

## Zoning Report

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### Site Information

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|                 |   |
|-----------------|---|
| Address         | 270 S NAPOLEON AVE, COLUMBUS, OH        |
| Mailing Address | 1395 FAIR AVE<br>COLUMBUS OH 43205-1543 |
| Owner           | A+ ARTS ACADEMY                         |
| Parcel Number   | 010089511                               |
| In Columbus?    | Yes                                     |
| County          | FRANKLIN                                |

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### Zoning Information

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|   |                                       |
|---|---------------------------------------|
| Zoning                                    | 352, Residential, R4, 7/18/1946, H-35 |
| Historic District                         | None                                  |
| Short North Special Parking Area          | Out                                   |
| Council Variance                          | None                                  |
| Board of Zoning Adjustment (BZA) Variance | None                                  |
| Commercial Overlay                        | None                                  |
| Planning Overlay                          | None                                  |
| Graphics Variance                         | None                                  |
| Area Commission                           | None                                  |
| Historic Site                             | No                                    |
| Flood Zone                                | Out                                   |
| Airport Overlay Environs                  | None                                  |

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### Pending Zoning Action

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|   |      |
|---|------|
| Zoning                                    | None |
| Board of Zoning Adjustment (BZA) Variance | None |
| Council Variance                          | None |
| Graphics Variance                         | None |

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THE CITY OF  
**COLUMBUS**

AMERICAN CITY EDIBLE MARKS

# 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: BZA17-124 Date Received: 16 Oct. 2017  
Application Accepted by: [Signature] Fee: \$1900  
Commission/Civic: N/A  
Existing Zoning: R14  
Comments: \_\_\_\_\_

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

☒ Variance ☐ Special Permit

Indicate what the proposal is and list applicable code sections:

49  
Code section 3312.05(C)(2)(c): A + Arts Academy seeks relief from additional required parking spaces due to change in use from Day Care to E - educational. The change in use requires 99 total parking spaces. See attached site plan for calculation.

42 provided 57 deficient

## LOCATION

Certified Address: 270 S. Napoleon Avenue City: Columbus Zip: 43213

Parcel Number (only one required): 010-089509-00 (through 010-089521-00)

## APPLICANT (If different from Owner):

Applicant Name: SAME 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: A+ Arts Academy Phone Number: 614-372-2326 Ext.: 1206

Address: 1395 Fair Ave. 2633 MAYBURY RD. City/State: Columbus, Ohio Zip: 43205

Email Address: cleister@aplusarts.com Fax Number: 614-725-2305

## 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 [Signature]

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.  
Applications must be submitted by appointment. Call 614-645-4522 to schedule.



## 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

**AFFIDAVIT**

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME DR. DAVID FANT  
of (1) MAILING ADDRESS A+ ARTS ACADEMY - DISTRICT OFFICES, 2633 MAYBURY RD, 43232  
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 270 S. NAPOLEON AVENUE, 43213  
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) A+ ARTS ACADEMY  
DISTRICT OFFICES  
2633 MAYBURY ROAD  
COLUMBUS, OHIO 43232

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

DR. DAVID FANT, SUPERINTENDENT  
614-626-2250

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

(5) N/A

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) SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this

6th

day of

October

in the year

2017

Notary Seal Here

(7) SIGNATURE OF NOTARY PUBLIC

My Commission Expires

ALFIEA PRINCE  
NOTARY PUBLIC, STATE OF OHIO  
FRANKLIN COUNTY  
My Commission Expires 1/5/2022

**PLEASE NOTE: Incomplete information will result in the rejection of this submittal.**  
Applications must be submitted by appointment. Call 614-645-4522 to schedule.

**The City of Columbus**  
**Board of Zoning Adjustment Application**  
**Label Set**

**PROPERTY ADDRESS**

A+ Arts Academy  
270 S. Napoleon Avenue  
Columbus, Ohio 43213  
Parcel ID: 010-089510-00

**OWNER ADDRESS**

A+ Arts Academy  
Attn: Dr. David Fant, Superintendent  
2633 Maybury Road  
Columbus, Ohio 43232

**ATTORNEY**

Not Applicable

**AREA COMMISSION OR  
NEIGHBORHOOD GROUP**

None for Community

**SURROUNDING PROPERTY OWNERS**

Philadelphia Deliverance  
Church of Christ  
or Current Occupant  
250 Napoleon Avenue  
Columbus, Ohio 43213  
Parcel ID: 010-08914-00

Guinther, Clint S  
Shahroozi, Pari L  
or Current Occupant  
492 E Sycamore Street  
Columbus, OH 43206  
Parcel ID: 010-089087-00

D C Lee Investments LLC  
or Current Occupant  
847 Westray Drive  
Westerville, OH 43081  
Parcel ID: 010-089664-00

Matthey, Joseph P  
Matthey, Lisa E  
or Current Occupant  
1203 Acton Road  
Columbus, Ohio 43224  
Parcel ID: 010-082787-00

Guinther, Clint S  
Shahzoozi, Pari L  
or Current Occupant  
492 E Sycamore Street  
Columbus, Ohio 43206  
Parcel ID: 010-089087-00

*Note: Labels fit.*

APPENDIX A

The City of Columbus  
Board of Zoning Adjustment Application

Statement in Support of Variance(s)

As a statement in support of the variance(s) as the project description requires in regards to parking capacity, responding to the 3307.09 Variances by Board, Article A"

1. Without the variance, the change of use to an educational facility cannot be granted and therefore the use of the facility would be changed, the certificate of occupancy invalid and A+ Arts Academy would have to vacate the seventh and eighth grades and any events from the use of the facility.
2. It is our estimation that the variance requested is not substantial based on the current capacity of the parking and our historical use of the facility.
3. It is our estimation that the essential character of the neighborhood would not be substantially altered.
4. The variance would not adversely affect the delivery of governmental services.
5. A+ Arts Academy were not notified of the zoning restrictions prior to the purchase of the property.
6. The predicament feasibility would only be obviated through the construction of additional parking spaces at a considerable expense to the school's current budget for the FY18 Academic Year especially with other major project expenditures at our other two campuses (i.e. roof replacement at Fair Campus (1395 Fair Avenue, 43205) and major maintenance projects on the boiler system at Maybury Campus (2633 Maybury Road, 43232). Therefore resulting in a heartship that would not be able to address in the current academic year.
7. We feel the spirit and intent of the zoning requirement would have observed by the current use of the facility and available parking.

Statement in Support of Special Permit Request

As a statement in support of special permit request, a+ Arts Academy's application for a change of use of the facility (270 S. Napoleon, 43213) from a child care facility on the current certificate of occupancy to its original approved use as an education facility (i.e. school) does not require a project that involves major renovations or additions to the facility and its surrounding property. If a special permit is required for this variance, a+ Arts Academy is willing and available to work with the City of Columbus Department of Building and Zoning Services to meet all requirements requested by the Board of Zoning.

8.  
=

WE ARE CURRENTLY PROVIDING 42 SPACES THAT SERVE  
A FACULTY AND STAFF OF 10 TOTAL PERSONNEL. SCHOOL  
SERVES GRADES 7-8 WHICH REQUIRE NO SPACES FOR  
STUDENTS DRIVING TO SCHOOL.

**APPENDIX A**

**The City of Columbus**  
**Board of Zoning Adjustment Application**

**-Project Description**

The property (270 S. Napoleon Avenue) received a certificate of occupancy originally as an educational facility (school) in 1964. In 2004, the certificate of occupancy was revised to provide for a change of use as a child care facility. A+ Arts Academy has submitted an application for change of use back to an educational facility (i.e. school) as of 9/25/2017 requesting an update Certificate of Occupancy to reflect the change of use.

The application has been under review by Mr. Dale Shumaker, Plan Examiner and Ms. Christine Leed, Planning Manager – Zoning. We have not been notified of any requirements needed for the requested change of use to date. Ms. Leed has notified us of the requirement to review the parking capacity of the facility based upon the ratios of square footage of classroom/office space and square footage of assembly space.

We notified Ms. Leed that we have not used the assembly area to capacity; however, we do have an agreement with the church adjacent to the Napoleon property (i.e. Philadelphia Deliverance Church of Christ, 250 S. Napoleon Avenue, 43213). Ms. Leed recommended (emails attached) that we do not include the church in our parking calculations and first apply for a Board of Zoning Adjustment.

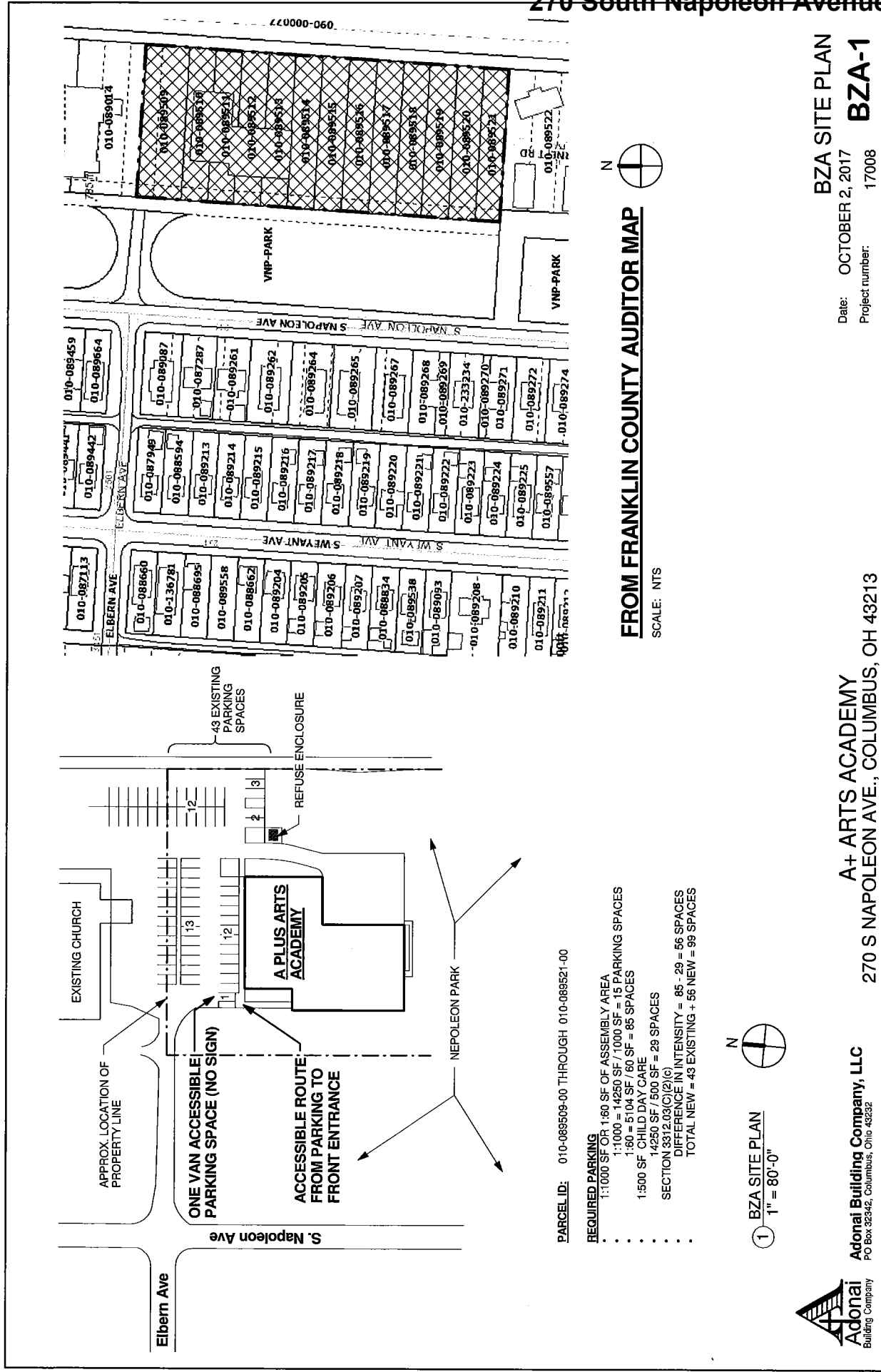
Based on our observation of the parking lot during assembly type events, we have not maxed out the parking spaces available to A+ Arts Academy for these events. The building capacity and number of classrooms, offices and gymnasium/assembly area have not changed since its original construction and use as a school or child care facility.

A+ Arts Academy – Napoleon Campus owes a considerable amount of land adjacent to the Napoleon Park as defined in the Franklin County Auditor's and Recorder's website. This space is available for use by the Napoleon Avenue community. Expansion of the parking facilities would necessitate a reduction of the amount of "green" space available for community use.

**270 South Napoleon Avenue****Historical Record (270 S. Napoleon Avenue, Parcel # 010-089510-00)**

The parcel # 010-089510-00 legal description if Barnett Rd & St Vac - Lincoln Park 2 - Lot 527-8 land was purchased by the Ohio Conference of the Church of the Nazarene on October 21, 1960. The building was built in 1961 as a structure type of College & University. The property was operated as a school by the Church of the Nazarene from 1961 to 2002. On October 7, 2002 the Ohio Conference of the Church of the Nazarene filed and was approved for a change of use to a daycare facility.

A+ Arts Academy purchased the property on June 2, 2006 to operate the facility as a Community (Charter) School serving Middle and Junior High classes (Grades 6-8). The school has operated serving those grades from its purchase until the present. All fire codes have been maintained and approved by the Columbus Fire Department and appropriate permits approved for operations as a school.



**BZA SITE PLAN**  
**BZA-1**

Date: OCTOBER 2, 2017  
 Project number: 17008

**A+ ARTS ACADEMY**  
 270 S NAPOLEON AVE., COLUMBUS, OH 43213

**Adonai Building Company, LLC**  
 PO Box 32342, Columbus, Ohio 43232





## APPENDIX A

The City of Columbus  
Board of Zoning Adjustment Application

Applicant: A+ Arts Academy (270 S. Napoleon Avenue, Columbus, Ohio 43213)

**Legal Description (270 S. Napoleon Avenue, Columbus, Ohio 43213)**

Below please find the legal description of the A+ Arts Academy property at 270 S. Napoleon Avenue as provided by documents from the Franklin County Recorder's Office:

Exhibit "A"

As to 270 Napoleon Avenue

**Parcel 1:**

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

Being Lots Numbered Five Hundred Twenty-nine (529); Five Hundred Thirty (530); Five Hundred Thirty-one (531); Five Hundred Thirty-two (532); Five Hundred Thirty-three (533); Five Hundred Thirty-four (534); Five Hundred Thirty-five (535); Five Hundred Thirty-six (536); Five Hundred Thirty-seven (537); Five Hundred Thirty-eight (538); Five Hundred Thirty-nine (539); Five Hundred Forty (540) and Five Hundred Forty-one (541) in LINCOLN PARK, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 7, pages 430 and 431, Recorder's Office, Franklin County, Ohio; together with that portions of vacated Barnett Road (El Dorado Avenue) as vacated in Ordinance Number 502-61.

**Parcel 2:**

A non exclusive easement for driveway and parking as contained in that certain Common Driveway and Park Lot Easement Agreement of record in Instrument Number 200508090161229, Recorder's Office, Franklin County, Ohio.

**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 FRANKLINBeing first duly cautioned and sworn (NAME) DR. DAVID FANT, Superintendent  
of (COMPLETE ADDRESS) DISTRICT OFFICES, 2633 MAYBURY ROAD, 43232  
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

NOT APPLICABLE

SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 10th day of October, in the year 2017

SIGNATURE OF NOTARY PUBLIC

Notary Seal Here

My Commission Expires  
**ALFEIA PRINCE**  
NOTARY PUBLIC, STATE OF OHIO  
FRANKLIN COUNTY  
My Commission Expires 1/5/2022**ALFEIA PRINCE**  
NOTARY PUBLIC, STATE OF OHIO  
FRANKLIN COUNTY**PLEASE NOTE: Incomplete information will result in the rejection of this submittal.**  
Applications must be submitted by appointment. Call 614-645-4522 to schedule.