



## 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: CV14-024/14315-00000-00266  
Date Received: 4/28/14  
Application Accepted By: S. Pine Fee: \$960  
Comments: Assigned to Shannon Pine; 645-2208; spine@columbus.gov

### LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 1984 Genessee Ave Zip 43211  
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: 010-069596 and 010-069718 and 010-069704  
☐ Check here if listing additional parcel numbers on a separate page.  
Current Zoning District(s): C4  
Civic Association or Area Commission: North East Area Commission  
Proposed use or reason for Council Variance request: Single Family Residence on each lot  
Acreage: Each Lot: 0.126 acres

**APPLICANT:** Name Habitat for Humanity-MidOhio  
Address 3140 Westerville Rd City/State Columbus, OH Zip 43224  
Phone # 614-419-3647 Fax # 614-753-4005 Email: jhackworth@habitatmidohio.org

**PROPERTY OWNER(S):** Name Same  
Address \_\_\_\_\_ City/State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email: \_\_\_\_\_  
☐ Check here if listing additional property owners on a separate page.

### ATTORNEY / AGENT

☐ Attorney ☐ Agent

Name \_\_\_\_\_  
Address \_\_\_\_\_ City/State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email: \_\_\_\_\_

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

APPLICANT SIGNATURE Sam Hackworth  
PROPERTY OWNER SIGNATURE Sam Hackworth  
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.

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CV14-024

### 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:

*See Attached*

Signature of Applicant

*Sam Heckath*

Date

*4/28/14*

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Cv14-024

April 29, 2014

### Statement of Hardship

1984 Genessee Ave., Columbus OH 43211 Lot 38 Parcel ID# 010-069596

Vacant Lot 39 Parcel ID# 010-069718

Vacant Lot 40 Parcel ID# 010-069704

The three (3) separate 5,500 square foot parcels located mid-block on Genessee Ave. are zoned C-4 Commercial. Lot 38 contains a vacant and blighted single family that will be razed; the two adjacent lots immediately to the east, Lot 39 and Lot 40 respectively, are both vacant. The remainder of the lots on the block and other adjacent lots contain single family homes. Habitat for Humanity MidOhio, the Applicant, proposes to continue the same use but change the zoning classification to facilitate building new single family dwellings on each of the lots (38, 39 & 40).

The C-4 Commercial District permits residential use if located over a ground level commercial use. The Applicant proposes to change the use of all three parcels to residential use with the proposed single family dwellings, including ground level residential use and residential use not located over a ground level commercial use and accessory parking for each dwelling unit.

The Applicant submits this application to request a variance to sections 3356.03, C-4 Permitted Uses and 3356.11, C-4 District Setback Lines, to permit ground level residential use setback in a manner consistent with adjacent properties.

All adjacent properties are residential uses and single family homes. Commercial development would be an inappropriate use of these parcels at this time since the land use patterns adjacent to these parcels are residential.

Granting of this variance will not impair an adequate supply of light and air to the adjacent properties, unreasonably increase the congestion of the public streets, increase the danger of fires, endanger public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City of Columbus.



3140 Westerville Road, Columbus, Ohio 43224  
(614) HABITAT Fax (614) 414-0432  
[www.HabitatMidOhio.org](http://www.HabitatMidOhio.org)





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### AFFIDAVIT

(See next page for instructions)

APPLICATION # CV14-024

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Jason Hackworth  
of (1) MAILING ADDRESS 3140 Westerville Rd Columbus, OH 43224  
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 1984 Genessee Ave  
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) 4/28/14

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME  
AND MAILING ADDRESS

(4) Habitat for Humanity-MidOhio  
c/o Jason Hackworth  
3140 Westerville Rd  
Columbus, OH 43224

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

Habitat for Humanity-MidOhio  
614-419-3647

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

(5) North East Area Commission  
c/o Alice Porter  
3130 McCutcheon Pl Columbus, OH 43219

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

Subscribed to me in my presence and before me this 28<sup>th</sup> day of April, in the year 2014

SIGNATURE OF NOTARY PUBLIC

(8) Melissa L Landon  
December 9, 2014

My Commission Expires:



MELISSA L LANDON  
NOTARY PUBLIC  
STATE OF OHIO  
Comm. Expires  
December 09, 2014  
Recorded in  
Franklin County

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**APPLICANT/OWNER**

**AREA COMMISSION**

CV14-024

Habitat for Humanity-MidOhio  
c/o Jason Hackworth  
3140 Westerville Road  
Columbus, OH 43224

North East Area Commission  
c/o Alice Porter  
3130 McCutcheon Pl  
Columbus, OH 43219

**SURROUNDING PROPERTY  
OWNERS**

AMT INVESTMENT PROPERTIES LLC  
PO BOX 133  
WORTHINGTON, OH 43085

CTH GROUP LLC  
605 H HIGH ST #108  
COLUMBUS, OH 43215

COLLINS PATRICK L & ROSE M  
2015 MINNESOTA AVE  
COLUMBUS, OH 43211

CROUCH MATTHEW J  
1965 GENESSEE AVE  
COLUMBUS, OH 43211

DIALS BURL D  
2007 GENESSEE AVE  
COLUMBUS, OH 43211

DUNLAP GREGORY A  
1983 MINNESOTA AVE  
COLUMBUS, OH 43211

FITZGERALD ANDREW M  
1983 GENESSEE AVE  
COLUMBUS, OH 43211

VANHORN ROSANA K  
2004 GENESSEE AVE  
COLUMBUS, OH 43211

GATEWOOD BANKS M  
1999 GENESSEE AVE  
COLUMBUS, OH 43211

GILLIAM CORA M  
1977 GENESSEE AVE  
COLUMBUS, OH 43211

GINES FELICIANA SANTIAGO  
4765 STILES AVE  
COLUMBUS, OH 43228

HABITAT FOR HUMANITY- MIDOHIO  
3140 WESTERVILLE RD  
COLUMBUS, OH 43224

LEE DAVID LEE OUIJAE K  
1551 KIRKLEY RD  
COLUMBUS, OH 43221

MAGUANA ANGEL  
3000 SULLIVANT AVE  
COLUMBUS, OH 43204

MCCANDLISH DONNA LOU TOD  
1973 MINNESOTA AVE  
COLUMBUS, OH 43211

MCKENZIE TIMOTHY G & KAREN F  
2475 PARKWOOD AVE  
COLUMBUS, OH 43211

MILLER GARY D  
2510 NORTHWOLD DR  
COLUMBUS, OH 43231

STERN SIDNEY I  
2003 MINNESOTA AVE  
COLUMBUS, OH 43211

TAYLOR KEITH D  
1989 MINNESOTA AVE  
COLUMBUS, OH 43211

VJ CAPITAL PROPERTIES LLC  
2483 PARKWOOD AVE  
COLUMBUS, OH 43211



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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 # CV14-024

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] Jason Hackworth

Of [COMPLETE ADDRESS] 3140 Westerville Rd. Columbus, OH 43224  
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>Habitat for Humanity-MidOhio</u> <u>3140 Westerville Rd</u> <u>Columbus, OH 43224</u> <u>37 Columbus based employees</u> <u>Jason Hackworth 614-419-3647</u>	2.
3.	4.

☐ Check here if listing additional parties on a separate page.

#### SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 28<sup>th</sup> day of April, in the year 2014

#### SIGNATURE OF NOTARY PUBLIC

Melissa L Landrum  
My Commission Expires December 9, 2014

NOTARY PUBLIC

STATE OF OHIO

Comm. Expires

December 09, 2014

Recorded in

Franklin County

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

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CV14-024

LEGAL DESCRIPTION

Situated in the State of Ohio, County of Franklin and in the City of Columbus:

Being Lots Numbered Thirty-Eight (38), Thirty-Nine (39) and Forty (40) in LINDEN VIEW THIRD ACRE ADDITION, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 7, page 418, Recorder's Office, Franklin County, Ohio.

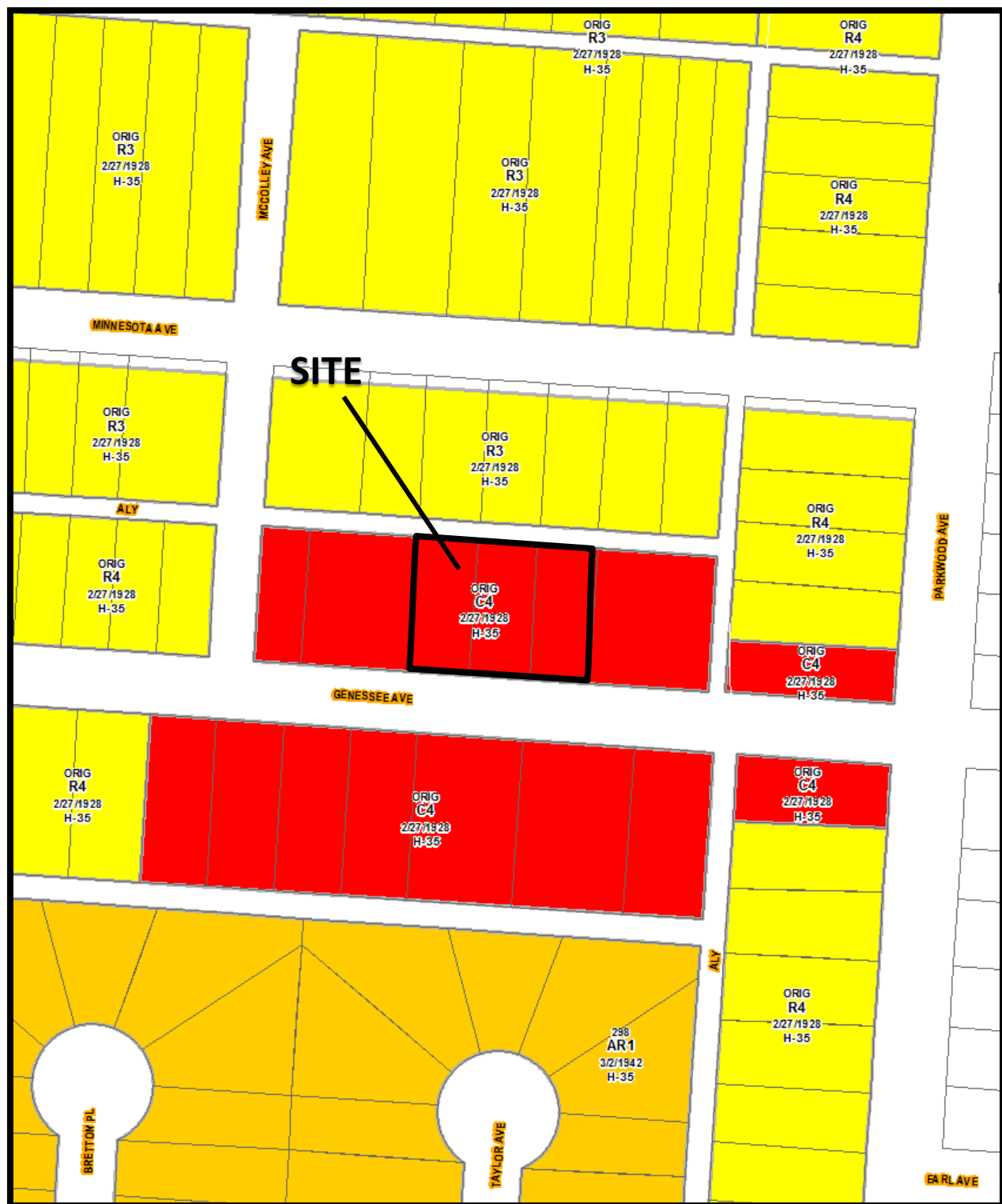
Property Address: 1984 Genessee Avenue, Columbus, OH 43211

Parcel Nos: 010-069596 and 010-069718 and 010-069704

Prior Instrument Reference: 200012220258204



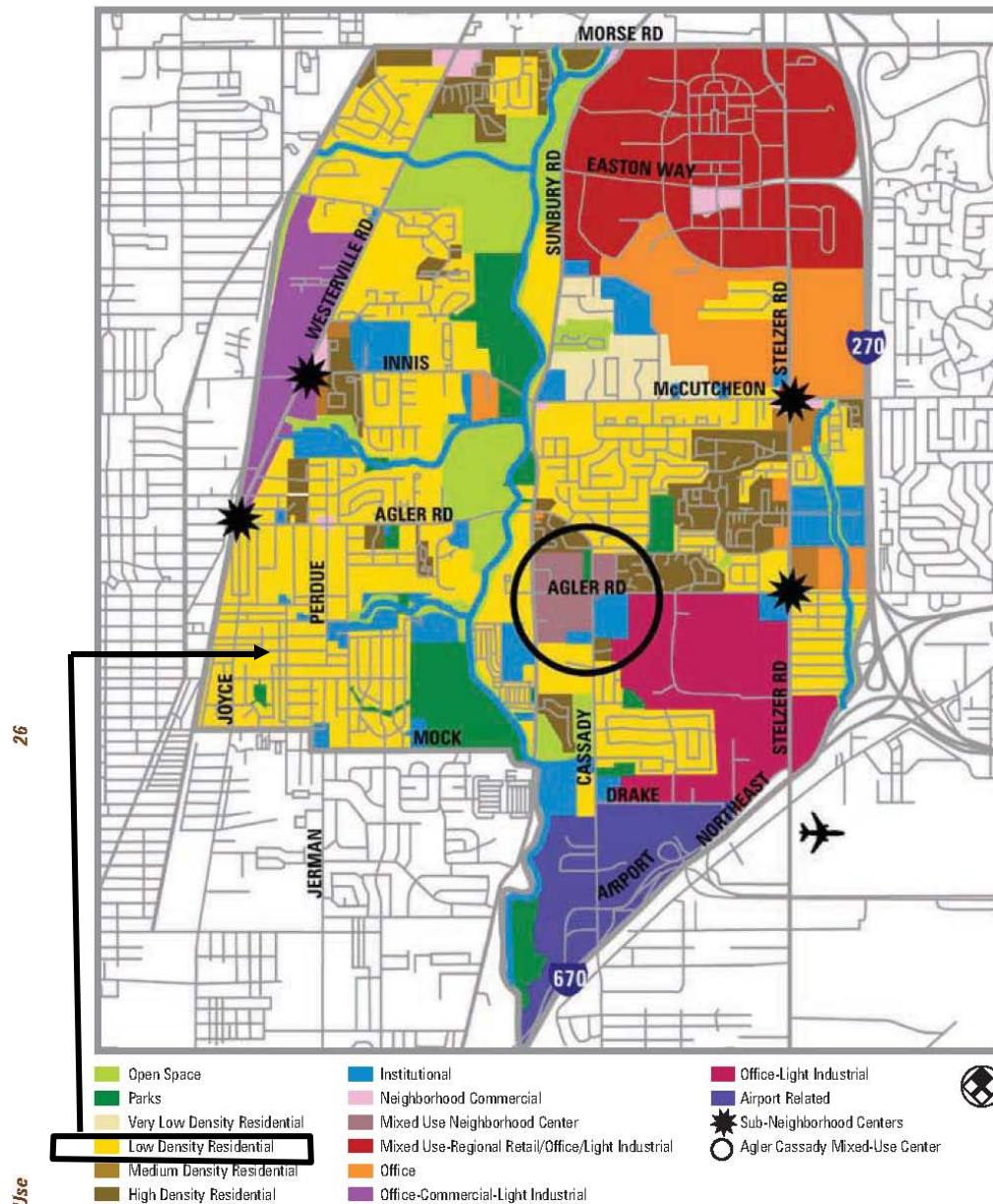




CV14-024  
1984 Genessee Avenue  
Approximately 0.39 acres



Figure 5. Land Use Plan



CV14-024  
1984 Genessee Avenue  
Approximately 0.39 acres





CV14-024  
1984 Genessee Avenue  
Approximately 0.39 acres