



COUNCIL VARIANCE APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.columbus.gov

OFFICE USE ONLY

Application Number: CV13-001/12315-00000-00760
Date Received: 12/10/12
Application Accepted By: S. Pine Fee: \$1000
Comments: Assigned to Shannon Pine, 645-22083, spine@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 880 S. Wayne Avenue, Columbus, Ohio Zip 43204

Is this property currently being annexed into the City of Columbus Yes No

If the site is pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.

Parcel Number for Certified Address: 010-078161-00 - Also see attached for additional Parcel Numbers

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

Current Zoning District(s): R-4

Recognized Civic Association or Area Commission: Greater Hilltop Area Commission

Proposed use or reason for Council Variance request: Convert old school to a Foundation for Childrens' Out Reach

Acreage: 0.94

APPLICANT: Name The Brian Muha Memorial Foundation, Inc.

Address c/o John Houck, 935 Taylor Station Road City/State Gahanna, Ohio Zip 43230

Phone # 614-416-7789 Fax # _____ Email: jhouck@donatos.com

PROPERTY OWNER(S): Name Board of Education, Columbus, Ohio

Address Attn: Anne D. Lenzotti, 270 E. State Street City/State Columbus, Ohio Zip 43215

Phone # 614-365-5000 Fax # _____ Email: alenzotti2999@columbus.k12.oh.us

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

ATTORNEY / AGENT Attorney Agent

Name Edward T. McClellan, Esq.

Address 880 Mendes Court City/State Columbus, Ohio Zip 43235

Phone # 614-226-7610 Fax # 614-459-2781 Email: tmcclellan@ohiorealestate.law

SIGNATURES (ALL SIGNATURES MUST BE SIGNED IN BLUE INK)

APPLICANT SIGNATURE *Patrick Muha*

PROPERTY OWNER SIGNATURE *Anne J*

ATTORNEY / AGENT SIGNATURE *Ed McClellan*

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 all checks payable to the Columbus City Treasurer

C13-001

**COUNCIL VARIANCE APPLICATION
THE BRIAN MUHA MEMORIAL FOUNDATION, INC.**

PROPERTY OWNER: THE BOARD OF EDUCATION, COLUMBUS, OHIO

Additional Parcel Numbers:

010-078160-00	870 S. Wayne Avenue, Westland Ext. Lot 185
010-078162-00	882 S. Wayne Avenue, Westland Ext. Lot 187
010-078163-00	886 S. Wayne Avenue, Westland Ext. Lot 188
010-078164-00	892 S. Wayne Avenue, Westland Ext. Lot 189
010-199935-00	Eakin Road, Public Park .3645 acre
010-288553-00	Eakin Road, Westland Add Ext. 8.06' NL, 8.0' SL Vac. AI.



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

CJ13-001

STATEMENT OF HARDSHIP

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.

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 requested as detailed below:

The building at 880 S. Wayne Avenue is a former Columbus Board of Education elementary school and is located in an R-4 District, which is permissible under the Code.

The Brian Muha Memorial Foundation, Inc. operates a The Run The Race Club (RTR) which it established in 2005 and has been located in the Inner City, Columbus.

It is a natural extension of the use of the structure for educational purposes. The RTR is an after-school, pre-school and Center School program for children and youth

in grades pre-school - 12. RTR provides a safe and loving atmosphere for children to learn, play and study; and seeks to influence the children and young adults

through daily activities including reading, music, crafts, tutoring in academic subjects and sports. RTR provides a healthy snack and meal during each child's visit.

ensuring that at least 50 children a day are not going to go to bed hungry at night. The RTR goal is to focus on children, on their potential in helping them develop

that potential. RTR's primary goal is to have an Inner City RTR Club Center open every day, ready to help the children develop morally and intellectually acquiring

the virtues and attitudes needs for ever-lasting happiness and success. RTR welcomes young people of all ethnic, cultural and religious backgrounds. See attached

Signature of Applicant

Roche Muha

Date

12-7-12

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Council Variance Application: CV13-001
880 S. Wayne Avenue, Columbus, Ohio 43204
The Brian Muha Memorial Foundation, Inc.

Continuation of Statement of Hardship:

RTR also helps the families of these children when they are experiencing unexpected expenses that overwhelm the family. In low income families when someone is sick and needs to go to the doctor, a car needs repair, or someone loses a job, these expenses can be overwhelming and it is the mission of RTR to help them.

The facility will be used by The Brian Muha Memorial Foundation, a 501(c)(3) – Not-for-Profit charitable organization to advance the education and development of Columbus' youth.

The Council Variance will permit the use of the Property for these uses outlined above to further this mission to advance the education and development of the youth of Columbus. The variance granted will continue the previously granted variances in V68-008 to reduce the required South Wayne set-back from 25' to 13'; reduce the required Eakin Road set-back from 25' to 22'; reduce the required Vadis Street set-back from 25' to 0'; and no reduction in the required number of off-street parking spaces from 21 provided on the Site Plan appears necessary; and such other variances as become apparent in the application review process.



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

AFFIDAVIT

(See next page for instructions)

APPLICATION # CW13-001

STATE OF OHIO _____
COUNTY OF FRANKLIN _____

Being first duly cautioned and sworn (1) NAME EDWARD T. McCLELLAN
of (1) MAILING ADDRESS 880 Mendes Court, Columbus, Ohio 43235

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 CERTIFIED ADDRESS FOR ZONING PURPOSES 880 S. Wayne Avenue, Columbus, Ohio 43204
for which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 12/18/12

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME AND MAILING ADDRESS (4) The Columbus Board of Education
270 East State Street
Columbus, Ohio 43215

APPLICANT'S NAME AND PHONE # (same as listed on front of application) The Brian Muha Memorial Foundation, Inc., c/o John Houck, 935 Taylor Station Road
Gahanna, Ohio 43230; (614) 416-7789

AREA COMMISSION OR CIVIC GROUP AREA COMMISSION ZONING CHAIR OR CONTACT PERSON AND ADDRESS (5) Greater Hilltop Area Commission

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)

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

SIGNATURE OF AFFIANT (8) [Signature]

Subscribed to me in my presence and before me this 5th day of November December, in the year 2012

SIGNATURE OF NOTARY PUBLIC (8) [Signature]

My Commission Expires: _____

Notary Seal Here



BRENDA L. WITTE
Notary Public, State of Ohio
My Commission Expires 04-08-2014

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APPLICANT

The Brian Muha Memorial Foundation,
Inc.
c/o John Houck
935 Taylor Station Road
Gahanna, OH 43230

PROPERTY OWNER

Columbus Board of Education
Attn: Anne D. Lenzotti
250 East State Street
Columbus, Ohio 43215

ATTORNEY

Edward T. McClellan, Esq.
880 Mendes Court
Columbus, OH 43235

AREA COMMISSION

Greater Hilltop Area Commission

SURROUNDING PROPERTY OWNERS

David M. and Tonya L. East
2894 Hillgate Road
Columbus, OH 43207

City of Columbus, Ohio
Real Estate Management
90 W. Broad Street, Room 425
Columbus, OH 43215

Buckeye Investors LLC
P.O. Box 3060
West Orange, NJ 07052

Board of Education
Real Estate Coordinator
270 E. State Street
Columbus, OH 43215

Robert L. and Brenda E. Hiles
3875 Eakin Road
Columbus, OH 43228

Realistic Investors LLC
P.O. Box 6305
Columbus, OH 43206

Ronnie & Melody L. Ferrell
867 S. Wayne Avenue
Columbus, OH 43204

Curtis Marcum
861 S. Wayne Avenue
Columbus, OH 43204

Anne L. Smith
855 S. Wayne Avenue
Columbus, OH 43204

Della M. Manley
847 S. Wayne Avenue
Columbus, OH 43204

Memorial Baptist Church
2435 Eakin Road
Columbus, OH 43204

Stephen J. Lawler
2473 Eakin Road
Columbus, OH 43204

Elizabeth A. Keller
Kim Keller
2467 Eakin Road
Columbus, OH 43204

Norma Jean Beatty
Catherine J. Smith
2459 Eakin Road
Columbus, OH 43204

Maureen Langhans
2453 Eakin Road
Columbus, OH 43204

Edwin E. Gibbs
2447 Eakin Road
Columbus, OH 43204

Joyful Rentals LLC
5015 Yantis Drive
New Albany, OH 43054

Pamela S. Delozier
844 S. Wayne Avenue
Columbus, OH 43204

CW13-001



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757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.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 # CV13-001

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] Rachel Muha

Of [COMPLETE ADDRESS] 874 Helenhurst Ct. Westerville, OH 43081
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 formats

- 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

1. The Brian Muha Memorial Foundation, Inc. <u>874 Helenhurst Ct.</u> <u>Westerville, OH. 43081</u>	2.
3.	4.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT x Rachel Muha
Subscribed to me in my presence and before me this 7th day of December, in the year 2012

SIGNATURE OF NOTARY PUBLIC [Signature]
My Commission Expires: _____



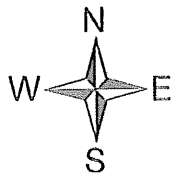
EDWARD T. McCLELLAN
Attorney at Law
Notary Public, State of Ohio
My Commission Has No Expiration
Section 147.03 R.C.

This Project Disclosure Statement expires six months after date of notarization.

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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: 010078164

Zoning Number: 880

Street Name: S WAYNE AVE

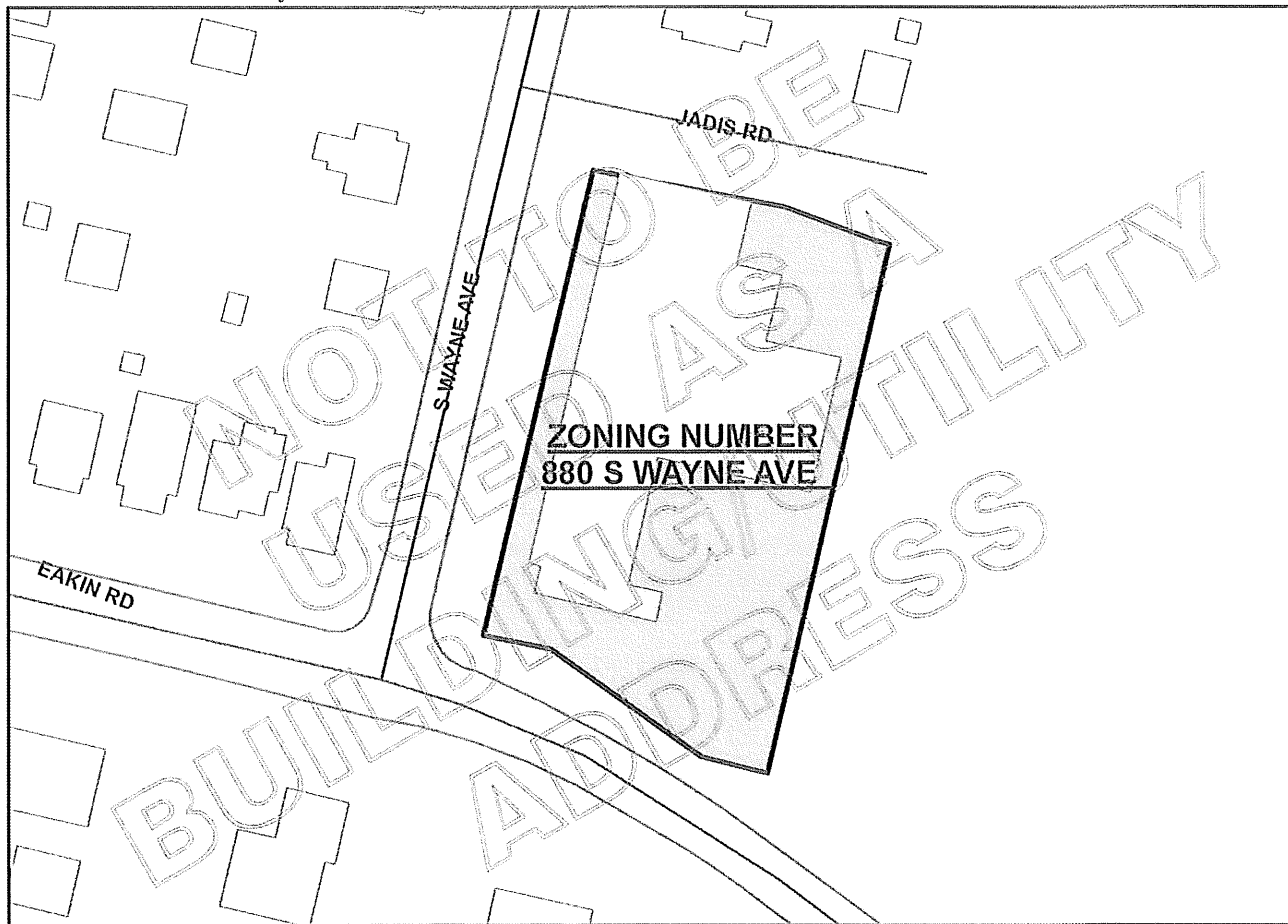
Lot Number: N/A

Subdivision: N/A

Requested By: TED MCCLELLAN

Issued By: *Alfred Casman*

Date: 12/6/2012

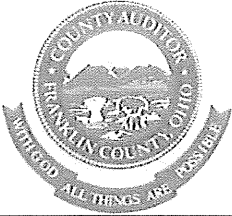


PATRICIA A. AUSTIN, P.E., ADMINISTRATOR
DIVISION OF PLANNING AND OPERATIONS
COLUMBUS, OHIO

SCALE: 1 inch = 80 feet

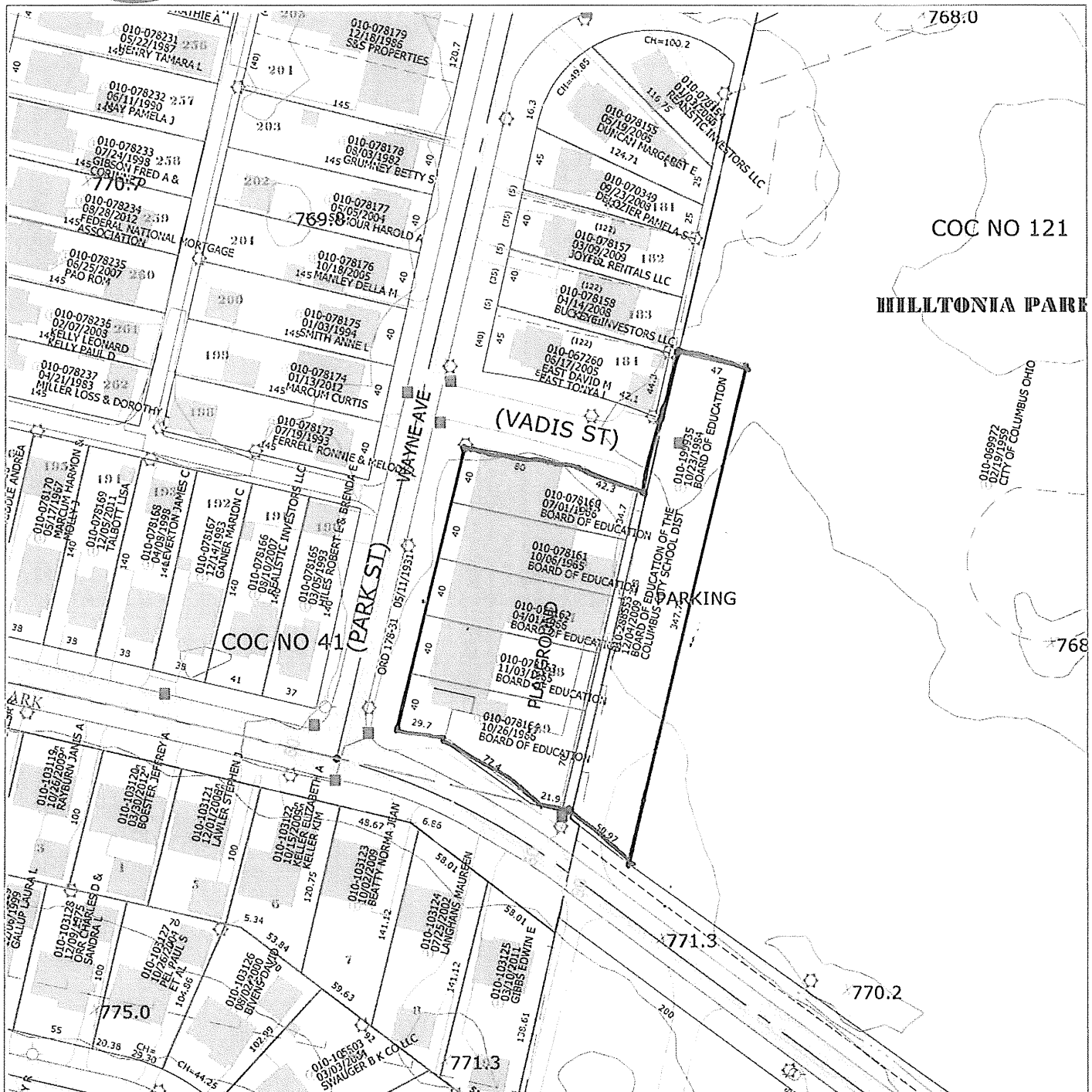
GIS FILE NUMBER: 12083

CV13-001



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: S DATE: 12/3/12



Disclaimer

Scale = 100



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.

Real Estate / GIS Department

CW13-001

CU13-001

COMMUNITY BENEFIT PLAN PARCELS

DATE: 12-17-12

1. **Client:** *James A. Mohsul & Assoc. Architects, Inc.*
 2. **Project:** *Community Benefit Plan*
 3. **Location:** *800 S. Wayne Ave., Columbus, OH 43204*
 4. **Scale:** *As Shown*
 5. **Author:** *James A. Mohsul*
 6. **Check:** *James A. Mohsul*
 7. **Date:** *12-17-12*

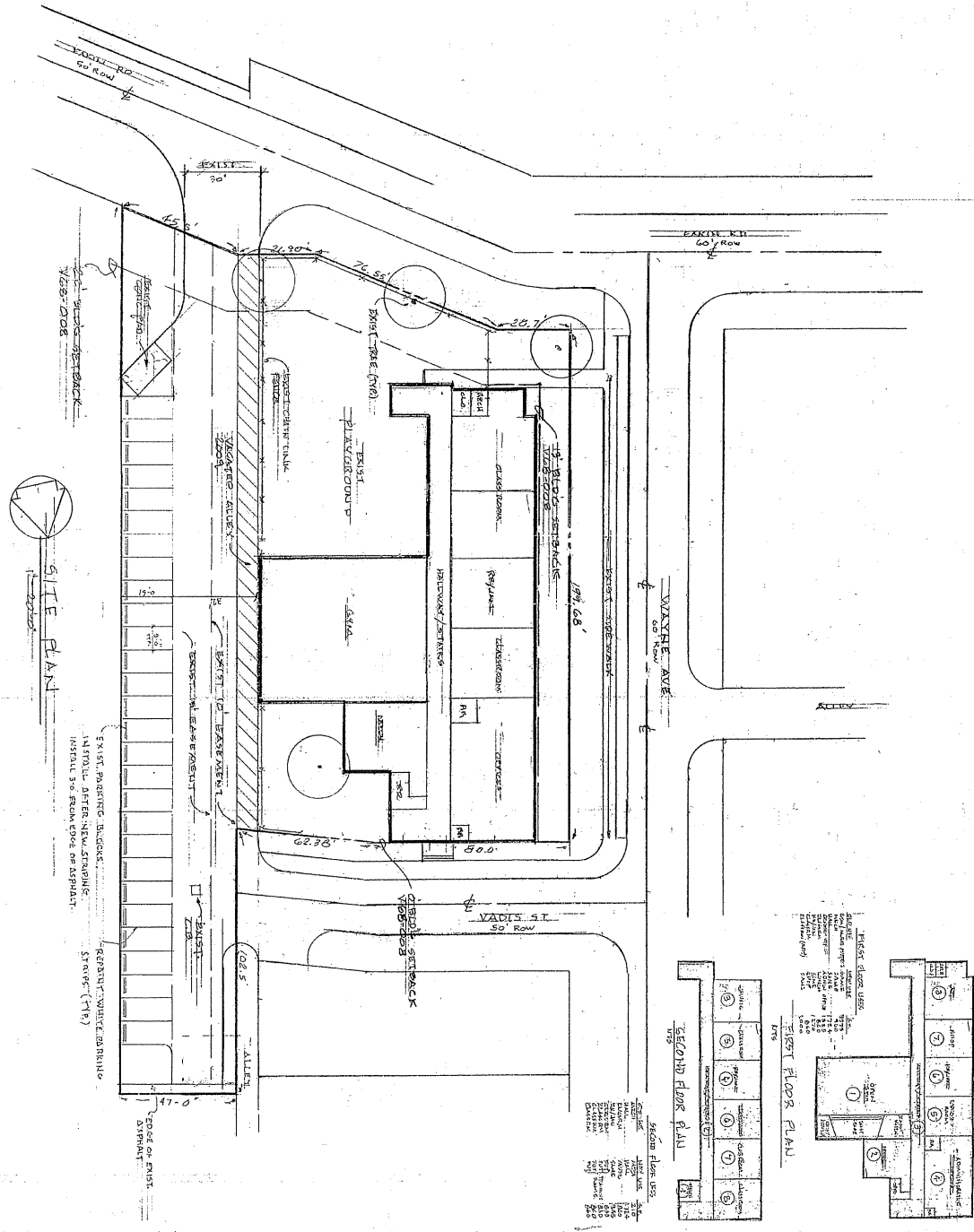
PROJECT INFORMATION
 PROJECT NAME: *COMMUNITY BENEFIT PLAN*
 PROJECT ADDRESS: *800 S. WAYNE AVE., COLUMBUS, OH 43204*
 PROJECT OWNER: *BRIAN VAUGHAN*
 PROJECT ARCHITECT: *JAMES A. MOHSUL & ASSOC. ARCHITECTS, INC.*
 PROJECT DATE: *12-17-12*

REVISIONS

NO.	DATE	DESCRIPTION
1	12/17/12	ISSUED FOR PERMIT
2	12/17/12	REVISED PER CITY COMMENTS
3	12/17/12	REVISED PER CITY COMMENTS
4	12/17/12	REVISED PER CITY COMMENTS
5	12/17/12	REVISED PER CITY COMMENTS
6	12/17/12	REVISED PER CITY COMMENTS
7	12/17/12	REVISED PER CITY COMMENTS
8	12/17/12	REVISED PER CITY COMMENTS
9	12/17/12	REVISED PER CITY COMMENTS
10	12/17/12	REVISED PER CITY COMMENTS

NOTES

1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS ARE TO EXISTING UNLESS OTHERWISE NOTED.
5. ALL DIMENSIONS ARE TO NEW CONSTRUCTION UNLESS OTHERWISE NOTED.
6. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.
7. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE SIDEWALK UNLESS OTHERWISE NOTED.
8. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE CURB UNLESS OTHERWISE NOTED.
9. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE DRIVE UNLESS OTHERWISE NOTED.
10. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ALLEY UNLESS OTHERWISE NOTED.



	SITE PLAN BRIAN VAUGHN FOUNDATION 800 S. WAYNE AVE. COLUMBUS, OH 43204	<p>James A. Mohsul & Assoc. ARCHITECTS, Inc. 642 brookside boulevard westerville, ohio 43081 phone: (614) 890-3600 fax: (614) 890-3600 email: office@jmsarch.net</p>										
	<table border="1"> <tr> <td>PROJECT NO.</td> <td>12010012</td> </tr> <tr> <td>DRAWER NO.</td> <td>12010012</td> </tr> <tr> <td>NO.</td> <td>12010012</td> </tr> <tr> <td>REVISION</td> <td>12010012</td> </tr> <tr> <td>DATE</td> <td>12010012</td> </tr> <tr> <td>SHEET NUMBER</td> <td>1</td> </tr> </table>		PROJECT NO.	12010012	DRAWER NO.	12010012	NO.	12010012	REVISION	12010012	DATE	12010012
PROJECT NO.	12010012											
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SHEET NUMBER	1											



880 South Wayne Avenue

CV13-001