

Date 4/30/10

Application #

CV10-010

10315-00000-00134

City of Columbus | Department of Development | Building Services Division | 757 Gady Avenue Columbus, Ohio 43224

\$630.00 total

**COUNCIL VARIANCE APPLICATION**

OFFICE USE ONLY:

Planning Area: FranklintonReceived By: SP

LOCATION AND ZONING REQUEST:

Certified Address(for Zoning Purposes) 237 S Dakota Avenue Zip 43223Is 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 010-056633☐ If applicable, check here if listing additional parcel numbers on a separate page (Required)Current Zoning District (s) C-4Recognized Civic Association or Area Commission The Franklinton Area Commission

(See instructions in "Things to Remember" on the front of application packet)

Proposed Use or reason for Council Variance request: Residential UseProposed Height District: H-35 (no change) Acreage 0.194

(Columbus City Code Section 3309.14)

APPLICANT: Name NRP Boulevard Homes LLCAddress 5309 Transportation Blvd. City Cleveland Zip 44125PROPERTY OWNER(S) Name City of Columbus Land ReDevelopment OfficeAddress 109 N. Front Street City Columbus Zip 43215☐ If applicable, check here if listing additional property owners on a separate page (Required)

ATTORNEY / AGENT

☐ Attorney☒ AgentName M Neff Design GroupAddress 14885 Broadway #100-23 City Maple Heights Zip 44137Phone # (216) 663-8820 Fax # (216) 663-8821Email mat@mneffdesign.com

SIGNATURES (ALL SIGNATURES MUST BE SIGNED IN BLUE INK)

Applicant Signature [Signature]Property Owner Signature [Signature]Attorney / Agent Signature [Signature]

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.

CV10-010



AFFIDAVIT

(See reverse side for instructions)

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Matthew C. Neff
 of (1) MAILING ADDRESS M Neff Design Group / 4855 Broadway #100-23 Maple Heights OH 44137
 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) CERTIFIED ADDRESS FOR ZONING PURPOSES 237 S Dakota Avenue
 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) 4/30/10
(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNER'S NAME
 AND MAILING ADDRESS

(4) City of Columbus Land ReDevelopment Office
109 N Front Street
Columbus, Ohio 43215

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

NRP Boulevard Homes LLC
(216) 475-8900

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

(5) The Franklinen Area Commission
Carol J. Stewart
(614) 279-9382

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)

SIGNATURE OF AFFIANT

(8)

Subscribed to me in my presence and before me this 16th day of April, in the year 2010

SIGNATURE OF NOTARY PUBLIC

(8)

My Commission Expires:

May 11, 2014

Notary Seal Here



CW10-010

NRP BOULEVARD HOMES LLC
c/o CHERYL STEIGERWALD
5309 TRANSPORTATION BLVD
CLEVELAND OHIO 44125

CITY OF COLUMBUS
c/o DONNA HUNTER
109 N FRONT STREET
COLUMBUS OHIO 43215

M NEFF DESIGN GROUP
c/o MATTHEW C NEFF
14855 BROADWAY AVE 100-2B
MAPLE HEIGHTS OHIO 44137

FRANKLINTON AREA COMMISSION
c/o CAROL J STEWART
192 S PRINCETON AVENUE
COLUMBUS OHIO 43223

DAVID A STICKLES
c/o 1011 W RICH STREET
234 DAKOTA AVENUE
COLUMBUS OHIO 43223

GO INVEST WISELY LLC
c/o 238 DAKOTA AVENUE
420 S COMMERCE ROAD
OREM UT 84058

SOARING EAGLE PROPERTY
INVESTMENTS LLC
c/o 240 THRU 246 DAKOTA AVE
1215 POLARIS PARKWAY
COLUMBUS OHIO 43240

BOB HICKEY
c/o UNDEVELOPED DAKOTA AVE
585 REINHARD AVE
COLUMBUS OHIO 43205

BRYON REED
c/o 254 THRU 256 DAKOTA AVE
2164 MIDDLEHURST DRIVE
COLUMBUS OHIO 43219

CITY VIEW COMES LLC
c/o 255 DAKOTA AVENUE
562 E MAIN STREET
COLUMBUS OHIO 43215

MICHAEL B MORRILL
c/o 251 AND 253 DAKOTA AVENUE
883 DUNHAM ROAD
DELAWARE OHIO 43015

DIAMOND EQUITIES GROUP LLC
c/o 241 AND 243 DAKOTA AVENUE
32692 DEERHOLLOW CIRCLE
TRABUCO CANYON CA 92679

AKA LEASING LLC
c/o 1055 W RICH STREET
415 NORTHFORTY DRIVE
GALLOWAY OHIO 43119

STEVEN J REUTZEL
c/o 234 CYPRESS AVENUE
108 PARK DRIVE
VALENCIA PA 16059

KENNETH C BERGER
240 CYPRESS AVENUE
COLUMBUS OHIO 43223

CDF PROPERTIES LLC
c/o 242 CYPRESS AVENUE
4668 RUTHERFORD ROAD
POWELL OHIO 43065

RALPH SMITH
248 CYPRESS AVENUE
COLUMBUS OHIO 43223

J JEFFREY PROPERTIES LTD
c/o 252 CYPRESS AVENUE
3008 RIVERSIDE DRIVE
COLUMBUS OHIO 43221

KHALID ALKHATIB
c/o 256 CYPRESS AVENUE
851 NORTH 4TH STREET
COLUMBUS OHIO 43215

U & I PROPERTIES LLC
c/o 216 CYPRESS AVENUE
1165 W TOWN STREET
COLUMBUS OHIO 43222

LINDA C TURNER
222 CYPRESS AVENUE
COLUMBUS OHIO 43223

WILLIAM WEYGANDT
c/o 215 THRU 217 DAKOTA AVENUE
465 VINEWOOD AVENUE
POWELL OHIO 43065

DAVID A SEEGER
c/o 221 DAKOTA AVENUE
3836 BICKLEY PLACE
COLUMBUS OHIO 43220

HARLOS MOUNTS
c/o 224 DAKOTA AVENUE
343 WHITETHORNE AVENUE
COLUMBUS OHIO 43223

STAR BROTHERS INV LLC
c/o 222 DAKOTA AVENUE
2374 BRIGHAM DRIVE
DUBLIN OHIO 43016

JERRY HARPER
c/o 220 DAKOTA AVENUE
6641 MERCHANT ROAD
DELAWARE OHIO 43015

JEROME GOFF
c/o 218 DAKOTA AVENUE
216 DAKOTA AVENUE
COLUMBUS OH 43223

LIL INVESTMENTS LLC
c/o 214 DAKOTA AVENUE
121 COMMERCE PARK DRIVE
WESTERVILLE OHIO 43082

CV 10-010



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 Attached

Signature of Applicant

Allen F. Acosta

Date 4-20-10

Exhibit A
Statement of Hardship
237 Dakota Ave., Columbus OH 43222 Parcel ID #010-056633

237 Dakota

The 8,256 square foot parcel is located at the southwest corner of Dakota Avenue and Rich Street, is zoned C-4, Commercial and was formerly a corner market but is currently vacant land. Applicant proposes to change the use of the parcel to residential use by building a new single family dwelling (on each parcel).

The C-4 Commercial District permits residential use if located over a ground level commercial use. Applicant proposes to change the use of the entire parcel to residential use with the proposed two story single family dwelling(s), including ground level residential use and residential use not located over a ground level commercial use and accessory parking for each dwelling unit.

Applicant submits this application to request a variance to sections 3356.03, C-4 Permitted Uses and 3356.11, C-4 District Setback Lines, to permit ground level residential use setback in a manner consistent with adjacent properties.

All adjacent properties are residential uses and single family homes. Commercial development would be an inappropriate use of this parcel at this time since land use patterns have changed and infill residential development is more consistent with the wishes of the neighborhood residents and Franklinton Area Commission.

Granting of this variance will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of the public streets, increase the dangers of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City of Columbus.



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 # CV10-010

Being first duly cautioned and sworn (NAME) Matthew C. Neff
of (COMPLETE ADDRESS) M Neff Design Group, 14855 Broadway, Maple Heights OH 44137
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 of individual's address
Address of corporate headquarters
City, State, Zip
Number of Columbus based employees
Contact name and number

NRP Boulevard Homes LLC 5309 Transportation Blvd Cleveland OH 44125 No Columbus based employees T. Richard Bailey J. David Heiler Alan Scott	Boulevard Homes E-Group LLC 5309 Transportation Blvd Cleveland OH 44125 No Columbus based employees Andrew N. Tanner Kenneth W. Outcalt Aaron Pechota John Leonard
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☒ If applicable, check here if listing additional parties on a separate page (required)

SIGNATURE OF AFFIANT
Subscribed to me in my presence and before me this 16th day
of April, in the year 2010

SIGNATURE OF NOTARY PUBLIC
My Commission Expires: May 11, 2014

This Project Disclosure Statement expires six months after date of notarization.

Notary Seal Here





City of Columbus Zoning Plat

CV10-010

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: 010056633

Zoning Number: 237

Street Name: DAKOTA AVE

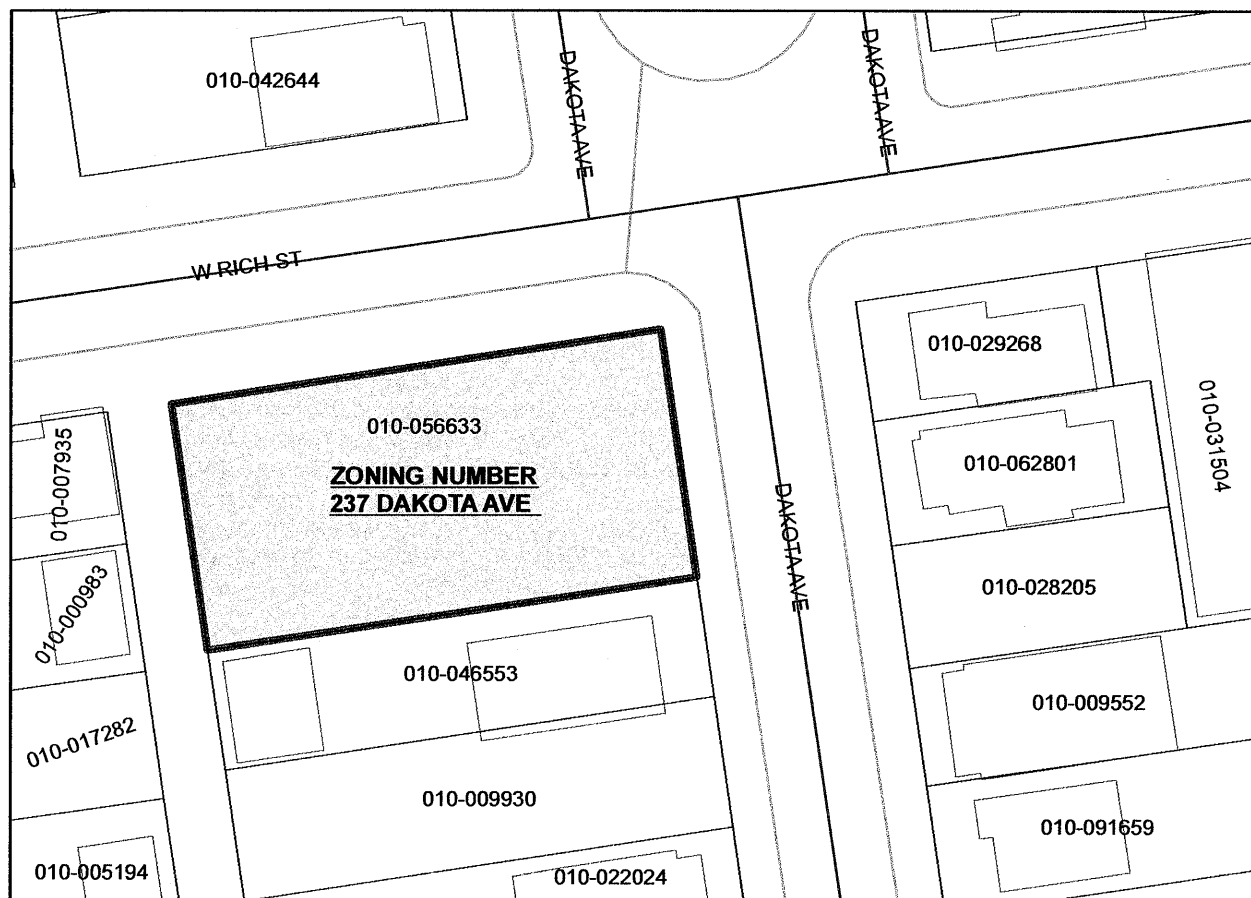
Lot Number: 282-3

Subdivision: WEST PARK

Requested By: M NEFF DSIGN GROUP (SEAN PIETROWSKI)

Issued By: *Adyana Amarasingh*

Date: 4/15/2010



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

SCALE: 1 inch = 50 feet

GIS NOS FILE NUMBER: 3212



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: M

DATE: 4/30/10



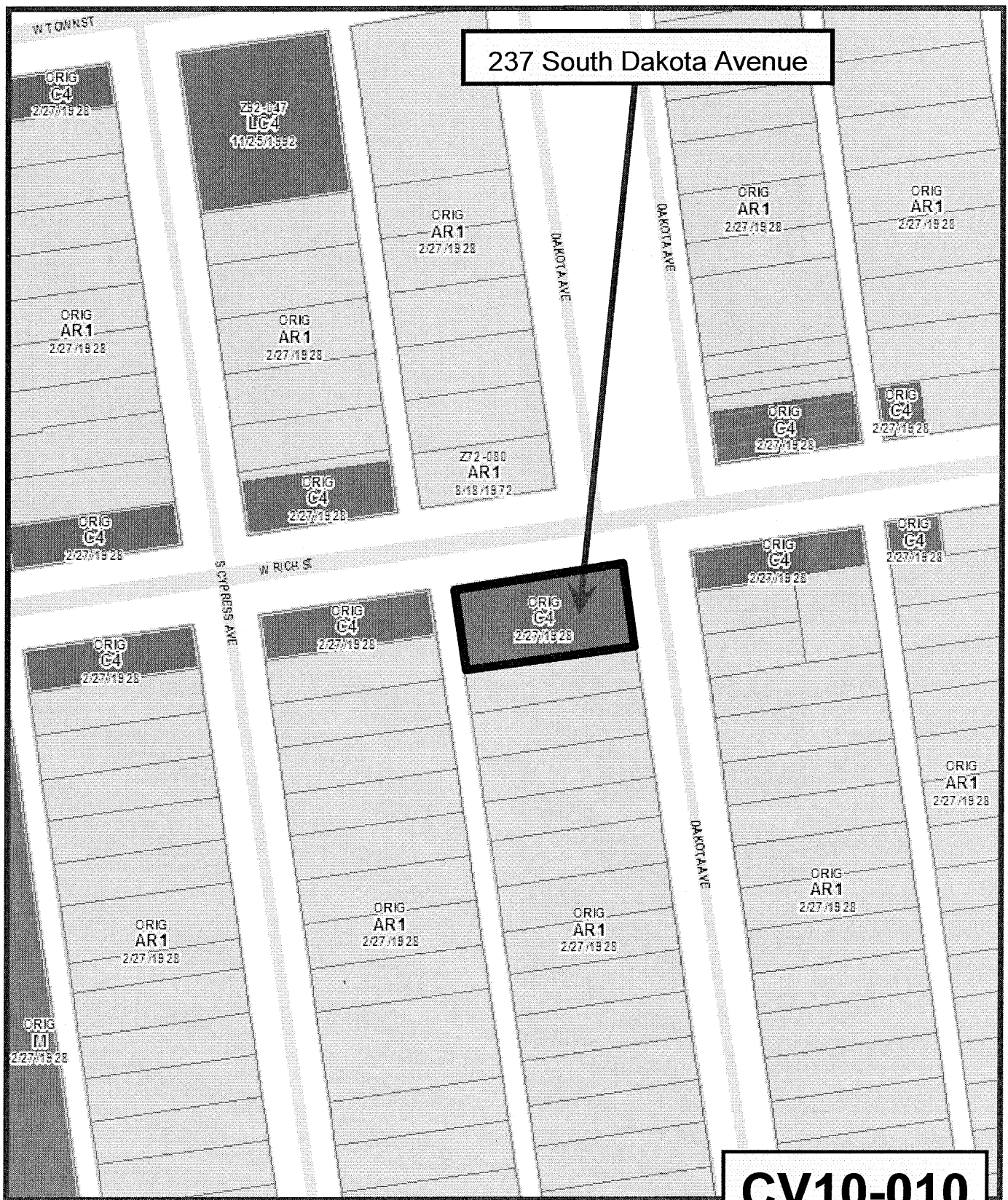
Disclaimer

Scale = 60



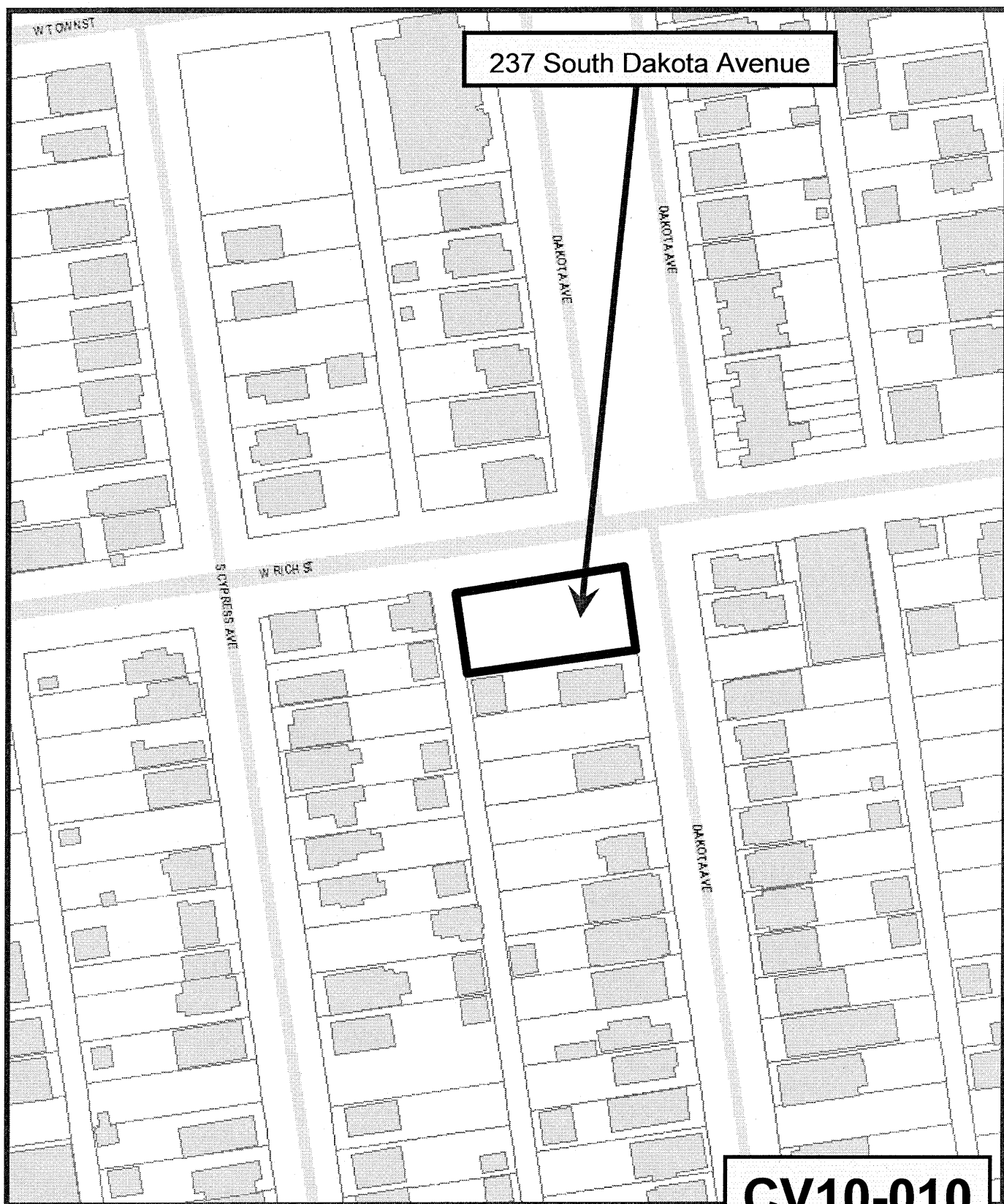
This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on 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



237 South Dakota Avenue

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237 South Dakota Avenue

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