## Zoning Report

### Site Information

<table>
<thead>
<tr>
<th>Field</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>5052 DELAWANDA AVE, COLUMBUS, OH</td>
</tr>
<tr>
<td>Mailing Address</td>
<td>250 CIVIC CENTER DRIVE ST COLUMBUS OH 43215</td>
</tr>
<tr>
<td>Owner</td>
<td>GRACELAND SHOPPERS LIMITED PARTNERSHIP</td>
</tr>
<tr>
<td>Parcel Number</td>
<td>010109809</td>
</tr>
<tr>
<td>In Columbus?</td>
<td>Yes</td>
</tr>
<tr>
<td>County</td>
<td>FRANKLIN</td>
</tr>
</tbody>
</table>

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<tbody>
<tr>
<td>Zoning</td>
<td>693, Residential, R2, 2/11/1957, H-35</td>
</tr>
<tr>
<td>Historic District</td>
<td>None</td>
</tr>
<tr>
<td>Short North Special Parking Area</td>
<td>Out</td>
</tr>
<tr>
<td>Council Variance</td>
<td>None</td>
</tr>
<tr>
<td>Board of Zoning Adjustment (BZA) Variance</td>
<td>None</td>
</tr>
<tr>
<td>Commercial Overlay</td>
<td>None</td>
</tr>
<tr>
<td>Planning Overlay</td>
<td>None</td>
</tr>
<tr>
<td>Graphics Variance</td>
<td>None</td>
</tr>
<tr>
<td>Area Commission</td>
<td>Clintonville Area Commission</td>
</tr>
<tr>
<td>Historic Site</td>
<td>No</td>
</tr>
<tr>
<td>Flood Zone</td>
<td>Out</td>
</tr>
<tr>
<td>Airport Overlay Environors</td>
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</tr>
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### Pending Zoning Action

<table>
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<td>None</td>
</tr>
<tr>
<td>Graphics Variance</td>
<td>None</td>
</tr>
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</table>
Board of Zoning Adjustment Application

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

Application Number: BZA17-125 Date Received: 18 Oct. 2017
Application Accepted by: Clintonville
Commission/Civic: R-2
Existing Zoning:
Comments:

OFFICE USE ONLY

TYPE(S) OF ACTION REQUESTED (Check all that apply):
☑ Variance  □ Special Permit

Indicate what the proposal is and list applicable code sections:
Development of single family home. Section 3332.21(B) - to reduce
the building line from Delawanda Avenue from 25 feet to a minimum of 14 feet.
3332.22(a)(1) - to reduce the minimum building line along Girard Road from 10
feet to 5 feet. 3332.27 - to reduce minimum rear yard from 25% to 22% of the lot
area.

LOCATION
Certified Address: 5052 Delawanda Avenue  City: Columbus  Zip: 43214
Parcel Number (only one required): 010-109809

APPLICANT (If different from Owner):
Applicant Name: David Yost c/o Michael Shannon  Phone Number: 614-229-4506  Ext.:
Address: 500 South Front Street  City/State: Columbus/Ohio  Zip: 43215
Email Address: mshannon@cbjlawyers.com  Fax Number:

PROPERTY OWNER(S)  □ Check here if listing additional property owners on a separate page
Name: David Yost c/o Michael Shannon  Phone Number: 614-229-4506  Ext.:
Address: 500 South Front Street  City/State: Columbus/Ohio  Zip: 43215
Email Address: mshannon@cbjlawyers.com  Fax Number:

ATTORNEY / AGENT (Check one if applicable):  ☑ Attorney  □ Agent
Name: Michael Shannon, Esq.  Phone Number: 614-229-4506  Ext.:
Address: 500 South Front Street, Suite 1200  City/State: Columbus/Ohio  Zip: 43215
Email Address: mshannon@cbjlawyers.com  Fax Number:

SIGNATURES (All signatures must be provided and signed in blue ink)
APPLICANT SIGNATURE
PROPERTY OWNER SIGNATURE
ATTORNEY / AGENT 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.
AFFIDAVIT
STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME: David Yost c/o Michael Shannon
of (1) MAILING ADDRESS: 500 South Front Street, Suite 1200, 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: 5052 Delawanda Avenue, Columbus, Ohio 43214
for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and
Zoning Services, on (3) __________________________

(THE LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME AND MAILING ADDRESS

(4) David Yost
  c/o Michael Shannon
  500 South Front Street, Suite 1200
  Columbus, Ohio 43215

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

David Yost c/o Michael Shannon
614-229-4506 (Attorney Michael Shannon, Esq.)

AREA COMMISSION OR CIVIC GROUP

(AREA COMMISSION ZONING CHAIR

OR CONTACT PERSON AND ADDRESS

Clintonville Area Commission

Stephen Hardwick - Zoning Chair

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 18th day of October, in the year ______________________

______________________________

(7) SIGNATURE OF NOTARY PUBLIC

My Commission Expires

Carol A. Stewart

NOTARY PUBLIC, STATE OF OHIO

MY COMMISSION EXPIRES 06/28/2019

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City of Columbus
Real Estate Department
90 W. Broad St., #425
Columbus, Ohio 43215

Dave & Darlene Yost
Or Current Occupant
88 E. Broad Street
5th Floor
Columbus, Ohio 43215

ATTORNEY

Michael T. Shannon
Crabbe, Brown & James, LLP
500 S. Front Street, Ste. 1200
Columbus, Ohio 43215

OWNER

David Yost
c/o Michael Shannon
500 S. Front St., Ste. 1200
Columbus, Ohio 43215

Graceland Retail 2017 LLC
Or Current Occupant
250 Civic Center Dr
Ste. 500
Columbus, Ohio 43215

Collette Davidson
Or Current Occupant
306 Leland Avenue
Columbus, Ohio 43214

AREA COMMISSION

Clintonville Area Commission
Attn: Stephen Hardwick
94 Clinton Heights Ave
Columbus, Ohio 43202

David Yost
c/o Michael Shannon
500 S. Front St., Ste. 1200
Columbus, Ohio 43215

APPLICANT

Marvin Council, Jacqueline Council
Christopher & Edward Council
Or Current Occupant
305 Girard Road
Columbus, Ohio 43214-7507

Ryan Harvill
Or Current Occupant
311 Girard Road
Columbus, Ohio 43214
STATEMENT IN SUPPORT

Property Address: 5052 Delawanda Avenue
Parcel ID: 010-109809
Owners: David Yost
Applicant: David Yost, c/o
          CRABBE, BROWN & JAMES, LLP
          500 South Front Street, Suite 1200
          Columbus, Ohio 43215
          mshannon@cbjlawyers.com
Date of Text: October 18, 2017

Applicant submits this Statement in support of its BZA Application. The Site is currently an unimproved lot at the end of Girard Road in the Delawanda Addition. Neither the Delawanda Avenue nor the Girard Road right-of-ways adjacent to the Site are improved. Applicant proposes the development of the Site with a single-family residence. Applicant proposes development of an alley from Girard Road in the right-of-way adjacent to eastern boundary of the Site to provide access to the Site. Under the zoning code, the Site’s frontage is Delawanda Avenue.

The Site is zoned R-2. The Site is bordered on the west, east, and south by R-2 classified property and C-4 classified property to the north (Graceland Shopping Center). The Site is not in a Historical District. The Site is not subject to a Commercial Overlay nor Planning Overlay. The Site is situated within the Clintonville Area Commission. The Site is designated with an H-35 height district.

Applicant proposes the following variances:

1. 3332.21(B), Building Lines – Which section establishes a building line of 25 feet. Applicant requests a variance to reduce the building line from Delawanda Avenue to a minimum of 14 feet.
2. 3332.22(a)(1), Building Lines on Corner Lots, Exceptions – Which section establishes a minimum building line of 20 percent of the property width. The property’s width is 50 feet and, therefore, the minimum required building line from Girard Road is 10 feet. Applicant requests a variance to reduce the building line from Girard Road to a minimum of 5 feet.
3. Section 3332.27, Rear Yard – Which section establishes a minimum rear yard of 25 percent of the total lot area. Applicant requests a variance to reduce the minimum rear yard to 22 percent of the total lot area.

The Applicant respectfully requests the above variances because this Site is subject to practical difficulties which unreasonably deprive the Applicant of the permitted use of the property. The Site is a long, narrow property and the northwest corner is cut-off by a curved right-of-way, rather than a traditional rectangular lot. Moreover, the Site is technically a corner lot with two frontages and the code requires building lines on both the north and west property lines. Considering the size and shape of the lot, two building lines, rear yard, and side yard, there is not enough space to
develop a single-family residence without variances. The requested variances will allow a
development of a single-family residence which fits with the essential character of the
neighborhood. The requested building line reductions from the north and west property liens will
not negatively impact the neighborhood because there are no neighbors to the north nor west. Most
significant, the variances request building line reductions from right-of-ways that are not
developed with roadways and are likely to remain in the same unimproved condition.

The requested rear yard variance is not substantial. The lot is approximately 6,193 square feet in
total area. The code required rear lot of 25% is 1,549 square feet. The requested minimum rear lot
of 22% is 1,362 square feet. This is a difference of 187 square feet.

The requested variances would not substantially alter the essential character of the neighborhood.
The requested variances would not adversely affect the delivery of governmental services. Further,
granting of the requested variances would be within the spirit and intent of the zoning code and
allow the observance of substantial justice.

Respectfully Submitted,

Michael T. Shannon, Esq.
Attorney for Applicant
Total Lot Area - 6,103 square feet

T.O.W. to be set 24" Above Highest Stake Point

Delawanda Avenue

Girard Road

16' Alley

PLOT PLAN
We hereby certify that the foregoing PLOT PLAN was prepared from information provided by the Client and data obtained from Engineered Subdivision Plan. This Plot Plan is to be used by the Client for the sole purpose of obtaining a building permit. The use of the Plot Plan for any other purpose is strictly prohibited.

10-18-17

By David B. McCoy
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: 010109809
Zoning Number: 5052  Street Name: DELAWANDA AVE
Lot Number: 174  Subdivision: DELAWANDA
Requested By: CRABBE, BROWN 7 JAMES, LLP (ERIC ZARTMAN)

Issued By:  Date: 10/16/2017

SCALE: 1 inch = 50 feet
GIS FILE NUMBER: 105091
Situated in the City of Columbus, County of Franklin and State of Ohio:

Being Lot Number One Hundred Seventy-Four (174) in Delawanda Addition, as the said lots are numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 12, page 17, Recorder’s Office, Franklin County, Ohio.

Prior Instrument Reference: Vol. 8798, Page H-16; P20170714--06551
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) Eric Zartman, Esq.
of (COMPLETE ADDRESS) 500 South Front Street, Suite 1200, 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:

<table>
<thead>
<tr>
<th>NAME</th>
<th>COMPLETE MAILING ADDRESS</th>
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<tbody>
<tr>
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<td>500 South Front Street, Suite 1200</td>
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<td></td>
<td>Columbus, Ohio 43215</td>
</tr>
</tbody>
</table>

SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this __________ day of __________, in the year __________.

SIGNATURE OF NOTARY PUBLIC

My Commission Expires

CAROL A. STEWART
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES 06/28/2019

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