

City of Columbus, Ohio • Department of Building & Zoning Services 757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433• <a href="https://www.columbus.gov">www.columbus.gov</a>

	Application Number: (VIY-02-0/14315-00000-002-07)										
ONE	Date Received:  Application Accepted By:  Fee: 9600										
USE											
Date Received: Application Accepted By:  Comments: Assigned to Shannon Pine, 645-2208, spine@columbus.gov											
S											
	LOCATION AND ZONING REQUEST:										
	Certified Address (for Zoning Purposes) 575 W. 2nd Avenue Zip 43201  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:  Check here if listing additional parcel numbers on a separate page.  Current Zoning District(s):  AR-2, M  Civic Association or Area Commission:  Harrison West Society											
						Proposed use or reason for Council Variance request: See Statement of Hardship					
							Acreage: 0.80 +/-				
							APPLICANT: Name Royal Tallow Holdings, LTD c/o Donald Plank, Plank Law Firm				
	Phone # (614) 947-8600 Fax # (614) 228-1790 Email: dplank@planklaw.com										
	PROPERTY OWNER(S): Name Royal Tallow Holdings, LTD c/o Donald Plank, Plank Law Firm										
	Tradiciss										
Phone # (614) 947-8600 Fax # (614) 228-1790 Email: dplank@planklaw.com											
	Check here if listing additional property owners on a separate page.										
	ATTORNEY/AGENT  Attorney  Agent For Applicant										
	Name Donald Plank, Plank Law Firm										
	Address 145 E. Rich Street, FL 3 City/State Columbus, OH Zip 43215-5240										
	Phone # (614) 947-8600 Fax # (614) 228-1790 Email: dplank@planklaw.com										
	Anone ii										
	SIGNATURES (ALL SIGNATURES MUST BE SIGNED IN BLUE INK)										
	APPLICANT SIGNATURE / JOHNSON 11.										
PROPERTY OWNER SIGNATURE Conald Hants Royal Tally											
_	ATTORNEY ) AGENT SIGNATURE ( ) CHARLE / LOVE										
\											
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 C staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided and the provided and											

by me/my firm/etc. may delay the review of this application.

# **SUPPLEMENTAL PROPERTY OWNER LIST**

CV14-<u>020</u> 575 West 2<sup>nd</sup> Avenue

## **Property Owner:**

City of Columbus
Recreation and Parks Department
c/o Mr. Alan D. McKnight, Director
1111 East Broad Street
Columbus, OH 43205

BY:

Alan D. McKnight, Director

Date

# **SUPPLEMENTAL PARCEL LIST**

CV14- O Avenue

## <u>Parcels</u>

010-279407 (part)

010-053575 (part)

010-289375

010-279411 (part)

010-279412 (part)



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

(Y14-020)

#### 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

BY: Donald Plank, Attorney

#### **EXHIBIT B**

#### STATEMENT OF HARDSHIP

577 West 2<sup>nd</sup> Avenue, Columbus, OH 43201

CV14-<u>020</u>

The 0.8 +/- acre site is located at the southwest corner of Harrison Park Place and West 2<sup>nd</sup> Avenue. Part of the site was platted (Harrison Park, PB 106, Page 56) and part of the site is acreage. Part of the site was rezoned to the AR-2, Apartment Residential District (Z04-026) and part is also subject to companion Council Variance (CV04-009). Approximately 0.1 +/- acres of the site is zoned M, Manufacturing and 0.70 +/- is zoned AR-2. Due to proposed lot splits and a land swap with the City of Columbus Recreation and Parks Department, the development site will have a different boundary than anticipated with the Harrison Park Plat and the rezoning and council variance. The site development will consist of eight (8), three (3) dwelling unit buildings, totaling 24 dwelling units, which is less than the 36 dwelling units permitted on the 0.751 acre AR-2 area described in Z04-026/CV04-009. Applicant requests variances to permit residential use of the area of the site zoned M, Manufacturing and requests comparable variances that are already permitted by CV04-009 to permit the proposed 24 dwelling unit project on a parcel with a different configuration than previously described in Z04-026/CV04-009.

- 1) 3333.025 AR-2 apartment residential district use, which section permits the proposed development as a multiple dwelling development, but doesn't permit attached single family dwellings if the site is platted to establish lots for the sale of individual townhouse units.
- 2) 3363.01, M, Manufacturing District, which Section doesn't permit residential uses, while 0.1 +/- acre of the site is zoned M, manufacturing and portions of certain dwelling units will be located in the area zoned M, Manufacturing.
- 3) 3333.09, Area requirements, which Section requires a minimum lot width of 50 feet, while the parcel complies with the 50 foot minimum lot width, but if this development area is developed as depicted but as attached dwelling units with a party wall on a property line, lot width may be reduced to a minimum width of fourteen (14) feet.
- 4) 3333.15, Basis of computing area, which Section permits maximum lot coverage (buildings) of 50%, while maximum lot coverage (buildings) shall be 60% as a multiple dwelling development and 100% lot coverage (building) if parcels are established for individual dwelling units.
- 5) 3333.16, Fronting, which Section requires frontage on a public street and the site development meets this requirement as a multiple dwelling development, but applicant 1 of 2, CV14- , 575 West 2<sup>nd</sup> Avenue

- may plat individual dwelling units to be on separate lots and the west dwelling units would not have street frontage.
- 6) 3333.18, Building Lines, to permit a two (2) foot building setback line, while Ordinance 1344-2004 and the Harrison Park plat (PB 108, PG 56, Franklin County Recorder) permits a two (2) foot building setback line from all public streets within Harrison Park and applicant proposes to continue to be permitted a two (2) foot building setback line on all public streets, including part of the West 2<sup>nd</sup> Avenue frontage where not presently permitted
- 7) 3333.22, Maximum side yard required, which Section requires 20% of the lot width to be provided in total side yard, subject to a maximum of 16 feet, while applicant proposes zero (0) side yard with attached dwelling units with a party wall(s) on a property line and a maximum of six (6) feet required between buildings, with or without a property line between the buildings.
- 8) 3333.23, Minimum side yard permitted, which Section requires a minimum five (5) foot side yard, while applicant proposes a minimum side yard of three (3) feet from property line or six (6) feet between buildings without a property line separating the buildings, unless dwelling units are constructed as townhouses for sale, in which case zero (0) side yard along the party wall(s)/property lines shall be permitted.
- 9) 3333.24, Rear yard, which Section requires a minimum of 25% of lot area in rear yard, while, if there aren't separate lots, there shall be no separate rear yard attributable to each building and if there are separate parcels, rear yard shall be a minimum of 0% of lot area because property lines will be established corresponding to building foot prints and yard and driveway area will be common area for the 24 dwelling units.
- 10) 3333.255, Perimeter yard, which Section requires a perimeter yard to be a maximum of 25 feet and a minimum of 10 feet, while applicant proposes a perimeter yard, applicable to the south and west property lines, of two (2) feet.
- 11) 3321.05, Vision Clearance, which Section requires a clear vision triangle at the intersection of the proposed site driveway and West Second Avenue, while applicant proposes a two (2) foot clear vision triangle because there is a platted two (2) foot building setback line on West 2<sup>nd</sup> Avenue, West Second Avenue west of Harrison Park Place is a deadend street and applicant has designed the private driveway as a 24 foot driveway rather than the minimum 20 feet to provide additional room and sight distance for vehicles.

03-29-2014



City of Columbus, Ohio • Department of Building & Zoning Services 757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433• <a href="https://www.columbus.gov">www.columbus.gov</a>

#### **AFFIDAVIT**

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(See	nevt	nage	for	inefru	(ctions)

	APPLICATION # CULY ODO
STATE OF OHIO COUNTY OF FRANKLIN	
Being first duly cautioned and sworn (1) NAME Donald I of (1) MAILING ADDRESS Plank Law Firm, 145 E. Rich Street, deposed and states that (he/she) is the applican list of the name(s) and mailing address(es) of a (2) per CERTIFIED ADDRESS FOR ZONING PURPO	FL 3, Columbus, OH 43215-5240  It, agent, of duly authorized attorney for same and the following is a all the owners of record of the property located at DSES 575 W. 2nd Avenue
for which the application for a rezoning, variance, speciand Zoning Services, on (3)	ial permit or graphics plan was filed with the Department of Building  HIS LINE TO BE FILLED OUT BY CITY STAFF)
SUBJECT PROPERTY OWNERS NAME AND MAILING ADDRESS	(4) Royal Tallow Holdings, LTD c/o Donald Plank, Plank Law Firm 145 E. Rich Street, FL 3 Columbus, OH 43215-5240
APPLICANT'S NAME AND PHONE # (same as listed on front of application)	Royal Tallow Holdings, LTD c/o Donald Plank, (614) 947-8600
AREA COMMISSION OR CIVIC GROUP AREA COMMISSION ZONING CHAIR OR CONTACT PERSON AND ADDRESS	C/o Kristen Easterday, President PO Box 163442, Columbus, OH 43216
shown on the County Auditor's Current Tarecord of property within 125 feet of the ext	f the names and complete mailing addresses, including zip codes, as ax List or the County Treasurer's Mailing List, of all the owners of the property for which the application was filed, and feet of the applicant's or owner's property in the event the applicant or out to the subject property(7)
(7) Check here if listing additional property owners	on a separate page.
SIGNATURE OF AFFIANT	(8) Ind / Mafe
Subscribed to me in my presence and before me this <u>2</u> SIGNATURE OF NOTARY PUBLIC	
My Commission Expires:	AUGUST 3 2015
	BARBARA A. PAINTER  Notary Public, State of Ohio  commission Expires ACGUST 3, ZC1/5

# **SUPPLEMENTAL PROPERTY OWNER LIST**

CV14-<u>O</u>O 575 West 2<sup>nd</sup> Avenue

## **Property Owner:**

City of Columbus Recreation and Parks Department c/o Mr. Alan D. McKnight, Director 1111 East Broad Street Columbus, OH 43205

BY:

Alan D. McKnight, Director

Date

EXHIBIT A, Public Notice 575 West 2<sup>nd</sup> Avenue CV14-<u>0</u>2 March 28, 2014

#### APPLICANT

Royal Tallow Holdings LTD c/o Donald Plank, Plank Law Firm 145 East Rich Street, 3<sup>rd</sup> Floor Columbus, OH 43215

#### **PROPERTY OWNER**

Royal Tallow Holdings LTD c/o Donald Plank, Plank Law Firm 145 East Rich Street, 3<sup>rd</sup> Floor Columbus, OH 43215

Alan D. McKnight, Director Recreation & Parks Department City of Columbus 1111 East Broad Street Columbus, OH 43205

#### **ATTORNEY FOR APPLICANT**

Donald Plank, Plank Law Firm 145 East Rich Street, 3<sup>rd</sup> Floor Columbus, OH 43215

#### **COMMUNITY GROUP**

Harrison West Society c/o Kristen Easterday, President PO Box 163442 Columbus, OH 43216

#### **PROPERTY OWNERS WITHIN 125 FEET**

Daniel W. Lehman Barbara A. Lehman 610 W. 2<sup>nd</sup> Ave. Columbus, OH 43201

Selena A. Drafton 584 W. 2<sup>nd</sup> Ave. Columbus, OH 43201

Robert C. Sondergaard Patricia C. Sondergaard 568 W. Second Ave. Columbus, OH 43201 Alan L. Fetters 596 W. Second Ave. Columbus, OH 43201

576 West Second LLC 5125 Highland Lakes Westerville, OH 43082

David J. Dysinger, et al. 8071 Morris Rd. Hilliard, OH 43026 Alice L. Teasley 475 W. 2<sup>nd</sup> Ave. Columbus, OH 43201

576 West Second LLC PO Box 8431 Columbus, OH 43201

Exhibit A, Public Notice 575 W. 2<sup>nd</sup> Avenue CV14-\_\_\_\_

March 28, 2014, Page 1 of 2

Joseph R. Armeni & Amelia A. Salerno 455 W. 3<sup>rd</sup>. Ave. Columbus, OH 43201 John C. Slifko Deidre K. Slifko 1014 Harrison Park Pl. Columbus, OH 43201 Paul Jordan Payne 1010 Harrison Park Pl. Columbus, OH 43201

Homes at Harrison Park Assoc. c/o Lacy Martin, Real Property Mgt. 9054 Cotter Street Lewis Center, OH 43035 Roy Truemper Pamela Truemper 1018 Harrison Park Pl. Columbus, OH 43201 Homes at Harrison Park Association c/o Mark Wagenbrenner 575 West First Avenue, Suite 100 Columbus, OH 43215

Ryan W. Binkley & Allison M. Binkley 1022 Harrison Park Pl. Columbus, OH 43201 Kevin J. Moffa 1026 Harrison Park Pl. Columbus, OH 43201 Scott M. Tod Kaiser 1030 Harrison Park Pl. Columbus, OH 43201

Bethany P. Singley & Daneyard J. Singley 1034 Harrison Park Pl. Columbus, OH 43201

Daniel O. Moorhead 1070 Harrison Park Pl. Columbus, OH 43201 Miriam Brierley 1038 Harrison Park Pl. Columbus, OH 43201

Jeffrey Kollesser 1042 Harrison Park Pl. Columbus, OH 43201 Ahmad Mostafavifar & Lisa Glance Mostafavifar 1046 Harrison Park Pl. Columbus, OH 43201

Richard W. Cumming Mary Cumming 1050 Harrison Park Pl. Columbus, OH 43201

Adam J. Deutsch & Kristina T. Deutsch 1054 Harrison Park Pl. Columbus, OH 43201

Mark G. Flesch, TR Nicole M. Roeder, TR 1058 Harrison Park Pl. Columbus, OH 43201 Russell Clay Lightfoot Brian Thomas Long 1062 Harrison Park Pl. Columbus, OH 43201

Sharon D. James 1066 Harrison Park Pl. Columbus, OH 43201

Theresa B Van Wick Kathleen A Tassell 998 Harrison Park Place Columbus, OH 43201 Scott A. Mangold 1006 Harrison Park Place Columbus, OH 43201

Stephen Hornyak Kathryn L Tarantino 982 Perry Street Columbus, OH 43201

#### **ALSO NOTIFY**

Royal Tallow Holdings LTD c/o Mark Wagenbrenner 575 West First Avenue, Suite 100 Columbus, OH 43215 Royal Tallow Holdings LTD c/o Brian Barrett 575 West First Avenue, Suite 100 Columbus, OH 43215 Rob Harris Wagenbrenner Co. 575 West First Avenue, Suite 100 Columbus, OH 43215

David B. Perry David Perry Company, Inc. 145 E Rich Street, FL 3 Columbus, OH 43215 Exhibit A, Public Notice 575 W. 2<sup>nd</sup> Avenue CV14- OD March 28, 2014, Page 2 of 2



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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# CV14-020					
STATE OF OHIO COUNTY OF FRANKLIN						
Being first duly cautioned and sworn [NAME] Donald Plank						
deposes and states that [he/she] is the AP FOR SAME and the following is a list of	Of [COMPLETE ADDRESS] Plank Law Firm, 145 E. Rich Street, FL 3, Columbus, OH 43215-5240 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, Sate, Zip Number of Columbus based employees Contact name and number						
1. Royal Tallow Holdings, LTD 575 W. First Avenue, Suite 100 Columbus, OH 43215 # of Columbus Based Employees: 0 Contact: Mark Wagenbrenner, (614) 545-3672	2. City of Columbus, Recreation & Parks Department 1111 East Broad Street Columbus, OH 43205 Contact: Alan McKnight, Director, (614) 645-3310					
3.	4.					
Check here if listing additional parties on a separate page.  SIGNATURE OF AFFIANT Down and Manual Plank						
Subscribed to me in my presence and before me this 29th day of MARCH, in the year 2014						
SIGNATURE OF NOTARY PUBLIC Pouls Ca. Pour ter  My Commission Expires:  AUGUST 3 2015						
Notary Seal Here  BARBARA A PAINTER Notary Public, State of Ohlo My Commission Expires AUGUST 3, 2015  This Project Disclosure Statement expires six months after date of notarization.						
This I reject Disclosure Dimention expires six months after dute of nontribution.						



# 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: 010279412, 010279407, 010290375, 010053575

**Zoning Number: 575** 

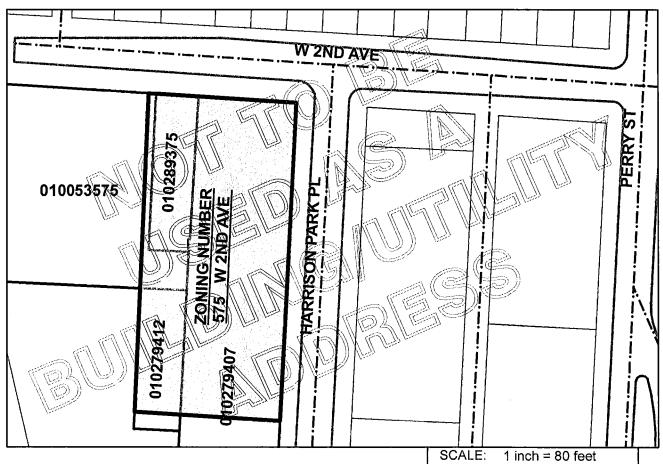
**Street Name: W 2ND AVE** 

Lot Number N/A

Subdivision: N/A

Requested By: DAVE PERRY CO., Inc. (DAVE PERRY)

Issued By: \_\_\_\_\_\_ Date: 3/27/2014





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

GIS FILE NUMBER: 18982

#### ZONING DESCRIPTION 0.8 +/- Acres

Situated in the State of Ohio, County of Franklin, City of Columbus, in Section 6, Township 5, Range 22, Refugee Lands, being part of a 0.647 acre tract conveyed to Royal Tallow Holdings, Ltd as described in Instrument Number 201106270079568, part a 1.048 acre tract conveyed to City of Columbus as described in Instrument Number 200712270220304, part of Reserve "B" and Reserve "C of Harrison Park as recorded in Plat Book 108 Page 56 conveyed to City of Columbus as described in Instrument Number 200712310221600, all of a 0.0002 acre tract conveyed to City of Columbus, Ohio as described in Instrument Number 201007120087258, and all of a 0.104 acre tract conveyed to Royal Tallow Holdings, Ltd. as described in Instrument Number 201007120087257, all references being those of record in the Franklin County, Ohio Recorder's Office and being more particularly described as follows:

Commencing at a 1" rebar at the intersection of the centerline of Second Avenue (60') and Harrison Park Place (60');

thence westerly, along the centerline of Second Avenue, North 86° 35' 35" West, 30.00 feet;

thence southerly, leaving the centerline of Second Avenue, South 02° 43′ 27″ West, 30.00 feet to the intersection of the southerly right-of-way line of Second Avenue and the westerly right-of-way line of Harrison Park Place, being the northeast corner of said 0.647 acre tract, and being the **TRUE POINT OF BEGINNING**;

thence southerly, with the westerly right-of-way line of Harrison Park Place and the east line of said 0.647 acre tract, South 02° 43' 27" West, 266.6 feet;

thence westerly, crossing said 0.647 acre tract and said Reserve "B" and Reserve "C", North 87° 16' 33" West, 122.5 feet;

thence northerly, crossing said Reserve "B" and said 1.048 acre tract, North 02° 43' 27" East, 268.1 feet to the north line of said 1.048 acre tract and being in the southerly right-of-way line of Second Avenue;

thence easterly, with the southerly right-of-way line of Second Avenue, the north line of said 1.048 acre tract, the north line of said 0.104 acre tract, and the north line of said 0.647 acre tract, South 86° 35' 35" East, 122.5 feet to the **TRUE POINT OF BEGINNING**, containing approximately 0.8 acres and encompasses parcel numbers: 010-289375, 010-279407, 010-053575, 010-279411, 010-279412

Subject to all legal rights-of-way and/or easements, if any, of previous record.

This description was prepared by Matthew E. Ferris, Registered Surveyor No. 8230, of E.P. Ferris & Associates, Inc. on March 31, 2014.

THIS DESCRIPTION IS NOT FOR RECORDING PURPOSE.

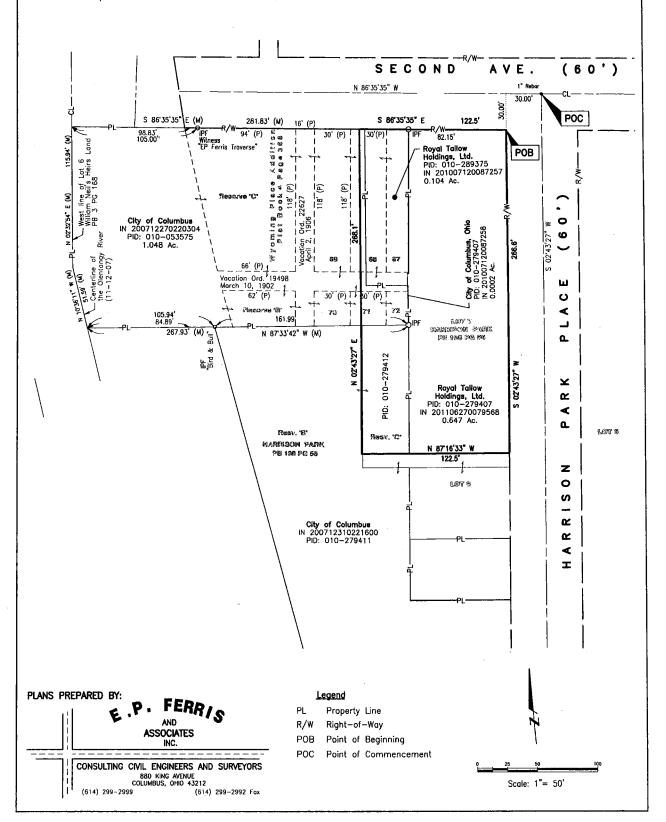
# E. P. FERRIS & ASSOCIATES, INC.

Consulting Civil Engineers and Surveyors 880 King Avenue, Columbus Ohio, 43212

(PH) 614-299-2999 (FX) 614-299-2992

# ZONING PLAT 0.8± Ac. Tract

Situated in the State of Ohio, County of Franklin, and the City of Columbus, Being in Section 6, Township 5, Range 22, Refugee Lands, being part of a 1.048 acre tract, part of a 0.647 acre tract, part of Reserve "B" and Reserve "C", all of a 0.104 acre tract, and all of a 0.0002 acre tract





# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

**MAP ID: dbp DATE:** 3/28/14



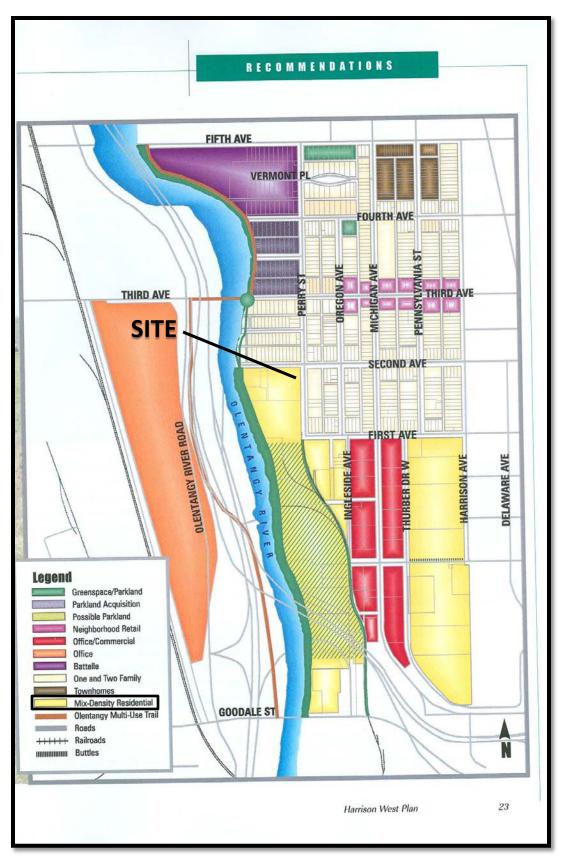
This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on 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

CNHOOD



CV14-020 575 West Second Avenue Approximately 0.8 acres



CV14-020 575 West Second Avenue Approximately 0.8 acres



CV14-020 575 West Second Avenue Approximately 0.8 acres