



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: CV14-029 / 14315-00000-00369
Date Received: 5/30/14
Application Accepted By: S. Pine Fee: \$1600
Comments: Assigned to Shannon Pine, 645-2208, spine@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 1487 Madison Ave Zip 43205
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: 010-037240
 Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s): R-3 District
Civic Association or Area Commission: Near East
Proposed use or reason for Council Variance request: Home Office
Acreage: 0.13

APPLICANT: Name Paul D. Howard
Address 1487 Madison Ave City/State Columbus Ohio Zip 43205
Phone # 614 253-5224 Fax # 614 253-2407 Email: paulhoward@tghca.com

PROPERTY OWNER(S): Name Paul D Howard
Address 1487 Madison Ave City/State Columbus, Ohio Zip 43205
Phone # 614 935-2373 Fax # 614 253-2407 Email: paulhoward@tghca.com
 Check here if listing additional property owners on a separate page.

ATTORNEY / AGENT Attorney Agent
Name Kim S. Neale
Address 1453 Burnley Sq W City/State Columbus, OH Zip 43229
Phone # 614 315-0229 Fax # 614 253-2407 Email: kimneale@tghca.com

SIGNATURES (ALL SIGNATURES MUST BE SIGNED IN BLUE INK)

APPLICANT SIGNATURE [Signature]
PROPERTY OWNER SIGNATURE [Signature]
ATTORNEY / AGENT SIGNATURE [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.
Applications must be submitted by appointment. Call 614-645-4522 to schedule.
Please make all checks payable to the Columbus City Treasurer



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014-029

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

P. D. Howard

Date

2-26-14

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CV14-029

STATEMENT OF HARDSHIP
COUNCIL VARIANCE APPLICATION
1487 MADISON AVENUE (43205)

The Applicant is seeking permission to continue operating a home health agency at his place of residence located at 1487 Madison Avenue, Columbus OH 43205. The applicant's principal residential address is 1487 Madison Avenue. Obviously, a zoning change for commercial use would not be appropriate in a residential neighborhood; therefore, he is left with this avenue of approach. The company has been at this location since 2011. The Applicant believes that such use has not and will not adversely affect the surrounding property or surrounding neighborhood.

The purpose of Section 3332.37 (Home Occupation) of the Columbus Zoning Code "is to permit a home occupation as an accessory use if it is compatible with the residential character of the neighborhood in which it is located and is conducted so as not to have an adverse effect upon the average neighbor under normal circumstances; to set standards by which to judge the operation of such use; and to prohibit uses which are incompatible with permissible uses in residential districts." (Columbus Zoning Code, pages 793-794). The Applicant wishes to conduct his home health agency business subject to the following conditions:

1. The Applicant's home occupation will be confined to his principal residence and will be excluded from any yard or accessory building. The Applicant's home occupation is clearly incidental and subordinate to the primary residential use.
2. The Applicant wishes to vary Section 3332.37(0) of the Columbus Zoning Code, which limits the percentage of the livable area of any residence to be used for a home occupation from twenty (20) percent to twenty-seven (27) percent. Pursuant to the Franklin County Auditor, the square footage of the dwelling is 3,038 square feet. If you multiply 3,038 by 27 percent, the actual square footage of the dwelling being used for the home occupation is 820 square feet.
3. The Applicant wishes to vary Section 3332.37(E) of the Columbus Zoning Code, which limits the assistance of supportive personnel to be employed, not residing in the dwelling, from zero (0) to three (3) persons. The three persons who are currently employed at the site are at the site for no more than 5 hours during the course of a normal business day. The Applicant has 7 other employees who do not work on site. The hours of operation are from 10:00 a.m., to 4:00 p.m. Monday thru Friday, and 10 a.m. to 2 p.m. on Saturday. The home occupation is not being operated on Sundays.
4. The Applicant does not and shall not store any equipment or materials used in his home occupation outside his principal residence.
5. The Applicant has not and shall not make any change to any utility line, meter or service to accommodate his home occupation and his home occupation does not unreasonably exceed that normally or previously used at his principal residence.
6. No equipment or process used in the Applicant's home occupation emits radiation or creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. Most employees work from their homes and most of the work performed by the home health agency is performed off-site at the patient's location.

7. The Applicant believes that traffic has not and will not be increased in volume or will traffic be unreasonably generated by the operation of his home health agency business than would otherwise normally occur in the residential neighborhood where his principal residence is located. The Applicant's home occupation is a secured facility and does not accept patients at the site.

The principal residence currently uses on street parking as there are no designated spaces for residents. There are approximately 25 street parking spaces on Madison Ave that run East and West. In addition, on street parking along Auburn Avenue which runs North and South consists of approximately 15 parking spaces and 15 on street parking on Franklin Park West that runs North and South.

8. There is no potential or future plan for expansion of the current home occupation space. This type of business allows the Applicant's company to utilize remote web facilities, which allows most of the employees to now work from their home. The company does have monthly meetings; however, those meetings are held and shall be held at off-site locations. All bookkeeping, accounting and files are securely kept on the cloud (internet based storage) and paper copies are also securely kept at the Applicant's home office.

The granting of said variance will not impair an adequate supply of light and air to the adjacent properties, 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 consideration of the above, the Applicant seeks your approval of his Council Variance. Application to permit the continuance of his home occupation located at his principal residence at 1487 Madison Avenue.

Thank you.

A handwritten signature in black ink, appearing to read "Paul D. Howard". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Paul D. Howard



COUNCIL VARIANCE APPLICATION

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AFFIDAVIT

(See next page for instructions)

APPLICATION # CV14-029

STATE OF OHIO _____
COUNTY OF FRANKLIN _____

Being first duly cautioned and sworn (1) NAME Paul D. Howard
of (1) MAILING ADDRESS 1487 Madison Avenue COLUMBUS OH 43205

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 1487 Madison 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) 5/30/14

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME AND MAILING ADDRESS (4) Paul D. Howard
1487 Madison Avenue
COLUMBUS, OH 43205

APPLICANT'S NAME AND PHONE # (same as listed on front of application) Paul D. Howard
614-252-3224

AREA COMMISSION OR CIVIC GROUP (5) NEAR EAST Area Commission
AREA COMMISSION ZONING CHAIR OR Annika Ross Womack (Zoning Chair)
CONTACT PERSON AND ADDRESS 874 Oakwood AVE Columbus OH 43206

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)

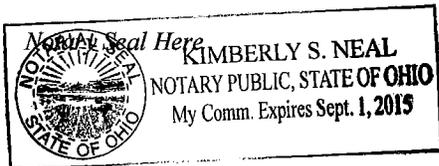
(7) Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT (8) Paul D. Howard

Subscribed to me in my presence and before me this 26th day of February, in the year 2014

SIGNATURE OF NOTARY PUBLIC (8) [Signature]

My Commission Expires: September 1, 2015



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CV14-029

APPLICANT/OWNER

AREA COMMISSION

PAUL D HOWARD
1487 MADISON AVE
COLUMBUS, OH 43205

NEAR EAST AREA COMMISSION
C/O ANNIE ROSS-WOMACK
874 OAKWOOD AVE
COLUMBUS, OH 43206

NEAR EAST AREA COMMISSION
C/O KATHLEEN BAILEY
489 LINWOOD AVE
COLUMBUS, OH 43205

SURROUNDING PROPERTY OWNERS

JOANN BOYD
C/O BRANDON BOYD
1550 HAWTHORNE AVE
COLUMBUS, OH 43203

BRIMAR FAMILY LP
C/O MARY BROOKS
PO BOX 16841
COLUMBUS, OH 43216

CITIMORTGAGE INC
1000 TECHNOLOGY DR
SAINT CHARLES, MO 63304

CORNETT PAUL
CORNETT BARBARA L
78 AUBURN AVE
COLUMBUS, OH 43205

NAOMI D DAVIS
1470 FAIR AVE
COLUMBUS, OH 43205

EVANS TYLER N
EVANS MELISSA D
103 FRANKLIN PARK W
COLUMBUS, OH 43205

FINCHER WESLEY S
FINCHER GWENDOLYN A
1475 MADISON AV
COLUMBUS, OH 43205

INVESTMENT ONE
CORPORATION LTD
P O BOX 164204
COLUMBUS, OH 43216

MELVIN S JACOBS
196 MILLER AVE
COLUMBUS, OH 43205

LITTLE JAMECIA L
91 FRANKLIN PARK W
COLUMBUS, OH 43205

LOVE ZION BAPTIST CHURCH
1459 MADISON AVE
COLUMBUS, OH 43205

LOWERY GREG
81 AUBURN AVE
COLUMBUS, OH 43205

MURFIELD BRANDON
82 AUBURN AVE
COLUMBUS, OH 43205

PLUNKETT JAMES D
SWENSON KIMBERLY J
525 S LAZELLE RD
COLUMBUS, OH 43206

SINGLETON JOHN E
SINGLETON KARA M
85 FRANKLIN PARK W
COLUMBUS, OH 43205

THOMPSON PAUL S
1468 FAIR AVE
COLUMBUS, OH 43205

WHITE JAMES A
131 FRANKLIN PARK W
COLUMBUS, OH 43205

WIGGERS JAMES A
117 W FRANKLIN PARK RD
COLUMBUS, OH 43205

STEPHEN E WILLIAMS
MICHEL D OHARA
1015 PINE VIEW RD
WESTERVILLE, OH 43081

ALFONZO N WOODFORD
3483 BINBROOK RD N
COLUMBUS, OH 43227



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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 # W14-029

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] PAUL D. HOWARD

Of [COMPLETE ADDRESS] 1487 MADISON AVE, Columbus, OH 43205
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>THE GENTLE HANDS CARE AGENCY LLC</u> <u>1487 MADISON AVE Columbus, OH 43205</u> <u>Kim Neal - 614 315-0229</u> <u>Katinn Ashby - 614 413-7749</u> <u>Paul Howard - 614 435-2373</u>	2.
3. <u>SELF</u> <u>2-3 EMPLOYEES</u>	4.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

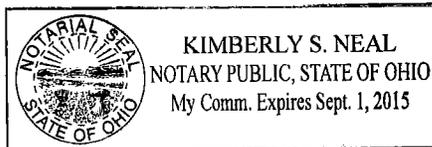
Subscribed to me in my presence and before me this 26th day of February, in the year 2014

SIGNATURE OF NOTARY PUBLIC _____

My Commission Expires: _____

[Signature]
September 1, 2015

Notary Seal Here



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

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City of Columbus Zoning Plat



CV14-029

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: 010037240

Zoning Number: 1487

Street Name: MADISON AVE

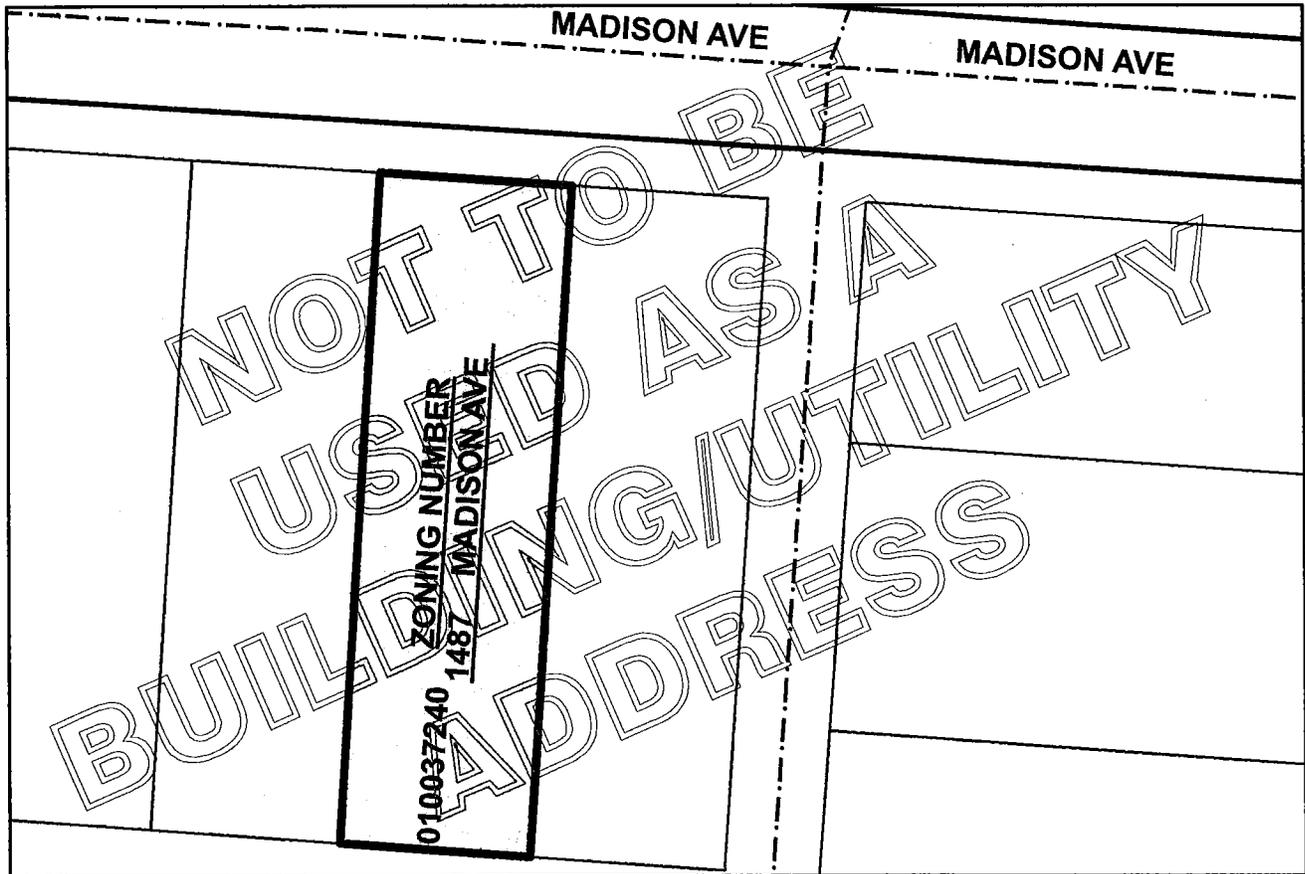
Lot Number 4

Subdivision: MCGREW

Requested By: PAUL HOWARD (OWNER)

Issued By: *Patricia Austin*

Date: 2/28/2014



SCALE: 1 inch = 40 feet

GIS FILE NUMBER: 18022



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

C114-029

PROBATE COURT OF FRANKLIN COUNTY, OHIO

ESTATE OF EDDIE B. HOWARD DECEASED
Case No. 406675 Docket _____ Page _____

CERTIFICATE OF TRANSFER
NO. ONE

The real estate, the transfer of which is memorialized by this certificate, is described as follows [describe below, using extra sheets if necessary.]

The decedent's interest in the entire interest is an undivided one-half interest

Situated in the County of Franklin, in the State of Ohio, and in the City of Columbus, and bounded and described as follows:

Being Lot Number Four (4) of MC GREW'S SUBDIVISION of Lots 7 to 12 inclusive, of ZETTLER'S SUBDIVISION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 5, Page 94, Recorder's Office, Franklin County, Ohio. Also known as 1487 Madison Avenue, Columbus, Parcel #010-37240.

16989604



CV14-029
1487 Madison Avenue
Approximately 0.13 acres

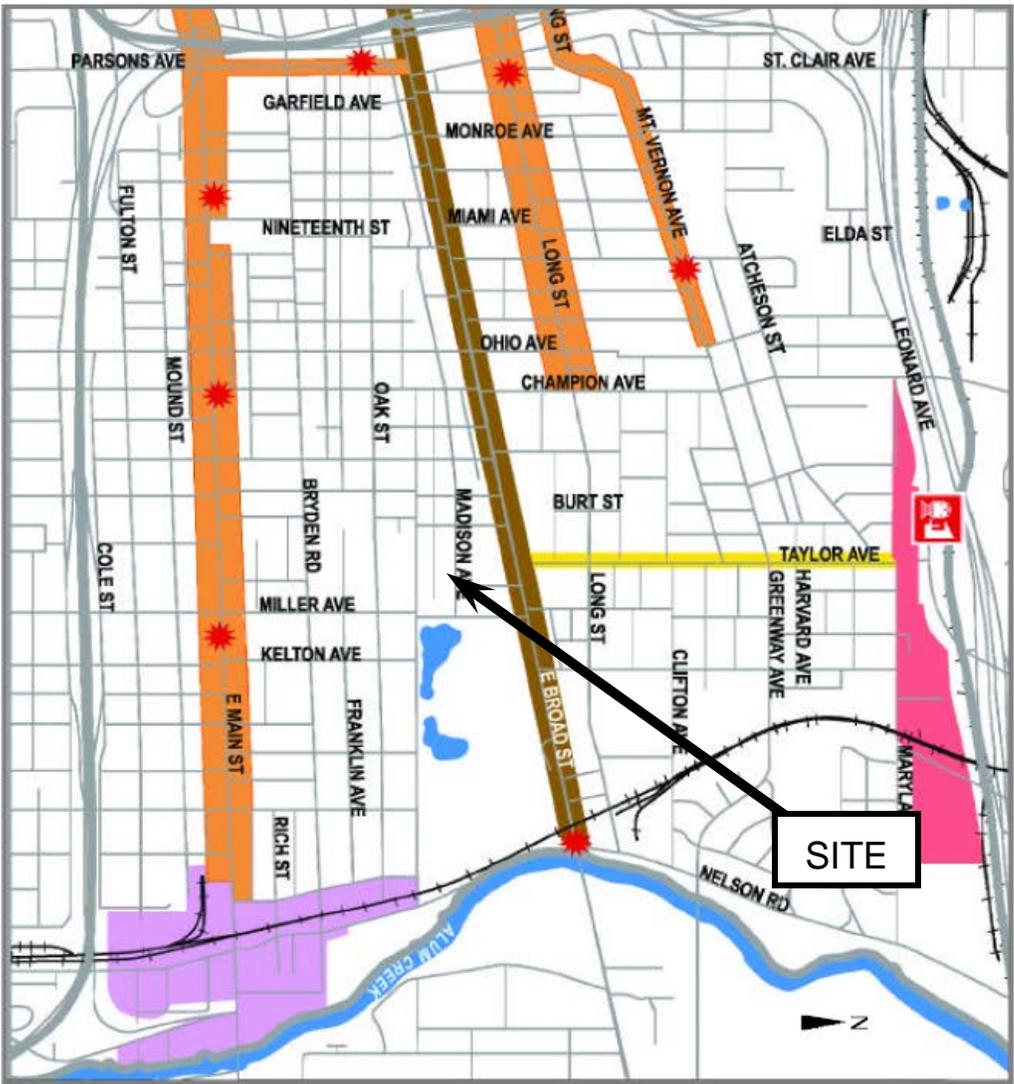


Figure 5

- ★ **Light Industrial/Commercial:** This area consists largely of light industrial development. Future development should reinforce this land use. Development standards should be utilized to ensure high quality development.
- ★ **Potential Light Rail Station:** A site in this area should be reserved for a potential light rail station. COTA's Vision 2020 plan anticipates the development of light rail within this corridor and this area could provide a convenient rail station and spur/ accommodate commercial and higher density residential development.
- **Lower and Medium Density Residential**
- **East Broad Street:**
- **Higher Density Residential/ Mixed Use Development:**
- ★ **Commercial District Nodes**
- **Office/Light Industrial/Mixed Uses**
- **Light Industrial/Commercial**
- **Potential Light Rail Station**



CV14-029
1487 Madison Avenue
Approximately 0.13 acres