



# 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](http://www.columbus.gov)

OFFICE USE ONLY

Application Number: # 13310-00000-00672  
Date Received: 12 SEP. 2013  
Commission/Civic: NORTH EAST Ae  
Existing Zoning: \_\_\_\_\_ Application Accepted by: AF Fee: \$315  
Comments: \_\_\_\_\_

## TYPE(S) OF ACTION REQUESTED

(Check all that apply)

☒ Variance ☐ Special Permit

Indicate what the proposal is and list applicable code sections.

TO vary P.U.D Standards. Allow a deck to encroach  
8' into rear set back.

## LOCATION

1. Certified Address Number and Street Name 4078 McNery Dr  
City Columbus State OH  
Parcel Number (only one required) 520-288981-00

**PATD**  
SEP 12 2013

## APPLICANT: (IF DIFFERENT FROM OWNER)

Name Nature view Exteriors LLC  
Address 12964 Cleveland RD City/State Pataskala OH Zip 43062  
Phone # 614.357.8667 Fax # 740.919.5155 Email NatureviewExteriorsLLC@yahoo.com

**BUILDING & ZONING SERVICES**

## PROPERTY OWNER(S):

Name Martin Hostitosky  
Address 4078 McNery Dr City/State COI OH Zip 43219  
Phone # 614.934.7834 Fax # \_\_\_\_\_ Email \_\_\_\_\_  
☐ Check here if listing additional property owners on a separate page.

## ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

☐ Attorney ☐ Agent

Name \_\_\_\_\_  
Address \_\_\_\_\_ City/State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email: \_\_\_\_\_

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

APPLICANT SIGNATURE \_\_\_\_\_  
PROPERTY OWNER SIGNATURE Jacqueline D. Hostitosky Martin T. Hostitosky  
ATTORNEY / AGENT SIGNATURE \_\_\_\_\_

**PLEASE NOTE:** incomplete information will result in the rejection of this submittal.  
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Please make all checks payable to the Columbus City Treasurer





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## AFFIDAVIT

13310-00000-00672  
4078 McNERY DRIVE

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Natureview Exteriors LLC - Charles Unci  
of (1) MAILING ADDRESS 12964 Cleveland Rd Pataskala OH 43062  
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 4078 McNery Dr Columbus OH 43219  
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) Martin T Jacqueline Hostinsky  
4078 McNery Dr  
Columbus OH 43219

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) North East Area Comm.  
Alice Porter

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

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

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 12 day of September, in the year 2013

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

Notary Seal Here

ANTONETTE M. GILLUM

NOTARY PUBLIC, STATE OF OHIO

MY COMMISSION EXPIRES JUNE 17, 2014

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## POWER OF ATTORNEY

This power of attorney is given by me, Jacqueline D. Hostinsky, (the "Principal") presently of 4078 Mc Nery Drive, Columbus, in the State of Ohio, on this 12th day of September, 2013,

I revoke any previous power of attorney granted by me.

I APPOINT Mr. Charles O'Neil of LOWES', CONSTRUCTION INSTALLER  
\_\_\_\_\_ to act as my legal representative at the Columbus Board of Zoning Hearing and at any other related hearings pertaining to this Power of Attorney.

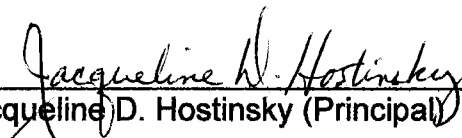
This document will be governed by the laws of the State of Ohio. Further, Mr. Charles O'Neil is directed to act in accordance with the laws of the State of Ohio at any time he may be acting on my behalf for the purpose of building a 10 foot by 12 foot deck on the rear of my home located at 4078 McNery Drive, Columbus, Ohio., 43219.

Mr. O'Neil will have the Specific Power to address the Columbus, Ohio Board of Zoning and/or any other hearings related to this matter for the specific purpose for representing me, Jacqueline D. Hostinsky, for gaining permission to build the aforementioned deck..

Mr. O'Neil's Power of Attorney to represent, me, Jacqueline D. Hostinsky, will start immediately upon signing this document and will continue until the Columbus Zoning Board of Hearing and/or any other such hearings related to this matter is held and a decision(s) is rendered in this case, at which time, this Power of Attorney will become null and void.

I Jacqueline D. Hostinsky, being the Principal named in the Power of Attorney hereby acknowledge I have read and understand the nature and effect of this Power of Attorney; I am of legal age in the state of Ohio to grant a Power of Attorney; and I am voluntarily giving this Power of Attorney to Mr. Charles O'Neil representing LOWES to build this deck.

IN WITNESS WHEREOF I hereunto set my and seal at the City  
of \_\_\_\_\_ in the State of  
\_\_\_\_\_ on this 12th day of September, 2013

  
\_\_\_\_\_  
Jacqueline D. Hostinsky (Principal)

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## STATEMENT OF HARDSHIP

13310-00000-00672

4078 McNERY DRIVE

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:

Applicant Proposes 120 sq ft Normal zoning code  
Mandates 25% Rear Yard, we will have 23%.

5,000 sf lot

25% = 1250; 1283.5 Provided

120 sf deck = 1163.5 Rear Yard = 23%.

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

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**CLARENCE E M**  
**FRANKLIN COUNTY**  
**MAP ID: S DA**

**13310-00000-00672**  
**4078 McNERY DRIVE**



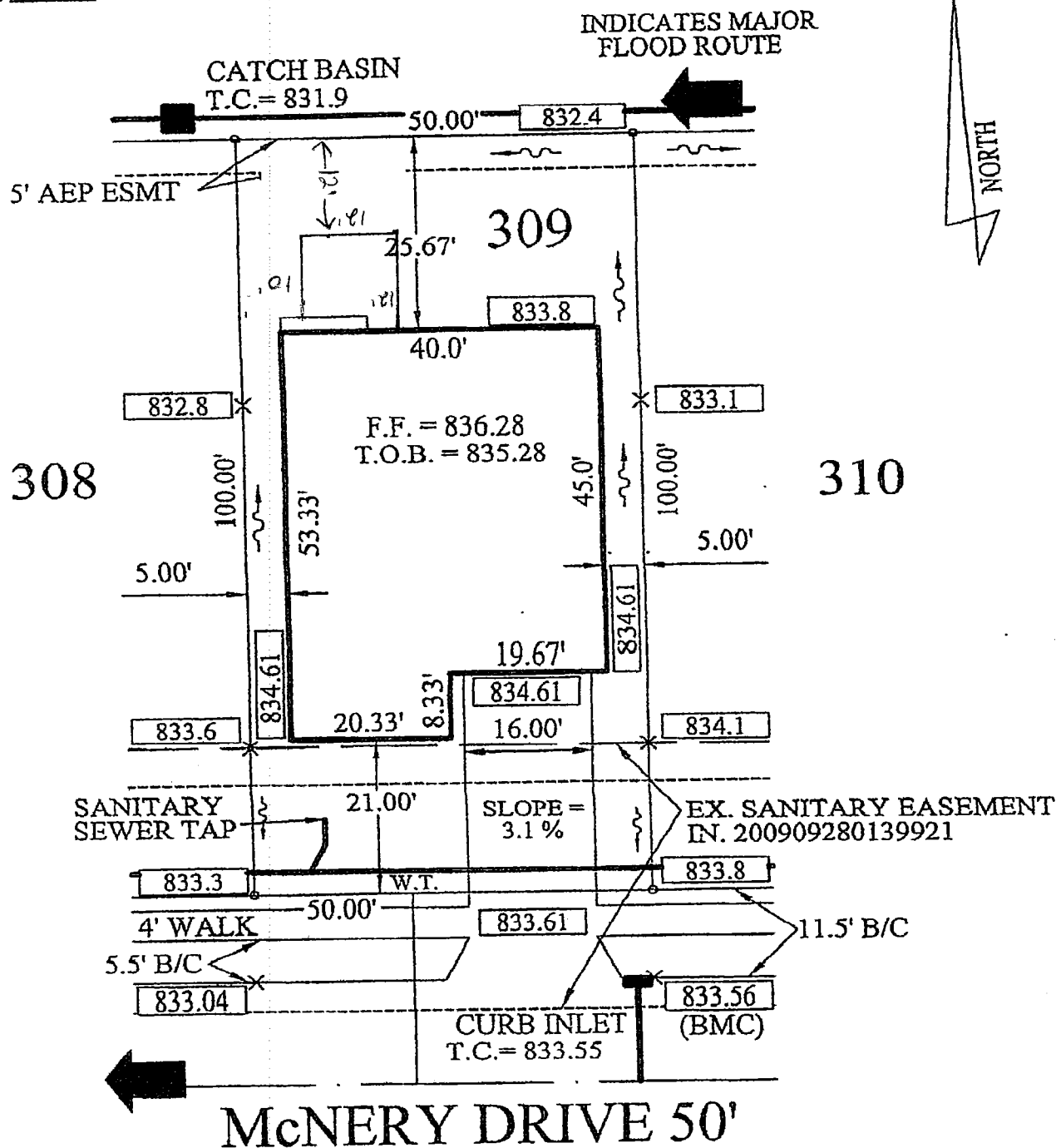
Disclaimer

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



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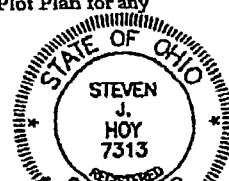
**LOT CALCULATION INFORMATION IS  
FOR ESTIMATE PURPOSES ONLY  
AND SHOULD BE VERIFIED BY  
THE CONTRACTOR OR BUILDER.**

### SQUARE FOOTAGE DATA

7	<u>5000.0</u>	APPROACH	<u>169.0</u>
USE	<u>1969.0</u>	WALK	<u>136.0</u>
	501.0	2800.0	

## PLOT PLAN

We hereby certify that the foregoing PLOT PLAN was prepared from information provided by the Client and data obtained from 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.





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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 #

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**4078 McNERY DRIVE**

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Nature view Exteriors LLC  
of (COMPLETE ADDRESS) 12964 Cleveland RD Pataskala OH 43062  
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

Martin HOSITIOSKY

4078 McNery Dr Col OH 43219

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this

17

day of

September

, in the year

2013

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

**ANTIONETTE M. GILLUM**  
**NOTARY PUBLIC, STATE OF OHIO**  
**MY COMMISSION EXPIRES JUNE 17, 2014**

*Notary Seal Here*

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