



Mayor Michael B. Coleman

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

OFFICE USE ONLY

Application Number: 12310-0-00423
Date Received: 7/19/12
Commission/Group: South Side
Existing Zoning: R-2F Application Accepted by: D. Rein Fee: \$315.00
Comments: 9/25/12

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.

Variance to Section 3321.05 (B)(2), Vision Clearance, to permit part of a new single family dwelling and open front porch to be located in the clear vision triangle at a street intersection

LOCATION

1. Certified Address Number and Street Name 93 East Woodrow Avenue
City Columbus State OH Zip 43207
Parcel Number (only one required) 010-048040

APPLICANT: (IF DIFFERENT FROM OWNER)

Name The NRP Group LLC c/o Donald Plank, Plank Law Firm
Address 145 East Rich Street, Fl 3 City/State Columbus, OH Zip 43215
Phone # (614) 947-8600 Fax # (614) 228-1790 Email dplank@planklaw.com

PROPERTY OWNER(S):

Name City of Columbus c/o John M. Turner, Administrator, Land Redevelopment Office, Development Department
Address 109 North Front Street City/State Columbus, OH Zip 43215
Phone # (614) 645-2551 Fax # Email jmtturner@columbus.gov
☐ Check here if listing additional property owners on a separate page.

ATTORNEY/ AGENT (CHECK ONE IF APPLICABLE)

☒ Attorney ☐ Agent

Name Donald Plank, Plank Law Firm
Address 145 East Rich Street, Fl 3 City/State Columbus, OH Zip 43215
Phone # (614) 947-8600 Fax # (614) 228-1790 Email: dplank@planklaw.com

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

APPLICANT SIGNATURE Donald Plank, applicant
PROPERTY OWNER SIGNATURE John M. Turner
ATTORNEY/ AGENT SIGNATURE Donald Plank
for applicant

PLEASE NOTE: incomplete information will result in the rejection of this submittal.
Applications must be submitted by appointment. Call 614-645-4522 to schedule.
Please make all checks payable to the Columbus City Treasurer



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AFFIDAVIT

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Donald Plank
of (1) MAILING ADDRESS Plank Law Firm, 145 East Rich Street, Fl 3, Columbus, OH 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 93 East Woodrow Avenue
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) City of Columbus c/o John M. Turner, Administrator
Land Redevelopment Office, Development Department
109 North Front Street
Columbus, OH 43215
The NRP Group LLC c/o Donald Plank, Plank Law Firm
(614) 947-8600

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

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

(5) Columbus Southside Area Commission
c/o Mr. Curtis Davis
PO Box 7846, Columbus, OH 43207

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 EXHIBIT A

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

SIGNATURE OF AFFIANT

(8)

Subscribed to me in my presence and before me this 18th day of JULY, in the year 2012

SIGNATURE OF NOTARY PUBLIC

(8)

My Commission Expires

AUGUST 3, 2015

Notary Seal for



BARBARA A. PAINTER
Notary Public, State of Ohio
My Commission Expires AUGUST 3, 2015

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EXHIBIT A, Public Notice
93 E. Woodrow Ave.
BZA12- _____
July 13, 2012

APPLICANT

The NRP Group LLC
c/o Donald Plank, Plank Law Firm
145 East Rich Street, 3rd Floor
Columbus, OH 43215

PROPERTY OWNER

City of Columbus
c/o John Turner, Administrator
Land Redevelopment Division
Development Department
109 N. Front Street
Columbus, OH 43215

ATTORNEY

Donald Plank, Plank law Firm
145 East Rich Street, 3rd Floor
Columbus, OH 43215

COMMUNITY GROUP

Columbus Southside Area Commission
c/o Mr. Curtis Davis
PO Box 7846
Columbus, OH 43207

PROPERTY OWNERS WITHIN 125 FEET

Charles E. Shugars
84½ E. Woodrow Ave.
Columbus, OH 43207

Kristin R. Farrand
77 Woodrow Ave.
Columbus, OH 43207

Chatham Partners LLC
4272 Vista Walk Ln.
Powell, OH 43065

Ernestine Brillhart
Jerry Edwards
78 E. Woodrow Ave.
Columbus, OH 43207

Paul Johnson
1729 S. 4th St.
Columbus, OH 43207

Kodhelaj Dashnor
1725 S. Fourth St.
Columbus, OH 43207

Vernon E. & Marsha A. Welch
97 E. Woodrow Ave.
Columbus, OH 43207

Jerry L. Edwards
Ernestine Brillhart
78 E. Woodrow Ave.
Columbus, OH 43207

93 E. Woodrow Ave.
BZA12- _____
Exhibit A, Public Notice
Page 1 of 2

Rudy Perez
PO Box 77653
Columbus, OH 43207

Alberta J. Gartin, TR
180 Cottage St.
Lockbourne, OH 43137

Luis M. Perez
Lynda Druggan
154 E. Innis Ave.
Columbus, OH 43207

Jeffry A. Carroll
Pamela K. Carroll
c/o Robbins Realty Company
939 S. High St.
Columbus, OH 43206

Johnny L. Waugh
3547 Lockbourne Rd.
Columbus, OH 43207

City of Columbus
Land Bank
109 N. Front St.
Columbus, OH 43215

Nutosha A. Mitchell
94 E. Woodrow Ave.
Columbus, OH 43207

Richard A. Pusecker, Jr.
PO Box 1854
Columbus, OH 43216

Paula Jan Copeland
110 E. Woodrow Ave.
Columbus, OH 43207

Eric S. Heydt
3452 Red Pine Ct.
Grove City, OH 43123

Peter J. Messmer
Renita A. Messmer
1715 S. Fourth St.
Columbus, OH 43201

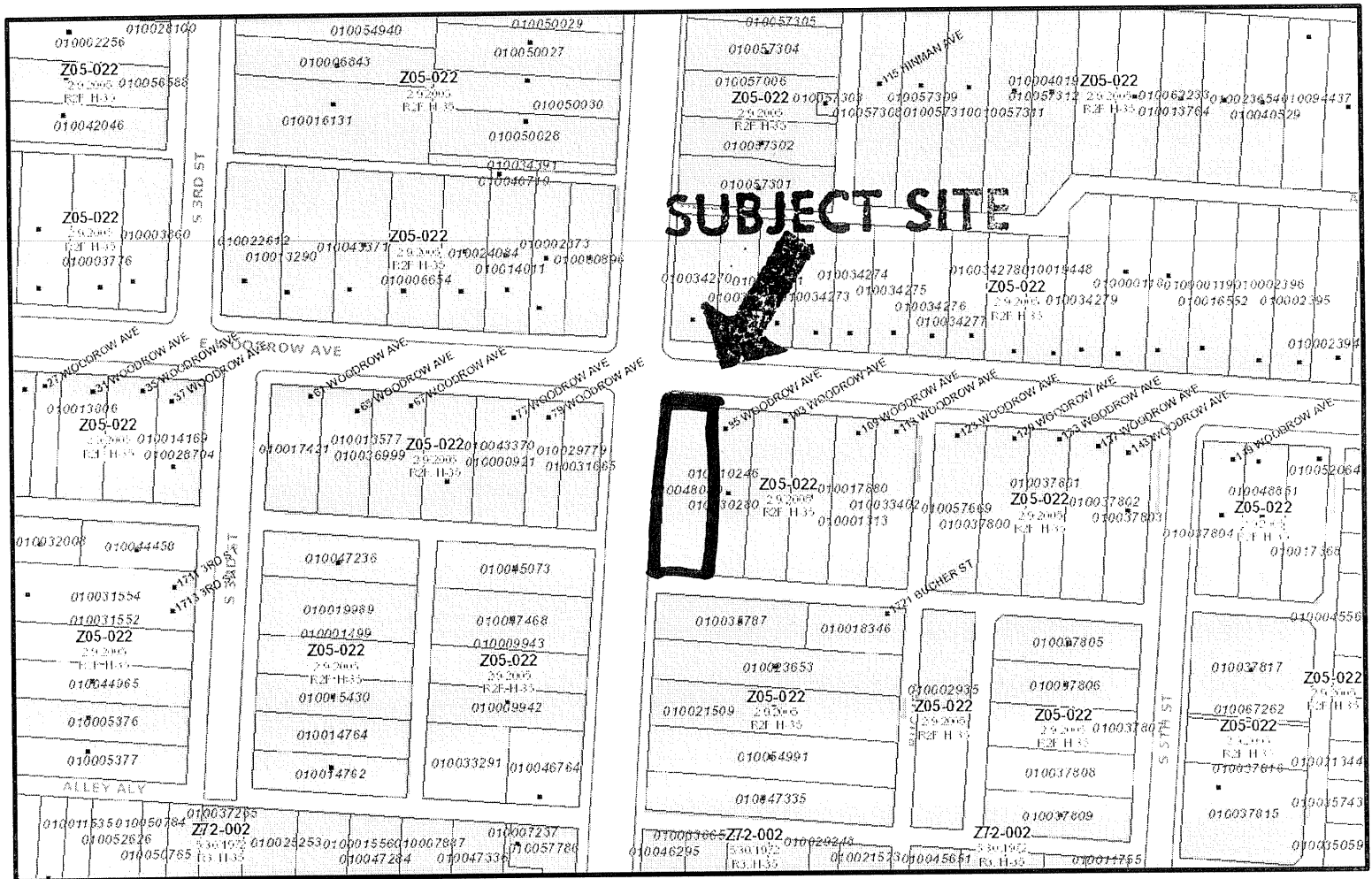
Robert Neymeyer
Karen Neymeyer
1734 S. 4th St.
Columbus, OH 43207

ALSO NOTIFY

David B. Perry
David Perry Co., Inc.
145 East Rich Street, 3rd Floor
Columbus, OH 43215

Joseph A. McCabe
The NRP Group LLC
5300 Transportation Boulevard
Cleveland, OH 44125

Zoning Map
City of Columbus, Ohio



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93 E. Woodrow Ave.
R-2F Z05-022

12310-00423
93 E. Woodrow Ave.



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STATEMENT OF HARDSHIP

12310-00423
93 E. Woodrow Ave.

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 does 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:

The site is part of the Southern Gateway Homes (SGH) project. The SGH project is a collaborative effort between The NRP Group LLC, the City of Columbus and Community Development for All People to build 40 new single family homes on scattered sites generally in the area between South High Street, Parsons Avenue, Morrill Avenue and Hosack Street. Many of the lots are City of Columbus Land Bank lots. This site is a narrow corner lot as was typical of urban subdivisions platted many decades ago. The lot is typical of other corner lots in the area. Applicant proposes to build a new single family dwelling with an open front porch. Part of the dwelling and part of the open front porch is located in the clear vision triangle for residential lots at public street intersections. There are many existing homes on corner lots that are partially located in the clear vision triangle. The proposed construction is consistent with the prevailing location of single family homes on corner lots and is consistent with the prevailing style of homes having open porches. Applicant has a practical difficulty with building a single family dwelling on the parcel while maintaining prevailing setback and design characteristics of the neighborhood and of corner lots. Applicant requests a variance to Section 3321.05 (B)(2), Vision Clearance to permit the construction of a single family dwelling with open porch partially located in the clear vision triangle of the two applicable public streets, as depicted on the submitted site plan.

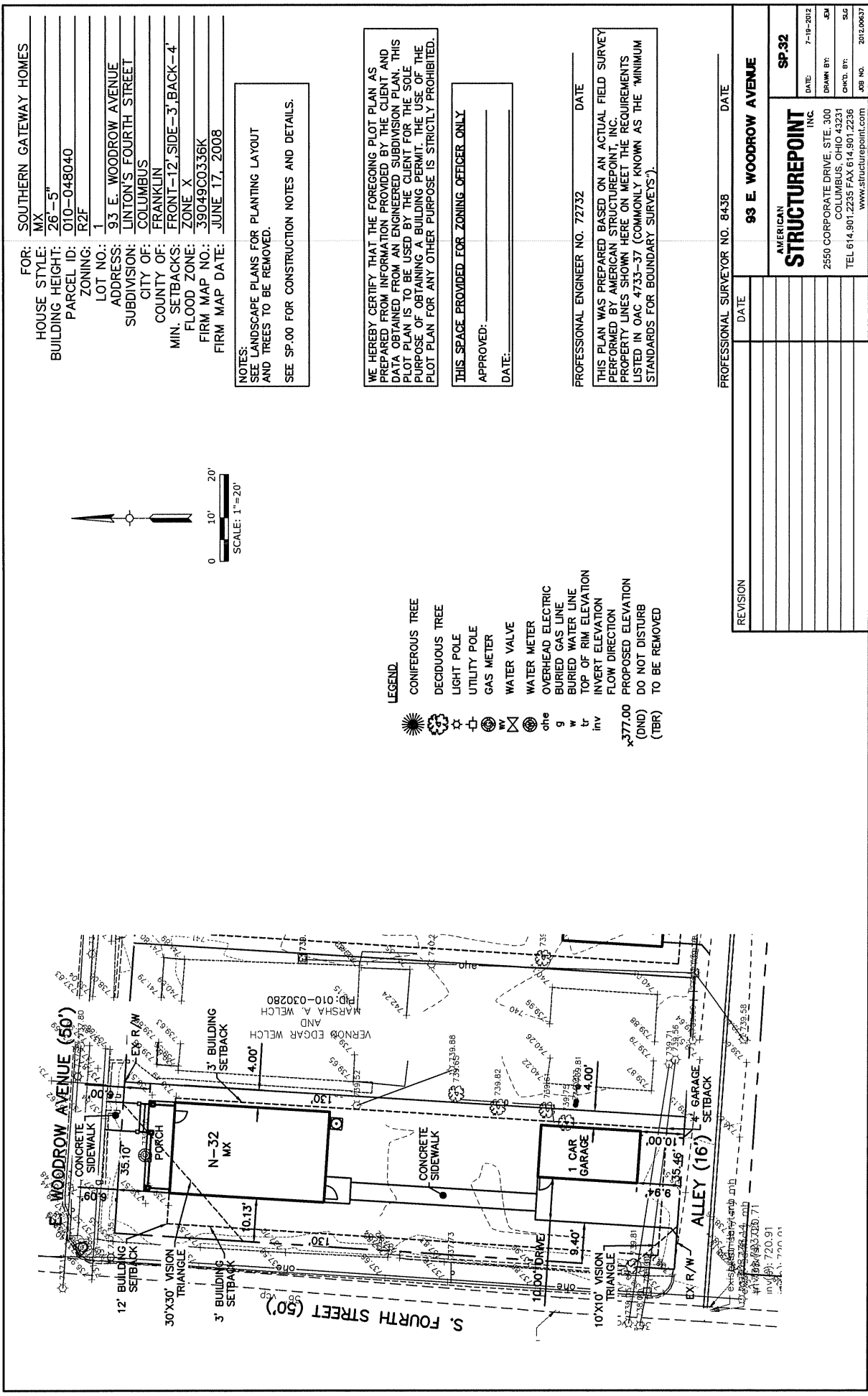
Signature of Applicant

Donald Shank

Date

July 18, 2012

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FOR: SOUTHERN GATEWAY HOMES
HOUSE STYLE: MX
BUILDING HEIGHT: 26'-5"
PARCEL ID: 010-048040
ZONING: R2F
LOT NO.: 1
ADDRESS: 93 E. WOODROW AVENUE
SUBDIVISION: LINTON'S FOURTH STREET
CITY OF: COLUMBUS
COUNTY OF: FRANKLIN
MIN. SETBACKS: FRONT-12', SIDE-3', BACK-4'
FLOOD ZONE: ZONE X
FIRM MAP NO.: 39049C0336K
FIRM MAP DATE: JUNE 17, 2008

NOTES:
SEE LANDSCAPE PLANS FOR PLANTING LAYOUT
AND TREES TO BE REMOVED.
SEE SP.00 FOR CONSTRUCTION NOTES AND DETAILS.

WE HEREBY CERTIFY THAT THE FOREGOING PLOT PLAN AS
PREPARED FROM INFORMATION PROVIDED BY THE CLIENT AND
DATA OBTAINED FROM AN ENGINEERED SUBDIVISION PLAN. THIS
PLOT PLAN IS TO BE USED BY THE CLIENT FOR THE SOLE
PURPOSE OF OBTAINING A BUILDING PERMIT. THE USE OF THE
PLOT PLAN FOR ANY OTHER PURPOSE IS STRICTLY PROHIBITED.

THIS SPACE PROVIDED FOR ZONING OFFICER ONLY
APPROVED: _____
DATE: _____

PROFESSIONAL ENGINEER NO. 72732 DATE

THIS PLAN WAS PREPARED BASED ON AN ACTUAL FIELD SURVEY
PERFORMED BY AMERICAN STRUCTUREPOINT, INC.
PROPERTY LINES SHOWN HERE ON MEET THE REQUIREMENTS
LISTED IN OAC 4733-37 (COMMONLY KNOWN AS THE "MINIMUM
STANDARDS FOR BOUNDARY SURVEYS").

REVISION	DATE	PROFESSIONAL SURVEYOR NO. 8438	DATE
		93 E. WOODROW AVENUE	
		AMERICAN STRUCTUREPOINT INC.	SP.32
		2550 CORPORATE DRIVE, STE. 300	DATE: 7-18-2012
		COLUMBUS, OHIO 43231	DRAWN BY: JMA
		TEL 614.901.2235 FAX 614.901.2236	CHECKED BY: SLS
		www.structurepoint.com	JOB NO. 2012.00637

12310-00423
93 E. Woodrow Ave.

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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

12310-00423

93 E. Woodrow Ave.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald Plank
of (COMPLETE ADDRESS) Plank Law Firm, 145 East Rich Street, Fl 3, 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

The NRP Group LLC

c/o Joseph M. McCabe

5309 Transportation Blvd., Cleveland, OH 44125

City of Columbus

c/o John M. Turner

Land Redevelopment Office, Development Department

109 N. Front Street, Columbus, OH 43215

SIGNATURE OF AFFIANT

Donald Plank

Subscribed to me in my presence and before me this 18th day of JULY, in the year 2012

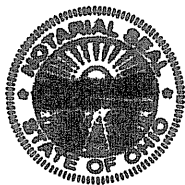
SIGNATURE OF NOTARY PUBLIC

Barbara A. Painter

My Commission Expires:

AUGUST 3, 2015

Notary Seal Here



BARBARA A. PAINTER
Notary Public, State of Ohio
My Commission Expires AUGUST 3, 2015

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