

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: CV15-073 Date Received: 12-1-15
Application Accepted by: JB, TD, MM Fee: \$1,600
Comments: Assigned to James Burdin; JBurdin@columbus.gov; 614-645-1341
Shannan Pine; SPine@columbus.gov; 614-645-2208

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 2453 Neil Avenue Zip: 43202

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: 010-223670 and 010-276430

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

Current Zoning District(s): R2F

Area Commission or Civic Association: University Area Commission

Proposed Use or reason for Council Variance request:

Restore multi-family dwelling to original single-family with rooming house proposal

Acreage: 0.218 acres

APPLICANT:

Name: Anthony & Kimberly Properties LLC Phone Number: (614) 885-4754 Ext.: _____

Address: 134 Aldrich Road City/State: Columbus, Ohio Zip: 43214

Email Address: tlordo@aol.com Fax Number: (614) 464-2634

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

Name: Anthony & Kimberly Properties LLC Phone Number: (614) 885-4754 Ext.: _____

Address: 134 Aldrich Road City/State: Columbus, Ohio Zip: 43214

Email Address: tlordo@aol.com Fax Number: (614) 464-2634

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

Name: Nicholas C. Cavalaris, Kegler, Brown, Hill + Ritter Phone Number: (614) 462-5443 Ext.: _____

Address: 65 E. State Street, Suite 1800 City/State: Columbus, Ohio Zip: 43215

Email Address: ncavalaris@keglerbrown.com Fax Number: (614) 464-2634

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

APPLICANT SIGNATURE Nicholas Cavalaris on behalf of applicant

PROPERTY OWNER SIGNATURE Nicholas Cavalaris on behalf of owner

ATTORNEY / AGENT SIGNATURE Nicholas Cavalaris

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

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CV15-073

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:

REQUESTED VARIANCE from CCC 3332.037, R2F residential district, to permit a rooming house in the R2F district.

The vacant home at this address was formerly used as a three-family dwelling and the Applicant seeks to restore the home back to its original single-family use. Given the restoration, the City is requesting that the Applicant seek a rooming house designation since the plan is to have sleeping accommodations for three or more persons. A rooming house is not permitted in the existing R2F zoning and a council variance is necessary to establish such a use.

The Applicant is restoring the exterior, modifying the floor plans to remove two kitchens and enhancing the site by combining a vacant parcel (010-276430) to provide additional off-street parking. The proposed use is adjacent to an AR1 (Apartment) zoning district and is similar to surrounding multi-family dwellings. This proposal is preserving the structure, is lower in intensity than the previous use and will integrate well into the area. The granting of the variance will not negatively impact the general welfare of the neighborhood.

Signature of Applicant

Trishla Corbin

Date

12/30/15

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AFFIDAVIT (See instruction sheet)

Application Number: CV15-073

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Nicholas C. Cavalaris

of (1) MAILING ADDRESS 65 E. State St., Suite 1800, Columbus, Ohio 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 2453 Neil Avenue, Columbus, Ohio 43202

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 12-1-15

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) Anthony & Kimberly Properties LLC
134 Aldrich Road
Columbus, Ohio 43214

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

Anthony & Kimberly Properties LLC
(614) 885-4754

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

(5) University Area Commission
Susan Keeny
358 King Avenue, Columbus, Ohio 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

Nicholas Cavalaris

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

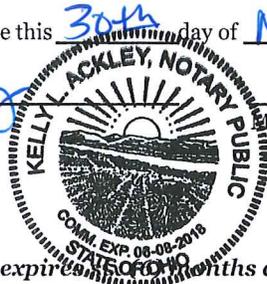
(8) SIGNATURE OF NOTARY PUBLIC

Kelly Lackey

6-8-18

My Commission Expires

Notary Seal Here



This Affidavit expires 6 months after the date of notarization.

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CV15-073

APPLICANT

Anthony & Kimberly Properties LLC
134 Aldrich Road
Columbus, OH 43214

PROPERTY OWNER

Anthony & Kimberly Properties LLC
134 Aldrich Road
Columbus, OH 43214

ATTORNEY

Nicholas C. Cavalaris
Kegler, Brown, Hill + Ritter
65 E. State St., #1800
Columbus, OH 43215

**AREA COMMISSION OR
NEIGHBORHOOD GROUP**

University Area Commission
c/o Susan Keeny, Zoning Chair
358 King Avenue
Columbus, OH 43201

SURROUNDING PROPERTY OWNERS

Mary W. Forman LLC
57 Larrimer Avenue
Worthington, OH 43085

Keith B. Belman
3671 Karl Road
Columbus, OH 43224

Sandra M. Bolzenius
88 W. Blake Avenue
Columbus, OH 43202

Steven M. Dole
Martha B. Dole
210 Webster Park Avenue
Columbus, OH 43214

Thomas L. Sochor
Kathy L. Sochor
1329 Wyuandotte Road
Columbus, OH 43212

Kelly M. Parton
119 – 121 W. Blake Avenue
Columbus, OH 43202

John C. Schlumbohm
Susan Schlumbohm
200 Ohio Avenue
Pandora, OH 45877

Jason J. Click
Jamie R. Spenthoff
102-104 W. Maynard Avenue
Columbus, OH 43202

John D. Ressler
Ann M. Ressler
100 W. Maynard Avenue
Columbus, OH 43202

Daniel Low-Pitroff
85 W. Blake Avenue, Apt. A
Columbus, OH 43202

Steve Dole
Martha M. Booker
210 Webster Park Avenue
Columbus, OH 43214

Heidi Ann Debenedictis, et al.
2434 – 34 Neil Avenue
Columbus, OH 43202

120 W. Blake LLC
120 W. Blake Avenue
Columbus, OH 43202

Buckeye Real Estate
PO Box 8310
Columbus, OH 43201

Northsteppe Realty
Attn: Diana Hawks
10 E. 17th Avenue
Columbus, OH 43201

Northwood Park Rentals LLC
10 E. 17th Avenue
Columbus, OH 43201

Daniel J. Gregory, II
2431 Neil Avenue
Columbus, OH 43202

John H. Aldrich
2453 Neil Avenue
Columbus, OH 43202

Jack Beatley
70 W. Northwood Ave., Apt. 1E
Columbus, OH 43201

Anthony & Kimberly Properties LLC
134 Aldrich Road
Columbus, OH 43214

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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 # CV15-073

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Nicholas C. Cavalaris, Kegler, Brown, Hill + Ritter
of (COMPLETE ADDRESS) 65 E. State Street, Suite 1800, Columbus, Ohio 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. Anthony & Kimberly Properties LLC 134 Aldrich Road Columbus, Ohio 43214 2 Columbus based employees Kimberly Lordo, (614) 885-4754	2.
3.	4.

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

SIGNATURE OF AFFIANT *Nicholas Cavalaris*

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

Kelly Lackey
SIGNATURE OF NOTARY PUBLIC



6-8-18 Notary Seal Here
Commission Expires

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

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City of Columbus Zoning Plat

CV15-073



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: 010223670

Zoning Number: 2453

Street Name: NEIL AVE

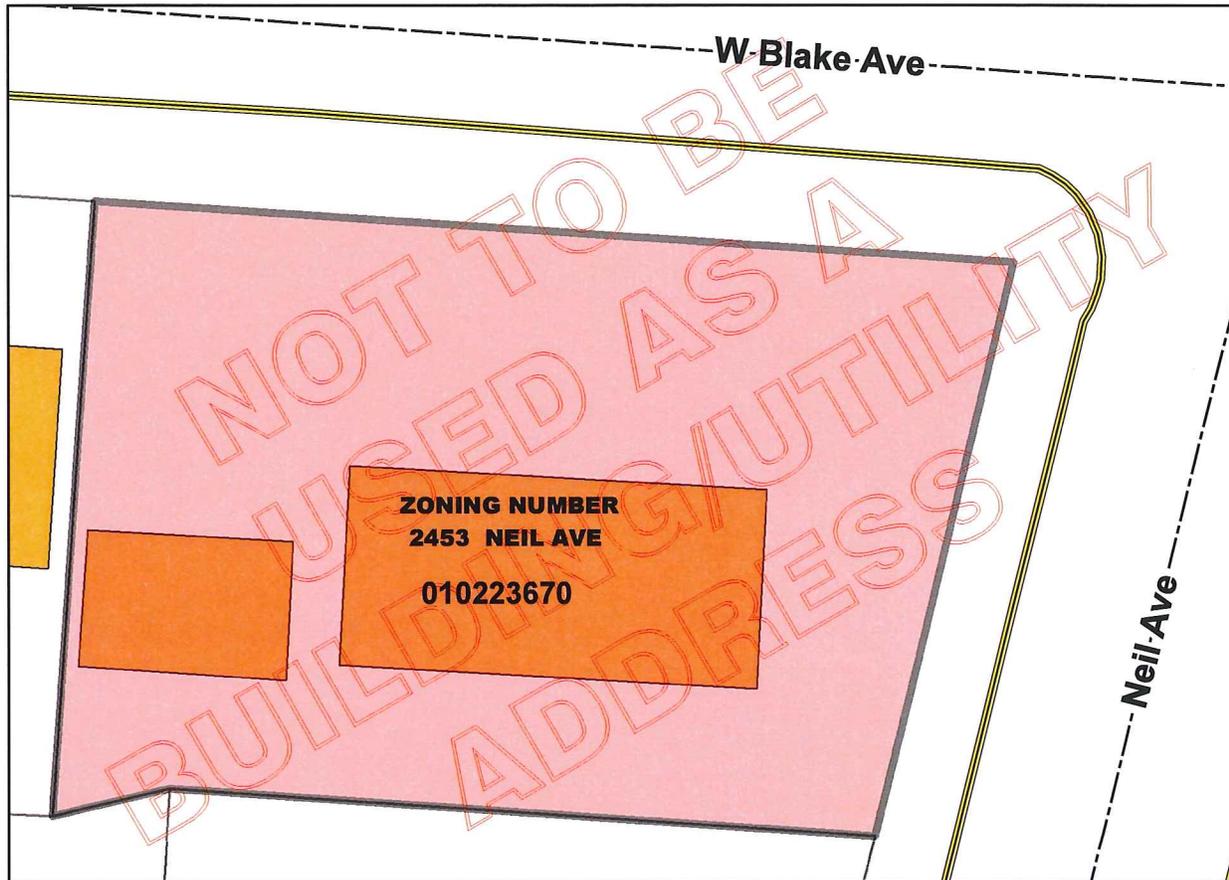
Lot Number: N/A

Subdivision: N/A

Requested By: KEGLER, BROWN, HILL & RITTER (NICHOLAS CAVALARIS)

Issued By: *Nicholas Cavalaris*

Date: 11/24/2015



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

SCALE: 1 inch = 25 feet

GIS FILE NUMBER: 50363

CVIS-073

Patridge
Surveying LLC

LEGAL DESCRIPTION OF 0.215 ACRE TRACT

Situated in the State of Ohio, County of Franklin, City of Columbus, and being in Lots 91, 92 and 93 of Montgomery and McKee's Amended Plat to the City of Columbus as delineated and recorded in Plat Book 5, page 102 and being all of a 0.061 acre tract conveyed to Anthony and Kimberly Properties in Instrument No. 200507010129807 and all of a 0.154 acre tract also conveyed to Anthony and Kimberly Properties in Instrument No. 201509230133237 and being more particularly described as follows:

Beginning, at an iron pipe found (3/4" I.D.) at an intersection of the west line of Neil Avenue (60' wide right of way) and the south Line of Blake Avenue (50' wide right of way), marking the northeast corner of said Lot 93;

thence **South 09°52'50" West 79.80 feet**, in the west line of Neil Avenue and the east line of said Lot 93, to an iron pipe found (2" I.D.) marking the southeast corner of said 0.154 acre tract, also being the northeast corner of a 0.115 acre tract conveyed to Keith B. Belman as recorded in Deed Book 3761, Page 641;

thence **South 89°51'49" West 96.61 feet**, across said Lots 93, 92, 91, in the south line of said 0.154 acre tract and the north line of said 0.115 acre tract to iron pin found (1" I.D.), (passing an iron pin (capped "Landmark Surveying") found at 78.69 feet, marking the southwest corner of said 0.154 acre tract and the southeast corner of said 0.061 acre tract and being the northwest corner of said 0.115 acre tract also being the northeast corner of a 0.068 acre tract conveyed to Daniel J. Gregory II, as recorded in Instrument No. 200702020020056);

thence **South 68°17'39" West 16.27 feet**, across said Lot 91, in the south line of said 0.061 acre tract and the north line of said 0.068 acre tract to iron pipe found (1" I.D.), marking the southwest corner of said 0.061 acre tract, also being the southeast corner of a 0.087 acre tract conveyed to Kelly M. Parton in Instrument No. 200310020316610);

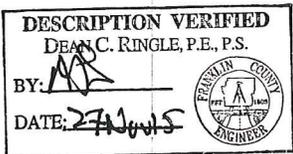
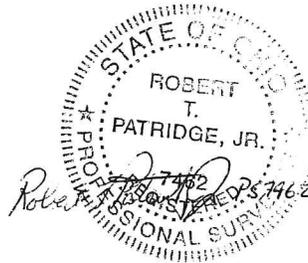
thence **North 00°16'56" East 84.86 feet**, across said Lot 91, in the west line of said 0.061 acre tract and the east line of said 0.087 acre tract to an iron pin found (capped "Landmark Surveying") in the south line of Blake Avenue;

thence **North 90°00'00" East 125.00 feet**, in the south line of Blake Avenue and the north lines of said 0.061 acre tract and said 0.154 acre tract, (passing an iron pin found at 33.01 feet, (capped "Landmark Surveying") to the **Principal Place of Beginning**, containing **0.215 acres**. Of which 0.061 acres are in Parcel No. 010-182518 and 0.154 acres are in Parcel No. 010-223670.

Also the 0.061 acre tract is subject to a deed of easement recorded in Instrument No. 200507010129807.

*Basis of bearings, based on the south line of Blake Avenue being North 90° 00' 00" East.
A survey of the above described premises was done by "Patridge Surveying", Robert T. Patridge Jr., P.S. 7462, in November, 2015.
All iron pins found capped "Landmark Surveying" are 5/8" diameter rebar.
All referenced documents are on file at the Franklin County Recorder's Office, Columbus, Ohio.*

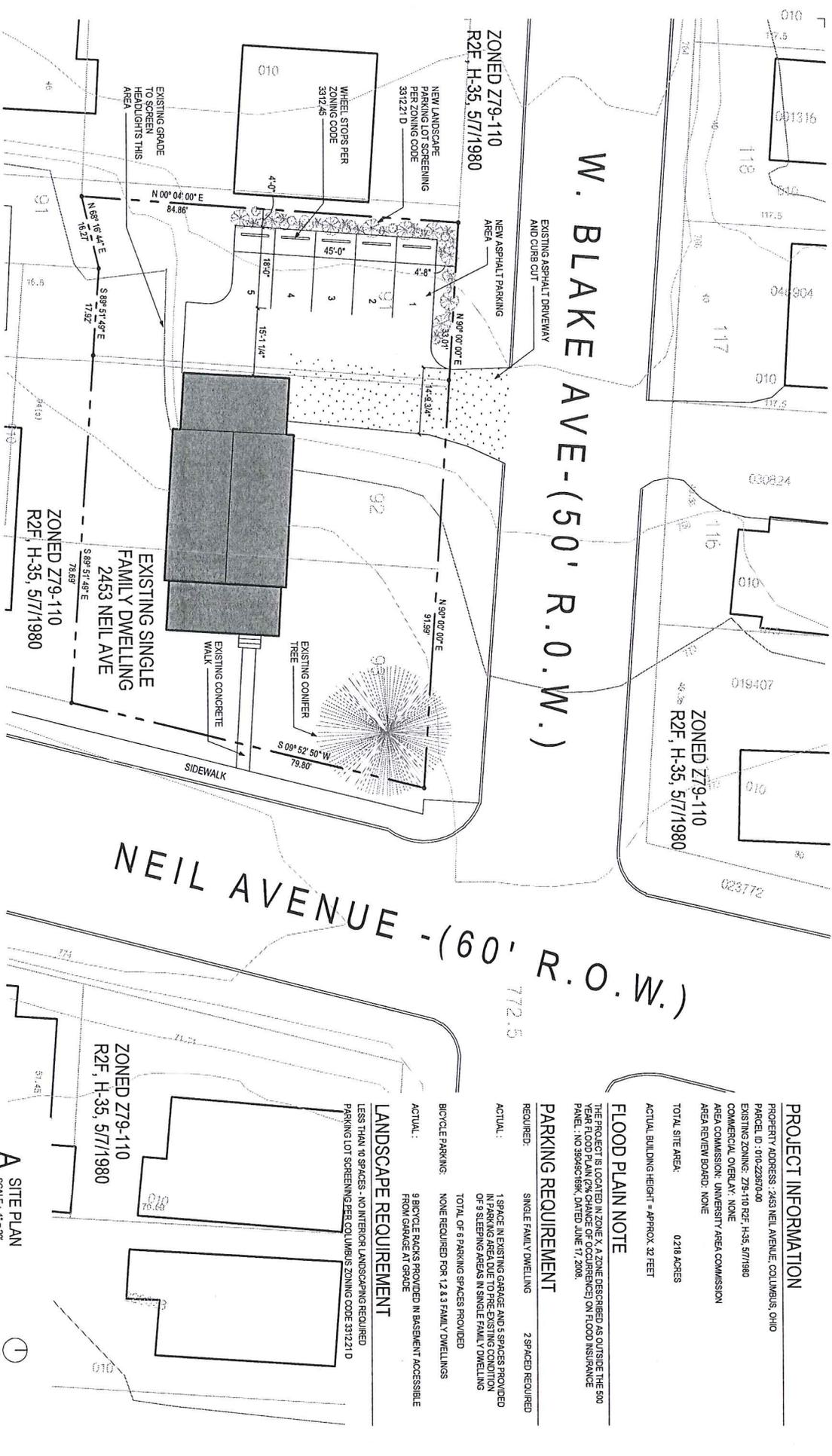
A-07
All of
(010)
276730



lorde-neil-ave.doc 11/21/2015

W. BLAKE AVE - (50' R.O.W.)

NEIL AVENUE - (60' R.O.W.)



PROJECT INFORMATION

PROPERTY ADDRESS : 2453 NEIL AVENUE, COLUMBUS, OHIO
 PARCEL ID : 010-22970-00
 EXISTING ZONING : Z79-110 RZF, H-35, 5/7/1980
 COMMERCIAL OVERLAY : NONE
 AREA COMMISSION : UNIVERSITY AREA COMMISSION
 AREA REVIEW BOARD : NONE

TOTAL SITE AREA : 0.218 ACRES
 ACTUAL BUILDING HEIGHT = APPROX. 32 FEET

FLOOD PLAIN NOTE

THE PROJECT IS LOCATED IN ZONE X, A ZONE DESCRIBED AS OUTSIDE THE 500 YEAR FLOOD PLAIN (2% CHANCE OF OCCURRENCE) ON FLOOD INSURANCE PANEL : NO 39090169K, DATED JUNE 17, 2008.

PARKING REQUIREMENT

REQUIRED : SINGLE FAMILY DWELLING 2 SPACED REQUIRED

ACTUAL : 1 SPACE IN EXISTING GARAGE AND 5 SPACES PROVIDED IN PARKING AREA DUE TO PRE-EXISTING CONDITION OF 9 SLEEPING AREAS IN SINGLE FAMILY DWELLING

TOTAL OF 6 PARKING SPACES PROVIDED

BICYCLE PARKING

REQUIRED : NONE REQUIRED FOR 1, 2 & 3 FAMILY DWELLINGS

ACTUAL : 9 BICYCLE RACKS PROVIDED IN BASEMENT ACCESSIBLE FROM GARAGE AT GRADE

LANDSCAPE REQUIREMENT

LESS THAN 10 SPACES - NO INTERIOR LANDSCAPING REQUIRED

PARKING LOT SCREENING PER COLUMBUS ZONING CODE 3312.21 D

A SITE PLAN

SCALE : 1" = 20'

BOA+D
 BURTON OFFICE OF ARCHITECTURE • DESIGN

2453 NEIL AVENUE - SITE PLAN
 2453 NEIL AVENUE COLUMBUS, OHIO 43202
 PROJECT : 150010
 SCALE : 1" = 20'
 DATE : 23 NOVEMBER 2015

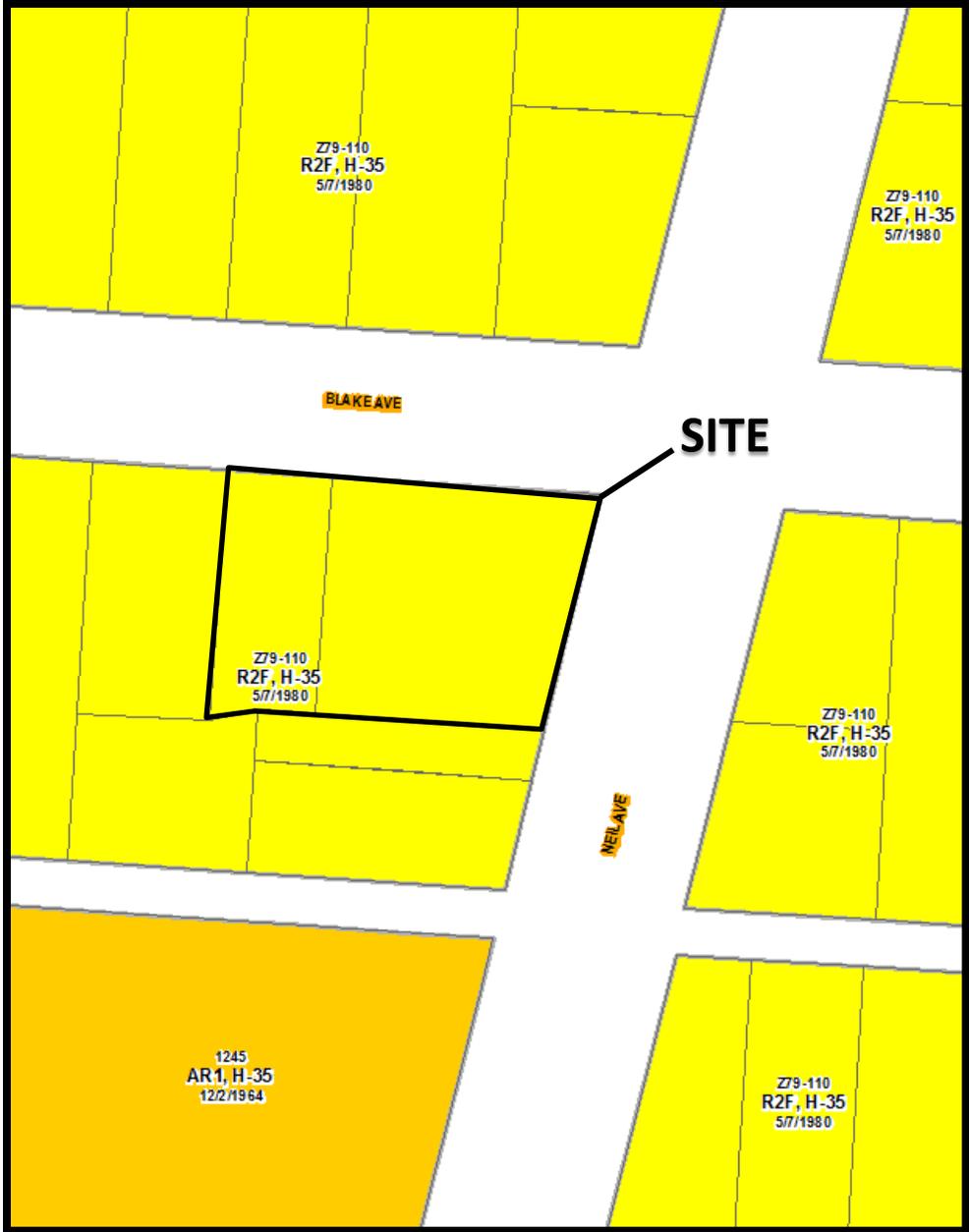
3688 Ravenscroft Drive, Columbus, OH 43220

614.915.2718

www.boad-arch.com

A01

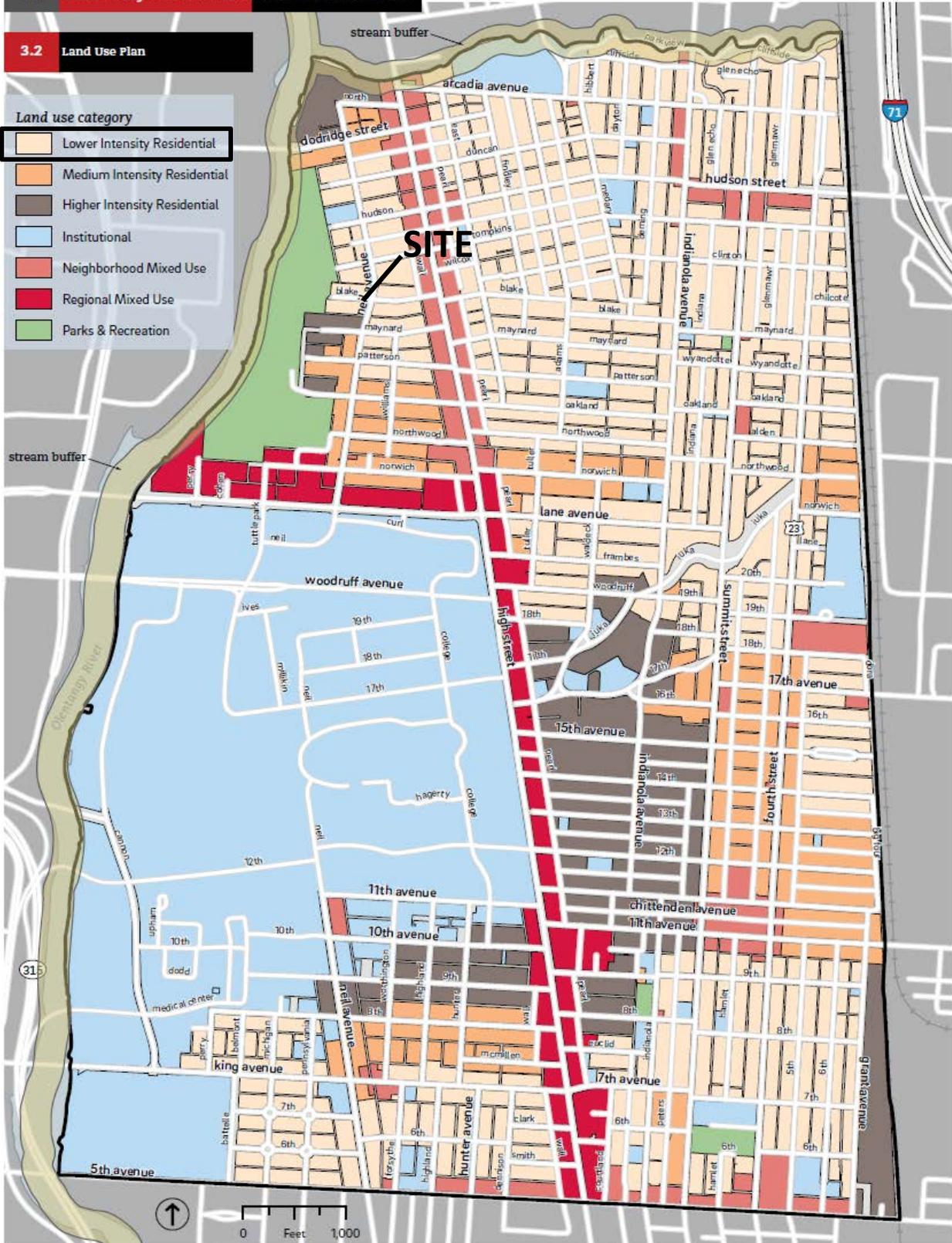
CV15-073



CV15-073
2453 Neil Avenue
Approximately 0.22 acres

3.2 Land Use Plan

- Land use category
- Lower Intensity Residential
 - Medium Intensity Residential
 - Higher Intensity Residential
 - Institutional
 - Neighborhood Mixed Use
 - Regional Mixed Use
 - Parks & Recreation



CV15-073
2453 Neil Avenue
Approximately 0.22 acres



CV15-073
2453 Neil Avenue
Approximately 0.22 acres