

Rezoning 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: 215-041 Date Received: 8/31/15
Application Accepted by: SP MM Fee: 0⁰⁰ (Comparable)
Comments: Assigned to Tim Dietrich; 645-6665, tedietrich@columbus.gov
and Shannon Pine; 645-2208; spine@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 2270 ~~2770~~ Innis Road Zip: 43224

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: 190-000456, 190-000043

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

Current Zoning District(s): CS, Community Service (Mifflin Township) Requested Zoning District(s): C-4 (Comparable)

Area Commission or Civic Association: Northeast Area Commission

Proposed Use or reason for rezoning request (continue on separate page if necessary):

Comparable zoning

Proposed Height District: H-35 [per Columbus City Code Section 3309.14] Acreage 1.394 +/-

APPLICANT:

Name: Myong H. Kim c/o Dave Perry, David Perry Company, Inc. Phone Number: (614) 228-1727 Ext.: 222

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

Email Address: dave@daveperryco.net Fax Number: (614) 228-1790

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

Name: Myong H. Kim c/o Dave Perry, David Perry Company, Inc. Phone Number: (614) 228-1727 Ext.: 222

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

Email Address: dave@daveperryco.net Fax Number: (614) 228-1790

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

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 Myong H. Kim by David B Perry, Agent

PROPERTY OWNER SIGNATURE Myong H. Kim by David B Perry, Agent

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

Rezoning Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

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

AFFIDAVIT (See instruction sheet)

Application Number: 215-041

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME David B. Perry

of (1) MAILING ADDRESS David Perry Company, Inc., 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 ²²⁷⁰2770 Innis Road

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 8/31/15

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) Myong H. Kim
c/o Dave Perry, David Perry Company, Inc.
145 E. Rich Street, FL 3
Columbus, OH 43215

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

Myong H. Kim c/o Dave Perry
(614) 228-1727

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

(5) Northeast Area Commission
c/o Alice Porter
3131 McCutcheon Place
Columbus, OH 43219

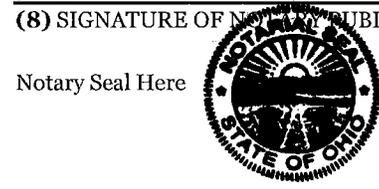
and that the attached document (6) is a list of the names and complete mailing addresses, including zip codes, as shown on the County Auditor's Current Tax List or the County Treasurer's Mailing List, of all the owners of record of property within 125 feet of the exterior boundaries of the property for 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)

(8) SIGNATURE OF AFFIANT David B. Perry

Sworn to before me and signed in my presence this 31st day of AUGUST, in the year 2015

Barbara A. Painter
(8) SIGNATURE OF NOTARY PUBLIC

AUGUST 3, 2020
My Commission Expires



BARBARA A. PAINTER
Notary Public, State of Ohio
My Commission Expires AUGUST 3, 2020

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

215-041

EXHIBIT A, Public Notice

²²⁷⁰~~2770~~ Innis Road

215-_____
August 28, 2015

APPLICANT

Myong H. Kim
c/o Dave Perry, Agent
David Perry Company, Inc.
145 East Rich Street, FL 3
Columbus, OH 43215

PROPERTY OWNER

Myong H. Kim
c/o Dave Perry, Agent
David Perry Company, Inc.
145 East Rich Street, FL 3
Columbus, OH 43215

ATTORNEY

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

COMMUNITY GROUP

Northeast Area Commission
c/o Alice Porter
3131 McCutcheon Place
Columbus, OH 43219

PROPERTY OWNERS WITHIN 125 FEET

Shezan Holdings LP
3389 Westerville Rd.
Columbus, OH 43224

U.S. Postal Service
PO Box 27497
Greensboro, NC 27498-1103

Opoku Bismark
2250 Innis Rd.
Columbus, OH 43224

Charles E. Blackburn, Jr., TOD
2258 Innis Rd.
Columbus, OH 43224

Keller Nine Ltd.
3430 Westerville Rd.
Columbus, OH 43224

Ahmed Haji Omar
Salah M. Omar
1395 Kellerman Ct.
Columbus, OH 43228

J & F Auto Sales LLC
c/o A & F Auto Sales LLC
3435 Westerville Rd.
Columbus, OH 43224

Columbus Finance Inc.
3050 E. Main St.
Columbus, OH 43209

²²⁷⁰~~2770~~ Innis Road
215-_____
Exhibit A, Public Notice
Page 1 of 2, 08/21/15

ALSO NOTIFY

Myong H. Kim
1514 E. Cooke Rd.
Columbus, OH 43224

James R. Havens, Esq.
Havens Limited
141 E. Town Street, Ste. 200
Columbus, OH 43215

Wesley Gilliland, Esq.
Havens Limited
141 E. Town Street, Ste. 200
Columbus, OH 43215

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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 # 215-041

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

<p>1. Myong H. Kim 1514 E. Cooke Road Columbus, OH 43224-2107 # of Columbus based employees: 0 Contact: Dave Perry (614) 228-1727</p>	<p>2.</p>
<p>3.</p>	<p>4.</p>

SIGNATURE OF AFFIANT Donald Plank

Sworn to before me and signed in my presence this 31st day of AUGUST, in the year 2015

Barbara A. Painter
SIGNATURE OF NOTARY PUBLIC

AUGUST 3, 2020
My Commission Expires

Notary Seal Here



BARBARA A. PAINTER
Notary Public, State of Ohio
My Commission Expires AUGUST 3, 2020

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

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City of Columbus Zoning Plat



Z15-041

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: 190000456 & 190000043

Zoning Number: 2270

Street Name: INNIS RD

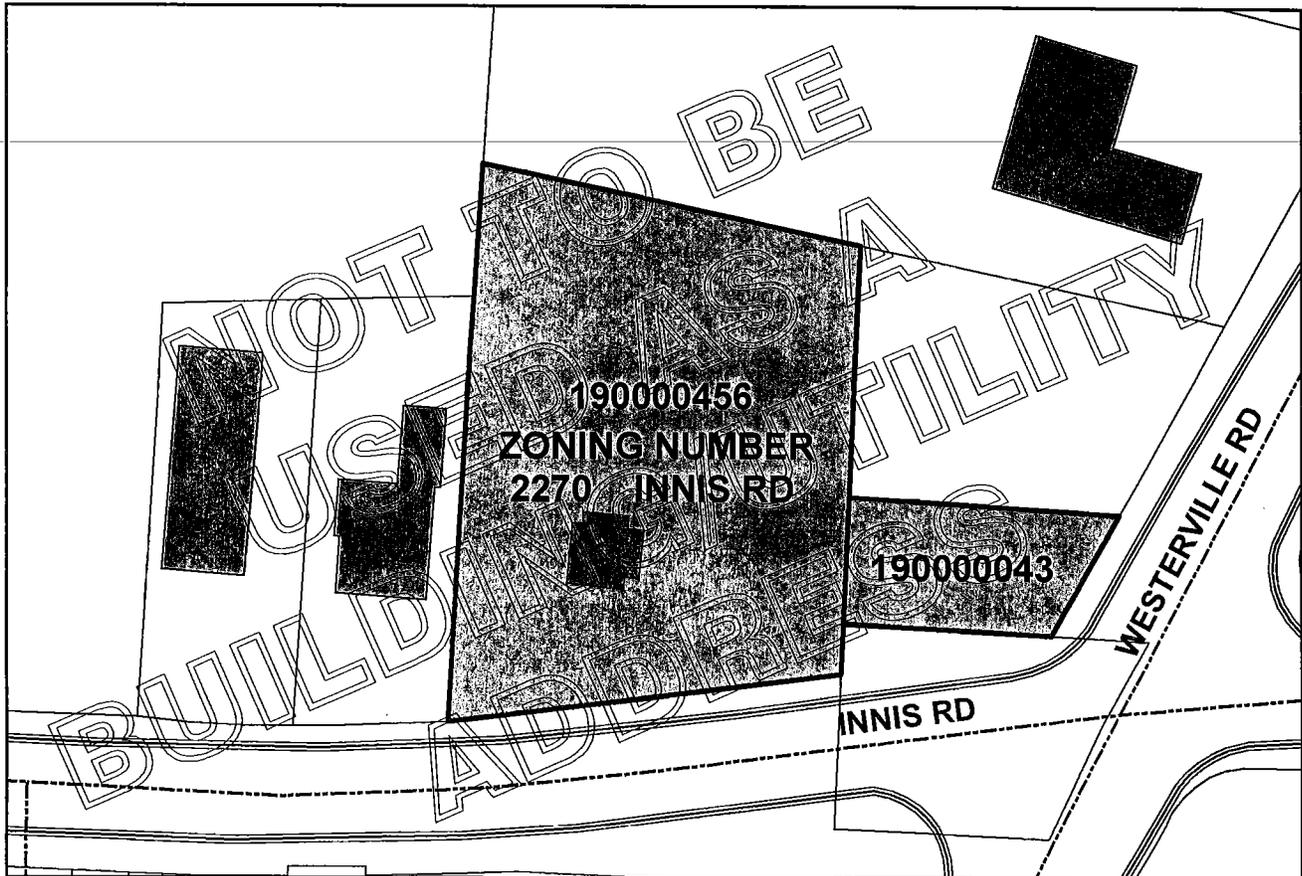
Lot Number: N/A

Subdivision: N/A

Requested By: DAVE PERRY COMPANY (DAVE PERRY)

Issued By: *Adyana Ahmarian*

Date: 8/25/2015



SCALE: 1 inch = 100 feet

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

GIS FILE NUMBER: 42357



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: dbp

DATE: 8/28/15



Disclaimer

Scale = 200



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.

Review of Petition to Annex 1.394 +/- acres from Mifflin Township to the City of Columbus Case #ANX-EXP2-19-15 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition, filed by Donald Plank, on behalf of Myong Hui Kim on June 30, 2015, and solicited to and/or been heard by all persons desiring to be reviewed for or against the granting of the Expedited Type 2 petition, and having considered all the facts with reference thereto, being fully advised, and

WHEREAS, the Commissioners make the following findings based upon the exhibits and testimony presented at the review of this matter:

1. The petition does meet all the requirements set forth in, and was filed in the manner provided in, section 709.021 of the Revised Code.
2. The persons who signed the petition are owners of the real estate located in the territory proposed for annexation and constitute all of the owners of real estate in that territory.
3. The territory proposed for annexation does not exceed five hundred acres.
4. The territory proposed for annexation shares a contiguous boundary with the municipal corporation to which annexation is proposed for a continuous length of at least five percent of the perimeter of the territory proposed for annexation.
5. The annexation will not create an unincorporated area of the township that is completely surrounded by the territory proposed for annexation.
6. The municipal corporation to which annexation is proposed has passed ordinance no. 1846-2015 agreeing to provide to the territory proposed for annexation certain services and adopting a statement regarding possible incompatible land uses and zoning buffer. The respective ordinance was passed by the City of Columbus on July 13, 2015.

Resolution No. 0579-15

August 04, 2015

Review of Petition to Annex 1.394 +/- acres from Mifflin Township to the City of Columbus Case #ANX-EXP2-19-15 (ECONOMIC DEVELOPMENT & PLANNING)

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

That, in accordance with the findings made in the preamble, which are incorporated herein, the prayer of the Petition be *approved*, and the territory sought to be annexed by the petition filed herein *shall* be annexed to the City of Columbus, in accordance with the law; that the orders and proceedings of this board relating to the Petition, and map and description attached thereto, and all papers on file relating to this matter be delivered forthwith to the Clerk of Council, City of Columbus, Ohio.

Prepared by: D. Anthony Hray

C: Economic Development & Planning Department

SIGNATURE PAGE FOLLOWS

SIGNATURE SHEET

Resolution No. 0579-15

August 04, 2015

REVIEW OF PETITION TO ANNEX 1.394 +/- ACRES FROM MIFFLIN TOWNSHIP TO THE CITY OF COLUMBUS CASE #ANX-EXP2-19-15

(Economic Development and Planning)

Upon the motion of Commissioner John O'Grady, seconded by Commissioner Paula Brooks:

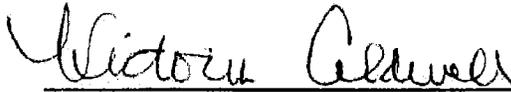
Voting:

Marilyn Brown, President	Aye
Paula Brooks	Aye
John O'Grady	Aye

Board of County Commissioners
Franklin County, Ohio

CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution acted upon by the Board of County Commissioners, Franklin County, Ohio on the date noted above.



Victoria Caldwell, Clerk
Board of County Commissioners
Franklin County, Ohio

RECEIVED

APR 07 2015

Franklin County Engineer
Dean C. Ringle, P.E., P.S.

1.394 Acres of Land for Annexation Purposes;
To the City of Columbus from the Township of Mifflin
Franklin County, Ohio

ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER

By BB Date 4/7/15

Situated in the Township of Mifflin, County of Franklin, State of Ohio; also being a part of the Quarter Township 2, Township 1 North, Range 17 West, United States Military Lands; also being a 1.202 acre tract as conveyed to Myong Hui Kim as described in Instrument No. 200501260016031 (Parcel ID 190-000456) and a 0.174 acre tract as conveyed to Myong Hui Kim as described in Instrument No. 200501260016030 Parcel Number 3 (Parcel ID 190-000043); being more particularly described as follows:

Beginning at the intersection of the northerly right-of-way line of Innis Road (variable right-of-way) and the westerly right-of-way line of Westerville Road (State Route 3, 90' right-of-way), said point being the TRUE POINT OF BEGINNING, and from said beginning point running thence,

Along a southerly line of said 0.174 acre tract, also being along the northerly right-of-way line of Innis Road, *North 86° 44' 53" West, for a distance of 112.49'* to a point; thence,

Along a portion of the easterly line of said 1.202 acre tract, also being along the northerly right-of-way line of Innis Road, *South 04° 20' 33" West, for a distance of 29.90'* to a point; thence,

Along a southerly line of said 1.202 acre tract, also being the northerly right-of-way line of Innis Road, *South 83° 25' 51" West, for a distance of 119.16'* to a point of curvature; thence,

Along a southerly line of said 1.202 acre tract, also being the northerly right-of-way line of Innis Road, following a curve to the right having an *arc length of 85.69'*, a *radius of 1,392.55'*, a *central angle of 003° 31' 33"*, and a *chord that bears South 85° 11' 38" West for a distance of 85.68'*, said point being the southwest corner of said 1.202 acre tract, said point also being the southeasterly corner of a 0.417 acre tract as conveyed to Charles E. Blackburn, Jr. as described in Instrument Nos. 200707190126702 and 200802200025362; thence,

Along the westerly line of said 1.202 acre tract, also being along the easterly line of said 0.417 acre tract and then along a portion of an easterly line of a 5.106 acre tract as conveyed to United States Postal Service as described in Official Record 10994 I-11 and being along the division line between City of Columbus and Township of Mifflin as established by Ordinance No. 1373-71, *North 04° 47' 29" East, for a distance of 294.72'* to a point; thence,

Along the northerly line of said 1.202 acre tract, also being along the southerly line of a 1.575 acre tract as conveyed to Shazan Holding LP as described in Instrument No. 201212120190411 and along the along the division line between City of Columbus and Township of Mifflin, *South 76° 51' 18" East, for a distance of 199.03'* to a point; thence,

Along a portion of the easterly line of said 1.202 acre tract, also being along the westerly line of a 0.391 acre tract as conveyed to Myong Hui Kim as described in Instrument No. 200501260016030 Parcel numbers 1 and 2, and along the division line between City of Columbus and Township of Mifflin, *South 03° 51' 07" West, for a distance of 132.20'* to a point; thence,

Along the northerly line of said 0.174 acre tract, also being along the southerly line of said 0.391 acre tract and along the division line between City of Columbus and Township of Mifflin, *South 86° 45' 09" East, for a distance of 144.99'* to a point; thence,

Along the easterly line of said 0.174 acre tract, also being along the westerly right-of-way line of Westerville Road, *South 29° 19' 00" West, for a distance of 73.47'* to the point of beginning, containing 1.394 acres of land, more or less.

Basis of bearings for the herein-described courses is a portion of the centerline of Westerville Road Being North 29° 19' 00" East, as shown on plans entitled "FRA-3-(20.84)(22.58)(25.00)" as prepared by Burgess & Niple, Limited.

The herein-described courses are based solely on record documents; an actual survey was not performed.

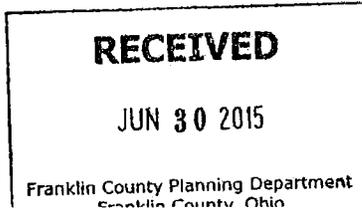


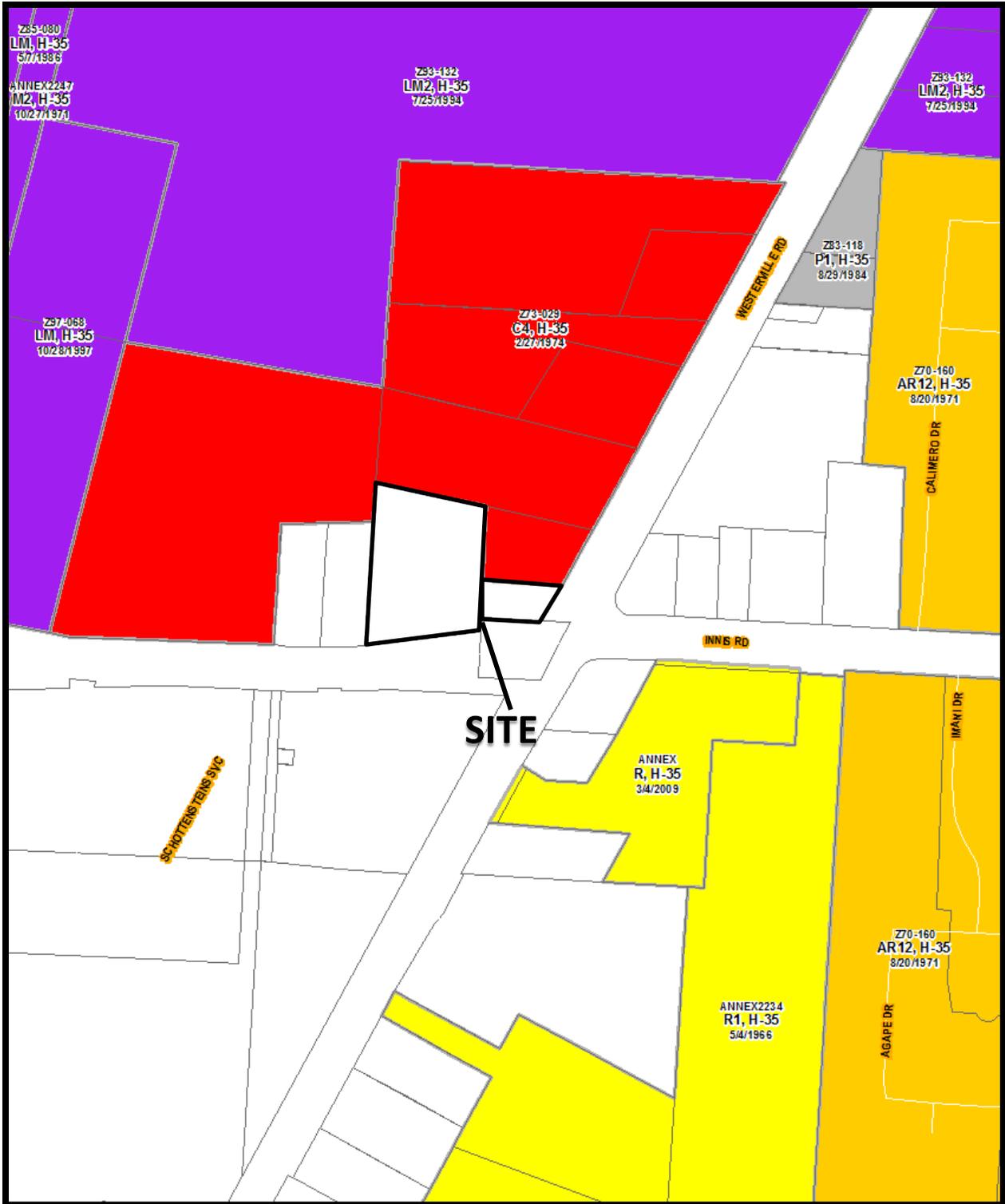
Michael L. Keller

Michael L. Keller
Professional Surveyor, Ohio License No. 7978

3/20/15

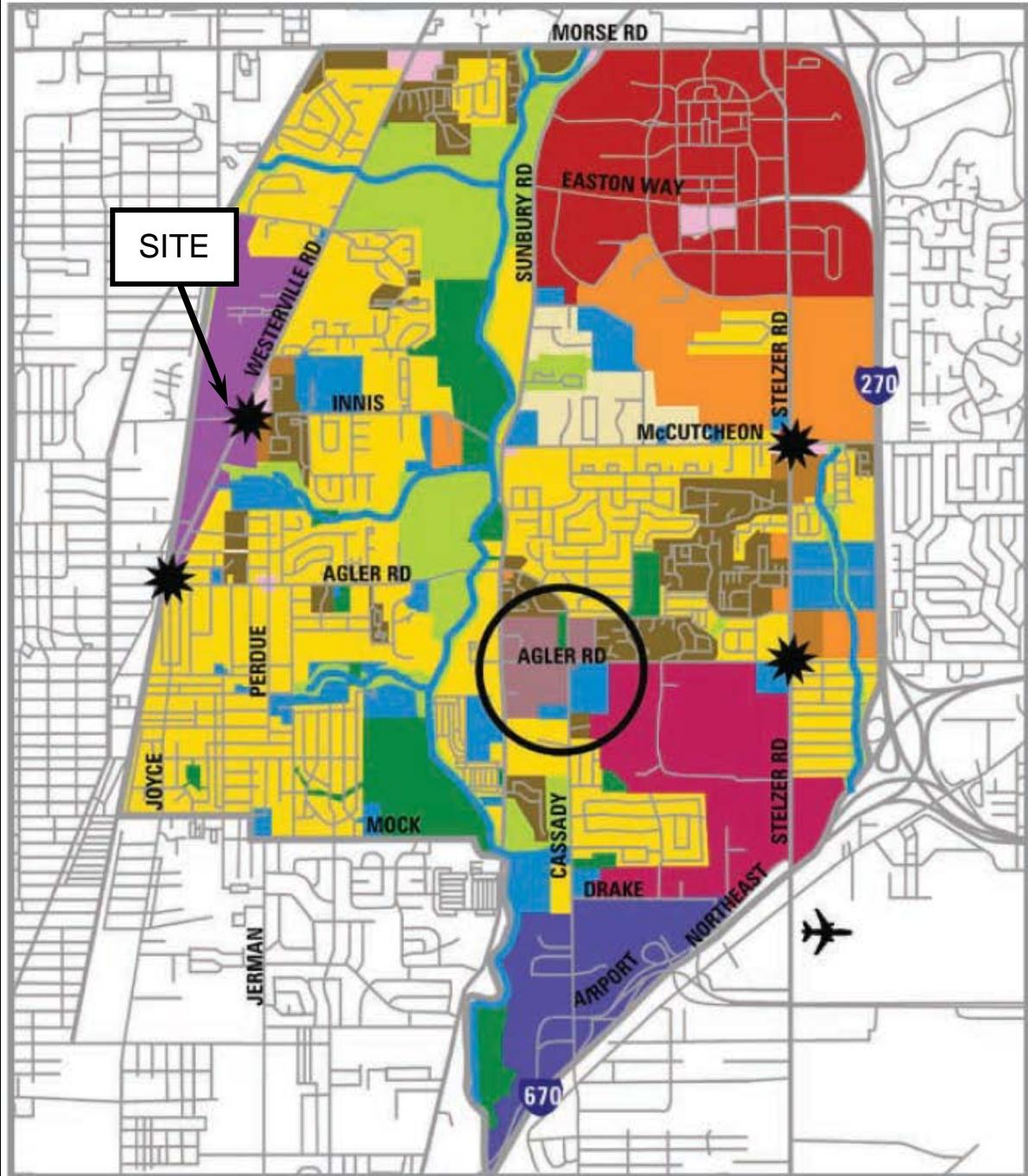
Date





Z15-041
2270 Innis Road
Approximately 1.39 acres
R (Pending) to C-4

Figure 5. Land Use Plan



Z15-041
 2270 Innis Road
 Approximately 1.39 acres
 R (Pending) to C-4



Z15-041
2270 Innis Road
Approximately 1.39 acres
R (Pending) to C-4