

Date

1/25/10

Application #

10315-00000-00011

CV10-001

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



## COUNCIL VARIANCE APPLICATION

### OFFICE USE ONLY:

Planning Area:

South Side

Received By:

SP

### LOCATION AND ZONING REQUEST:

Certified Address(for Zoning Purposes) 1259 S. High St.

Zip 43206

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 010-065018-00

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

Current Zoning District (s) C-4, Commercial

Recognized Civic Association or Area Commission Columbus Southside Area Commission

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

Proposed Use or reason for Council Variance request: 8 unit dwelling

Proposed Height District:

Acreage

(Columbus City Code Section 3309.14)

APPLICANT: Name DURWOOD A. WARNER

Address 6915 Plum B Rd

City GALENA

Zip 43021

PROPERTY OWNER(S) Name DURWOOD A. WARNER

Address 6915 Plum B Rd

City GALENA

Zip 43021

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

### ATTORNEY / AGENT

☐ Attorney☐ Agent

Name Durwood A. Warner

Address 6915 Plum B Rd

City Galena

Zip 43021

Phone # 614-371-5814

Fax #

Email woodstack1259@insight.rr.com

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

Applicant Signature

Durwood A. Warner

Property Owner Signature

Durwood A. Warner

Attorney / Agent 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.

CV10-001



## AFFIDAVIT

(See reverse side for instructions)

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME DURWOOD A. WARNER  
of (1) MAILING ADDRESS 6915 Plum RD. GALENA, OH 43021  
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 1259 S. HIGH ST.  
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) 1/25/10  
(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNER'S NAME  
AND MAILING ADDRESS

(4) DURWOOD A. WARNER  
6915 Plum RD.  
GALENA, OH 43021

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

DURWOOD A. WARNER  
(740) 936-8002

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

(5) Columbus Southside Area Commission  
Debra Diggins  
1312 Linwood, Columbus, OH 43207

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

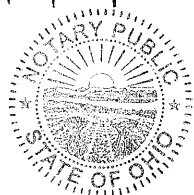
Subscribed to me in my presence and before me this 22 day of JAN, in the year 2010

SIGNATURE OF NOTARY PUBLIC

My Commission Expires: 08/25/2014

(8) Che A. Smith  
CHE A. SMITH

Notary Seal Here



CHE A. SMITH  
Notary Public, State of Ohio  
My Commission Expires

CV10-001

1251 S. High St. 010-007946  
David Merz  
1251 S. High St.  
Columbus, OH 43206

1269 S. High St. 010-039135  
LG Terrier LLC  
1269 S. High St.  
Columbus, OH 43206

1259 S. High St. 010-065018  
Durwood Warner  
6915 Plumb Rd.  
Galena, OH 43021

1210 Front St. 010-012700  
Mathews Properties  
1250 S. Front St.  
Columbus, OH 43206

1291 S. High St. 010-053996  
Catherine P. Tucker  
5316 Castle Pnes  
Columbus, OH 43235

1264 S. High St 010-017202  
1262-1272 S. High St. LLC  
910 S. High St.  
Columbus, OH 43206

1282 – 288S High St. 010-055837  
Pandya Hitesh H.  
5238 Cascade Dr.  
Powell, OH 43065

1258 S. High St. 010-018848  
Vesha Harvey  
4796 Inisheer Ct.  
Dublin, OH 43017

1212 S. Front St. 010-057887  
Danfer Vera  
2670 Canterbury Rd.  
Columbus, OH 43221

1201 S. High St. 010-025005  
Scott Schiff  
88 W. Main St.  
Columbus, OH 43215

1247 S. High St. 010-034826  
Carl J. Meyer & Janet M. Craycraft  
1243 S. High St.  
Columbus, OH 43206

## Statement of Hardship for 1259 S. High Street, Columbus, OH

The apartment building at 1259 S. High Street has been 8-units for more than 50 years, but the city of Columbus records show it as a 6-unit building.

The building has four apartment on the first floor and four identical apartments on the second floor.

The building is in contract at present, but because the appraisal indicated that the City of Columbus records show it as six units not eight, the lender of the buyer would not approve the loan; so the contract is on hold pending the requested changes.

Since this building has operated as an 8-unit apartment building since at least the 1950's, I am requesting city records be changed to reflect the real and actual use.

### Requested Variances:

3356.03 Use to permit 1<sup>st</sup> floor as residential

The first floor has four apartment that are identical to the four apartments on the Second floor.

3342.28 To reduce required parking to 7.

Currently, out of eight tenants, only two have vehicles. I have owned the Building since 1997 and the most tenants who have owned vehicles at any given Time was five. (There is also on-street parking in front of the building.)

3342.24 Surface to allow existing gravel.

In 2009, I had 15 tons of stones spread on the parking lot surface and in the Driveway. Property to the north also has a gravel driveway.

3342.26 Wheel stops to eliminate where parking spaces end at lot line.

The property on the southside of my property has railroad ties separating the two Parking lots. There is grass that needs to mowed between the front of the cars and The neighbor's railroad ties; the wheel stops would make it more difficult to mow The grass.

3342.08 Reduce driveway width from 10ft to 9.3ft.

According to the survey, the current driveway is 9.3 feet and is functioning well.

I purchased the apartment building in 1997 and did not have any knowledge of this discrepancy at that time.

Since purchasing the apartment building, I have replaced all of the windows with updated and more energy efficient double pain windows, and had a new roof installed. In 2009, I had another new roof installed due to wind damage from hurricane Ike. The building has been upgraded and maintained each year to increase rents and income and to help improve the neighborhood and community.

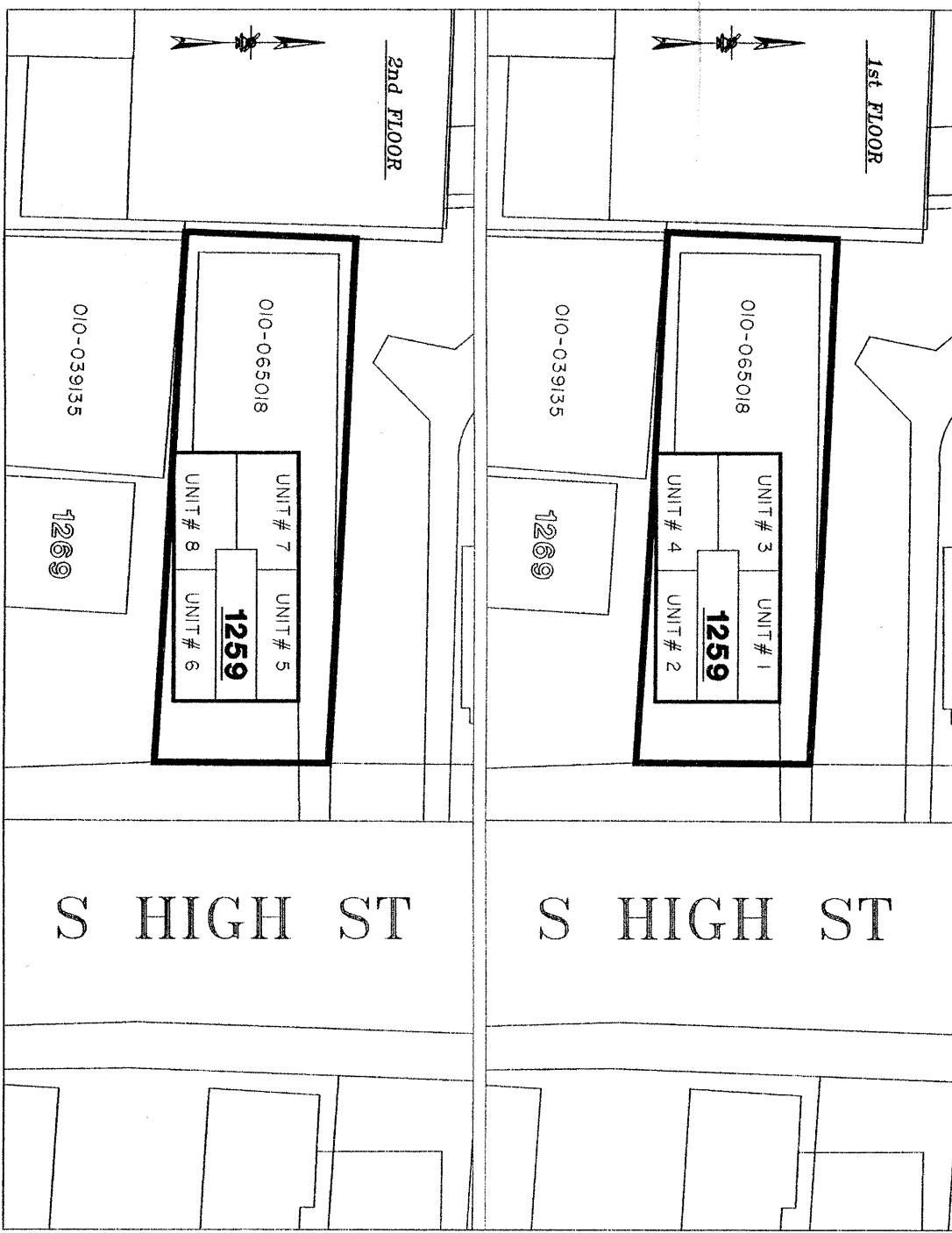
Most tenants like the fact that the apartment building is on the COTA bus line.

Prepared by:

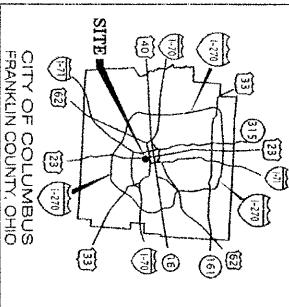
Durwood A. Warner, Owner  
1259 S. High St.  
Columbus, OH 43206

 1-25-10

ASSIGNMENT OF APARTMENT ADDRESSES WITHIN THE CITY OF COLUMBUS, OHIO



OTHER MAP REFERENCES	
CITY LAND USE MAP:	36-C
GIS FACET NUMBER:	182857050



Issued by *Patricia A. Austin* 01/14/10

PATRICIA A. AUSTIN, P.E. ADMINISTRATOR

PLANNING & OPERATIONS DIVISION

109 N. FRONT ST.

COLUMBUS, OH. 43215

ADDRESS FILE NUMBER - 06-039

DEVELOPED BY:	DURWOOD A. WARNER
ENGINEERING CONSULTANT:	DURWOOD A. WARNER
ORIGINAL PARCEL NUMBER:	010-065018
DRAWN BY:	JPR
CHECKED BY:	PYS

8-UNIT APARTMENT BUILDING

1269 S. HIGH STREET

010-061

## EXHIBIT "A"

Situated in the state of Ohio, County of Franklin and in the City of Columbus:

Being a part of Half Section No. 29, Township No. 5, Range 22, and being also a part of Lot No. 4, containing 13 acres, 0 rods and 19 square poles of land of the Plat of the lands of the late Andrew Schneider, deceased, made in certain proceedings in the Probate Court of said County wherein James Cherry, Administrator of said Schneider, deceased, was Plaintiff, and the heirs of said decedent were defendants. (See Comp. Record No. 2, page 185, said Court)

Beginning at a point in the west line of South High Street located 183.15 feet south of an iron pin on the north line of said Lot 4; thence in a southerly direction along the west line of South High Street 50 feet to a stake; thence in a westerly direction and parallel to the north line of said Lot 155 feet to a stake; thence in a northerly direction and parallel to the west line of South High Street, 50 feet to a point; thence in an easterly direction and parallel to the north line of said Lot 4, 155 feet to the place of beginning, known as 1259 South High Street, Columbus, Ohio.

Parcel No. 010-065018-00

1259 S. High Street, Columbus, OH 43206

# MORTGAGE LOCATION SURVEY

**TITLE COMPANY:** LAND AND MORTGAGE TITLE AGENCY  
**LENDER:** WESTERN CREDIT UNION  
**BUYER:** DAVID AND JUDITH PERKS  
**SELLER:** DURWOOD A WARNER  
**DATE:** 12/14/09  
**ORDER NO.:** 903-09

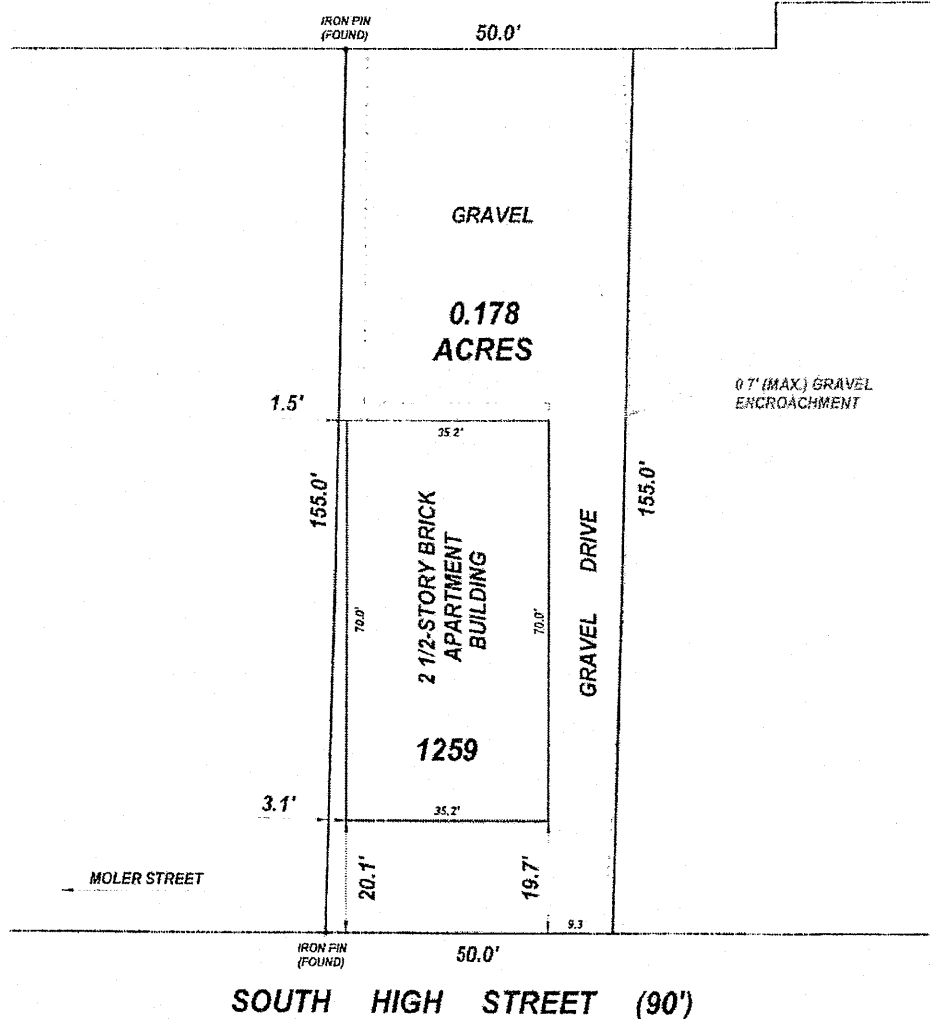
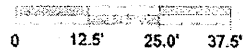
**LEGAL DESCRIPTION:** BEING 0.178 ACRES, CITY OF COLUMBUS, COUNTY OF FRANKLIN, STATE OF OHIO

**PARCEL NO** 010-065018-00      **TITLE CO FILE NO** 09120011



**APPARENT ENCROACHMENTS:** GRAVEL DRIVE 0.7' (MAX) OVER PROPERTY LINE

**SCALE:** 1" = 25'



**ERLENBACH**  
**LAND**  
**SURVEYING**

635 Park Meadow Road, Suite 205  
 Westerville, Ohio 43081  
 Phone: (614)891-5888  
 Fax: (614)891-5889  
 ErlenbachSurveying@sbcglobal.net

We hereby certify that the foregoing MORTGAGE LOCATION SURVEY was prepared in accordance with Chapter 4733-38, Ohio Administrative Code and is not a boundary survey pursuant to Chapter 4733-37 Ohio Administrative Code. This plat is prepared for mortgage loan and title purposes only and does not show the location of fences or landscaping. This plat is not to be used for the construction of any improvements.

By

G. Dean Erlenbach  
 Ohio Registered Surveyor No. 7272



CV10-001

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# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: DAR

DATE: 1/14/10



Disclaimer

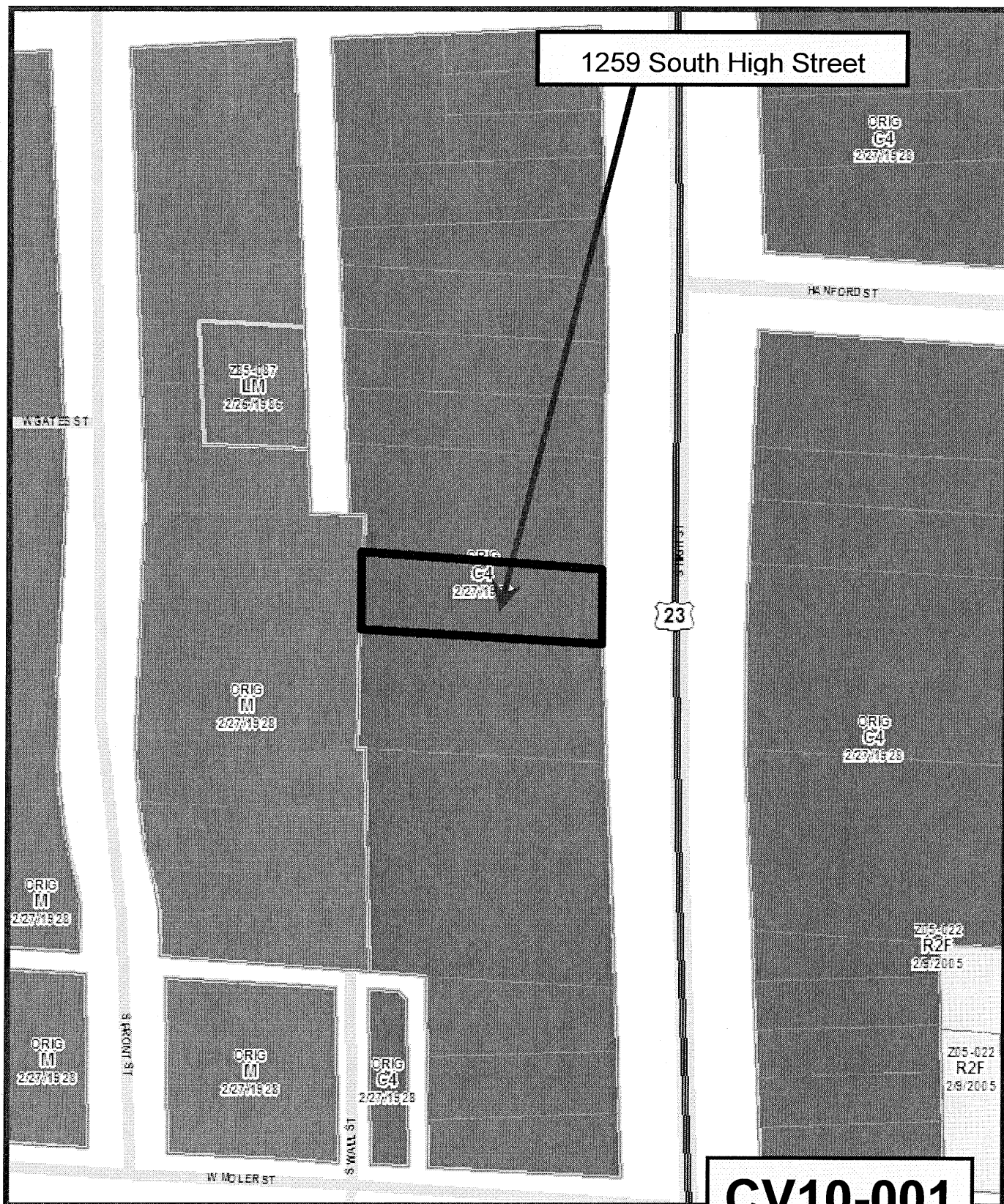
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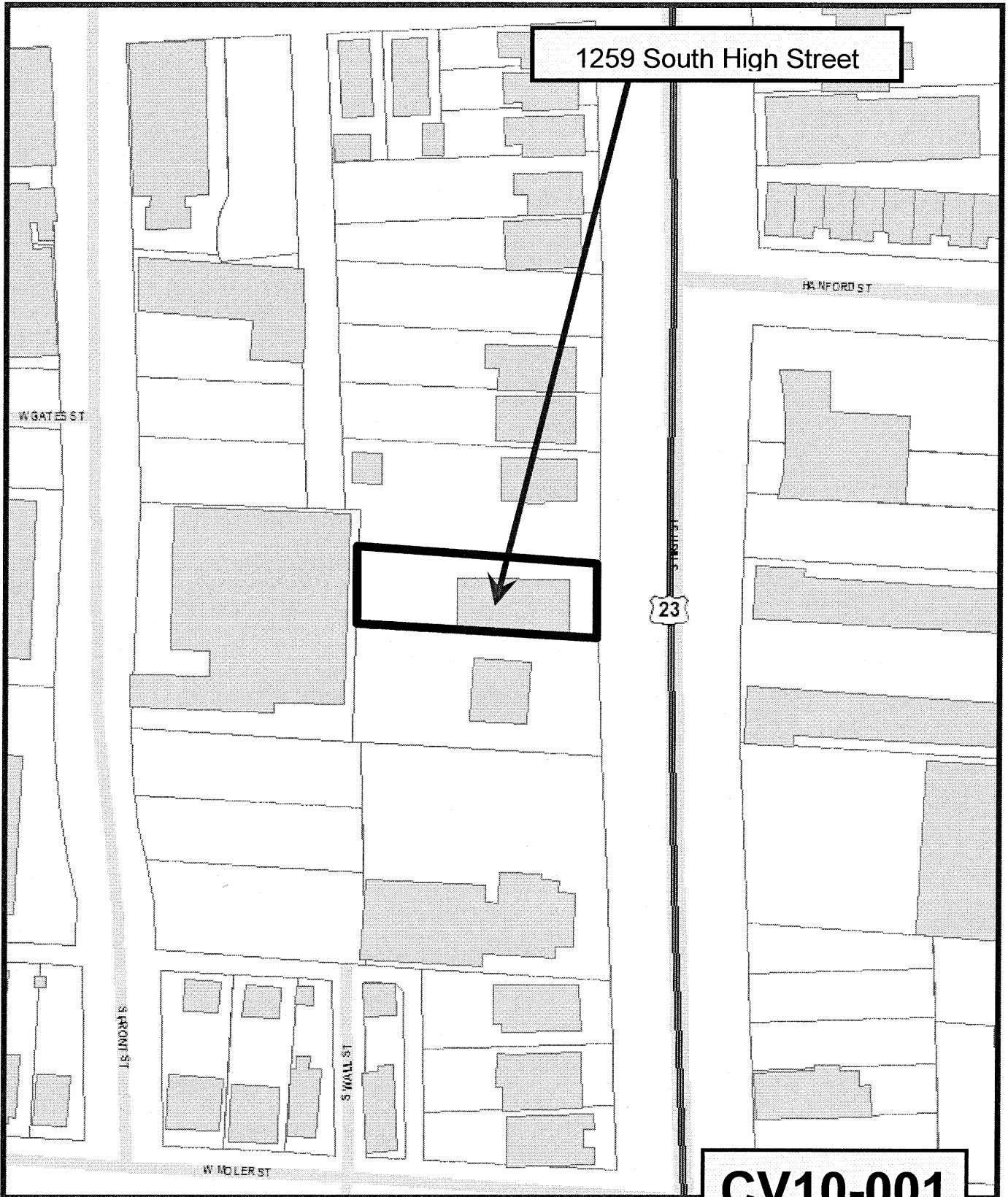
This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on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





**CV10-001**

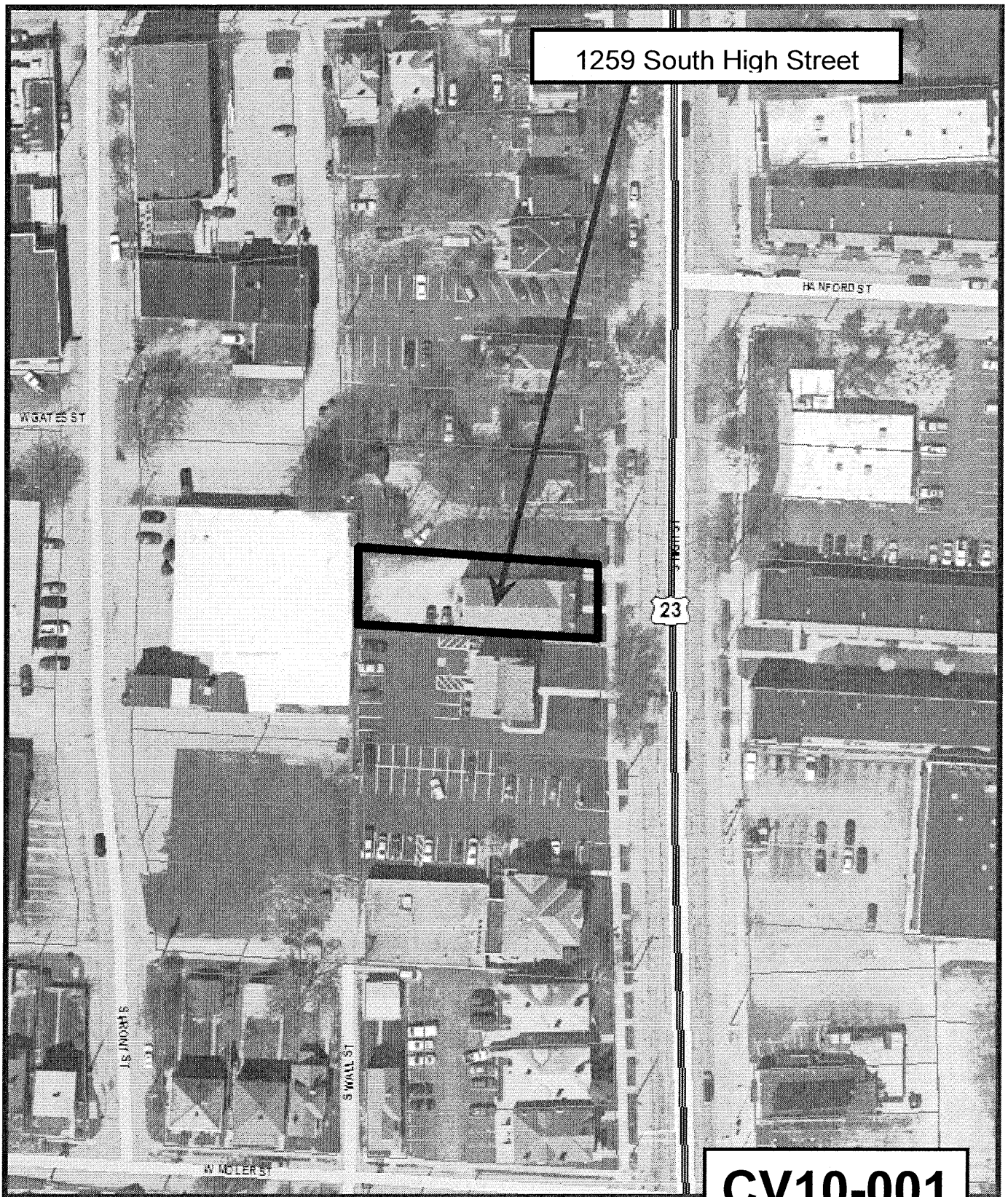


1259 South High Street

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1259 South High Street



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