



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: CV11-038
Date Received: 11/28/11
Application Accepted By: O. Hitt Fee: _____
Comments: Planner: Dana Hitt, 645-2395, dahitt@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 253 E 12th Ave, Columbus, OH Zip 43016
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: 610-007539
 Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s): CPD
Recognized Civic Association or Area Commission: UAC & UARB
Proposed use or reason for Council Variance request: To maintain residential use on 1st floor of CPD district
Acreage: 2 acres

APPLICANT: Name Celmark Development Group
Address 7630 Red Bay Ct, City/State Dublin, OH Zip 43016
Phone # 614-932-9800 Fax # 614-559-6575 Email: mike@celmark.com

PROPERTY OWNER(S): Name 250 E Chittenden, LLC
Address 7630 Red Bay Ct City/State Dublin, OH Zip 43016
Phone # 614-932-9800 Fax # 614-559-6575 Email: mike@celmark.com
 Check here if listing additional property owners on a separate page.

ATTORNEY / AGENT Attorney Agent
Name Todd Foley, Ferris Planning & Design
Address 243 N. Fisk St. Suite 401 City/State Columbus, OH Zip 43215
Phone # 614-487-1964 Fax # _____ Email: tfoley@ferrisplanninganddesign.com

SIGNATURES (ALL SIGNATURES MUST BE SIGNED IN BLUE INK)
APPLICANT SIGNATURE [Signature]
PROPERTY OWNER SIGNATURE [Signature]
ATTORNEY / AGENT SIGNATURE Todd M. Foley

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.
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Please make all checks payable to the Columbus City Treasurer



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AFFIDAVIT

(See next page for instructions)

APPLICATION # CV11-038

STATE OF OHIO _____
COUNTY OF FRANKLIN _____

Being first duly cautioned and sworn (1) NAME Srinath Balakrishnan
of (1) MAILING ADDRESS 7630 Red Bay Ct, Dublin, OH 43016

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 253 E Chittenden Ave, Columbus, OH 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) 11/28/11

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME AND MAILING ADDRESS (4) 250 E Chittenden Ave
Columbus, OH 43201

APPLICANT'S NAME AND PHONE # (same as listed on front of application) Celmark Development Group
614-932-9860

AREA COMMISSION OR CIVIC GROUP (5) Seth Golding, UAC Commission Chair
AREA COMMISSION ZONING CHAIR OR 43 E Dorridge St.
CONTACT PERSON AND ADDRESS Columbus, OH 43202

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) [Signature]

Subscribed to me in my presence and before me this 22 day of NOVEMBER, in the year 2011

SIGNATURE OF NOTARY PUBLIC (8) E. Pedicini

My Commission Expires: 01/13/2016

Notary Seal Here



ERIN PEDICINI
Notary Public, State of Ohio
My Commission Expires 01-13-2016

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270 E. Twelfth LLC
10 E. 17th Ave.
Columbus, OH 43201

Steven Hardwick
247 Chittenden Ave.
Columbus, OH 43201

Stephen Palmer
1576 Ashdowne Rd.
Columbus, OH 43221

Platinum Rentals INC
1638 Summit St.
Columbus, OH 43201

Marguerite Wasson
1641 N. 4th St.
Columbus, OH 43201

University Manors LTD
10036 Sylvian Dr.
Dublin, OH 43017

**Paul L. Norris Jr.
& Melanie C. Norris**
1602 Summit St.
Columbus, OH 43201

**Robert Newman
& Linda Leviton**
1011 Colony Way
Columbus, OH 43235

Superior Rentals LLC
PO Box 211026
Columbus, OH 43221

University Manors LTD
8201 Chippenham Dr.
Dublin, OH 43016

University Manors LTD
72 E. 14th Ave.
Columbus, OH 43201

Ronald D. Younger
PO Box 29480
Columbus, OH 43229

Mitchell A. Koralewski
230 Chittenden Ave.
Columbus, OH 43201

Lloyd A. & Vinell A. Hayles
2680 Woodcutter Ave.
Columbus OH 43224

Hossam & Brenda Hasan
8095 Breezewood Ct.
Westerville, OH 43081

Wayne & Patricia Warmington
44 Pinewood LN.
Hudson, OH 44236

James Garrett & Bethany Bice
3356 Riverside Dr.
Columbus, OH 43202

D J S Ventures LLC
803 Lanreco Blvd.
Lancaster, OH 43130

Oxford McCoy LLC
4235 Oxford Dr.
Columbus, OH 43220

South Campus Rentals LLC
10 E. 17th Ave.
Columbus, OH 43201

Paul Rine
123 Northmoor Pl.
Columbus, OH 43214

Nicholas J. Darcangelo
100 Simon St.
Delaware, OH 43015

Thomas P. Heilman II
130 S. Columbia Ave.
Columbus, OH 43209

Mitchell M. Rutkowski
229 Chittenden Ave.
Columbus, OH 43201

274 Chittenden Ave LLC
287 Brighton Rd. W
Columbus, OH 43202

Hakeem O. Shittu
369 Wood St.
Pataskala, OH 43062

A-Z Investment Properties
3790 S. Old 3C Rd.
Gelena, OH 43021

Bryan & Jennifer Dulle
1586 Doten Ave.
Columbus, OH 43212

Michael K Weisel TR
2337 Bristol Rd.
Columbus, OH 43221

Allegra Treaster
64 Old South River Rd 24
Edgewater, MD 21037

City of Columbus Ohio
90 W. Broad St. RM 425
Columbus, OH 43215

250 E Chittenden LLC
266 Chittenden Ave.
Columbus, OH 43201

Todd M. Foley
Faris Planning & Design LLC
243 N. 5th Street Suite 401
Columbus, OH 43215

University Area Commission
Seth Golding
43 E. Dodridge St.
Columbus, OH 43202

University Area Commission
Susan Keeny
358 King Ave.
Columbus, OH 43201



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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 FORM

Signature of Applicant

B. Belmont

Date

11-22-11

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Statement of Hardship

East Village

11-28-2011

Mr. Dana Hitt
AICP, Council Activities
614-645-2395

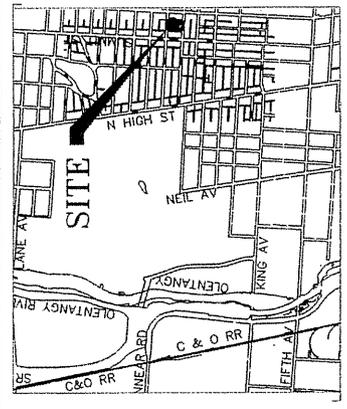
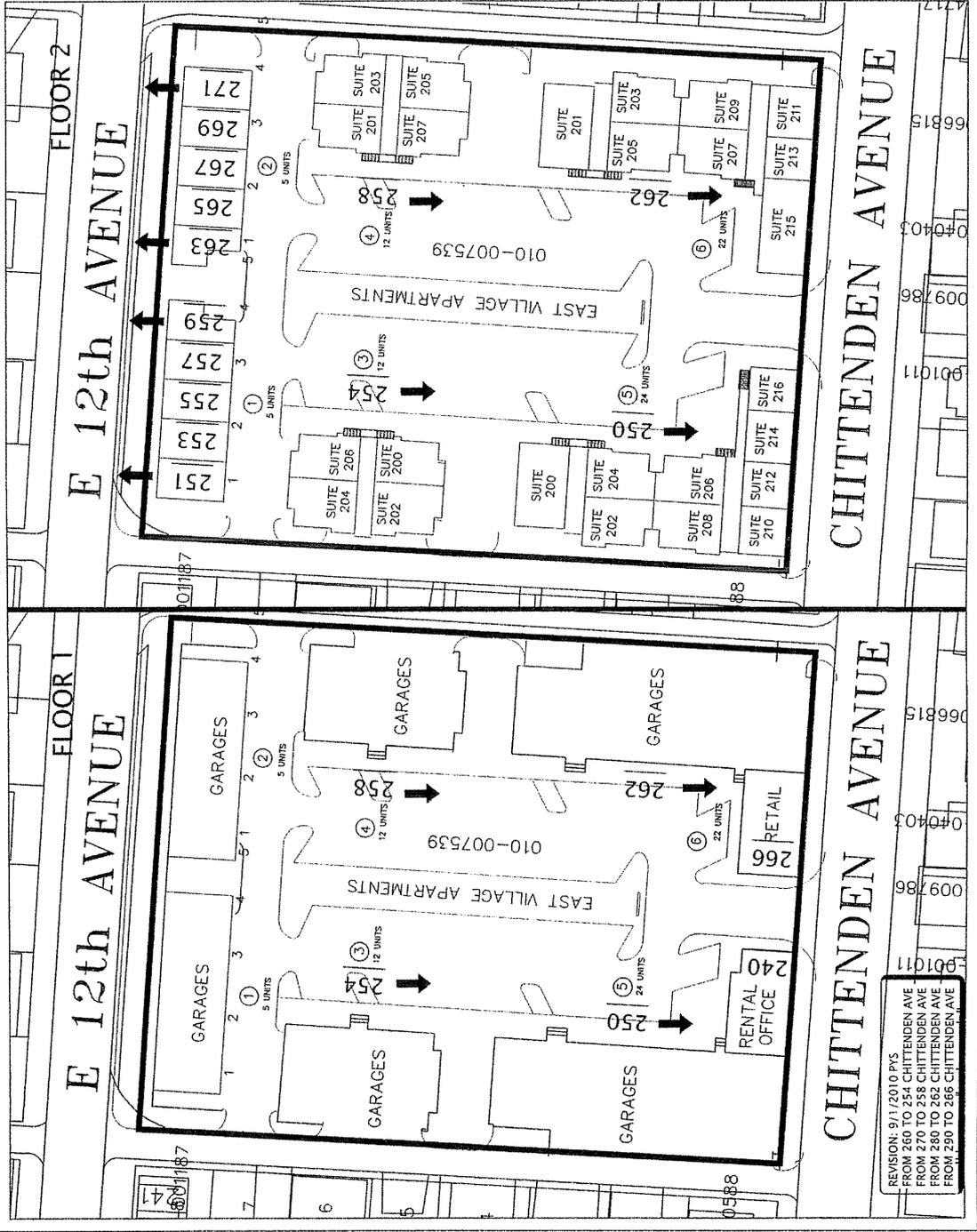
Chapter 3307 of the Columbus Zoning Code
Section 3307.10 Variances by City Council

The site in reference is the southeast corner of the University Area District and just north of the Weinland Park Area. This site has been a crucial redevelopment project for the area, and has revitalized a large void in the urban fabric. The request for council variance for this site has been proposed and approved twice (File #'s 0985-2008 & 1442-2008) in past years. From the establishment of the project to the present day, this development has seen three different developers be a part of its progress. The present day applicant/developer is requesting in a separate application a modification to the previously approved zoning text and subsequently is requesting this Council Variance a third time to maintain legitimacy for the completed project which contains retail uses on first floor (permitted in CPD) along with residential uses on first floor (not permitted in CPD).

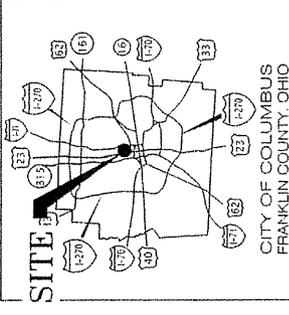
As mentioned before, there have been minor modifications to the development text to rectify site construction issues, but the variance request has not been changed as previously approved, however we are requesting modifications to the approved site plan:

- areas of 'proposed permeable pavers' have been removed, areas were constructed with asphalt pavement
- additional tree diamond islands within the primary section of parking lot have been added with commitment to add shade trees to reduce heat island effect and provide canopy to shade parking lot.
- additional landscaping with landscape beds and parking lot islands has been committed to by developer and shown on plans.

REVISED APARTMENT ADDRESSES WITHIN THE CITY OF COLUMBUS, OHIO



REFERENCE MAP
 CITY LAND USE MAP: 27-B
 GIS FACET NUMBER: 182607250



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

Issued by: *Paul J. [Signature]* Date: 07-27-08
 PAMELA A. CLAWSON P.E., ADMINISTRATOR
 TRANSPORTATION DIVISION
 109 N. FRONT ST.
 COLUMBUS, OH, 43215

ADDRESS FILE NUMBER: 00-172

DEVELOPED BY: URBAN VISION
 ENGINEERING CONSULTANT: G/R/A/D ARCHITECTS

EAST VILLAGE APARTMENTS
 SHEET 1 OF 2

ORIGINAL PARCEL NUMBER: 010-001339
 DRAWN BY: LOW
 CHECKED BY: PYS

REVISION: 8/1/2010 PYS
 FROM 250 TO 254 CHITTENDEN AVE
 FROM 250 TO 258 CHITTENDEN AVE
 FROM 260 TO 262 CHITTENDEN AVE
 FROM 280 TO 286 CHITTENDEN AVE

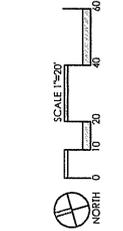
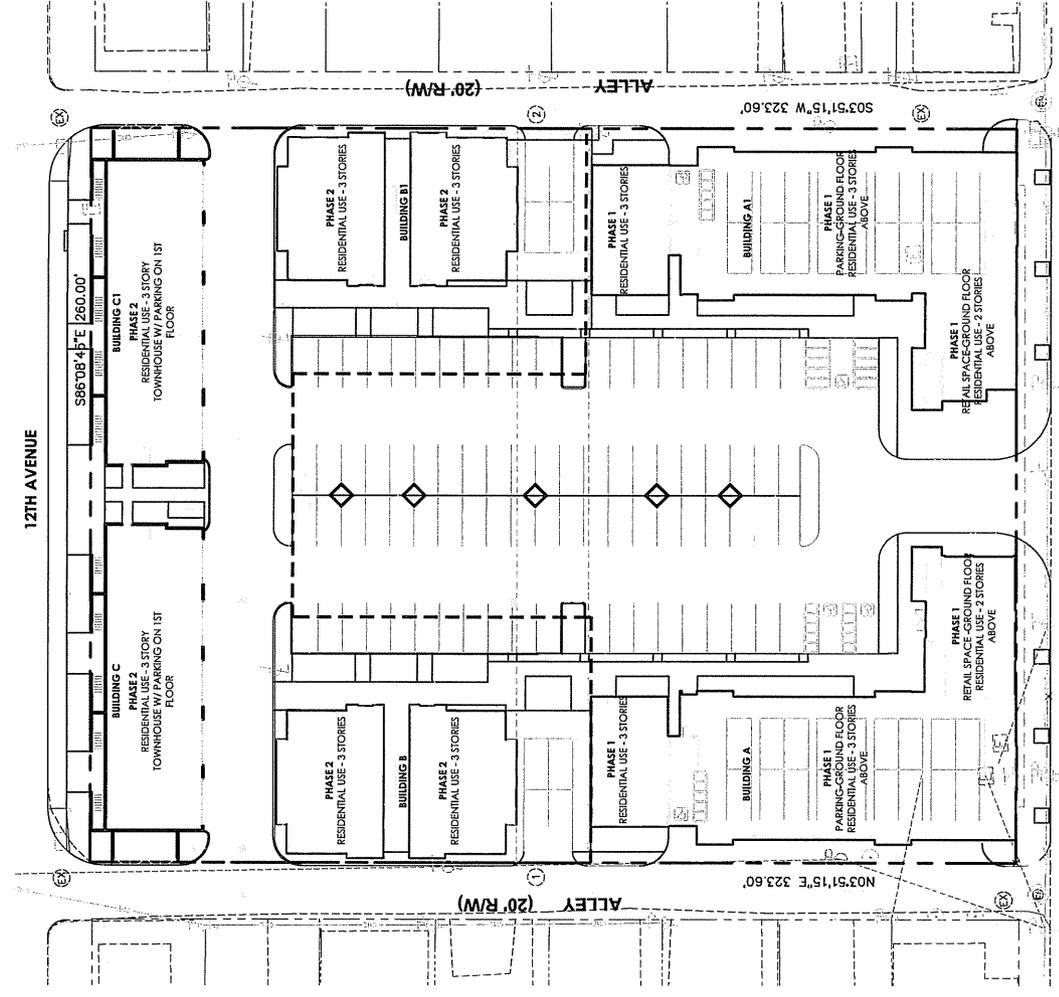
REVISIONS

EAST VILLAGE
 253 E. 12TH AVE, COLUMBUS, OH 43201
 PREPARED FOR
CELMARK DEVELOPMENT GROUP, INC.
 7430 RED BAY COURT, DUBLIN, OH 43014

Paris Planning & Design
 LANDSCAPE ARCHITECTURE
 5416 401
 COLUMBUS, OH 43215
 P 614.487.1864
 F 614.487.1864
 WWW.PARISPLANNINGANDDESIGN.COM

DATE	11/28/11
PROJECT	11050
SHEET	

CV-1

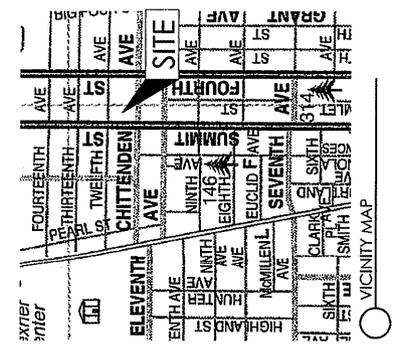


1 SITE LANDSCAPE PLAN
 SCALE: 1" = 40'

SITE DATA

PROPERTY SITE AREA	47,134 AC.
CURRENT ZONING	CPD
PROPOSED ZONING	CPD
CURRENT USE	RETAIL/RESIDENTIAL
PROPOSED USE	RETAIL/RESIDENTIAL
PARKING PROVIDED	161 SPACES

GENERAL NOTES:
 ALL BUILDINGS, PARKING AND SIDEWALKS HAVE BEEN PERMITTED, APPROVED AND CONSTRUCTED FOR BOTH PHASE 1 & 2.





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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 # CV11-038

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] Srinath Balakrishnan

Of [COMPLETE ADDRESS] 7630 Red Bay Ct, Dublin, OH 43016

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>EV II LLC</u> <u>2205 Tremont Rd</u> <u>Upper Arlington, OH 43221</u> <u>Srinath Balakrishnan 614 932-9800</u>	2.
3. <u>ZBP-E LLC</u> <u>Attn: Nicholas Zettler</u> <u>661 High St.</u> <u>Worthington, OH 43085</u> <u>614-354-7707</u>	4.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 22 day of November, in the year 2011

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

E. Pedicini
01/13/2016

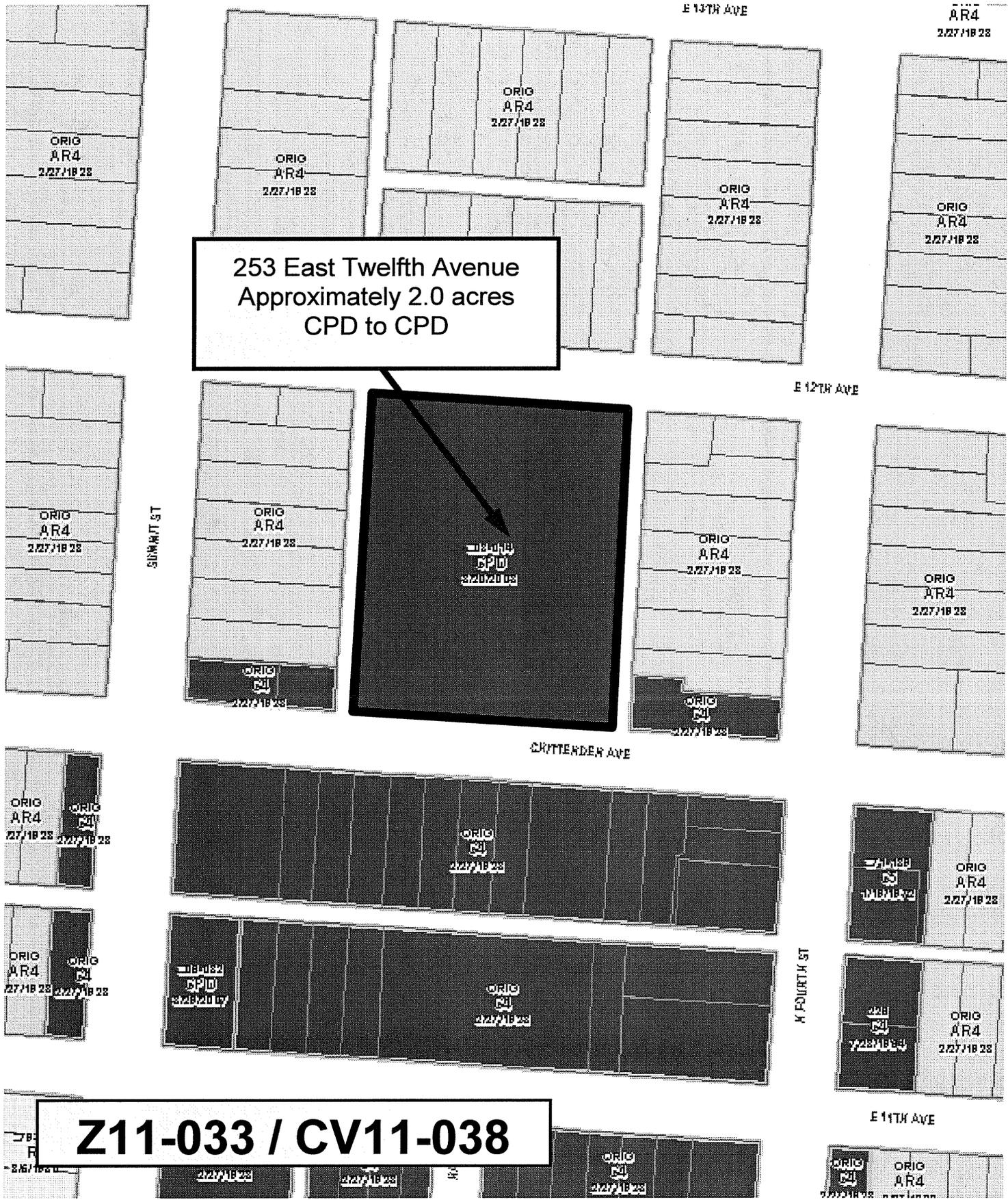
Notary Seal Here



ERIN PEDICINI
Notary Public, State of Ohio
My Commission Expires 01-13-2016

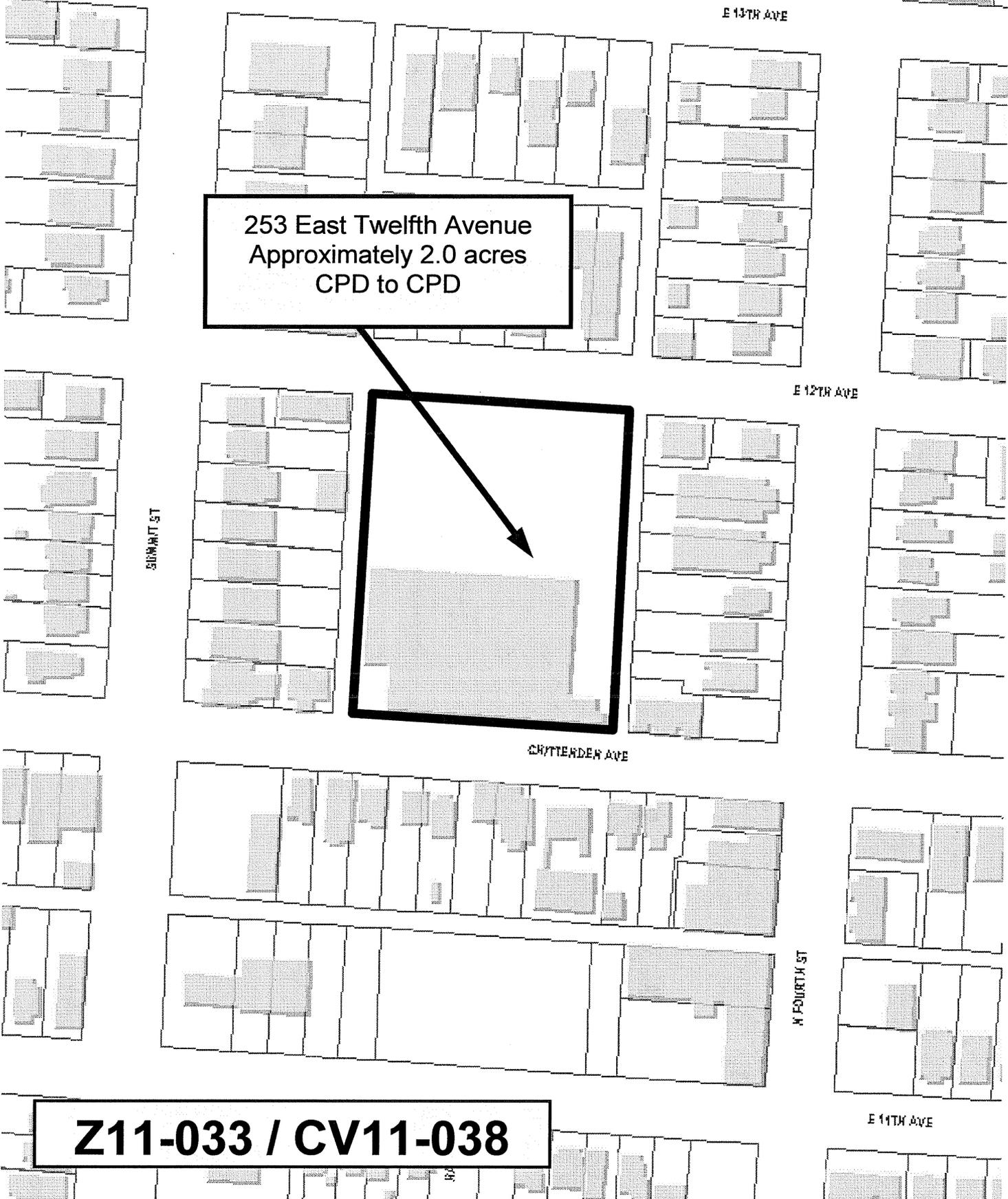
This Project Disclosure Statement expires six months after date of notarization.

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253 East Twelfth Avenue
 Approximately 2.0 acres
 CPD to CPD

Z11-033 / CV11-038



253 East Twelfth Avenue
Approximately 2.0 acres
CPD to CPD

E 13TH AVE

E 12TH AVE

SUMMIT ST

SNYDER AVE

4 FOURTH ST

E 11TH AVE

Z11-033 / CV11-038

An aerial photograph of a residential neighborhood. A white callout box with a black border is positioned in the upper-middle section of the image. It contains the text "253 East Twelfth Avenue", "Approximately 2.0 acres", and "CPD to CPD". A black arrow points from the bottom of this box to a larger, black-bordered inset image. The inset image shows a closer view of a building on a lot. The surrounding area is a grid of streets with houses and some larger buildings. Street names are visible: "E 13TH AVE" at the top, "E 12TH AVE" below it, "CRITTENDER AVE" below that, and "E 11TH AVE" at the bottom. On the left side, "SUMMIT ST" is written vertically. On the right side, "HARRISON ST" is written vertically. At the bottom, "KARLET ST" is written vertically. The overall image is in black and white.

253 East Twelfth Avenue
Approximately 2.0 acres
CPD to CPD

Z11-033 / CV11-038