

Date 4/30/10 Application # CV10-011
10315-00000-00135
 City of Columbus | Department of Development | Building Services Division | 757 Gady Avenue Columbus, Ohio 43224

\$315.00 total



COUNCIL VARIANCE APPLICATION

OFFICE USE ONLY:

Planning Area: Franklinton

Received By: SP

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 45 S Yale Avenue Zip 43222

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 010-026310

☐ If applicable, check here if listing additional parcel numbers on a separate page (Required)

Current Zoning District (s) C-4

Recognized 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 Use

Proposed Height District: H-35 (no change) Acreage 0.092

(Columbus City Code Section 3309.14)

APPLICANT: Name NRD Boulevard Homes LLC

Address 5309 Transportation Blvd City Cleveland Zip 44125

PROPERTY OWNER(S) Name Brian J. Trojack

Address 368 West Park Avenue City Columbus Zip 43223

☐ If applicable, check here if listing additional property owners on a separate page (Required)

ATTORNEY / AGENT

☐ Attorney

☒ Agent

Name M. Neff Design Group

Address 14855 Broadway #100-213 City Maple Heights Zip 44137

Phone # (216) 663-8820 Fax # (216) 663-8821

Email matt@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.

CV10-011

**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, 14855 Broadview #100-2B, 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 45 S Yale 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)
 (THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNER'S NAME
 AND MAILING ADDRESS

(4) Brian J. Trojack
368 West Park Avenue
Columbus, Ohio 43223

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 Franklinton 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

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

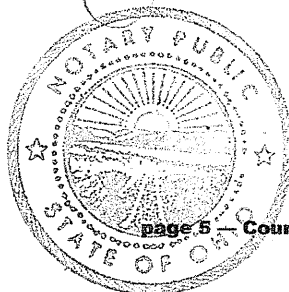
SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

(8)

May 11, 2014

Notary Seal Here



CV10-011

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

BRIAN J TROJACK
c/o 45 YALE AVENUE
368 WEST PARK AVENUE
COLUMBUS OHIO 43223

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

FAMILY DOLLAR STORES OHIO INC
c/o 30 YALE AVENUE
P O BOX 1017
CHARLOTTE NC 28201

NICHOLAS A MILANO
c/o 34 YALE AVENUE
1733 MERRICK ROAD
COLUMBUS OHIO 43212

MATERIAL ASSISTANCE PROV
118 YALE AVENUE
COLUMBUS OHIO 43204

LCTM PROPERTIES LLC
c/o 49 AND 61 YALE AVENUE
6753 MEADOW GLEN DRIVE
WESTERFIELD OHIO 43082

JOANN MAYS
57 YALE AVENUE
COLUMBUS OHIO 43222

CHARLES K SHILLING
55 YALE AVENUE
COLUMBUS OHIO 43222

BIRCH COMMONS LLC
c/o 41 YALE AVE & 52 W PARK AVE
41 MADISON AVE 29TH FLOOR
NEW YORK NY 10010

PAULA SNYDER
c/o 37 THRU 39 YALE AVENUE
9628 STATE ROUTE 62
ORIENT OHIO 43146

MZW HOLDINGS LLC
c/o 29 THRU 35 YALE AVENUE
211 N FIFTH STREET
COLUMBUS OHIO 43215

GINGER A DODGE
30 WEST PARK AVENUE
COLUMBUS OHIO 43222

KATHY THOMAS
34 WEST PARK AVENUE
COLUMBUS OHIO 43222

FRANKLINTON DEVE ASSOC
c/o 38, 40 AND 50 WEST PARK AVE
924 W BROAD STREET
COLUMBUS OHIO 43222

MICHAEL MORRILL
c/o 46 WEST PARK AVENUE
883 DUNHAM ROAD
DELAWARE OHIO 43015

ZAMA INVESTMENTS
c/o 58 THRU 60 WEST PARK AVE
P O BOX 2172
WESTERVILLE OHIO 43086

CITY VIEW HOMES LLC
c/o 62 THRU 64 WEST PARK AVE
562 E MAIN STREET
COLUMBUS OHIO 43215



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. McArthur

Date 4-20-10

Exhibit A

Statement of Hardship

45 South Yale Ave., Columbus OH 43222 Parcel ID #010-026310

45 South Yale

The 3,9300 square foot parcel is located at mid block on south Yale Avenue, is zoned C-4, Commercial and contains a single family home surrounded by other single family homes on adjacent parcels. Applicant proposes to continue the same use but change the zoning classification to facilitate building a new single family dwelling (or rehab).

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 adjacent to this parcel are residential. Also, 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 # CV10-011

Being first duly cautioned and sworn (NAME) Matthew C. Neff
of (COMPLETE ADDRESS) M Neff Design Group 14855 Broadway #100-23 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 T. Richard Bailey 5309 Transportation Blvd Cleveland OH 44125 No Columbus based employees	Boulevard Homes E-Group LLC 5309 Transportation Blvd. Cleveland OH 44125 No Columbus based employees
T. Richard Bailey J. David Heller Alan Scott	Andrew N. Tanner Kenneth W. Outcalt Aaron Pechota John Leonard

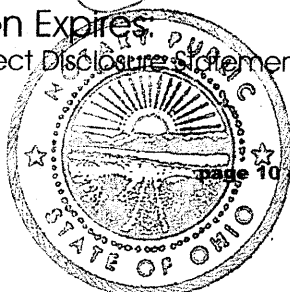
☒ If applicable, check here if listing additional parties on a separate page (required)

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

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

Notary Seal Here





City of Columbus

Address Plat

C10-011

CERTIFIED HOUSE NUMBERS

The House Numbers Contained on This Form
are Herein Certified for Securing
of Building & Utility Permits

Parcel ID: 010-026310

Project Name: SINGLE FAMILY HOME

House Number: 45

Street Name: S YALE AVE

Lot Number: 615

Subdivision: WEST PARK

Work Done: NEW

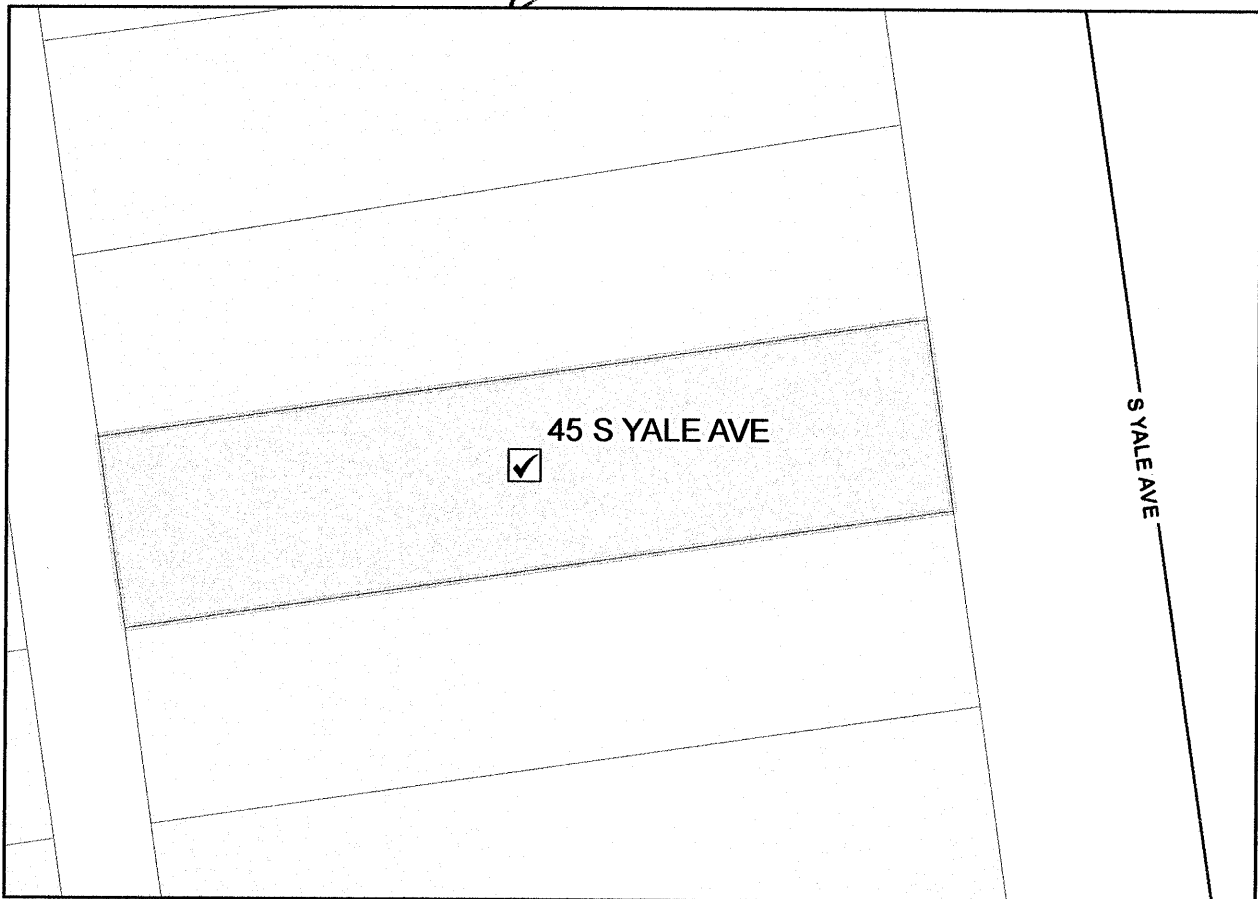
Complex: N/A

Owner: TROJACK BRIAN J

Requested By: NRP CONTRACTORS LLC

Printed By: Louis D. McEann

Date: 3/31/2010

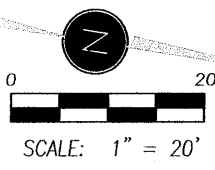


PATRICIA A. AUSTIN, P.E., ADMINISTRATOR
DIVISION OF PLANNING AND OPERATIONS
COLUMBUS, OHIO

SCALE: 1 inch = 30 feet

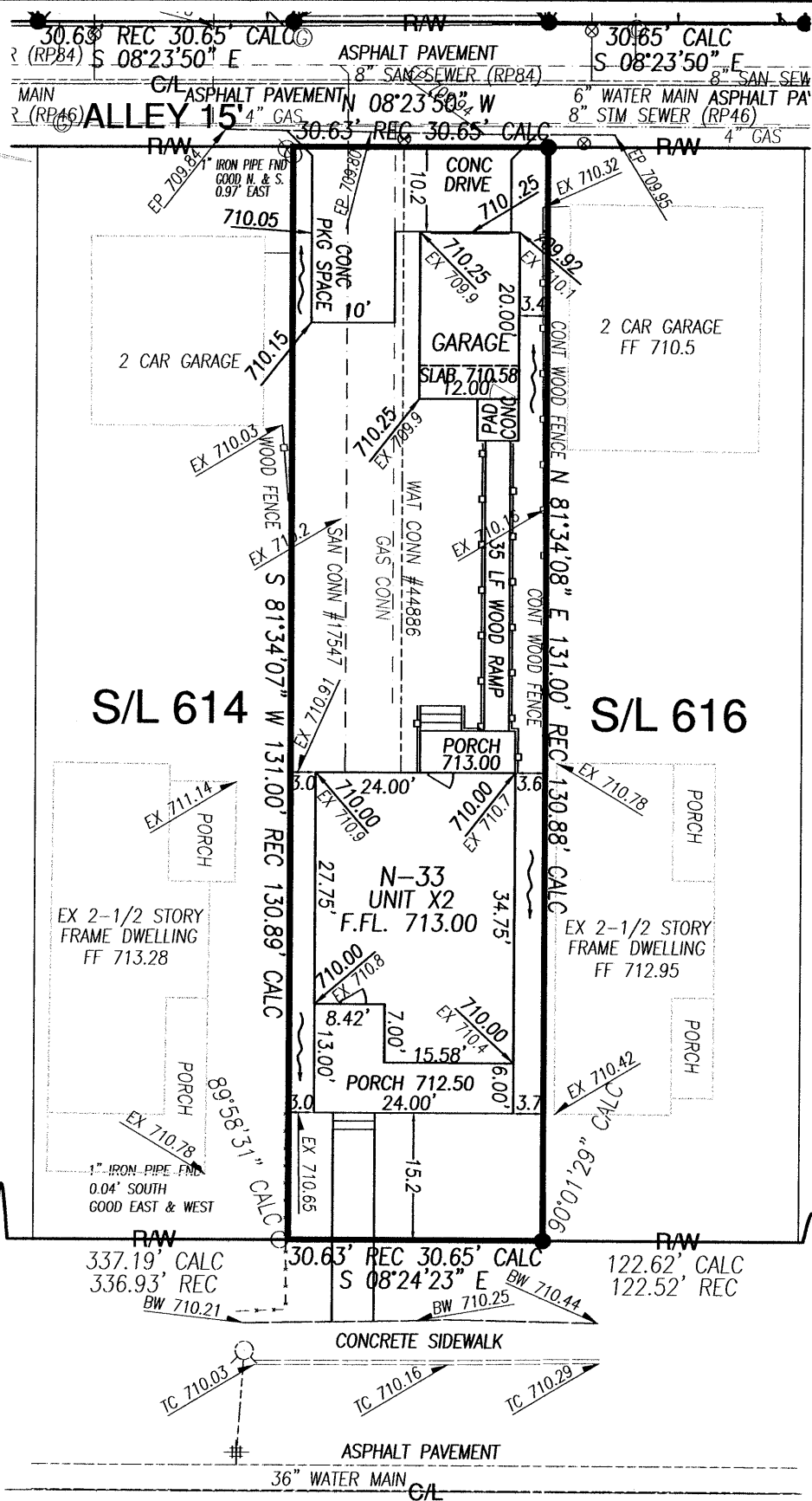
GIS FILE NUMBER: 15242

CV10-011



W. STATE STREET 60'

W. CAPITOL ST



S. YALE AVENUE 60'

PLANNERS | ENGINEERS | SURVEYORS
mNEFFdesign group
 DESIGNING LAND FOR YOUR WORLD
 14855 Broadway Avenue, Suite 100-2B • Maple Heights, Ohio 44137
 tel: 216.663.8820 • fax: 216.663.8821
 www.mneffdesign.com

PROPOSED SITE PLAN
N-33: 45 S. YALE AVENUE
 PID: 010-026310
 S/L 615 WEST PARK ADDITION, PLAT BOOK 4, PAGE 264 FCR
 CITY OF COLUMBUS, COUNTY OF FRANKLIN, STATE OF OHIO

JOB NO. 7489	DATE: March 26, 2010
DRAWN: STP	SCALE: 1"=20'

CV10-011



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

45 South Yale Avenue

2027-1928

ZED-002
LC-4
900451550

24-122
 C5
 7211536

Z7-090
LC4
347998

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SYLLABLE

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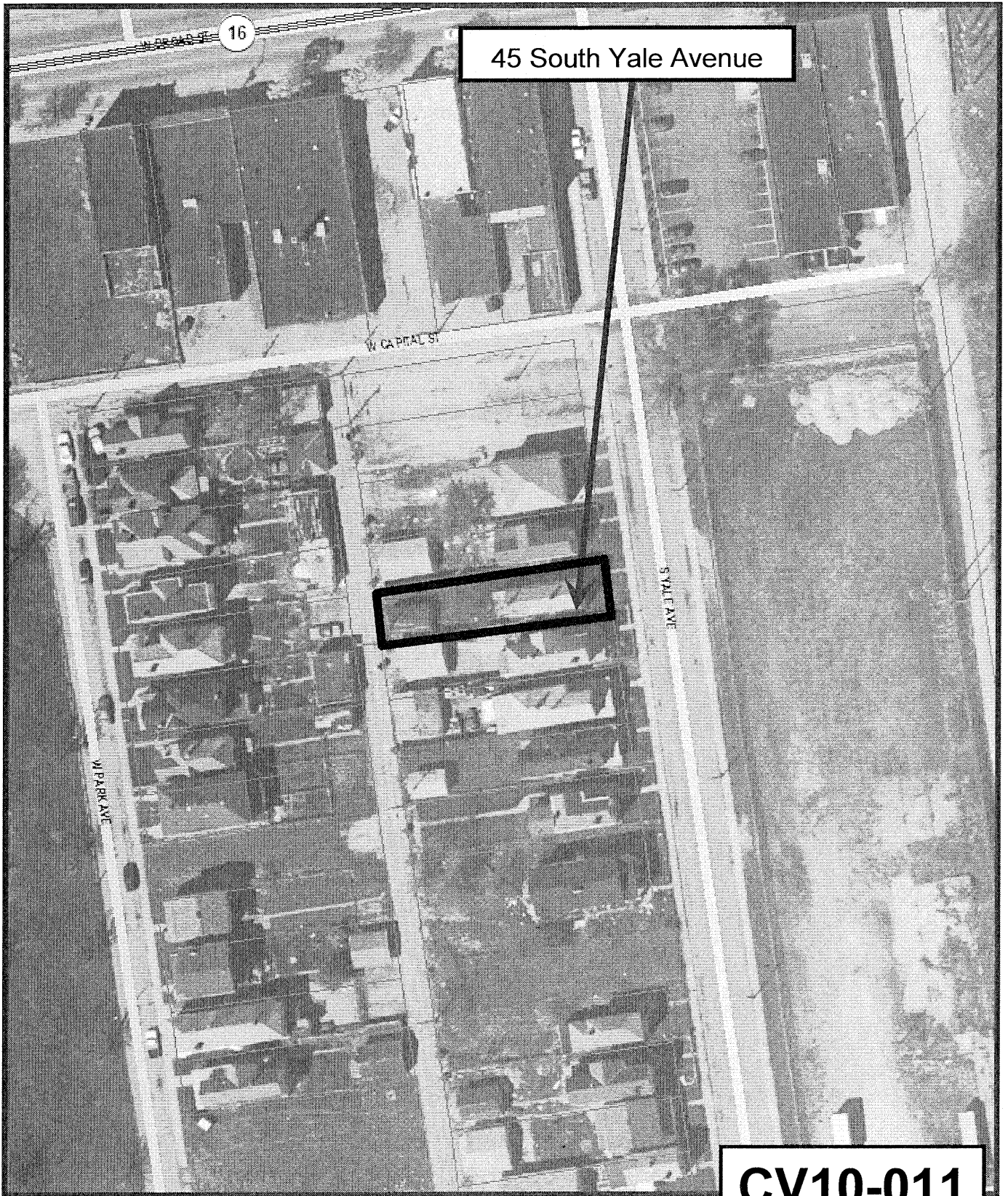
—ORIG—
R4
2/27/1928

ORIG
 C4
 2271528

W PARK AVE

CV10-011





45 South Yale Avenue

CV10-011