



#09310-00000-07348

Office Use Only

Comments: _____ Application Number: _____ Commission/Group: _____
 Date Received: 14 DEC 2009 Planning Area: _____
 Date of Hearing: FEB 2010 Acreage: _____
 Zoning Fee: 315 Address Fee _____
 Existing Zoning _____ Accepted by VF

BOARD OF ZONING ADJUSTMENT APPLICATION

TYPE(S) OF ACTION REQUESTED

(Check all that apply)

- Variance
- Special Permit

Indicate what the proposal is and list applicable code sections. State what it is you are requesting.

Describe: Variance to Section 3311.10, Effect of registered Planned Unit Development District. Reduction of building setback line to legitimize existing setback conditions resulting from siting error.

LOCATION

1. Certified Address Number and Street Name 1079 Bluffway Drive
 City Columbus State Ohio Zip 43235
 Parcel Number (only one required.)

6	1	0	-	2	7	9	9	6	0
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APPLICANT (IF DIFFERENT FROM OWNER)

2. Name Heather L. King
 3. Address 5500 New Albany Road City Columbus Zip 43054
 4. Phone# 614-775-4120 Fax # 614-775-4899
 5. Email Address hking@emht.com

PROPERTY OWNER(S)

6. Name Melanie J. Fagert
 7. Address 1079 Bluffway Drive City Columbus Zip 43235
 8. Phone# 330-518-5206 Fax # _____
 9. Email Address _____
 Check here if listing additional property owners on a separate page

PAID
315.00
DEC 14 PAID
431899
BUILDING SERVICES

ATTORNEY / AGENT (CIRCLE ONE)

10. Name Heather L. King
 11. Address 5500 New Albany Road City Columbus Zip 43054
 12. Phone# 614-775-4120 Fax # 614-775-4899
 13. Email Address hking@emht.com

SIGNATURES

14. Applicant Signature Heather L. King
 15. Property Owner Signature Melanie J. Fagert
 16. Attorney/Agent Signature Heather L. King

Date

Application #

City of Columbus | Department of Development | Building Services Division | 757 Cardyn Avenue Columbus, Ohio 43224



AFFIDAVIT

(See next page for instructions.)

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Heather L. King

of (1) MAILING ADDRESS 5500 New Albany Road, Columbus, OH 43054

deposed 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 1079 Bluffway Drive

for which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Development, Building Services Division on (3) _____

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNER'S NAME AND MAILING ADDRESS

(4) Melanie J. Fagert

1079 Bluffway Drive

Columbus, OH 43235

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

Heather L. King

614-775-4120

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

(5) Far Northwest Coalition c/o Jon Best

7527 Foxfield Court

Columbus, OH 43235

and that the following 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:

(6) PROPERTY OWNER(S) NAME (6A) ADDRESS OF PROPERTY (6B) PROPERTY OWNER(S) MAILING ADDRESS

Please see attached listing

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

SIGNATURE OF AFFIANT

(8) Heather L. King

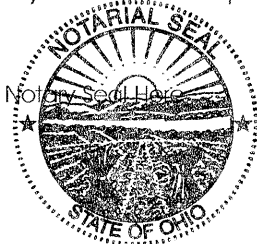
Subscribed to me in my presence and before me this 14 day of December, in the year 2009

SIGNATURE OF NOTARY PUBLIC

(8) Bernice J. Daniels

My Commission Expires:

09-27-2014



BERNICE J. DANIELS
Notary Public, State of Ohio
My Commission Expires 09-27-2014

(6) PROPERTY OWNER(S) (6A) ADDRESS OF PROPERTY (6B) PROPERTY OWNER(S) MAILING ADDRESS

Lakes of Worthington HOA	Reserve "F" (undeveloped)	9054 Cotter Street, Lewis Center, OH 43035
M/I Homes of Central Ohio LLC	1101 Bluffway Drive	3 Easton Oval, Ste 540, Columbus, OH 43219-6031
Tamisha A. Beedy and Gregory O. Beedy	1089 Bluffway Drive	1089 Bluffway Drive, Columbus, OH 43235
Thomas D. Ault and Barrett E. Ault	1087 Bluffway Drive	1087 Bluffway Drive, Columbus, OH 43235
M/I Homes of Central Ohio LLC	1085 Bluffway Drive	3 Easton Oval, Ste 540, Columbus, OH 43219-6031
M/I Homes of Central Ohio LLC	1083 Bluffway Drive	3 Easton Oval, Ste 540, Columbus, OH 43219-6031
Robin S. Kelly	1081 Bluffway Drive	1081 Bluffway Drive, Columbus, OH 43235
Laurel L. Odronic and Kristin J. Harlow	1067 Bluffway Drive	1067 Bluffway Drive, Columbus, OH 43235
Ronald W. Utterback Jr.	1065 Bluffway Drive	1065 Bluffway Drive, Columbus, OH 43235
Ellen P. Young	1063 Bluffway Drive	1063 Bluffway Drive, Columbus, OH 43235
Melinda L. Jambor and Douglas E. Jambor	1061 Bluffway Drive	1061 Bluffway Drive, Columbus, OH 43235
Karan Nair and Vijay Nair	1059 Bluffway Drive	1059 Bluffway Drive, Columbus, OH 43235
Wai Yee Reiko Chan	1057 Bluffway Drive	1057 Bluffway Drive, Columbus, OH 43235
Neeraj Singh	1034 Santana Street	1034 Santana Street, Columbus, OH 43235
Chris K. Law and Jamie Jing Min Wong	1035 Santana Street	1035 Santana Street, Columbus, OH 43235
Kristin N. Hartman and Christopher R. Addison	1033 Santana Street	1033 Santana Street, Columbus, OH 43235
Gustavo A. Alarcon and Emily H. Chlebus	1031 Santana Street	1031 Santana Street, Columbus, OH 43235
James N. Steinhauer and Ashley B. Steinhauer	1029 Santana Street	1029 Santana Street, Columbus, OH 43235
Brett D. Manitta	7518 Samick Street	7518 Samick Street, Columbus, OH 43235
Lakes of Worthington HOA	Reserve "I", Private Streets	9054 Cotter Street, Lewis Center, OH 43035

HEATHER L KING
5500 NEW ALBANY ROAD
COLUMBUS OH 43054

MELANIE J FAGERT
1079 BLUFFWAY DRIVE
COLUMBUS OH 43235

FAR NORTHWEST COALITION
C/O JOHN BEST
7527 FOXFIELD COURT
COLUMBUS OH 43235

LAKES OF WORTHINGTON HOA
9054 COTTER STREET
LEWIS CENTER OH 43035

M/I HOMES OF CENTRAL OHIO LLC
3 EASTON OVAL, STE 540
COLUMBUS OH 43219-6031

TAMISHA A BEEDY
GREGORY O BEEDY
1089 BLUFFWAY DRIVE
COLUMBUS OH 43235

THOMAS D AULT
BARRETT E AULT
1087 BLUFFWAY DRIVE
COLUMBUS OH 43235

ROBIN S KELLY
1081 BLUFFWAY DRIVE
COLUMBUS OH 43235

LAUREL L ODRONIC
KRISTIN J HARLOW
1067 BLUFFWAY DRIVE
COLUMBUS OH 43235

RONALD W UTTERBACK JR
1065 BLUFFWAY DRIVE
COLUMBUS OH 43235

ELLEN P YOUNG
1063 BLUFFWAY DRIVE
COLUMBUS OH 43235

MELINDA L JAMBOR
DOUGLAS E JAMBOR
1061 BLUFFWAY DRIVE
COLUMBUS OH 43235

KARAN NAIR
VIJAY NAIR
1059 BLUFFWAY DRIVE
COLUMBUS OH 43235

WAI YEE REIKO CHAN
1057 BLUFFWAY DRIVE
COLUMBUS OH 43235

NEERAJ SINGH
1034 SANTANA STREET
COLUMBUS OH 43235

CHRIS K LAW
JAMIE JING MIN WONG
1035 SANTANA STREET
COLUMBUS OH 43235

KRISTIN N HARTMAN
CHRISTOPHER R ADDISON
1033 SANTANA STREET
COLUMBUS OH 43235

GUSTAVO A ALARCON
EMILY H CHLEBUS
1031 SANTANA STREET
COLUMBUS OH 43235

JAMES N STEINHAUER
ASHLEY B STEINHAUER
1029 SANTANA STREET
COLUMBUS OH 43235

BRETT D MANITTA
7518 SAMICK STREET
COLUMBUS OH 43235



Signature of Applicant _____ Date _____

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.

STATE OF OHIO _____ APPLICATION # _____
COUNTY OF FRANKLIN _____

Being first duly cautioned and sworn (NAME) Heather L. King
of (COMPLETE ADDRESS) 5500 New Albany Road, Columbus, OH 43054

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
Melanie J. Fagert 1079 Bluffway Drive, Columbus, OH 43235

SIGNATURE OF AFFIANT Heather L. King

Subscribed to me in my presence and before me this 14th day of December, in the year 2009

SIGNATURE OF NOTARY PUBLIC Bernice J. Daniels

My Commission Expires: 09-27-2014



BERNICE J. DANIELS
Notary Public, State of Ohio
My Commission Expires 09-27-2014



STATEMENT OF HARDSHIP

APPLICATION # _____

3307.09 Variances by Board.

- A. The Board of Zoning Adjustment shall have the power, upon application, to grant variances from the provisions and requirements of this Zoning Code (except for those under the jurisdiction of the Graphics Commission and except for use variances under the jurisdiction of the Council). No variance shall be granted unless the Board finds that all of the following facts and conditions exist:
 - 1. That special circumstances or conditions apply to the subject property that do not apply generally to other properties in the same zoning district.
 - 2. That the special circumstances or conditions are not the result of the actions of the property owner or applicant.
 - 3. That the special circumstances or conditions make it necessary that a variance be granted to preserve a substantial property right of the applicant which is possessed by owners of other property in the same zoning district.
 - 4. That the grant of a variance will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of this Zoning Code.
- B. In granting a variance, the Board may impose such requirements and conditions regarding the location, character, and other features of the proposed uses or structures as the Board deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.
- C. Nothing in this section shall be construed as authorizing the Board to affect changes in the Zoning Map or to add to the uses permitted in any district.

I have read Section 3307.09, Variances by Board, and believe my application for relief from the requirements of the Zoning Code satisfies the four criteria for a variance in the following ways:

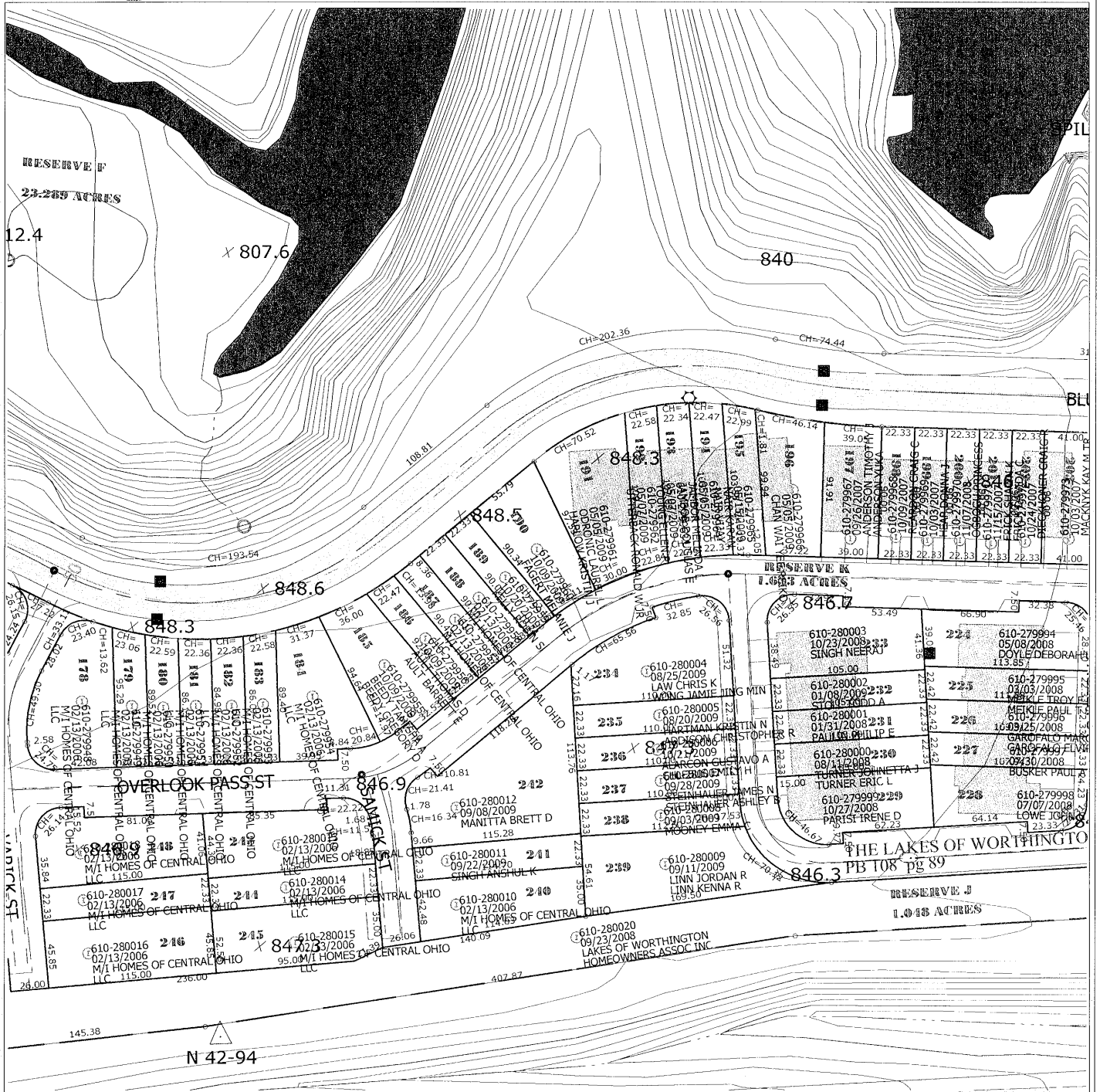
The dwelling was incorrectly sited and could not be rebuilt if damaged or destroyed due to the
existing 12' building setback. Granting this variance should not effect any neighboring properties nor
cause any adverse effect to the delivery of governmental or emergency services.



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: s

DATE: 11/10/09



Disclaimer

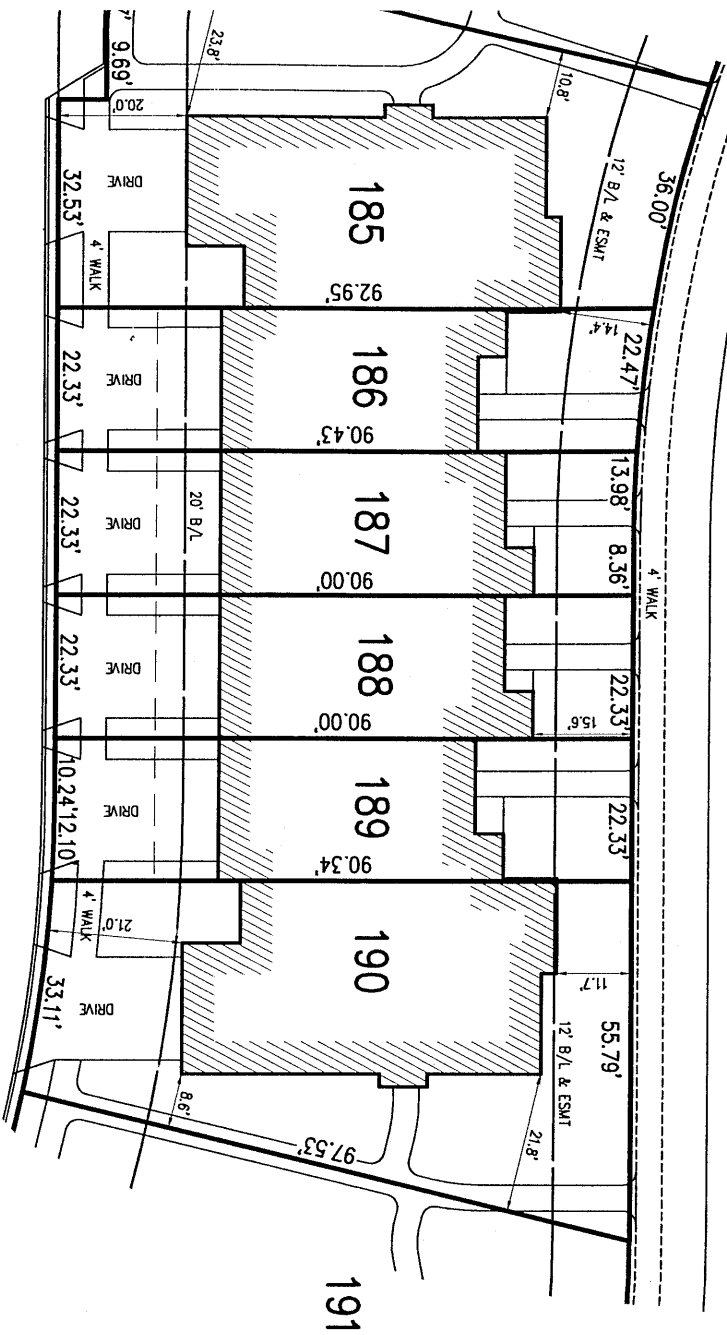
Scale = 100

Grid North

This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

ZONING EXHIBIT
LAKES OF WORTHINGTON SEC-4
P.B. 108, PGS. 89-90
QUARTER TOWNSHIP 1, TOWNSHIP 2, RANGE 19
UNITED STATES MILITARY LANDS
CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO

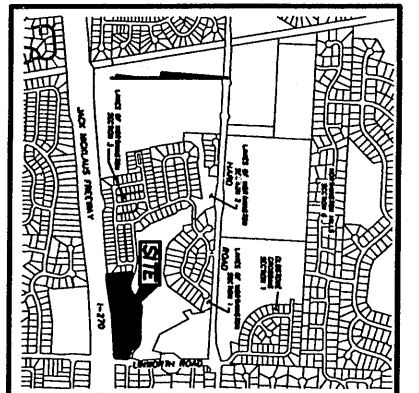
BLUFFWAY DRIVE ~ 50'



OVERLOOK PASS STREET ~ 26'

Worthington Section 4 is to be outside 500-year Flood Insurance Rate and Incorporated Areas with a revision date of

land indicated hereon of Columbus Zoning Ordinance effective February 14, 2005 (Z04-



LOCATION MAP AND BACKGROUND DRAWING
 NOT TO SCALE



GRAPHIC SCALE
 (IN FEET)



Evans, Mechwart, Hambleton & Tilton, Inc.
 Engineers • Surveyors • Planners • Scientists
 3500 New Albany Road, Columbus, OH 43054
 Phone: 614/7534500 Fax: 614/7534800

Date: November 12, 2009
 Scale: 1" = 30'
 Job No.: 2009-1345
 Sheet: 1 of 1

REVISIONS

MARK	DATE	DESCRIPTION