



# BOARD OF ZONING ADJUSTMENT APPLICATION

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

OFFICE USE ONLY

Application Number: # 13310-00000-00851  
Date Received: 22 NOV. 2013  
Commission/Civic: UAC  
Existing Zoning: \_\_\_\_\_ Application Accepted by: [Signature] Fee: \$630-  
Comments: \_\_\_\_\_

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

Variance       Special Permit

Indicate what the proposal is and list applicable code sections.  
3332.20 To allow a portion of a building to encroach 22' into the building line.

### LOCATION

1. Certified Address Number and Street Name 2432 Neil Avenue  
City Columbus State Ohio Zip 43202  
Parcel Number (only one required) 010-040589-00

### APPLICANT: (IF DIFFERENT FROM OWNER)

Name Applicant is Owner  
Address \_\_\_\_\_ City/State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email \_\_\_\_\_

### PROPERTY OWNER(S):

Name Lance DeBenedictis (as well as Wife Sara DeBenedictis & Daughter Heidi DeBenedictis)  
Address 2209 Otter Lane City/State Dublin, Ohio Zip 43016  
Phone # 614-309-6931 Fax # \_\_\_\_\_ Email osuneil@yahoo.com  
 Check here if listing additional property owners on a separate page.

### ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)      Attorney      Agent

Name None  
Address \_\_\_\_\_ City/State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email: \_\_\_\_\_

### SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE \_\_\_\_\_  
PROPERTY OWNER SIGNATURE \_\_\_\_\_  
ATTORNEY / AGENT SIGNATURE \_\_\_\_\_

**PLEASE NOTE:** incomplete information will result in the rejection of this submittal.  
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13310-00000-00851  
2432 NEIL AVENUE

# CITY OF COLUMBUS

## DEPARTMENT OF BUILDING AND ZONING SERVICES

### One Stop Shop Zoning Report Date: Fri Nov 29 2013

General Zoning Inquiries: 614-645-8637

#### SITE INFORMATION

**Address:** 2432 NEIL AVE COLUMBUS, OH

**Mailing Address:** 3232 NEWMARK DR  
MIAMISBURG, OH 45342

**Owner:** DEBENEDICTIS HEIDI ANN ET A

**Parcel Number:** 010040589

#### ZONING INFORMATION

**Zoning:** Z79-110, Residential, R2F  
effective 5/7/1980, Height District H-35

**Board of Zoning Adjustment (BZA):** N/A

**Commercial Overlay:** N/A

**Graphic Commission:** N/A

**Area Commission:** University Area Commission

**Planning Overlay:** University

**Historic District:** N/A

**Historic Site:** No

**Council Variance:** N/A

**Flood Zone:** OUT

**Airport Overlay Environs:** N/A

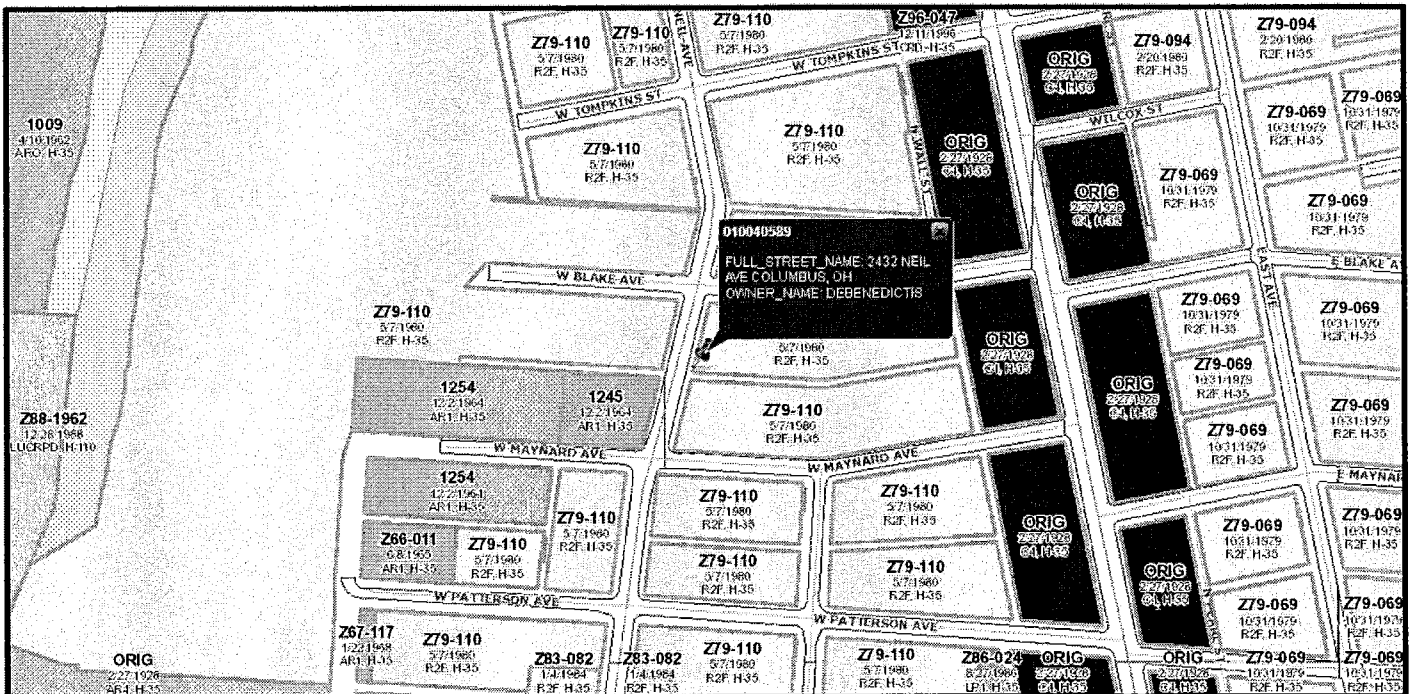
#### PENDING ZONING ACTION

**Zoning:** N/A

**Board of Zoning Adjustment (BZA):** N/A

**Council Variance:** N/A

**Graphic Commission:** N/A





City of Columbus  
Mayor Michael B. Coleman

## Department of Development

Steven R. Schoeny, Director

Date of Service/Posting

MAIL 11-5-13

Order Number: 13470-05530

Parcel Number:

010040589

HEIDI ANN DEBENEDICTIS, LANCE JOSEPH DEBENEDICTIS, /  
SARA ANN DEBENEDICTIS  
2209 OTTER LANE  
DUBLIN OH 43016

**13310-00000-00851**  
**2432 NEIL AVENUE**

### ZONING CODE VIOLATION ORDER

An inspection has been made at 2432 NEIL AVE on November 5, 2013.

As provided by the Columbus City Code you are hereby given notice to correct the alleged violations listed below within **20** calendar days of the service of this notice unless otherwise noted in this notice, or an approval for a written request for extension is granted by this office.

**Note: Failure to comply with this notice is a Misdemeanor of the Third Degree and may be punishable by a \$500 fine and sixty (60) days imprisonment.**

If the facts represented here are incorrect, or if you believe the law is not being interpreted properly, you have the basis for an appeal. If you believe an appeal is in order, call the undersigned Property Maintenance Inspector. Pursuant to the Columbus City Code Section 3307.07: The Board of Zoning Adjustment shall not entertain any appeal applied for more than twenty (20) days after the date of this order. Also pursuant to Columbus City Code Section 3307.11: Said appeal shall be submitted on a form provided for that purpose and filed in the office of the Department of Building and Zoning Services.

For further information on this notice contact the undersigned Code Enforcement Officer.

**SEE LIST OF VIOLATIONS ON THE ATTACHED PAGE(S)**

by \_\_\_\_\_  
Joel Cash  
Code Enforcement Officer  
(614) 645-6077

ZC-7  
REV 09/09  
11052013

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ITEM#	CODE SECTION	COMMENTS
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**Zoning Violations**

1            3305.01        Certificate of zoning clearance

This property requires a certificate of Zoning Clearance due to the following change:

PERMIT PULLED FOR REMODELING A PORCH WITHIN THE BUILDING SETBACK LINE.  
CHANGES TO THE STRUCTURE HAVE ENCLOSED THE PORCH, IN VIOLATION OF THE  
COLUMBUS ZONING CODE. CEASE USE.

2            **Are ther**

3305.075 Construction work stop order.

Whenever any construction or alteration to any building or structure; the establishment, change or modification in the use of any building, structure or land; the grading or filling of land; or exterior modification without receiving a certificate of appropriateness or certificate of approval where applicable, occurs contrary to the provisions of this Zoning Code, the director or his or her designee shall order the work stopped by posting at the site a printed notice to stop work or a notice in writing served on any persons engaged in the doing or causing of such work to be done, and any such persons shall forthwith stop such work until authorized otherwise by the director or his or her designee.

IMMEDIATELY STOP ALL WORK ON STRUCTURE  
UNTILL THE REQUIRED CERTIFICATE OF ZONING CLEARANCE IS OBTAINED.

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## AFFIDAVIT

**13310-00000-00851**  
**2432 NEIL AVENUE**

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Lance DeBenedictis  
of (1) MAILING ADDRESS 2209 Otter Lane, Dublin, Ohio 43016  
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 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) \_\_\_\_\_

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME (4) Lance DeBenedictis  
AND MAILING ADDRESS 2209 Otter Lane  
Dublin, Ohio 43016

APPLICANT'S NAME AND PHONE # (same as listed on front of application) Lance DeBenedictis  
2209 Otter Lane, Dublin, Ohio 43016

AREA COMMISSION OR CIVIC GROUP (5) University Area Commission  
AREA COMMISSION ZONING CHAIR OR  
CONTACT PERSON AND ADDRESS \_\_\_\_\_

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

See Attached List.

(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 23 day of November, in the year 2013

SIGNATURE OF NOTARY PUBLIC (8) [Signature]

My Commission Expires: ANTIONETTE M. GILLUM  
NOTARY PUBLIC, STATE OF OHIO  
Notary Seal Here MY COMMISSION EXPIRES JUNE 17, 2014

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## STATEMENT OF HARDSHIP

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**2432 NEIL AVENUE**

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 does 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:**

Existing porch piers were found in spring of 2013 to be in failure.

Repair has framed walls and windows to match the existing siding and windows of the existing house.

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

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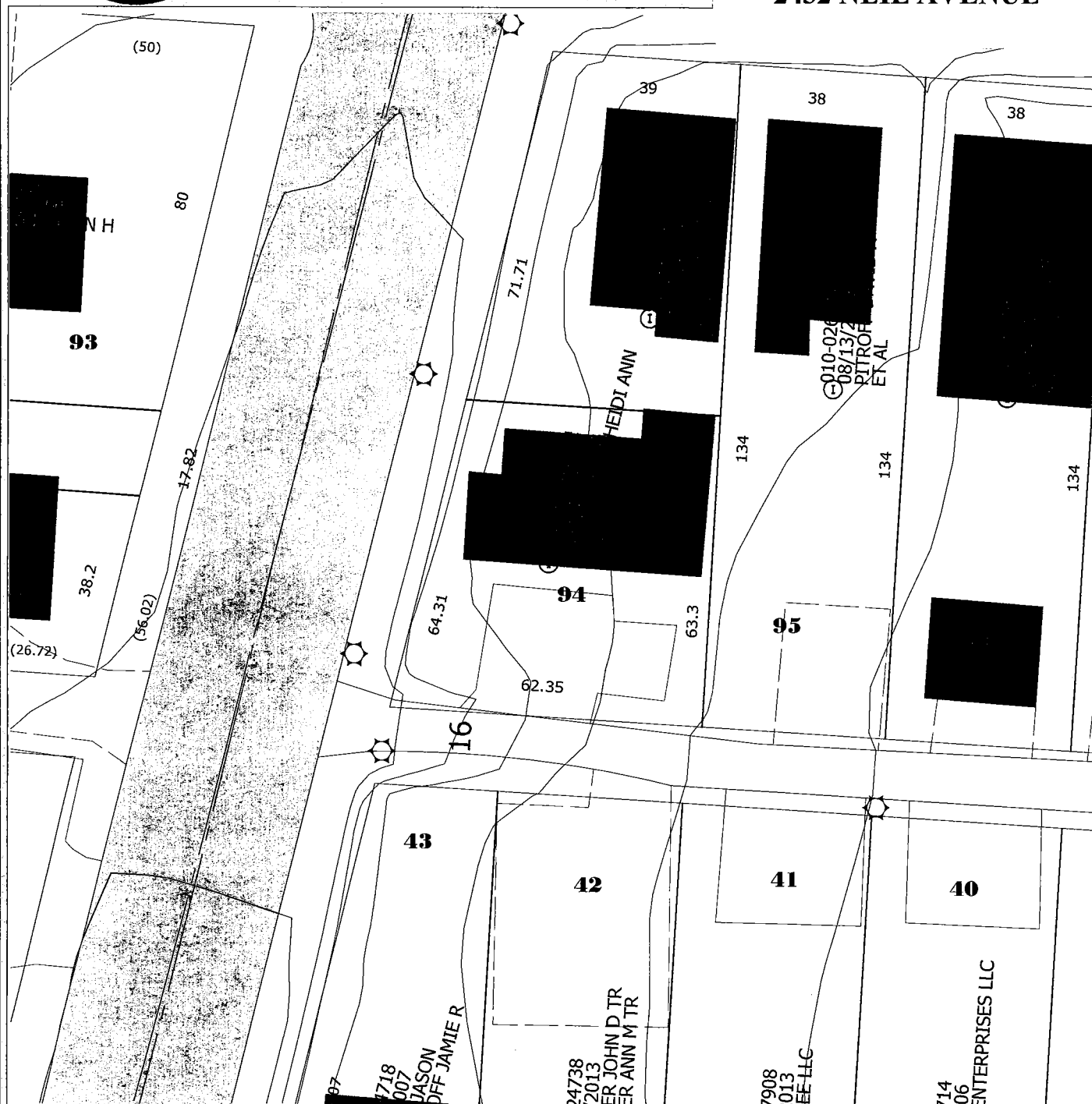


# CLARENCE E MINGO II

## FRANKLIN COUNTY

MAP ID: C

13310-00000-00851  
2432 NEIL AVENUE



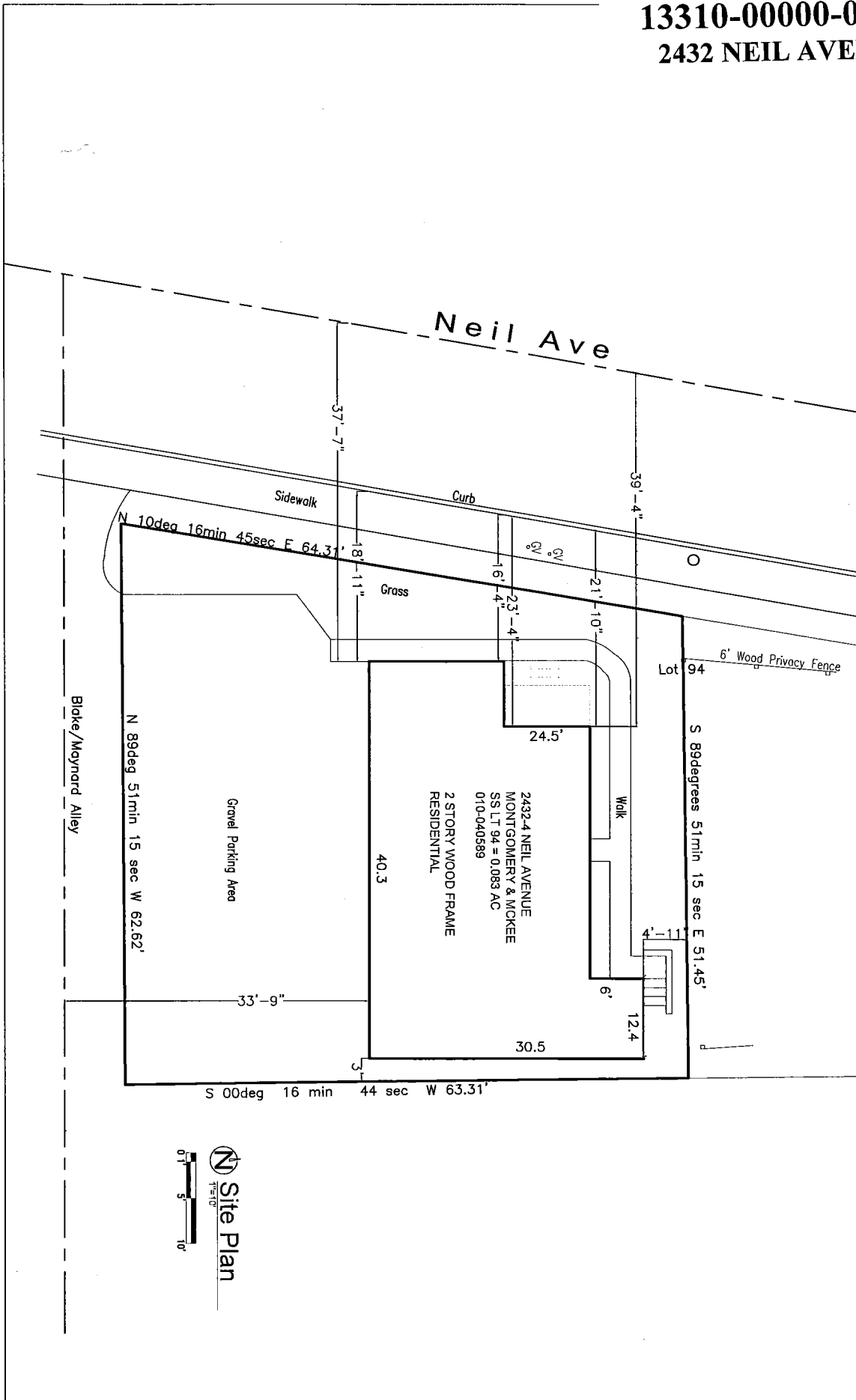
Disclaimer

Scale = 30



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.

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**Site Plan**  
 1"=10'





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## PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application.

**THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED.** Do not indicate 'NONE' in the space provided.

APPLICATION # **13310-00000-00851**  
**2432 NEIL AVENUE**

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Lance DeBenedictis  
of (COMPLETE ADDRESS) 2209 Otter Lane, Dublin, Ohio 43016

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**

Lance DeBenedictis, 2209 Otter Lane, Dublin, Ohio 43016

Sara DeBenedictis, 2209 Otter Lane, Dublin, Ohio 43016

Heidi DeBenedictis, 2209 Otter Lane, Dublin, Ohio 43016

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 22 day of November, in the year 2013

SIGNATURE OF NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

ANTHONYETTE M. GILLUM  
Notary Seal Here  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES JUNE 17, 2014

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