



Board of Zoning Adjustment Application

DEPARTMENT OF BUILDING AND ZONING SERVICES

757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov

OFFICE USE ONLY

Application Number: BZA15-025 Date Received: 2/19/15
Application Accepted by: D. Reiss Fee: \$640.00
Commission/Civic: None
Existing Zoning:
Comments: 4/28/15

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

- [X] Variance [ ] Special Permit

Indicate what the proposal is and list applicable code sections:

See Exhibit B

LOCATION

Certified Address: 2009 Marble Cliff Crossing Court City: Columbus Zip: 43204

Parcel Number (only one required): 010-243223, 010-243224

APPLICANT (If different from Owner):

Applicant Name: The Morrone Development Company, LLC c/o Donald Plank Phone Number: (614) 947-8600 Ext.:

Address: Plank Law Firm, 145 E. Rich Street, FL 3 City/State: Columbus, OH Zip: 43215

Email Address: dplank@planklaw.com Fax Number: (614) 228-1790

PROPERTY OWNER(S) [ ] Check here if listing additional property owners on a separate page

Name: The Morrone Development Company, LLC c/o Donald Plank Phone Number: (614) 947-8600 Ext.:

Address: Plank Law Firm, 145 E. Rich Street, FL 3 City/State: Columbus, OH Zip: 43215

Email Address: dplank@planklaw.com Fax Number: (614) 228-1790

ATTORNEY / AGENT (Check one if applicable): [X] Attorney [ ] Agent

Name: Donald Plank Phone Number: (614) 947-8600 Ext.:

Address: Plank Law Firm, 145 E. Rich Street, FL 3 City/State: Columbus, OH Zip: 43215

Email Address: dplank@planklaw.com Fax Number: (614) 228-1790

SIGNATURES (All signatures must be provided and signed in blue ink)

APPLICANT SIGNATURE [Signature]

PROPERTY OWNER SIGNATURE [Signature]

ATTORNEY / AGENT SIGNATURE [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 checks payable to the Columbus City Treasurer



# CITY OF COLUMBUS

## DEPARTMENT OF BUILDING AND ZONING SERVICES

### One Stop Shop Zoning Report Date: Wed Mar 4 2015

General Zoning Inquiries: 614-645-8637

#### SITE INFORMATION

**Address:** 2007 MARBLE CLIFF CROSSING CT COLUMBUS, OH  
**Mailing Address:** 8120 OLENTANGY RIVER RD  
DELAWARE OH 43015

**Owner:** MORRONE DEVELOPMENT CO  
**Parcel Number:** 010243223

#### ZONING INFORMATION

**Zoning:** Z96-007A, Multi-family, PUD4  
effective 7/19/1999, Height District H-35

**Historic District:** N/A

**Board of Zoning Adjustment (BZA):** N/A

**Historic Site:** No

**Commercial Overlay:** N/A

**Council Variance:** N/A

**Graphic Commission:** N/A

**Flood Zone:** OUT

**Area Commission:** N/A

**Airport Overlay Environs:** N/A

**Planning Overlay:** N/A

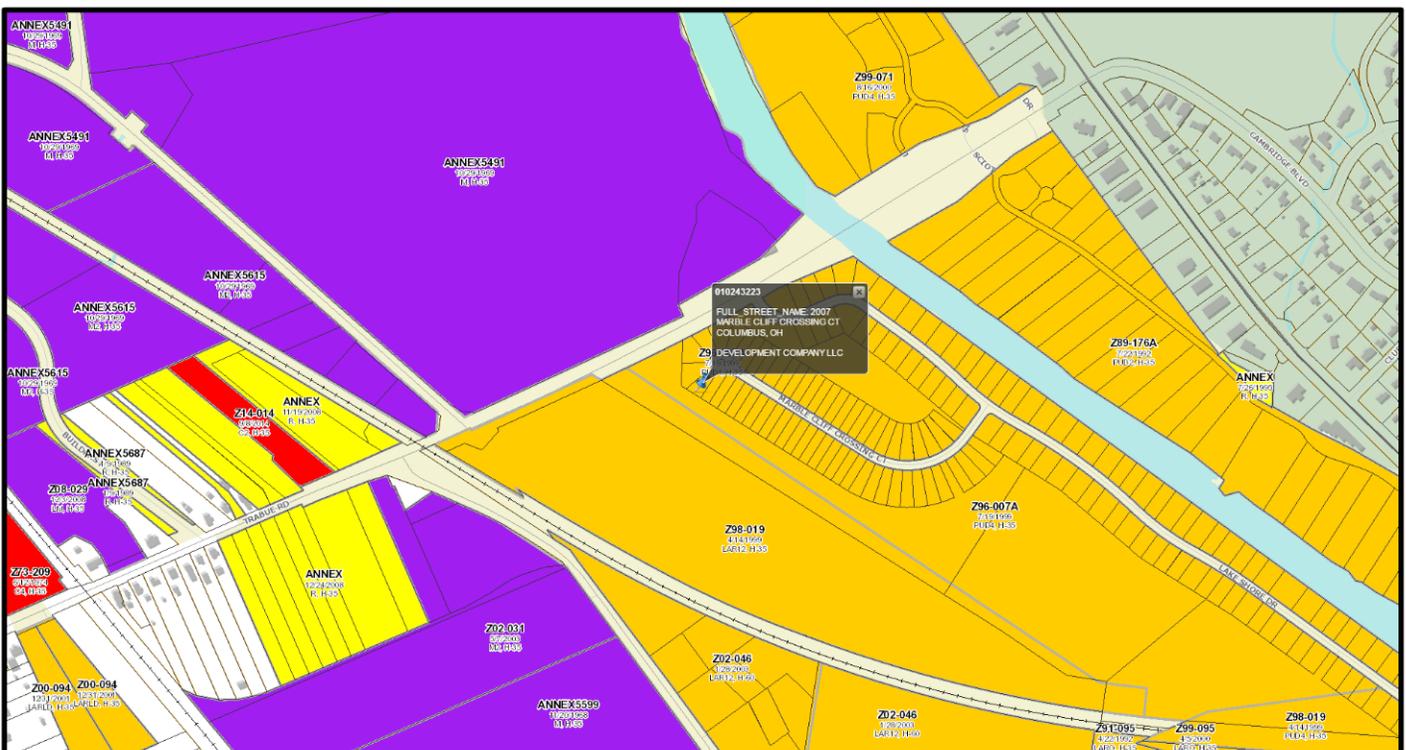
#### PENDING ZONING ACTION

**Zoning:** N/A

**Council Variance:** N/A

**Board of Zoning Adjustment (BZA):** N/A

**Graphic Commission:** N/A



THE CITY OF COLUMBUS  
MICHAEL B. COLEMAN, MAYOR

# Board of Zoning Adjustment Application

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### AFFIDAVIT

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Donald Plank

of (1) MAILING ADDRESS Plank Law Firm, 145 E. Rich Street, FL 3, Columbus, OH 43215

deposes 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 ADDRESS CARD FOR PROPERTY 2009 Marble Cliff Crossing Court

for which 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) The Morrone Development Company, LLC  
c/o Donald Plank, Plank Law Firm  
145 E. Rich Street, FL 3  
Columbus, OH 43215

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

The Morrone Development Company, LLC  
c/o Donald Plank, Plank Law Firm (614) 947-8600

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

(5) N/A

and that the following 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:

(6) PROPERTY OWNER NAME	(6a) PROPERTY ADDRESS	(6b) PROPERTY OWNER MAILING ADDRESS
<u>See Exhibit A</u>		

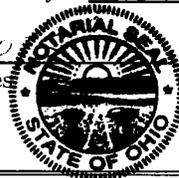
(7) Check here if listing additional property owners on a separate page.

(8) SIGNATURE OF AFFIANT Donald Plank

Sworn to before me and signed in my presence this 16th day of FEBRUARY, in the year 2015

Barbara A. Painter  
(8) SIGNATURE OF NOTARY PUBLIC

AUGUST 3, 20  
My Commission Expires



Notary Seal Here  
**BARBARA A. PAINTER**  
Notary Public, State of Ohio  
My Commission Expires AUGUST 3, 2015

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**EXHIBIT A, Public Notice**  
**2009 Marble Cliff Crossing Court**  
**BZA15- \_\_\_\_\_**  
**February 12, 2015**

**APPLICANT**

The Morrone Development Company, LLC  
c/o Donald Plank  
Plank Law Firm  
145 E. Rich Street, FL 3  
Columbus, OH 43215

**PROPERTY OWNER**

The Morrone Development Company, LLC  
c/o Donald Plank, Plank Law Firm  
145 E. Rich Street, FL 3  
Columbus, OH 43215

**ATTORNEY FOR APPLICANT**

Donald Plank  
Plank Law Firm  
145 E. Rich Street, FL 3  
Columbus, OH 43215

**COMMUNITY GROUP**

N/A

**PROPERTY OWNERS WITHIN 125 FEET**

Sheetal D. Amin  
Amit G. Amin  
2012 Marble Cliff Crossing Court  
Columbus, OH 43204

Gerald C. Converse  
Eutona L. Converse  
1989 Marble Cliff Crossing Court  
Columbus, OH 43204

Arvin JK Gallanosa  
2001 Marble Cliff Crossing Court  
Columbus, OH 43204

Elizabeth I. Jackson, TR  
1994 Marble Cliff Crossing Court  
Columbus, OH 43204

Marble Cliff Crossing Association  
PO Box 340371  
Columbus, OH 43234

John B. Massey  
1988 Marble Cliff Crossing Court  
Columbus, OH 43204

Kathleen C. McGrath  
1983 Marble Cliff Crossing Court  
Columbus, OH 43204

To Lakeshore Drive LLC  
c/o Mr. Terry O'Keefe  
1601 W. 5<sup>th</sup> Avenue  
Columbus, OH 43212

Michelle M. Vesely  
2006 Marble Cliff Crossing Court  
Columbus, OH 43204

Dirken T. Voelker  
2000 Marble Cliff Crossing Court  
Columbus, OH 43204

Richard D. Vrenna  
Sharon L. Vrenna  
1995 Marble Cliff Crossing Court  
Columbus, OH 43204

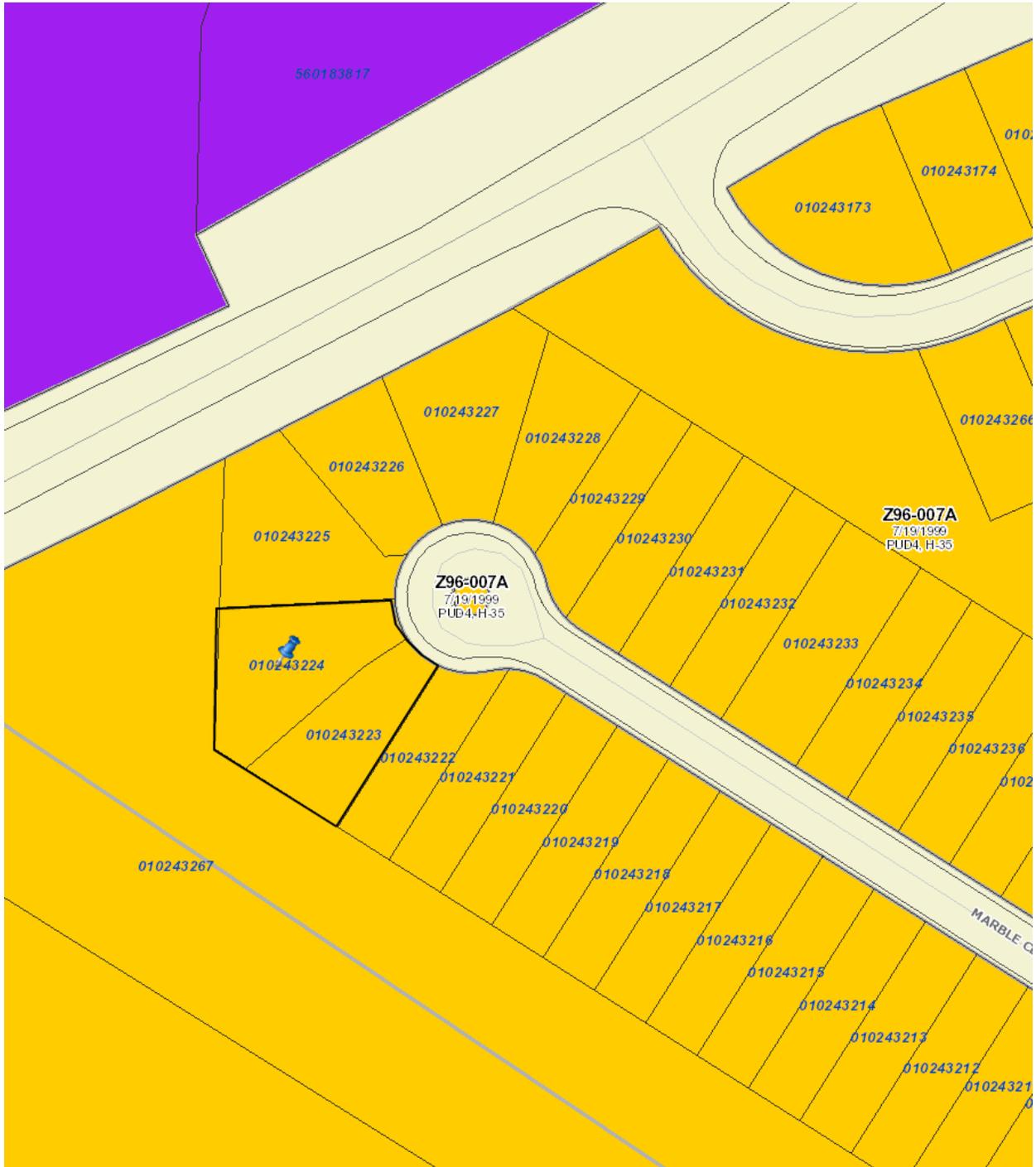
**ALSO NOTIFY**

David B. Perry  
David Perry Co., Inc.  
145 East Rich Street, 3<sup>rd</sup> Floor  
Columbus, OH 43215

Joe Morrone  
The Morrone Development Company, LLC  
8120 Olentangy River Road  
Delaware, OH 43015

**2009 Marble Cliff Crossing Court**  
**BZA15- \_\_\_\_\_**  
**February 12, 2015**  
**Page 1 of 1**

**BZA15-025**  
**2009 Marble Cliff Ct.**



THE CITY OF  
**COLUMBUS**  
MICHAEL B. COLEMAN, MAYOR

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AND ZONING SERVICES

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## STATEMENT OF HARDSHIP

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. Special circumstances or conditions apply to the subject property that do not apply, generally, to other properties in the same zoning district.
  2. The special circumstances or conditions are not the result of the actions of the property owner or applicant.
  3. 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. 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 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:

See Exhibit B

Signature of Applicant



Date

2/18/15

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**EXHIBIT B**  
**Statement of Hardship**

**2009 Marble Cliff Crossing Court, Columbus, OH 43204**

**BZA15310-00000-\_\_\_\_\_**

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The site is two (2) lots (36A and 36B) in Marble Cliff Crossing Section 1. Marble Cliff Crossing, including these 2 lots, is zoned PUD4, Planned Unit Development (Z96-007/Ordinance 534-97, passed March 24, 1997, as amended by Z97-00A/Ordinance 1720-99, passed July 19, 1999, related to location of air conditioning equipment).

The PUD4 permits detached single family dwellings, attached single family dwellings and two-family dwellings. Different development standards are established for each permitted use. Applicant proposes to build one (1) detached single family dwelling on each lot. The PUD sets a front building line of 22 feet for detached single family dwellings and a width at the building line of 60 feet. The PUD sets a minimum building line width of 26'/lot for attached single family dwellings on these lots (subject site). For detached single family dwellings, a building line width of 38' +/- and 40' +/- on Lots 36A and 36B, respectively, can be provided. See site plans.

Applicant proposes two (2) detached single family dwellings. The proposal is density neutral, in that two (2) dwellings are proposed and, as attached single family dwellings or a two-family dwelling, two (2) dwelling units would also be permitted. Applicant has a physical and economic hardship as well as practical difficulty for reasonable development of the property without a variance to building line width. A similar variance (14310-00000-00734) was recently approved for adjacent lots 37A and 37B.

Applicant requests the following variance:

- 1) 3345.11, Site Plan Requirements for Showing Parcels for Dwelling Units and Multiple Family Unit Buildings, the registered site plan for rezoning Z97-006/Z97-006 (PUD4) sets out development standards for detached single family dwellings, including a minimum lot width at the building line (22 feet) of 60 feet, while Lots 36A and 36B have building line widths of 38' +/- and 40' +/-, respectively.

02-18-2014





# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: dbp

DATE: 9/25/14



Disclaimer

Scale = 100



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.



# 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: 010243224

Zoning Number: 2009

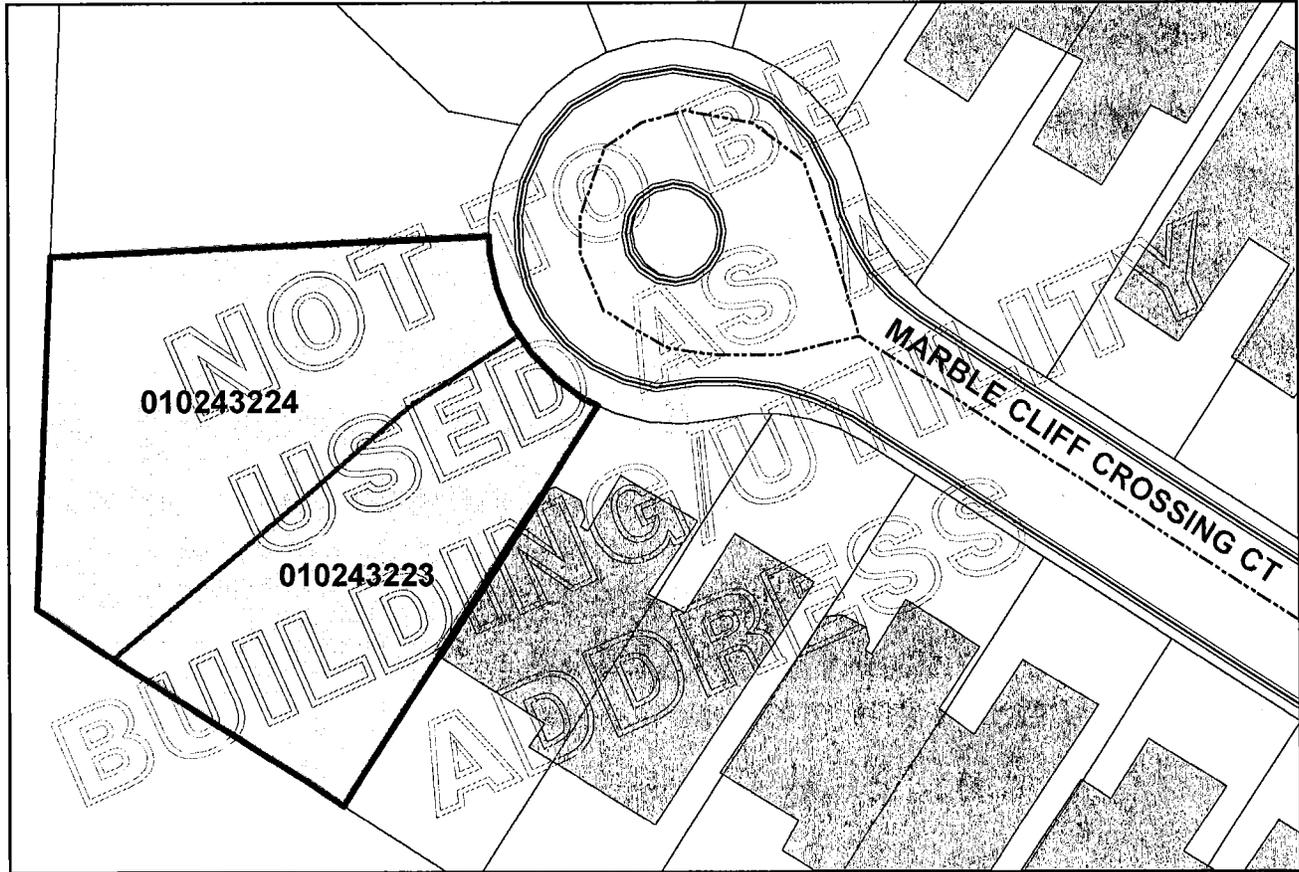
Street Name: MARBLE CLIFF CROSSING CT

Lot Number : 36A, 36B

Subdivision: MARBLE CLIFF CROSSING SECTION 1

Requested By: DAVID PERRY COMPANY, INC. (DAVE PERRY)

Issued By: *Adyana Whisman* Date: 2/12/2015



SCALE: 1 inch = 50 feet

GIS FILE NUMBER: 28274

JAMES D. YOUNG, P.E., ADMINISTRATOR  
DIVISION OF INFRASTRUCTURE MANAGEMENT  
COLUMBUS, OHIO



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MICHAEL B. COLEMAN, MAYOR

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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 # \_\_\_\_\_

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald Plank  
of (COMPLETE ADDRESS) Plank Law Firm, 145 E. Rich Street, FL 3, Columbus, OH 43215  
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 and their mailing addresses:

NAME	COMPLETE MAILING ADDRESS
<u>The Morrone Development Company, LLC</u>	
<u>c/o Joseph A. Morrone</u>	<u>8120 Olentangy River Road</u>
	<u>Delaware, OH 43015</u>

SIGNATURE OF AFFIANT *Donald Plank*

Sworn to before me and signed in my presence this 16th day of FEBRUARY, in the year 2015

*Barbara A. Painter*  
SIGNATURE OF NOTARY PUBLIC

AUGUST 3, 2015  
My Commission Expires



Notary Seal Here  
**BARBARA A. PAINTER**  
Notary Public, State of Ohio  
My Commission Expires AUGUST 3, 2015

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