

Application Number: CV16-050 (Resubmittal) Date Received: 1/3/17
Application Accepted by: TD Fee: \$1,600
Assigned Planner: Tim Dietrich, 614-645-6665; tdietch@ Columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes): 601 South 9th Street Zip 43206

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: 010-049752
 Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s): R-2F
Area Commission or Civic Association: Columbus Southside Area Commission

Proposed Use or reason for Council Variance request:
To construct two 5-unit multi-family buildings

Acreage: .52

APPLICANT:

Name: DEV Real Estate - Design - Consulting Phone Number: 614.314.7318 Ext.: _____
Address: 2797 Powell Avenue City/State: Bexley, Ohio Zip: 43209
Email Address: jay@devliving.com Fax Number: _____

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

Name: Nathan Sampson & Charmaine Sutton Phone Number: _____ Ext.: _____
Address: 601 South 9th Street City/State: Columbus, Ohio Zip: 43206
Email Address: _____ Fax Number: _____

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

Name: Jonathan Barnes - JBAD Phone Number: 614.228.7311 Ext.: _____
Address: 243 North Fifth Street, Suite 200 City/State: Columbus, Ohio Zip: 43215
Email Address: jbarnes@jbadusa.com Fax Number: _____

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

APPLICANT SIGNATURE BY: [Signature] DEV-Real Estate, LLC
PROPERTY OWNER SIGNATURE BY: [Signature]
ATTORNEY / AGENT SIGNATURE BY: [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.
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Please make checks payable to the Columbus City Treasurer

Statement of Hardship

601 S. 9th Street

The applicant, DEV Real Estate, files this council variance request to provide for the redevelopment of the subject property in a manner consistent with recommendations of the South Side Area Plan in terms of density and design, and with the existing built environment of the neighborhood. Along with this request the applicant commits to the site plan, and the buildings developed shall be substantially similar to the architectural materials submitted herewith. This proposal will provide condominium residential uses on this property.

Variance requests of this nature are appropriate in this neighborhood and allow an applicant to make commitments to delivering the product represented on site plans and architecture through the process, assuring compliance with area plan recommendations for development. Variance requests of this nature are necessary for most urban redevelopment in established neighborhoods on existing platted lots. The following variances are necessary:

C.C. 3312.05(B)(1) – Vision clearance.

To reduce vision clearance triangles at street and alley (figure 3). Please see attached site plan.

C.C. 3332.037 R-2F residential district.

To allow two (2) five (5) dwelling unit dwellings in the R-2F district where this zoning district only allows two-family and single family dwellings.

C.C. 3332.14, R-2F area district requirements.

This section requires 3,000 square feet of lot space per dwelling unit, here the applicant is requesting 10 units, 1 per 2,250 square feet of lot space.

C.C. 3332.18(D), Basis of computing area.

This section provides for a lot coverage not to exceed 50% of the lot area, the applicant proposes lot coverage of approximately 52%.

C.C. 3332.19, Fronting.

To permit one (1) five (5) unit building to front on Lathrop Street, which is technically an alley, where this section requires frontage on a street.

C.C. 3332.21(D), Building lines.

To permit site privacy walls to encroach on the front yard setback, where the setback is to be determined by extending a line which is the same distance from the street property line as the existing building and parallel with the street property line but in no case less than ten (10) feet.

C.C. 3332.25(B), Maximum side yards required.

The permit the sum of the width of each side yard to be zero, where they are required to equal or exceed 20% of the width of the lot, with a maximum of sixteen (16) feet required.

C.C. 3332.26(C)(3) and (F), Minimum side yard permitted.

To reduce the minimum side yard setback from five (5) feet to zero.

To reduce the minimum side yard setback from 5.83 feet to zero where when a building exceeds two and on-half stories in height, the minimum side yard shall be not less than one-sixth of the height of the building, in this instance thirty-five (35) feet.

C.C. 3332.27, Rear Yard.

The reduce the required rear yard from twenty-five (25%) of the total lot area to zero. Each dwelling will have its own secure and private street level patio and garden.

These variance requests are appropriate and typical of this type of development, in this type of neighborhood. The grant of these variances will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the dangers of fires, endanger public safety, unreasonably diminish or impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus.

The applicant's goal with this redevelopment is to provide a condominium development appealing to young professionals possibly working at nearby Children's Hospital, and who work downtown Columbus, and potentially empty-nesters. The end result will be a development that is complimentary to, and consistent with, densities and the built environment presently existing in this neighborhood.

The applicant respectfully requests approval of the variances requested.

DEV Real Estate

By:

Signature of Applicant:



Date:

12/22/10

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: CV16-050

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME David Hodge

of (1) MAILING ADDRESS Underhill & Hodge LLC, 8000 Walton Parkway, Suite 260, New Albany, Ohio 43054

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 601 South 9th Street, Columbus, Ohio 43206

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 11/3/17

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) Nathan Sampson & Charmaine Suton

601 South 9th Street

Columbus, Ohio 43206

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

DEV Real Estate

614.314.7318

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

(5) Columbus Southside Area Commission, Attn: Curtis Davis

584 Moler Road

Columbus, Ohio 43207

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

David Hodge

Sworn to before me and signed in my presence this 21st day of December, in the year 2016

(8) SIGNATURE OF NOTARY PUBLIC

Notary Seal Here



KIMBERLY R. GRAYSON

Notary Public, State of Ohio

My Commission Expires

January 11, 2021

Expires six (6) months after the date of notarization.

My Commission Expires

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APPLICANT:

DEV Real Estate – Design –
Consulting
2797 Powell Avenue
Bexley, Ohio 43209

PROPERTY OWNER(S):

Nathan Sampson & Charmaine Sutton
601 South Ninth Street
Columbus, Ohio 43206

AREA COMMISSION:

Southside Area Commission
Curtis Davis, Zoning Chair
584 East Moler Street
Columbus, Ohio 43207

AGENT:

Jonathan Barnes
JBAD
243 North Fifth Street, Suite 200
Columbus, Ohio 43215

SURROUNDING PROPERTY OWNERS:

Bernard Gaudi
611 Lathrop Street
Columbus, Ohio 43206

Schiller Park Partners LLC
180 Reinhard Avenue
Columbus, Ohio 43206

Jonathan Striker
581 Lathrop Street
Columbus, Ohio 43206

Patrick S. Phillips, Tr.
Patricia A. Phillips, Tr.
247 Lear Street
Columbus, Ohio 43206

Martin Brock
451 Jackson Street
Columbus, Ohio 43206

Paula Goodman
437 Jackson Street
Columbus, Ohio 43206

Nichole M. Reiss
577 Lathrop Street
Columbus, Ohio 43206

Andrew Hanas
9872 Camelot Street
Pickerington, Ohio 43147

Adam Cohn
606 South Ninth Street
Columbus, Ohio 43206

Kelvin Gholston
4694 Cemetery Road
Hilliard, Ohio 43026

Judith Herr
600 S. Ninth Street
Columbus, Ohio 43206

Richard Jardiolin
602 S. Ninth Street
Columbus, Ohio 43206

James Yappel
616 S. Ninth Street
Columbus, Ohio 43206

Amy Leeann Glass, Tr.
610 S. Ninth Street
Columbus, Ohio 43206

Fred and Lora Marcum
416 Jackson Street
Columbus, Ohio 43206

Robert and Betty Messer
424 Jackson Street
Columbus, Ohio 43206

Marion Elizabeth Mast
9827 Schlottman Road
Loveland, Ohio 45140

Walter Thieman
676 Neil Avenue
Columbus, Ohio 43215

Brooke and Eric Albrecht
390 E. Beck Street
Columbus, Ohio 43206

Charles A. Mandator, II
617 Lathrop Street
Columbus, Ohio 43206

Erika Garber
9338 Wayne Brown Drive
Powell, Ohio 43065

Steven and Theresa Morbitzer
603 Lathrop Street
Columbus, Ohio 43206

James Roemke
404 E. Beck Street
Columbus, Ohio 43206

PGI Enterprises LLC
2841 La Mancha Court
Punta Gorda, Florida 33950

Martin Hynes
436 E. Beck Street
Columbus, Ohio 43206

Declan Smithies
442 E. Beck Street
Columbus, Ohio 43206

William Thieman
613 Lathrop Street
Columbus, Ohio 43206

Capital Holdings East LLC
139 Franklin Park West
Columbus, Ohio 43205

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 # CV16-050

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) David Hodge
of (COMPLETE ADDRESS) Underhill & Hodge LLC, 8000 Walton Parkway, Suite 260, New Albany, Ohio 43054

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. Nathan Sampson Charmaine Suton 601 South 9th Street Columbus, Ohio 43206</p>	<p>2. DEV Real Estate 2797 Powell Avenue Bexley, Ohio 43209</p>
<p>3.</p>	<p>4.</p>

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

SIGNATURE OF AFFIANT David Hodge

Sworn to before me and signed in my presence this 21st day of December, in the year 2016

Kimberly R. Grayson
SIGNATURE OF NOTARY PUBLIC

1-11-2021
My Commission Expires

Notary Seal Here



KIMBERLY R. GRAYSON
Notary Public, State of Ohio
My Commission Expires
January 11, 2021

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CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: N

DATE: 1/25/16



Disclaimer

Scale = 50

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

CV16-050



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: 010049752

Zoning Number: 601

Street Name: S 9TH ST

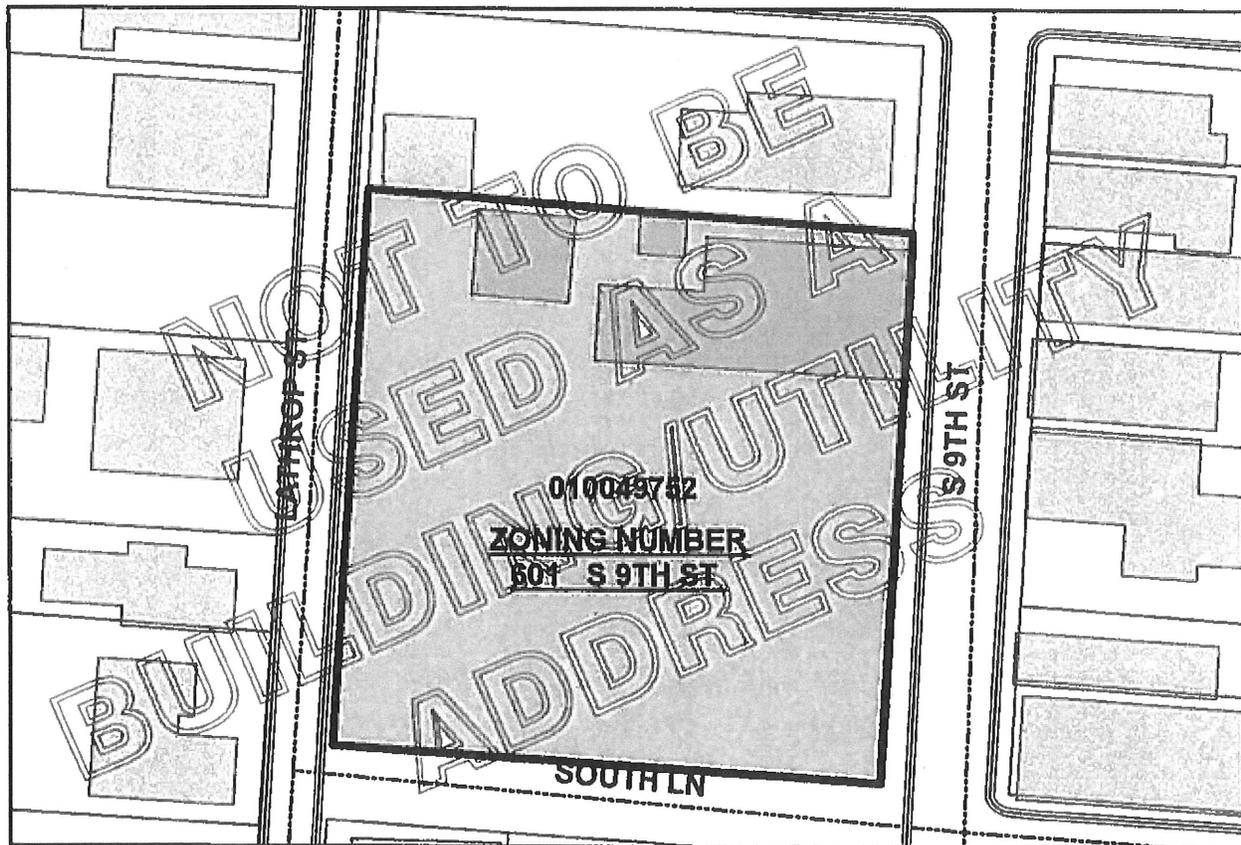
Lot Number : 16-17-18

Subdivision: BRYDENS 2ND

Requested By: BEHAL SAMPSON DIETZ (KEITH WITT)

Issued By: *Adyana Umariani*

Date: 2/2/2015



SCALE: 1 inch = 50 feet



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

GIS FILE NUMBER: 26981

QUIT CLAIM DEED

Know all men by these presents, that Margaret Ruth Naegele (hereinafter referred to as Grantor) who claim title by or through Instrument, for valuable consideration of One Dollar, Margaret Ruth Naegele, Trustee of The Margaret Ruth Naegele Revocable Living Trust, UAD June 27, 2002 (hereinafter referred to as Grantee) and other valuable considerations whose **TAX MAILING ADDRESS** is 601 S. 9th Street, Columbus, Ohio 43206 has Given, Executed, Remised, Released and Forever Quit-Claimed and do by these presents absolutely give, grant remise, release and forever quit-claim unto the said grantee its heirs and assigns forever, all such right and title as the said grantors, have or ought to have in and to the following described piece or parcel of land:

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

Being in Lots Sixteen (16), Seventeen (17) and Eighteen (18) of James Bryden's Second Addition to the City of Columbus, Ohio, as the same are numbered and delineated upon the recorded plat thereof, of record in DEED BOOK 38, page 275, Recorder's Office, Franklin County, Ohio.
DIST/PARCEL: 010-049752
Address of Property: 601 S. 9th Street, Columbus, OH 43206
Subject to all easements, conditions and restrictions of record and public highways.

Last Transfer: Deed Record Volume 2411, Page 80.

To Have and to Hold the premises with the appurtenances thereunto belong to the said Grantee, its heirs and assigns, so that neither the said grantor, nor their heirs, nor any other persons claiming title through or under them, shall or will hereafter claim or demand any right to title to the premises, or any part thereof; but they and every one of them shall by these presents be excluded and forever barred.

In Witness Whereof, we have hereunto set our hands, this 27 day of June, 2002.

Signed and acknowledged in presence of:

Margaret Ruth Naegele
Margaret Ruth Naegele
Witness Romina A. Nuttman

Lee W Sheppelman
Witness
LEE W SHEPPELMAN

OK / ADH / 11/5/17

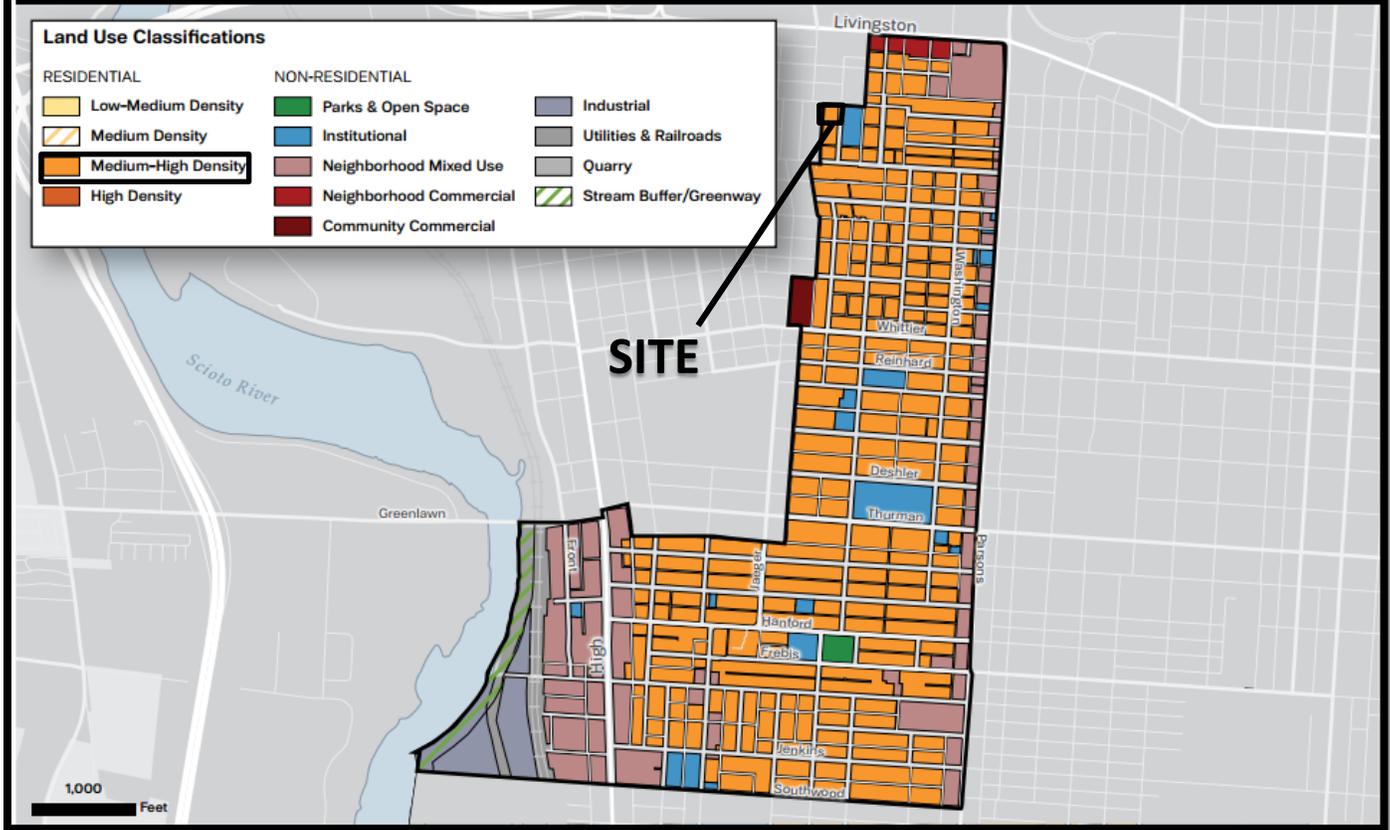
TRANSFERRED
SEP 04 2002
JOSEPH W. TESTA
AUDITOR
FRANKLIN COUNTY, OHIO

910206
CONVEYANCE TAX
EXEMPT
J. W. Testa
JOSEPH W. TESTA
FRANKLIN COUNTY AUDITOR



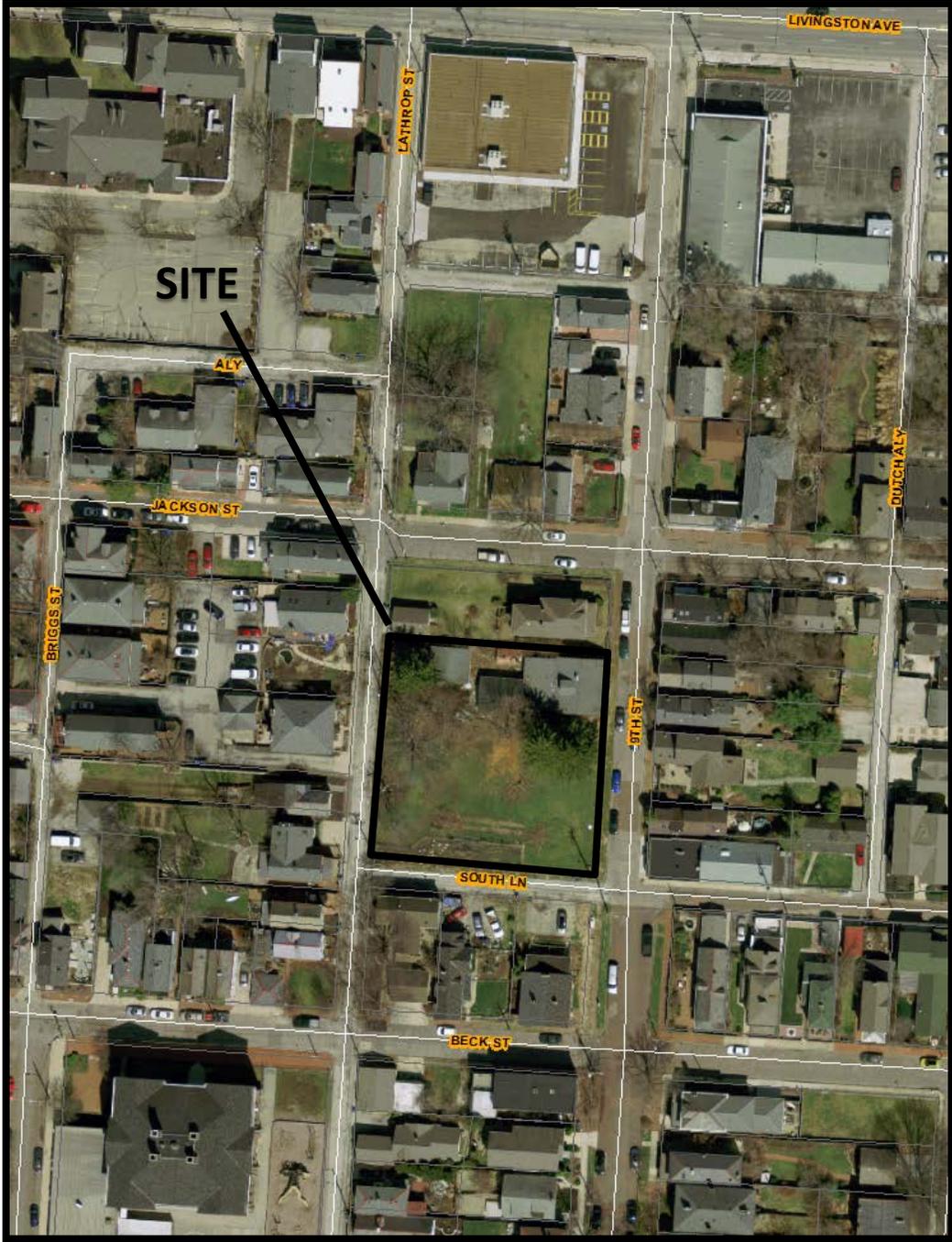
CV16-050
901 South Ninth Street
Approximately 0.52 acres

FIGURE 9: FUTURE LAND USE PLAN: QUADRANT 1



South Side Plan (2014)

CV16-050
 901 South Ninth Street
 Approximately 0.52 acres



CV16-050
901 South Ninth Street
Approximately 0.52 acres