



# 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](http://www.columbus.gov)

OFFICE USE ONLY

Application Number: 14315-00000-00186/CV14-014  
Date Received: 3/26/14  
Application Accepted By: TP Fee: \$2080.00  
Comments: Assigned to Shannon Pine, 645-2208, spine@columbus.gov

### LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 1559 Westbelt Dr Zip 43228  
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: 560-266122  
 Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s): M2  
Civic Association or Area Commission: None

Proposed use or reason for Council Variance request: permit retail estate sales, pet day care, & veterinary office  
Acreage: 3.921

**APPLICANT:** Name Solly Yassenoff  
Address 865 King Ave City/State Columbus, OH Zip 43212  
Phone # 614-298-7122 Fax # 614-291-3134 Email: syassenoff@gmail.com

**PROPERTY OWNER(S):** Name Rainbow Development Corporation  
Address 865 King Ave City/State Columbus, OH Zip 43212  
Phone # 614-291-3133 Fax # 614-291-3134 Email: syassenoff@gmail.com  
 Check here if listing additional property owners on a separate page.

**ATTORNEY / AGENT**  Attorney  Agent  
Name None  
Address \_\_\_\_\_ City/State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email: \_\_\_\_\_

**SIGNATURES** (ALL SIGNATURES MUST BE SIGNED IN BLUE INK)  
APPLICANT SIGNATURE: Solly Yassenoff  
PROPERTY OWNER SIGNATURE: Rainbow Development Corp by Solly Yassenoff, President  
ATTORNEY / AGENT SIGNATURE: \_\_\_\_\_

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.  
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Please make all checks payable to the Columbus City Treasurer



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CV14-014

## 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:

*Please see attached comments*

Signature of Applicant

*Solly Javoroff*

Date

*3/25/14*

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Statement of Hardship 1559 Westbelt Dr., 43228

This is a multi-tenant property at the entrance to an M2-zoned industrial park, Westbelt. With the exposure to all of the traffic on Trabue Rd., the small units have sometimes appealed to tenants seeking exposure for their business to the thousands of people passing by each day. In a few instances, we have rented to tenants, who seemed to have reasonable uses for the property, but did not technically meet the technical requirements of M2. Two initial tenants that are still there, clearly do not meet the M2 requirement. These are the Cheryl's Doggy Day Care and the vet, George Uhrman. Also, we rented a unit to Sales by Nancy, an estate sale business conducting sales in people's homes, but requiring storage of unsold items in between sales. This seemed to meet M2 requirements except for the 2 sales a year that Nancy has been conducting. Compounding Nancy's problem is that she now occupies 3 units.

Considering the visibility of the property, the easy access to Trabue Rd. at the signal-controlled intersection, and the adequate parking, we are interested in a variance permitting uses allowed under C1, the limited estate sales use, the dog day care use, and the veterinarian.

The granting of this 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 public safety, unreasonably diminish or impair the public health, safety, comfort, moral, or welfare of the inhabitants of the City of Columbus.



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## AFFIDAVIT

(See next page for instructions)

APPLICATION # CV14-014

STATE OF OHIO \_\_\_\_\_  
COUNTY OF FRANKLIN \_\_\_\_\_

Being first duly cautioned and sworn (1) NAME Solly Yassenoff  
of (1) MAILING ADDRESS 865 King Ave, Columbus, OH 43212  
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 1559 Westbelt Dr, 43228  
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 AND MAILING ADDRESS (4) Rainbow Development Corp  
865 King Ave  
Columbus, OH 43212

APPLICANT'S NAME AND PHONE # (same as listed on front of application) Solly Yassenoff  
614-298-7122

AREA COMMISSION OR CIVIC GROUP (5) None  
AREA COMMISSION ZONING CHAIR OR CONTACT PERSON AND ADDRESS \_\_\_\_\_

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) Solly Yassenoff

Subscribed to me in my presence and before me this 24th day of March, in the year 2014

SIGNATURE OF NOTARY PUBLIC (8) Russella Jo Steehler

My Commission Expires: June 25, 2017

Notary Seal Here



**RUSSELLA JO STEEHLER**  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES JUNE 25, 2017

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CV14-014

**APPLICANT**

Rainbow Development  
c/o Skip Yassenoff  
865 King Ave.  
Columbus, OH 43212

**PROPERTY OWNER**

Rainbow Development  
865 King Ave.  
Columbus, OH 43212

Mamdooh Al Azzani  
Allibtihal Abd Azzani  
1575 Trabue Woods Blvd.  
Columbus, OH 43228

Mark L. Richmond  
Margaret R. Richmond  
4699 Trabue Rd.  
Columbus, OH 43228

Sec. of HUD  
4400 Will Rogers Parkway  
Oklahoma City, OK 73108

Columbus VP Partners LTD  
3555 Timmons Ln., Ste 1440  
Houston, TX 77027

BRE/DP OH LLC  
PO Box 460169  
Houston, TX 77056

Jeffrey Turner, Sr.  
4665 Trabue Rd.  
Columbus, OH 43228



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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 # CV14-014

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] Solly Yassenoff

Of [COMPLETE ADDRESS] 865 King Ave, Columbus, OH 43212

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. <u>Rainbow Development Corp</u> <u>865 King Ave</u> <u>Columbus, OH 43212</u>	2. <u>Solly L. Yassenoff</u> <u>865 King Ave</u> <u>Columbus, OH 43212</u>
3. <u>Karen A. Yassenoff</u> <u>5090 Squinzel Bend</u> <u>Columbus, OH 43220</u>	4. <u>Erik E. Yassenoff</u> <u>1990 Hampshire</u> <u>Upper Arlington, OH 43221</u>

Check here if listing additional parties on a separate page.

### SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 24<sup>th</sup> day of March, in the year 2014

SIGNATURE OF NOTARY PUBLIC

Russella Jo Steehler

My Commission Expires:

June 25, 2017

Notary Seal Here



**RUSSELLA JO STEEHLER**

NOTARY PUBLIC, STATE OF OHIO

MY COMMISSION EXPIRES JUNE 25, 2017

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

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Julie Yassenoff  
221 N. Front St., #510  
Columbus, OH 43215

Jack Kiefer  
3155 Walden Ravines  
Columbus, OH 43221

Nancy Kiefer  
Sales By Nancy  
3155 Walden Ravines  
Columbus, OH 43221

Cheryl McCool  
Cheryl's Doggy Day Care  
4712 Trabue Rd.  
Columbus, OH 43228

Dr. George Uhrman, Jr  
Affordable Pet Care  
4710 Trabue Rd.  
Columbus, OH 43228



# City of Columbus Zoning Plat



CV14-014

## 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: 560266122

Zoning Number: 1559

Street Name: WESTBELT DR

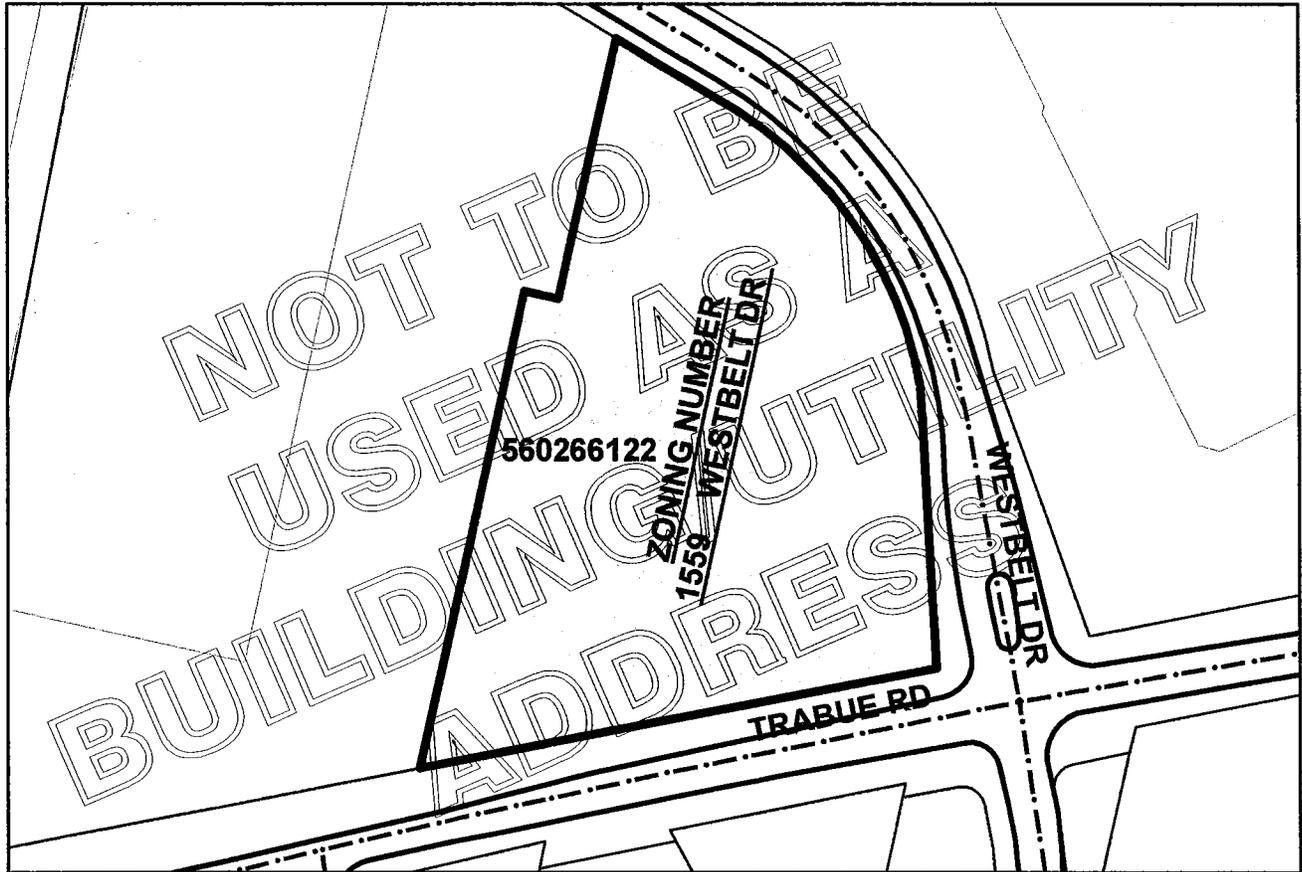
Lot Number N/A

Subdivision: N/A

Requested By: RAINBOW DEVELOPMENT (SOLLY YASSENEOFF)

Issued By: *Patricia Austin*

Date: 3/24/2014



SCALE: 1 inch = 160 feet

GIS FILE NUMBER: 18663

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



**DESCRIPTION OF 3.921 ACRES  
WEST OF TRABUE ROAD AND SOUTH OF WESTBELT DRIVE  
CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO**

Situate in the State of Ohio, County of Franklin, City of Columbus, lying in Virginia Military District, Survey Numbers 2988 and 3316, being 3.921 acres out of the 4.082 acre tract conveyed to SFERS Real Estate Corp. K-Land by deed of record in Official Record 26693, Page D-14, records of the Recorder's Office, Franklin County, Ohio and being more particularly described as follows;

**Beginning for Reference** at the point of centerline intersection of Westbelt Drive (being 60.00 feet in width) and Equity Drive (being 50.00 feet width) as delineated upon the plat of "WESTBELT BUSINESS PARK, SECTION NO. 6", of record in Plat Book 57, Page 27;

Thence South  $09^{\circ} 55' 01''$  West, a distance of 160.00 feet, along said centerline of Westbelt Drive to a point of curvature;

Thence along the arc of a curve to the left having a central angle of  $69^{\circ} 36' 05''$ , a radius of 450.00 feet, an arc length of 546.65 feet, a chord bearing of South  $24^{\circ} 53' 02''$  East, with a chord distance of 513.65 feet to a point of tangency;

Thence South  $59^{\circ} 41' 04''$  East, a distance of 91.67 feet, to a point;

Thence South  $30^{\circ} 18' 56''$  West, a distance of 30.00 feet, leaving the said centerline to an iron pin set in the southerly right-of-way line of said Westbelt drive, said point being the **Point of True Beginning** for the herein described tract;

Thence the following three (3) courses along said southerly right-of-way line of Westbelt Drive:

1. South  $59^{\circ} 41' 04''$  East, a distance of 93.57 feet, to an iron pin set at a point of curvature;
2. along an arc of a curve to the right having a central angle of  $48^{\circ} 15' 14''$ , a radius of 370.00 feet, an arc length of 311.61 feet, a chord bearing of South  $35^{\circ} 33' 27''$  East, with a chord distance of 302.48 feet to an iron pin set;
3. South  $02^{\circ} 39' 03''$  East, a distance of 235.70 feet, to an iron pin set in the northerly right-of-way line of Trabue Road;

Thence South  $78^{\circ} 56' 36''$  West, a distance of 444.47 feet, along the said northerly right-of-way line of Trabue Road to an iron pin set at the southwest corner of said 4.082 acre tract being a common corner with a 0.530 acre tract conveyed to SFERS Real Estate

Corp. T as Parcel 4 (parcel 2) by deed of record in Instrument Number 199810050253365;

Thence North 12° 32' 32" East, a distance of 411.50 feet, along the line common to said 4.082 acre tract and said 0.530 acre tract, to a iron pin set;

Thence the following two (2) courses and distances on, over and across the said 4.082 acre tract:

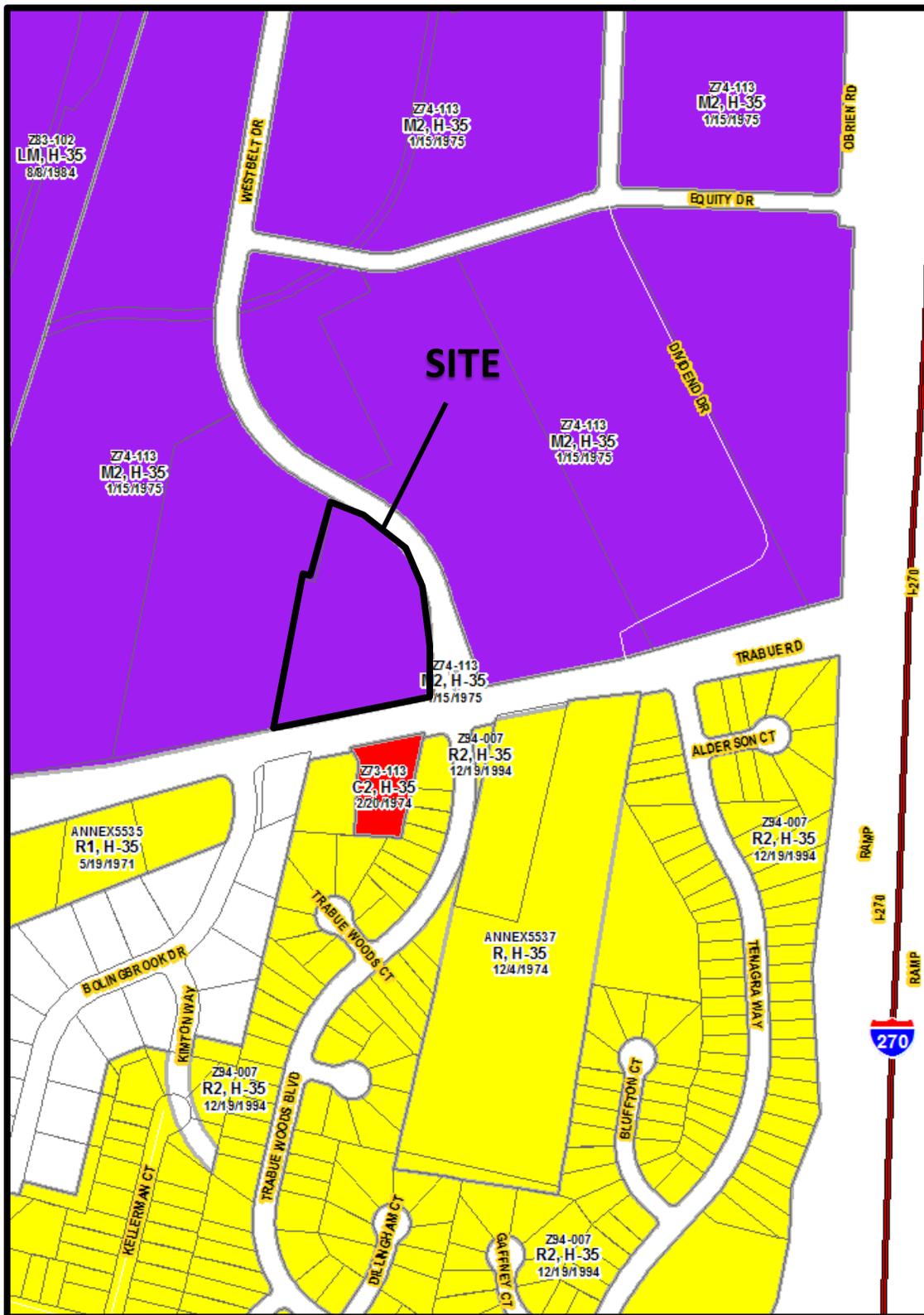
1. South 78° 19' 49" East, a distance of 30.05 feet, to an iron pin set;
2. North 12° 51' 29" East, a distance of 224.01 feet, to the **Point of True Beginning**, containing 3.921 acres, more or less, and being subject to all easements, restrictions and rights-of-way of record.



R.D. ZANDE & ASSOCIATES, INC.

*Robert L. Clay* 7<sup>4</sup> / 4. / re 44a4<sub>4</sub> vie. to 0 3  
Robert L. Clay Date/  
Registered Surveyor No. 8121

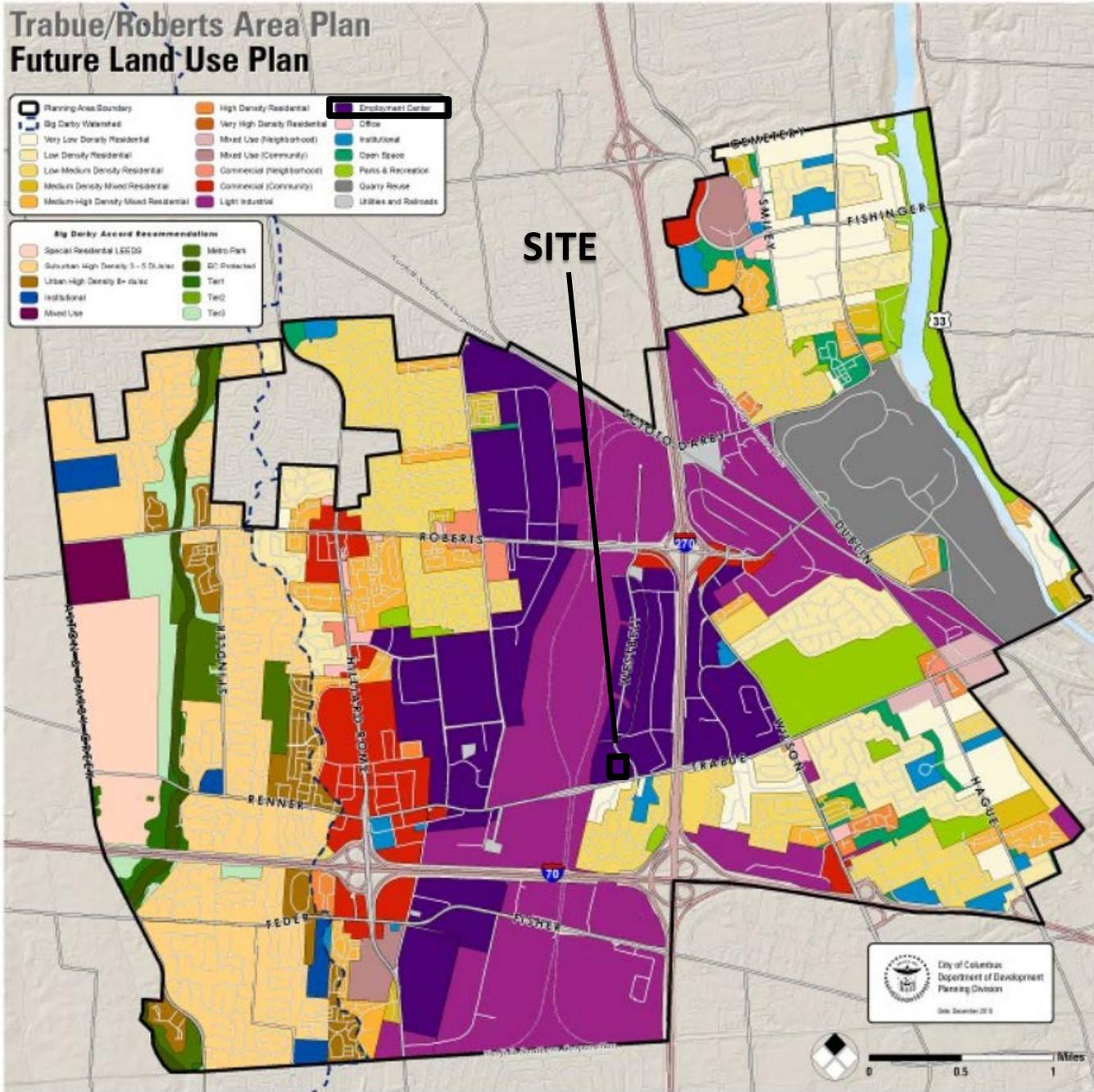




CV14-014  
 1559 Westbelt Drive  
 Approximately 3.92 acres

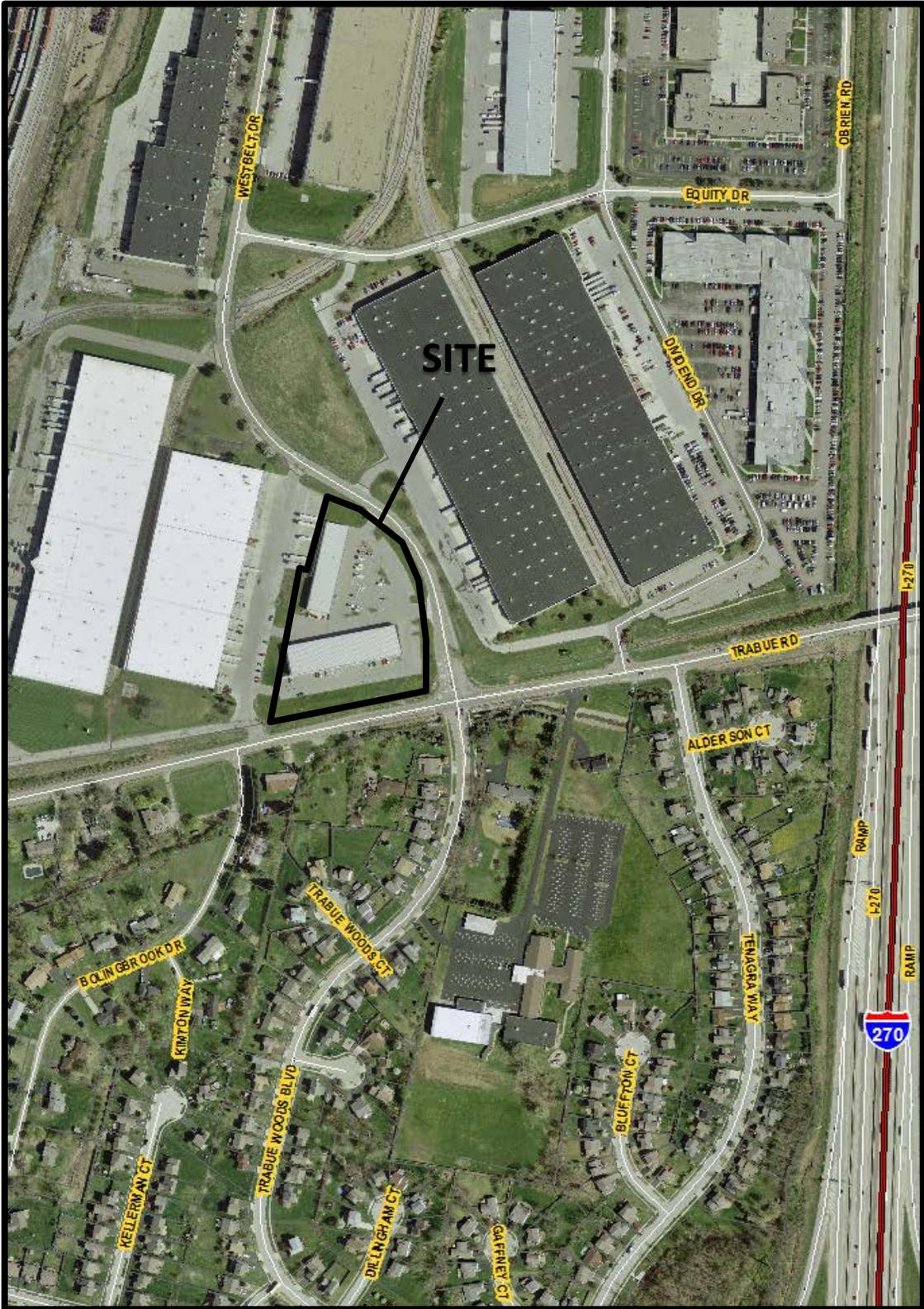
# Trabue/Roberts Area Plan Future Land Use Plan

- |                                       |                               |                         |
|---------------------------------------|-------------------------------|-------------------------|
| Planning Area Boundary                | High Density Residential      | Employment Center       |
| Big Darby Watershed                   | Very High Density Residential | Office                  |
| Very Low Density Residential          | Mixed Use (Neighborhood)      | Institutional           |
| Low Density Residential               | Mixed Use (Community)         | Open Space              |
| Low-Medium Density Residential        | Commercial (Neighborhood)     | Parks & Recreation      |
| Medium Density Residential            | Commercial (Community)        | Quarry Reuse            |
| Medium-High Density Mixed Residential | Light Industrial              | Utilities and Railroads |
- 
- |                                 |               |
|---------------------------------|---------------|
| Special Residential LEEDS       | Metro Park    |
| Suburban High Density 3-5 Dwell | IDC Protected |
| Urban High Density 6+ Dwell     | Tier1         |
| Institutional                   | Tier2         |
| Mixed Use                       | Tier3         |



City of Columbus  
Department of Development  
Planning Division  
Date: December 2010

CV14-014  
1559 Westbelt Drive  
Approximately 3.92 acres



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1559 Westbelt Drive  
Approximately 3.92 acres