#09310-00000-00352

OFFICE USE ONLY

Comments: _____ Application Number: _____ Commission/Group: _____

Date Received: 14 DEC 2009 Planning Area: _____

Date of Hearing: 23 FEB 2010 Acreage: _____

Zoning Fee: $1900 — Address Fee _____

Existing Zoning R-3 Accepted by TP

BOARD OF ZONING ADJUSTMENT APPLICATION

TYPE(S) OF ACTION REQUESTED

(Check all that apply)

☒ Variance ☐ Special Permit

Indicate what the proposal is and list applicable code sections. State what it is you are requesting.

Describe: See attached statement

LOCATION

1. Certified Address Number and Street Name 1320 Duxberry Avenue

   City Columbus State OH Zip 43211

   Parcel Number (only one required.) 010-076199

APPLICANT (IF DIFFERENT FROM OWNER)

2. Name _____
3. Address _____ City _____ Zip _____
4. Phone# _____ Fax # _____
5. Email Address _____

PROPERTY OWNER(S)

6. Name Board of Education - Columbus City Schools - Facilities Office
7. Address 889 17th Avenue City Columbus Zip 43211
8. Phone# 614-365-8790 x245 Fax # _____
9. Email Address _____

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

ATTORNEY / AGENT (CIRCLE ONE)

10. Name Robert A. Meyer, Jr., Esq., Porter Wright Morris & Arthur LLP
11. Address 41 South High Street City Columbus Zip 43215
12. Phone# 614-227-2096 Fax # 614-227-2100
13. Email Address rmeyer@porterwright.com

SIGNATURES

14. Applicant Signature Robert A. Meyer
15. Property Owner Signature Robert A. Meyer
16. Attorney/~~Agent~~ Signature Robert A. Meyer, Jr.

AFFIDAVIT

(See next page for instructions.)

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Charmagne Crook
of (1) MAILING ADDRESS 300 Spruce Street Columbus Ohio 43215
deposed 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 1320 Duxberry Avenue Columbus Ohio 43211
for which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Development, Building Services Division on (3) _____
(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNER'S NAME AND MAILING ADDRESS
(4) Board of Education of the Columbus City School District
270 East State Street
Columbus Ohio 43215

APPLICANT'S NAME AND PHONE # (same as listed on front of application)
Board of Education of the Columbus City School District 614-365-5000

AREA COMMISSION OR CIVIC GROUP AREA COMMISSION ZONING CHAIR OR CONTACT PERSON AND ADDRESS
(5) South Linden Area Commission
1378 East 23rd Avenue
Columbus Ohio 43211

and that the following 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:

(6) PROPERTY OWNER(S) NAME	(6A) ADDRESS OF PROPERTY	(6B) PROPERTY OWNER(S) MAILING ADDRESS
See Attached for Property Owner Listing		

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

SIGNATURE OF AFFIANT (8) Charmagne Crook
Subscribed to me in my presence and before me this 4th day of DECEMBER, in the year 2009
SIGNATURE OF NOTARY PUBLIC (8) Daniel W. Delk
My Commission Expires: 5-27-2011

Notary Seal Here

DANIEL W. DELK
Notary Public, State of Ohio
My Commission Expires 05-27-2011

MOORE RUTH M TR
2200 MEDINA AVE
COLUMBUS, OH 43211

PRESTON PATRICK M &
GREEN RUTH E
2131 HOMESTEAD DR
COLUMBUS, OH 43211

RICHARDSON DORETHA &
JANET L CONWELL
2191 HOMESTEAD DR
COLUMBUS, OH 43211

BUTLER JOHN D
2194 MEDINA AVE
COLUMBUS, OH 43211

ROSALINE MBAE
PO BOX 29515
COLUMBUS, OH 43229

ROSCOE V C TR
PO BOX 30226
COLUMBUS, OH 43230

GREEN MICHAEL &
GREEN DALLINE
2060 CHEAVES PL
COLUMBUS, OH 43224

VANARSDALE JOHN H &
VANARSDALE HATTIE M
2141 HOMESTEAD DR
COLUMBUS, OH 43211

BETTY DUCKETT
2201 HOMESTEAD DR
COLUMBUS, OH 43211

HARRINGTON JUDY D
6035 WINNEBAGO ST
GROVE CITY, OH 43123

TERRARA TOLBERT
2419 PLEASANT COLONY DR
LEWIS CENTER, OH 43035

BANKS CATHY
2205 HOMESTEAD DR
COLUMBUS, OH 43211

HARRELL ELBERT D
2199 MEDINA AVE
COLUMBUS, OH 43211

PHOENIX ONE INVESTMENTS &
PROPERTIES LLC
PO BOX 340
REYNOLDSBURG, OH 43068

LAJUANA SELLERS
2213 HOMESTEAD DR
COLUMBUS, OH 43211

DYER ETHEL M ET AL
2205 MEDINA AVE
COLUMBUS, OH 43211

BELL MICHELLE L
2163 HOMESTEAD DR
COLUMBUS, OH 43211

JOHN FABRIZIO
PO BOX 82160
COLUMBUS, OH 43202

RINE J B
2211 MEDINA AVE
COLUMBUS, OH 43211

CHRISTIAN EDGAR & PEARLINE
2169 HOMESTEAD DR
COLUMBUS, OH 43211

GINGERICH DAVID &
GINGERICH JANA
2174 DRESDEN ST
COLUMBUS, OH 43211

CARTER TERENCE
PO BOX 91066
COLUMBUS, OH 43209

BURRS STEPHANIE C
2175 HOMESTEAD DR
COLUMBUS, OH 43211

MUQTASID NAJIYYAH N
2170 DRESDEN ST
COLUMBUS, OH 43211

ALLEN CRYSTAL &
ALLEN RICHARD L
2206 HOMESTEAD DR
COLUMBUS, OH 43211

PACK EARL H
PACK CARLOS
2179 HOMESTEAD DR
COLUMBUS, OH 43211

FLOYD SHARESE L
2158 DRESDEN ST
COLUMBUS, OH 43211

SMITH GEORGE L & MARY A
2200 HOMESTEAD DR
COLUMBUS, OH 43211

RHODEBACK JAMES E
2185 HOMESTEAD DR
COLUMBUS, OH 43211

ABBA HOMES LLC
2271 PALMLEAF CT.
COLUMBUS, OH 43235

VALERIE C WYATT
2150 DRESDEN ST
COLUMBUS, OH 43211

HANCE LOUELLA
2144 DRESDEN ST
COLUMBUS, OH 43211

REEDUS JAMES E & LUCILLE
2140 DRESDEN ST
COLUMBUS, OH 43211

WINDSOR INVESTMENTS LLC
5727 LIBERTY RD
POWELL, OH 43065

CORNWELL MICKIE A
2130 DRESDEN ST
COLUMBUS, OH 43211

DOROTHY CAGE
2360 SUNBURY RD
COLUMBUS, OH 43219

SUMMERS DAVID & DEBRA
2179 DRESDEN ST
COLUMBUS, OH 43211

GRAY WILLIAM & VERONICA
2185 DRESDEN ST
COLUMBUS, OH 43211

PRINGLE HATTIE A &
PATRICIA A HAIRSTON
1352 E BLAKE AVE
COLUMBUS, OH 43211

FERGUSON JANET D
1348 E BLAKE AVE
COLUMBUS, OH 43211

COUGAR DEVELOPMENT CORP
4684 NADINE PARK DR
HILLIARD, OH 43026

COUGAR DEVELOPMENT CORP
4684 NADINE PARK DR
HILLIARD, OH 43026

HARRIS THOMAS K & ANN
1332 E BLAKE AVE
COLUMBUS, OH 43211

CRAIG TERRELL E
PO BOX 11555
COLUMBUS, OH 43211-0555

I H S CONTRACT SERVICES INC
3000 E MAIN ST STE B
COLUMBUS, OH 43209

CROWLEY JACQUELINE M
1366 DUXBERRY AVE
COLUMBUS, OH 43211

TAYLOR ARLEEN Y
1253 3/4 S DUNSMUIR AVE
LOS ANGELES, CA 90019

PAGE CARL E & DEBORAH L
1228 DUXBERRY AVE
COLUMBUS, OH 43211

WHITFIELD SHONDA L
1223 DUXBERRY AVE
COLUMBUS, OH 43211

THOMAS FRED T
1229 DUXBERRY AVE
COLUMBUS, OH 43211

PITTS ROBERT D
1235 DUXBERRY AVE
COLUMBUS, OH 43211

THOMPSON EDWARD & MATTIE
1239 DUXBERRY AVE
COLUMBUS, OH 43211

JTW INVESTMENT GROUP LLC
PO BOX 30
BLACKLICK, OH 43004

JACKSON GLORIA TOD
1249 DUXBERRY AVE
COLUMBUS, OH 43211

CLARK BOYD
5985 FOX TRACE CT
DAYTON, OH 45424

WILD FLOWER LLC
1259 DUXBERRY AVE
COLUMBUS, OH 43211

ROBINSON NISAA A
1265 DUXBERRY AVE
COLUMBUS, OH 43211

SQUAIRE CLARA M
1271 DUXBERRY AVE
COLUMBUS, OH 43211

JONES KATHI
1283 DUXBERRY AVE
COLUMBUS, OH 43211

CLARK JOSEPH & MILDRED
1289 DUXBERRY AVE
COLUMBUS, OH 43211

DAVIS VIRGIL A SR
1293 DUXBERRY AVE
COLUMBUS, OH 43211

WILLIAM G HOPKINS
PO BOX 821
LAJOLLA, CA 92038

GIBSON GLORIA B & GRAHAM M
1299 DUXBERRY AVE
COLUMBUS, OH 43211

CARLA GALLOWAY
1335 DUXBERRY AVE
COLUMBUS, OH 43211

REI PROPERTIES LLC
5999 HARBOUR TOWN CIRCLE
WESTERVILLE, OH 43082

GREGGS PHYLLIS D
ROBERT GREGGS
4942 PETTICOAT CT
COLUMBUS, OH 43231

CONNER DONALD &
CONNER CATHY
1309 DUXBERRY AVE
COLUMBUS, OH 43211

WADDELL DANIEL &
WADDELL FAITH N
1345 DUXBERRY AVE
COLUMBUS, OH 43211

POER LLC
6650 COUNTY ROAD 179
FREDERICKTOWN, OH 43019

WINCHESTER FINANCIAL
255 MONMOUTH RD 2ND FLOOR
OAKHURST, NJ 07755

BANG V TO
1319 DUXBERRY AVE
COLUMBUS, OH 43211

WOODS DENNIS R
1363 DUXBERRY AVE
COLUMBUS OH 43211

BANG V TO
1319 DUXBERRY AVE
COLUMBUS, OH 43211

MEADOR FRED G
1369 DUXBERRY AVE
COLUMBUS OH 43211

PROPERTY OWNER(S) NAME	ADDRESS OF PROPERTY	MAILING ADDRESS	UNDEVELOPED
MOORE RUTH M TR	2200 MEDINA AVE COLUMBUS, OH 43211	2200 MEDINA AVE COLUMBUS, OH 43211	
BUTLER JOHN D	2194 MEDINA AVE COLUMBUS, OH 43211	2194 MEDINA AVE COLUMBUS, OH 43211	
GREEN MICHAEL & GREEN DALLINE	2187 - 2189 MEDINA AVE COLUMBUS, OH 43211	2060 CHEAVES PL COLUMBUS, OH 43224	
HARRINGTON JUDY D	2193 MEDINA AVE COLUMBUS, OH 43211	6035 WINNEBAGO ST GROVE CITY, OH 43123	
HARRELL ELBERT D	2199 MEDINA AVE COLUMBUS, OH 43211	2199 MEDINA AVE COLUMBUS, OH 43211	
DYER ETHEL M ET AL	2205 MEDINA AVE COLUMBUS, OH 43211	2205 MEDINA AVE COLUMBUS, OH 43211	
RINE J B	2211 MEDINA AVE COLUMBUS, OH 43211	2211 MEDINA AVE COLUMBUS, OH 43211	
CARTER TERENCE	2210 - 2216 HOMESTEAD DR COLUMBUS, OH 43211	PO BOX 91066 COLUMBUS OH 43209	
ALLEN CRYSTAL & ALLEN RICHARD L	2206 HOMESTEAD DR COLUMBUS, OH 43211	2206 HOMESTEAD DR COLUMBUS, OH 43211	
SMITH GEORGE L & MARY A	2200 HOMESTEAD DR COLUMBUS, OH 43211	2200 HOMESTEAD DR COLUMBUS, OH 43211	
PRESTON PATRICK M & GREEN RUTH E	2131 HOMESTEAD DR COLUMBUS, OH 43211	2131 HOMESTEAD DR COLUMBUS, OH 43211	
ROSALINE MBAE	2137 HOMESTEAD DR COLUMBUS, OH 43211	PO BOX 29515 COLUMBUS OH 43229	
VANARSDALE JOHN H & VANARSDALE HATTIE M	2141 HOMESTEAD DR COLUMBUS, OH 43211	2141 HOMESTEAD DR COLUMBUS, OH 43211	
TOLBERT TERRARA & S TOLBERT DANAH C	2147 HOMESTEAD DR COLUMBUS, OH 43211	2419 PLEASANT COLONY DR LEWIS CENTER, OH 43035	
PHOENIX ONE INVESTMENTS & PROPERTIES LLC	2159 HOMESTEAD DR COLUMBUS, OH 43211	PO BOX 340 REYNOLDSBURG, OH 43068	
BELL MICHELLE L	2163 HOMESTEAD DR COLUMBUS, OH 43211	2163 HOMESTEAD DR COLUMBUS, OH 43211	
CHRISTIAN EDGAR & PEARLINE	2169 HOMESTEAD DR COLUMBUS, OH 43211	2169 HOMESTEAD DR COLUMBUS, OH 43211	
BURRS STEPHANIE C	2175 HOMESTEAD DR COLUMBUS, OH 43211	2175 HOMESTEAD DR COLUMBUS, OH 43211	
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RHODEBACK JAMES E	2185 HOMESTEAD DR COLUMBUS, OH 43211	2185 HOMESTEAD DR COLUMBUS, OH 43211	
RICHARDSON DORETHA & JANET L CONWELL	2191 HOMESTEAD DR COLUMBUS, OH 43211	2191 HOMESTEAD DR COLUMBUS, OH 43211	

ROSCOE V C TR	2193 - 2195 HOMESTEAD DR COLUMBUS, OH 43211	PO BOX 30226 COLUMBUS, OH 43230	
BETTY DUCKETT	2201 HOMESTEAD DR COLUMBUS, OH 43211	2201 HOMESTEAD DR COLUMBUS, OH 43211	
BANKS CATHY	2205 HOMESTEAD DR COLUMBUS, OH 43211	2205 HOMESTEAD DR COLUMBUS, OH 43211	
LAJUANA SELLERS	2213 HOMESTEAD DR COLUMBUS, OH 43211	2213 HOMESTEAD DR COLUMBUS, OH 43211	
JOHN FABRIZIO	2180 - 2186 DRESDEN ST COLUMBUS, OH 43211	PO BOX 82160 COLUMBUS, OH 43202	
GINGERICH DAVID & GINGERICH JANA	2174 DRESDEN ST COLUMBUS, OH 43211	2174 DRESDEN ST COLUMBUS, OH 43211	
MUQTASID NAJIYYAH N	2170 DRESDEN ST COLUMBUS, OH 43211	2170 DRESDEN ST COLUMBUS, OH 43211	
FLOYD SHARESE L	2158 DRESDEN ST COLUMBUS, OH 43211	2158 DRESDEN ST COLUMBUS, OH 43211	
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WINDSOR INVESTMENTS LLC	2134 DRESDEN ST COLUMBUS, OH 43211	5727 LIBERTY RD POWELL, OH 43065	
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CAGE DOROTHY B TR	2112 DRESDEN ST COLUMBUS, OH 43211	2360 SUNBURY RD COLUMBUS, OH 43219	
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COUGAR DEVELOPMENT CORP	E BLAKE AVE COLUMBUS, OH 43211	4684 NADINE PARK DR HILLIARD, OH 43026	UNDEVELOPED
COUGAR DEVELOPMENT CORP	1338 E BLAKE AVE COLUMBUS, OH 43211	4684 NADINE PARK DR HILLIARD, OH 43026	

HARRIS THOMAS K & ANN	1332 E BLAKE AVE COLUMBUS, OH 43211	1332 E BLAKE AVE COLUMBUS, OH 43211
CRAIG TERRELL E	1326 E BLAKE AVE COLUMBUS, OH 43211	1326 E BLAKE AVE COLUMBUS, OH 43211
I H S CONTRACT SERVICES INC	1372 DUXBERRY AVE COLUMBUS, OH 43211	3000 E MAIN ST STE B COLUMBUS, OH 43209
CROWLEY JACQUELINE M	1366 DUXBERRY AVE COLUMBUS, OH 43211	1366 DUXBERRY AVE COLUMBUS, OH 43211
TAYLOR ARLEEN Y	1234 DUXBERRY AVE COLUMBUS, OH 43211	1253 3/4 S DUNSMUIR AVE LOS ANGELES, CA 90019
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JACKSON GLORIA TOD	1249 DUXBERRY AVE COLUMBUS, OH 43211	1249 DUXBERRY AVE COLUMBUS, OH 43211
CLARK BOYD	1255 DUXBERRY AVE COLUMBUS, OH 43211	5985 FOX TRACE CT DAYTON, OH 45424
WILD FLOWER LLC	1259 DUXBERRY AVE COLUMBUS, OH 43211	1259 DUXBERRY AVE COLUMBUS, OH 43211
ROBINSON NISAA A	1265 DUXBERRY AVE COLUMBUS, OH 43211	1265 DUXBERRY AVE COLUMBUS, OH 43211
SQUAIRE CLARA M	1271 DUXBERRY AVE COLUMBUS, OH 43211	1271 DUXBERRY AVE COLUMBUS, OH 43211
JONES KATHI	1283 DUXBERRY AVE COLUMBUS, OH 43211	1283 DUXBERRY AVE COLUMBUS, OH 43211
CLARK JOSEPH & MILDRED	1289 DUXBERRY AVE COLUMBUS, OH 43211	1289 DUXBERRY AVE COLUMBUS, OH 43211
DAVIS VIRGIL A SR	1293 DUXBERRY AVE COLUMBUS, OH 43211	1293 DUXBERRY AVE COLUMBUS, OH 43211
GIBSON GLORIA B & GRAHAM M	1299 DUXBERRY AVE COLUMBUS, OH 43211	1299 DUXBERRY AVE COLUMBUS, OH 43211
REI PROPERTIES LLC	1303 DUXBERRY AVE COLUMBUS, OH 43211	5999 HARBOUR TOWN CIRCLE WESTERVILLE, OH 43082

CONNER DONALD & CONNER CATHY	1309 DUXBERRY AVE COLUMBUS, OH 43211	1309 DUXBERRY AVE COLUMBUS, OH 43211	
POER LLC	1315 DUXBERRY AVE COLUMBUS, OH 43211	6650 COUNTY ROAD 179 FREDERICKTOWN, OH 43019	
BANG V TO	1319 DUXBERRY AVE COLUMBUS, OH 43211	1319 DUXBERRY AVE COLUMBUS, OH 43211	
BANG V TO	DUXBERRY AVE COLUMBUS, OH 43211	1319 DUXBERRY AVE COLUMBUS, OH 43211	UNDEVELOPED
WILLIAM G HOPKINS	1329 DUXBERRY AVE COLUMBUS, OH 43211	PO BOX 821 LAJOLLA, CA 92038	
CARLA GALLOWAY	1335 DUXBERRY AVE COLUMBUS, OH 43211	1335 DUXBERRY AVE COLUMBUS, OH 43211	
GREGGS PHYLLIS D ROBERT GREGGS	1339 DUXBERRY AVE COLUMBUS, OH 43211	4942 PETTICOAT CT COLUMBUS, OH 43211	
WADDELL DANIEL & WADDELL FAITH N	1345 DUXBERRY AVE COLUMBUS, OH 43211	1345 DUXBERRY AVE COLUMBUS, OH 43211	
WINCHESTER FINANCIAL LLC	1351 DUXBERRY AVE COLUMBUS, OH 43211	255 MONMOUTH RD 2ND FLOOR OAKHURST, NJ 07755	
WOODS DENNIS R	1363 DUXBERRY AVE COLUMBUS, OH 43211	1363 DUXBERRY AVE COLUMBUS, OH 43211	
MEADOR FRED G	1369 DUXBERRY AVE COLUMBUS, OH 43211	1369 DUXBERRY AVE COLUMBUS, OH 43211	

STATEMENT OF HARDSHIP

APPLICATION # _____

3307.09 Variances by Board.

A. The Board of Zoning Adjustment shall have the power, upon application, to grant variances from the provisions and requirements of this Zoning Code (except for those under the jurisdiction of the Graphics Commission and except for use variances under the jurisdiction of the Council). No variance shall be granted unless the Board finds that all of the following facts and conditions exist:
   1. That special circumstances or conditions apply to the subject property that do not apply generally to other properties in the same zoning district.
   2. That the special circumstances or conditions are not the result of the actions of the property owner or applicant.
   3. That the special circumstances or conditions make it necessary that a variance be granted to preserve a substantial property right of the applicant which is possessed by owners of other property in the same zoning district.
   4. That the grant of a variance will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of this Zoning Code.

B. In granting a variance, the Board may impose such requirements and conditions regarding the location, character, and other features of the proposed uses or structures as the Board deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.

C. Nothing in this section shall be construed as authorizing the Board to affect changes in the Zoning Map or to add to the uses permitted in any district.

I have read Section 3307.09, Variances by Board, and believe my application for relief from the requirements of the Zoning Code satisfies the four criteria for a variance in the following ways:

See attached statement

Robert A. Murphy Jr.
ATTORNEY FOR APPLICANT

IDENTIFICATION OF VARIANCES REQUESTED
AND STATEMENT OF HARDSHIP
(Linden McKinley High School)

The Columbus Public Schools (the "Columbus Schools") are and have for several years been engaged in the reconstruction, rebuilding and renovation of a number of public schools in Columbus in order to bring them up to current educational standards. As part of this larger project, the Columbus Schools intends a major upgrade and expansion to Linden McKinley High School located at 1320 Duxberry Avenue in Columbus. The expansion is illustrated in detail on the Site Plan. Due to site and size constraints of the existing Linden McKinley property, several variances are necessary to implement the project. The specific variances needed are as follows:

3342.17(c)(1) Parking Lot Screening -- To reduce the size of the planting height for a parking lot screen from 5 ft. to 4 ft (See Site Plan, Coded Note 9).

3342.25 Vision Clearance -- To allow an 8 foot tall fence at 10% opacity to encroach into the vision clearance triangles of proposed driveway in the northwest corner.

3342.11(b) Landscape -- To partially pave the required landscaping area between the right of way and parking setback line (driveways along Dresden, Blake, Duxberry and Homestead).

3342.15 Maneuvering -- To allow parking and maneuvering in driveways within the parking setback of an existing school (driveways along Dresden, Blake, Duxberry and Homestead).

3342.29 Minimum Number of Loading Spaces Required -- To reduce the number of required loading spaces from 2 to 1.

3342.13(b) Loading Space Size -- To reduce the size of two required loading spaces from 24' x 100' to 20' x 70'.

3332.27 Rear Yard – for existing school site compliance.

December 10, 2009

City of Columbus
Department of Development
Building Services Division
757 Carolyn Avenue
Columbus, Ohio 43224
Attn: Mr. David Reiss

RE: Linden McKinley High School Renovation Project
1320 Duxberry Avenue
South Linden Area Commission Review of Site Plan
and Zoning Variance Requests

Dear Mr. Reiss.

The South Linden Area Neighborhood Commission has recently received a submitted Site Zoning Compliance Plan dated 12-09-09 prepared by Moody Nolan, Inc. for the referenced site redevelopment project. Per our review, we understand the proposed site planning includes the following general features and upgrades:

- New school building addition
- Renovated grandstand
- New concession and restroom building
- New football field & lighting
- New visitor bleachers
- New running track
- New practice field
- New tennis courts
- New athletic field and site fencing
- Relocated parking areas properly screened
- New traffic patterns to support bus drop-off and parent drop-offs
- New dumpster facilities properly screened
- Removal and replacement of site and street trees

In addition to the general site development features, we notice the project requires certain zoning code variances in order to facilitate the development plan as presented. The planning features requiring these variances appear mainly related to setback line encroachments for parking spaces, bleachers and athletic field fencing. We also recognize the overall parking space count and loading dock size are slightly under the code requirements. We feel that these variance requests do not create any unnecessary hardships on the neighborhood and generally improve the condition of the school property.

Resultant of our review, the South Linden Area Neighborhood Commission hereby supports the Site Zoning Compliance plan as submitted and recommends approval of the site plan and zoning variance requests by the City of Columbus Zoning Division and BZA.

Respectfully,

George M. Walker, Jr.
South Linden Area Commission Chair

Signature of Applicant _____ Date _____

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.

STATE OF OHIO
COUNTY OF FRANKLIN

APPLICATION # _____

Being first duly cautioned and sworn (NAME) Robert A. Meyer, Jr.
of (COMPLETE ADDRESS) Porter Wright Morris & Arthur LLP, 41 South High Street, 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 and their mailing addresses:

NAME	COMPLETE MAILING ADDRESS
Board of Education - Columbus City Schools Facilities Office	889 17th Avenue Columbus, OH 43211

SIGNATURE OF AFFIANT Robert A. Meyer

Subscribed to me in my presence and before me this 11th day of December, in the year 2009

SIGNATURE OF NOTARY PUBLIC Kathryn S Clay

My Commission Expires: Does not expire

Notary Seal Here

Kathryn Sue Clay
Attorney At Law
Notary Public, State of Ohio
My commission has no expiration date
Sec. 147.03 R.C.

3342.28 Minimum Number of Required Parking Spaces -- To reduce the minimum number of required parking spaces from 165 to 150

3342.18 Parking Setback -- To reduce the parking setback from 25 ft. to 14 ft. along Homestead, from 25 ft. to 6 ft. along Dresden, from 25 ft. to 6 ft. along Blake, and from 25 ft. to 3 ft. along Duxberry.

3332.21 Building Lines -- To reduce the building setback line along Homestead Dr. from 25 ft to 0 for a structural fence and 25 ft. to 7 ft. for bleachers, from 25 ft. to 3 ft. for structural fence along Blake and Dresden, and from 20 ft. to 0 ft. for structural fence along Duxberry, all as shown on Site Plan.

The subject property is zoned in the R-3 residential district in the City of Columbus. The residential district development regulations generally deal with residential uses. The development guidelines present a practical difficulty when applying them to other permitted uses such as public schools, which are not residential uses but which are appropriately located in residential neighborhoods. In addition, the South Linden neighborhood, and the community immediately surrounding the school, are well established and have been completely built for years. The expansion and upgrade project is necessary to accomplish the overall goals for improvement Linden McKinley High School and its functionality, but the existing site is very tight dimensionally. Acquisition of additional property is not feasible. Accordingly, there are special circumstances that apply to Linden McKinley High School that are not the result of the actions of the Columbus Schools, and that do not apply to the other predominantly residential properties in the R-3 District. It is important to the neighborhood and the Columbus Schools that Linden McKinley High School be improved on its current site, and remain an important institution in the South Linden area.

The construction of the expansion and upgrade to Linden McKinley High School in accordance with the proposed Site Plan will have little or no adverse effect on the

neighboring residential uses, and, in fact, will constitute a substantial improvement to the neighborhood. The school building will be updated to meet the educational standards of today, and be a state of the art resource for the community. The residential character of the neighborhood will be improved by this new construction. Neighborhood schools need to be located in the neighborhoods that they serve, and must be built in accordance with plans necessary to serve the student population from that area. In order to provide equal educational opportunities district-wide, each school needs to have consistent elements necessary to serve the student population, at a reasonable cost that the Columbus Schools, and ultimately, the public, can afford. Thus, design and building components are somewhat fixed. Furthermore, the circumstances and conditions are not the result of the Columbus Schools but are necessitated by the size and condition of the existing lot and the necessity of locating the school on the existing site to benefit the needs of the neighborhood community.

Therefore, the Columbus Schools believes that development in accordance with the Site Plan will actually benefit, and will not be injurious to, the neighboring properties, and will not be contrary to the public interest, nor the intent and purpose of the Columbus Zoning Code.

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

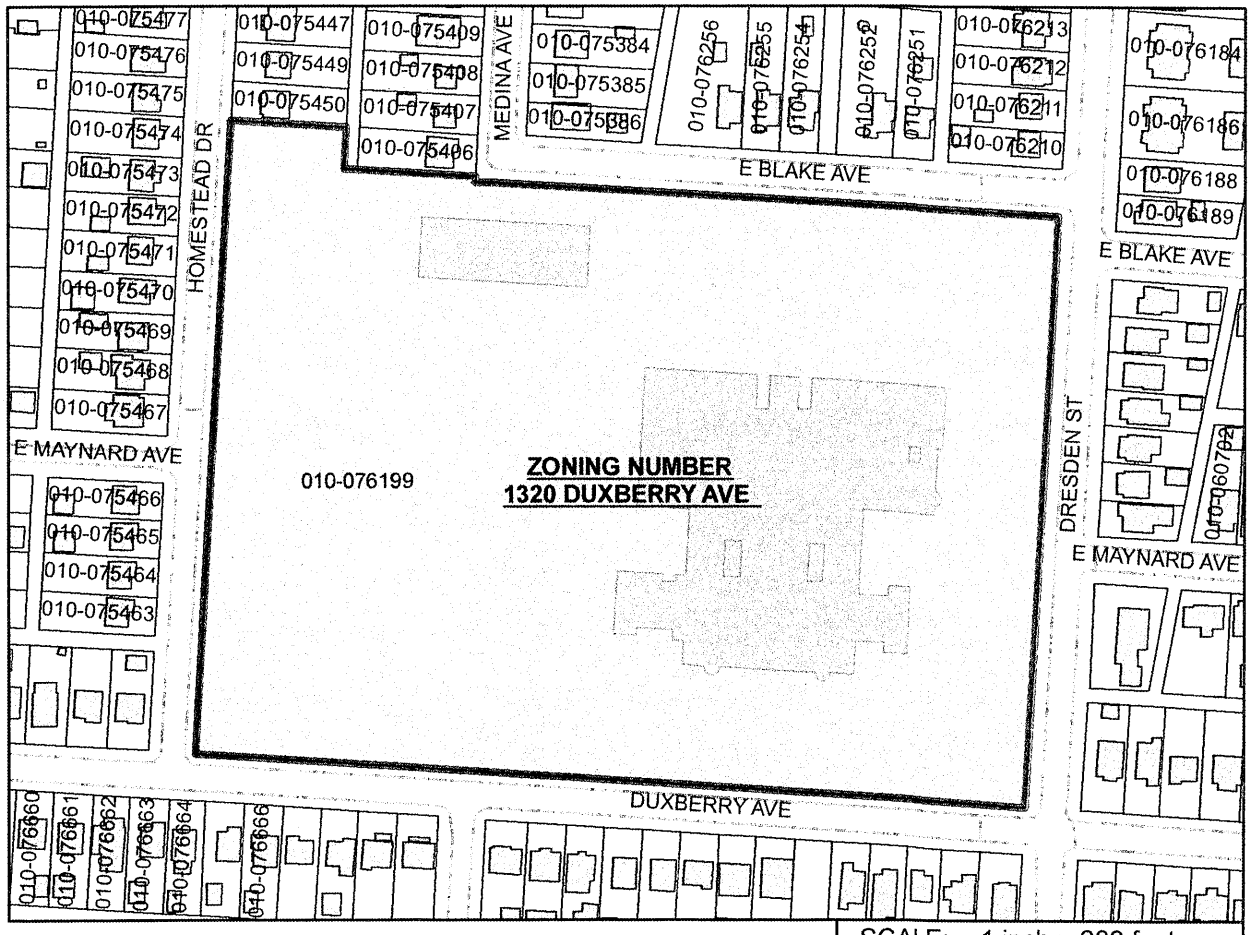
Parcel ID: 010076199

Zoning Number: 1320 **Street Name: DUXBERRY AVE**

Lot Number: N/A **Subdivision: HUDSON MANOR**

Requested By: MOODY- NOLAN, INC.(CHARMAGNE CROOK)

Issued By: Adriana Amariam **Date: 12/3/2009**



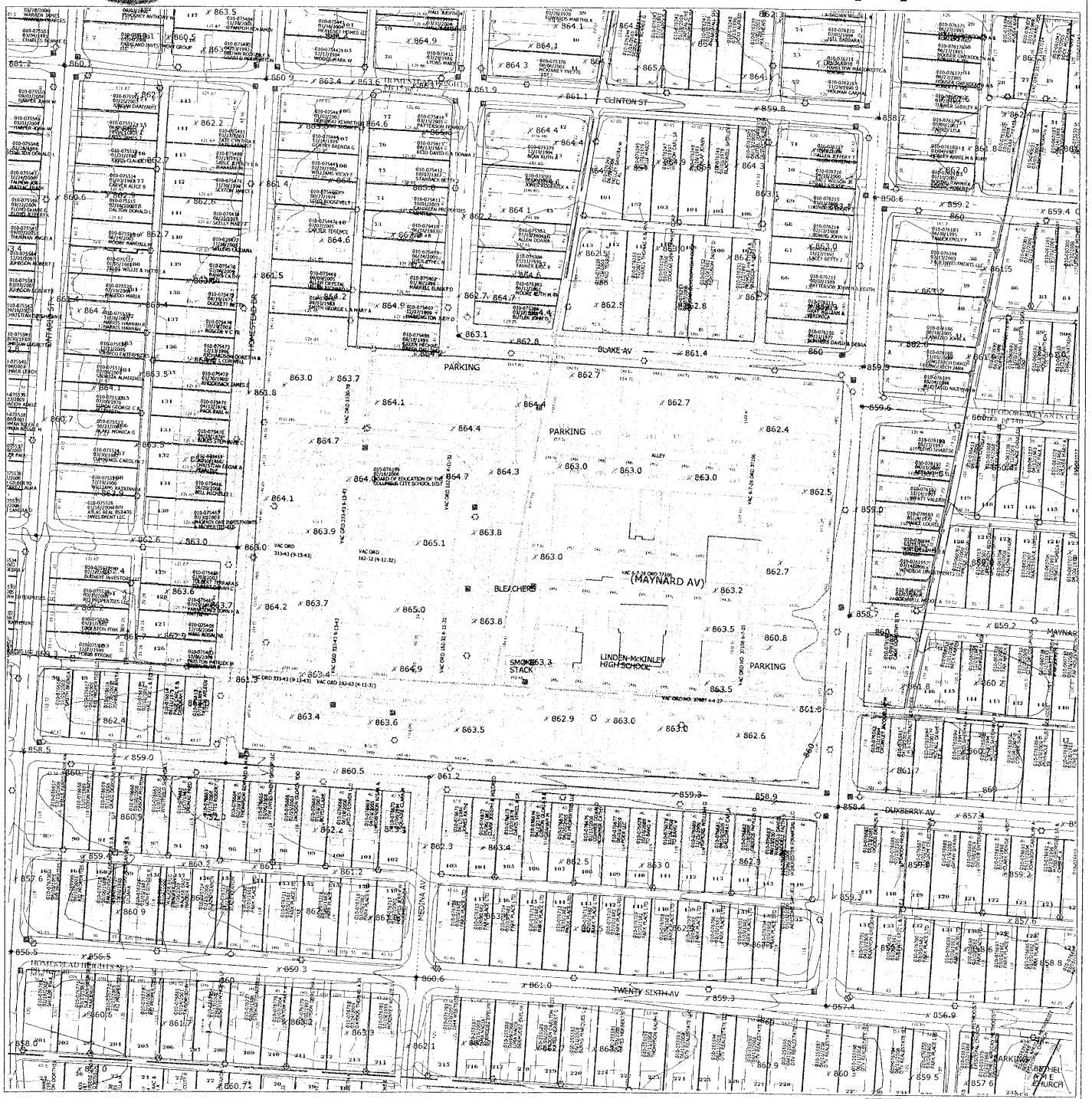
SCALE: 1 inch = 200 feet

PATRICIA A. AUSTIN, P.E., ADMINISTRATOR
DIVISION OF PLANNING AND OPERATIONS
COLUMBUS, OHIO

GIS NOS FILE NUMBER: 2244

CLARENCE E MINGO II
FRANKLIN COUNTY AUDITOR

MAP ID: DH DATE: 12/3/09



Scale = 222'

Grid North

Disclaimer

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.

Real Estate / GIS Department