

Zoning Report

Site Information

Address	99 E 11TH AVE, COLUMBUS, OH
Mailing Address	PO BOX 8310 COLUMBUS OH 43201-0310
Owner	WINDSTAR DEVELOPMENT LTD II
Parcel Number	010028423
In Columbus?	Yes
County	FRANKLIN

Zoning Information

Zoning	ORIG, Multi-family, AR4, 2/27/1928, 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	University/Impact
Graphics Variance	None
Area Commission	University Area Commission
Historic Site	No
Flood Zone	Out
Airport Overlay Environs	None

Pending Zoning Action

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

THE CITY OF
COLUMBUS
ANDREW J. CANTIER, MAYOR

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: BZA18-010 Date Received: 1/18/18
Application Accepted by: H. Reiss Fee: \$1,900.00
Commission/Civic: University
Existing Zoning: AR-4
Comments: 3/27/18

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

☒ Variance ☐ Special Permit

Indicate what the proposal is and list applicable code sections:
See Exhibit B

LOCATION

Certified Address: 99 East 11th Avenue City: Columbus, OH Zip: 43201

Parcel Number (only one required): 010-036979, 010-028423, 010-013399, 010-000561, 010-051562

APPLICANT (If different from Owner):

Applicant Name: Buckeye Real Estate Phone Number: (614) 947-8600 Ext.: -----
c/o Donald Plank
Address: Plank Law Firm, 411 E. Town St., 2nd FL City/State: Columbus, OH Zip: 43215
Email Address: dplank@planklaw.com Fax Number: -----

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

Name: Sliver, Ltd., et al c/o Donald Plank Phone Number: (614) 947-8600 Ext.: -----
Address: Plank Law Firm, 411 E Town St., 2nd FL City/State: Columbus, OH Zip: 43215
Email Address: dplank@planklaw.com Fax Number: -----

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

Name: Donald Plank (Plank Law Firm) Phone Number: (614) 947-8600 Ext.: -----
Address: 411 E Town Street, 2nd FL City/State: Columbus, OH Zip: 43215
Email Address: dplank@planklaw.com Fax Number: -----

Fax Number: -----
Dave Perry, Agent (David Perry Company, Inc.)
411 E Town St., 1st FL, Columbus, OH 43215 (614) 228-1727
Email: dave@daveperryco.net

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

APPLICANT SIGNATURE Donald Plank attorney
PROPERTY OWNER SIGNATURE Donald Plank attorney
ATTORNEY / AGENT SIGNATURE Donald Plank

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



DEPARTMENT OF BUILDING
AND ZONING SERVICES

Board of Zoning Adjustment Application

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 Donald Plank (Plank Law Firm)

of (1) MAILING ADDRESS 411 E. Town Street, 2nd FL, Columbus, OH 43215

deposes and states that (he) 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 99 East 11th Avenue, Columbus, OH 43201

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) Sliver, Ltd., et al
c/o Donald Plank (Plank Law Firm)
411E Town Street, 2nd FL
Columbus, OH 43215

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

Buckeye Real Estate
c/o Donald Plank (614) 947-8600

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

(5) University Area Commission c/o Susan Keeny
358 King Avenue
Columbus, Ohio 43201

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

Donald Plank

Sworn to before me and signed in my presence this 15th day of January, in the year 2018

(7) SIGNATURE OF NOTARY PUBLIC

Stacey L. Danza

11-5-2018

Notary Seal Here

My Commission Expires



Stacey L. Danza
Notary Public, State of Ohio
My Commission Expires 11-05-2018

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

EXHIBIT A, Public Notice
99 East 11th Avenue
BZA18-010
January 22, 2018

APPLICANT

Buckeye Real Estate
c/o Donald Plank
Plank Law Firm
411 East Town Street, 2nd Floor
Columbus, Ohio 43215

PROPERTY OWNER

Sliver, Ltd.
c/o Donald Plank
Plank Law Firm
411 East Town Street, 2nd Floor
Columbus, Ohio 43215

ATTORNEY

Donald Plank
Plank Law Firm
411 East Town Street, 2nd Floor
Columbus, Ohio 43215

COMMUNITY GROUP:

University Area Commission
c/o Susan Keeny
358 King Avenue
Columbus, Ohio 43201

Windstar Development, Ltd., II
c/o Donald Plank
Plank Law Firm
411 East Town Street, 2nd Floor
Columbus, Ohio 43215

Windstar Development, Ltd.
c/o Donald Plank
Plank Law Firm
411 East Town Street, 2nd Floor
Columbus, Ohio 43215

53 Holding Company, LLC
c/o Donald Plank
Plank Law Firm
411 East Town Street, 2nd Floor
Columbus, Ohio 43215

PROPERTY OWNERS WITHIN 125 FEET

HGB Properties Group, Ltd. (*or current occupant*)
48 E 15th Avenue
Columbus, Ohio 43201

Falcon Properties, Ltd. (*or current occupant*)
2407 Farleigh Road
Columbus, Ohio 43221-2615

Yinni S Chang
Huei-Che (*or current occupant*)
2040 Rosebery Drive
Columbus, Ohio 43220-3062

Garland Properties Ltd, VIII (*or current occupant*)
c/o Buckeye Real Estate
PO Box 8310
Columbus, Ohio 43201-0310

G/B 100, Ltd. (*or current occupant*)
c/o Buckeye Real Estate
PO Box 8310
Columbus, Ohio 43201-0310

Breco Properties, Ltd. (*or current occupant*)
PO Box 8310
Columbus, Ohio 43201-0310

53 Holding Co., Ltd. (*or current occupant*)
PO Box 8310
Columbus, Ohio 43201-0310

Windstar Development, Ltd., II
(*or current occupant*)
PO Box 8310
Columbus, Ohio 43201-0310

99 East 11th Avenue
BZA18-010, January 22, 2018
Exhibit A, Public Notice
Page 1 of 2

99 East 11th Avenue

Sliver, Ltd. *(or current occupant)*
c/o Buckeye Real Estate
PO Box 8310
Columbus, Ohio 43201-0310

Highlight Properties, LLC *(or current occupant)*
8756 Concord Road
Powell, Ohio 43065-8452

Karen S Tyler *(or current occupant)*
82 East 9th Avenue
Columbus, Ohio 43201-2108

84 E Ninth, LLC *(or current occupant)*
c/o Thomas P Heilman II
222 East 11th Avenue
Columbus, Ohio 43201-2255

Michael Hassey, TR
The Hassey Family Preservation Trust
(or current occupant)
5473 Wothington Forest PL E
Columbus, Ohio 43229-4108

Board of Trustees of the Ohio State
University *(or current occupant)*
Campus Partners for Comm Urban
1556 N High Street
Columbus, Ohio 43201-1121

Community Housing Network, Inc. *(or current occupant)*
1680 Watermark Drive
Columbus, Ohio 43215-1034

Directions for Youths, Inc.
(or current occupant)
1515 Indianola Avenue
Columbus, Ohio 43201-2118

JE98, Ltd. *(or current occupant)*
PO Box 8310
Columbus, Ohio 43201-0310

Margaret H Eberhart SU-TR *(or current occupant)*
PO Box 8310
Columbus, Ohio 43201-0310

ALSO NOTIFY

David B. Perry
David Perry Co., Inc.
411 E. Town Street, 1st Floor
Columbus, OH 43215

Sliver, Ltd.
c/o Wayne Garland
34 West 9th Avenue
Columbus, Ohio 43201

Windstar Development, Ltd. II
c/o Bernie Skubak
34 West 9th Avenue
Columbus, Ohio 43201

Windstar Development, Ltd.
c/o Bernie Skubak
34 West 9th Avenue
Columbus, Ohio 43201

53 Holding Company, Inc.
c/o Bernie Skubak
34 West 9th Avenue
Columbus, Ohio 43201

Buckeye Real Estate
c/o Wayne Garland
34 West 9th Avenue
Columbus, Ohio 43201

Exhibit B

Statement in Support

BZA17-_____, 99 E. 11th Avenue, Columbus, OH 43201



The subject property is 0.703 +/- acres (30,625 SF) located on the south side of E. 11th Avenue, 630 +/- feet east of North High Street and 55 +/- feet east of the Gateway Parking Garage. The is zoned AR-4, Apartment Residential and is within the University Planning Overlay (UPO). E 11th Avenue is a high density and high intensity arterial corridor connecting N. High Street, I-71 and Cleveland Avenue.

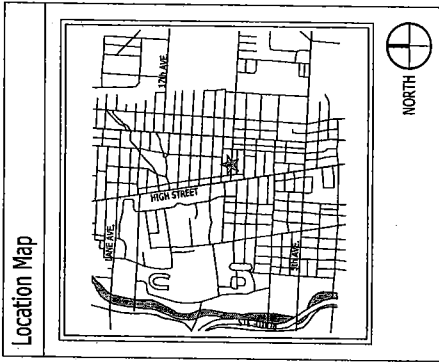
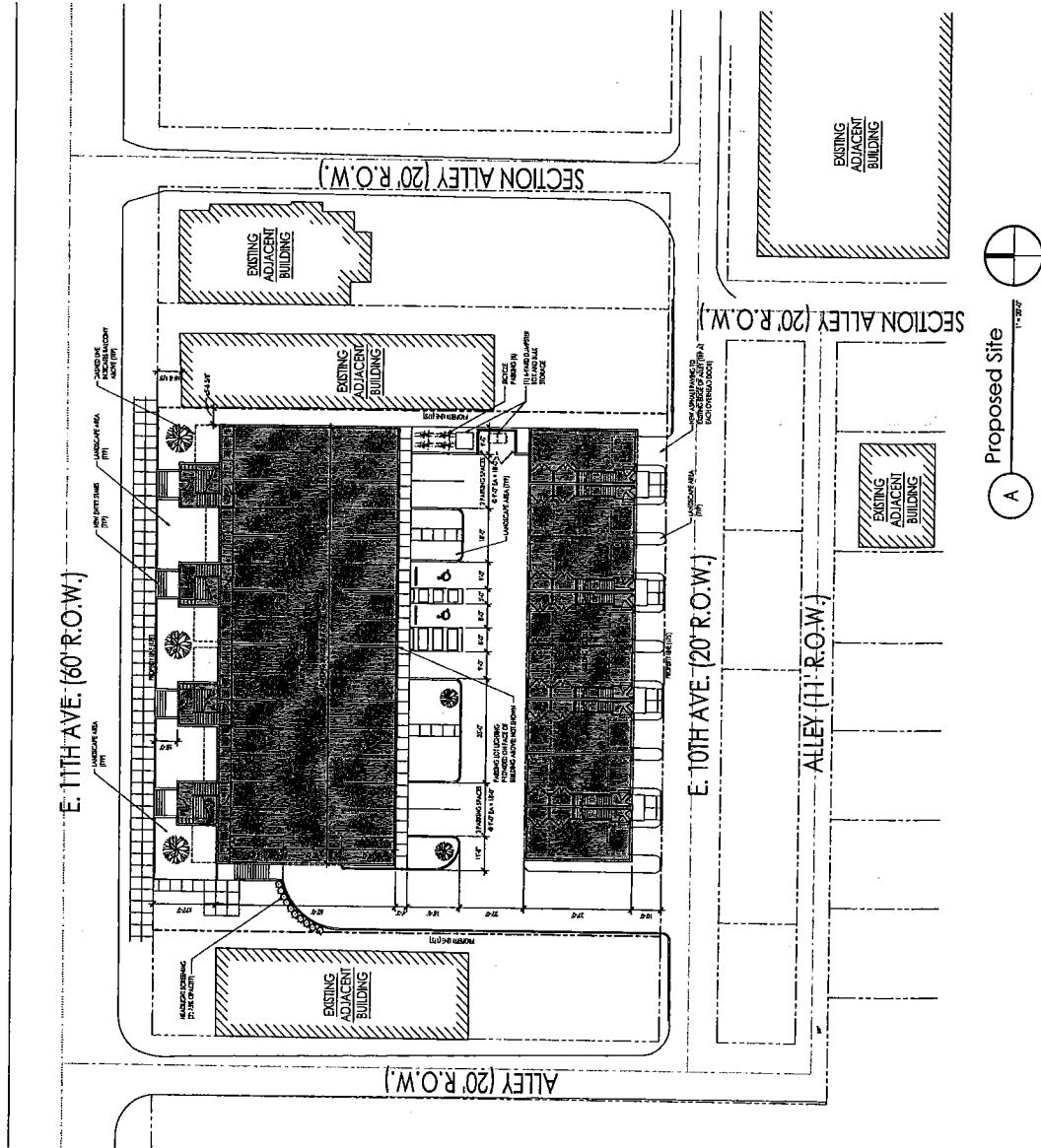
Applicant proposes to redevelop the site with two (2) apartment buildings totaling 24 dwelling units, with enclosed and surface parking, as depicted on the Site Plan. Standards from the 1991 UPO are applicable to the site, but development in the campus area, particularly on and close to N High Street has changed dramatically. Development is now larger/vertical and structured parking is now common. The 1991 parking formula was designed to discourage larger buildings, higher square footage and more bedrooms per unit, while urban development particularly on arterial corridors, has changed dramatically. Applicant has a practical difficulty with compliance with the itemized code sections.

Applicant requests the following variances:

- 1). Section 3325.705, Supplemental Parking Requirements, to permit pavement of part of the west perimeter yard for a driveway to enclosed and surface parking.
- 2). Section 3325.903(A), Landscaped Area and Treatment, to reduce 5% of lot area (1,532 SF) as landscaped area and located behind the most rear portion of the principal residential building(s) to 1.1 % +/- (340 +/- SF).
- 3). Section 3325.907(A)(B), Parking, to increase lot area devoted to parking and maneuvering from 35% to 70%, while 70% includes enclosed parking, but surface parking/maneuvering is 29% +/- of lot area.
- 4). Section 3325.911(C), Building Separation and Size, to increase the permitted calculated floor area of the building fronting E. 11th Avenue from 10,200 square feet to 26,580 square feet.
- 5). Section 3325.909(A)(B), Building Lines, to reduce the E 11th Avenue building setback from 15 feet to 8 feet to the closest point of enclosure for entrances and with the primary building façade at a 22 foot setback, and to increase the maximum setback from 16.5 feet to 22 feet.
- 6). 3325.915(B), Height, to increase building height to 35 feet.

7). Section 3333.255, Perimeter Yard, to reduce perimeter yard from 17.5 feet to five (5) feet on the east perimeter yard and from 17.5 feet to nine (9) feet along the south property line and to permit pavement in the south and west perimeter yards, as depicted on the Site Plan.

	New Apartments 95-112 E. 11th Ave. Columbus, Ohio 43201		SHEET INFORMATION Project #: 2017-0-550 Issued For: London Date: 1/18/18 Revisions:	99 East 11th Avenue Site Plan
PROJECT				
WWW.DKBRARCHITECTS.COM (614) 548-8004 55 EAST LYNN STREET, THIRD FLOOR COLUMBUS, OHIO 43215				

[illegible]

F 98050386 D

GENERAL WARRANTY DEED
BY A CORPORATION

Instr: 199807070169981 07/07/1998
Pages: 1 Fee: \$14.00 4:20PM
Richard B. Metcalfe T19980095573
Franklin County Recorder EXCORNER B

Conestoga

Conestoga Holding Co., a corporation organized and existing under the laws of the State of Ohio for valuable consideration paid, grants, with general warranty covenants to Windstar Development LTD., II

whose tax mailing address is 48 E. 15th AVE, Cols. OH 43201

the following REAL PROPERTY: Situated in the County of Franklin in the State of Ohio and in the of Columbus:

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

Being Lot Number Eleven (11), Amos and Palmer's Subdivision, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 3, page 50, Recorder's Office, Franklin County, Ohio.

Subject to taxes and assessments which are now or may hereafter become liens on said premises and except conditions, restrictions and easements, if any, contained in former instruments of record for said premises, subject to all of which this conveyance is made.

PARCEL NO: 010-28423

PROPERTY ADDRESS: 97-99 E. 11th Avenue, Columbus, Ohio 432010000

Prior Instrument Reference: Official Record 6097, page H10, of the Deed Records of Franklin County, Ohio.

IN WITNESS WHEREOF, grantor has caused its corporate name to be subscribed hereto by Roger L. Connor, Jr., its president, thereunto duly authorized by resolution of its board of directors, this 2nd day of June, 1998.

Signed and acknowledged in presence of:

Conestoga Holding Co.

Witness

Linda K. Stevens
Lawrence D. Goldbach

Witness

By

Roger L. Connor, Jr., President

STATE OF OHIO

COUNTY OF FRANKLIN

BE IT REMEMBERED, That on this 2nd day of June, 1998, before me, the subscriber, a notary public in and for said state, personally came Roger L. Connor, Jr., president of the Grantor in the foregoing Deed, and acknowledged the signing thereof to be its voluntary act and deed, pursuant to authority of its board of directors.

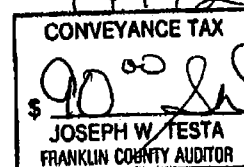
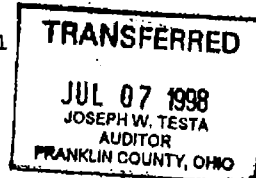
IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal on this day and year aforesaid.



LAWRENCE D. GOLDBACH
Notary Public, State of Ohio
My Commission Expires July 30, 2000

NOTARY PUBLIC

THOMAS W. CONNOR & ASSOCIATES
150 E. MOUND STREET, SUITE 101
COLUMBUS, OHIO 43215



45552
The McGraw-Hill Companies

BZA18-010

99 East 11th Avenue

200906230090729
Pg: 2 \$28.00 T20090034801
06/23/2009 2:57PM BXTITLE CO
Robert G. Montgomery
Franklin County Recorder

GENERAL WARRANTY DEED
(R.C. §5302.05)

WINDSTAR DEVELOPMENT LTD., an Ohio limited liability company, for valuable consideration, grant(s), with general warranty covenants, to GARLAND PROPERTIES, LTD., an Ohio limited liability company, whose tax mailing address is c/o Buckeye Real Estate, P.O. Box 8310, Columbus, Ohio 43201, the following REAL PROPERTIES:

Legal Description: See "Exhibit A"

Subject to all conditions, restrictions, grants, easements, legal highways, rights-of-way and other matters of record, including mortgages and taxes, both general and specific, if any, which may now be or may hereafter become a lien on said premises.

Prior instrument reference: Instrument Number 200001200013527, Franklin County, Ohio Recorder's Records

Parcel Number: 010-036979-00

Also known as 95 East 11th Avenue, Columbus, Ohio.

Grantor has executed this deed this 22 day of June, 2009.

WINDSTAR DEVELOPMENT LTD., an Ohio limited liability company

By: Bernard Skubak Mgr
Bernard Skubak, Manager

STATE OF OHIO;
COUNTY OF FRANKLIN; SS:

BE IT REMEMBERED, that on this 22 day of June, 2009, before me, the subscriber, a Notary Public in and for said state, personally came Bernard Skubak, Manager of the Grantor in the foregoing deed, and acknowledged the signing thereof to be his voluntary act and deed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

Tammy Beese
Notary Public

This instrument was prepared by:
Todd A. Ernsberger, Esq., ONDA, LaBUHN, RANKIN & BOGGS, LLP
266 North Fourth Street, Suite 100
Columbus, Ohio 43215.



TAMMY BEESE
Notary Public, State of Ohio
My Commission Expires 01-24-2012

8545

Conveyance
Mandatory- 150.00
Permissive- 150.00 TS
JOSEPH W. TESTA
FRANKLIN COUNTY AUDITOR

TRANSFERRED
TRANSFERRED
JUN 23 2009
JUN 23 2009
JOSEPH W. TESTA
AUDITOR
FRANKLIN COUNTY, OHIO

EXHIBIT A

Legal Description

Parcel 010-036979-00:

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

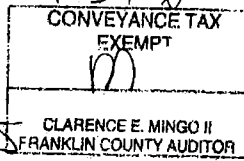
Being Lot Number Ten (10) of Amos and ~~Palmer's~~ ^{PALMER'S} Subdivision of part of Lots Number One (1) and Twenty-seven (27) in H.T. Chittenden's Woodburn Addition, to the City of Columbus, Ohio, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 3, page 50, Recorder's Office, Franklin County, Ohio.



201104050045338

Pgs: 2 \$28.00 T20110022380
04/05/2011 11:30AM MEOPDR LABUH
Daphne Hawk
Franklin County Recorder

903186



TRANSFERRED

APR 05 2011

CLARENCE E. MINGO II
AUDITOR
FRANKLIN COUNTY, OHIO

**GENERAL WARRANTY DEED
(R.C. §5302.05)**

ELEVENTH AVENUE PROPERTIES, LTD., an Ohio limited liability company, for valuable consideration, grant(s), with general warranty covenants, to **53 HOLDING CO., LLC**, an Ohio limited liability company, whose tax mailing address is c/o Buckeye Real Estate, P.O. Box 8310, Columbus, Ohio 43201, the following REAL PROPERTIES:

Subject to all conditions, restrictions, grants, easements, legal highways, rights-of-way and other matters of record, including without limitation any mortgages and taxes, both general and specific, if any, which may now be or may hereafter become a lien on said premises.

Prior instrument reference: Instrument Numbers 199901270021226, 199901270021225, 199901270021228 and 199901270021222 of the records of the Franklin County, Ohio Recorder's Office

Parcel No: 010-000561-00, 010-051562-00, 010-023386-00, and 010-025515-00

Also known as: 107-109 East Eleventh Avenue, Columbus, Ohio, 113 East Eleventh Avenue, Columbus, Ohio, 115-117 East Eleventh Avenue, Columbus, Ohio, and 122 East Eleventh Avenue, Columbus, Ohio

Grantor has executed this deed this 4th day of April, 2011.

ELEVENTH AVENUE PROPERTIES, LTD.

By: Garland Properties, Ltd., an Ohio limited liability company, its Manager

By:

Wayne A. Garland, Jr.
Wayne A. Garland, Jr., Manager

STATE OF OHIO;
COUNTY OF FRANKLIN; SS:

BE IT REMEMBERED, that on this 4th day of April, 2011, before me, the subscriber, a Notary Public in and for said state, personally came Wayne A. Garland, Jr., Manager of Garland Properties, Ltd., an Ohio limited liability company and Manager of the Grantor in the foregoing deed, who acknowledged the signing thereof to be his voluntary act and deed on behalf of Grantor.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

TODD A. ERNSBERGER
Attorney at Law
Notary Public, State of Ohio
My Commission Has No Expiration
Section 147.03

Todd A. Ernsberger
Notary Public

This instrument was prepared by:
Todd A. Ernsberger, Esq., ONDA, LaBUHN, RANKIN & BOGGS CO., LPA, 266 North Fourth Street, Suite 100, Columbus, Ohio 43215

EXHIBIT A

Legal Descriptions

As to 107-109 East Eleventh Avenue:

Address: 107-109 East Eleventh Avenue, Columbus, Ohio
Parcel Number: 010-000561-00

Legal Description:

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

Being Lot Number Thirteen (13) of Amos and Palmer's Subdivision, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 3, page 50, Recorder's Office, Franklin County, Ohio.

As to 113 East Eleventh Avenue:

Address: 113 East Eleventh Avenue, Columbus, Ohio
Parcel Number: 010-051562-00

Legal Description:

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

Being Lot Number Fourteen (14) of Amos and Palmer's Subdivision, of a part of Lots Nos. 1 and 27 of H.T. Chittenden's Woodburn Addition, Columbus, Ohio as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 3, page 50, Recorder's Office, Franklin County, Ohio.

As to 115-117 East Eleventh Avenue:

Address: 115-117 East Eleventh Avenue, Columbus, Ohio
Parcel Number: 010-023386-00

Legal Description:

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

Being Lot Number Fifteen (15) of Amos and Palmer's Subdivision, part of Lots One (1) and Twenty-Seven (27) of H.T. Chittenden's Woodburn Subdivision, Columbus, Ohio, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 3, page 50, Recorder's Office, Franklin County, Ohio.

As to 122 East Eleventh Avenue:

Address: 122 East Eleventh Avenue, Columbus, Ohio
Parcel Number: 010-025515-00

Legal Description:

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

Being Lot Number Forty-Four (44) in Chittenden Place Addition, to said City of Columbus, Ohio, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 7, Pages 148 and 149, Recorder's Office, Franklin County, Ohio.

QUIT-CLAIM DEED

Instr: 200001200013527 01/20/2000
 Pages: 6 Fee: \$30.00 8:53AM
 Richard B. Metcalf T20000000142
 Franklin County Recorder BXTITLE CO

Bernard Skubak and Kathleen J. Skubak, husband and wife, of Franklin County, Ohio for valuable consideration paid, grants, to **Windstar Development Ltd., an Ohio limited liability company**, whose tax mailing address is: 395 Thornbury Lane, Powell, Ohio 43065 the following **Real Property**: Situated in the County of Franklin, in the State of Ohio and in the City of Columbus: See attached Exhibit "A".

Subject to taxes and assessments which are now or may hereafter become liens on said premises and except conditions and restrictions and easements, if any, of record for said premises, subject to all of which this conveyance is made.

Parcel Number: 010-21405 (2000-2002 Summit St.), 010-10259 (175 E. Norwich Ave.), 010-63691 (177 E. Norwich Ave.), 010-36979 (95 E. 11th Ave.), 010-13399 (101-103 E. 11th Ave.), 010-27973 (192-194 E. 11th Ave.), 010-21171 (116 E. 11th Ave.), 010-63981 and 010-63982 (3031-3033 Neil Ave.), 010-117425 (677 Riverview Dr.), 010-117447 (656 Riverview Dr.), 010-009052 (63-69 W. 10th Ave.), 010-117418 (639 Riverview Dr.), 010-117420 (Lot 25-651 Riverview Ave.) and 010-117421 (Lot 26-651 Riverview Ave.), 010-40663 (Lot 58-35 E. 12th Ave.) and 010-3632 (Lot 59-35 E. 12th Ave.), 010-11438 and 010-50896 (1919 Indianola Ave.) and 610-176134 (2111 Summit Row Blvd.)

Address: 2000-2002 Summit St., Columbus, OH 43201, 175 E. Norwich Ave., Columbus, OH 43201, 177 E. Norwich Ave., Columbus, OH 43201, 95 E. 11th Ave., Columbus, OH 43201, 101-103 E. 11th Ave., Columbus, OH 43201, 192-194 E. 11th Ave., Columbus, OH 43201, 116 E. 11th Ave., Columbus, OH 43201, 3031-3033 Neil Ave., Columbus, OH 43202, 677 Riverview Dr., Columbus, OH 43202, 656 Riverview Dr., Columbus, OH 43202, 63-69 W. 10th Ave., Columbus, OH 43201, 639 Riverview Dr., Columbus, OH 43202, 651 Riverview Dr., Columbus, OH 43202, 35 E. 12th Ave., Columbus, OH 43201, 1919 Indianola Ave., Columbus, OH 43201 and 2111 Summit Row Blvd., Powell, OH 43065

Prior Instrument Reference: Vol. 2874, Page H09 and Vol. 2874, Page H10 (2000-2002 Summit St.), Vol. 3270, Page E15 (175 E. Norwich Ave.), Vol. 3270, Page E09 (177 E. Norwich Ave.), Vol. 11339, Page G18 (95 E. 11th Ave.), Vol. 11339, Page G19 (101-103 E. 11th Ave.), Vol. 24799, Page B17 (192-194 E. 11th Ave.), Instrument No. 199712230173346 (116 E. 11th Ave.), Vol. 26558, Page D06 (3031-3033 Neil Ave.), Vol. 24952, Page F11 and Vol. 22799, Page J11 (677 Riverview Dr.), Vol. 26558, Page D11 (656 Riverview Dr.), Vol. 29801, Page B03 (63-69 W. 10th Ave.), Vol. 29402, Page H13 (639 Riverview Dr.), Vol. 29402, Page H12 (651 Riverview Dr.), Vol. 30950, Page E15, Vol. 30950, Page E17 and Vol. 30950, Page E19 (35 E. 12th Ave.), Instrument No. 199712230173348 (1919 Indianola Ave.) and Vol. 32946, Page G20 (2111 Summit Row Blvd.) of the Deed Records of Franklin County, Ohio. Bernard Skubak and Kathleen J. Skubak wife (husband) of the Grantor, releases all rights of dower therein. Witness their hand(s) this 17th day of January, 2000.

Signed and acknowledged
in the presence of:

William P. [Signature]

Witness Will P. [Signature]

Witness Tammy Beese

Bernard Skubak

Bernard Skubak

Kathleen J. Skubak
Kathleen J. Skubak

STATE OF OHIO

COUNTY OF Franklin ss.

BE IT REMEMBERED, That on this 17th day of January, 2000, before me, the subscriber, a notary public in and for said state, personally came, Bernard Skubak and Kathleen J. Skubak, the Grantor(s) in the foregoing deed, and acknowledged the signing thereof to be their voluntary act and deed.

IN TESTIMONY THEREOF, I have hereunto subscribed my name and affixed my official seal of the day and year last aforesaid.

Tammy Beese
Notary Public

900639
CONVEYANCE TAX
EXEMPT

JOSEPH W. TESTA
FRANKLIN COUNTY AUDITOR

TRANSFERRED

JAN 20 2000

JOSEPH W. TESTA
AUDITOR
FRANKLIN COUNTY, OHIO

TAMMY BEESE

Notary Public, State of Ohio
My Commission Expires
Jan. 24, 2002

The Title Company, Ltd.

EXHIBIT "A"

As to 2000-2002 Summit St.:

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

Being Lot Number Two (2) of Block Twelve (12), Indianola Summit Addition to the City of Columbus as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 5, Page 140, Recorder's Office, Franklin County, Ohio.

As to 175 E. Norwich Ave.:

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

First Parcel--Being 22.40 feet off the East side of Lot Number Thirty-four (34), and 12.60 feet off of the West side of Lot Number Thirty-five (35), of Fritter, Baker and Others' Addition to the City of Columbus, Ohio, as said lots are numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 7, page 46, Recorder's Office, Franklin County, Ohio. B22 All of (010)

Second Parcel--Being Five (5) feet immediately adjoining above described premises on the south, being a portion of the alley north of Lane Avenue and vacated by Ordinance No. 36343, passed by the City Council of the City of Columbus, Ohio, May 25, 1925. 10259

As to 177 E. Norwich Ave.:

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

Being twenty-seven and forty hundredths (27.40) feet off of the east side of Lot No. thirty-five (35) and Seven and sixty hundredths (7.60) feet off of the west side of Lot No. thirty-six (36) of Fritter, Baker and Others' Addition to the City of Columbus, Ohio, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 7, page 46, Recorder's Office, Franklin County, Ohio, and also a five (5) foot strip of land lying south of and adjoining the above described premises, being a part of the alley that was vacated by Ordinance No. 36343, passed by the City Council of the City of Columbus, May 25, 1925. B22 All of (010) 63691

As to 95 E. 11th Ave.:

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

Being Lot Number Ten (10) of Amos and Palmer's Subdivision of part of Lots Numbers One (1) and Twenty-seven (27) in H. T. Chittenden's Woodburn Addition, to the City of Columbus, Ohio, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 3, page 50, Recorder's Office, Franklin County, Ohio.

As to 101-103 E. 11th Ave.:

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

Being Lot Number Twelve (12) of AMOS AND PALMER'S SUBDIVISION of a part of Lots 1 and 27 of H. T. Chittenden's Woodburn Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 3, page 50, Recorder's Office, Franklin County, Ohio.

As to 192-194 E. 11th Ave.:

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

Being Lot Number Thirty-One (31) of CHITTENDEN PLACE ADDITION to Columbus, Ohio, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 7, pages 148 and 149, Recorder's Office, Franklin County, Ohio.

Exhibit "A", cont.
Page 2

As to 116 E. 11th Ave.:

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

Being Lot Number Forty-five (45) of CHITTENDEN PLACE ADDITION to the City of Columbus, Ohio, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 7, page 148, Recorder's Office, Franklin County, Ohio.

As to 3031-3033 Neil Ave.:

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

Being Lots Number Seventy One (71) and Seventy Two (72) in Sunset Park Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 13, Page 17, Recorder's Office, Franklin County, Ohio.

As to 677 Riverview Dr.:

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

Being Lot Number Thirty (30) of COLWELLS RIVERVIEW PARCELS ADDITION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 5, Page 238, Recorder's Office, Franklin County, Ohio.

As to 656 Riverview Dr.:

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

Being Lot Number Fifty-two (52) of COLWELL'S RIVERVIEW PARCELS ADDITION, as the same is numbered and delineated on the recorded plat thereof, of record in Plat Book No. 5, page 238, Recorder's Office, Franklin County, Ohio.

As to 63-69 W. 10th Ave.:

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

Being Lot Number Six (6) in Burdell and Linen's Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, Page 124, Recorder's Office, Franklin County, Ohio.

As to 639 Riverview Dr.:

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

Being Lots Numbers Twenty-three (23) and Twenty-four (24), of COLWELL'S RIVERVIEW PARCELS, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 5, page 238, Recorder's Office, Franklin County, Ohio. Said Plat Book 5, page 238, being a plat of Amicable Partition of Heirs of Henry Slyh, and said lots 23 and 24 being a part thereof, as recorded in Riverview Parcel Plat, Auditor's Office, Plat Book 12, page 36, Franklin County, Ohio. Said Colwell's Riverview Parcels being shown on Map Book M, page 182, Franklin County Auditor's Office.

As to 651 Riverview Dr.:

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

Being Lot Number Twenty-Five (25) and Lot Number Twenty-Six (26) of FRANK P. COLWELL'S RIVERVIEW PARCELS, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 5, page 238, Recorder's Office, Franklin County, Ohio.

Exhibit "A", cont.
Page 3

As to 35 E. 12th Ave.:

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

Being all of Lot Number Fifty-Eight (58) and the easterly part of Lot Number Fifty-Nine (59) of the INDIANOLA UNIVERSITY ADDITION, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 7, page 230, in the Recorder's Office, Franklin County, Ohio.

The easterly part of the said Lot 59 being more particularly bounded and described as follows:

Beginning at the northeast corner of Lot 59, which point is also the northwest corner of Lot 58; thence south along the common line between Lots 58 and 59, a distance of 150 feet to a point in the north line of a 20 foot alley, said point being the southwest corner of Lot 58 and the southeast corner of Lot 59; thence west along the north line of said alley and the south line of Lot 59, a distance of 34 feet to a point; thence north parallel with the west line of Lot 59, a distance of 19 feet to a point; thence east parallel with the south line of said Lot 59, a distance of 20 feet to a point; thence north parallel with the west line of Lot 59, a distance of 131 feet to a point in the north line of Lot 59, the south line of 12th Avenue, the said point being 31 feet east along said line from the northwest corner of Lot 59; thence east along the north line of Lot 59 and the south line of 12th Avenue, a distance of 14 feet to the place of beginning.

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3632 +
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As to 1919 Indianola Ave.:

Situated in the State of Ohio, County of Franklin, City of Columbus and being part of that portion designated and delineated as the Alda Cora Rippert parcel of Indianola Forest Addition, being of record in Plat Book 8, page 4A, a tract now or formerly owned by University Court, Inc. as described in Deed Book 2550, page 445, and the westerly portion of a tract now or formerly owned by Natalie Katz as described in Deed Book 2343, page 399, all being of record in the Recorder's Office, Franklin County, Ohio, and more particularly described as follows:

Beginning at an iron pin in the west line of Indianola Avenue (60 feet in width), and a northeasterly corner of said University Court, Inc., tract, and a southeasterly corner of a tract now or formerly owned by Salomon & Judith Rottig, as described in Deed Book 2261, page 457, Franklin County Recorder's Office;

B30
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50896 +
11438

Thence southwestwardly with the westerly line of said Indianola Avenue a curve to the right having a radius of 544.96 feet, and with a chord of which bears S 6 deg. 16' 45" W, a chord distance of 42.81 feet to an iron pin in a southeasterly corner of said University Court, Inc., tract and the northeasterly corner of said Natalie Katz tract;

Thence N. 88 deg. 03' 30" W. with the northerly line of said Katz tract, southerly line of said University Court, Inc., tract, a distance of 147.00 feet to an iron pin;

Thence S. 12 deg. 37' 30" W. a distance of 41.36 feet to a point in a northerly line of a tract now or formerly owned by T.B. & E.J. Reed described as Parcel #2 in Deed Book 2430, page 208, Recorder's Office, Franklin County, Ohio, and a southerly line of said Katz tract;

Thence N. 81 deg. 10' 00" W. with a northerly line of said Parcel #2, and southerly line of said Katz tract, a distance of 15.91 feet to a point;

Thence N. 86 deg. 29' 40" W. with the northerly line of said Parcel #2, southerly line of said Katz tract, a distance of 27.47 feet to an iron pin in a southwesterly corner of said Katz tract, and an easterly line of the Board of Education of the City of Columbus 0.9841 acre tract as described in Deed Book 450, page 598, Recorder's Office, Franklin County, Ohio.

Thence N. 32 deg. 53' 00" W. with the easterly line of said Board of Education of the City of Columbus tract, westerly line of said Katz tract, a distance of 96.97 feet to an iron pin in a northwesterly corner of said University Court, Inc., tract southwesterly corner of said Rottig tract;

Exhibit "A", cont.
Page 4

Thence S. 88 deg. 17' 44" E. with the southerly line of said Rottig tract, northerly line of said University Court, Inc., tract, a distance of 256.54 feet to the place of beginning, containing 0.287 acres of land, more or less, together with all easements appurtenant thereto.

As to 2111 Summit Row Blvd.:

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

Being in Lots Nos. 35 and 36 in Flavel Tuller's Survey of Quarter Township 1, Township 2 North, Range 19 West, United States Military Lands, as shown of record in Plat Book 3, Page 60, Recorder's Office, Franklin County, Ohio, and being a portion of Reserve "A" in Smoky Ridge Estates Section Three, as shown of record in Plat Book 53, Pages 16 and 17, Recorder's Office, Franklin County, Ohio, and being a portion of a 2.192 acre tract of land conveyed out of said Reserve "A" to M. and C. Properties by deed of record in Official Record 4978, Pages E 16, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning, for reference, at a point at the intersection of the centerline of Smoky View Boulevard (60 feet wide) with the centerline of Smoky Row Road (80 feet wide);
thence S 77 deg. 43' 06" W along the centerline of Smoky View Boulevard a distance of 222.00 feet to a point;
thence S 12 deg. 16' 54" E perpendicular to the centerline of Smoky View Boulevard a distance of 30.00 feet to a point in the south line of Smoky View Boulevard, in a north line of said Reserve "A", in a north line of said 2.192 acre tract and at the true place of beginning of the tract herein intended to be described;
thence continuing S 12 deg. 16' 54" E parallel with and 182.00 feet westerly by perpendicular measurement from the west line of Smoky Row Road and from the east line of said Reserve "A", crossing a portion of said 2.192 acre tract, along an east line of said 2.192 acre tract and along the west line of a 1.039 acre tract of land conveyed out of said Reserve "A" to C. and M. Properties by deed of record in Official Record 4978, Page F 01, Recorder's Office, Franklin County, Ohio, a distance of 413.35 feet to a point at a southeast corner of said 2.192 acre tract, at the southwest corner of said 1.039 acre tract and in a north line of Resubdivision of Part of Reserve "A" of Smoky Ridge Estates Section Three, as shown of record in Plat Book 59, Page 12, Recorder's Office, Franklin County, Ohio (passing a point at a corner of said 2.192 acre tract and at the northwest corner of said 1.039 acre tract at 171.28 feet); thence N. 62 deg. 40' 08" W along a south line of said 2.192 acre tract and along a portion of a north line of said Resubdivision of Part of Reserve "A" a distance of 113.45 feet to an 3/4-inch I.D. iron pipe found at a corner of said 2.192 acre tract and at a corner of said Resubdivision of Part of Reserve "A".
thence N. 66 deg. 21' 56" W. along a south line of said 2.192 acre tract and along a north line of said Resubdivision of Part of Reserve "A" a distance of 138.51 feet to a 3/4-inch I.D. iron pipe found at the southwest corner of said 2.192 acre tract and at a corner of said Resubdivision of Part of Reserve "A";

thence N 7deg. 43' 21" W. along a west line of said 2.192 acre tract and along an east line of said Resubdivision of Part of Reserve "A" a distance of 132.46 feet to a 3/4-inch I.D. iron pipe found at a corner of said 2.192 acre tract and at a corner of said Resubdivision of Part of Reserve "A";

thence N. 16 deg. 15' 40" W along a west line of said 2.192 acre tract and along an east line of said Resubdivision of Part of Reserve "A" a distance of 113.39 feet to a 3/4-inch I.D. iron pipe found in a south line of Smoky View Boulevard, in the north line of said Reserve "A", at the northwest corner of said 2.192 acre tract and at a northeast corner of said Resubdivision of Part of Reserve "A";

Exhibit "A", cont.
Page 5

thence N. 69 deg. 40'08" E along a south line of Smoky View Boulevard, along a north line of said Reserve "A" and along a north line of said 2.192 acre tract a distance of 53.62 feet to a 3/4-inch I.D. iron pipe found at a point of curvature;

thence easterly along the curved south line of Smoky View Boulevard, along the curved north line of said Reserve "A", along the curved north line of said 2.192 acre tract and with a curve to the right, data of which is: radius = 720.00 feet and delta = 8 deg. 02' 58", a chord distance of 101.07 feet bearing N 73 deg 41' 37" E to a 3/4-inch I.D. iron pipe found at the point of tangency;

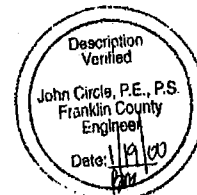
thence N 77 deg. 43' 06" E along a south line of Smoky View Boulevard, along a portion of a north line of said Reserve "A" and along a portion of a north line of said 2.192 acre tract a distance of 43.00 feet to the true place of beginning;

containing 1.478 acres of land more or less and being subject to all easements and restrictions of record and being subject to an ingress, egress and utilities easement adjacent to and 12.00 feet westerly by perpendicular measurement from the entire east line of the above described 1.478 acre tract.

ALSO: an easement for ingress, egress and utilities purposes adjacent to and 12.00 feet easterly by perpendicular measurement from the entire east line of the above described 1.478 acre tract.

The above description was prepared by Richard J. Bull, Ohio Surveyor No. 4723, of C.F. Bird & R.J. Bull, Ltd., Consulting Engineers & Surveyors, Worthington, Ohio, from an actual survey performed in the field of the said 2.192 acre tract in August, 1984. Basis of bearings is the bearings shown on the plat of said Smoky Ridge Estates Section Three (Plat Book 53, Pages 16 & 17).

N102NNN
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176134



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: 010036979, 010028423, 010013399, 010000561, 010051562

Zoning Number: 99

Street Name: E 11TH AVE

Lot Number: N/A

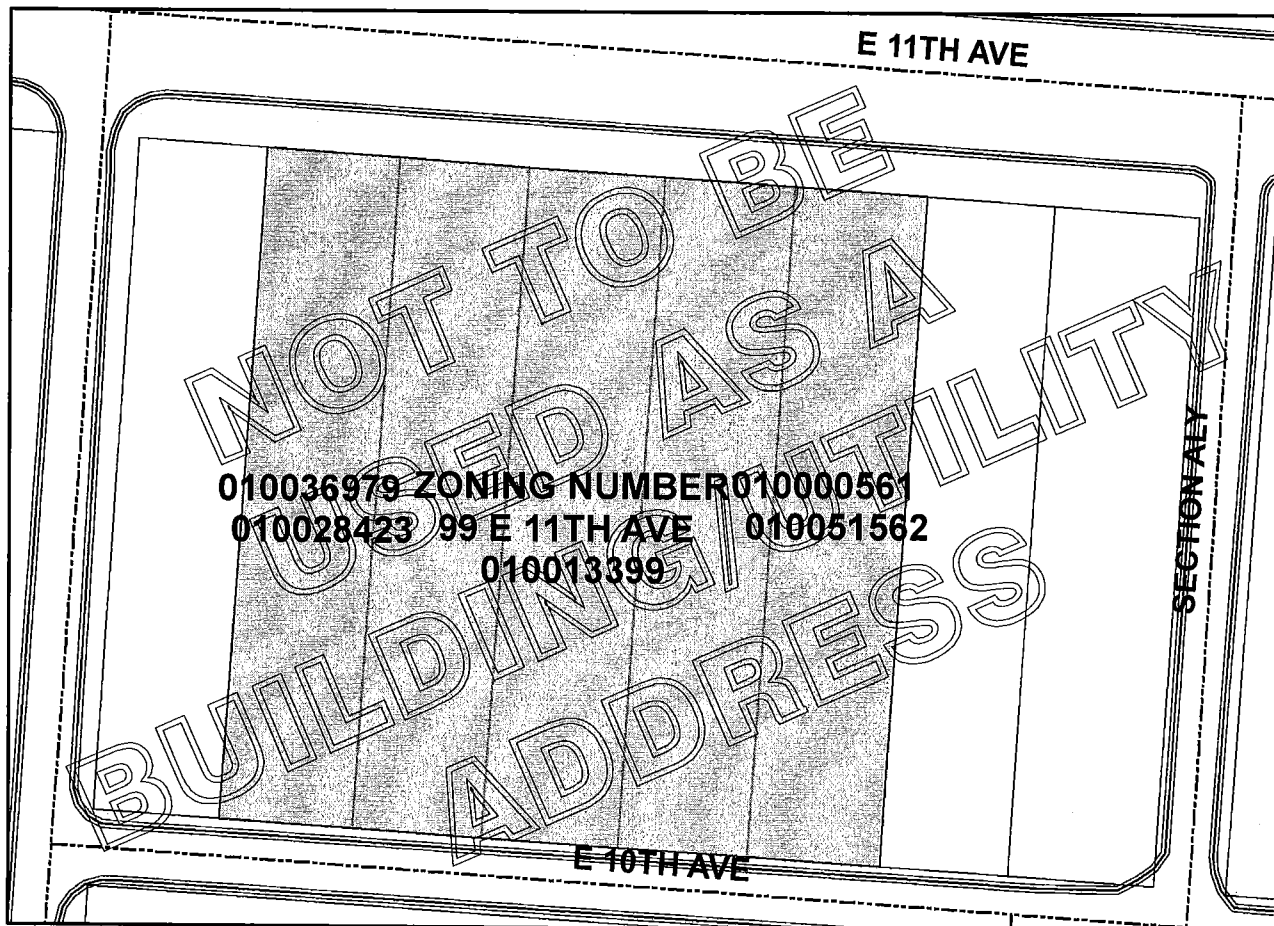
Subdivision: N/A

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

Issued By:

Adyana Amarian

Date: 11/16/2017



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

SCALE: 1 inch = 50 feet

GIS FILE NUMBER: 107656



DEPARTMENT OF BUILDING
AND ZONING SERVICES

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.

(Page 1 of 2)

APPLICATION # BZA18-010

STATE OF OHIO
COUNTY OF FRANKLIN

Donald Plank (Plank Law Firm)

Being first duly cautioned and sworn (NAME) _____

of (COMPLETE ADDRESS) 411 East Town Street, 2nd FL, 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:

NAME	COMPLETE MAILING ADDRESS
Buckeye Real Estate	34 West 9th Avenue
c/o Wayne Garland	Columbus, Ohio 43201
Sliver, Ltd.	34 West 9th Avenue
c/o Wayne Garland	Columbus, Ohio 43201
Windstar Development, Ltd., II	34 West 9th Avenue
c/o Bernie Skubak	Columbus, Ohio 43201

SIGNATURE OF AFFIANT

Donald Plank

Sworn to before me and signed in my presence this 23rd day of January, in the year 2018

SIGNATURE OF NOTARY PUBLIC

Stacey L. Danza

11-5-2018

Notary Seal Here

My Commission Expires



Stacey L. Danza
Notary Public, State of Ohio
My Commission Expires 11-05-2018

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



DEPARTMENT OF BUILDING
AND ZONING SERVICES

Board of Zoning Adjustment Application

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

PROJECT DISCLOSURE STATEMENT

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(Page 2 of 2)

APPLICATION # BZA18-010

STATE OF OHIO
COUNTY OF FRANKLIN

Donald Plank (Plank Law Firm)

Being first duly cautioned and sworn (NAME) Donald Plank (Plank Law Firm)
of (COMPLETE ADDRESS) 411 East Town Street, 2nd FL, Columbus, OH 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:

NAME

COMPLETE MAILING ADDRESS

Windstar Development, Ltd.

34 West 9th Avenue

c/o Bernie Skubak

Columbus, OH 43201

53 Holding Company, LLC

34 West 9th Avenue

c/o Bernie Subak

Columbus, OH 43201

SIGNATURE OF AFFIANT

Donald Plank

Sworn to before me and signed in my presence this 23rd day of January, in the year 2018

SIGNATURE OF NOTARY PUBLIC

Stacey L. Danza

11-5-2018

Notary Seal Here

My Commission Expires



Stacey L. Danza
Notary Public, State of Ohio
My Commission Expires 11-05-2018

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