



# BOARD OF ZONING ADJUSTMENT APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services  
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • [www.columbus.gov](http://www.columbus.gov)

OFFICE USE ONLY

Application Number: 12310 - 0 - 00195  
Date Received: 4/12/12  
Commission/Group: Far North  
Existing Zoning: R Application Accepted by: D. Reiss Fee: \$1,900.00  
Comments: 6/26/12

## 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.

Two parcels are currently zoned Annex Residential R. Both parcels are under the minimum area district requirement of five (5) acres for R-Rural. In a related application, Applicant proposes a lot split for both parcels. A Variance is requested to continue use of each split parcel under five (5) acres. Columbus City Code Section 3332.06.

## LOCATION

1. Certified Address Number and Street Name 9440 South Old State Road  
City Columbus State Ohio Zip 43035  
Parcel Number (only one required) 31834402001000

## APPLICANT: (IF DIFFERENT FROM OWNER)

Name Karen Helmlinger  
Address 9440 South Old State Road City/State Columbus, Ohio Zip 43035  
Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email ken@kenhelmlingerco.com

## PROPERTY OWNER(S):

Name Karen Helmlinger  
Address 9440 South Old State Road City/State Columbus, Ohio Zip 43035  
Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email ken@kenhelmlingerco.com  
☐ Check here if listing additional property owners on a separate page.

## ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

☐ Attorney ☐ Agent

Name Michael Shannon  
Address 500 South Front Street, Suite 1200 City/State Columbus, Ohio Zip 43215  
Phone # 614-229-4506 Fax # 614-229-4559 Email: mshannon@cbjlawyers.com

## SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE \_\_\_\_\_  
PROPERTY OWNER SIGNATURE \_\_\_\_\_  
ATTORNEY / AGENT SIGNATURE \_\_\_\_\_

**PLEASE NOTE:** incomplete information will result in the rejection of this submittal.  
For all questions regarding this form and fees please call: 614-645-4522  
Please make all checks payable to the Columbus City Treasurer



# CITY OF COLUMBUS

## DEPARTMENT OF BUILDING AND ZONING SERVICES

12310-00195  
9440 S. Old State Rd.

### One Stop Shop Zoning Report

Date: Mon Apr 16 2012

General Zoning Inquiries: 614-645-8637

#### SITE INFORMATION

Address: 9440 S OLD STATE RD COLUMBUS OH 43035

Mailing Address: 1 FIRST AMERICAN WAY  
WEST LAKE TX 76262

Owner: HELMLINGER KAREN E

Parcel Number: 31834402001000

#### ZONING INFORMATION

Zoning: ANNEX, Residential, R  
effective 5/14/2002, Height District H-35

Historic District: N/A

Board of Zoning Adjustment (BZA): N/A

Historic Site: No

Commercial Overlay: N/A

Council Variance: N/A

Graphic Commission: N/A

Flood Zone: OUT

Area Commission: N/A

Airport Overlay Environs: N/A

Planning Overlay: N/A

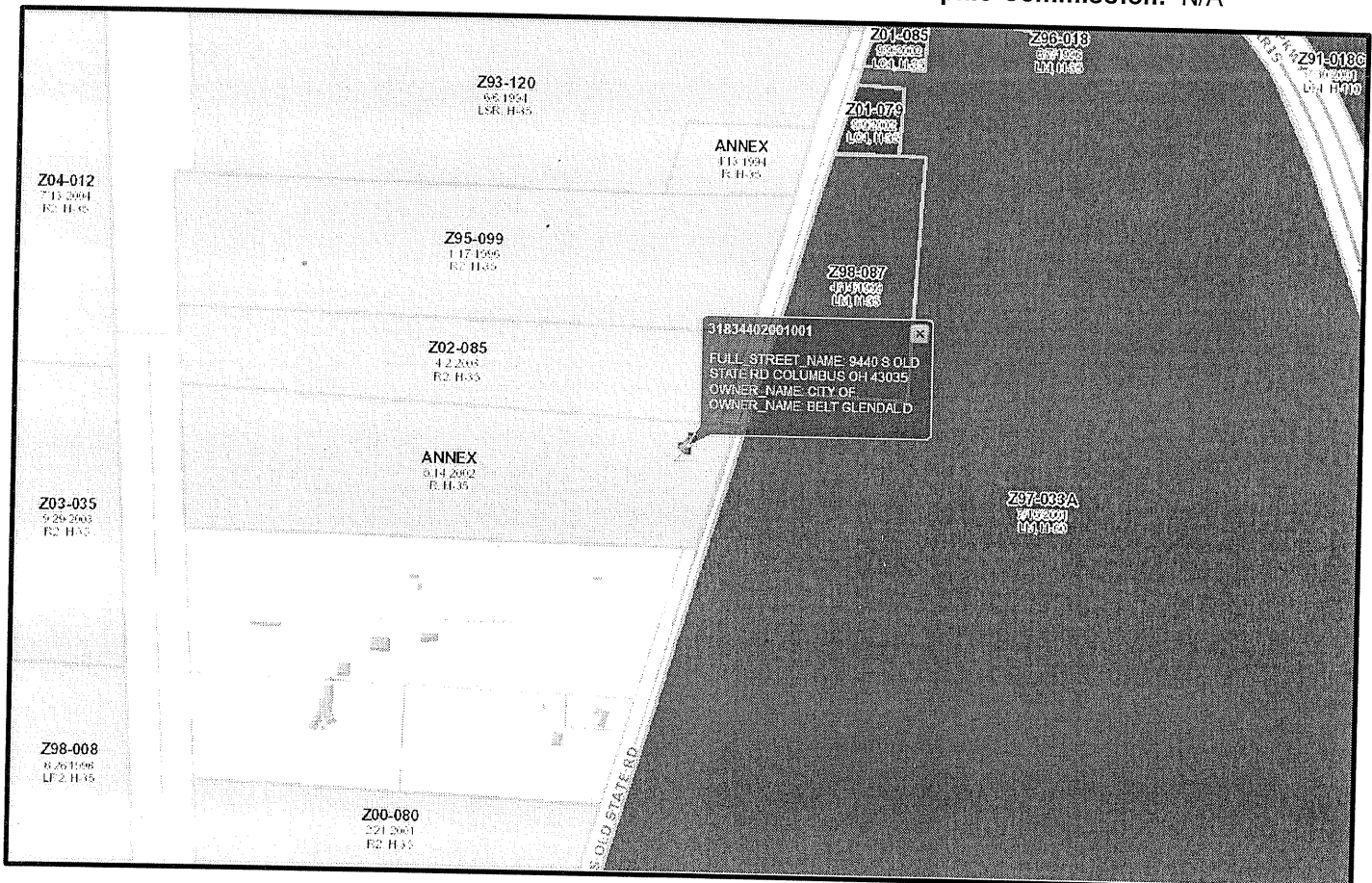
#### PENDING ZONING ACTION

Zoning: N/A

Council Variance: N/A

Board of Zoning Adjustment (BZA): N/A

Graphic Commission: N/A





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### AFFIDAVIT

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Eric Zartman  
of (1) MAILING ADDRESS 500 South Front Street, Suite 1200, 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  
for which the 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) Karen Helmlinger  
9440 South Old State Road  
Columbus, Ohio 43035

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

Karen Helmlinger  
ken@kenhelmlingerco.com

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

(5) Far North Columbus Communities Coalition  
Gloria Humes  
771 Wynstone Drive, Lewis Center, Ohio 43035

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

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

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 12 day of April, in the year 2012

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

(8) Dustin Zink  
Notary Public, State of Ohio  
My Commission Expires 04-29-12

Notary Seal Here

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Banc One Management Corp.  
Post Office Box 810490  
Dallas TX 75381-0490

Terrence Welsh  
6100 Rockside Woods Blvd.  
Ste. 230  
Independence, OH 44131

Michael Trowbridge  
711 Sanville Drive  
Lewis Center, OH 43035

Manubhai Patel  
552 E. Main St., Apr. 404  
Statesboro, GAS 30461

Korean Presbyterian Church  
9480 S. Old State Road  
Lewis Center, OH 43035

City of Columbus Ohio  
Real Estate Management  
90 W. Broad Street  
Columbus, OH 43215

Matthew Trader  
Post Office Box 10211  
Van Nuys, CA 91419-0211

Sean Snyder  
315 Ashmoore Circle W  
Powell, OH 43065

Jesse Rhodes  
Post Office Box 10211  
Van Nuys, CA 91410-0211

Alison Baker  
575 Sanville Drive  
Lewis Center, OH 43035

Chandresh Patel  
775 Sanville Drive  
Lewis Center, OH 43035

Wynstone Village  
Post Office Box 160  
Lewis Center, OH 43035

Banc One Management Corp.  
Post Office Box 810490  
Dallas TX 75381-0490

Owner & Applicant

Area Commission Rep.

Karen Helmlinger  
9440 S. Old State Road  
Lewis Center, OH 43035

Gloria Humes, President  
Far North C.C.C.  
771 Wynstone Drive  
Lewis Center, OH 43035

Attorney for Applicant

Michael T. Shannon, Esq.  
Crabbe, Brown & James, LLP  
500 S. Front St., Ste. 1200  
Columbus, OH 43215

**12310-00195**  
**9440 S. Old State Rd.**

## STATEMENT IN SUPPORT OF VARIANCE REQUEST

The site currently contains two parcels, PID's 31834402001000 and 31834402002000. The parcels are located in Delaware County, Ohio, but were annexed to the City of Columbus on May 14, 2002. Accordingly, the parcels are currently zoned Annex-Residential-R.

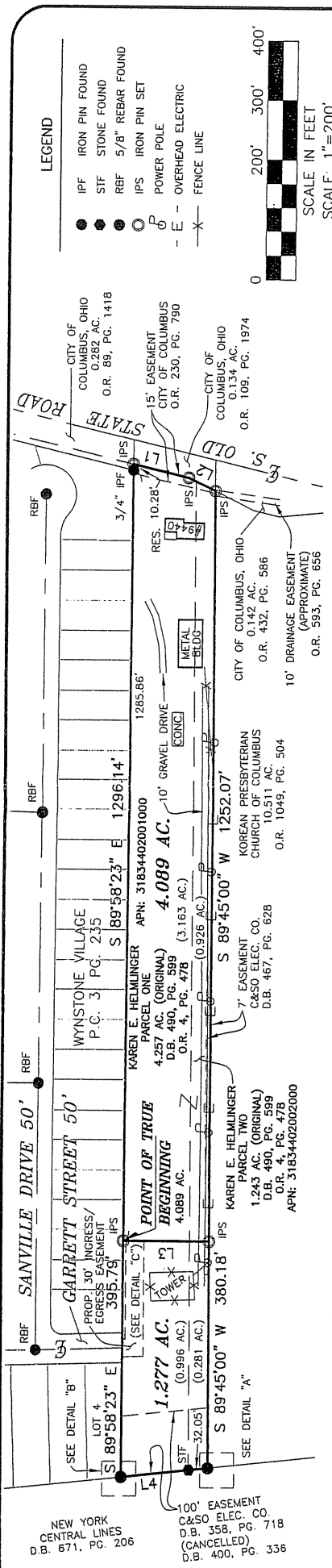
Both parcels are currently under the minimum area district requirement of five (5) acres for the R-Rural zoning classification, pursuant to Columbus City Code § 3332.06. Parcel 31834402001000 is 4.158 acres in area. Parcel 31834402002000 is 1.208 acres in area. Both parcels are owned by Karen Helmlinger of 9440 South Old State Road, Columbus, Ohio 43035.

The parcels are adjacent and divided by a north/south boundary. Parcels 3183440200100 and 31834402002000 currently hold a cell phone tower on the western portion of each lot and a single-family home with accessory structures on the eastern portion of each lot.

Applicant proposes a lot split to create two adjacent lots of record that are divided by a west/east boundary line. The purpose of this lot split is to create an individual lot for each of the two structures described in the preceding paragraph. The west parcel will become 1.277 acres in area. The east parcel will become 4.089 acres in area.

After the lot split, both lots will remain under the minimum area district of five (5) acres for the R-Rural zoning classification. For this reason, a variance is requested to allow the continued use of each lot under the minimum area district requirement of five (5) acres.

**12310-00195**  
**9440 S. Old State Rd.**



**EASEMENT NOTE:**

EXISTING EASEMENTS SHOWN ARE THOSE REFERENCED IN TITLE COMMITMENT NUMBER 20111116, ISSUED BY CHICAGO TITLE INSURANCE COMPANY.

**FLOOD ZONE NOTE:**

THE SUBJECT TRACTS LIE IN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAPS 39041C024K & 39041C026K, BOTH WITH AN EFFECTIVE DATE OF 4/16/09.

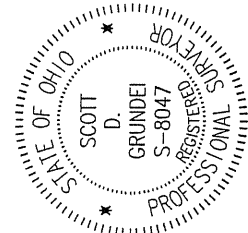
**BASIS OF BEARINGS:**

THE BEARINGS SHOWN HEREON ARE BASED ON THE BEARING OF S 89°58'23" E FOR THE NORTHERLY LINE OF A 4.257 ACRE TRACT, OF RECORD IN OFFICIAL RECORD 4, PAGE 478, RECORDER'S OFFICE, DELAWARE COUNTY, OHIO.

**NOTE:**

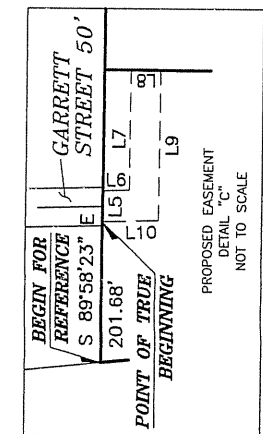
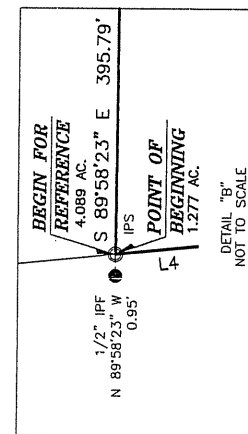
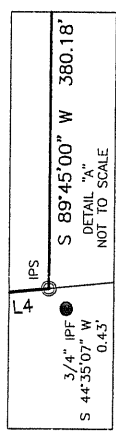
THIS SURVEY DOES NOT REPRESENT ALL EASEMENTS THAT MAY AFFECT THIS TRACT AND DOES NOT REPRESENT ANY UNDERGROUND UTILITIES THAT MAY AFFECT THIS TRACT. ALL IRON PINS SET ARE 3/4" I.D. IRON PIPES 30" LONG, WITH RED PLASTIC CAP STAMPED "LANDMARK SURVEY"

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED FROM AN ON THE GROUND SURVEY MADE UNDER MY SUPERVISION IN NOVEMBER OF 2011, AND THAT IT AND THE INFORMATION, COURSES AND DISTANCES AS SHOWN ARE CORRECT TO THE BEST OF MY KNOWLEDGE.



*Scott D. Grunel*

DATE 12/9/11  
REGISTERED SURVEYOR NO. 8047



LINE	BEARING	DISTANCE
L1	S 13°30'00" W	94.65'
L2	S 26°26'30" W	49.53'
L3	S 00°01'37" W	142.46'
L4	N 06°09'00" W	145.14'
L5	S 89°58'23" E	30.02'
L6	S 01°47'53" E	5.00'
L7	S 89°58'23" E	163.93'
L8	S 00°01'37" W	30.00'
L9	N 89°58'23" W	192.99'
L10	N 01°47'53" W	35.02'

SURVEY OF  
**1.277 AC. & 4.089 AC.**  
LYING IN

FARM LOT 2, QUARTER TOWNSHIP 3  
TOWNSHIP 3, RANGE 18  
UNITED STATES MILITARY LANDS  
CITY OF COLUMBUS, COUNTY OF DELAWARE  
STATE OF OHIO

**LS LANDMARK SURVEY**  
**GI GROUP, INCORPORATED**  
2099 WEST FIFTH AVENUE, COLUMBUS, OHIO 43212  
PHONE: (614) 485-9000 FAX: (614) 485-9003  
REV. DATE: 12/9/11  
REV. DATE: 11/30/11  
REV. DATE: 11/21/11  
REV. DATE: 11/15/11  
FILE NO. 133073





**12310-00195**  
**9440 S. Old State Rd.**



**Delaware County Auditor**  
**George Kaitsa**

**31834402001000 / 31834402002000**

Information contained within this map may be used to generally locate, identify and inventory land parcels within Delaware County. Delaware County cannot warrant or guarantee the information contained herein, including, but not limited to its accuracy or completeness. The map parcel lines shown are approximate and this information cannot be constructed or used as a "legal description" of a parcel. Aerial photo is current as of April 2010.  
 Flood Plain information is obtained from FEMA and is administered by the Delaware County Building Department (740-833-2201). Please report any errors or omissions to the Delaware County Auditor's office.  
 Prepared by: Delaware County Auditor's GIS Office on March 13 2012



0 120 240 480 Feet



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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

**12310-00195**

**9440 S. Old State Rd.**

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Eric Zartman

of (COMPLETE ADDRESS) 500 South Front Street, Suite 1200, 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 and their mailing addresses:

NAME

COMPLETE MAILING ADDRESS

Karen Helmlinger

9440 South Old State Road

Columbus, Ohio 43035

SIGNATURE OF AFFIANT

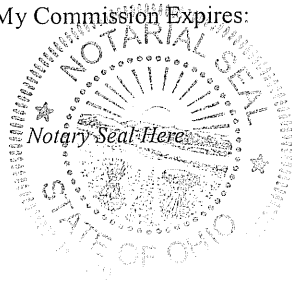
Subscribed to me in my presence and before me this 12 day of April, in the year 2012

SIGNATURE OF NOTARY PUBLIC

Carol A. Stewart

My Commission Expires:

CAROL A. STEWART  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES 06/28/2014



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