

City of Columbus, Ohio • Department of Building & Zoning Services 757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • <u>www.columbus.gov</u>

-			-				
2	Application Number: <u>CV15-074</u>						
ONLY	Date Received: 12-01-2015						
USE		2					
OFFICE USE ONLY	Application Accepted By: JB, TD Fee: \$1,600 Comments: Assigned to Shannon Pine; Spine@c	alumbus apr : 645-2208					
OFF							
LOCATION AND ZONING REQUEST:							
	Certified Address (for Zoning Purposes) 180 Detroit Avenue	43201					
	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: 010-036341, 010-056312, 010-05627	5, 010-044366					
	Check here if listing additional parcel numbers on a separate page.						
	Current Zoning District(s): AR-3 (0.42 ac), AR-1 (0.12 ac)						
	Recognized Civic Association or Area Commission: Italian Village Commission	n					
	Proposed use or reason for Council Variance request: Variances for multi-family	development,					
	Acreage: 0.54 +/-						
	APPLICANT: Name Lykens Companies c/o Donald Plank, Plank Law						
	Address 145 E Rich Street, 3rd Floor City/State	e Columbus, OH Zip 43215					
	Phone # 614-947-8600 Fax # 614-228-1790 Email: dplank	@planklaw.com					
	<b>PROPERTY OWNER(S):</b> Name LS Development - 174 Detroit, LLC	c/o Donald Plank					
	Address Plank Law Firm, 145 E. Rich Street, 3rd FL City/State	Columbus, OH Zip 43215					
	Phone # 614-947-8600 Fax # 614-228-1790 Email: dplanke	@planklaw.com					
	Check here if listing additional property owners on a separate page.		*				
(	ATTORNEY AGENT AGENT Agent						
	Name Donald Plank, Plank Law Firm						
	Address 145 E Rich Street, 3rd Floor City/State	Columbus, OH Zip 43215	-				
		@planklaw.com					
	SIGNATURES (ALL SIGNATURES MUST BE SIGNED IN BLUE INK)						
APPLICANT SIGNATURE Muld Cank affaring							
	PROPERTY OWNER SIGNATURE	attanen					
	ATTORNEY AGENT SIGNATURE Orcald / la	rall' T	_				
			•				
	My signature attests to the fact that the attached application package is complete and accurate	e to the best of my knowledge. I understand that the Cit	ty				

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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## AFFIDAVIT

(See next page for instructions)

	APPLICATION # CU13-019		
STATE OF OHIO			
COUNTY OF FRANKLIN			
Being first duly cautioned and sworn (1) NAME <u>Donald Plank</u>			
SUBJECT PROPERTY OWNERS NAME	(4) LS Development - 174 Detroit, LLC		
AND MAILING ADDRESS	c/o Donald Plank, Plank Law Firm		
	145 E Rich St., 3rd FL		
	Columbus, OH 43215		
APPLICANT'S NAME AND PHONE #	Lykens Companies		
(same as listed on front of application)	c/o Donald Plank (614)947-8600		
AREA COMMISSION OR CIVIC GROUP	(5) Italian Village Commission		
AREA COMMISSION OR CHAIR OR	<u>c/o Randy Black</u> , Historic Preservation		
CONTACT PERSON AND ADDRESS	50 E Gay St., FL 4 Office		
	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.

Subscribed to me in my presence and before me this

(8) 4th day of november in the year 20/0 (8)

y ∝ 2018

SIGNATURE OF NOTARY PUBLIC



Stacey L. Danza Notary Public, State of Ohio My Commission Expires 11-05-2018

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Revised 05/9/12

EXHIBIT A, Public Notice 180 Detroit Avenue CV15-020 November 4, 2015

#### APPLICANT

Lykens Companies c/o Donald Plank Plank Law Firm 145 East Rich Street, FL 3 Columbus, OH 43215

#### PROPERTY OWNER

LS Development - 174 Detroit, LLC c/o Donald Plank Plank Law Firm 145 East Rich Street, FL 3 Columbus, OH 43215

#### **ATTORNEY FOR APPLICANT**

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

#### COMMUNITY GROUP

Italian Village Commission c/o Mr. Randy Black 50 W. Gay Street, FL 4 Columbus, OH 43215 Italian Village Commission c/o Ms. Connie Torbeck 50 W. Gay Street, FL 4 Columbus, OH 43215

#### **PROPERTY OWNERS WITHIN 125 FEET**

Andrew I. Klein 1090 Say Avenue Columbus, OH 43201

J & J Inc. 1057 N. 4<sup>th</sup> St. Columbus, OH 43201

Green Room Brewing, LLC 1101 N 4<sup>th</sup> Street Columbus, OH 43201

Generation Rentals Ltd. 1020 Dennison Avenue, Suite 102 Columbus, OH 43201-3497 Urban Restorations LLC 815 N. High St., Ste. R Columbus, OH 43215

Jason A. Slagle & Roy M. Slagle 1051 Hamlet St. Columbus, OH 43201

Matthew Wood Christopher Hammer 60 W. Beaumont Rd. Columbus, OH 43214

New Victorians Inc. 455 W. 3<sup>rd</sup> Ave. Columbus, OH 43201 Robert E Wagner Shannon M Gaines 160 E 4<sup>th</sup> Avenue Columbus, Ohio 43201

James W. Hill, II 190 Detroit Avenue Columbus, OH 43201

Kay K. Morgan 1056 Hamlet St. Columbus, OH 43201

180 Detroit Avenue CV15-000 07 Y Exhibit A, Public Notice Page 1 of 2, 11/4/15 Jeffrey P. Jerome 1059 Hamlet St. Columbus, OH 43201

Albert V. Blazevicius Audrone R. Biknevicius 158 Detroit Ave. Columbus, OH 43201

Michael R. Young 851 Harrison Avenue, Apt. J Columbus, OH 43215

Matthew D. Kennon 1053 Hamlet St. Columbus, OH 43201

Emily R. Erb 181 E. 4<sup>th</sup> Ave. Columbus, OH 43201

Catherine E. Romanos Clayton C. Howard 672 Kerr Street Columbus, OH 43215

**ALSO NOTIFY** 

Mr. Kevin Lykens Lykens Companies 1020 Dennison Avenue, Suite 102 Columbus, OH 43201 Michael Miller 1062 Hamlet St. Columbus, OH 43201

Rebecca S. Lamb Matteo Citarelli 175 E. Fourth Ave. Columbus, OH 43201

John R. Hill 269 Village Dr. Columbus, OH 43214

Slim Builds LLC Michael J. Losinske 471 W. 4<sup>th</sup> Ave. Columbus, OH 43201

Jonathan Gale Ryan 100 E. Broad St., Ste. 1301 Columbus, OH 43215

Christopher Toy 1054 Hamlet St. Columbus, OH 43201

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

LS Development – 174 Detroit, LLC 1020 Dennison Ave., Ste. 102 Columbus, OH 43201 Kay Kilgore 1056 Hamlet St. Columbus, OH 43201

Benjamin C. Borchers 742 Jaeger Street Columbus, OH 43206

Anthony L. Woodford 294 Longbranch Dr. Dublin, OH 43017

Angel M. Gondek Jeffrey W. Gondek 1061 Hamlet St. Columbus, OH 43201

Stephen McCoy 1043 Hamlet St. Columbus, OH 43201

Laurie Mihalacki 111 West 3<sup>rd</sup> Avenue Columbus, OH 43201

180 Detroit Avenue CV15-0 가 가 역 Exhibit A, Public Notice Page 2 of 2, 11/4/15



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CV15-070

## **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 "B"

Signature of Applicant Date 11/4/15			
Signature of Applicant Date 11/4/15			
	Signature of Applicant Donald Hank	Date	11/4/15

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Revised 05/9/12

## Exhibit B

## **Statement of Hardship**

## CV15-\_\_\_\_

## 180 Detroit Avenue

The development site consists of 0.42 +/- acres located at the northeast corner of Detroit Avenue (50') and Hamlet Street (25' north of Detroit Avenue) and 0.12 +/- acres located at the southwest corner of Detroit Avenue (50') and Hamlet Street (50'). Hamlet Street is a street, as defined, south of Detroit Avenue. The 0.42 +/- acre parcel shall hereafter be referred to as "Site A" and the 0.12 +/- acre parcel shall hereafter be referred to as "Site A" and the 0.12 +/- acre parcel shall hereafter be referred to as "Site B". By Ordinance 1922-2015 (Z15-019), passed July 27, 2015, Site A and Site B were rezoned to the AR-3 and AR-1 districts, respectively. By Ordinance 1924-2015 (CV15-020), passed July 27, 2015, variances were granted for both Site A and B. Applicant has changed the development plans for Site A. The project requires a new variance to change the proposed development for Site A and also top repeat the same variances for Site B since the development plan upon which Ordinance 1924-2015 (CV15-020) is conditioned shows the development committed to for both development areas.

Italian Village is a dense, historic, urban neighborhood, built long before Columbus had a zoning code. The proposed development is appropriate for the neighborhood and in a different form has already been approved. Applicant has a hardship and practical difficulty with complying with suburban development standards being applied to an urban in-fill development in a historic district. There are many examples of non-compliance with current development standards in this and other City of Columbus historic districts.

#### SITE A

The existing building closest to Hamlet Street (25') is a former manufacturing facility proposed to be converted to 19 apartments with surface parking spaces adjacent to the east side of the building. The following variances are requested:

- 1) 3333.18, Building Lines, to reduce the Detroit Avenue building setback line from ten (10) feet to two (2) feet.
- 2) 3333.22, Maximum Side Yard Required, to reduce total side yard from 16 feet to 5' at the narrowest point of the sum of the side yards.
- 3333.23(b)(d), Minimum Side Yard Permitted, to reduce the 5' minimum side yard to permit the existing zero (0') foot side yard on the west wall of the existing building along Hamlet Street (25' ROW).
- 4) 3333.25, Rear Yard, to reduce required rear yard from 25% of lot area to 7% of lot area.

1 of 2, CV15-<u>24</u>, 180 Detroit Avenue, Statement of Hardship, 11/03/2015

- 5) 3312.49, Minimum Numbers of Parking Spaces Required to reduce code required parking for 19 dwelling units from 29 spaces to 19 spaces.
- 3321.05, Vision Clearance, to reduce the 10' vision clearance triangle for existing building to be located in the 10' clear vision triangle at the intersection of Detroit Avenue and Hamlet Street (25'), as depicted on the Site Plan.

#### SITE B

This site is a vacant lot and is directly across (south of) Detroit Avenue from Site A. The parcel is a corner lot and is 5,081 SF. Rezoning to the AR-1 District is pending to conform zoning for the construction of a four (4) dwelling unit building and detached four (4) car garage.

The following variances are requested:

- 1) 3332.18(D), Basis of Computing Area, to permit 90% lot coverage.
- 2) 3332.21, Building Lines, to reduce the Hamlet Street building setback line to 8' and the Detroit Avenue building setback line to zero (0) feet.
- 3) 3332.26(c)), Minimum Side Yard Permitted, to reduce the 5' minimum side yard on the east side of the proposed building to 3'.
- 4) 3332.27, Rear Yard, to reduce required rear yard from 25% of lot area to 3% of lot area.
- 5) 3312.27, Parking Setback Line, to reduce the Detroit Avenue parking setback from 10 feet to zero (0) feet for the detached garage.
- 6) 3312.49, Minimum Numbers of Parking Spaces Required to reduce required parking from 6 spaces to 4 spaces for the 4 DU building.
- 7) 3321.05, Vision Clearance, to reduce the 30' vision clearance triangle for the intersection of Hamlet Street and Detroit Avenue to 14' and to reduce the vision clearance triangle at the intersection of Detroit Avenue and the alley east of the site to 5'.

11-03-2015

2 of 2, CV15-<u>74</u>, 180 Detroit Avenue, Statement of Hardship, 11/03/2015



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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 # CV15-074

STATE OF OHIO COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] Donald Plank, ------

Of [COMPLETE ADDRESS] Plank Law Firm, 145 E. Rich St., 3rd FL, 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 formats

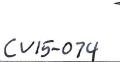
> Name of business or individual Business or individual's address Address of corporate headquarters City, Sate, Zip Number of Columbus based employees Contact name and number

1.	2.				
LS Development - 174 Detroit, LLC	Lykens Companies				
1020 Dennison Avenue, Suite 102	1020 Dennison Avenue, Suite 102				
Coilumbus, Ohio 43201	Columbus, Ohio 43201				
# Columbus Based Employees: 0	# Columbus Based Employees: 5				
Contact: Kevin Lykens (614) 565-4209	Contact: Kevin Lykens (614) 565-4209				
3.	4.				
	7.				
6-10-10-10-10-10-10-10-10-10-10-10-10-10-					
Check here if listing additional parties on a separate page.					
SIGNATURE OF AFFIANT I mald Mark					
Subscribed to me in my presence and before me this day of, in the year					
SKOLATURD & NOTARY PUBLIC Stacuy L. Sanza					
M Commission Expires: Stacey L. Danza	11-5-2018				
* Notary Public, State of Ohio					
My Commission Expires 11-05-2018					
Contraction of the state of the					
THE DESIGNATION Statement or in months of the later function					
This population is the statement expires six months after date of notarization.					

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## City of Columbus Zoning Plat



# **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: 010036341, 010044366, 010056312, 010056275

Zoning Number: 180 Stree

Street Name: DETROIT AVE

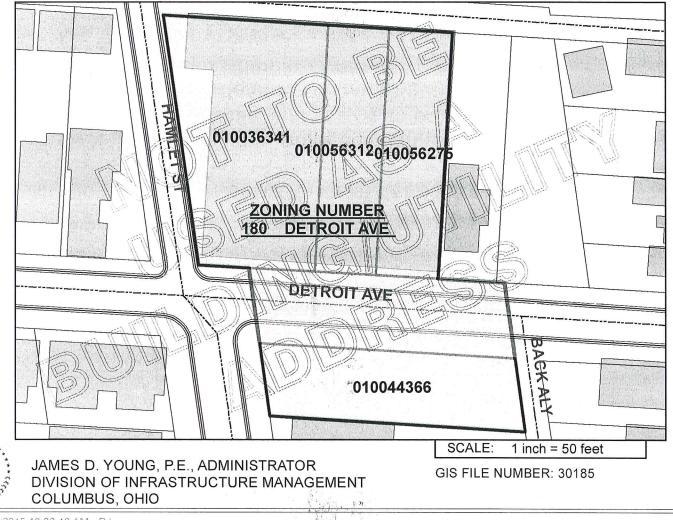
Lot Number: N/A

Subdivision: N/A

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

Issued By: uduena umariam

\_\_\_\_ Date: <u>3/23/2015</u>



## CV15 - <u>074</u> 180 Detroit Avenue Legal Description

#### <u>AR-3</u>

Being Lots Numbered Six (6), Seven (7), Eight (8) and Nine (9) of Catherine White's Subdivision of Lot Numbered Sixteen (16) and Seventeen (17) of Deshler's Addition to Phelan's Mt. Pleasant Addition to the City of Columbus, Ohio, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 3, Page 246, Recorder's office, Franklin County, Ohio.

1

#### <u>AR-1</u>

Being Lot Number 7 of Patrick Kelley's Subdivision Lots Number (3) to Twelve (12) both inclusive of E.R. Sorin's Subdivision of Lots 45 and 46 of Wm. Phelan's Mt. Pleasant Addition to the City of Columbus, Ohio, as the same is numbered and delineated upon the recorded plat thereof of record in Plat Book 2, Page 290, Recorder's Office, Franklin County, Ohio.

201402270024498 Pgs: 3 \$36.00 T20140013528 02/27/2014 4 18PH MEPLS DEVELOP Terry J. Brown Franklin County Recorder

U15-074

	2614	TRANSFERRED
Conv	/eyance	
Mandatory-	200,00	FEB 2 7 2014
Permissive-	200,00	CLARENCE E, MINGO II AUDITOR FRANKLIN COUNTY, OHIO
	CEE. MINGO H	SPECIAL WARRAN

VARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT THE E.J. THOMAS COMPANY, n/k/a JOECK PROPERTIES, INC., ("Grantor"), for valuable consideration paid, grants, with limited warranty covenants, to LS DEVELOPMENT - 174 DETROIT, LLC, ("Grantee"), whose tax mailing address is 1020 DENNISON AVENUE SUITE 102, COLUMBUS, OH 43201, the following property:

#### **SEE EXHIBIT 'A'**

PARCEL #s:

010-036341-80, 010-036341-90: 010-056275-80, 010-056275-90: 010-044366-80, 010-044366-90; 010-056312-80, 010-056312-90

Prior Instrument References:

O.R. Volume 2663, Page 347-348; O.R. Volume 2768, Page 514-516; O.R. Volume 2980, Page 466-467; O.R. Volume 2663, Page 343-344

7.

TO HAVE AND TO HOLD the above premises, with the appurtenances thereunto belonging, unto the said Grantee, their successors and assigns forever.

AND THE SAID GRANTOR, for itself and its heirs and assigns, hereby covenants with the said Grantee, its successors and assigns, that said Grantor is lawfully seized of the same in FEE SIMPLE, and has good right and full power to bargain, sell and convey the same; and that GRANTOR, for itself and its heirs, executors, and administrators, shall Warrant and Defend the title to the Grantee, its successors and assigns, forever, against the lawful claims and demands of all persons claiming by, through, or under the Grantor, but against none other.

The Grantor has hereunto executed this deed this 10th day of February \_\_\_\_\_, 2014.

#### E.J. THOMAS COMPANY, n/k/a JOECK PROPERTIES, INC.

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\$ 611.0

Byrfinda Q Tokhardt, LINDA J. ECKHARDT, President and **Authorized Representative** 

1

STATE OF Ohio )ss Delance COUNTY

BEFORE ME a notary public in and for said county and state, personally appeared the above-named E.J. THOMAS COMPANY, n/k/a JOECK PROPERTIES, INC., by LINDA J. ECKHARDT, President and authorized representative, who acknowledged that she did sign the foregoing instrument and that the same is her free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 18th day of \_\_\_\_\_, 2014.



Notary Public

Matthew A. Tellak Notary Public, State of Ohio My Commission Expires: 4/18/15

1 DEFRIN 1.19 1. 187

2:

THE DRAFTER OF THIS DEED DOES NOT REPRESENT THE PARTIES TO THIS TRANSACTION. ALL PARTIES ARE ADVISED TO CONSULT THEIR RESPECTIVE ATTORNEYS PRIOR TO ACCEPTING OR SIGNING THIS DEED. In addition the drafter of this deed did not perform a title search of the property and did not handle the execution of the deed.

This Instrument prepared by: Donofrio Law, LLC, Marie C. Donofrio, Esg, P.O. Box 310 Powell, Ohio 43065

#### EXHIBIT 'A'

#### PARCEL: 010-036341-80, 010-036341-90

Being Lots Numbered Six (6) and Seven (7) of Catherine White's Subdivision of Lot Numbered Sixteen (16) and Seventeen (17) of Deshler's Addition to Phelan's Mt. Pleasant Addition to the City of Columbus, Ohio, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 3, Page 246, Recorder's office, Franklin County, Ohio.

#### PARCEL: 010-056275-80, 010-056275-90

Being Lot Number Nine (9) in Catherine White's Subdivision of Lots 16-17 of Deshler's Addition to Phelan's Mt. Pleasant Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 3, page 246, Recorder's Office, Franklin County, Ohio.

#### PARCEL: 010-044366-80, 010-044366-90

Being Lot Number 7 of Patrick Kelley's Subdivision Lots Number (3) to Twelve (12) both inclusive of E.R. Sorin's Subdivision of Lots 45 and 46 of Wm. Phelan's Mt. Pleasant Addition to the City of Columbus, Ohio, as the same is numbered and delineated upon the recorded plat thereof of record in Plat Book 2, Page 290, Recorder's Office, Franklin County, Ohio.

#### PARCEL: 010-056312-80, 010-056312-90

Being Lot No. eight (8) of Catherine White's Subdivision of Lots Nos. Sixteen (16) and Seventeen (17) of Deshler's Addition to Mt. Phelan's Mt. Pleasant Addition to the City of Columbus, Ohio, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 3, Page 246, Recorder's Office, Franklin County, Ohio.

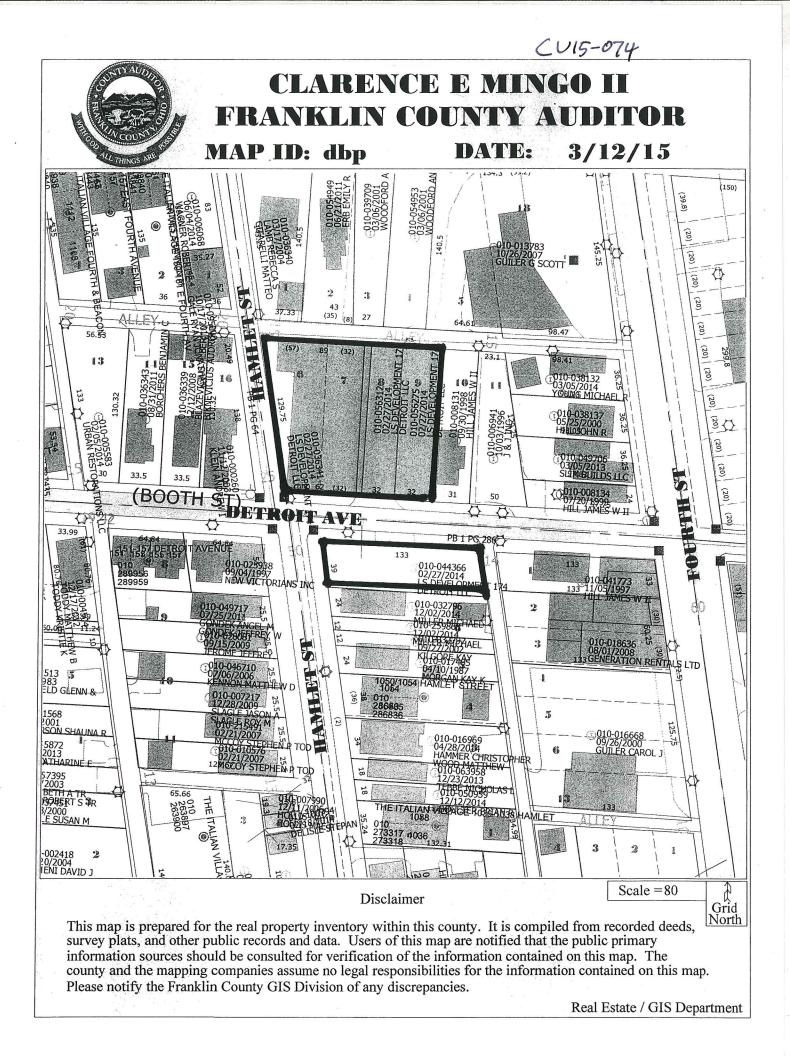
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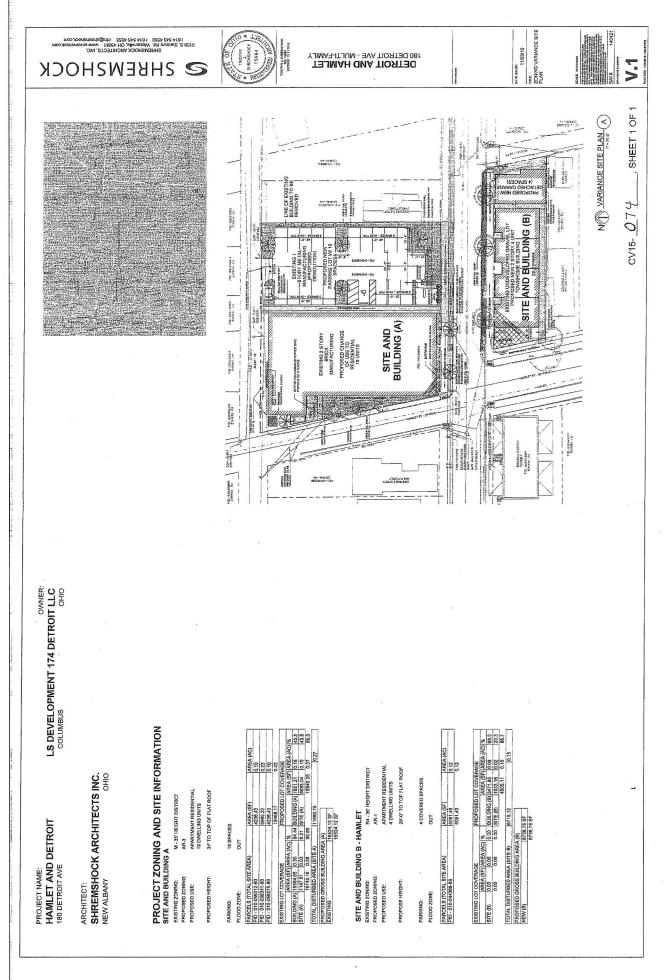
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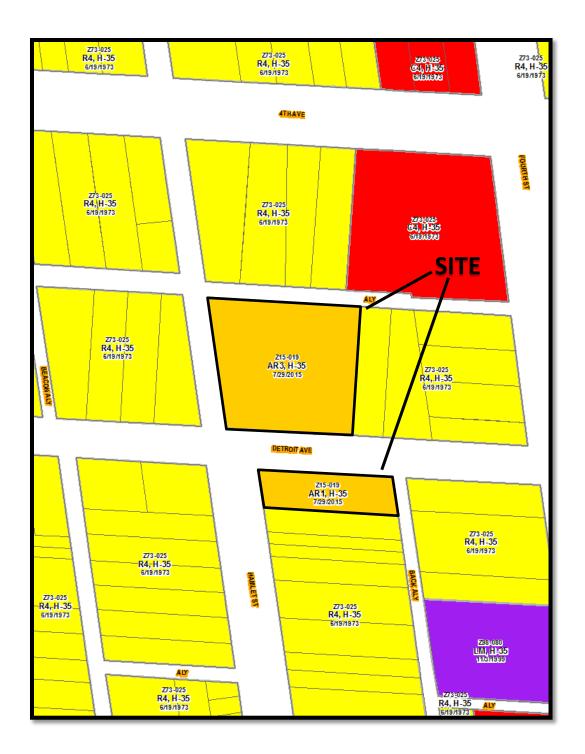
2. 1

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CV15-074 180 Detroit Avenue Approximately 0.54 acres



CV15-074 180 Detroit Avenue Approximately 0.54 acres