

COUNCIL VARIANCE APPLICATION

Department of Building & Zoning Services

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224-3218

Phone: 614-645-7433 www.columbus.gov

OFFICE USE ONLY

Application Number: CV15-024 Date Received: 5/5/15
Fee: \$11000 Application Accepted by: ET
Comments: Assigned to Shannon Pine, 645-2208, spine@columbus.gov

LOCATION AND ZONING REQUEST

Certified Address (for Zoning Purposes) 640 Demorest Rd Zip 43204

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: 570-168541 + 570-168545
☐ Check here if listing additional property owners on a separate page.

Current Zoning District(s): R, Rural

Civic Association or Area Commission: Greater Hilltop Area Commission

Proposed use or reason for Council Variance request: Cultural Center with

Acreage: 0.8636 (m/l) Accessory retail

APPLICANT: Name KASSIM Ali Abu

Address, City, State & Zip 5088 Renmill Dr, Hilliard, Oh 43026

Phone # 614-556-3531 Fax # _____ Email _____

PROPERTY OWNER(S): Name Iglesia de Dios Pentecostal, Mi Nueva

Address, City, State & Zip 1506 Demorest Rd, Columbus Esperanza

Phone # 614-353-0980 Email PastorLina@gmail.com
(43223)
(677)

ATTORNEY/AGENT (CHECK ONE IF APPLICABLE) ☐ Attorney ☒ Agent

Name Emery J. Miller

Address, City, State & Zip 287-B, East High St, London, Oh 43140

Phone 614-209-9941 Fax # _____ Email Emil.jacobson.em@gmail.com

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

Applicant Signature Kassim Ali Abu

Property Owner Signature Dennis Lopez

Attorney/Agent Signature Emery J. Miller

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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CV15-024

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:

*Change in Use from Institutional/Church use
as New user to Cultural Center with
Accessory Retail use; purchasing property
with executory contract*

Signature of Applicant

Emery Miller, Agent 5/4/15

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AFFIDAVIT

(See next page for instructions)

APPLICATION # CV15-024

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Affirmed Emery J. Miller

of (1) MAILING ADDRESS 282-B East High St, London Ohio 43140
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 6407 Demorest Rd, Columbus
for which the application for a rezoning, variance, special permit or graphics plan was filed with the 43204

Department of Building and Zoning Services, on (3) 5/5/15
(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME

(4) Iglesia de Dios Pentecostal Mi Nueva
Esperanza
1500 Demorest, Columbus, Oh 43223

AND MAILING ADDRESS

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

Kassim Ali Abu 614-556-3531

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

(5) Greater Hilltop Area Commission
PO Box 28052 Attn: Lane
Columbus, Oh 43228 Newcome

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) Emery J. Miller (Agent)
May, in the year 2015

Subscribed to me in my presence and before this 4th day of

SIGNATURE OF NOTARY PUBLIC
My Commission Expires:

(8) Suzanna Marlowe

Suzanna Marlowe

Notary Public, State of Ohio

My Commission Expires 04-04-2016

Notary Seal Here



CV15-024

Applicant

Kassim Ali Abu
5088 Renmill Dr
Hilliard, Ohio 43026

Agent

Emery J Miller
282-B East High St
London, Ohio 43140

Owner

Iglesia de Dios Pentecostal
Mi Nueva Esperanza
1500 Demorest Road
Columbus, Ohio 43223

Area Commission

Greater Hilltop Area Commission
P.O. Box 28052- Attn. Lane Newcome
Columbus, Ohio 43228

Patrick L. Sagstetter
3424 Race St
Columbus, OH 43204

Hazel McCann
635 Demorest Rd
Columbus, OH 43204

Alan Wright
1424 Hiner Rd
Orient, OH 43146

Robert Dunn
649 Demorest Rd
Columbus, OH 43204

Lori C Drake
655 Demorest Rd
Columbus, OH 43204

Elias Garcia Lopez
Margerita Natividad
661 Demorest Rd
Columbus, OH 43204

Robert L and Edna Linley
669 Demorest Rd
Columbus, OH 43204

Ozella Jennings
656 Dexter Ave
Columbus, OH 43204

Dabo Moussa
668 Demorest Rd
Columbus, OH 43223

Jeffrey W Stevens
658 Demorest Rd
Columbus, OH 43204

Diana L Sylvia
1323 Birch Dr
Columbus, OH 43223

Sherry Farris
615 Dexter Ave
Columbus, OH 43204

Earl Redman
628 Dexter Ave
Columbus, OH 43204

Mark A Dawson
139 N. London St
Mount Sterling, OH 43143

Claudio Martinez
651 Dexter Ave
Columbus, OH 43204

Felicisimo Lagunas
1702 Georgesville Pl
Columbus, OH 43228

Saundra J Haley Trustee
60 Glen Rd Apt T5
Brookline, MA 02445

Robert D Huffman
Valinda Huffman
669 Dexter Ave
Columbus, OH 43204

Robert and Beth Vogt
644 Dexter Ave
Columbus, OH 43204

Rosio Martinez
640 Dexter Ave
Columbus, OH 43204

Nayeli Sanchez
634 Dexter Ave
Columbus, 43228

Kassel Equity Group LLC
Ste 204
2700 McKinley Ave
Columbus, OH 43204

American Tax Funding LLC
Ste 100
345 Jupiter Lakes Blvd
Jupiter, FLA 33458

Ruben Clemente Reyes
Elba Martinez Santos
659 Dexter Ave
Columbus, OH 43204

Ruby Jones
621 Dexter Ave
Columbus, OH 43204

Rebecca Redman
2375 Somersworth Dr
Columbus, OH 43219

Todays Real Estate Co
P.O. Box 28111
Columbus, OH 43228

Tommy Lee Gunn
2870 Ambarwent Rd
Reynoldsburg, OH 43068

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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 # CV15024

STATE OF OHIO

COUNTY OF FRANKLIN
Being first duly cautioned and sworn [NAME]

Affirmed Emery J Miller

Of [COMPLETE ADDRESS] 282-B East High St, London, Oh 43140
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>Iglesia de Dios Pentecostal</u> <u>Mi Nueva Esperanza</u> <u>1500 Demorest Rd</u> <u>Columbus, Ohio 43223</u>	2. <u>Fatuma Mohamed</u> <u>58 Remmill Ave</u> <u>Hilliard, Ohio 43026</u>
3.	4.

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

SIGNATURE OF AFFIANT

Emery J Miller (Agent)

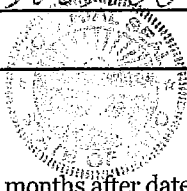
Subscribed to me in my presence and before this 14th day of May, in the year 2015

SIGNATURE OF NOTARY PUBLIC

Susanna Marlowe

My Commission Expires:

Notary Seal Here



Susanna Marlowe

Notary Public, State of Ohio

My Commission Expires 04-04-2016

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

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HISTORY ADDRESS INQUIRY - ALL APPLICATIONS

<u>ADDRESS 640 DEMOREST RD</u>				<u>ZIP CODE</u>		<u>43204 0</u>	
INTERSECTION	RACE-EAKIN	HIST-PROP		SUB-DIV		BURNSIDE	
PARCEL NO	570-168541	CENSUS	8312	LOT NO		29	
HIST-DIST		BLOCK	115				
PERMIT ID	H9701837	RES/COMM	COMM	# OF UNITS	0	VALUE	0
CREATE DATE	06-09-97	NEW/RPLC/ALTER	ALTR	CONT. LIC. #	H0068		
PERMIT TYPE	H	C-40 CODE		OBBC			
DESCRIPTION							
PERMIT ID	B9008918	RES/COMM	COMM	# OF UNITS	0	VALUE	3,000
CREATE DATE	12-10-90	NEW/RPLC/ALTER	ADD	CONT. LIC. #	X003915		
PERMIT TYPE	B	C-40 CODE	329	OBBC	A2,3C		
DESCRIPTION	ALT TO 1 STY ASSEMBLY BLDG INSTALL SATELLITE DISH BOUNDED TO BROUND & BLDG						
PERMIT ID	38477	RES/COMM		# OF UNITS	0	VALUE	1,000
CREATE DATE	12-09-81	NEW/RPLC/ALTER		CONT. LIC. #			
PERMIT TYPE	B	C-40 CODE		OBBC			
DESCRIPTION	PK LT AD						
PERMIT ID	32848	RES/COMM		# OF UNITS	0	VALUE	36,000
CREATE DATE	01-02-81	NEW/RPLC/ALTER		CONT. LIC. #			
PERMIT TYPE	B	C-40 CODE		OBBC			
DESCRIPTION	ALT 1 STY W/BSMT ASS BLD REM FIN BSMT A-2,36						
PERMIT ID	446	RES/COMM		# OF UNITS	0	VALUE	0
CREATE DATE	09-23-80	NEW/RPLC/ALTER		CONT. LIC. #			
PERMIT TYPE	B	C-40 CODE		OBBC			
DESCRIPTION	F C/O SMITH 26200 9.24.80						
PERMIT ID	57709	RES/COMM		# OF UNITS	0	VALUE	0
CREATE DATE	06-24-80	NEW/RPLC/ALTER		CONT. LIC. #			
PERMIT TYPE	R	C-40 CODE		OBBC			
DESCRIPTION							
PERMIT ID	56049	RES/COMM		# OF UNITS	0	VALUE	0
CREATE DATE	06-24-80	NEW/RPLC/ALTER		CONT. LIC. #			
PERMIT TYPE	H	C-40 CODE		OBBC			
DESCRIPTION							
PERMIT ID	11977	RES/COMM		# OF UNITS	0	VALUE	0
CREATE DATE	06-23-80	NEW/RPLC/ALTER		CONT. LIC. #			
PERMIT TYPE	B	C-40 CODE		OBBC			
DESCRIPTION	T C/O SMITH 26200						
PERMIT ID	55169	RES/COMM		# OF UNITS	0	VALUE	0
CREATE DATE	04-10-80	NEW/RPLC/ALTER		CONT. LIC. #			
PERMIT TYPE	H	C-40 CODE		OBBC			
DESCRIPTION							
PERMIT ID	55722	RES/COMM		# OF UNITS	0	VALUE	0
CREATE DATE	03-24-80	NEW/RPLC/ALTER		CONT. LIC. #			
PERMIT TYPE	E	C-40 CODE		OBBC			
DESCRIPTION							
PERMIT ID	56963	RES/COMM		# OF UNITS	0	VALUE	0
CREATE DATE	03-19-80	NEW/RPLC/ALTER		CONT. LIC. #			
PERMIT TYPE	R	C-40 CODE		OBBC			
DESCRIPTION							

CV15-024

HISTORY ADDRESS INQUIRY - ALL APPLICATIONS

				<u>ADDRESS 640 DEMOREST RD</u>	
PERMIT ID	28564	RES/COMM	# OF UNITS	0	VALUE 0
CREATE DATE	01-03-80	NEW/RPLC/ALTER	CONT. LIC. #		
PERMIT TYPE	P	C-40 CODE	OBBC		
DESCRIPTION					
PERMIT ID	54337	RES/COMM	# OF UNITS	0	VALUE 0
CREATE DATE	12-26-79	NEW/RPLC/ALTER	CONT. LIC. #		
PERMIT TYPE	E	C-40 CODE	OBBC		
DESCRIPTION					
PERMIT ID	26200	RES/COMM	# OF UNITS	0	VALUE 100,000
CREATE DATE	11-29-79	NEW/RPLC/ALTER	CONT. LIC. #		
PERMIT TYPE	B	C-40 CODE	OBBC		
DESCRIPTION	1 STY W/BSMT ASS BLD A-2=3C				

DATE	01-17-89	DATE	05-05-80
REQ. TYPE	Z	REQ. TYPE	V
REQ. #	CV890005	REQ. #	7185
STATUS		STATUS	

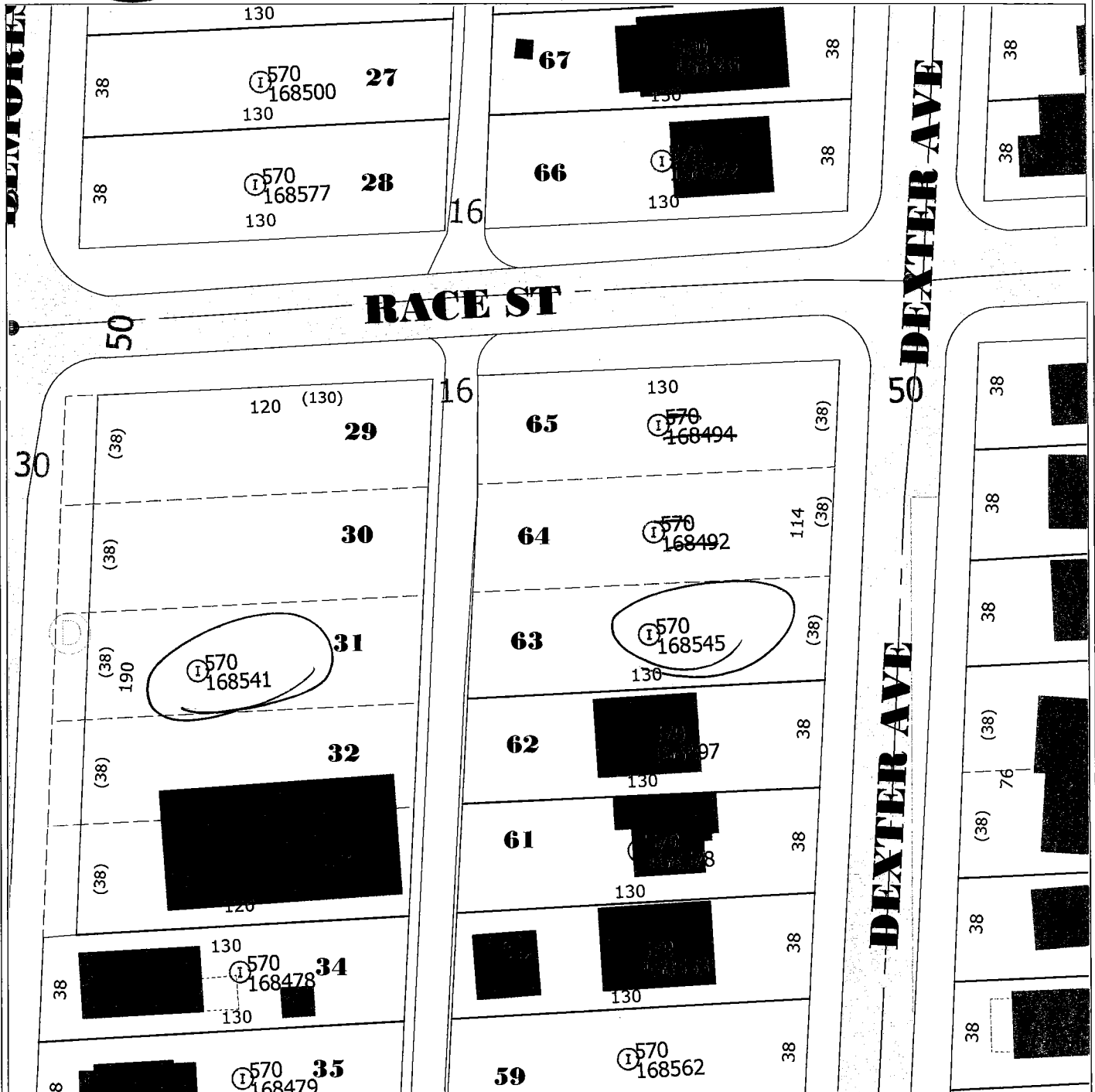
CV15-024



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: ejm

DATE: 5/4/15



Disclaimer

Scale = 53



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

CV15-024

PARCEL VIII:

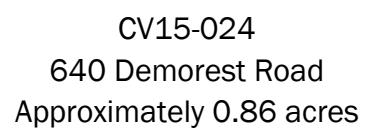
Being Lot Number Sixty-five (65) in BURNSIDE HEIGHTS ADDITION to the City of Columbus, as the same is numbered and delineated upon the recorded plat thereof, in Plat Book 7, page 288, Recorder's office, Franklin County, Ohio.

EXCEPTING THEREFROM:

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

Being parts of Lots 29, 30, 31, 32 and 33 of Burnside Heights Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 7, page 288, Recorder's Office, Franklin County, Ohio and bounded and described as follows:

Being a ten (10) foot wide right of way as measured at perpendicular angles and parallel to and extending along the entire western boundary of Lots 29, 30, 31, 32, and 33 of the Burnside Heights Addition with the result that the said new ten (10) foot right of way is thirty (30) feet from the center line of Demorest Road.



Approximately 0.86 acres

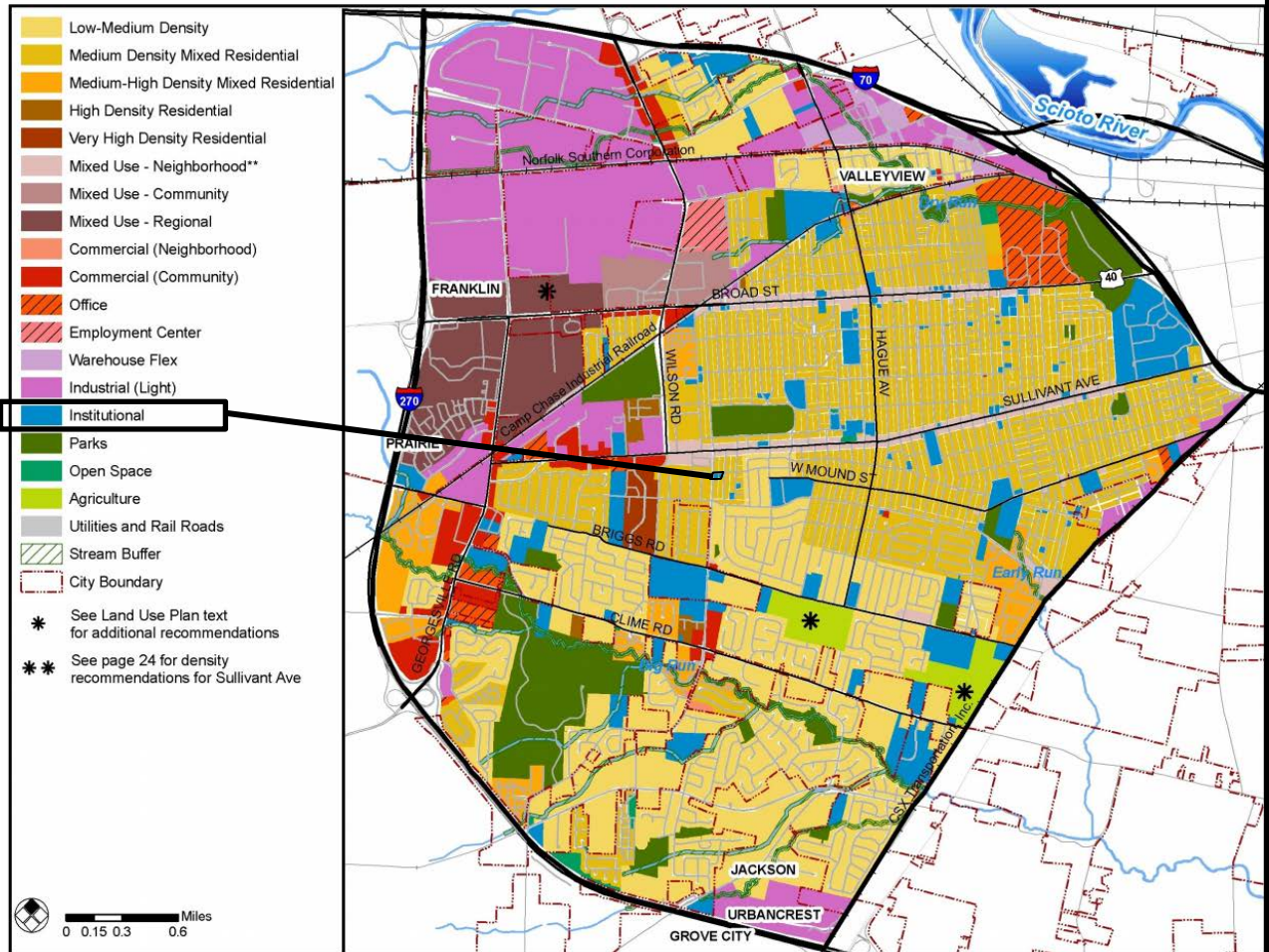


Figure 7: Future Land Use Plan

CV15-024
640 Demorest Road
Approximately 0.86 acres
Greater Hilltop Plan Amendment (2010)



CV15-024
640 Demorest Road
Approximately 0.86 acres