

**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: CV18-010 Date Received: 2/20/18  
Application Accepted by: TD Fee: \$1,200 (concurrent Z18-009)  
Assigned Planner: Tim Dietrich; 614-645-6665; tedietrich@columbus.gov

**LOCATION AND ZONING REQUEST:**

Certified Address or Zoning Number: 819 Cleveland Avenue, Columbus, OH Zip: 43201

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: 010-000752, 010-014477, 010-014476, 010-009716, 010-030456, 010-014537

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

L-AR-2, Limited Apartment Residential (Z18-\_\_\_\_\_)

Current Zoning District(s): \_\_\_\_\_

Area Commission or Civic Association: Milo-Grogan Area Commission

Proposed Use or reason for Council Variance request:  
See Exhibit 'B', Statement of Hardship

Acreage: 5.364 +/- Ac.

**APPLICANT:**

Name: Avenue Partners c/o Dave Perry Phone Number: 614-228-1727 Ext.: -----

Address: David Perry Company, Inc.  
411 East Town Street, 1st Floor City/State: Columbus, Ohio Zip: 43215

Email Address: dave@daveperryco.net Fax Number: -----

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

Name: EJB Inc., c/o R.C. Robinson Phone Number: 614-294-5217 Ext.: -----

Address: 805 Cleveland Avenue City/State: Columbus, OH Zip: 43201-3611

Email Address: rcrobinson@hilltoptransportation.net Fax Number: -----

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

Name: Donald Plank (Plank Law Firm) Phone Number: 614-947-8600 Ext.: -----

Address: 411 East Town Street, 2nd FL City/State: Columbus, OH Zip: 43215

Email Address: dplank@planklaw.com Fax Number: -----

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

APPLICANT SIGNATURE Avenue Partners by David B. Perry, Agent

PROPERTY OWNER SIGNATURE EJB, Inc by David B. Perry, Agent, by permission

ATTORNEY / AGENT SIGNATURE Donald Plank

*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



## Exhibit B

### Statement of Hardship

CV18-010 , 819 Cleveland Avenue, Columbus, OH 43201

The subject property is 5.364 +/- acres located on the west side of Cleveland Avenue and the south side of Reynolds Avenue. It is presently zoned M, Manufacturing. Applicant has submitted an application to rezone (Z18-009) the site to the L-AR-2, Limited Apartment Residential District to build a 192 dwelling unit apartment complex. This Council Variance application is submitted for certain standards variances as a companion ordinance to the rezoning. The Site Plan titled "805 Cleveland Apartments", hereafter "Site Plan", dated \_\_\_\_\_ is submitted with this application.

Applicant has a physical and practical difficulty warranting variances from these site standards. The site is an urban development to which a suburban yard design standard, Perimeter Yard, is applied vs. typically closer urban setbacks. Parking is provided at one (1) space per bedroom. Approximately 81% of the dwelling units will be one (1) bedroom units. There is no zoning district to which the site could be rezoned without the need for standards variances for the proposed development. The proposed standards variances are reasonable for the site, are not substantial, and do not alter the essential character of the neighborhood nor impact the delivery of government services.

Applicant requests the following variances:

- 1). Section 3333.18(A), Building Lines, to reduce the Cleveland Avenue building setback line from 60 feet (Thoroughfare Plan) to 13 – 30 feet and to reduce the Reynolds Avenue building setback from a 20' calculated building setback to ten (10) feet.
- 2). Section 3312.49, Minimum Numbers of Parking Spaces Required, to reduce required parking from 1.5 spaces/dwelling unit (288 spaces) to 1.18 spaces/dwelling unit (227 spaces).
- 3). Section 3333.255, Perimeter yard, to reduce perimeter yard from 25' to 0 – 7 feet to permit pavement for parking and aisles in the perimeter yard.

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02-20-18

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

**AFFIDAVIT** (See instruction sheet)

Application Number: CV18-010

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Dave Perry (David Perry Company, Inc.)  
of (1) MAILING ADDRESS 411 East Town Street, 1st Floor, 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 CERTIFIED ADDRESS FOR ZONING PURPOSES 819 Cleveland 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) 2/20/18  
(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME (4) EJB Inc. c/o R.C. Robinson  
AND MAILING ADDRESS 805 Cleveland Avenue  
Columbus, Ohio 43201-3611

APPLICANT'S NAME AND PHONE # Avenue Partners  
(same as listed on front application) c/o Dave Perry (614) 228-1727

AREA COMMISSION OR CIVIC GROUP (5) Milo-Grogan Area Commission  
AREA COMMISSION ZONING CHAIR c/o Charles Tompkins  
OR CONTACT PERSON AND ADDRESS 730 East 3rd Avenue, Columbus, OH 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)

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 20th day of February, in the year 2018

(8) SIGNATURE OF NOTARY PUBLIC [Signature] My Commission Expires 11-5-2018



Stacey L. Danza  
Notary Public, State of Ohio  
This Affidavit expires six (6) months after the date of notarization.  
My Commission Expires 11-05-2018

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**APPLICANT**

Avenue Partners  
c/o David Perry  
David Perry Company, Inc.  
411 East Town Street, 1st Floor  
Columbus, Ohio 43215

**PROPERTY OWNER**

EJB, Inc.  
c/o R.C. Robinson  
805 Cleveland Avenue  
Columbus, Ohio 43201-3611

**ATTORNEY FOR APPLICANT**

Donald Plank  
Plank Law Firm  
411 East Town Street, 2<sup>nd</sup> Floor  
Columbus, Ohio 43215

**COMMUNITY GROUP:**

Milo-Grogan Area Commission  
c/o Charles Tompkins  
730 East 3<sup>rd</sup> Avenue  
Columbus, Ohio 43201

**PROPERTY OWNERS WITHIN 125 FEET**

Myflori LLC (*or current occupant*)  
1264 S High Street  
Columbus, OH 43206

243 Limited Partnership (*or current occupant*)  
4849 Evanswood Drive  
Columbus, OH 43229-6206

Pennsylvania Lines, LLC (*or current occupant*)  
Norfolk Southern Railway Tax Dept  
3 Commercial Place – Box 209  
Norfolk, VA 23510-2108

Angela Sloan (*or current occupant*)  
508 Reynolds Avenue  
Columbus, Ohio 43201

Slim Builds, LLC (*or current occupant*)  
471 W 4<sup>th</sup> Avenue  
Columbus, Ohio 43201-3176

Mary S Fraley (*or current occupant*)  
c/o Hulanda Stacy  
1781 Mooberry Street  
Columbus, OH 43205-3092

Helix Humphrey (*or current occupant*)  
530 Reynolds Avenue  
Columbus, Ohio 43201-3617

One 1301 Holdings, LLC (*or current occupant*)  
640 Bear Run Lane  
Lewis Center, OH 43035-8299

City of Columbus Ohio (*or current occupant*)  
Land Bank  
50 W Gay Street, 4<sup>th</sup> Floor  
Columbus, OH 43215-9070

Carl Woodford (*or current occupant*)  
c/o Stacy Woodford Sr.  
1270 Brookwood Place  
Columbus, OH 43209-2892

James L Adams, Jr. (*or current occupant*)  
2928 Ivanhoe Drive  
Columbus, OH 43209-3225

Philip C Ingle (*or current occupant*)  
1102 Michigan Avenue  
Columbus, OH 43201-3333

Becky Simmons (*or current occupant*)  
464 Reynolds Avenue  
Columbus, Ohio 43201-3615

Andrew Losinske (*or current occupant*)  
470 Reynolds Avenue  
Columbus, Ohio 43201-3615

KBW Investment Properties V, LLC (or  
current occupant)  
POBox 2962  
Westerville, Ohio 43086-2962

Richard Albert, TR (or current  
occupant)  
63610 US Highway 31 South  
South Bend, IN 46614-9517

Bruce L Youngblood  
William A Bruce (or current occupant)  
1946 Concord Road  
Columbus, Ohio 43212-1946

**ALSO NOTIFY**

Avenue Partners  
c/o Paul Pardi  
100 W Third Avenue, 240R  
Columbus, Ohio 43201

Avenue Partners  
c/o Jason Snyder  
100 W Third Avenue, 240R  
Columbus, Ohio 43201

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**Department of Building & Zoning Services**

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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 Number: CV18-010

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald Plank (Plank Law Firm)  
of (COMPLETE ADDRESS) 411 East Town Street, 2nd Floor, 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 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. Avenue Partners 100 West Third Avenue, 240R Columbus, Ohio 43201 # of Columbus Based Employees: 2 Contact: Paul Pardi (614) 721-1101</p>	<p>2. EJB, Inc. 805 Cleveland Avenue Columbus, Ohio 43201-3611 # of Columbus Based Employees: 1 Contact: R. C. Robinson (614) 294-5217</p>
<p>3. _____</p>	<p>4. _____</p>

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

SIGNATURE OF AFFIANT Donald Plank

Sworn to before me and signed in my presence this 20th day of February, in the year 2018

Stacey L. Danza  
SIGNATURE OF NOTARY PUBLIC

11-5-2018  
My Commission Expires

Notary Seal Here



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

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# 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: 010000752 + 5 other parcels

Zoning Number: 819

Street Name: CLEVELAND AVE

Lot Number: N/A

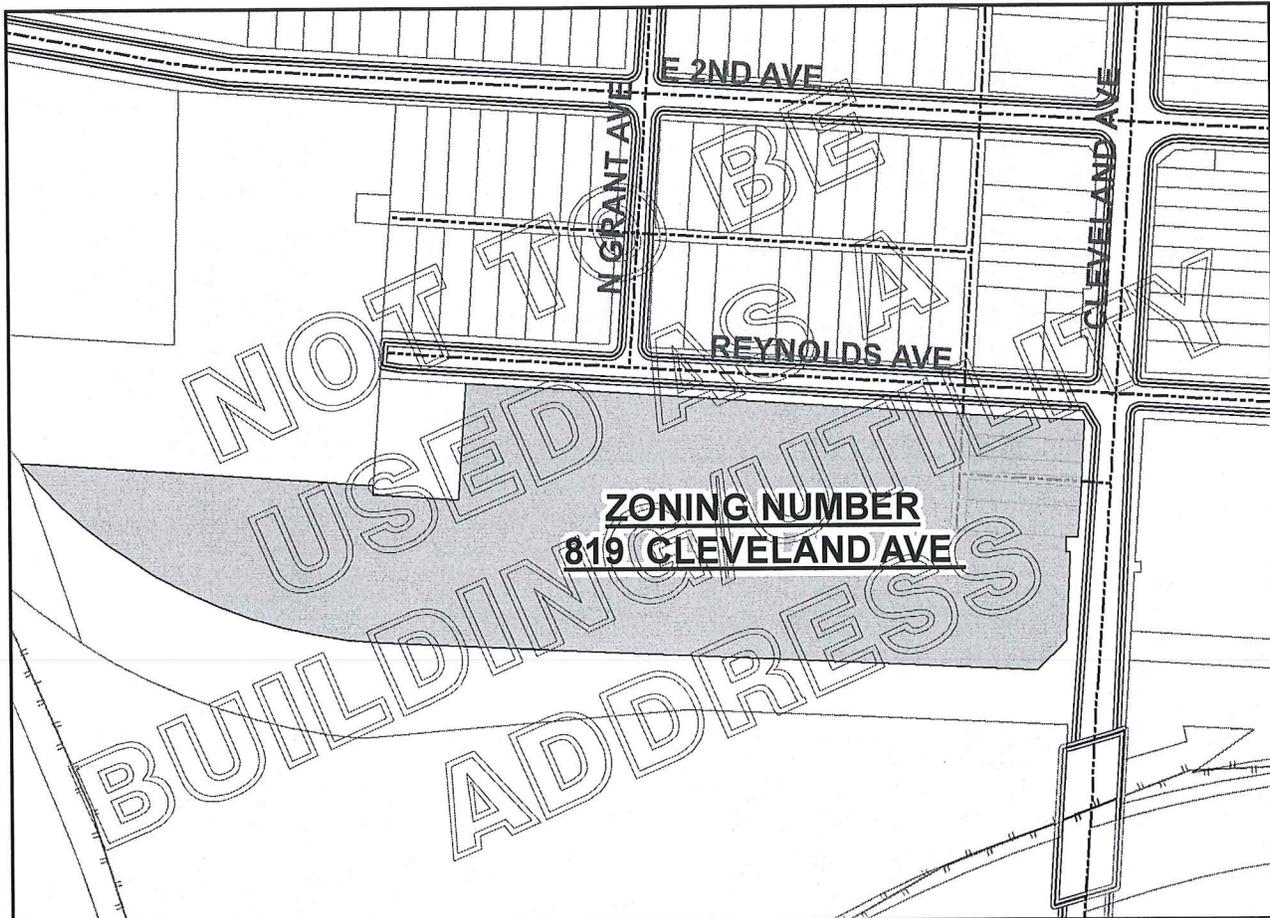
Subdivision: N/A

Requested By: DAVE PERRY COMPANY. INC (DAVE PERRY)

Issued By:

*Adyana Amarican*

Date: 2/2/2018



SCALE: 1 inch = 200 feet

GIS FILE NUMBER: 113096



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

CV18-010

## ZONING DESCRIPTION

5.2 +/- ACRES

Situated in the State of Ohio, Franklin County, City of Columbus, Section 4, Township 5, Range 22 Refugee Lands, being portions of a acreage and all of Lots 1-2, and 31-44 of Terrace View Addition as shown on Plat Book 4 page 250, as conveyed to EJB Inc. in Official Record 13837 page E10, Deed Book 3280 page P 18, Deed Book 3439 page 352, Instrument No. 201006240079199, Deed Book 3439 page 352, Deed Book 3159 page 580, Deed Book 3162 page 611, Deed Book 3152 page 526, Deed Book 3160 page 699, Deed Book 3155 page 146, Deed Book 3242 page 143, Deed Book 3300 page 588, Deed Book 3397 page 116, Deed Book 3380 page 188, Deed Book 3320 page 362, Deed Book 3463 page 460, and Deed Book 3397 page 114, and a portion of Grant Avenue and alleys as vacated by the City of Columbus in Ordinance 209-82 and Ordinance 472-79, and being more particularly described as follows:

Beginning in the west line of Cleveland Avenue (60') at the northeast corner of said Lot 2 and the southeast corner of a portion of Lot 3 conveyed to the City of Columbus by Official Record 1504 page 114;

Thence, with the west line of said Cleveland Avenue, South 03° 26' 40" West, 45.7 feet to the southeast corner said Lot 1 and the northeast corner of a 0.0018 acre tract conveyed to City of Columbus by Official Record 33564, Page I07;

Thence, with the north line of said 0.0018 acre tract, North 86° 41' 11" West, 5.0 feet to the northeast corner of said 0.0018 acre tract;

Thence, with the west line of said 0.0018 acre tract and the west line of a 0.130 acre tract conveyed to State of Ohio by Official Record 16816 page B20, South 03° 27' 11" West, 123.9 feet;

Thence, continuing with said 0.130 acre tract, South 45° 05' 24" West a distance of 45.1 feet to the northeast corner of a 1.882 acre tract conveyed to State of Ohio by Instrument No. 199707170049041;

Thence, with the north line of said 1.882 acre tract North 87° 44' 51" West, 696.6 feet;

Thence continuing with the north line of said 1.882 acre tract with a curve to the right having a radius of 528.39 feet, an internal angle of 46° 56' 27", an arc length of 432.9 feet and the cord which bears North 63° 41' 53" West, 420.89 feet to the southwest corner of a 2.694 acre tract (Tract 2) conveyed to MYFLORI by Instrument Nos. 201301030001502, 201301030001503, 201301030001504, 201301030001505, 201301030001506, 201301030001507;

Thence, with the south line of said 2.694 acre tract, South 86° 24' 24" East, 373.0 feet to the centerline of and at the Western terminus of said vacated alley;

Thence, with the centerline of said vacated alley, South 86° 41' 11" East, 91.3 feet;

CV18-010

Thence, with the east line of said Lot 45 and its extension, North  $03^{\circ} 27' 11''$  East, 120.6 feet to the northwest corner of said Lot 45, the northeast corner of said Lot 44, and being in the south line of Reynolds Avenue (50');

Thence, with the south line of said Reynolds Avenue, South  $86^{\circ} 48' 38''$  East, 520.0 feet to a railroad spike set at the northeast corner of said Lot 30 and the northwest corner of a 15 foot alley;

Thence, with the east line of said Lot 30, South  $03^{\circ} 27' 11''$  West, 90.9 feet;

Thence, with the north line of said vacated alley, South  $86^{\circ} 41' 11''$  East, 15.0 feet;

Thence, with the east line of said 15 foot alley, North  $03^{\circ} 27' 11''$  East, 22.5 feet to the southwest corner of said Lot 3;

Thence, with the south line of said Lot 3 and the north line of said lot 2, South  $86^{\circ} 48' 38''$  East, 120.0 feet to the **POINT OF BEGINNING**, containing 5.2 acres more or less, and encompassing all of Parcel Nos. 010-000752, 010-014537, and 010-030456.

This description is based on Franklin County records and is intended for zoning purposes only and is not to be used for transfer of property.

## ZONING DESCRIPTION

0.2 +/- ACRES

Situated in the State of Ohio, Franklin County, City of Columbus, Section 4, Township 5, Range 22 Refugee Lands, being part of Lot 3 of Terrace View Addition as shown on Plat Book 4 page 250 conveyed to EJB, Incorporated by Deed Book 3186 page 569 and all of Lots 4 and 5 of said subdivision conveyed to EJB, Incorporated by Official Record 1331 page D17, and being more particularly described as follows:

Beginning at the intersection of the west line of Cleveland Avenue (60') and the south line of Reynolds Avenue (50'), being at the northeast corner of Lot 5 of said Terrace View Addition;

Thence, with the west line of said Cleveland Avenue, South 03° 27' 11" West, 60.4 feet to the northeast corner of an 8 feet strip of the south side of Lot 3 of said Terrace View Addition conveyed to the City of Columbus by Official Record 1504 page I14;

Thence, along the north line of said 8 feet strip through Lot 3, North 86° 48' 38" West a distance of 120.0 feet to the east line of a 15 foot alley;

Thence, with the east line of said 15 foot alley, North 03° 27' 11" East, 60.4 feet to the northwest corner of said Lot 5, and being in the south line of said Reynolds Avenue;

Thence, with the south line of said Reynolds Ave. and the north line of said Lot 5, South 86° 48' 38" East, 120.0 feet to the **POINT OF BEGINNING**, containing 0.2 acres more or less, and encompassing all of Parcel Nos. 010-009716, 010-014476, and 010-014477.

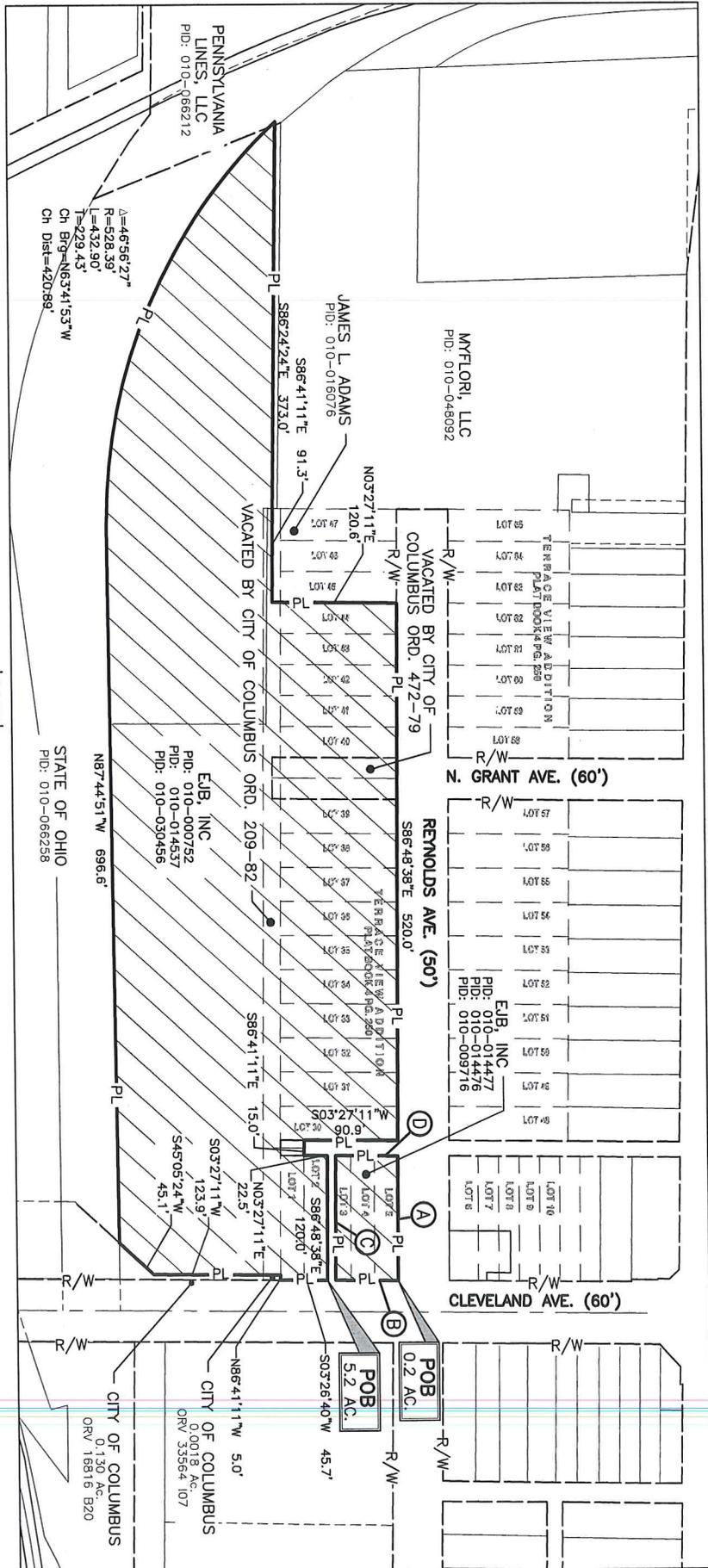
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CV18-010

# ZONING PLAT CITY OF COLUMBUS

## 5.2+ Acre Tract & 0.2 Acre Tract

Situated in State of Ohio, County of Franklin, City of Columbus, Section 4, Township 5, Range 22, Refugee Lands



**E. P. FERRIS**  
AND  
ASSOCIATES  
INC.

Consulting Civil Engineers and Surveyors

880 KING AVENUE  
COLUMBUS, OHIO 43212  
(614) 299-2999  
(614) 299-2992 (Fax)  
WWW.EPFERRIS.COM

- Legend**
- PL Property Line
  - R/W Right-of-Way
  - POB Point of Beginning
  - Zoning Area



- (A) S 86 48' 38" E 120.0'
- (B) S 03 27' 11" W 60.4'
- (C) N 86 48' 38" W 120.0'
- (D) N 03 27' 11" E 60.4'

Cv18-010

E.P. FERRIS & ASSOCIATES INC.

REVISIONS	DATE BY	CHK

**E. P. FERRIS**  
ASSOCIATES  
INC.

CONSULTING CIVIL ENGINEERS AND ARCHITECTS

CONTRACT:

880 KING AVENUE  
COLUMBUS, OHIO 43212  
(614) 288-5555 (Fax)  
WWW.EPFERRIS.COM

**805 CLEVELAND APARTMENTS**

COLUMBUS, OHIO

NO.	DATE	BY	CHK
1	02/20/18	MEF	CHM
2			
3			

**ZONING SITE PLAN**

SHEET NO.	TOTAL SHEETS
1	1

**SITE & BUILDING INFORMATION**

ZONING ADDRESS: 818 CLEVELAND AVE.

PID: 010-000702 010-014432, 010-004046,  
010-009776 010-014276, 010-014477

SITE AREA: 5,364 Ac. (Site), 0.063 Ac. (Major R/W, Parking, Ventrilation)

CURRENT ZONING: M. (OHIO) 2/27/1928

HEIGHT DISTRICT: H-80

BUILDING HEIGHT: 40'-0" MAX

PROPOSED USE: APARTMENTS, 192 UNITS

DENSITY: 36 UNITS/ACRE

**PARKING**

USE: APARTMENT (192 UNITS)

TOTAL REQUIRED SPACES: 192 Spaces

TOTAL PROVIDED SPACES: 221 Spaces (118 Space/DU)

ACCESSIBLE SPACES REQUIRED: 7 ADA Spaces

ACCESSIBLE SPACES PROVIDED: 12 ADA Spaces

BICYCLE REQUIRED SPACES: 12 Spaces

BICYCLE PROVIDED SPACES: 12 Spaces

PROPOSED SETBACKS:

NORTH BUILDING SETBACK: 10'-0"

EAST BUILDING SETBACK: 18'-0"

RETRUSE: PRIVATE HAULER

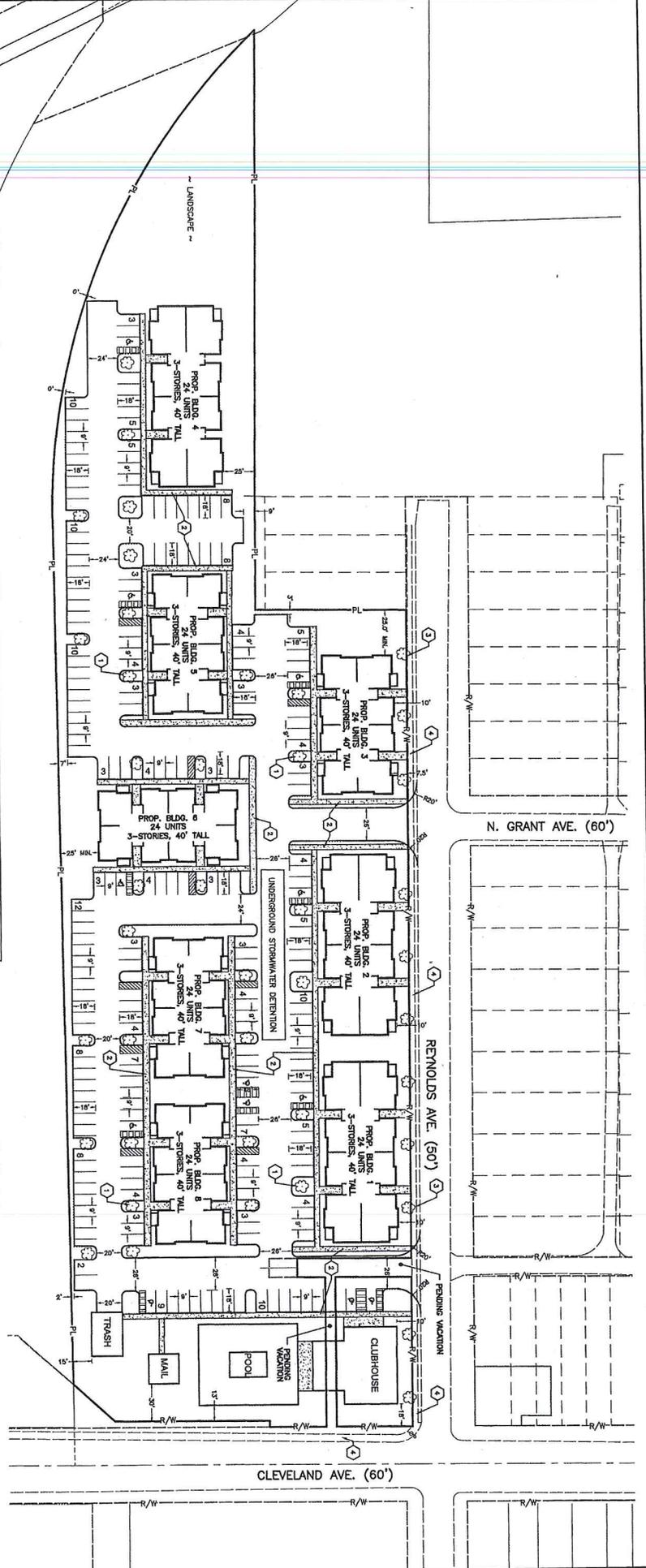
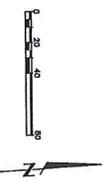
INTERIOR PARKING LOT TREES: (1:10 PARKING SPACE) 23 TREES PROVIDED  
20 TREES REQUIRED

SITE TREES: (1:10 DWELLING UNIT) 20 TREES PROVIDED  
20 TREES REQUIRED

FLOOD ZONE: X<sup>1</sup>

PANEL NO.: 304940028 K (06/17/2008)

- CODED NOTES**
- ① PROP. SITE TREE (TP?)
  - ② PROP. CONC. WALK
  - ③ PROP. STREET TREE (TP?)
  - ④ EXISTING CONC. WALK



CV18-010



Future Land Use



Map prepared by Planning Department, July 2006.

CV18-010  
 819 Cleveland Avenue  
 Approximately 5.36 acres



CV18-010  
819 Cleveland Avenue  
Approximately 5.36 acres