



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: 12310-0-00424
Date Received: 7/19/12
Commission/Group: South Side
Existing Zoning: R-2F Application Accepted by: R. Reiss 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 393 East Woodrow Avenue

City Columbus

State OH

Zip 43207

Parcel Number (only one required) 010-019566

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 Schlater Family Homes LLC c/o The NRP Group LLC (Joseph M. McCabe)

Address 5300 Transportation Boulevard

City/State Cleveland, OH

Zip 44125

Phone # (216) 475-8900 ext. 1850

Fax # (216) 584-2531

Email JMcCabe@nrpgroup.com

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

PROPERTY OWNER SIGNATURE

ATTORNEY / AGENT SIGNATURE

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 393 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

(4) Schlater Family Homes LLC c/o The NRP Group LLC (Joseph M. McCabe)

AND MAILING ADDRESS

5300 Transportation Boulevard

Columbus, OH 44125

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

The NRP Group LLC c/o Donald Plank, Plank Law Firm

(614) 947-8600

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)

Donald Plank

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

SIGNATURE OF NOTARY PUBLIC

(8)

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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EXHIBIT A, Public Notice
393 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

Schlater Family Homes LLC
c/o Margaret E. Schlater
6220 Olentangy River Road
Worthington, OH 43085

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

Orfeo Co.
Elizabeth Noesner
2672 Eastcleft Dr.
Columbus, OH 43221

Lynne R. Holmes
371 Woodrow Ave.
Columbus, OH 43207

William E. Bowe
394 E. Woodrow Ave.
Columbus, OH 43207

Eugene Baldwin
377 E. Woodrow Ave.
Columbus, OH 43207

Lindsey N. Green
378 Woodrow Ave.
Columbus, OH 43207

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

Buddy Howell
1793 Goethe St.
Columbus, OH 43207

Ron McCarty
5515 Clover Valley Rd.
Johnstown, OH 43031

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

Ronald S. Gilmore
767 W. Rich St. 767
Columbus, OH 43222

James Leadingham
Ray VanWynsberghe
PO Box 67
Delaware, OH 43015

Franklin D. Burton
Dorothy L. Burton
1789 Goethe St.
Columbus, OH 43207

Thomas A. Bailey
Trixie A. Bailey
1755 Parsons Ave.
Columbus, OH 43207

Margie E. Friddle, TR
4485 Lockbourne Rd.
Columbus, OH 43207

Schlater Family Homes LLC
Margaret E. Schlater
6220 Olentangy River Rd.
Worthington, OH 43085

Thomas A. Snow
495 Cline St.
Columbus, OH 43206

Victory Deliverance
Church of Christ
6072 Sharon Woods Blvd.
Columbus, OH 43229

Ojimadu A. Ohajuruka
2662 Bella Via Ave.
Columbus, OH 43231

John C. Gutheil
210 Walnut Creek Pike
Circleville, OH 43113

JPMorgan Chase Bank National Assn.
Chase Home Finance LLC
1 Corelogic Dr.
Westlake, TX 76262

Jenny M. Hurley
1785 Goethe St.
Columbus, OH 43207

Tim S. and Eleni Duraj
381 E. Woodrow Ave.
Columbus, OH 43207

Aradamaker Ltd
PO Box 6262
Columbus, OH 43206

Roger D. Schwerman
663 Carpenter St.
Columbus, OH 43205

Kevin E. Noesner
3123 Cranston Dr.
Dublin, OH 43017

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



CITY OF COLUMBUS

DEPARTMENT OF BUILDING AND ZONING SERVICES

12310-00424
393 E. Woodrow Ave.

One Stop Shop Zoning Report Date: Wed Jul 25 2012

General Zoning Inquiries: 614-645-8637

SITE INFORMATION

Address: 393 WOODROWAVE COLUMBUS OH 43207
Mailing Address: 6220 OLENTANGY RIVER RD
WORTHINGTON, OH 43085

Owner: SCHLATER FAMILY HOMES LLC
Parcel Number: 010019566

ZONING INFORMATION

Zoning: Z05-022, Residential, R2F
effective 2/9/2005, Height District H-35
Board of Zoning Adjustment (BZA): N/A
Commercial Overlay: N/A
Graphic Commission: N/A
Area Commission: Columbus Southside Area Commission
Planning Overlay: N/A

Historic District: N/A

Historic Site: No

Council Variance: N/A

Flood Zone: OUT

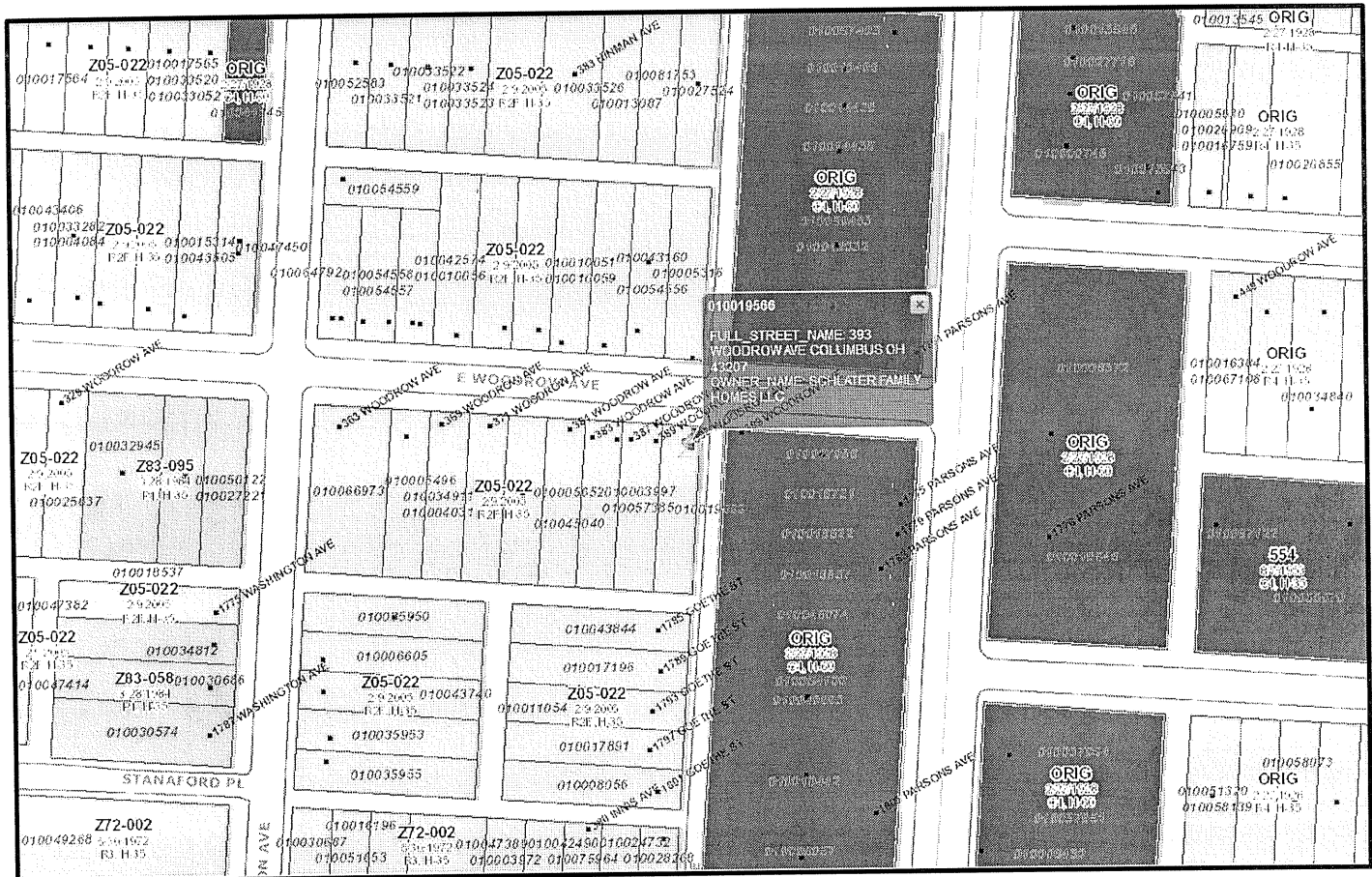
Airport Overlay Environs: N/A

PENDING ZONING ACTION

Zoning: N/A
Board of Zoning Adjustment (BZA): N/A

Council Variance: N/A

Graphic Commission: N/A





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STATEMENT OF HARDSHIP

12310-00424
393 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.

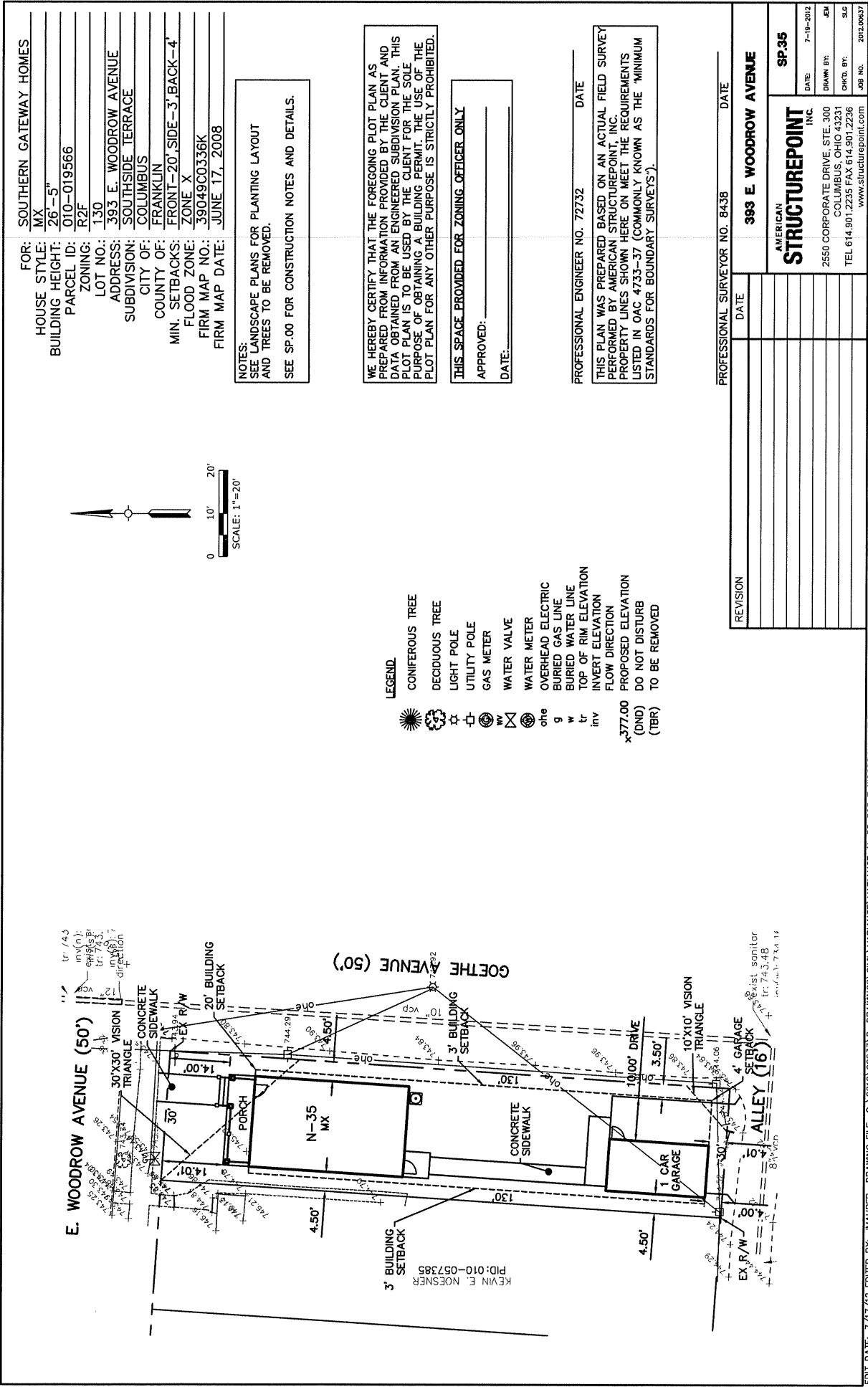
Signature of Applicant

Donald Plank

Date

July 18, 2012

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EDIT DATE: 7/17/12 EDITED BY: JMAURER DRAWING FILE: 0:\2012\00637\0. DRAWINGS\CIVIL\VARIANCE\N-35 393 E WOODROW AVE.DWG

12310-00424

393 E. Woodrow Ave.



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: dbp

DATE: 7/13/12



Disclaimer

Scale = 100



This map is prepared for the real property inventory within this county. survey plats, and other public records and data. Users of this map are no information sources should be consulted for verification of the informati county and the mapping companies assume no legal responsibilities for t Please notify the Franklin County GIS Division of any discrepancies.

12310-00424
393 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 # _____

12310-00424
393 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) 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

Schlater Family Homes LLC	
c/o Margaret E. Schlater	6220 Olentangy River Road
	Worthington, OH 43085

SIGNATURE OF AFFIANT

Donald Plank

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

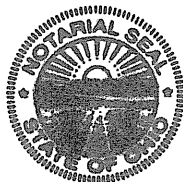
SIGNATURE OF NOTARY PUBLIC

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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