

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

OFFICE USE ONLY

Application Number: CV16-082 Date Received: 12/27/16
Application Accepted by: SP + KP Fee: \$320-
Assigned Planner: Assigned to Shannon Pine; spine@columbus.gov; 614-645-2208

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes): 1474 Fairview Avenue, Columbus, OH Zip: 43212

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: 010-062682

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

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

Area Commission or Civic Association: Fifth by Northwest Area Commission

Proposed Use or reason for Council Variance request: To permit three (3) detached single-family dwellings

Acreage: .20 +/-

APPLICANT:

Name: Terry O'Keefe c/o Donald Plank Phone Number: 614-947-8600 Ext.: -----

Address: Plank Law Firm, 423 E Town Street, 2nd FL 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: Andrew J. and Bernice A. Spring c/o Donald Plank Phone Number: 614-947-8600 Ext.: -----

Address: Plank Law Firm, 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 (Attorney for Applicant)

Name: Donald Plank, Plank Law Firm Phone Number: 614-947-8600 Ext.: -----

Address: Plank Law Firm, 423 E Town Street, 2nd FL City/State: Columbus, OH 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 by [Signature]

PROPERTY OWNER SIGNATURE Donald Plank by [Signature]

ATTORNEY / AGENT SIGNATURE Donald Plank by [Signature] (Attorney 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

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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


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 discovered after your application is approved, a new application will be required.

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(s) requested as detailed below (use separate page if needed or desired):

See Exhibit "B"

Signature of Applicant

Donald Plank by 

Date

12/27/16

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Exhibit B
Statement of Hardship
CV¹⁶~~17~~-082
1474 Fairview Avenue, Columbus, OH 43212

The property (PID: 010-062682) is 0.204 +/- acres (8,890.6 SF) located at the southeast corner of Fairview Avenue and Ida Avenue. The property is zoned R-4, Residential. The site can be developed with a four (4) family dwelling under existing zoning and existing lot area. Applicant proposes to build three (3) detached single-family dwellings, as depicted on the Site Plan, rather than a single multi-family building. The proposed land use is less dense than permitted under existing zoning and will provide single family form of development vs. multi-family. Each of the three (3) single-family dwellings will be approximately 1,800 SF and will have an attached two (2) car garage. The proposed use is appropriate in density and form for the area. Multi-unit buildings exist on the parcels to the north and south of the site.

Applicant has a hardship and practical difficulty with compliance with the referenced code sections necessitating the requested variances because there is no zoning district to which the property could be rezoned to not need variances while the proposed use is consistent with the district and permitted density.

Applicant requests the following variances:

- 1). Section 3332.039, R-4 residential district, to permit three (3) detached single-family dwellings on one (1) parcel.
- 2). Section 3321.05(A)(2),(B)(2), Vision clearance, to reduce the driveway clear vision for driveways on Ida Avenue from 12' to 5' to the Ida Avenue property line, while actual distance to the pavement of Ida Avenue is 25'; and to reduce the clear vision triangle from 30'x30' to 15'x15' at the intersection of Ida Avenue and Fairview Avenue.
- 3). Section 3332.21(C), to reduce the Fairview Avenue building setback line from 25' to 15' and to reduce the Ida Avenue building setback line from 10' to 5' for part of the proposed houses and 10' for the remainder of each house, as depicted on the Site Plan.

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: CN16-082

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Christopher Kessler, 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 1474 Fairview Avenue, Columbus, Ohio 43212

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and
Zoning Services, on (3) 12/27/16

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) Andrew J. and Bernice A. Spring

c/o Donald Plank, Plank Law Firm

423 East Town Street, 2nd Floor

Columbus, Ohio 43215

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

Terry O'Keefe c/o Donald Plank

(614) 947-8600

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

(5) Fifth by Northwest Area Commission

c/o Bruce McKibben

1094 Lincoln Road, Columbus, Ohio 43212

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

Sworn to before me and signed in my presence this 27th day of December, in the year 2016

(8) SIGNATURE OF NOTARY PUBLIC

Stacy L. Danza
My Commission Expires

Notary Seal Here

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



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Stacy L. Danza
Please make checks payable to the Columbus City Treasurer

Notary Public, State of Ohio

My Commission Expires 11-05-2018

EXHIBIT A, Public Notice
1474 Fairview Avenue
CV17-082
December 27, 2016

APPLICANT

Terry O'Keefe
c/o Donald Plank
Plank Law Firm
423 E. Town Street, 2nd Floor
Columbus, OH 43215

PROPERTY OWNER

Andrew J & Bernice A Spring
c/o Donald Plank
Plank law Firm
423 E. Town Street, 2nd Floor
Columbus, OH 43215

ATTORNEY FOR APPLICANT

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

COMMUNITY GROUP

Fifth by Northwest Area Commission
c/o Bruce McKibben
1094 Lincoln Road
Columbus, Ohio 43212

PROPERTY OWNERS WITHIN 125 FEET

Frank J. Iezzi, Jr.
1080 Caniff Road
Columbus, Ohio 43221-1618

Virgil McKee
Barbara L. McKee
3390 Stonehenge Court
Columbus, Ohio 43221-1578

Elizabeth M. Fagan
4117 Karl Road Unit 310B
Columbus, Ohio 43224

Stephen R Cabot
1462 Fairview Avenue
Columbus, Ohio 43212

Derek E Brown
Katharine M Brown
1454 Fairview Avenue
Columbus, Ohio 43212

John R Mast-Finn
151 W Dominion Boulevard
Columbus, Ohio 43214-2607

Nappy M Hetzler, TR
1645 Ridgeway Place
Columbus, Ohio 43212-3320

Kent D Stuckey
2285 Yorkshire Road
Columbus, Ohio 43221-3761

Benjamin N Hartmann
1457 Broadview Avenue
Columbus, Ohio 43212-2827

Harvey N Covert, TR
Kathryn M Covert, TR
Covert Family Trust
3681 Tillbury Avenue
Columbus, Ohio 43220-5068

Vannelli Properties
1025 Quietwater Road
Santa Rosa, CA 95404

1474 Fairview Avenue
CV17-082
Exhibit A, Public Notice
Page 1 of 2, 12/27/2016

Grandview Heights Board of Education
1587 West 3rd Avenue
Columbus, Ohio 43212-2825

ALSO NOTIFY

Terry O'Keefe
2547 Marble Vista Boulevard
Columbus, Ohio 43204

Andrew J. and Bernice A. Spring
1474 Ida Avenue
Columbus, Ohio 43212

David Perry
David Perry Company, Inc.
423 East Town Street, 2nd Floor
Columbus, Ohio 43215

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 # CN16-082

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Christopher Kessler (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

1. Andrew J. and Bernice A. Spring 1474 Ida Avenue Columbus, Ohio 43212 # of Columbus Based Employees: 0 Contact: Andrew J. Spring (614) 257-7517	2. Terry O'Keefe 2547 Marble Vista Boulevard Columbus, Ohio 43204 # of Columbus Based Employees: 1 Contact: Terry O'Keefe: 614-206-2964
3. _____	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 27th day of December, in the year 2016

Stacey L. Danza
SIGNATURE OF NOTARY PUBLIC

11-5-2018
My Commission Expires

Notary Seal Here

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Rev 10/16 slp



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: 010062682

Zoning Number: 1474

Street Name: FAIRVIEW AVE

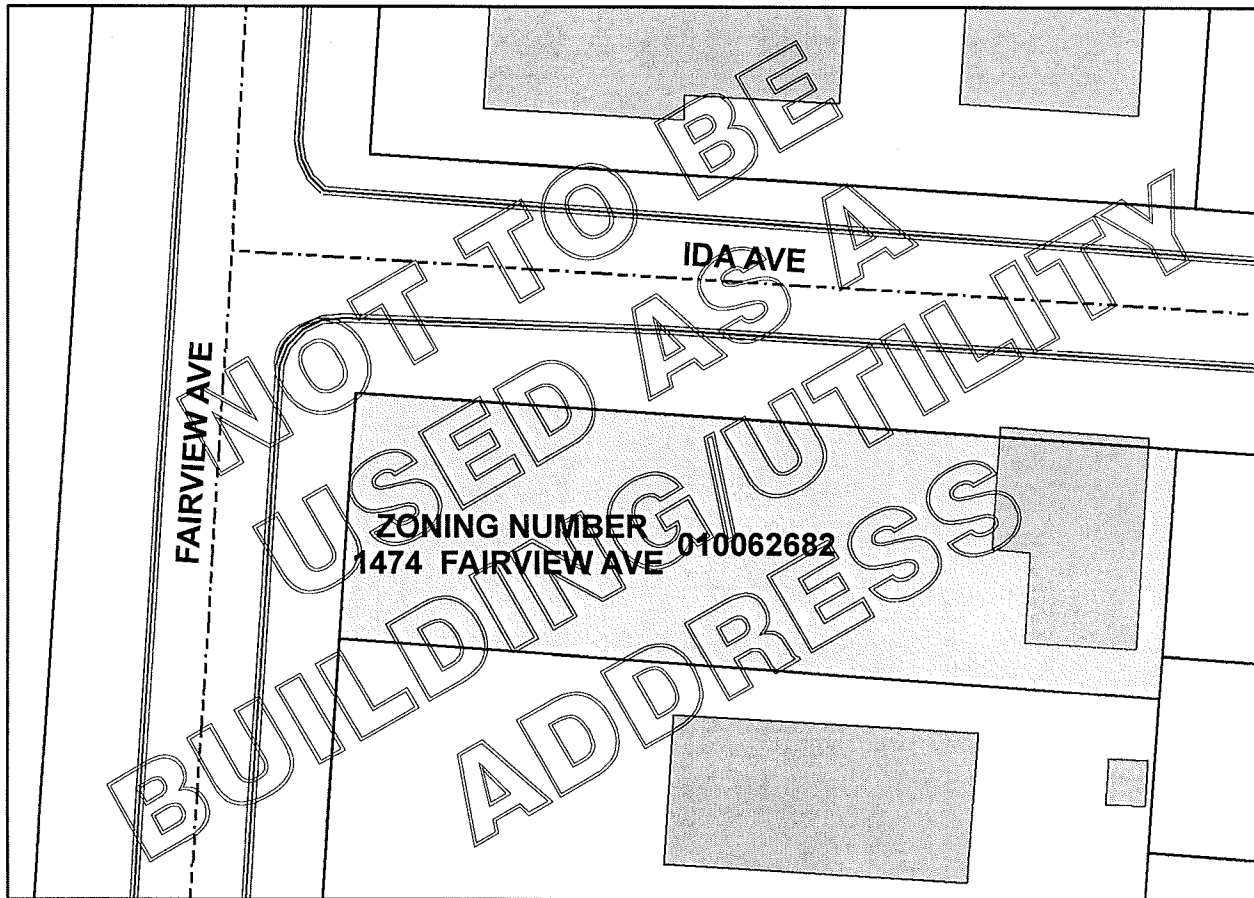
Lot Number: N/A

Subdivision: N/A

Requested By: DAVID PERRY COMPANY INC, (DAVE PERRY)

Issued By: Adyana Amariam

Date: 12/22/2016



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

SCALE: 1 inch = 40 feet

GIS FILE NUMBER: 81396

CN16-082

1474 Fairview Avenue, Columbus, Ohio 43212

Legal Description

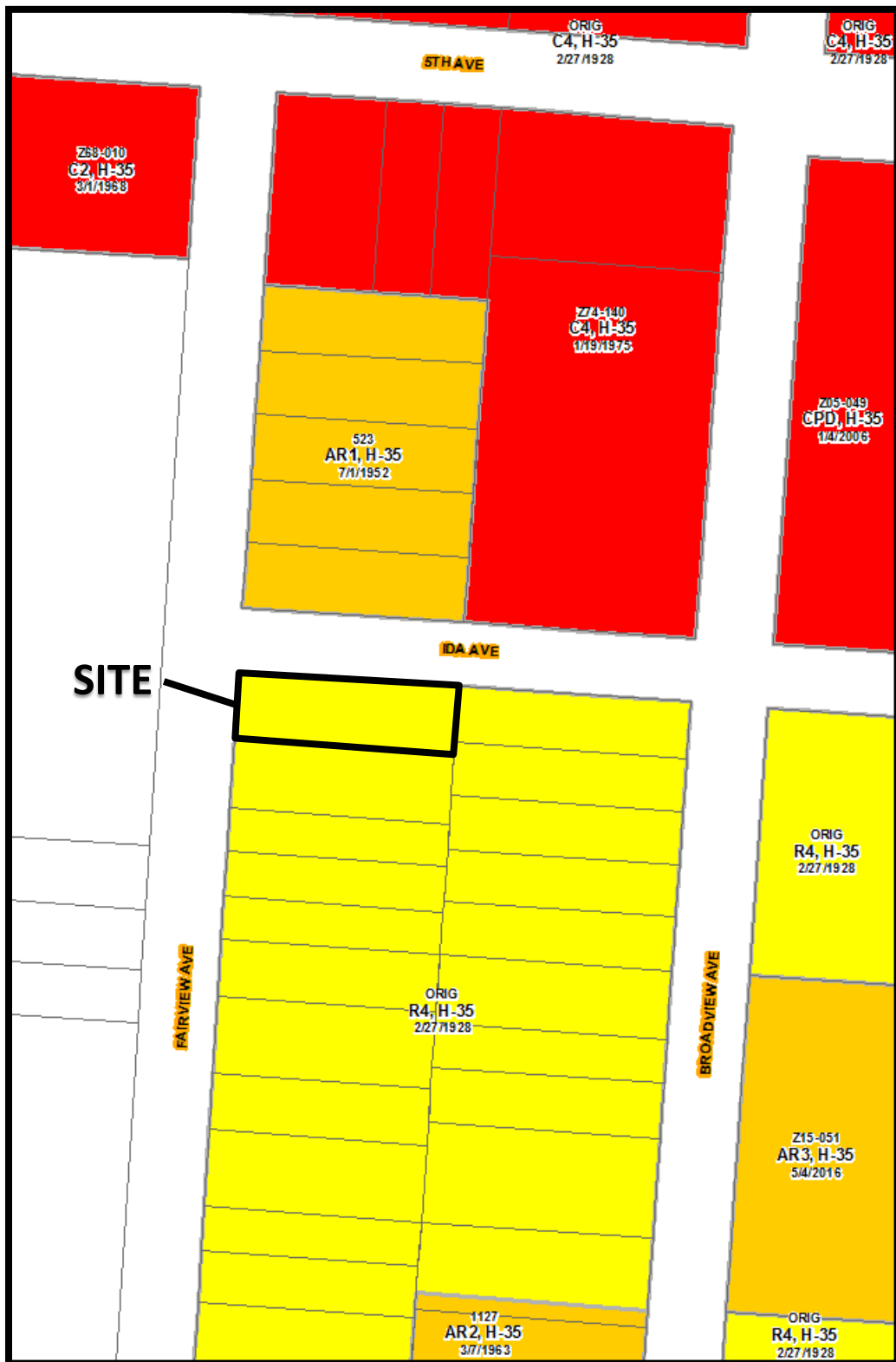
CV16- 082

Situated in the State of Ohio, County of Franklin, City of Columbus:

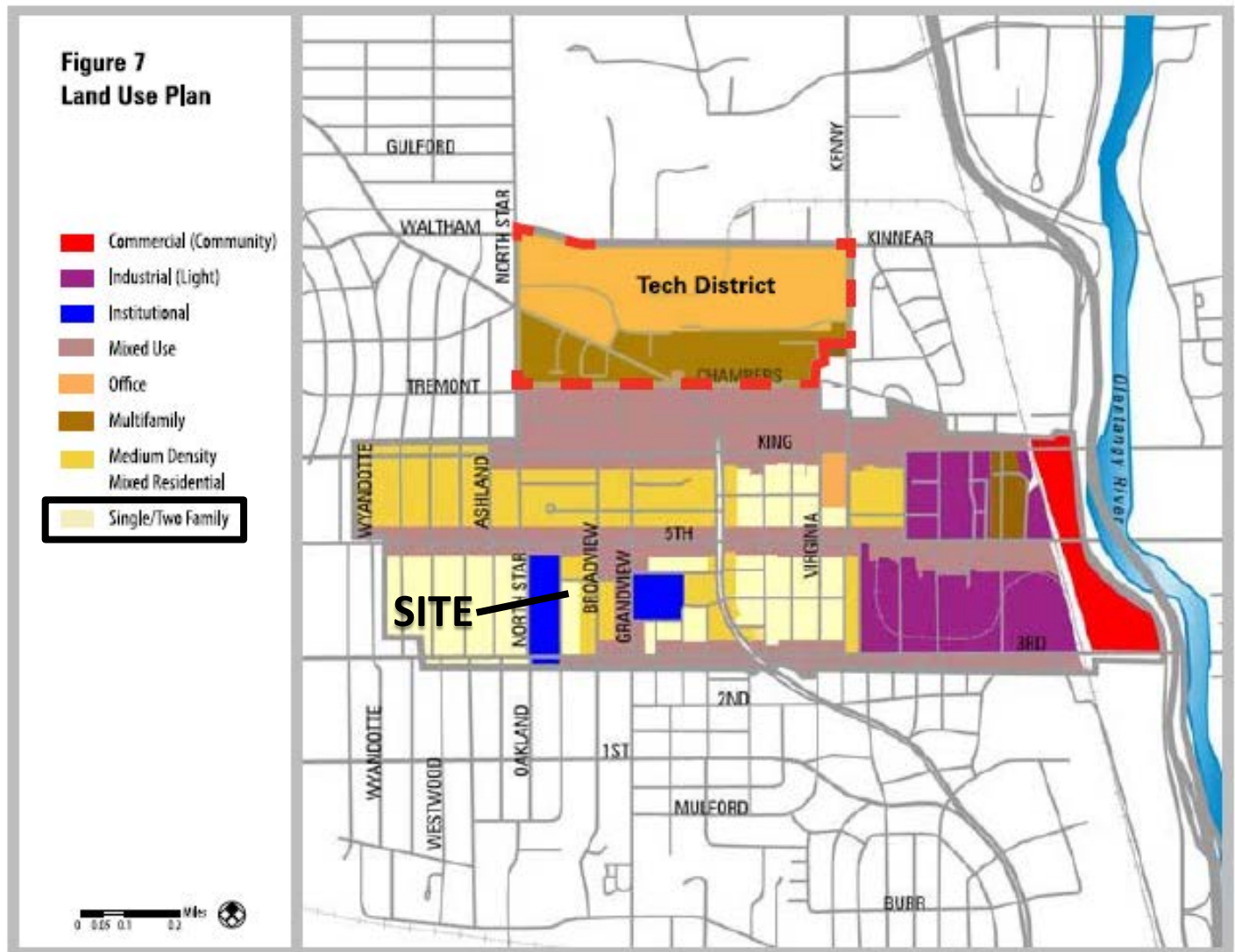
Being 51.6 feet off the north side of Lot Number Twelve (12), in the Croughton and Denmead's Grandview Suburban Subdivision to the City of Columbus, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, Page 318, Recorder's Office, Franklin County, Ohio.

Parcel No.: 010-062682

12/22/2016



CV16-082
1474 Fairview Avenue
Approximately 0.20 acres



CV16-082
1474 Fairview Avenue
Approximately 0.20 acres



CV16-082
1474 Fairview Avenue
Approximately 0.20 acres