COUNCIL VARIANCE APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433• www.columbus.gov

Mayor Michael B. Coleman

OFFICE USE ONLY

Application Number: CV13-013/13315-00000-00121
Date Received: 2/25/13
Application Accepted By: S. Pine Fee: $1920
Comments: Assigned to Shannon Pine, 645-2208, spine@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 1850 Dividend Drive, Columbus, Oh Zip 43228

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: 560-277718-00

☐ Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s): M-2

Recognized Civic Association or Area Commission:

Proposed use or reason for Council Variance request: Church

Acreage: 2.159

APPLICANT: Name Robert del M. Castillo

Address 1850 Dividend Drive City/State Columbus, Ohio Zip 43228

Phone # 614-527-8655 Fax # 614-771-2900 Email: robert@ministerioscristorey.org

PROPERTY OWNER(S): Name Coronado Investments LLC - Attn: Maria de Lourdes Coronado

Address 7351 Roberts Road City/State Hilliard, Ohio Zip 43026

Phone # 614-771-5000 Fax # 614-771-2900 Email: robert@ministerioscristorey.org

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

ATTORNEY / AGENT ☒ Attorney ☐ Agent

Name D.J. Young III; Firestone, Brehm, Wolf, Whitney & Young, LLP

Address 15 West Winter Street City/State Delaware, Ohio Zip 43015

Phone # 740-363-1213 Fax # 740-369-0875 Email: djyoung@fbylaw.com

SIGNATURES (ALL SIGNATURES MUST BE SIGNED IN BLUE INK)

APPLICANT SIGNATURE Robert del M. Castillo

PROPERTY OWNER SIGNATURE X Maria Coronado

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.

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.
For all questions regarding this form and fees please call: 614-645-4522
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Revised 02/14/11

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CV13-013

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 statement

Signature of Applicant Robert del M Castello Date 2-4-13
x Maria Cerrato

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CV13-013

Statement of Hardship

My name is Robert del M. Castillo and I am the founder and pastor of Cristo Rey Ministries. I am also the owner of Majestic Drywall, which is a residential and commercial drywall business in Columbus, Ohio. Majestic Drywall has operated its business for several years at 1850 Dividend Drive, Columbus, Ohio 43228. The owner of the building, Coronado Investments LLC, is owned by my wife, Maria. The nature of my drywall business has changed, over time, with the downturn in the economy, but we are doing well, anyway, and we have expanded into another building in the same industrial park that the property at 1850 Dividend Drive is located.

With the help and grace of God, my wife and I founded a Spanish-language Christian Church. The congregation is not wealthy, as many of our parishioners are immigrants or first generation Americans, working hard to pursue the American Dream. The congregation grew to the point where we knew it would need a lot of space, but it did not have the money to acquire or rent space. So, my wife and I have donated much of the space in the building at 1850 Dividend Drive for use as worship hall for our congregation. Our congregation functions much like any other church, meeting on Sundays for praise and worship and Christian education. Sometimes Bible studies and Christian education happen on other nights of the week. The space at 1850 Dividend Drive would be very useful the Cristo Rey Ministries on an ongoing basis because it is a little bigger than we need at present, but gives the congregation to grow and save money until it can buy or build a building of its own. Once that happens, which I expect to be in about three years, Majestic Drywall will re-expand into the space and use it for construction warehousing purposes consistent with M2 zoning.

The properties neighboring 1850 Dividend Drive are warehouses. Our church use does not interfere with their usages. Indeed, they mostly function during the business week during business hours. On the other hand, our church mostly functions on Sundays, with some evenings during the week for Bible studies, prayer, Christian pre-marital counseling and related church activities.

Cristo Rey Ministries will not change the exterior dimensions of the building or parking lots at 1850 Dividend Drive. It will represent a decrease in street usage relative to my drywall business that operated out of that building. It presents a lower risk of fire or danger than typical M2 uses, and it will not diminish the morals or welfare of the inhabitants of the City of Columbus.

Because adult entertainment venues are assembly-type uses permitted in the M2 zoning district, I cannot see why a church (also an assembly-type of use) could not be permitted in the M2 zoning district. And, I believe that the church fits perfectly into the M2 district pursuant to the Religious Land Use and Institutionalized Persons Act, 42 U.S.C. Sec. 2000cc(b)(1) because of this other type of use already permitted in M2.

I pray that you have mercy on us. Cristo Rey Ministries is a beautiful work of God and man to improve the spiritual lives of some of the newest members of our Columbus community. I promise you

that we will not let you down in any way and our efforts will contribute to the friendliness and greatness of the City of Columbus. Thank you.

Very truly yours, in Christ,

Robert del M. Castillo

Robert del M. Castillo
Pastor
Christo Rey Ministries

Mayor Michael B. Coleman

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AFFIDAVIT

(See next page for instructions)

APPLICATION # CV13-013

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Robert del M. Castillo
of (1) MAILING ADDRESS 1850 Dividend Drive, Columbus, Ohio 43228
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 CERTIFIED ADDRESS FOR ZONING PURPOSES
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) 2/25/13
(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME AND MAILING ADDRESS

(4) Coronado Investments LLC
Attn: Maria de Lourdes Coronado
7351 Roberts Road
Hilliard, Ohio 43026

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

Robert del M. Castillo
614-527-8655

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

(5) Not Applicable

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)

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

SIGNATURE OF AFFIANT (8) Robert del M. Castillo * Maria Cuebo

Subscribed to me in my presence and before me this 4th day of February, in the year 2013

SIGNATURE OF NOTARY PUBLIC (8)

My Commission Expires: 09-02-2014

NOTARIAL SEAL STATE OF OHIO

Notary Seal Here Robert D Chambers
Notary Public, State of Ohio
My Commission Expires 09-02-2014

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Revised 02/14/11

CU13-013

Affidavit Item #5

"Names and complete mailing addresses of any and all owners of record within 125 feet"

1. Best Supply Properties LLC
   8620 Tyler Boulevard
   Mentor, OH 44060

2. BRE/DP OH LLC
   2 North Riverside PLZ #2350
   Chicago, IL 60606

3. Birchwood Meat & Provision Inc.
   P.O. Box 639
   Kenosha, WI 53141

3. Welsh Westbelt LLC
   1900 Midwest Plaza
   Minneapolis, MN 55343

Easy Peel® Labels
Use Avery® Template 5160®

Feed Paper

Bend along line to expose Pop-Up Edge™

AVERY® 5160®

Applicant

Robert del M. Castillo
1850 Dividend Drive
Columbus, OH 43228

Property Owner

Coronado Investments LLC
Attn: Maria de Lourdes Coronado
7351 Roberts Road
Hilliard, OH 43026

Attorney

D. J. Young III
Firestone Brehm Wolf Whitney & Young
15 West Winter Street
Delaware, OH 43015

Area Commission or Neighborhood Group

Not Applicable

Best Supply Properties LLC
8620 Tyler Boulevard
Mentor, OH 44060

BRE/DP OH LLC
2 North Riverside PLZ #2350
Chicago, IL 60606

Birchwood Meat & Provision Inc.
P.O. Box 639
Kenosha, WI 53141

Welsh Westbelt LLC
1900 Midwest Plaza
Minneapolis, MN 55343

CU13-013

Étiquettes faciles à peler
Utilisez le gabarit AVERY® 5160®

Sens de chargement

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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 # CV13-013

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] Robert del M. Castillo

Of [COMPLETE ADDRESS] 1850 Dividend Drive, Columbus, Ohio 43228
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 or individual's address
Address of corporate headquarters
City, Sate, Zip
Number of Columbus based employees
Contact name and number

1. Cristo Rey Ministries Inc. 1850 Dividend Drive Columbus, Ohio 43235 # of Employees: 2-3 Contact: Robert del M. Castillo 614-527-8655	2. Coronado Investments LLC 7351 Roberts Road Hilliard, Ohio 43026 # of Employees: 0 Contact: Maria de Lourdes Coronado 614-771-5000
3.	4.

☐ *Check here if listing additional parties on a separate page.*

Robert del M Castillo & Maria Coronado
SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 4th day of February, in the year 2013

SIGNATURE OF NOTARY PUBLIC

My Commission Expires: 09-02-2014

NOTARIAL SEAL OF OHIO

Robert D Chambers
Notary Public, State of Ohio
My Commission Expires 09-02-2014

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

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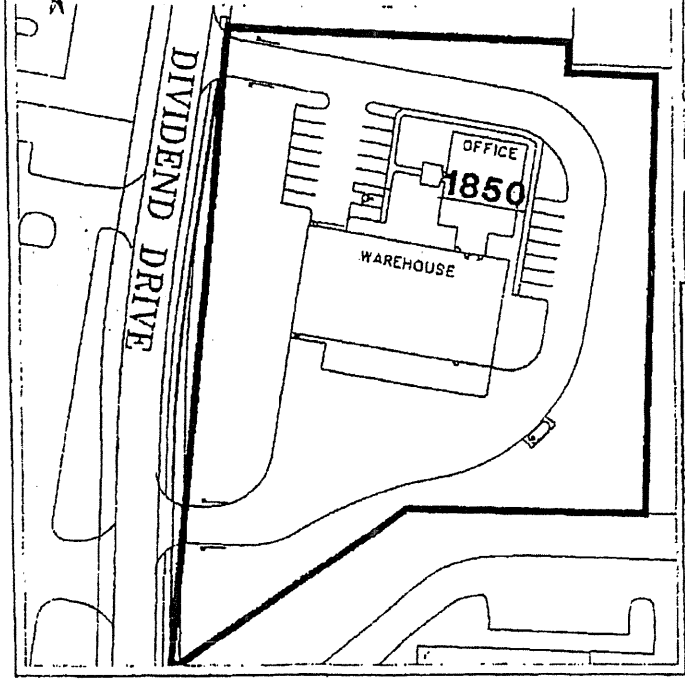
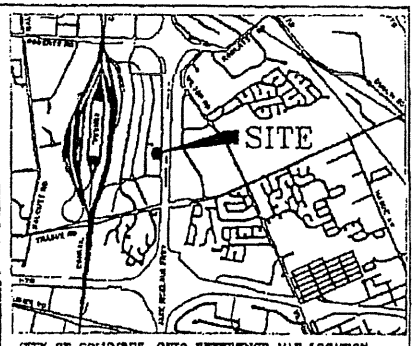
Revised 02/14/11

CU13-013

CITY OF COLUMBUS ADDRESS PLAT





CITY OF COLUMBUS, OHIO REFERENCE MAP LOCATION

OTHER MAP REFERENCES	
CITY LAND USE MAP:	26-C
GIS FACET NUMBER:	179357250

CERTIFIED HOUSE NUMBERS

HOUSE NUMBERS SHOWN ON ATTACHED PLATE ARE CERTIFIED FOR SECURING OF BUILDING & UTILITY PERMITS

issued by [signature] Date 7/21/05

PATRICIA A. AUSTIN P.E., ADMINISTRATOR
TRANSPORTATION DIVISION
COLUMBUS, OHIO

ADDRESS FILE NUMBER - 99-071

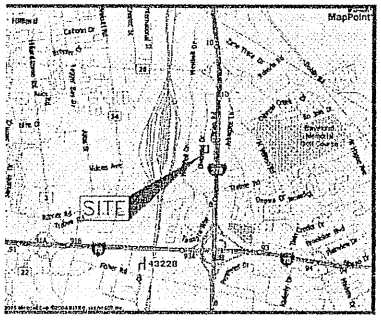
DEVELOPED BY:	SMALL BROTHERS PARTNERS
ENGINEERING CONSULTANT:	SITE ENGINEERING

MAJESTIC DRYWALL
1850 DIVIDEND DRIVE

PARCEL NO.	580-109044
NORTH OF	TRABUE ROAD

Plot by: ALFRED CASTRON Jul 21,2005 - 11:25am K:\Legacy\ADDRESS\99-Plats\99-071 (DEA) WESTHILL.1 ver 01-17-03 dwg

JUL-21-05 THU 11:23 AM P.02 FAX NO. P.02 JUL-21-2005 11:47 P.02


MapPoint
SITE
Reynoldsburg Municipal Golf Course
Fairwood Blvd
Fairwood Dr
Fairwood Ct
Fairwood Pl
Fairwood Ln
Fairwood Cir

Clarence E. Mingo, II
Franklin County Auditor

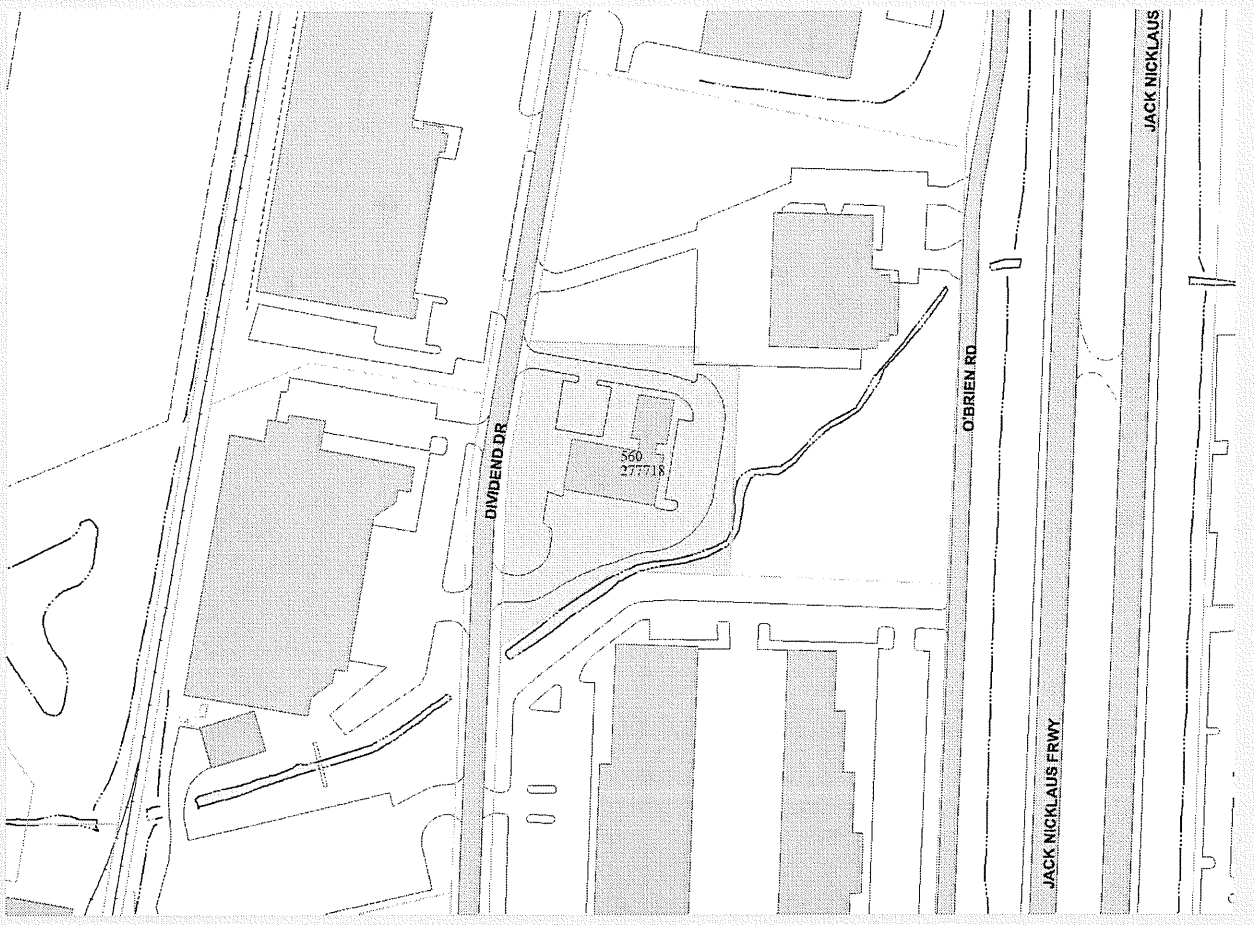
CV13-013

Property Report

Generated on 03/05/13 at 10:30:20 AM

Parcel ID	Map Routing No		Card No	Location		
560-277718-00	**560-O063G**	**-006-01**	**1**	**1850**	**DIVIDEND**	**DR**

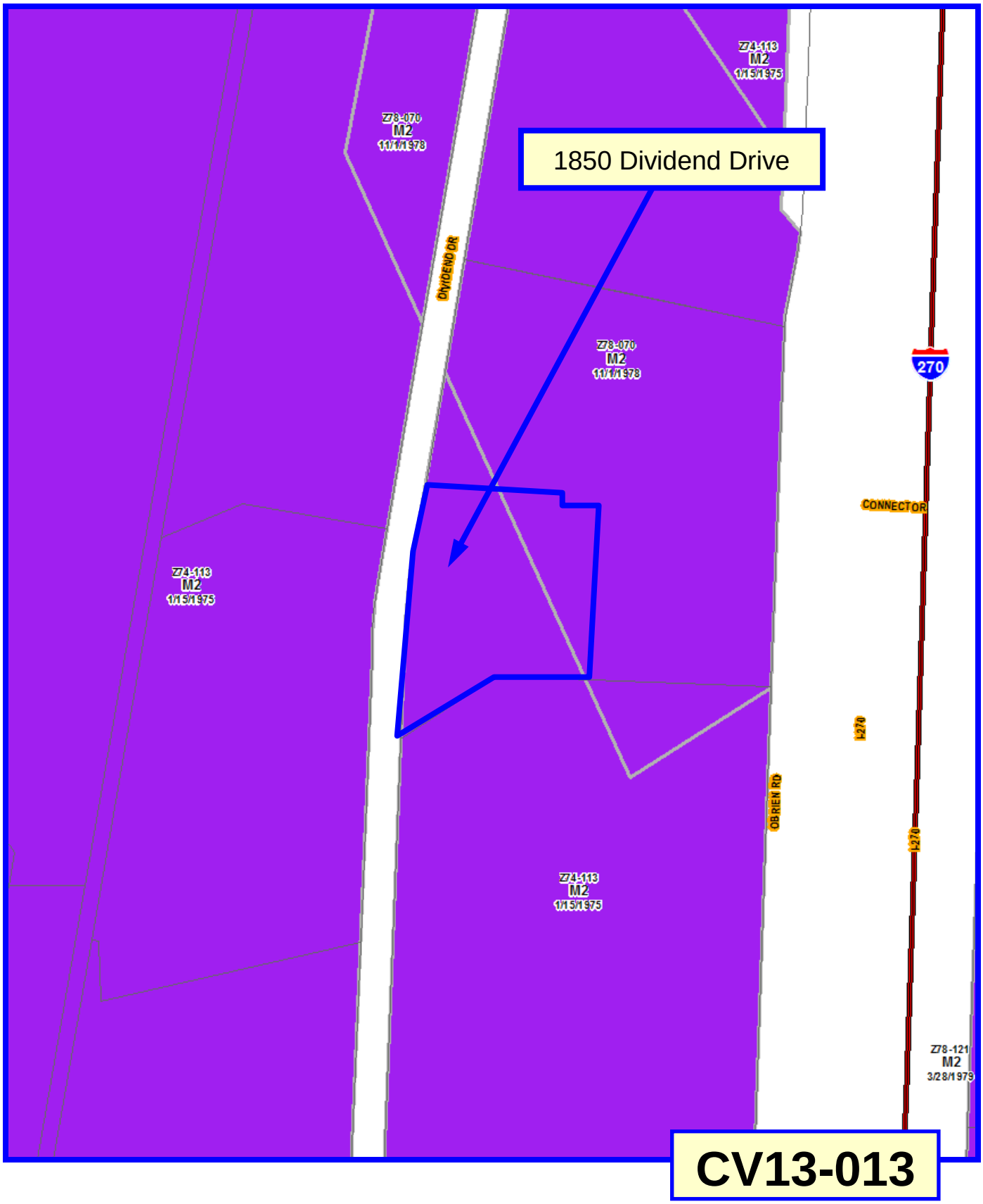
GIS

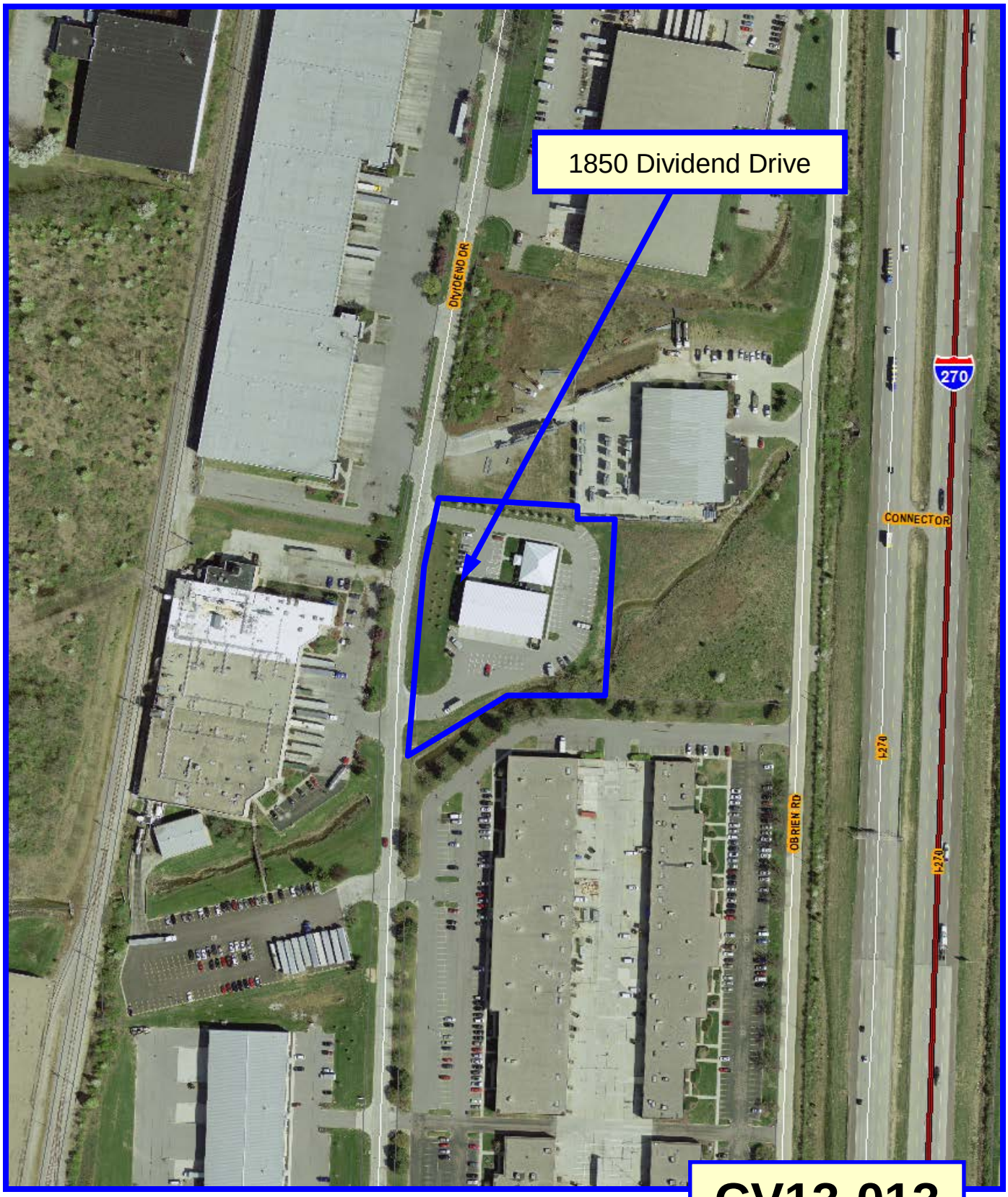


Disclaimer

This drawing 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 drawing are notified that the public primary information source should be consulted for verification of the information contained on this drawing. The county and the mapping companies assume no legal responsibilities for the information contained on this drawing. Please notify the Franklin County GIS Division of any discrepancies.

The information on this web site is prepared for the real property inventory within this county. Users of this data are notified that the public primary information source should be consulted for verification of the information contained on this site. The county and vendors assume no legal responsibilities for the information contained on this site. Please notify the Franklin County Auditor's Real Estate Division of any discrepancies.


1850 Dividend Drive
Z4-113
M2
1/15/1975
Z8-070
M2
11/1/1978
DIVIDEND DR
Z8-070
M2
11/1/1978
270
CONNECTOR
Z4-113
M2
1/15/1975
I-270
OBRIEN RD
I-270
Z4-113
M2
1/15/1975
Z8-121
M2
3/28/1979
CV13-013


1850 Dividend Drive
DIVIDEND DR
OBRIEN RD
CONNECTOR
I-270
270

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