

COUNCIL VARIANCE APPLICATION

Department of Building & Zoning Services

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224-3218

Phone: 614-645-7433 www.columbus.gov

OFFICE USE ONLY

Application Number: CV14-042 Date Received: 8-5-14
Fee: \$880 14315-00006-00550 Application Accepted by: ET + TP
Comments: Assigned to Toni Proehl; 614-5-2749; vjproehl@columbus.gov

LOCATION AND ZONING REQUEST

Certified Address (for Zoning Purposes) 1015 DENNISON 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: 010 - 000237
☐ Check here if listing additional property owners on a separate page.

Current Zoning District(s): P-Z (pending ARO)

Civic Association or Area Commission: VICTORIAN VILLAGE COMMISSION

Proposed use or reason for Council Variance request: TO PERMIT RESIDENTIAL APARTMENTS & CONDOMINIUMS

Acreage: 1.138 ACRES

APPLICANT: Name CONNIE J. KLEMA ATTORNEY

Address, City, State & Zip 145 E RICH ST 7ND FL Cols OH 43215

Phone # 614 469 9122 Fax # N/A Email CKLEMA@VROHIO.COM

PROPERTY OWNER(S): Name SELECT MEDICAL PROPERTY VENTURES, LLC

Address, City, State & Zip CPAL P.O. BOX 92129 SOUTHLAKE TX 76092

Phone # N/A Fax # N/A Email N/A

ATTORNEY/AGENT (CHECK ONE IF APPLICABLE) ☒ Attorney ☐ Agent

Name CONNIE J. KLEMA

Address, City, State & Zip 145 E RICH ST 2ND FL Cols OH 43215

Phone # 614 469 9122 Fax # N/A Email CKLEMA@VROHIO.COM

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

Applicant Signature Connie J. Klema Attorney

Property Owner Signature Connie J. Klema on behalf of owner

Attorney/Agent Signature Connie J. Klema

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

THE CITY OF
COLUMBUS
MICHAEL B. COLEMAN, MAYOR

DEPARTMENT OF BUILDING
AND ZONING SERVICES

COUNCIL VARIANCE APPLICATION

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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

Chris J. Klen

Date

8/5/14

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STATEMENT OF HARDSHIP**1015 DENNISON AVENUE****COLUMBUS, OHIO 43201**

The subject property is zoned P-2 and for decades has served as a surface parking lot for a local hospital. The property is located in an historic area that has been experiencing revitalization in the last 30 plus years. The property is located in the heart of the Victorian Village area and is surrounded by many restored and newly constructed homes, condominiums, offices, and commercial establishments. The property is vacant and a vacuum in the center of the vibrant neighborhood but with development, it becomes a vital piece of the neighborhood.

The rezoning of the property to AR-0 with the accompanying variances permits a residential development of condominiums and apartments that fills a vacant paved space with residences that continue and grow the neighborhood without adverse affect.

The variances needed to develop this property as proposed do not impair adequate light and air to adjacent properties or unreasonably increase the congestion of streets. The development enhances the neighborhood and does not diminish the public health, safety, comfort, morals, or welfare of the City of Columbus.

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AFFIDAVIT

(See next page for instructions)

APPLICATION # CN14-042

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME CONNIE J. KLEMA ATTORNEY

of (1) MAILING ADDRESS 145 E RICH ST 2ND FL 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 CERTIFIED ADDRESS FOR ZONING PURPOSES 1015 DENNISON AVE COLUMBUS 43201
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) 8/6/14
(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME (4) SELECT MEDICAL PROPERTY VENTURES LLC

AND MAILING ADDRESS CPAL P.O. BOX 92129 SOUTHLAKE TX 76092

APPLICANT'S NAME AND PHONE #
(same as listed on front of application) CONNIE J. KLEMA ATTORNEY 614 469 9122

AREA COMMISSION OR CIVIC GROUP
AREA COMMISSION ZONING CHAIR OR
CONTACT PERSON AND ADDRESS (5) VICTORIAN VILLAGE COMMISSION
JAMES A. GOODMAN
50N. 64th ST 1ST FL COLUMBUS 43215

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

Subscribed to me in my presence and before this 5th day of August, in the year 2014

SIGNATURE OF NOTARY PUBLIC JAMES P. CONNORS, Attorney at Law

My Commission Expires: Notary Public, State of Ohio

My Commission Has No Expiration Date
Section 147.03 OAC

Notary Seal Here

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Connie J. Klema, Attorney
145 E. Rich Street, 2nd FL
Columbus, Ohio 43215

Select Medical Property Ventures, LLC
CPAC P.O. Box 92129
Southlake TX 76092

Aston Place TH2 LLC
29 W Third Ave
Columbus, Ohio 43201

KLMC Properties LLC
Lykens Companies
1020 Dennison Ave. Ste 102
Columbus, Ohio 43201

Nicole & Kevin Lykens
Lykens Companies
1020 Dennison Ave. Ste 102
Columbus, Ohio 43201

James Eslinger
Mary Stewart
250 Daniel Burnham Sq 505
Columbus, Ohio 43215

Reza Reyazi
Elaine Hostetler
240 W 2nd Ave.
Columbus, Ohio 43201

Lance Young
Ben Walters
969 Dennison Ave.
Columbus, Ohio 43201-3416

Alan Gecon Lin
2111 Water Crest Ln
Columbus, Ohio 43209

Carolyn & Christine Windisch
418 Westwood Ave.
Wadsworth, Ohio 44281

Randhir Sharma
975 Dennison Ave.
Columbus, Ohio 43201

William & Connie Elkins
1510 Clearglades Dr.
Wesley Chapel, FL 33543

Gary & Cynthia Stempien
5128 Wagon Wheel Ln
Columbus, Ohio 43230

Logan Smyth
1050 Hunter Ave.
Columbus, Ohio 43201

Gregg Dodd
1016 Hunter Ave.
Columbus, Ohio 43201

Jaclyn Meade
Lindsey Cardillo
1012 Hunter Ave.
Columbus, Ohio 43201

James Chen
1008 Hunter Ave.
Columbus, Ohio 43201

William McClain
1004 Hunter Ave.
Columbus, Ohio 43201

Joshua Dutcher
1002 Hunter Ave.
Columbus, Ohio 43201

Scott Kirschman
201 W. Hubbard Ave.
Columbus, Ohio 43215

McCarthy Rentals LLC
566 E. Beaumont Rd
Columbus, Ohio 43214

Lindsey Warner
174 W 2nd Ave.
Columbus, Ohio 43201

Columbia Gas of Ohio Inc.
200 Civic Center Dr/Taxes
P.O. Box 117
Columbus, Ohio 43216

Victorian Village Commisson
Attn: James A. Goodman
50 W Gay St 1st Floor
Columbus, Ohio 43215

COUNCIL VARIANCE APPLICATION

Department of Building & Zoning Services

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224-3218

Phone: 614-645-7433 www.columbus.gov

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 # C114-042

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] CONNIE J. KLEMA ATTORNEY

Of [COMPLETE ADDRESS] 145 E RICH ST 2ND FL C15 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. <u>BPI ASSOCIATES LLC</u> <u>600 STONEHENGE PARKWAY 2ND FL.</u> <u>DUBLIN OH 43017</u> <u>63 EMPLOYEES CONTACT: LORI STEINER</u> <u>614 356 5502</u>	2.
3.	4.

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

SIGNATURE OF AFFIANT

Connie J. Klemma

Subscribed to me in my presence and before this 5th day of August, in the year 2014

SIGNATURE OF NOTARY PUBLIC

James P. Carr

My Commission Expires:

Notary Seal Here

Notary Public, State of Ohio
My Commission Has No Expiration Date
Section 14702.006

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

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**1.138 ACRE TRACT ALONG HUNTER AVENUE,
BETWEEN W. THIRD AVENUE & W. FOURTH AVENUE,
CITY OF COLUMBUS, OHIO**

Situated in the State of Ohio, County of Franklin, City of Columbus, in Section 5, Township 5 North, Range 22 West, Mathews Survey of the Refugee Lands and being portions of Lots Number (2), Eighteen (18), Twenty (20), Twenty-Two (22), Twenty-Four (24), all of Lots Numbers Four (4), Six (6), Eight (8), Ten (10), Twelve (12), Fourteen (14), Sixteen (16), as shown upon the plat of Miller and Joyce Addition, of record in Plat Book 2, Page 182, and a portion of an Alley north of said Lot No. 16 and south of said Lot No. 18 vacated by Ordinance No. 1564-67, said Lots Nos. 4, 6, 8, 10, 12, 14, 16 and said portion of said Lot No. 20 having been conveyed as part of Parcel I, said portion of said Lot No. 2 having been conveyed as part of Parcel II, said portion of said Lot No. 18 having been conveyed as part of Parcel III, said portion of said Lots Nos. 22 and 24 having been conveyed as part of Parcel IV and said portion of said Alley vacated by Ordinance No. 1564-67 having been conveyed as part of Parcel VIII to Doctors OhioHealth Corporation by deed of record in Instrument Number 199812100319393, all records reference to the Recorder's Office, Franklin County, Ohio and bound and described as follows:

Beginning, at a 1" I.D. iron pipe found at the intersection of the west line of Dennison Avenue (60 feet in width) with the north line of W. Second Avenue and at the southeast corner of that portion of said Lot No. 2 conveyed as Parcel II;

thence N 86° 50' 02" W along the north line of W. Second Avenue and along the south line of said Parcel II a distance of 137.00 feet to a 1" I.D. iron pipe found at the intersection of the north line of W. Second Avenue with the east line of Ewing Alley (20 feet in width) and at the southwest corner of said Parcel II;

thence N 03° 42' 24" E along the east line of Ewing Alley, along a portion of the west line of said Lot No. 2, along the west lines of said Lots Nos. 4, 6, 8, 10, 12, 14 and 16 and along a portion of a west end of said Alley vacated by Ordinance 1564-67 a distance of 276.51 feet to a P.K. nail set in the centerline of said Alley;

thence S 86° 50' 02" E along a portion of the centerline of said Alley a distance of 12.00 feet to a P.K. nail set;

thence N 03° 42' 24" E crossing said Alley, along the east line of a tract of land conveyed to The Federal Gas & Fuel Co. by deed of record in Deed Book 390, Page 132 and said line extended southerly, and crossing a portion of said Lot 18 a distance of 22.00 feet to a P.K. nail set at the northeast corner of said tract conveyed to The Federal Gas & Fuel Co.;

thence N 86° 50' 02" W crossing a portion of said Lot No. 18 and along the north line of said tract conveyed to The Federal Gas & Fuel Co. a distance of 12.00 feet to a point in a building, in the east line of said Ewing Alley and at the northwest corner of said tract conveyed to The Federal Gas & Fuel Co.;

thence N 03° 42' 24" E along the east line of Ewing Alley, along a portion of the west line of said Lot No. 18, along the west line of said Lot No. 20 and along a portion of the west line of said Lot No. 22 a distance of 69.59 feet to a drill hole set at the southerly end of a line connecting the east line of Ewing Alley with the curved southwesterly line of W. Third Avenue (50 feet in width);

thence N 31° 53' 07" E crossing a portion of said Lot No. 22 and said Lot No. 24 a distance of 29.70 feet to a drill hole set at the northerly end of said connecting line;

thence southeasterly along the curved southwesterly line of W. Third Avenue, crossing a portion of said Lot No. 24 and said Lot No. 22 and with a curve to the left, data of which is: radius = 344.96 feet, and delta = 17° 20' 26", arc length = 104.40 feet, a chord distance of 104.00 feet bearing S 67° 17' 51" E to a 3/4" I.D. iron pipe set at the northwesterly end of a line connecting the curved southwesterly line of W. Third Avenue with the west line of Dennison Avenue;

thence S 55° 10' 00" E crossing said Lot No. 22 and said Lot No. 20 a distance of 22.43 feet to a drill hole set at the southeasterly end of said connecting line, in the west line of Dennison Avenue and in the east line of said Lot No. 20;

thence S 02° 48' 42" W along the west line of Dennison Avenue, along a portion of the east line of said Lot No. 20, along the west line of said Lot No. 18, along an east end of the alley vacated by Ordinance No. 1564-67, along the east line of Lots Nos. 16, 14, 12, 10, 8, 6, 4 and a portion of the east line of Lot No. 2 a distance of 347.58 feet to the place of beginning;

containing 1.138 acres of land more or less and being subject to all easements and restrictions of record.

The above description was prepared by Kevin L. Baxter, Ohio Surveyor No. 7697, of C.F. Bird and R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from an actual field survey, performed under his supervision in May, 1999, and May 2005. Basis of bearing is the centerline of Hunter Avenue, being assumed at N 03° 31' 56" E, and all other bearing are based upon this meridian.



City of Columbus Zoning Plat



CV14-042

ZONING NUMBER

The Zoning Number Contained on This Form
is Herein Certified to Obtain Zoning, Rezoning,
and Variances, and is NOT to be Used for
the Securing of Building & Utility Permits

Parcel ID: 010000237

Zoning Number: 1015

Street Name: DENNISON AVE

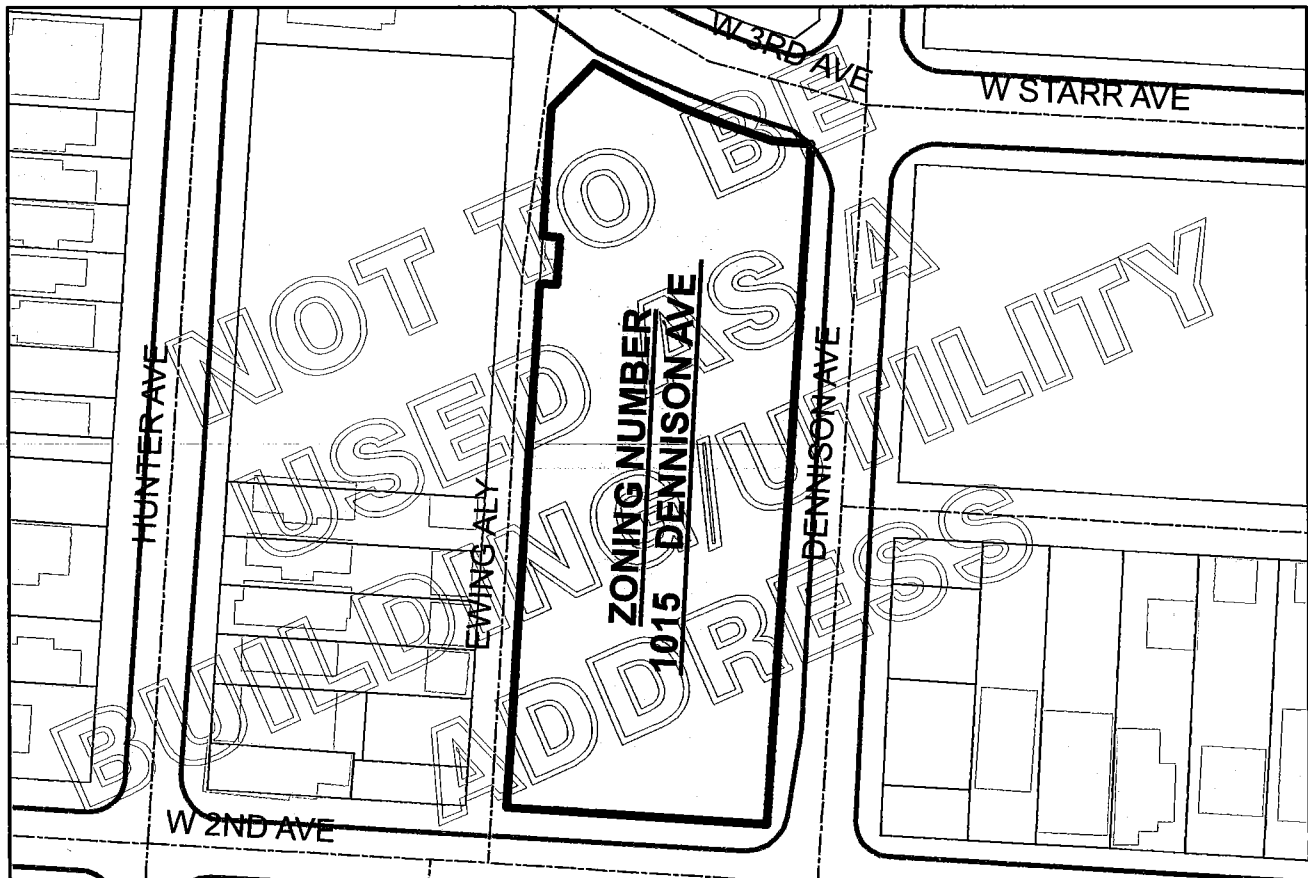
Lot Number : 2-20

Subdivision: MILLER & JOYCE SUB

Requested By: CONNIE KLEMA (ATTORNEY)

Issued By: *Adyana Harrison*

Date: 8/5/2014



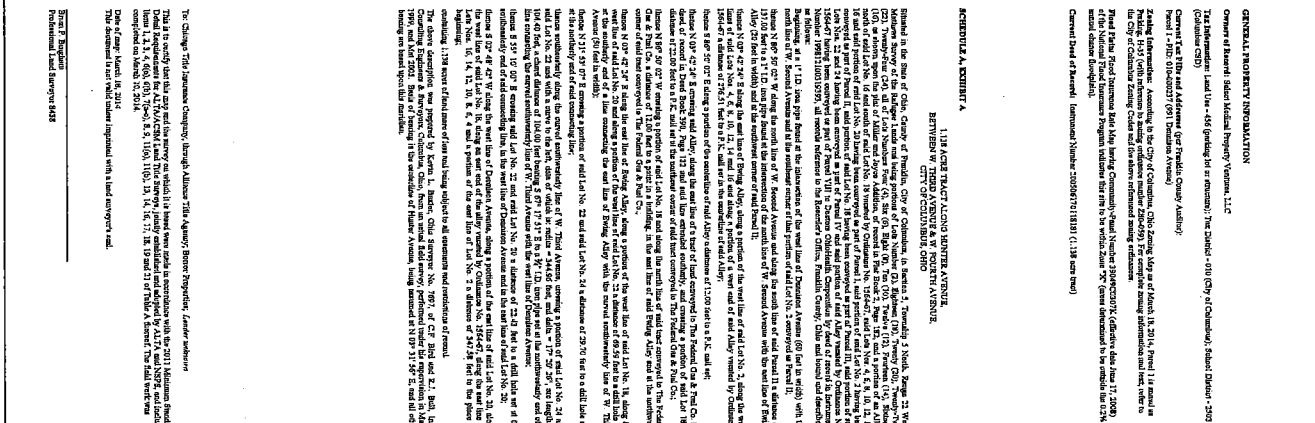
SCALE: 1 inch = 100 feet



JENNIFER L. GALLGAHER, P.E., DEPUTY DIRECTOR
DIVISION OF INFRASTRUCTURE MANAGEMENT
COLUMBUS, OHIO

GIS FILE NUMBER: 21550

Real Estate / GIS Department



991 DENNISON AVENUE
COLUMBUS, OHIO

ZONING REQUEST
IN ACCORDANCE WITH PLANS APPROVED BY THE
VICTORIAN VILLAGE COMMISSION

A. Zoning:

Zone from "Parking—P2" to "AR-O"

B. Variances: (The property will be divided into two lots)

Lot No. 1

1. 3312.13(B): To permit a driveway at the street right of way to be less than 20' and to be 10'.
2. 3312.25: To permit maneuvering for two parking spaces to be less than 20' and to be on a driveway easement granted for use by said parking spaces.
3. 3312.49: To permit less than 80 parking spaces and to permit 57 parking spaces.
4. 3321.05(B)(2): Vision clearance at the intersection of streets to be less than a 30' right angle triangle and to be a 7' and 6' right angle triangle at Dennison Avenue and Starr Avenue.
5. 3333.15: To permit a residential building to cover more than 50 percent of the lot area and to cover 70.2 percent of the lot area.
6. 3333.18: To permit the building lines of a residential building to be less than 25' and to be 4' 6" on Dennison Ave. and 1' 11" on Starr Ave.
7. 3333.24: To permit a rear yard totaling less than 25 percent of the total lot area and to be in accordance with the site plan approved by the Victorian Village Commission.
8. 3333.25: To permit structures and ordinary projections in the side and rear yards.
9. 3333.26: To permit the height to be greater than 35' and to be 52'.

Lot No. 2

1. 3312.13(B): To permit a driveway at the street right of way to be less than 20' and to be 10'.
2. 3312.25: To permit maneuvering for two parking spaces into an area less than 20' and to be 10' and to be on an additional 10' driveway easement granted for use by said parking spaces.
3. 3321.05(B)(2): Vision clearance at the intersection of streets to be less than a 30' right angle triangle and to be a 12.5' right angle triangle at Dennison Ave. and Second Ave.
4. 3333.04: Permitted uses in AR-O to permit two (2)—two (2) unit dwellings.
5. 3333.16: To permit two (2)—two (2) unit dwellings to not front upon a public street.
6. 3333.18: To permit the building lines of a residential building to be less than 25' and to be 10" on Second Ave. and 2' 10 inches at Dennison Ave.
7. 3333.255: To permit a perimeter yard along Ewing Alley and the north property line to be less than 25' and to be 0'.
8. 3333.26: To permit the height to be greater than 35' and to be 40'.

991 Dennison
Avenue

Columbus, OH

20140205
14112
070914

SCHEMATICS

PROJECT DATE: 20140205
PROJECT # 14112
SHEET DATE: 070914

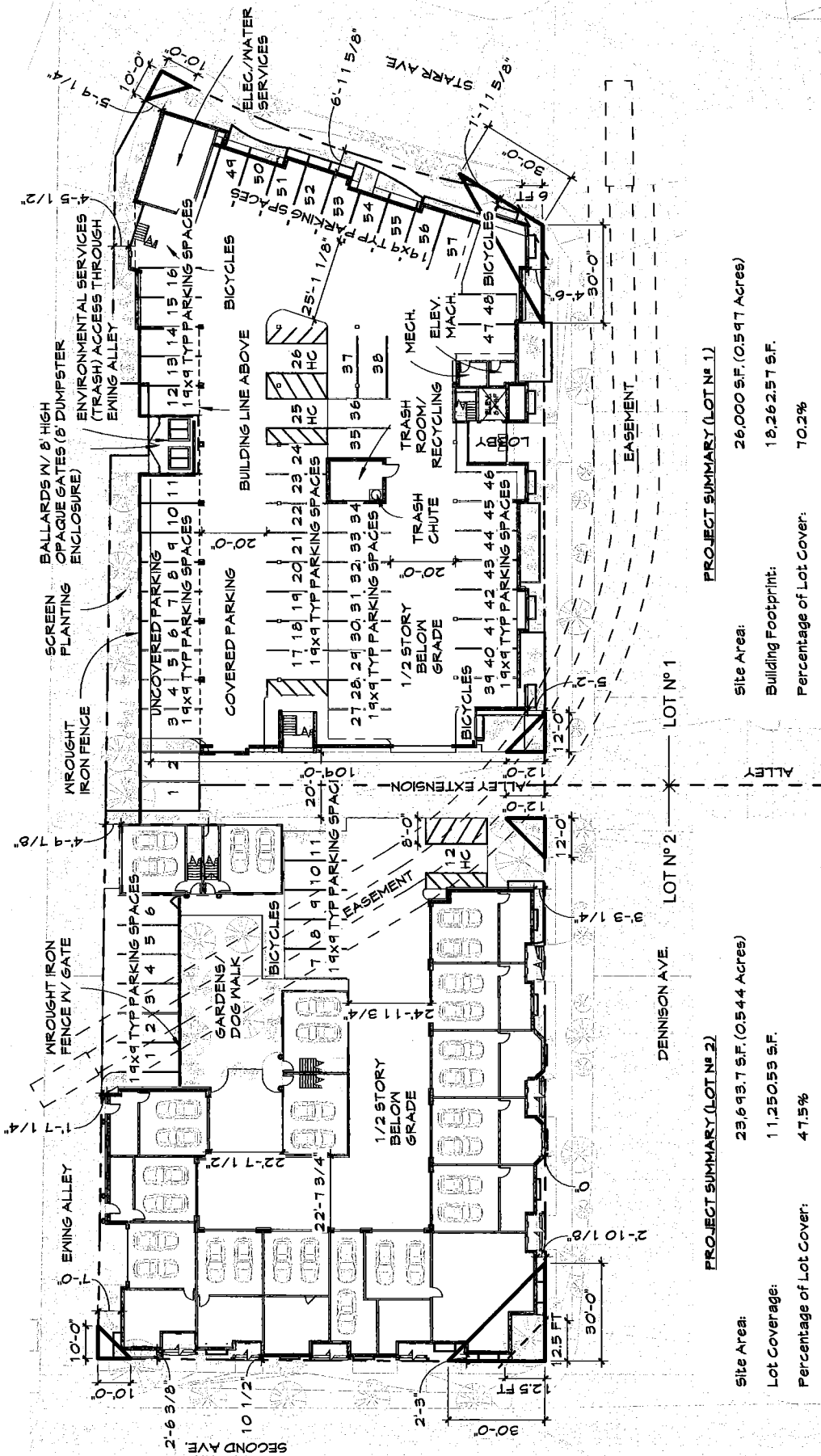
ZONING
COMPLIANCE

A6.1

berardi+

Architecture • Interior Design • Engineering
200 East Main Street, Columbus, OH 43215
614.261.1111
www.berardi.com

CM14-042



PROJECT SUMMARY (LOT N° 1)

Site Area: 26,000 S.F. (0.597 Acres)
Building Footprint: 18,262.57 S.F.
Percentage of Lot Cover: 70.2%
Building Height: 4.1 FT South end & 5.1 FT North end

MULTI-STORY UNIT SUMMARY

MULTI-STORY UNIT SUMMARY	MULTI-STORY PARKING SUMMARY
MULTI-STORY 2ND FLOOR:	STANDARD SPACES: 54
MULTI-STORY 3RD FLOOR:	COMPACT SPACES: 1
MULTI-STORY 4TH FLOOR:	HC SPACES: 2
MULTI-STORY 5TH FLOOR:	TOTAL: 57
TOTAL: 53	

PROJECT SUMMARY (LOT N° 2)

Site Area: 23,693.7 S.F. (0.544 Acres)
Lot Coverage: 11,250.53 S.F.
Percentage of Lot Cover: 47.5%
Building Height: 9.4.5 FT to parapet & 9.9 FT to rooftop access

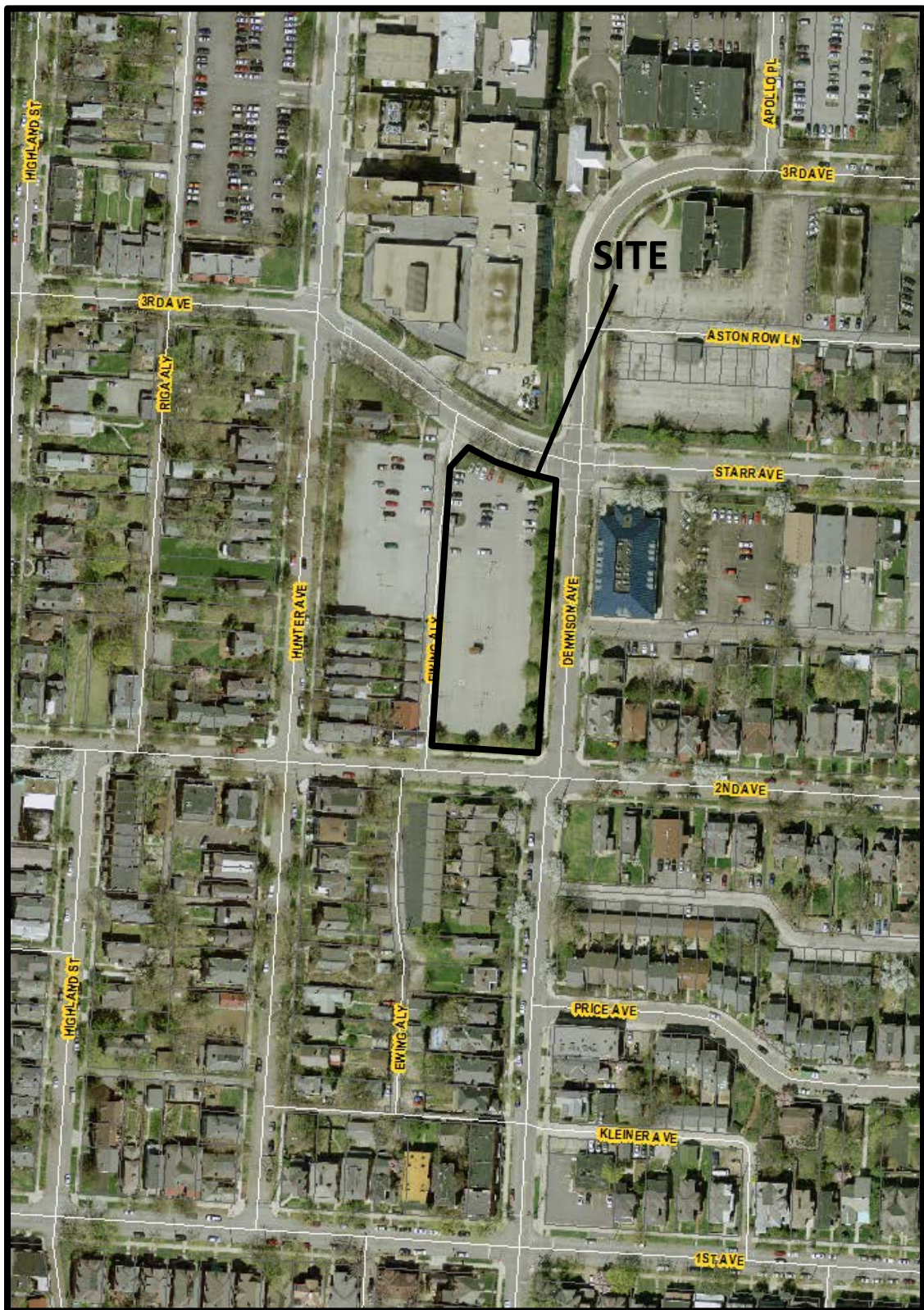
TOYHOMES / CARRIAGE HOMES:

TOYHOMES / CARRIAGE HOMES:	PARKING SUMMARY
TRUBERRY UNITS: 12	SURFACE SPACES: 12
CARRIAGE HOME UNITS: 4	GARAGE SPACES: 32
TOTAL: 16	TOTAL: 44

PRELIMINARY 1ST LEVEL 1" = 30'-0"



CV14-042
 1015 Dennison Avenue
 Approximately 1.13 acres



CV14-042
1015 Dennison Avenue
Approximately 1.13 acres