

**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: CV17-072 Date Received: 10/17/17  
Application Accepted by: NP Fee: \$1,600  
Assigned Planner: Kelsey Priebe; 614-645-1341; kcpriebe@columbus.gov

**LOCATION AND ZONING REQUEST:**

Certified Address or Zoning Number: 115 WOODLAND AVE. Zip: 43203

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: 010-012842

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

Current Zoning District(s): R3 - RESIDENTIAL

Area Commission or Civic Association: NEAR EAST

Proposed Use or reason for Council Variance request:

EXISTING APT. BUILDING, WOULD LIKE TO ADD (4) PARKING SPACES

Acreage: 0.28

**APPLICANT:**

Name: KIM MIKANIK, ARCHTCT Phone Number: 614-562-4395 Ext.: -

Address: 1116 W. 2<sup>ND</sup> AVE. City/State: COLUMBUS OH Zip: 43212

Email Address: kimmikanik@yahoo.com Fax Number: n/a

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

Name: LINDEN EQUITIES II LLC Phone Number: 716-232-3333 Ext.: -

Address: PO Box 12515 City/State: COLUMBUS OH Zip: 43212

Email Address: mnamara@ableat.com Fax Number: -

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

Name: KIM MIKANIK, ARCHTCT Phone Number: 614-562-4395 Ext.: -

Address: 1116 W. 2<sup>ND</sup> AVE. City/State: COLUMBUS, OH Zip: 43212

Email Address: kimmikanik@yahoo.com Fax Number: n/a

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

APPLICANT SIGNATURE [Signature]

PROPERTY OWNER SIGNATURE [Signature]

ATTORNEY / AGENT SIGNATURE [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.**

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**

Application Number: CU17-072

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 attached

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Signature of Applicant 

Date 10/16/17

## **STATEMENT OF HARDSHIP**

October 17, 2017

RE: 115 Woodland Ave.

The new owner of this property would like to request a council variance to allow for the installation of four (4) additional parking spaces on the property for the existing 12-unit apartment building. There are currently 8 existing spaces at the rear of the building along the alley and the four additional spaces would allow the building owner to provide one assigned space per tenant on site.

This change, within the current use, will not adversely affect the surrounding properties. The renovation and changes shall not impair an adequate amount of light and air to the adjacent properties, unreasonably increase the congestion of public streets, increase the danger of fire, endanger the public safety, unreasonably diminish or impair the public health, safety, comfort, morals and welfare of the inhabitants of the City of Columbus.

It is felt that the variance to allow this owner to install this added parking to this existing non-compliant building would be an asset to this neighborhood.

Below is the list of variances we are applying for at this time:

1.       **3312.49 MINIMUM NUMBERS OF PARKING SPACES REQUIRED**  
Existing building covers a significant portion of entire lot and did not provide adequate required parking in its current form as it was purchased by the new owner. The owner is unable to provide the required parking spaces per the zoning code. On street parking is available. Also, the site has foot and transit access.
2.       **3312.29 PARKING SPACE**  
The code states that the minimum size of a parking space shall be 9'-0"X18'-0" deep. The owner would request a reduction in the required width to 8'-0" wide, similar to the size allowed in the University district, to be able to provide room for twelve spaces (one per apartment) and room for building dumpster.
3.       **3312.27 PARKING SETBACK LINE**  
The proposed parking would fall within the required parking set back line, within 25' of the street right-of-way, due to existing physical constraints on the site.
4.       **3332.035 R-3 RESIDENTIAL DISTRICT**  
The existing apartment building is in a district for single family homes.

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AFFIDAVIT (See instruction sheet)

Application Number: CU17-072

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME KIMBERLY MIKANIK, ARCHITECT  
of (1) MAILING ADDRESS 1116 W. 2nd AVE. COLUMBUS OHIO 43212

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 CERTIFIED ADDRESS FOR ZONING PURPOSES #15 115 WOODLAND AVE  
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 (4) LINDEN EQUITIES II  
AND MAILING ADDRESS PO BOX 12515  
COLUMBUS, OHIO 43212

APPLICANT'S NAME AND PHONE # (same as listed on front application) KIMBERLY MIKANIK  
614-562-4395

AREA COMMISSION OR CIVIC GROUP (5) NEAR EAST SIDE  
AREA COMMISSION ZONING CHAIR ANNIE ROSS-WOMACK  
OR CONTACT PERSON AND ADDRESS 874 OAKWOOD AVE, COLUMBUS, 43206

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 [Signature]

Sworn to before me and signed in my presence this 17 day of October, in the year 2017

(8) SIGNATURE OF NOTARY PUBLIC [Signature] My Commission Expires 4/5/2022



ADAM PELKA  
Notary Public, State of Ohio  
My Commission Expires  
April 5, 2022  
**This Affidavit expires six (6) months after the date of notarization.**

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Hawthorne Park Bed & Breakfast  
1616 Hawthorne Park  
Columbus, Ohio 43203

DP James LLC  
72 Woodland Ave.  
Columbus, Ohio 43203

Woodland Christian Church  
143 Woodland Ave.  
Columbus, Ohio 43203

Young Mens Christian Assoc.  
130 Woodland Ave.  
Columbus, Ohio 43203

Johnny Rockefeller  
119 New York Ave. NW  
Washington DC, 20001

James Neal Jr.  
1601 Hawthorne Park  
Columbus, Ohio 43203

Michael Maly  
105 Woodland Ave.  
Columbus, Ohio 43203

Timothy Brownlee  
1617 Hawthorne Park  
Columbus, Ohio 43203

Near East Area Commission  
c/o Annie Ross-Womack, Zoning Chair  
847 Oakwood Ave.  
Columbus, Ohio 43203

CU 17-072

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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 Number: CU-072

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) KIMBELLY MIKANIK, ARCHITECT  
of (COMPLETE ADDRESS) 1116 W. 2<sup>nd</sup> AVE. COLUMBUS OHIO 43212

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. <u>LINDEN EQUITIES, LLC</u> <u>PO Box 12515, Columbus, OH 43212</u>  <u>MICHAEL McNAMARA</u> <u>262-327-3333</u></p>	<p>2.</p>
<p>3.</p>	<p>4.</p>

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 17 day of October, in the year 2017

[Signature]  
SIGNATURE OF NOTARY PUBLIC

April 5, 2022  
My Commission Expires

Notary Seal Here



ADAM PELKA  
Notary Public, State of Ohio  
My Commission Expires

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## Exhibit A

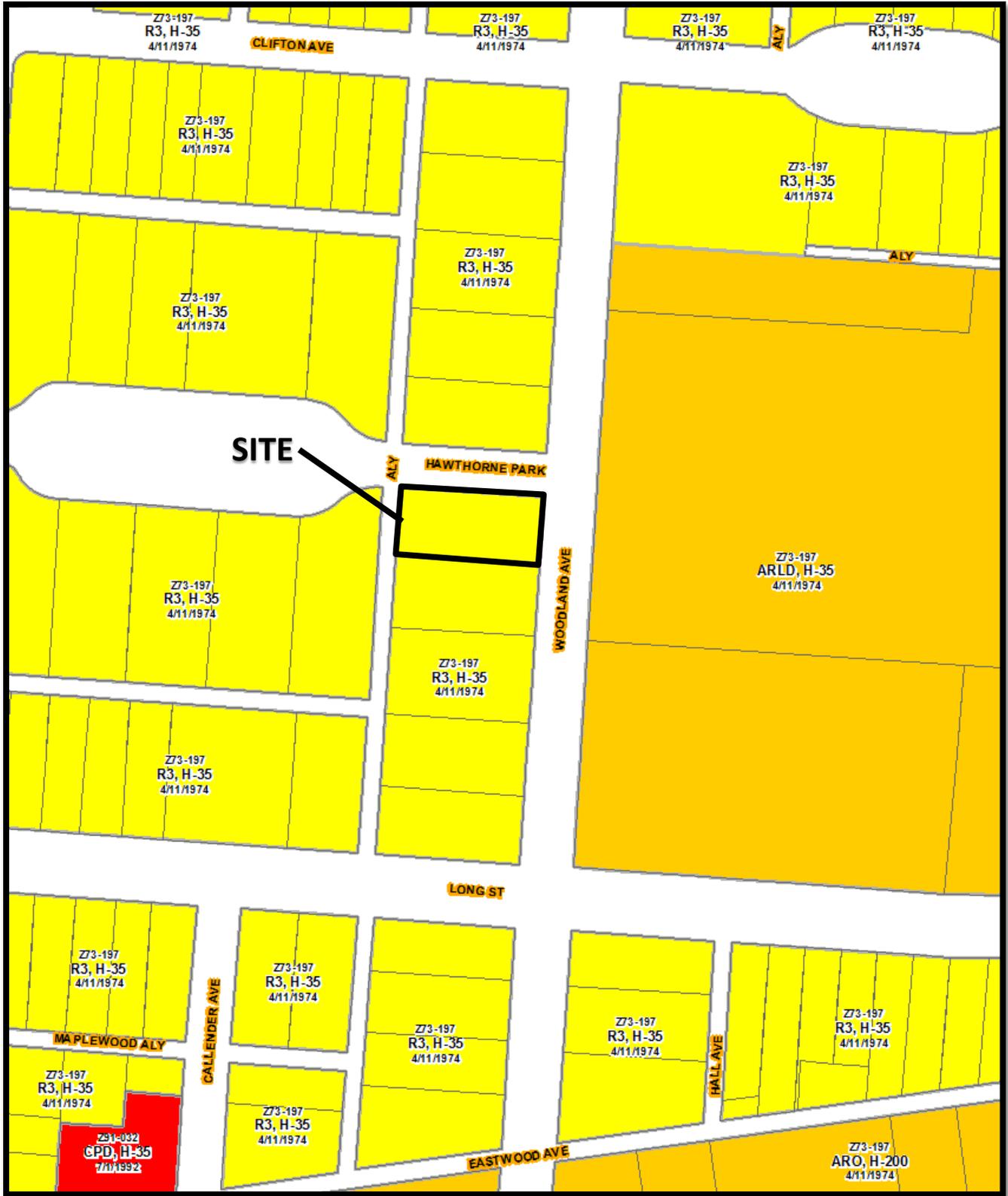
Situated in the County of Franklin, in the State of Ohio and in the City of Columbus:

Being Lot No. 4 and 30 feet off the north side of Lot No. 3 in Woodlands Addition to said City, as the same are shown of record in Plat Book 4, page 244-245, Recorder's Office, Franklin County, Ohio.

Parcel No. 010-012842

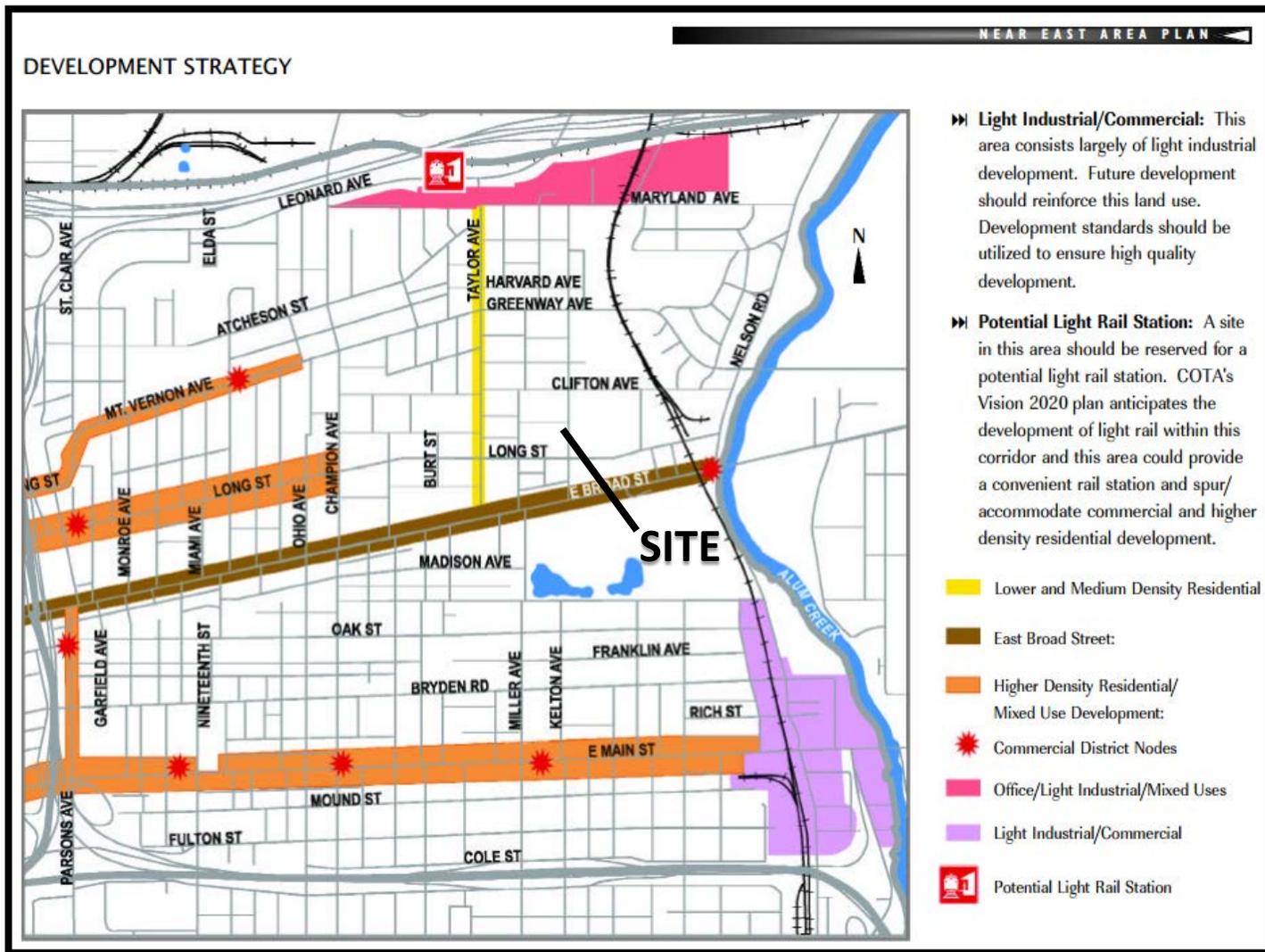
Property Address: 115 Woodland Ave, Columbus, OH 43203



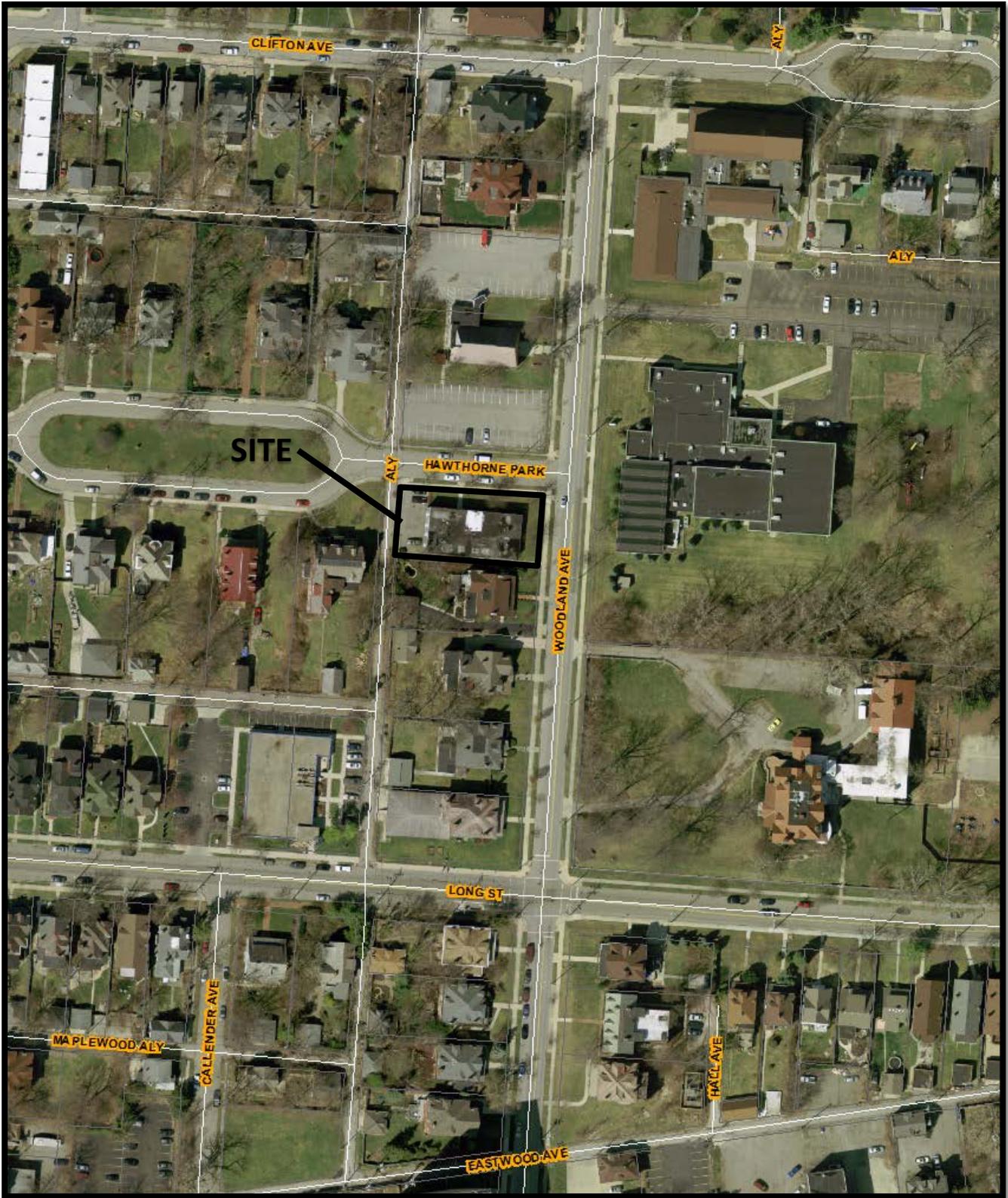


CV17-072  
 115 Woodland Avenue  
 Approximately 0.28 acres

Near East Area Plan (2005)



CV17-072  
 115 Woodland Avenue  
 Approximately 0.28 acres



CV17-072  
115 Woodland Avenue  
Approximately 0.28 acres