



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

OFFICE USE ONLY

Application Number: CV13-026/13315-00000-00301
Date Received: 6/4/13
Application Accepted By: S. Pine Fee: \$1600-
Comments: Assigned to Shannon Pine, 645-2208, spine@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 1492 INDIANOLA AVE Zip 43201

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: 010022484

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

Current Zoning District(s): R4

Civic Association or Area Commission: University Area Commission; University Impact

Proposed use or reason for Council Variance request: Convert 9 unit apartment to 10 unit

Acreage: 0.21 (see attached list variances)

APPLICANT: Name Sean Ash Peak Property Group

Address 2200 W. Fifth Ave Suite 120 City/State Columbus, Ohio Zip 43219

Phone # 339-4608 (6003) Fax # _____ Email: Sash@peakpropertygroup.com

PROPERTY OWNER(S): Name Rash 3 LLC

Address 1119 Regency Drive City/State Columbus, Ohio Zip 43220

Phone # 339-4608 (6003) Fax # _____ Email: sash@peakpropertygroup.com

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

ATTORNEY / AGENT

☐ Attorney ☒ Agent

Name Juliet Bullock Architects, Juliet Bullock

Address 1182 Wyandotte Rd City/State Columbus, Ohio Zip 43212

Phone # 935-0944 Fax # _____ Email: bullock.juliet@gmail.com

SIGNATURES (ALL SIGNATURES MUST BE SIGNED IN BLUE INK)

APPLICANT SIGNATURE [Signature]

PROPERTY OWNER SIGNATURE [Signature]

ATTORNEY / AGENT SIGNATURE Juliet A. Bullock

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.
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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CV13-026

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

Date

6/3/2013

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Statement of hardship

This is an existing residential 9 unit apartment building. We are proposing to convert the existing storage garage into a residential unit, which is clearly a more appropriate use than building material storage. However because the existing use is nonconforming, the addition of one more unit requires a use variance. We are not increasing the floor area ratio, existing is nonconforming. All of the additional variances are existing conditions, however staff recommends we ask for variances to make the existing conditions meet current zoning requirements.

Variances

3332.039A R-4 District - Use, to allow for 10 unit apartment building in R-4 district.

3332.27 Rearyard - Lot area 8990 sq ft. Existing rear yard is 1722 square feet or 18%, required is 2247 sf. Existing rear yard is 18%. This is a nonconforming condition and given Ninth Ave is the frontage. Does not required to be varied for zoning approval (since it is existing nonconforming) , however staff recommends we make this a variance request.

3372.521A. to permit parking between the building and the street and allow the existing lot to remain.

3372.521E To allow existing parking lot to remain, without or bollard or curb requirements around parking

3372.544 Maximum floor area - To allow the existing floor area that is existing to remain. .4 allowable or 3596 sf. Existing square footage - 2245 sf first floor, 2145 second floor, and 2145 third. Existing floor area at .72.

3312.27 Parking Setback line - to reduce the parking setback line to 0' and allow existing parking to remain.

3312.3312.21 Landscaping and screening - for tree requirement and screening requirement for spaces 1 & 2.

3321.05 Vision clearance - There are 2 existing vision clearance standards that are nonconforming: The 30' vision clearance triangle at the intersection and the 10' triangle from the driveway to the parking lots onto Ninth. They are both compromised by cars in parking spaces.



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AFFIDAVIT

(See next page for instructions)

APPLICATION # CW13-026

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Sean Ash

of (1) MAILING ADDRESS 2200 West Fifth Ave Suite 120

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 1492 Indianola Ave

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) 6/4/13

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) Bash 3 LLC
1119 Regency Drive
Columbus, Ohio 43220

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

Sean Ash
339-4608

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

(5) University Area Commission
Susan Keeny 937-479-0201
558 King Ave 43201
University Review Board Dan Ferdelman
109 N. Front St. 43215 645-6096

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) Sm Ash

Subscribed to me in my presence and before me this 3 day of June, in the year 2013

SIGNATURE OF NOTARY PUBLIC

(8) Anna Adams

My Commission Expires:

9/23/2017

Notary Seal Here



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Agent for Owner

Juliet Bullock
1182 Wyandotte Road
Columbus Ohio 43212

Owner

Sean Ash Peak Property Group
2200 West Fifth Ave Suite 120
Columbus Ohio 43215

University Area Commission

Susan Keeny
358 King Avenue
Columbus Ohio 43201

Owner

Wayne Ballantyne
1119 Regency Drive
Columbus Ohio 43220

Owner

Brett Ballantyne
1119 Regency Drive
Columbus Ohio 43220

University Review Board

Dan Ferdelman
109 North Front Street
Columbus Ohio 43215

Michael and Sharon Bell

1469 Summit Street
Columbus Ohio 43201

**City of Columbus Ohio
Land Bank.**

109 North Front Street
Columbus Ohio 43215

Holy Church of the East

1493 Indianola Avenue
Columbus Ohio 43201

Richard Machinski

John Risterer
1473 Summit Street
Columbus Ohio 43201

Homer and Emogene Anderson

4121 Maize Road
Columbus Ohio 43224

Scott Stevenson

Georgina Briley
1465 Summit Street
Columbus Ohio 43201

Jeffrey and Cheryl Voss

2619 Quail Crossing Drive
Powell, Ohio 43065

Kimberly Hutchinson

1475 Summit Street
Columbus Ohio 43201

DPG Properties II LLC

4203 Hertford Lane
Dublin Ohio 43017

Walter Brown Jenny Panescu

1481 Summit Street
Columbus Ohio 43201

Directions for Youth Inc.

Randy Kurek
250 East Broad St. ste 800
Columbus Ohio 43215

Shelby Investment Group LLC

1179 Northwest Blvd
Columbus Ohio 43212

RP Property Investments LLC

207 Powhatan Avenue
Columbus Ohio 43204

Betina Ebady

1490 Indianola Avenue
Columbus Ohio 43201

Anastacia Costello

1514 Indianola Avenue
Columbus Ohio 43201



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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 # CV13-026

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] Sean Ash -- [Signature]

Of [COMPLETE ADDRESS] 2200 W. 5th Ave Ste 120 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 in the following formats

Name of business or individual
Business or individual's address
Address of corporate headquarters
City, State, Zip
Number of Columbus based employees
Contact name and number

1. Sean Ash Peak Property Group 2200 West Fifth Ave Suite 120 Columbus, Ohio 43215	2. Brett Ballantyne 1119 Regency Drive. Columbus, Ohio 43220
3. Wayne Ballantyne 1119 Regency Drive Columbus, Ohio 43220	4.

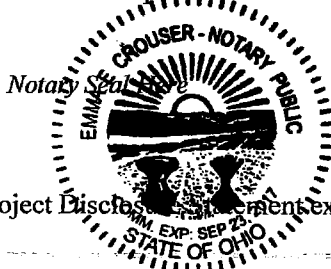
☐ Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 3 day of June, in the year 2013

SIGNATURE OF NOTARY PUBLIC Emma A. Crouser

My Commission Expires: 9/23/2017



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

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HISTORY ADDRESS INQUIRY - ALL APPLICATIONS

ADDRESS 1492 INDIANOLA AVADDRESS 1492 INDIANOLA AV

INTERSECTION 8-9
 PARCEL NO 010-022484
 HIST-DIST

HIST-PROP
 CENSUS 1700
 BLOCK 106

ZIP CODE
 SUB-DIV
 LOT NO

43201 0
 CHATHAM
 9

PERMIT ID	INFORM	RES/COMM		# OF UNITS	0	VALUE	0
CREATE DATE	03-24-95	NEW/RPLC/ALTER		CONT. LIC. #			
PERMIT TYPE	B	C-40 CODE		OBBC			
DESCRIPTION	PROPERTY LOCATED IN UNIVERSITY IMPACT DISTRICT. CALL KEN KLARE -8654						

PERMIT ID	E9501255	RES/COMM	RES	# OF UNITS	1	VALUE	0
CREATE DATE	03-14-95	NEW/RPLC/ALTER	REPR	CONT. LIC. #	E0341		
PERMIT TYPE	E	C-40 CODE		OBBC			
DESCRIPTION							

PERMIT ID	INFORM	RES/COMM		# OF UNITS	0	VALUE	0
CREATE DATE	08-16-91	NEW/RPLC/ALTER		CONT. LIC. #			
PERMIT TYPE	B	C-40 CODE		OBBC			
DESCRIPTION	UNIVERSITY AREA COMMISSION REFER TO ZONING						

PERMIT ID	35862	RES/COMM		# OF UNITS	0	VALUE	0
CREATE DATE	05-07-71	NEW/RPLC/ALTER		CONT. LIC. #			
PERMIT TYPE	E	C-40 CODE		OBBC			
DESCRIPTION							

PERMIT ID	34418	RES/COMM		# OF UNITS	0	VALUE	0
CREATE DATE	03-23-71	NEW/RPLC/ALTER		CONT. LIC. #			
PERMIT TYPE	E	C-40 CODE		OBBC			
DESCRIPTION							

PERMIT ID	59496	RES/COMM		# OF UNITS	0	VALUE	150,000
CREATE DATE	01-13-71	NEW/RPLC/ALTER		CONT. LIC. #			
PERMIT TYPE	B	C-40 CODE		OBBC			
DESCRIPTION	3 SY MSRY 9 UNIT APT 7527						

DATE	11-23-98	DATE	10-19-98	DATE	12-03-97
REQ. TYPE	O	REQ. TYPE	O	REQ. TYPE	O
REQ. #	H9810006	REQ. #	B9809233	REQ. #	H9710593
STATUS		STATUS		STATUS	
DATE	11-28-97	DATE	02-21-95	DATE	11-09-89
REQ. TYPE	O	REQ. TYPE	O	REQ. TYPE	O
REQ. #	H9710505	REQ. #	H9500983	REQ. #	H8913101
STATUS		STATUS		STATUS	

CV13-026

CV13-026

**DESCRIPTION OF A 0.209 ACRE TRACT
LYING EAST OF INDIANOLA AVENUE
AND SOUTH OF NINTH AVENUE**

Situate in the State of Ohio, County of Franklin, City of Columbus, being all of Lots 9 and 10 of EVANS & CHEETHAM'S AMENDED PLAT, of record in Plat Book 3, Page 76, and being all of the tract of land conveyed to Bash 3, LLC, of record in Instrument Number 201301030001210, records of the Recorder's Office, Franklin County, Ohio and being bounded and more particularly described as follows:

Beginning at an iron pin set at the intersection of the easterly right-of-way line of Indianola Avenue (60 feet wide) and the southerly right-of-way line of Ninth Avenue (60.72 feet wide), being the northwesterly corner of said Lot 9;

Thence South $86^{\circ} 55' 25''$ East, a distance of 150.00 feet, along the northerly line of said Lot 9, and the southerly right-of-way line of said Ninth Avenue, to an iron pin set at the northeasterly corner of said Lot 9, being the intersection of the southerly right-of-way line of said Ninth Avenue and the westerly right-of-way line of a 20 feet wide alley;

Thence South $03^{\circ} 13' 39''$ West, a distance of 60.64 feet, along the easterly line of said Lots 9 and 10, and the westerly right-of-way line of said 20 feet wide alley, to an iron pin set at the easterly common corner of said Lot 10 and Lot 6 of ANNE DENNISON'S SUBDIVISION, of record in Plat Book 7, Page 25;

Thence North $86^{\circ} 55' 25''$ West, a distance of 150.00 feet, along the line common to said Lots 10 and 6, to an iron pin set in at the westerly common corner thereof, being in the easterly right-of-way line of said Indianola Avenue;

Thence North $03^{\circ} 13' 39''$ East, a distance of 60.64 feet, along the westerly lines of said Lots 10 and 9, and the easterly right-of-way line of said Indianola Avenue, to the **Point of Beginning**, containing 0.209 acres, more or less, and being subject to all easements, restrictions and rights-of-way of record.

The bearings in the above description are based on the assumed bearing of South $86^{\circ} 55' 25''$ East for the Southerly right-of-way line of Ninth Avenue, and are intended to denote angles only.

All iron pins set are 3/4 inch iron pipes, 30 inches in length, with a red plastic cap stamped with the name "Landmark Survey".

The above description is based on an actual field survey performed in February of 2013.



LANDMARK SURVEY GROUP, INC.

Scott D. Grunde

Scott D. Grunde, P.S.
Registered Surveyor No. 8047

5/10/13
Date

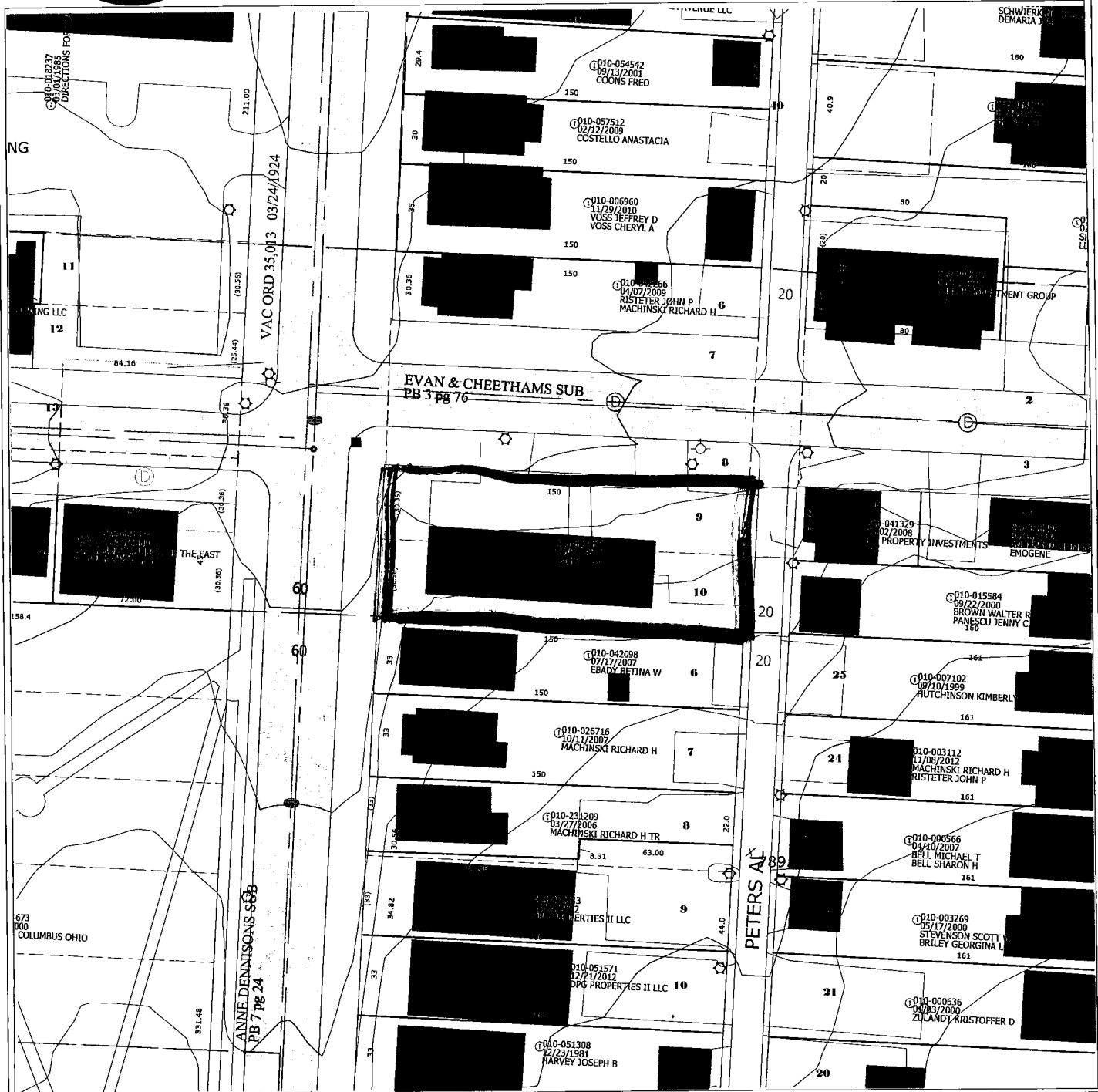
C113-026



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: C

DATE: 5/29/13



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



An aerial photograph of a residential neighborhood. A blue arrow originates from a yellow box at the top right and points to a specific house in the center of the image. The house is outlined with a blue rectangle. The surrounding area includes various streets, other houses, and a large green field on the left. Street names are labeled in yellow text throughout the image.

1492 Indianola Avenue

CV13-026