

# Council Variance 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: CV15-071 Date Received: 11-3-15  
Application Accepted by: JB, SP Fee: \$160 (companion to 215-054)  
Comments: Assigned to James Burdin; JBurdin@columbus.gov; 614-645-1341  
Shannon Pine; SPine@columbus.gov; 614-645-2208

### LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 1045 LEONA AVE Zip: 43201

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: 010-050189 & 010-021165

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

Current Zoning District(s): M - MANUFACTURING

Area Commission or Civic Association: MILGROGAN AREA COMMISSION

Proposed Use or reason for Council Variance request:

CONVERT EXISTING 1ST FLOOR UNIT TO A 2 BEDROOM 1 BATH APARTMENT

Acreage: .179

### APPLICANT:

Name: BRAD E. HALLEY Phone Number: 614-402-2070 Ext.: \_\_\_\_\_

Address: 640 BEAR RUN LANE City/State: LEWIS CENTER, OH Zip: 43035

Email Address: brad@homesbyaw.com Fax Number: 614-433-9190

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

Name: MTK INVESTMENTS, LLC Phone Number: 614-433-9100 Ext.: 100

Address: 640 BEAR RUN LANE City/State: LEWIS CENTER, OH Zip: 43035

Email Address: brian@homesbyaw.com Fax Number: 614-433-9190

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

Name: N/A Phone Number: \_\_\_\_\_ Ext.: \_\_\_\_\_

Address: \_\_\_\_\_ City/State: \_\_\_\_\_ Zip: \_\_\_\_\_

Email Address: \_\_\_\_\_ Fax Number: \_\_\_\_\_

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

APPLICANT SIGNATURE Brad E Halley

PROPERTY OWNER SIGNATURE [Signature]

ATTORNEY / AGENT SIGNATURE \_\_\_\_\_

*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.**  
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Please make checks payable to the Columbus City Treasurer

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CV15-071

## 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.

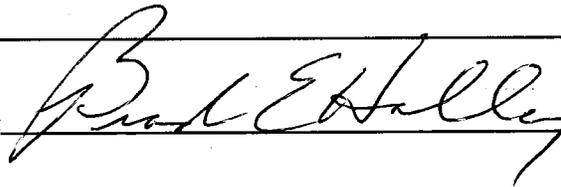
Before authorizing any variance from the Zoning Code in a specific case, City Council shall first determine that such variance will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the 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 Attached

Signature of Applicant



Date

10/29/15

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Statement of Hardship

CV15-071

1045 Leona Ave.  
Columbus, OH 43201

This is an existing 2 story block and frame building that sets on 1 of 2 parcels and is currently zoned for manufacturing (M). The applicant is seeking to change the zoning of these parcels to R-4 so that he can convert the unusable first floor "commercial" space to a 2 bedroom 1 bath apartment. He seeks to provide 6 off street parking spaces on the parcel with the existing building. And to get a variance for the existing building setbacks that match the existing building location. The two existing second floor 2 bedroom 1 bath apartments will be updated as they vacate and will remain intact.

The property is located in an area that currently has very little if any M zoning and has a majority of its parcels in R-4 zoning. The renovation will eliminate a ground floor commercial unit that has been a menace in the community and a zoning complaint headache and create an attractive newly remodeled apartment in a primarily residential neighborhood. The granting of this variance will not negatively impact the neighboring properties or the general welfare of the community.

IN THE INSTANCE THAT ONE PARKING SPACE NEEDS TO BE REMOVED, THIS REQUEST INCLUDES A VARIANCE FOR ONE REQUIRED PARKING SPACE AND ANY OTHER YARD, AREA OR SETBACK VARIANCES FOR THE EXISTING STRUCTURE.

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**AFFIDAVIT** (See instruction sheet)

Application Number: CV15-071

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME BRAD E. HALLEY  
of (1) MAILING ADDRESS 640 BEAR RUN LANE LEWIS CENTER, OH 43035

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 1045 LEONA AVE.

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) November 3, 2015

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME  
AND MAILING ADDRESS

(4) MTK INVESTMENTS, LLC  
640 BEAR RUN LANE  
LEWIS CENTER, OH 43035

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

BRAD E. HALLEY  
614-402-2070

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

(5) MILG GROGAN AREA COMMISSION  
MATTHEW VACCARO, ZONING CHAIR  
1191 ST. CLAIR AVE, COLUMBUS, OH 43201

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 Brad E. Halley

Sworn to before me and signed in my presence this 2nd day of November, in the year 2015

(8) SIGNATURE OF NOTARY PUBLIC Beverly L. Kaze

Notary Seal Here



My Commission Expires  
**Beverly L. Kaze**  
Notary Public, State of Ohio  
My Commission Expires  
April 25, 2010

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

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Brad E. Halley  
640 Bear Run Lane  
Lewis Center, OH 43035

MTK Investments LLC  
640 Bear Run Lane  
Lewis Center, OH 43035

CV15-051

#### AREA COMMISSION

Milo-Grogan Area Commission  
Attn: Matthew Vaccaro – Zoning Chair  
1191 St. Clair Ave.  
Columbus, OH 43201

#### SURROUNDING PROPERTY OWNERS

Greater Linden Homes Ltd. Partnership  
562 E. Main St.  
Columbus, OH 43215

MEK Investments LLC  
5593 Havens Corners Rd.  
Columbus, OH 43230

Kevin E. Starks Jr.  
1658 Eastbrook Dr. S.  
Columbus, OH 43223-3706

Spencer K. Lymon  
2736 N. Glenshire Dr.  
Columbus, OH 43219

Janet S. Figures  
P.O. Box 27153  
Columbus, OH 43227-0153

Docalavich Holdings LLC  
13350 N. Silverfox Dr.  
Mequon, WI 53097

Pamela Chapman  
5350 E. Livingston Ave. Ste 104  
Columbus, OH 43232-6807

Russell B. and Mary F. Richmond  
15870 E. 13<sup>th</sup> Pl. Apt. 306 B  
Aurora, CO 80011-7297

Larry M. Gray  
6358 Hilmar Dr.  
Westerville, OH 43082

Dora Clark  
225 Edgevale Rd.  
Columbus, OH 43209-1521

Mapleside Homes LLC  
562 E. Main St.  
Columbus, OH 43215

Jackson Stanley  
1058 Leona Ave.  
Columbus, OH 43201

Christiana Trust Tr  
1060 E. Olmstead Ave.  
Columbus, OH 43201

Debra Burbridge  
1065 Leona Ave.  
Columbus, OH 43201

Vonnie McDaniels  
432 Skyview Lane  
Lexington, KY 40511

Edward L. Smith  
1664 Penfield Rd.  
Columbus, OH 43227-3421

Samson O. and Veronica I. Adedapo  
6158 Brenthurst Dr.  
Columbus, OH 43230

Patriarch Investments LLC  
14362 N. Frank Lloyd Wright Blvd  
Suite 2116  
Scottsdale, AZ 85260-8846

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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 # CV15-071

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) BRAD E. HALLEY  
of (COMPLETE ADDRESS) 640 BEAR RUN LANE LEWIS CENTER, OH 43035

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. MTK INVESTMENTS, LLC 640 BEAR RUN LANE LEWIS CENTER OH 43035 0 EMPLOYEES BRIAN KNOPPE 614-433-9100 EXT 100	2.
3.	4.

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

SIGNATURE OF AFFIANT Brad E. Halley

Sworn to before me and signed in my presence this 2nd day of November, in the year 2015

Beverly L. Kaze  
SIGNATURE OF NOTARY PUBLIC

Notary Seal Here



Beverly L. Kaze  
Notary Public, State of Ohio  
My Commission Expires  
April 25, 2010 4/25/10

My Commission Expires

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

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# City of Columbus Zoning Plat

CV15-071



## 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: 010050189, 010050189

Zoning Number: 1045

Street Name: LEONA AVE

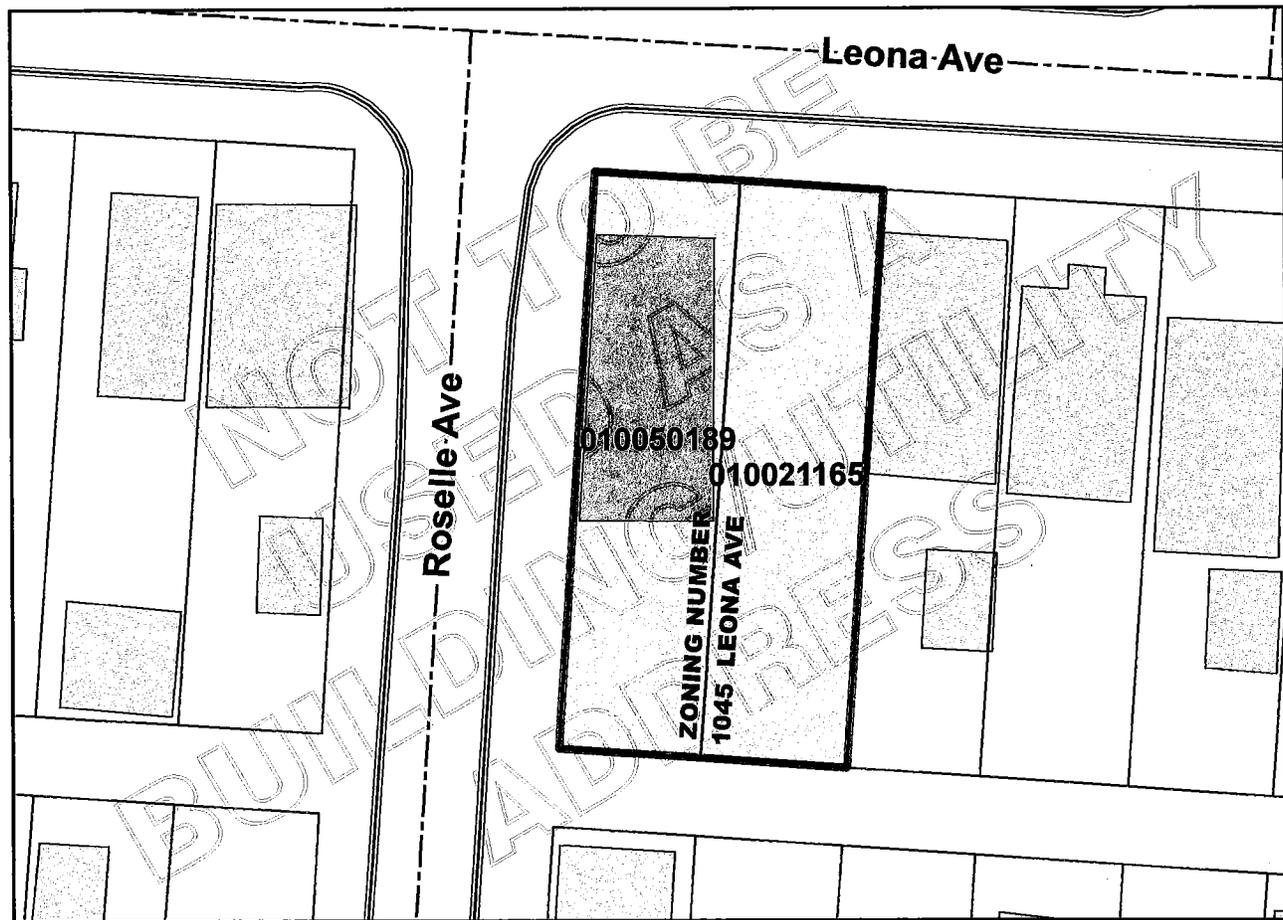
Lot Number: N/A

Subdivision: N/A

Requested By: MTK INVESTMENTS LLC. (BRAD HALLEY)

Issued By: *Adyana Harrison*

Date: 10/30/2015



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

SCALE: 1 inch = 40 feet

GIS FILE NUMBER: 48116

CV15-071

## LEGAL DESCRIPTION

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

**Parcel 1:**

Being Lot Number One Hundred Fifty-three (153), in Theodore Weyants Subdivision of the reserved portion of Elias F. Shoemaker's Addition to the City of Columbus, Ohio, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 7 Page 194, Recorder's Office, Franklin County, Ohio.

**Parcel 2:**

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

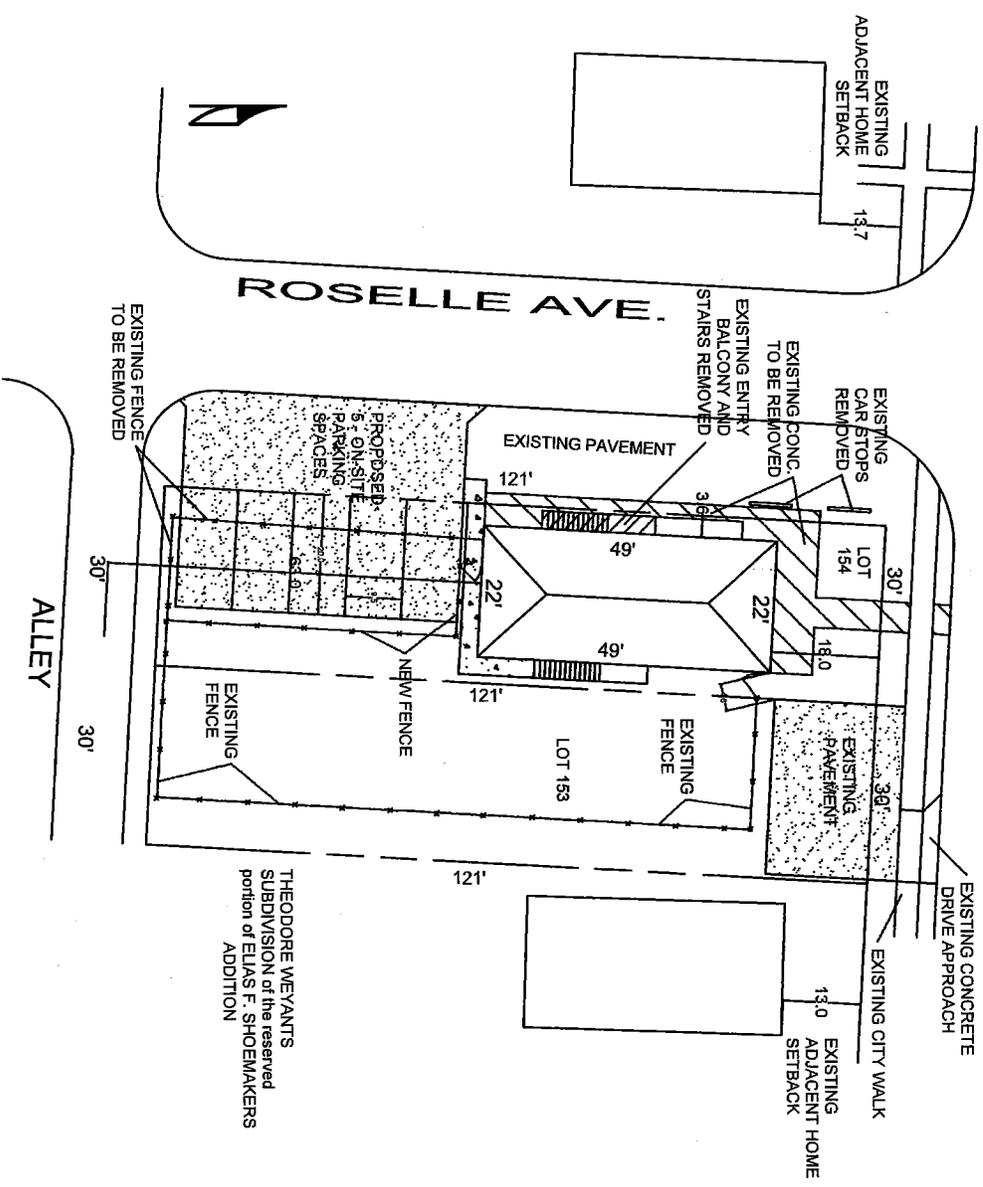
Being Lot Number One Hundred Fifty-four (154), in Theodore Weyants Subdivision of the reserved portion of Elias F. Shoemaker's Addition, of City of Columbus, Ohio, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 7, Page 194, Recorder's Office, Franklin County, Ohio.

010-050189-00



CV15-071

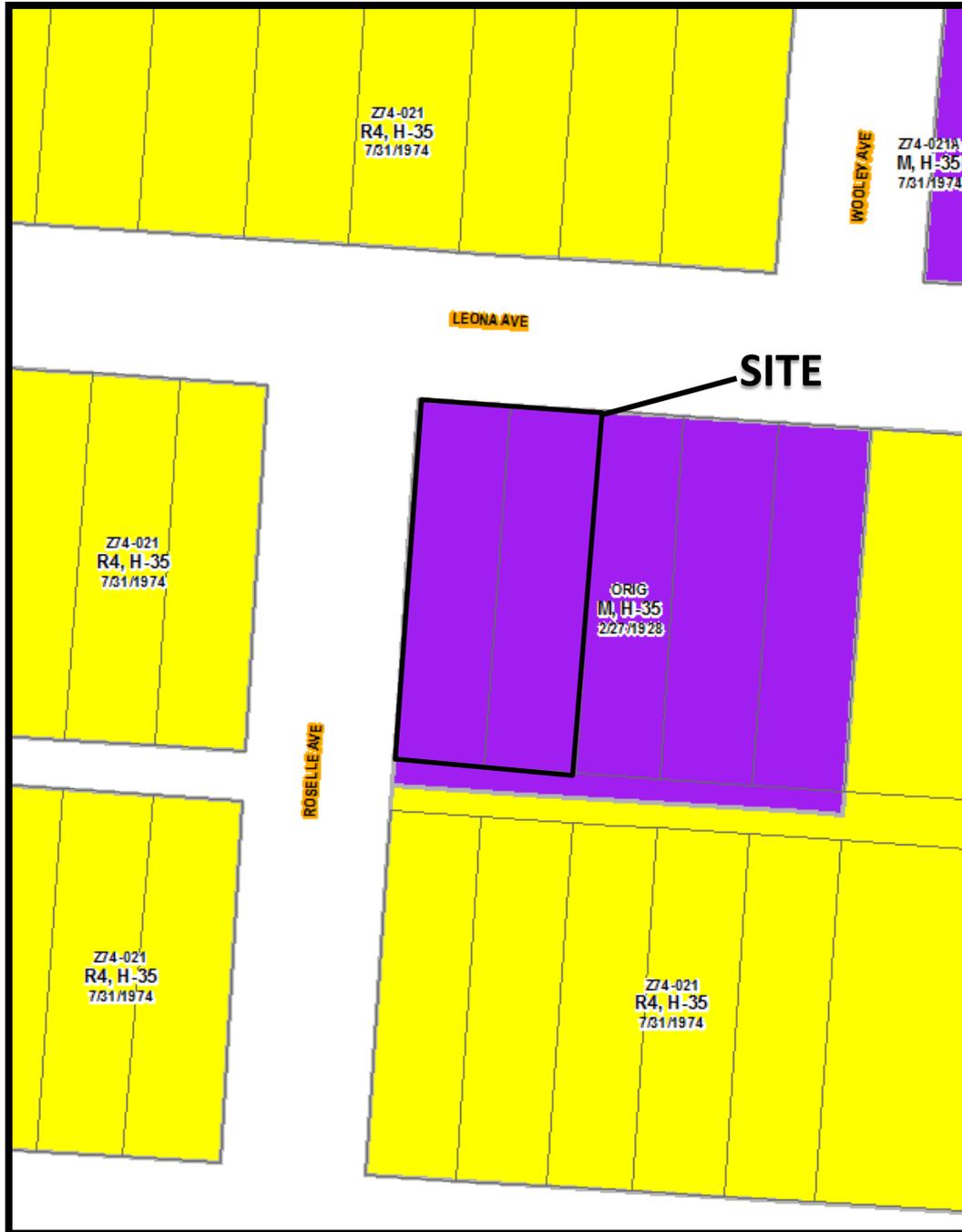
# LEONA AVENUE



THEODORE WEYANT'S  
SUBDIVISION of the reserved  
portion of ELIAS F. SHOEMAKERS  
ADDITION

## SITE PLAN

SCALE: 1" = 30'



Z15-054  
1045 Leona Avenue  
Approximately 0.18 acres  
M to R-4

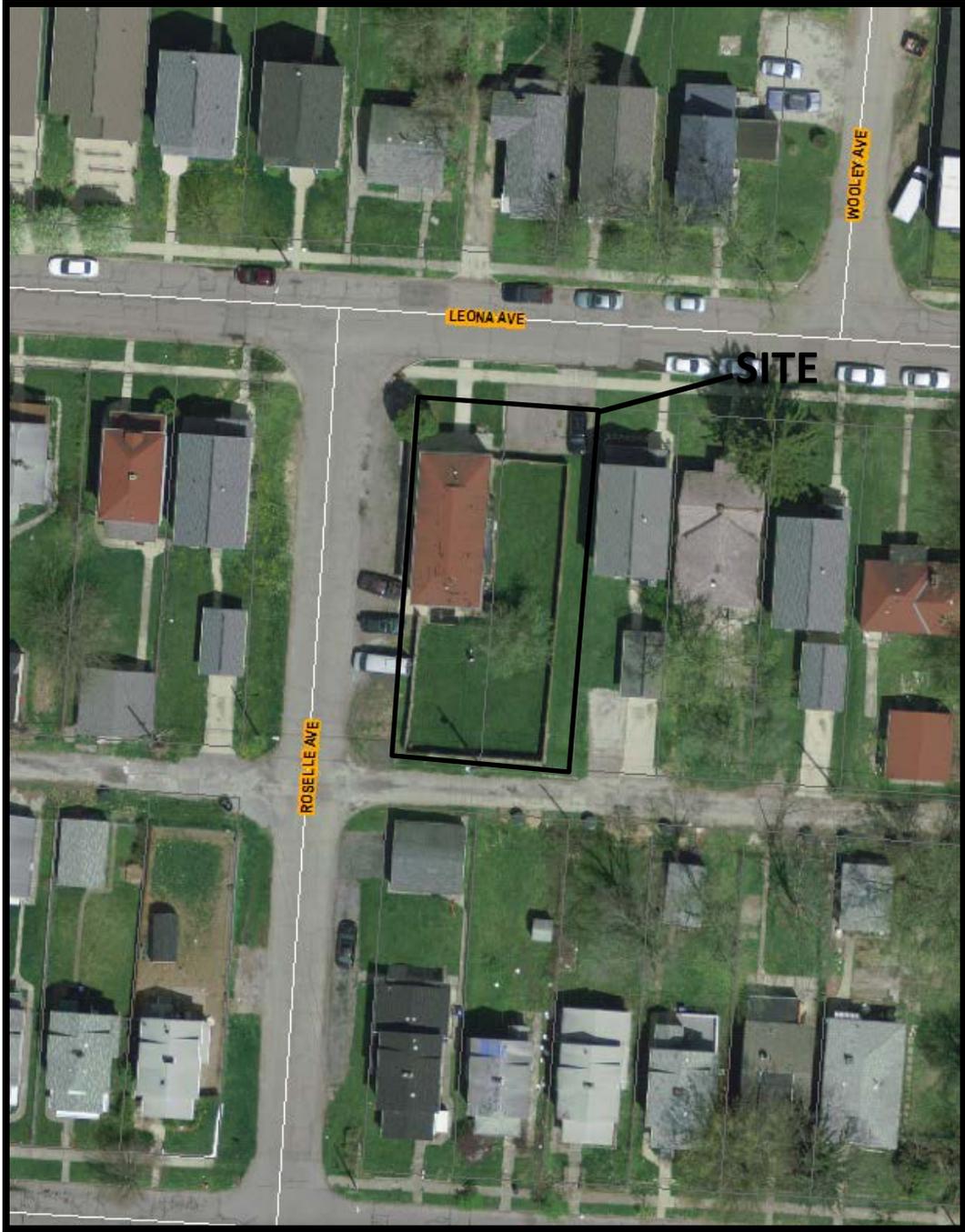
### Future Land Use



- Single-family Residential
- Multifamily Residential
- Light Industrial
- Heavy Industrial
- Commercial
- Commercial/Multi-family
- Office
- Institutional
- Mixed Use
- Park
- Utility & City Owned

Map prepared by Planning Department, July 2006.

Z15-054  
1045 Leona Avenue  
Approximately 0.18 acres  
M to R-4



Z15-054  
1045 Leona Avenue  
Approximately 0.18 acres  
M to R-4