

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: CV15-075 Date Received: 12/1/15
Application Accepted by: MM, TD Fee: 320⁰⁰
Comments: Assigned to Michael Maret; mjmaret@columbus.gov; (614) 645-2749

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 1764 Northwest Blvd. Columbus OH Zip: 43212

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: 010-170948

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

Current Zoning District(s): R

Area Commission or Civic Association: 5th by Northwest Area Commission

Proposed Use or reason for Council Variance request:

The property was built circa 1940 while in the Township. Property Annexed circa 1976. Application to return to actual use pending but then still non-conforming building CV to make conforming
Acreage: .146

APPLICANT:

Name: Kenneth A. Mollica Phone Number: 614-679-6225 Ext.: _____
Address: 1926 Suffolk Rd City/State: Columbus / OH Zip: 43221
Email Address: Ken E mollica appraisal . com Fax Number: N/A

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

Name: Turtle Bay LLC / Kenneth A. & Robin Phillips Mollica Phone Number: 614-679-6225 Ext.: _____
Address: 1926 Suffolk Rd City/State: Columbus / OH Zip: 43221
Email Address: Ken E mollica appraisal . com Fax Number: N/A

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

Name: Daw Voelker Phone Number: 614-481-6500 Ext.: _____
Address: 1620 W. 1st Ave. City/State: Columbus / OH Zip: 43212
Email Address: daw.voelker@gmail.com Fax Number: 614-481-6505

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

APPLICANT SIGNATURE Ken amuel 12.1.15

PROPERTY OWNER SIGNATURE Ken amuel 12.1.15

ATTORNEY / AGENT SIGNATURE Daw Voelker

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.

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CV15-075

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.

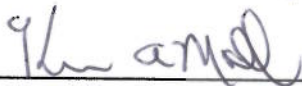
Before authorizing any variance from the Zoning Code in a specific case, City Council shall first determine that such variance will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the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

The building was built circa 1940 while in the Township. It was annexed to Columbus circa 1976. Upon annexation it was zoned R although it was always a 4 Family. I bought the property recently but because it is non-conforming I have had difficulty in obtaining financing. I have applied to have it rezoned R-4 so it will be conforming. Although the use will be conforming, the building will not be because (1) both side yards must be minimum of 5' and 20% of total footage and (2) It is a four unit building but only has a four car garage vs. 8 off street spaces. The site cannot accommodate 8 off street spaces. The building has been in the same use for approximately 75 years. No change in its actual use or the existing building are planned or requested. It is merely to make the existing use and building conforming to allow for financing.

Signature of Applicant



Date 12.1.15

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AFFIDAVIT (See instruction sheet)

Application Number: CV15-075

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Dan T. Voelker

of (1) MAILING ADDRESS 11620 W. First Avenue, Cols. OH 43212

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 1764 Northwest Blvd. Cols OH 43212

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

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) Turtle Bay LLC
1926 Suffolk Rd
Columbus, OH 43221

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

Kenneth A. Mollica
614-679-6225

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

(5) 5th by Northwest Area Commission
Bruce McKibben
1094 Lincoln Rd. Cols OH 43212

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

Dan Voelker

Sworn to before me and signed in my presence this 15th day of December, in the year 2015

(8) SIGNATURE OF NOTARY PUBLIC

7-28-2020
My Commission Expires

Notary Seal Here



RACHEL M. ROYER

Notary Public, State of Ohio

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

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Please make checks payable to the Columbus City Treasurer

Kenneth A. Mollica
1926 Suffolk Road
Upper Arlington, OH 43221

Turtle Bay, LLC
1926 Suffolk Road
Upper Arlington, OH 43221

Dow T. Voelker
1620 W. First Ave.
Columbus, OH 43212

5th by Northwest Area Comm
c/o Bruce McKibben, Zoning
1094 Lincoln Road
Columbus, OH 43212

Associates General
Contractors of America
1755 Northwest Blvd.
Columbus, OH 43212

Albert & Cecelia Devendra
4590 Knightsbridge Blvd.
Ste. 301
Columbus, OH 43214

Jill Ferguson
3943 Cedric Ln.
Dublin, OH 43016

GELLCO Real Estate
Holdings LLC
6349 Oisin Ct.
Dublin, OH 43016-2229

Turtle Bay LLC
1480 Dublin Rd.
Columbus, OH 43215

Kramer Properties LTD
1837 Westwood Ave.
Columbus, OH 43212

S & G Family Investments
5344 Infinity Ct.
Grove City, OH 43123

WMM Investments LLC
118 E. North Broadway
Columbus, OH 43214

GEM Columbus LLC
1929 West Wellington
Chicago, IL 60657

Schenk Columbus, LLC
1929 West Wellington
Chicago, IL 60657

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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 # CV15-075

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Dow T. Voelker

of (COMPLETE ADDRESS) 1620 W. First Avenue, Columbus OH 43212

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. Turtle Bay, LLC 1926 Suffolk Rd Columbus, OH 43221 Kenneth A. Mollica 614-679-6225	2. Kenneth A Mollica 1926 Suffolk Rd Columbus, OH 43221 614-679-6225
3. Robin Phillips Mollica 1926 Suffolk Rd Columbus OH 43221 614-679-6225	4.

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

SIGNATURE OF AFFIANT Dow Voelker

Sworn to before me and signed in my presence this 15th day of December, in the year 2015

Rachel M. Royer
SIGNATURE OF NOTARY PUBLIC

7-28-2020
My Commission Expires

Notary Seal Here



RACHEL M. ROYER
Notary Public, State of Ohio
My Commission Expires 07-28-2020

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

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CVIS-075

Exhibit "A" - Legal Description

City of Columbus
Situated in the State of OH, County of Franklin and in the ~~Township of Clinton~~.

Being a part of Lot No. 4, as set off and assigned to Hester A. Orr in partition in the case of Lucy T. Byers, Plaintiff, versus Minnie Matlack, et al, Defendants Case No. 46847, Court of Common Pleas, Franklin County, Ohio, as said Lot No. 4 appears upon the Commissioners' plat in said Case marked Exhibit "A", and being a part of Quarter Township 3, Township 1, Range 18, United States Military Lands, in said Clinton Township, Franklin County, Ohio, and being a part of the 15.30 acres of land conveyed by King G. Thompson, as Receiver of the Northwest Boulevard Company, to Anna Roessler and Hazel Moore by deed dated October 21, 1941 and recorded in Deed Book 1177, page 219, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

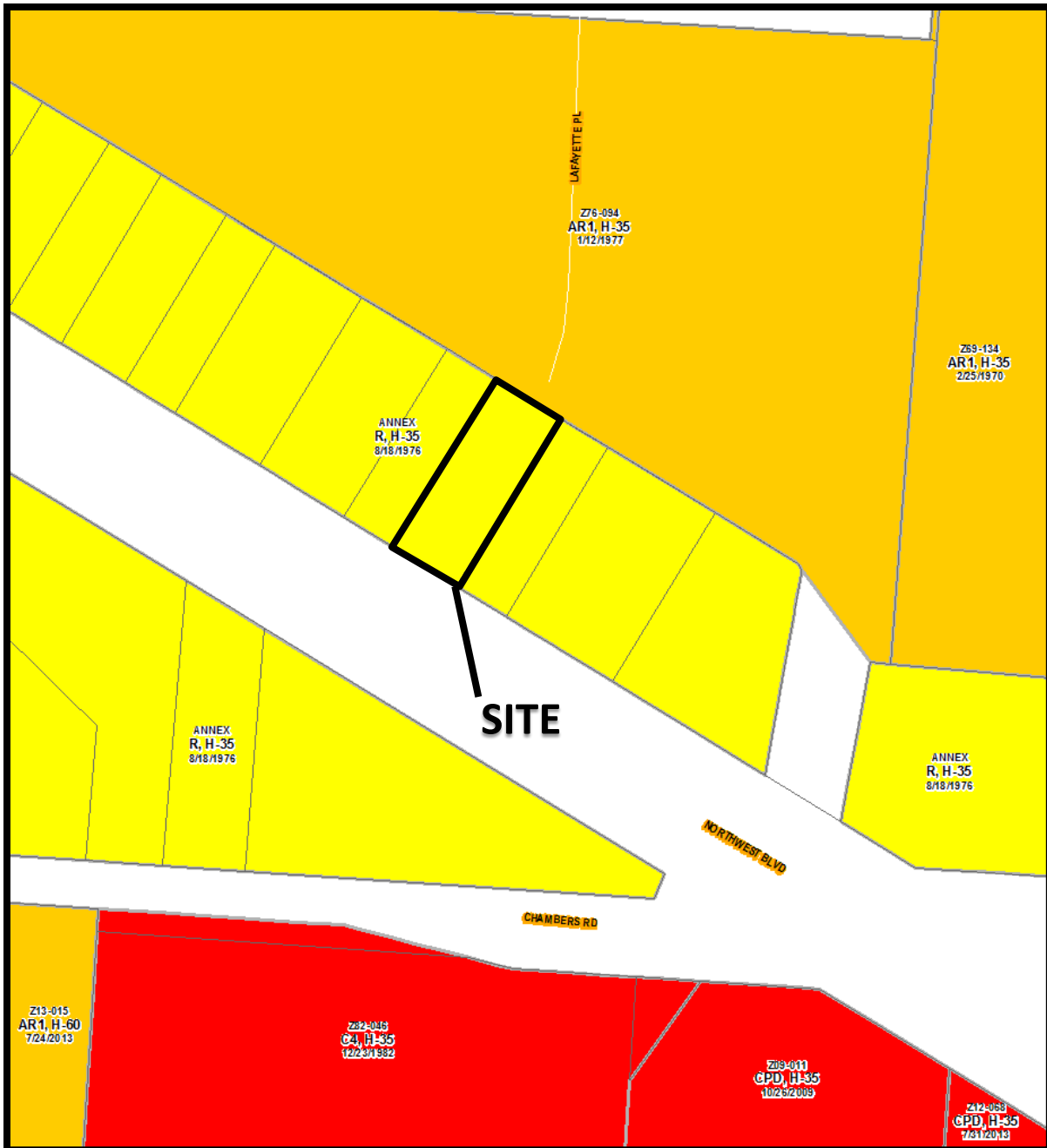
Beginning at an iron pin in the northeasterly line of Northwest Boulevard located South 58° East a distance of 411.17 feet from an iron pin in the said northeasterly line of Northwest Boulevard marking the southwesterly corner of said 15.30 acre tract of land; thence north 32° east, at right angles to Northwest Boulevard, a distance of 130.0 feet to an iron pin; thence South 58° East, along the southwesterly line of a 20 foot easement established for alley and public utility purposes in a certain deed from Anna Roessler, et al, to Ohio Defense Homes Corporation, dated December 15, 1941, and recorded in Deed Book 1178, page 151, Recorder's office, Franklin County, Ohio, a distance of 49.0 feet to an iron pin; thence South 32° West, at right angles to Northwest Boulevard, a distance of 130.0 feet to an iron pin in the said northeasterly line of Northwest Boulevard; thence North 58° West, along said northeasterly line of Northwest Boulevard, a distance of 49.0 feet to the point of beginning, containing 0.1462 acres.

Together with an easement and right to use for alley purposes a strip of ground 20 feet in width immediately adjoining the premises above described in the rear which 20 foot strip extends southeasterly and then southerly to the Northwest Boulevard and also all of the Grantors right, title and interest in and to said alley.

Parcel No.: 010-170948



0-015-A
ALL OF
(010)
170948

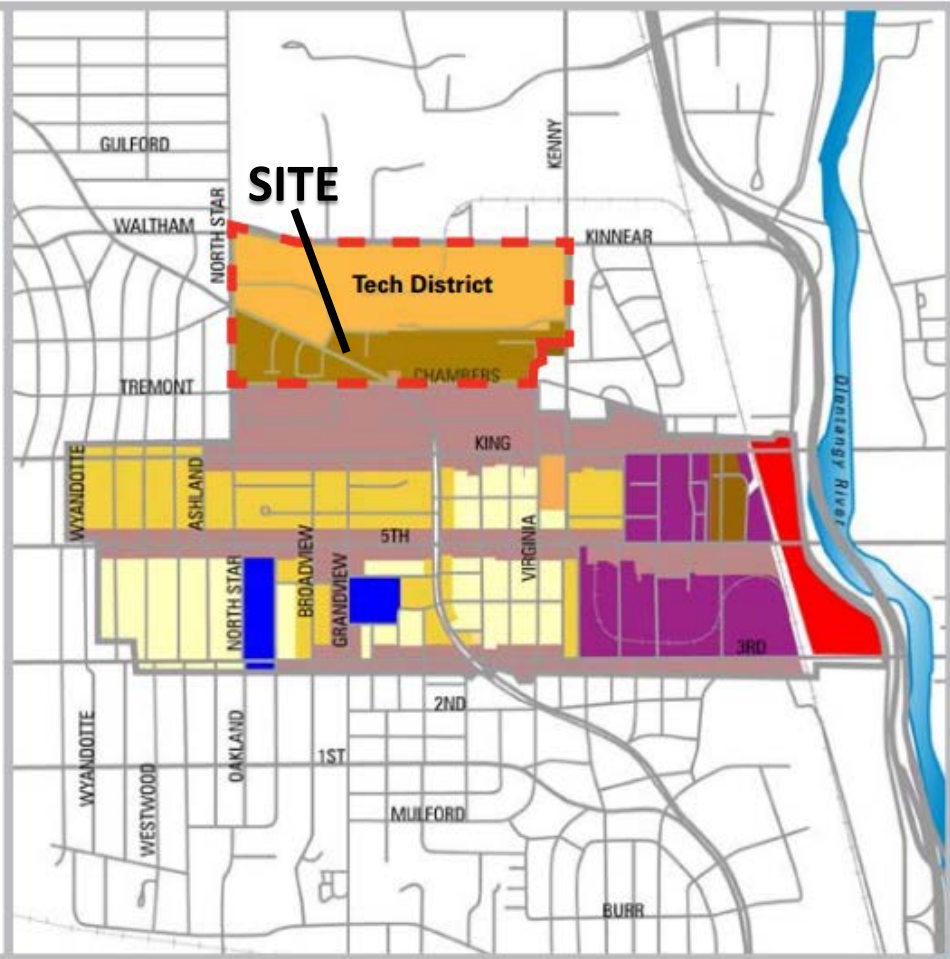


CV15-075
1764 Northwest Boulevard
Approximately .15 acres

Figure 7
Land Use Plan

- Commercial (Community)
- Industrial (Light)
- Institutional
- Mixed Use
- Office
- Multifamily
- Medium Density
- Mixed Residential
- Single/Two Family

0 0.05 0.1 0.2 Miles



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1764 Northwest Boulevard
Approximately .15 acres



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Approximately .15 acres