

Council Variance Application

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

OFFICE USE ONLY

Application Number: CV15-018 Date Received: 3/31/15
Application Accepted by: SP Fee: \$1600
Comments: Assigned to Shannon Pine, spine@columbus.gov, 614-645-2208

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 157 Thurman Avenue Zip: 43206

Is this application being annexed into the City of Columbus? Select one: ☐ YES ☒ NO

If the site is currently pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.

Parcel Number for Certified Address: 010-057226

☐ Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s): R-2F

Area Commission or Civic Association: German Village Commission

Proposed Use or reason for Council Variance request:

Use of property for existing single family dwelling and eight (8) new townhome dwelling units, See Exhibit B

Acreage: 0.40 +/- (17,596 sf)

APPLICANT:

Name: John D. Space c/o Donald Plank, Plank Law Firm Phone Number: (614) 947-8600 Ext.: -----

Address: 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: Kenneth G. Haas (estate of) by Aaron Haas Phone Number: 614-886-6678 Ext.: -----

Address: 159 Thurman Avenue City/State: Columbus, OH Zip: 43206

Email Address: aaron4osu@gmail.com Fax Number: -----

ATTORNEY / AGENT (Check one if applicable): ☒ Attorney ☐ Agent For Applicant

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

Address: 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 Donald Plank attorney

PROPERTY OWNER SIGNATURE Kenneth Haas by Aaron Haas

ATTORNEY / AGENT SIGNATURE Donald Plank

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 checks payable to the Columbus City Treasurer

Council Variance Application

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

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 Exhibit A

Signature of Applicant

Donald Plank

Date

3/30/15

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

Exhibit B

Statement of Hardship

CV15- 018

157 Thurman Avenue

The site is 18,411 SF (0.423 +/- ac.) zoned R-2F, Residential. The parcel is developed with one (1) single family dwelling and various outbuildings. The outbuildings are proposed to be razed. Applicant proposes to build eight (8) townhouse dwelling units and retain the single family dwelling, as depicted on the submitted site plan. The R-2F zoning was established as an area rezoning in 1972, in part, to discourage conversion of existing historic dwellings to apartments, as permitted under the higher density apartment zoning in effect prior to the R-2F zoning. Since 1972, an enormous amount of private investment has occurred in German Village to renovate existing structures and build successful new developments. Applicant proposes new construction of eight (8) townhouse dwellings for sale. The project is consistent with and appropriate for an urban historic district. Applicant has a hardship in that the parcel is larger than most in German Village. While the parcel is zoned R-2F, permitting a maximum of two (2) dwelling units, the density permitted by the R-2F district is less than many existing historic and new development sites in German Village. Applicant has a practical difficulty with reasonable use of the property, the established zoning district and prevailing development standards. There have been many variances to the R-2F district. The proposed development fully complies with, and exceeds, code required parking.

Applicant requests the following variances:

- 1) 3332.037, R-2F, Residential District, to permit a single family dwelling (existing) and eight (8) new townhouse dwellings on a single 0.423 +/- acre parcel.
- 2) 3332.27, Rear Yard, to reduce rear yard of the new eight (8) unit building from 25% of total lot area to 4%.

Council Variance Application

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

AFFIDAVIT (See instruction sheet)

Application Number: W15-018

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 157 Thurman Avenue

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 3/31/15

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) Kenneth G. Haas (estate of)
c/o Aaron Haas
157 Thurman Avenue
Columbus, OH 43206

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

John D. Space 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) German Village Commission
c/o Randy Black, Historic Preservation Office
50 W. Gay Street, FL 4
Columbus, OH 43215

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.

(8) SIGNATURE OF AFFIANT

Donald Plank

Sworn to before me and signed in my presence this 30th day of March, in the year 2015

(8) SIGNATURE OF NOTARY PUBLIC

Barbara A. Painter

AUGUST 3, 2015
My Commission Expires

Notary Seal Here



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

This Affidavit expires six (6) months after the date of notarization.

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

EXHIBIT A, Public Notice
157 Thurman Avenue
CV15- 018
March 25, 2015

APPLICANT

John D. Space
c/o Donald Plank
Plank Law Firm
145 East Rich Street, FL 3
Columbus, OH 43215

PROPERTY OWNER

Kenneth G. Haas (estate of)
c/o Aaron Haas
159 Thurman Avenue
Columbus, OH 43206

ATTORNEY FOR APPLICANT

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

COMMUNITY GROUP

German Village Commission
c/o Mr. Randy Black
Historic Preservation Office
50 W Gay Street, 4th Floor
Columbus, OH 43215

German Village Commission
c/o Ms. Cristen Moody
Historic Preservation Office
50 W Gay Street, 4th Floor
Columbus, OH 43215

PROPERTY OWNERS WITHIN 125 FEET

HV Rentals LLC
163 Thurman Ave.
Columbus, OH 43206

Joshua R. Secrest
161 Thurman Ave.
Columbus, OH 43206

Janelle Dolrayne
169 Thurman Ave.
Columbus, OH 43206

Amy Levine
147 Thurman Ave.
Columbus, OH 43206

TTG Properties LLC
121 Thurman Ave.
Columbus, OH 43206

Scott Schweitzer &
Linda S. Heckaman
1110 S. Fourth St.
Columbus, OH 43206

Sandford B. Schirmer
148 Thurman Ave.
Columbus, OH 43206

Joseph D. Turbett
Cheryl L. Subler
156 Thurman Ave.
Columbus, OH 43206

Joshua M. Zimmerman
160 E. Thurman Ave.
Columbus, OH 43206

James N. Turner
Nancy R. Turner
164 Thurman Ave.
Columbus, OH 43206

Mark E. Ours
Keriann Ours
170 Thurman Ave.
Columbus, OH 43206

157 Thurman Avenue
CV15- _____
Exhibit A, Public Notice
Page 1 of 2, 3/25/15

Debra L. Feil
Scott Feil
176 Thurman Ave.
Columbus, OH 43206

Adam Fazio
Karl P. Whittington
180 E. Thurman Ave.
Columbus, OH 43206

John P. Corbitt
Kenneth R. Stikeleather
173 Thurman Ave.
Columbus, OH 43206

Abraham Alexander
Jo Alexander
289 E. Whittier St.
Columbus, OH 43206

Morelli Properties LLC
729 Hamlet St.
Columbus, OH 43215

Donna L. Jakeway
152 E. Mithoff St.
Columbus, OH 43206

Catherine McKay TOD
146 E. Mithoff St.
Columbus, OH 43206

German Village Holdings
769 S. Third St.
Columbus, OH 43206

G. Kent Retterer
Vicky L. Retterer
140 E. Mithoff St.
Columbus, OH 43206

Wilmer K. Furuta
Juanita K. Furuta
13000 Bevelheimer Rd.
Westerville, OH 43081

Sebastian D. G. Knowles &
Janette M. J. Knowles
130 E. Mithoff St.
Columbus, OH 43206-3505

Connor XI Limited LLC
626 Lummisford Ln. N.
Columbus, OH 43214

James H. Massie
1106 S. 4th St.
Columbus, OH 43206-2622

David M. Schmitt
Cheryl Schmitt
168 E. Mithoff St.
Columbus, OH 43206

Timothy L. Simeone, et al.
174 Nursery Alley
Columbus, OH 43206

Gezim Velio
137 E. Mithoff St.
Columbus, OH 43206

Jim Velio
910 S. High St.
Columbus, OH 43206

Jason C. Pinney
158 Nursery Ln.
Columbus, OH 43206

Paul J. Carney
160 Nursery Ln.
Columbus, OH 43206

Danny O'Rourke
164 Nursery Ln.
Columbus, OH 43206

Nicholas J. Meszaros
166 Nursery Ln.
Columbus, OH 43206

Christopher M. Kudron
161 Thurman Ave.
Columbus, OH 43206

ALSO NOTIFY

Bryan Lundgren, PE
Osborn Engineering
990 West Third Avenue
Columbus, OH 43212

Daryl Reid
SBA Studios-LLC
1565 Dale Ford Road
Delaware, OH 43015

Scott Baker
SBA-Studios- LLC
1565 Dale Ford Road
Delaware, OH 43015

John D. Space
107 N Monroe Avenue
Columbus, OH 43203

David B. Perry
David Perry Company, Inc.
145 E Rich Street, FL 3
Columbus, OH 43215

157 Thurman Avenue
CV15- 018
Exhibit A, Public Notice
Page 2 of 2, 3/25/15

Council Variance Application

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

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 #

CV15-018

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 in the following format:

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. Kenneth G. Haas (estate of) c/o Aaron Haas 157 Thurman Avenue Columbus, OH 43206 # Columbus based employees: 0 Contact: Aaron Haas, (614) 886-6678	2. John D. Space 107 N. Monroe Avenue Columbus, OH 43203 # Columbus based employees: 0 Contact: John D. Space, (614) 804-7827
3.	4.

☐ Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT

Donald Plank

Sworn to before me and signed in my presence this 30th day of March, 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

This Project Disclosure expires six (6) months after the date of notarization.

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

CV15- 018
157 Thurman Avenue
Legal Description

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

Being Lot Numbers Forty (40) and Forty-one (41) of Deshler, Thurman and Bennetts Subdivision of Deshler and Thurmans Addition to the City of Columbus, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 3, page 158, Recorder's Office, Franklin County, Ohio.

Area: 0.4223 +/- ac
(18,411 SF (including on-half Nursery Lane))



City of Columbus Zoning Plat



CV15-018

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: 010057226

Zoning Number: 157

Street Name: THURMAN AVE

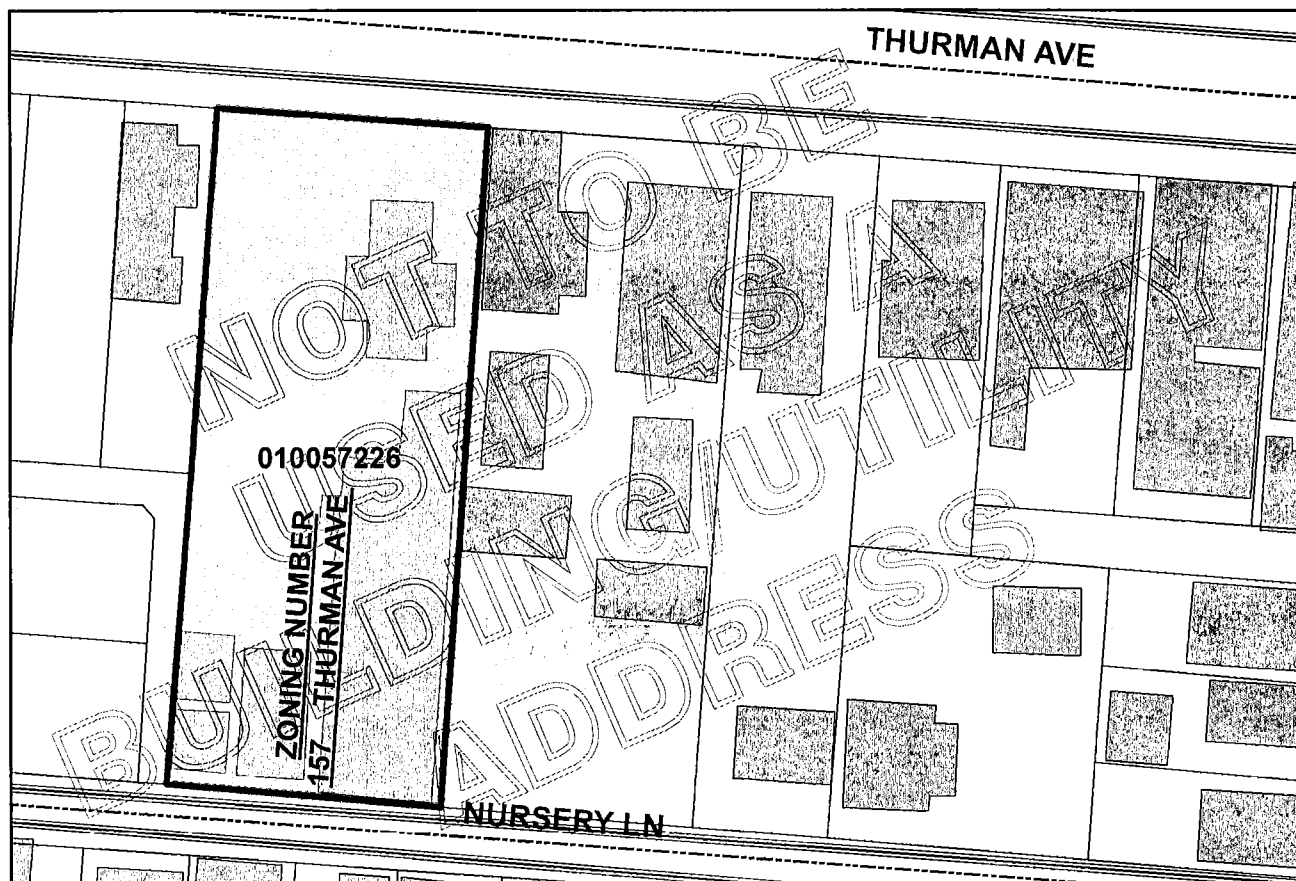
Lot Number : 40-1

Subdivision: DESHLER THURMAN & BENNETT

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

Issued By: *Adriana Whisenand*

Date: 3/24/2015

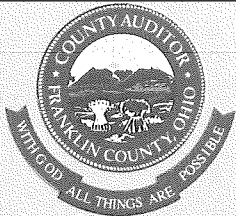


SCALE: 1 inch = 60 feet

GIS FILE NUMBER: 30499

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





CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: dbp

DATE: 3/27/15



Disclaimer

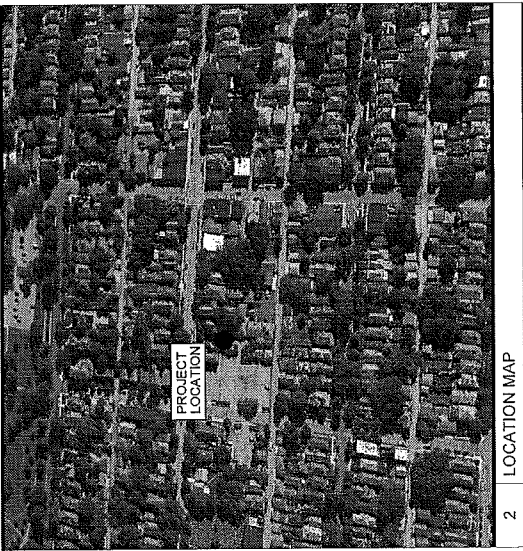
CV15-018

Scale = 100



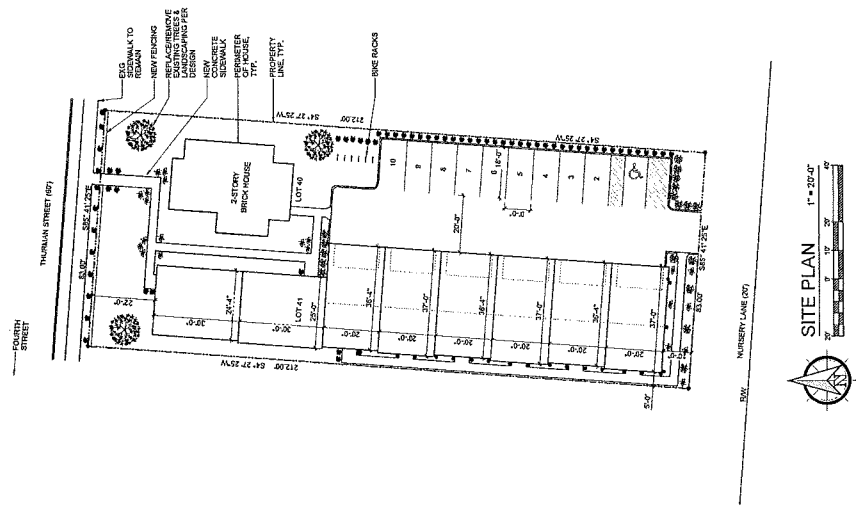
This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on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

Real Estate / GIS Department



SITE DATA TABLE	
ADDRESS:	157 Thurman Avenue, Columbia, SC 29206
PLAT:	005-007216
AREA:	18,411.59 (8,423.47 +/-)
ZONING:	R-29, RESIDENTIAL DISTRICT
HEIGHT:	H-35
PROPOSED USE:	PROPOSED EIGHT (8) TOWNHOUSE DWELLING UNITS AND EXISTING SMALL BUSINESS OFFICE (B-1) ACCESSORY BUILDING
DENSITY:	2.045 U/I.U.
PERMITS:	1.0 DWELLING @ 2 SPACES 1.0 OFFICE @ 1 SPACE TOTAL 2.0 TOTAL
PROPOSED:	1.0 DWELLING @ 2 SPACES 1.0 OFFICE @ 1 SPACE TOTAL 2.0 TOTAL
SETBACKS:	As noted

2 LOCATION MAP



SITE PLAN 1" = 20'-0"

#	DATE	ISSUED WITH:	CHANGE DESCRIPTION

157 Thurman Ave.

SBA STUDIOS
ARCHITECTURAL DESIGN
614-5827781 WWW.SBASTUDIOS.COM

SCALE: 1" = 20'-0"
SHEET # / DESCRIPTION
SITE PLAN
S1-1
DATE: 03.13.2015
PRELIMINARY SITE COMPLIANCE
SBA STUDIOS PROJECT # 2015-018

1 SITE PLAN

CV15-018



CV15-018
157 Thurman Avenue
Approximately 0.40 acres



CV15-018
157 Thurman Avenue
Approximately 0.40 acres