

THE CITY OF
COLUMBUS
ANDREW J. GINTHER, MAYOR

Board of Zoning Adjustment 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: BZA 16-070 Date Received: 5/11/16
Application Accepted by: W. Reiss Fee: \$1,900⁰⁰
Commission/Civic: None
Existing Zoning: AR-1
Comments: 7/26/16

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

☒ Variance ☐ Special Permit

Indicate what the proposal is and list applicable code sections:

Property owner is seeking a variance from the parking requirements of Section 3312.49, which require 1.5 spaces per unit (314 spaces). As constructed, the property has 278 spaces.

LOCATION

Certified Address: 4436 Mobile Drive City: Columbus Zip: 43220

Parcel Number (only one required): 010055925

APPLICANT (If different from Owner):

Applicant Name: _____ Phone Number: _____ Ext.: _____

Address: _____ City/State: _____ Zip: _____

Email Address: _____ Fax Number: _____

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

Name: Harvard Square LLC Phone Number: 614-464-4245 Ext.: _____

Address: 448 W. Nationwide Blvd., Loft 112 City/State: Columbus, OH Zip: 43215

Email Address: april@zimmco.co Fax Number: 614-464-3414

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

Name: Ryan P. Aiello, Esq. - Dinsmore & Shohl LLP Phone Number: 614-628-6893 Ext.: _____

Address: 191 W. Nationwide Blvd., Ste. 300 City/State: Columbus, OH Zip: 43215

Email Address: ryan.aiello@dinsmore.com Fax Number: 614-628-6890

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

APPLICANT SIGNATURE _____

PROPERTY OWNER SIGNATURE Ryan P. Aiello atty for Harvard Square LLC

ATTORNEY / AGENT SIGNATURE Ryan P. Aiello

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. BENTLEY, MAYOR

DEPARTMENT OF BUILDING
AND ZONING SERVICES

Board of Zoning Adjustment Application

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

AFFIDAVIT

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Ryan P. Aiello, Esq., of Dinsmore & Shohl LLP
of (1) MAILING ADDRESS 191 W Nationwide Blvd, Suite 300, 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 4436 Mobile Drive
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) Harvard Square LLC
448 W Nationwide Boulevard, Loft 112
Columbus, Ohio 43215

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

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

(5) N/A - Not within any Area Commissioner or
civic group

and that the following 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:

(6) PROPERTY OWNER NAME	(6a) PROPERTY ADDRESS	(6b) PROPERTY OWNER MAILING ADDRESS
<u>See attached</u>		

☒ (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 11th day of May

(8) SIGNATURE OF NOTARY PUBLIC

My Commission



Andrew McKeon Gammit, Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Sec. 147.03 R.C.

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Please make checks payable to the Columbus City Treasurer

BZA16-070
4436 Mobile Drive

Harvard Square LLC
448 West Nationwide Boulevard, Suite 112
Columbus, Ohio 43215

Ryan P. Aiello, Esq.
Dinsmore & Shohl LLP
191 West Nationwide Boulevard, Suite 300
Columbus, Ohio 43215

CSX Transportation Inc.
Tax Department
500 Water Street
Jacksonville, Florida 32202

Upreach LLC
4488 Mobile Drive
Columbus, Ohio 43220

Dean C. Kette
Patsy G. Kette
4354 Kendale Road
Columbus, Ohio 43220

Steven A. Wolfe
Isabel C. Wolfe
4366 North Kendale Road
Columbus, Ohio 43220

Jean Parker
5130 Brittany Drive S, Apartment 10
St. Petersburg, Florida 33715

Flatsix Holdings LLC
4872 Nadine Park Drive
Hillard, Ohio 43026

SH 721 LLC
6467 Main Street
Williamsville, New York 14221

Evans 925 LLC
925 Old Henderson Road
Columbus, Ohio 43220

Mara Enterprises Inc.
Scott Jurcenko
Post Office Box 21700
Columbus, Ohio 43221-0700

H Burkley Showe TR
45 North 4th Street, Suite 200
Columbus, Ohio 43215

Kate G. Sampson
Brian J. Hart
1030 North Kendale Road
Columbus, Ohio 43220

John Pokrandt, Lynn Pokrandt
Gary D. Pokrandt, Charlotte E. Pokrandt
1018 North Kendale Road
Columbus, Ohio 43220

Don T. Harper
Karen K. Harper
1008 Kendale Road N
Columbus, Ohio 43220

Paul Lazio
998 Kendale Road N
Columbus, Ohio 43220

Kevin Husch
4392 Kendale Road
Columbus, Ohio 43220

Satyajit & Yvonne Jebaratnam
4384 N Kendale Road
Columbus, Ohio 43220

Reza Reyazi
Elaine Hostetler
4374 N Kendale Road
Columbus, Ohio 43220

George S. Holzapfel
Ann P. Holzapfel
4342 N Kendale Road
Columbus, Ohio 43220

Ric Daniell TR
1660 NW Professional Plaza, Suite A
Columbus, Ohio 43220

Daniel F. Pfeifferberger
Denise M. Pfeifferberger
4330 Kenridge Drive
Columbus, Ohio 43220

Edward A. Maag TR
Mary E. Maag
944 Kenchester Court
Columbus, Ohio 43220

John Douglas Reys
Cynthia Lou Burns-Reys
9380 Shawnee Trl
Powell, Ohio 43065

Timothy Lynch
Terri Lynch
943 Kenchester Court
Columbus, Ohio 43220

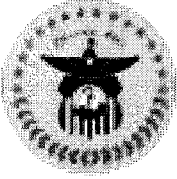
Patrick H. Parker
904 Kenmure Court
Columbus, Ohio 43220

BZA16-070
4436 Mobile Drive

David S. Blankestyn
Anne M. Blankestyn
4359 W Stinson Drive
Columbus, Ohio 43220

Matthew A. Thatcher
4371 W Stinson Drive
Columbus, Ohio 43214

Robert A. Flick & Elizabeth H. Flick,
Co-Trustees
4379 Stinson Drive W
Columbus, Ohio 43214



CITY OF COLUMBUS

DEPARTMENT OF BUILDING AND ZONING SERVICES

One Stop Shop Zoning Report Date: Thu May 12 2016

General Zoning Inquiries: 614-645-8637

SITE INFORMATION

Address: 4438 MOBILE DR 322 COLUMBUS, OH

Mailing Address: 448 W NATIONWIDE BLVD
COLUMBUS OH 43215-2375

Owner: HARVARD SQUARE LLC

Parcel Number: 010055925

ZONING INFORMATION

Zoning: Z69-015, Multi-family, AR1
effective 4/23/1969, Height District H-35

Board of Zoning Adjustment (BZA): N/A

Commercial Overlay: N/A

Graphic Commission: N/A

Area Commission: N/A

Planning Overlay: N/A

Historic District: N/A

Historic Site: No

Council Variance: N/A

Flood Zone: OUT

Airport Overlay Environs: N/A

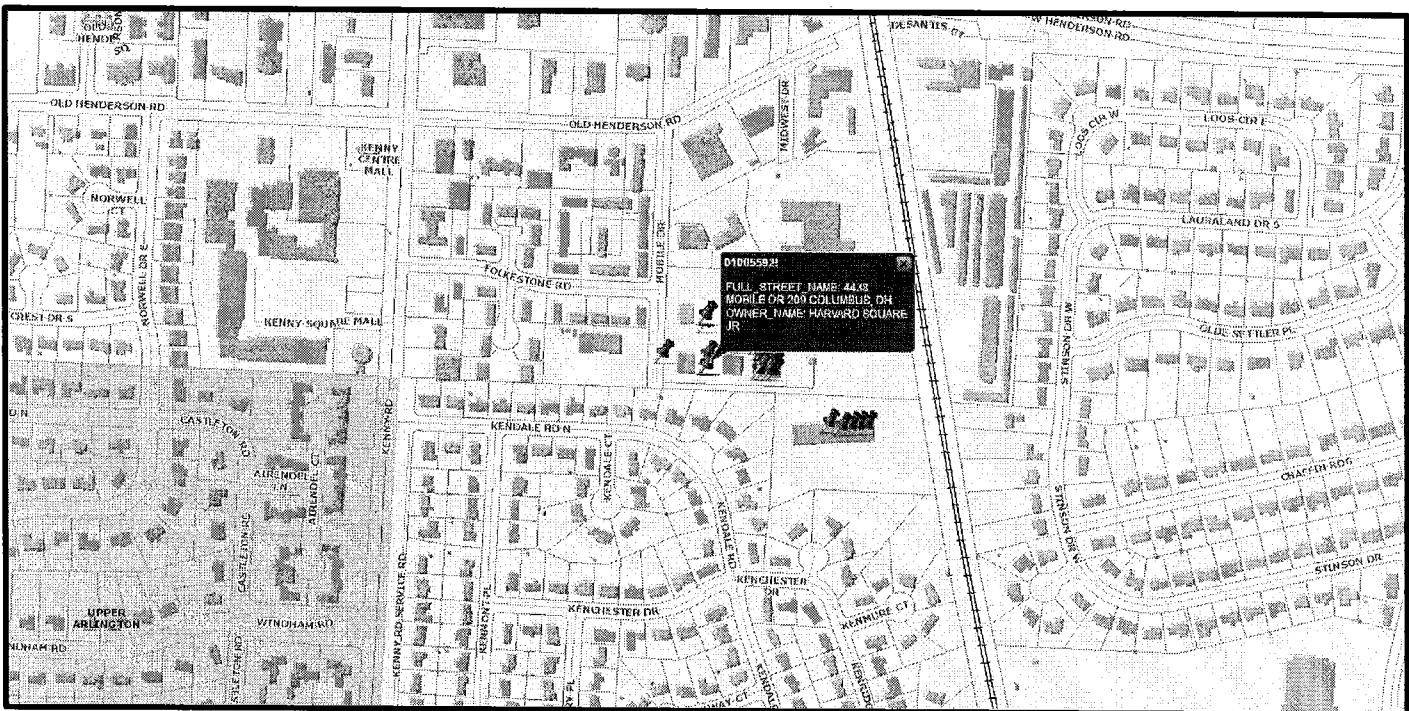
PENDING ZONING ACTION

Zoning: N/A

Board of Zoning Adjustment (BZA): N/A

Council Variance: N/A

Graphic Commission: N/A



Board of Zoning Adjustment Application – 4436 Mobile Drive, Columbus, Ohio
Property Owner: Harvard Square LLC

STATEMENT OF HARDSHIP

This statement of hardship is submitted in support of Property Owner's request for a parking variance in connection with the property located at 4436 Mobile Drive, Columbus, Ohio. As outlined below, the requested variance will not adversely affect the surrounding property or neighborhood, but will instead allow the property to continue to be used in the manner which it has been used since 1971.

The property is an apartment complex known as Harvard Square Apartments, containing a total of 209 apartment units, along with 278 parking spaces. The apartments and parking lots were constructed in 1971 and have been continuously used as such since that time.

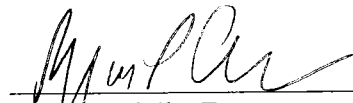
Section 3312.49 of the Columbus, Ohio Code of Ordinances requires 1.5 spaces per unit, which for Harvard Square would equate to 314 spaces. The Property Owner recently discovered that the property did not meet the requirements of Section 3312.49 following receipt of a zoning report that was obtained as part of a refinancing of the property. The Property Owner believes that at least a handful of parking spaces were lost due to the requirement to add handicapped parking spaces following initial construction, and that a handful of spaces may also have been lost as the parking lots have been restriped over the years.

The Property Owner has taken steps to increase the number of parking spaces on the property, including having the parking lots restriped with smaller spaces, which may add a handful of additional parking spaces. However, the Property Owner will never be able to accommodate the full 314 spaces on the property as required by Section 3312.49, as available developable land does not exist at the property in order to construct additional spaces.

Over the last 45 years, the Property Owner has never received complaints from its tenants that parking was lacking at the property. Additionally, there is plenty of available on-street parking in front of the property to accommodate the parking needs of the property and the neighborhood.

Accordingly, the requested variance will not adversely affect the surrounding property or neighborhood. Property Owner asks for a variance from the parking requirements of Section 3312.49, in order to allow the property to continue to be used in the manner which it has been used since 1971.

Respectfully submitted,



Ryan P. Aiello, Esq.
Dinsmore & Shohl LLP
on behalf of Harvard Square LLC

ALTA/ACSM SURVEY OF
HARVARD SQUARE APARTMENTS
4436 MOBILE DRIVE
 LIVING IN
 QUARTER TOWNSHIP 2, TOWNSHIP 1, RANGE 18 &
 QUARTER TOWNSHIP 1, TOWNSHIP 1, RANGE 19
 UNITED STATES, COUNTY OF FRANKLIN
 CITY OF COLUMBUS, COUNTY OF FRANKLIN
 STATE OF OHIO

TITLE COMMITMENT LEGAL DESCRIPTION:

PARCELS IN THE COUNTY OF FRANKLIN, IN THE CITY OF COLUMBUS, OHIO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCELS 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

NOTES PER TITLE COMMITMENT:

THE FOLLOWING BEING A SUMMARY OF THE TITLE COMMITMENT, THE SURVEYOR HAS NOT BEEN ADVISED OF ANY OTHER INTERESTS IN THE PROPERTY, NOR HAS HE BEEN ADVISED OF ANY OTHER MATTERS AFFECTING THE PROPERTY. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY OTHER MATTERS AFFECTING THE PROPERTY.

LEGEND

1. LOT 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

UTILITY STATEMENT:

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY OTHER UTILITIES IN THE PROPERTY, NOR HAS HE BEEN ADVISED OF ANY OTHER MATTERS AFFECTING THE PROPERTY.

NOTES:

1. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY OTHER INTERESTS IN THE PROPERTY, NOR HAS HE BEEN ADVISED OF ANY OTHER MATTERS AFFECTING THE PROPERTY.

ENCROACHMENTS:

1. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY OTHER INTERESTS IN THE PROPERTY, NOR HAS HE BEEN ADVISED OF ANY OTHER MATTERS AFFECTING THE PROPERTY.

CERTIFICATION:

THE SURVEYOR HAS NOT BEEN ADVISED OF ANY OTHER INTERESTS IN THE PROPERTY, NOR HAS HE BEEN ADVISED OF ANY OTHER MATTERS AFFECTING THE PROPERTY.

NOTES:

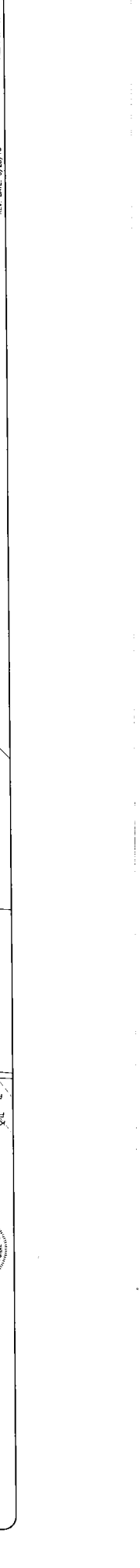
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CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: N

DATE: 4/22/16



Disclaimer

Scale = 221'

Grid
North

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



City of Columbus Zoning Plat



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: 010055925

Zoning Number: 4436

Street Name: MOBILE DR

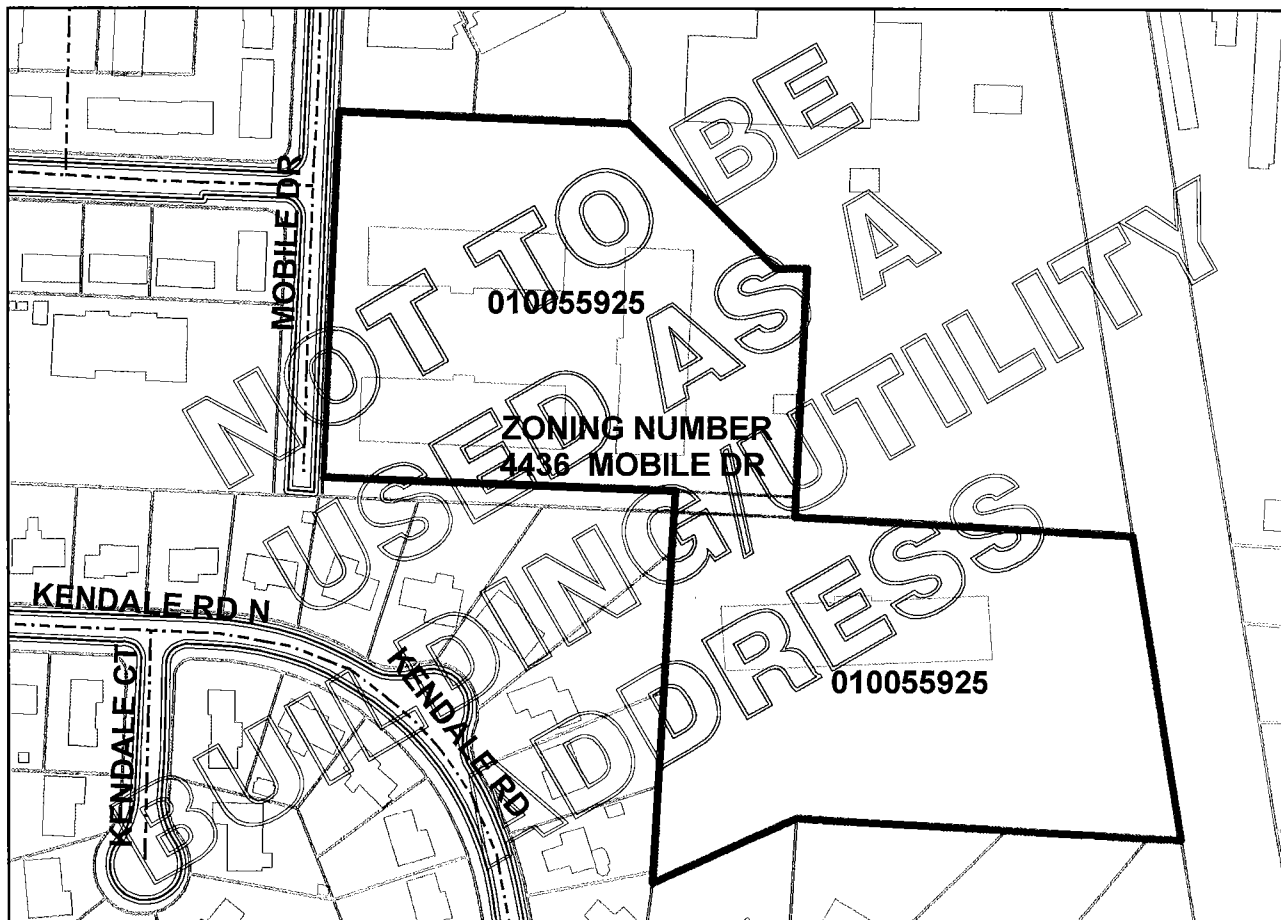
Lot Number: N/A

Subdivision: N/A

Requested By: DINSMORE & SHOHL LLP (RYAN ALELLO)

Issued By: *Adyana Amarasingh*

Date: 4/25/2016



JAMES D. YOUNG, P.E., ADMINISTRATOR
DIVISION OF INFRASTRUCTURE MANAGEMENT
COLUMBUS, OHIO

SCALE: 1 inch = 200 feet

GIS FILE NUMBER: 62528

THE CITY OF
COLUMBUS
ANDREW GINSBURG MAYOR

DEPARTMENT OF BUILDING
AND ZONING SERVICES

Board of Zoning Adjustment Application

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 # _____

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Ryan P. Aiello, Esq., of Dinsmore & Shohl LLP
of (COMPLETE ADDRESS) 191 W Nationwide Blvd, Suite 300, 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 and their mailing addresses:

NAME

COMPLETE MAILING ADDRESS

April Zimmerman Katz 271 North Columbia Avenue, Columbus, Ohio 43209

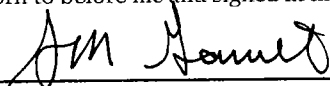
Richard S. Zimmerman, Jr. 5540 Clark State Road, Gahanna, Ohio 43230

SIGNATURE OF AFFIANT



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

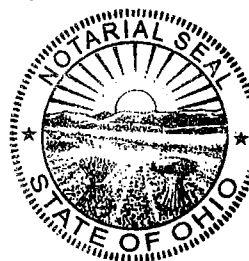
SIGNATURE OF NOTARY PUBLIC



N/A

Notary Seal Here

My Commission Expires



Andrew McKeon Gammill, Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Sec. 147.03 R.C.

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.
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