:
- Commercial District Nodes
- Office/Light Industrial/Mixed Uses
- Light Industrial/Commercial
- Potential Light Rail Station

CV16-045  
920 East Long Street  
Approximately 0.04 acres



CV16-045  
920 East Long Street  
Approximately 0.04 acres