



# 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: # 14310-00000-00636  
 Date Received: 4 SEPT. 2014  
 Commission/Group: CLINTONVILLE  
 Existing Zoning: C-4 Application Accepted by: JF Fee: \$140-  
 Comments: (already paid \$1700)

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

Variance       Special Permit

Indicate what the proposal is and list applicable code sections. State what it is you are requesting.  
 Propose to reduce the building setback along High Street from 60' to 10' (3356.11.A.2)  
 Propose to reduce the parking setback along High Street and Crosswell Road from 25' to 10' (3312.27)

### LOCATION

1. Certified Address Number and Street Name 4109 North High Street  
 City Columbus State Ohio Zip 43214  
 Parcel Number (only one required) 010-071204

### APPLICANT: (IF DIFFERENT FROM OWNER)

Name Rickard Alan Sicker c/o RAS Civil Engineering, LLC  
 Address 4254 Tuller Road City/State Dublin, Ohio Zip 43017  
 Phone # (614) 581 - 8504 Fax # (614) 761 - 0717 Email Rick\_Sicker@att.net

### PROPERTY OWNER(S):

Name Philip E. Absi c/o A-Z Investment Properties  
 Address 3790 South Old 3C Road City/State Galena, Ohio Zip 43021  
 Phone # (740) 965 - 3790 Fax # (614) 263 - 1860 Email gabsi@peabsi.com  
 Check here if listing additional property owners on a separate page.

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

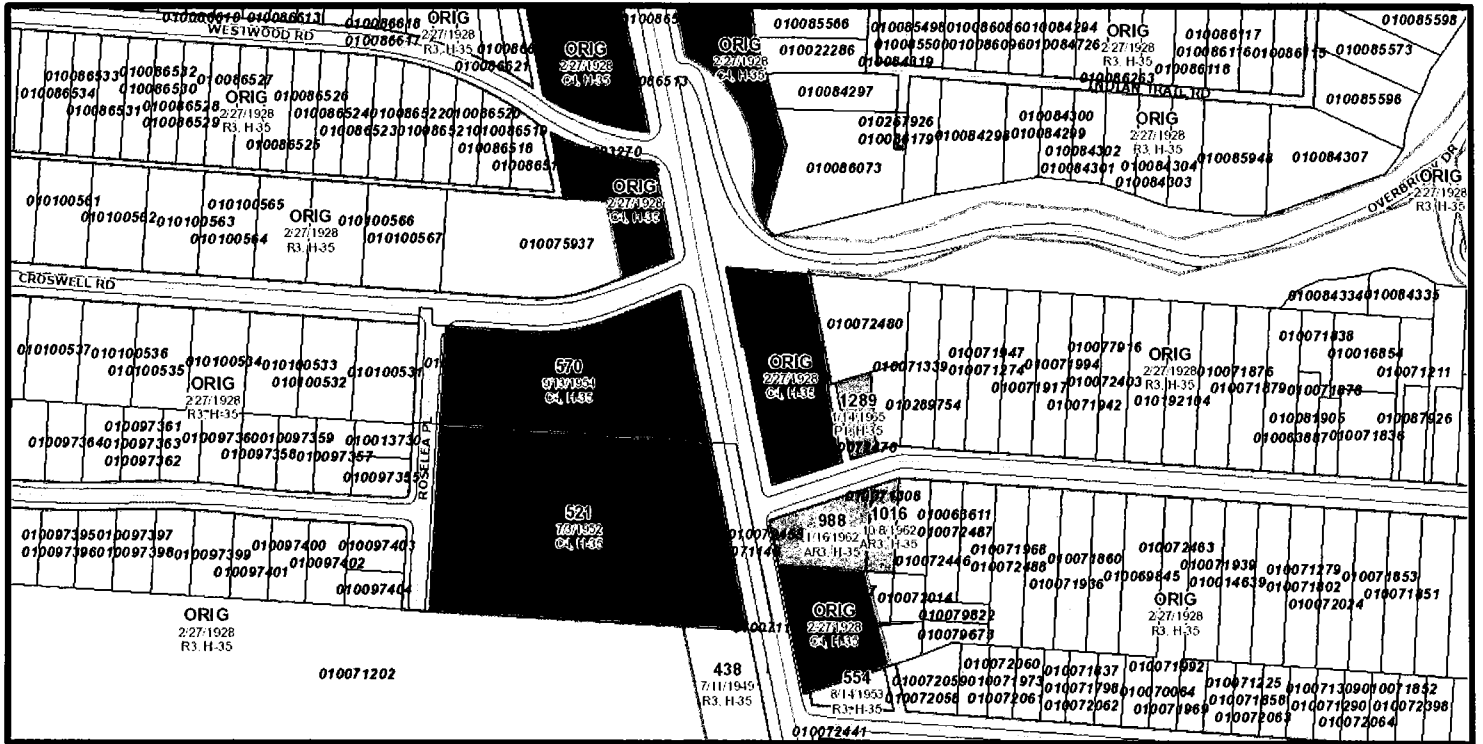
Name \_\_\_\_\_  
 Address \_\_\_\_\_ City/State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email: \_\_\_\_\_

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

APPLICANT SIGNATURE Rickard Alan Sicker  
 PROPERTY OWNER SIGNATURE \_\_\_\_\_  
 ATTORNEY / AGENT SIGNATURE \_\_\_\_\_

**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

Zoning Map  
City of Columbus, Ohio



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**14310-00000-00636**  
**4109 NORTH HIGH**  
**STREET**



# COUNCIL VARIANCE APPLICATION

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## AFFIDAVIT

(See next page for instructions)

**14310-00000-00636**  
**4109 NORTH HIGH STREET**

APPLICATION # \_\_\_\_\_

STATE OF OHIO \_\_\_\_\_

COUNTY OF FRANKLIN \_\_\_\_\_

Being first duly cautioned and sworn (1) NAME RICKARD ALAN SICKER  
of (1) MAILING ADDRESS 2AS CIVIL ENGINEERING, 4254 TULLER ROAD, DUBLIN, OH 43017  
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 4109 N. HIGH STREET, COLUMBUS, OH 43214  
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) July 29, 2014  
(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME AND MAILING ADDRESS

(4) A-2 INVESTMENT PROPERTIES, LTD.  
(PHILIP E. ABSI)  
3790 SOUTH OLD 3C ROAD  
GALENA, OH 43021

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

RICKARD ALAN SICKER  
(614) 581-8504

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

(5) CLINTONVILLE AREA COMMISSION  
DANA BAGWELL, ZONING CHAIR  
3909 N. HIGH ST., COLS, OH 43214

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) *Rickard Alan Sicker*

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

SIGNATURE OF NOTARY PUBLIC

(8) *Victor M. Lopez*  
12-25-2014

My Commission Expires



**Victor M. Lopez**  
Notary Public, State of Ohio  
My Commission Expires 12-25-2018

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## STATEMENT OF HARDSHIP

14310-00000-00636  
4109 NORTH HIGH  
STREET

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:

Three Hardships exist for this Project:

1) The existing topography doesn't allow for feasible development of the entire southwest corner of the site. This pushes the developable area forward, which also allows for maintaining natural features that the Clintonville neighbors want.

2) When the existing culvert was constructed on the site by the previous owner, they failed to compact the soil properly. The building location needs to be at maximum virgin soil.

3) Unlike many commercial sites on High Street, the subject site does not currently fall within the overlay which allows for the reduced building and parking setbacks. We have been told that it is desirable to the neighborhood to meet as many of the overlay district requirements as possible.

Signature of Applicant

Date

9/4/14

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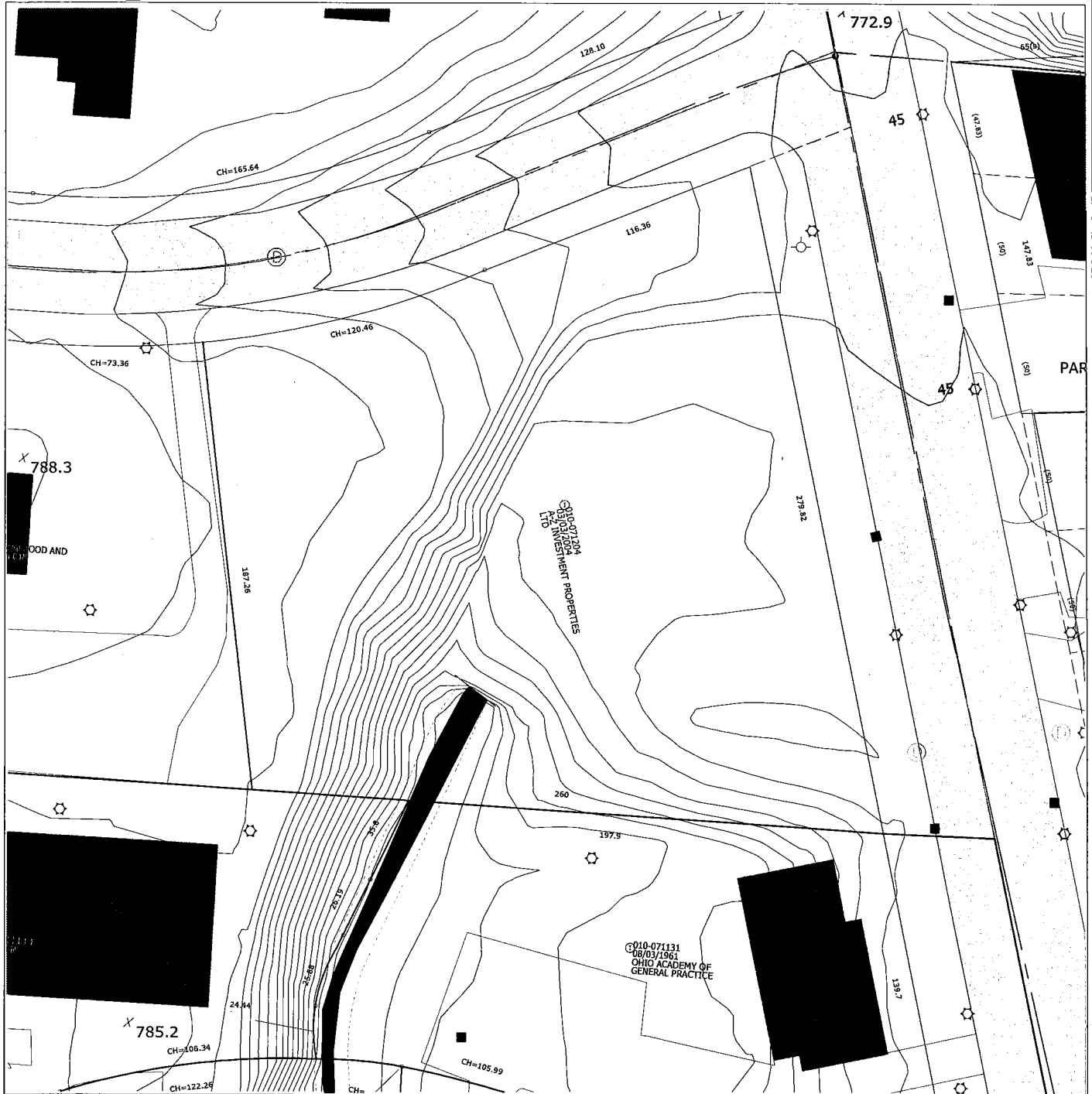
CV14-040



# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: c

DATE: 7/24/14



Disclaimer

Scale = 60



This map is prepared for the real property inventory within the survey plats, and other public records and data. Users of this information sources should be consulted for verification of the county and the mapping companies assume no legal responsibility. Please notify the Franklin County GIS Division of any discrepancies.

14310-00000-00636  
4109 NORTH HIGH STREET

eds,  
s map.



14310-00000-00636  
 4109 NORTH HIGH  
 STREET

# HIGH & CROSWELL

1" = 50'-0" Aug. 29, 2014

**CRAWFORD HOYING**  
 real estate



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## PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application must be filled out completely and notarized. Do not include the project name or address on this page. THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not include the project name or address on this page.

**14310-00000-00636**  
**4109 NORTH HIGH STREET**

APPLICATION:

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] RICHARD ALAN SICKER

Of [COMPLETE ADDRESS] RAS CIVIL ENGINEERING, 4254 TULLER RD, DUBLIN, OH 43017  
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>A-Z Investment Properties, Ltd.</u> <u>3790 SOUTH OLD 3C ROAD</u> <u>GALENA, OHIO 43021</u> <u>PHILIP E. Absi (740) 965-3790</u>	2.
3.	4.

Check here if listing additional parties on a separate page.

**SIGNATURE OF AFFIANT**

*Richard Alan Sicker*

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

**SIGNATURE OF NOTARY PUBLIC**

*Victor M. Lopez*

My Commission Expires:

12-25-2018



**Victor M. Lopez**  
Notary Public, State of Ohio  
My Commission Expires 12-25-2018

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

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