

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: CV16-079 Date Received: 11.29.16
Application Accepted by: KD + TD Fee: \$1,600
Assigned Planner: Assigned to Kelsey Priebe; Kpriebe@cumulus.gov
614-645-1341

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes): 2959 Cleveland Avenue, Columbus, Ohio Zip: 43224

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: 010-186401, 010-076498

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

Current Zoning District(s): R-4, Residential

Area Commission or Civic Association: North Linden Area Commission

Proposed Use or reason for Council Variance request: To permit thirty-two (32) unit apartment building

Acreage: 0.648 +/-

APPLICANT:

Name: Columbus Housing Partnership, Inc. DBA Homeport Phone Number: 614-947-8600 Ext.: -----
c/o Donald Plank (Plank Law Firm)
Address: 423 East Town Street, 2nd Floor City/State: Columbus, Ohio Zip: 43215
Email Address: dplank@planklaw.com Fax Number: 614-228-1790

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

Name: New Salem Baptist Church c/o Donald Plank (Plank Law Firm) Phone Number: 614-947-8600 Ext.: -----
Address: 423 East Town Street, 2nd Floor City/State: Columbus, Ohio Zip: 43215
Email Address: dplank@planklaw.com Fax Number: 614-228-1790

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

Name: Donald Plank (Plank Law Firm) Phone Number: 614-947-8600 Ext.: -----
Address: 4123 East Town Street, 2nd Floor City/State: Columbus, Ohio Zip: 43215
Email Address: dplank@planklaw.com Fax Number: 614-228-1790

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

APPLICANT SIGNATURE: Donald Plank attorney
PROPERTY OWNER SIGNATURE: Donald Plank attorney
ATTORNEY / AGENT SIGNATURE: Donald Plank (For Applicant)

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

Exhibit B

Statement of Hardship

CV16- 079 , 2959 Cleveland Avenue

The site is 0.648 +/- acres located on the west side of Cleveland Avenue, 150' +/- south of Eddystone Avenue. The site is zoned R-4, Residential. Applicant proposes to redevelop the site with a 32 dwelling unit apartment house for age restricted (min. 55 years old) senior housing. Applicant has a hardship and practical difficulty in that there is no zoning district to rezone the site to without also needing variances. Cleveland Avenue is an arterial corridor developed with many types of land uses and a broad range of densities. The proposed senior housing will provide an alternative style of housing for the area. The site plan titled "Preliminary Site Plan, 2959 Cleveland Avenue) dated _____, is submitted with this application as the site development plan.

Applicant requests the following variances:

- 1). Section 3332.039, R-4 Residential District, to permit a 32 dwelling unit apartment building.
- 2). Section 3312.21(B)(3), Landscaping and Screening, to reduce the height of parking lot screening from 5' to 3'.
- 3). 3312.49, Minimum Numbers of Parking Spaces Required, to reduce parking from 48 spaces (32 DU @ 1.5 spaces/DU) to 16 spaces, while the apartments will be age restricted senior housing and is located on a bus line.
- 4). Section 3332.21(A), Building Lines, to reduce the Cleveland Avenue building setback line, as required by the Columbus Thoroughfare Plan, from 60 feet to 25 feet, as measured from the existing west right of way line of Cleveland Avenue, while many buildings on Cleveland Avenue are located at less than a 60' building setback.

11/28/2016

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

AFFIDAVIT (See instruction sheet)

Application Number: CV16-079

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Donald Plank (Plank Law Firm)
of (1) MAILING ADDRESS 423 East Town Street, 2nd Floor, 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 2959 Cleveland Avenue, Columbus, Ohio 43224

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 11/29/16

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME AND MAILING ADDRESS (4) New Salem Baptist Church
c/o John Boxill, Chief Operating Officer
2956 Cleveland Avenue
Columbus, Ohio 43224

APPLICANT'S NAME AND PHONE # (same as listed on front application) Columbus Housing Partnership, Inc. DBA Homeport
c/o Donald Plank (614) 947-8600

AREA COMMISSION OR CIVIC GROUP OR CONTACT PERSON AND ADDRESS (5) North Linden Area Commission
c/o Walter Reiner
5030 Westerville Road, Columbus, Ohio 43231

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)

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

(8) SIGNATURE OF AFFIANT Donald Plank

Sworn to before me and signed in my presence this 29th day of November in the year 2016

(8) SIGNATURE OF NOTARY PUBLIC Stacey L. Sanza My Commission Expires 11-5-2018

Notary Seal Here

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



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Please make checks payable to the Columbus City Treasurer

My Commission Expires 11-05-2018

EXHIBIT A, Public Notice
2959 Cleveland Avenue
CV16-079
November 29, 2016

APPLICANT

Columbus Housing Partnership, Inc.
(DBA Homeport)
c/o Donald Plank, Plank Law Firm
423 E Town Street, 2nd Floor
Columbus, Ohio 43215

PROPERTY OWNER

New Salem Baptist Church
c/o Donald Plank, Plank Law Firm
423 E Town Street, 2nd Floor
Columbus, Ohio 43215

ATTORNEY FOR APPLICANT

Donald Plank, Plank Law Firm
423 E Town Street, 2nd Floor
Columbus, OH 43215

COMMUNITY GROUP:

North Linden Area Commission
c/o Walter Reiner
5030 Westerville Road
Columbus, Ohio 43231

PROPERTY OWNERS WITHIN 125 FEET

Vinebrook Annex B Ohio, LLC
5550 Huber Road
Dayton, Ohio 45424-2099

Daniel and Cordelia Foster
1754 Weldon Avenue
Columbus, Ohio 43224-4361

Rachel M McCloskey
1764 Weldon Avenue
Columbus, Ohio 43224-4361

Frankie Wolford
Maravon Wolford, II
Chazarae M Wolford
PO Box 340316
Columbus, Ohio 43234-0316

Michael C. Hodgkiss
2937 Cleveland Avenue
Columbus, Ohio 43224

Khalifah Ilmi
Zahrah Omar
2945 Cleveland Avenue
Columbus, Ohio 43224

New Salem Baptist Church
2956 Cleveland Avenue
Columbus, Ohio 43224

Columbia Gas of Ohio, Inc.
NiSource
PO Box 117
Columbus, Ohio 43216-0117

City of Columbus
Real Estate Management
90 West Broad Street, Room 425
Columbus, Ohio 43215-9000

Jason R. Greene
1105 Beechview Drive South
Worthington, Ohio 43085-3303

John E. Fralick
1719 Eddystone Avenue
Columbus, Ohio 43224-4302

Mt. Lebanon Baptist Church
1771 Eddystone Avenue
Columbus, Ohio 43224-4302

Hopkins Properties, LLC
PO Box 821
La Jolla, CA 92038-0821

Deal Realty, LLC
522A North State Street
Westerville, Ohio 43081

2595 Cleveland Avenue
CV16-79, November 29, 2016
Exhibit A, Public Notice
Page 1 of 2

Linda M. Kimes
PO Box 324
Hilliard, Ohio 43026

ALSO NOTIFY:

David Perry
David Perry Company
423 E Town Street, 2nd Floor
Columbus, Ohio 43215

Columbus Housing Partnership, Inc.
(DBA Homeport)
c/o Justin Metzler
3443 Agler Road
Columbus, Ohio 43219

New Salem Baptist Church
c/o John Boxill, COO
2956 Cleveland Avenue
Columbus, Ohio 43224

COUNCIL VARIANCE APPLICATION

Department of Building & Zoning Services

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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 # CV16-079

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald Plank (Plank Law Firm)
of (COMPLETE ADDRESS) 423 East Town Street, 2nd Floor, 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 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

<p>1. New Salem Baptist Church 2956 Cleveland Avenue Columbus, Ohio 43224 # of Columbus Based Employees: 51 Contact: John Boxill, COO (614) 267-2536</p>	<p>2. Columbus Housing Partnership, Inc. DBA Homeport 3443 Agler Road Columbus, Ohio 43219 # of Columbus Based Employees: 42 Contact: Justin Metzler (614) 545-4854</p>
<p>3. _____</p>	<p>4. _____</p>

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

SIGNATURE OF AFFIANT Donald Plank

Sworn to before me and signed in my presence this 29th day of November, in the year 2016

Stacey L. Danza My Commission Expires 11-5-2018 Notary Seal Here
SIGNATURE OF NOTARY PUBLIC

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Stacey L. Danza
Notary Public, State of Ohio
My Commission Expires 11-05-2018



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: 010076498, 010186401

Zoning Number: 2959

Street Name: CLEVELAND AVE

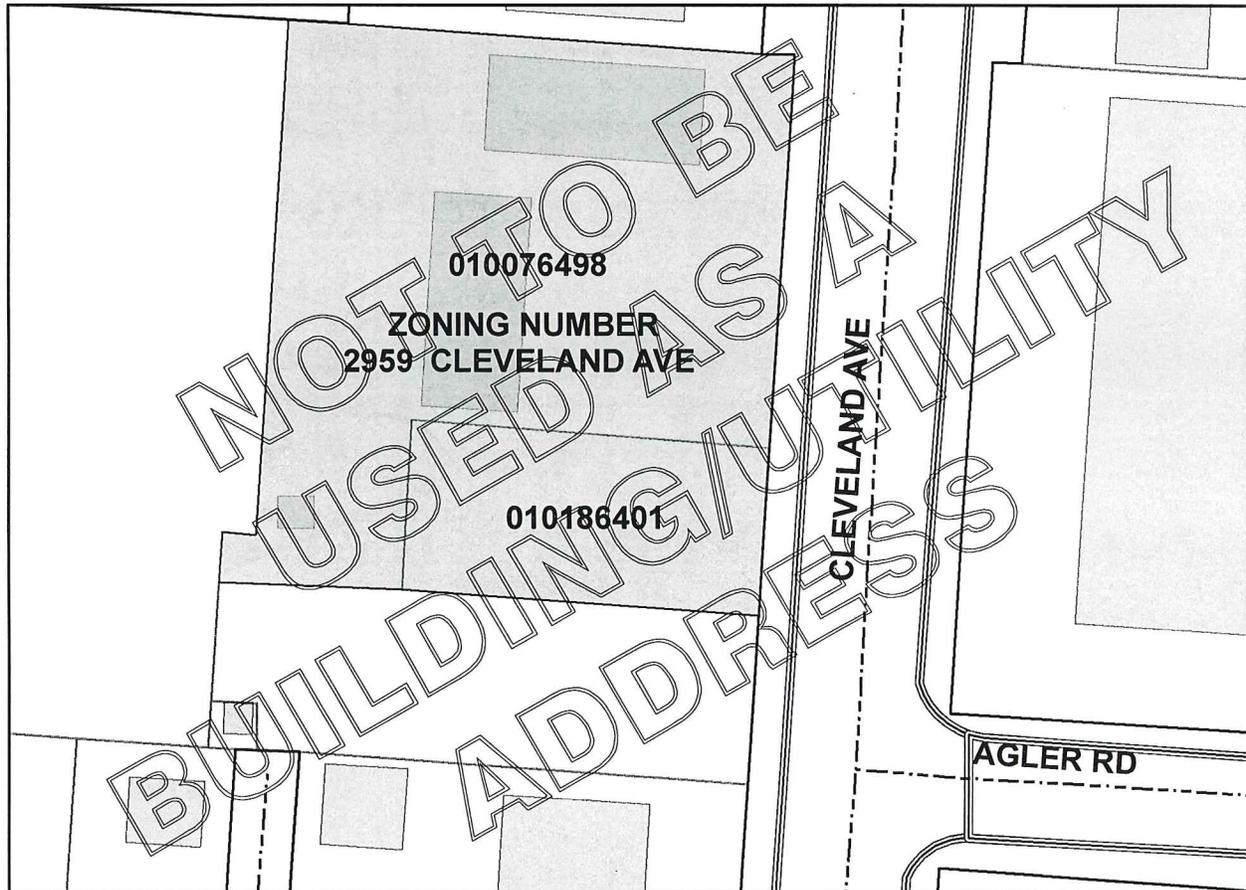
Lot Number: N/A

Subdivision: N/A

Requested By: DAVID PERRY CO. INC (DAVE PERRY)

Issued By: *Edyona Amariam*

Date: 11/16/2016



FRANK D. WILLIAMS, ADMINISTRATOR
DIVISION OF INFRASTRUCTURE MANAGEMENT
COLUMBUS, OHIO

SCALE: 1 inch = 60 feet

GIS FILE NUMBER: 79163

CV16-079

2959 Cleveland Avenue, Columbus, Ohio 43224

Legal Description

CV16- 079

PARCEL I

Being the parts of Parcel Numbers one and two of Miles B. Loretta and Beatrice M. Loretta's Land acquired by a deed of record in Deed Book 3279, Page 160, Franklin County Ohio Recorder's Office; being further bounded and described as follows:

From an iron pin found at the southeast corner of the said Parcel number two (being also at the northeast corner of the said Lot Number eight in "Crest Linden" addition of record in Plat Book 10, Page 66 in the records of the said county), thence North $86^{\circ} 25' 38''$ west 112.24 feet along the south line of said parcel iron pin set at the true point of beginning:

From the said point of beginning North $86^{\circ} 25' 38''$ west 43.85 feet (passing an iron pin found at the northwest corner of the said Lot Number 8 at 27.80 feet) to an iron pin found at the southeast corner of Columbia Gas Company's land (Deed Book 2295, Page 453);

Thence North $3^{\circ} 31' 37''$ east 15.94 feet along the east line of the said Columbia Gas Company's land to an iron pin found;

Thence North $86^{\circ} 57' 40''$ west 14.00 feet along the north line of the said Columbia Gas Company's land to an iron pin found on the east line of City of Columbus 2.889 acre tract (Deed Book 1810, Page 224);

Thence North $3^{\circ} 22' 52''$ east 53.30 feet to an iron pin found; Thence south $85^{\circ} 33' 11''$ east 10.00 feet to an iron pin found; Thence north $3^{\circ} 34' 10''$ east 160.66 feet along the said City of Columbus land to an iron pin set on the south line of "Eddystone Place" addition (Plat Book 21, Page 12, in the records of the said County);

Thence South $86^{\circ} 43' 00''$ east along the south line of the said addition (passing an iron pin found on the west line of Cleveland Avenue at 160.00 feet) 190 feet to a point of the centerline of the said Cleveland Avenue;

Thence South $3^{\circ} 30' 00''$ west 123.00 feet along the centerline of said Cleveland Avenue to a point;

Thence North $86^{\circ} 30' 00''$ west 142.24 feet (passing an iron pin set on the west line of Cleveland Avenue at 30.00 feet) to an iron pin set;

Thence South $3^{\circ} 30' 00''$ west (passing an iron pin set on line at 53.72 feet) 107.37 feet to the point of beginning, containing 28,972.5 square feet or 0.6651 acre of land.

Subject to legal easements of record.

Parcel No.: 010-076498

Street Address: 2959 Cleveland Avenue, Columbus, Ohio 43224

PARCEL II

Being the parts of Parcel Numbers one and two of Miles B. Loretta and Beatrice M. Loretta's Land acquired by a deed of record in Deed Book 3279, Page 160, Franklin County Ohio Recorder's Office; being further bounded and described as follows:

From an iron pin found at the southeast corner of the said Parcel Number Two (being also at the northeast corner of Lot Number eight in "Crest Linden" addition of record in Plat Book 10, Page 66 in the records of the said County, Thence North 3° 30' 00" east 53.79 feet along the west line of Cleveland Avenue to an iron pin set at the true point of beginning;

From the said point of beginning, North 86° 30' 00" west 112.34 feet to an iron pin set;

Thence North 3° 30' 00" east 53.72 feet along a new line to an iron pin set;

Thence South 86° 30' 00" east 142.24 feet passing an iron pin set at the west line of Cleveland Avenue at 112.24 feet to a point on the centerline of the said Cleveland Avenue; Thence South 3° 30' 00" west 38.55 feet along the centerline of said Cleveland Avenue to a point;

Thence North 86° 25' 38" west to a point on the west line of said Cleveland Avenue, 30.00 feet;

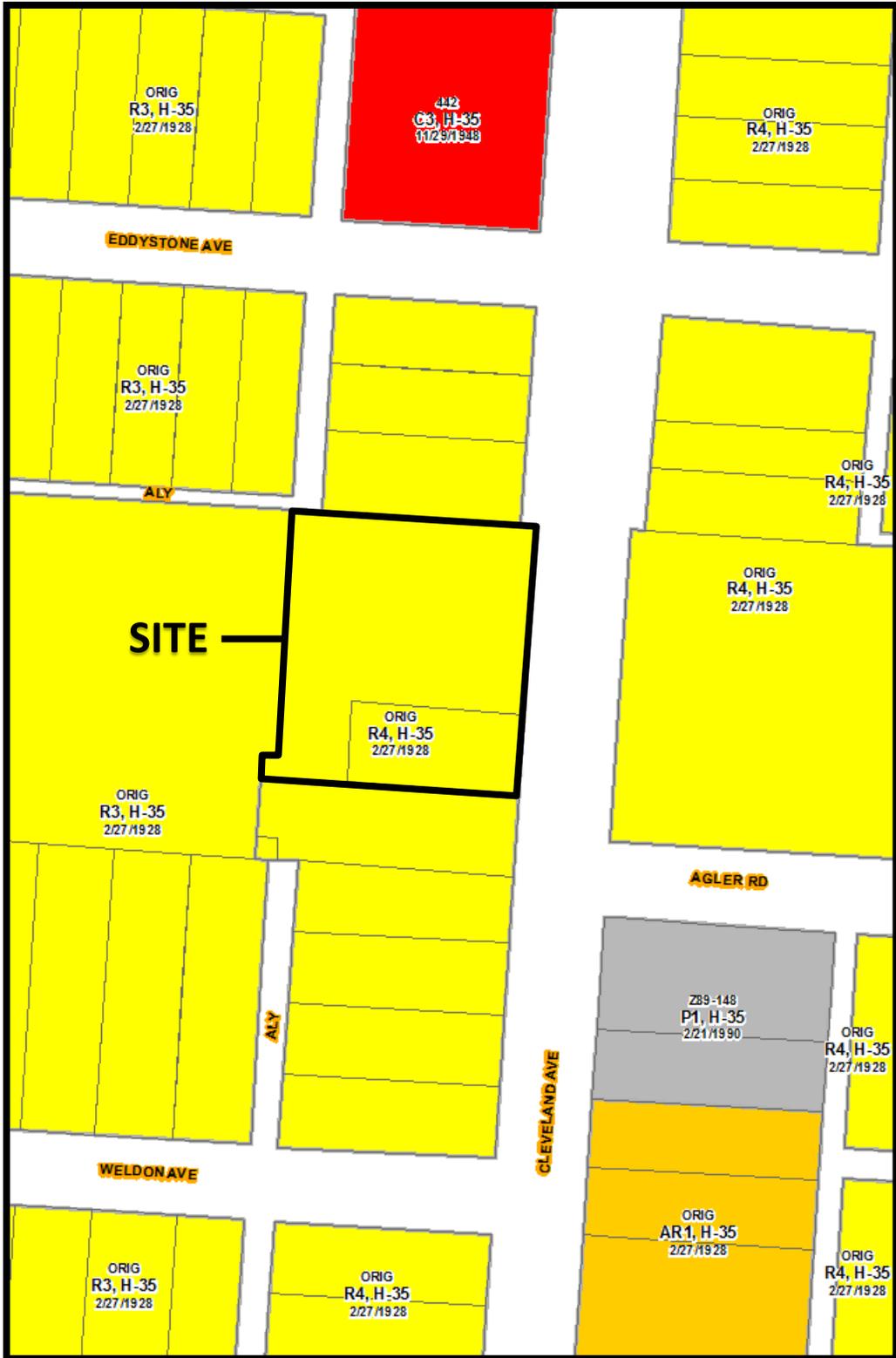
Thence South 3° 30' 00" west 15.21 feet along the west line of said Cleveland Avenue to the point of beginning containing 7.1855 square feet or 0.165 acres of land.

Parcel No.: 010-186401

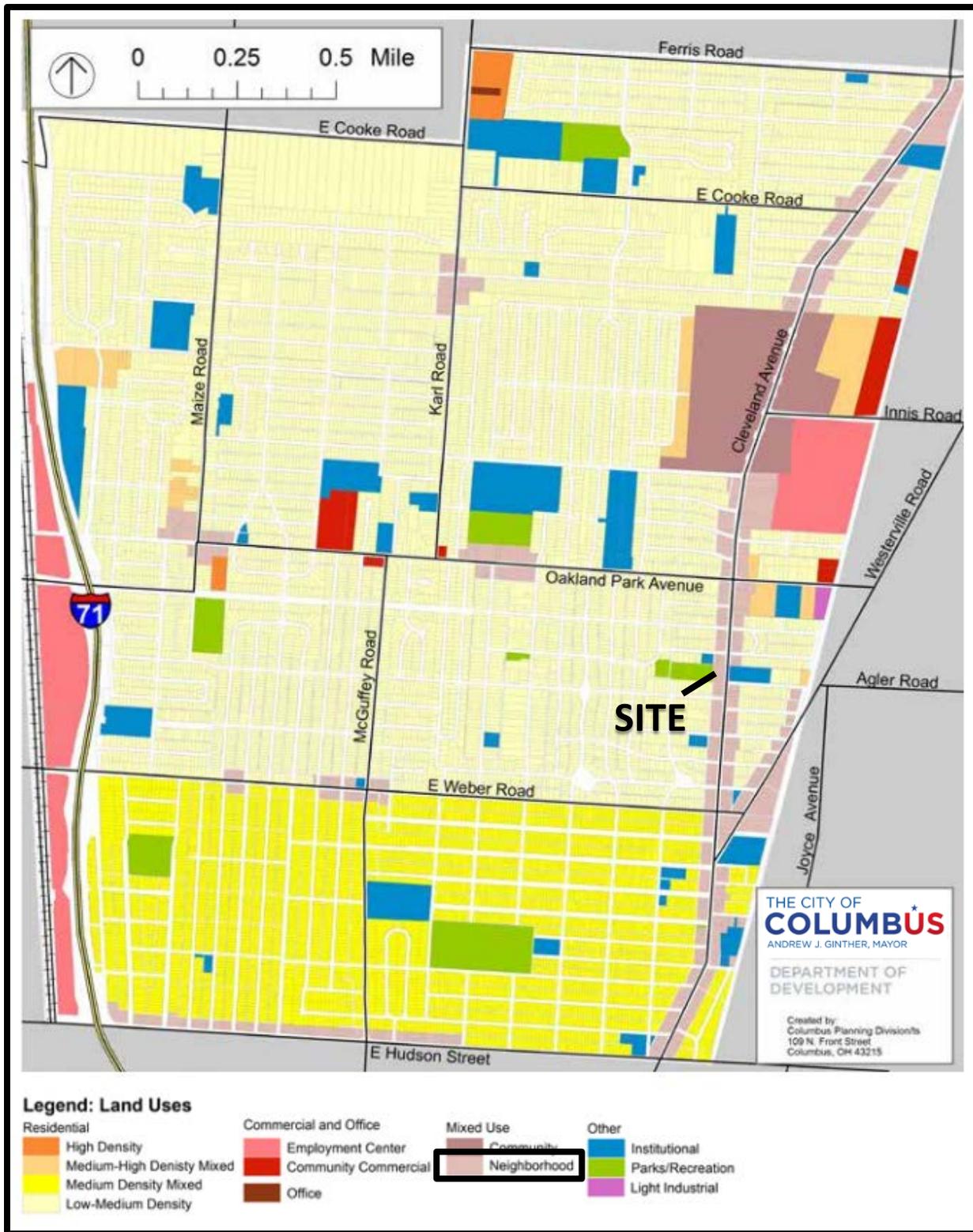
Street Address: 2953 Cleveland Avenue, Columbus, Ohio 43224

11/29/2016

CV16-079



CV16-079
 2959 Cleveland Avenue
 Approximately 0.65 acres



CV16-079
 2959 Cleveland Avenue
 Approximately 0.65 acres



CV16-079
2959 Cleveland Avenue
Approximately 0.65 acres