

Date 5/14/10

Application # 10310-0-00161

City of Columbus | Development Department | Building Services Division | 757 Carolyn Ave, Columbus, Ohio 43224



Comments: _____ Application Number 10310-0-00161 Commission/Group: University
 _____ Date Received: 5/14/10 Planning Area: _____
 _____ Date of Hearing: 7/27/10 Acreage: _____
 _____ Zoning Fee: \$630⁰⁰ Address Fee _____
 _____ Existing Zoning AR-4 Accepted by W. Rein

BOARD OF ZONING ADJUSTMENT APPLICATION

TYPE(S) OF ACTION REQUESTED

(Check all that apply)

Variance Special Permit

Indicate what the proposal is and list applicable code sections. State what it is you are requesting.

Describe: CONVERT EXISTING MULTIFAMILY BUILDING (161-163 CHITTENDEN)
INTO A (2) FAMILY SEE ATTACHED FOR LIST OF VARIANCES

LOCATION

1. Certified Address Number and Street Name 163 CHITTENDEN AVE
City COLUMBUS State OH Zip 43212

Parcel Number (only one required.) 010-035352

APPLICANT (IF DIFFERENT FROM OWNER)

2. Name SHAWN McALLISTER
 3. Address 1679 OLD HENDERSON RD City COLUMBUS Zip 43220
 4. Phone# 614-451-4136 Fax # 614-457-7683
 5. Email Address SMARCU@AMRITERH.NET

PROPERTY OWNER(S)

6. Name SG 109 E 9TH LLC
 7. Address 1799 W. SIE AVE City COLUMBUS Zip 43212
 8. Phone# 614-571-0176 Fax # 614-
 9. Email Address SOGATE@ATT.NET

Check here if listing additional property owners on a separate page

ATTORNEY / AGENT (CIRCLE ONE)

10. Name SHAWN McALLISTER
 11. Address 1679 OLD HENDERSON RD City COLUMBUS Zip 43220
 12. Phone# 614-451-4136 Fax # 614-457-7683
 13. Email Address SMARCU@AMRITERH.NET

SIGNATURES

14. Applicant Signature [Signature]
 15. Property Owner Signature [Signature], MANAGING MEMBER, SG 109 E 9TH LLC
 16. Attorney/Agent Signature [Signature]

Shawn McAllister



Architect, Inc.

List of Variances:

3333.035 AR-4 apartment residential district use.

To permit a 3 family dwelling and a 2 family dwelling on an AR-4 district lot

3333.19 Building lines on corner lots – exceptions

To conform the required building setback line of 6' along Indianola Ave. to an existing setback of 0.0' for each dwelling on the lot.

3333.19 Side yard.

To conform existing conditions by waiving the side yard requirement for the dwelling at 1586-88 Indianola.

3333.24 Maximum sideyard required.

To conform the required sum of each side yard for 161-63 Chittenden from 7.5' to the existing 6.9' provided.

3333.24 Rear yard.

To conform a provided rear yard of 19.8% from a required 25% of total lot area for 161-63 Chittenden, and to waive the rear yard requirement for the dwelling at 1586-88 Indianola.

3333.27 Visual Clearance

To Conform existing dwelling in vision triangle

3333.30 Private access and parking requirements.

To waive the provision for off street parking facilities as required by Chapter 3342 and conform existing conditions that provide no parking.

3372.563 Maximum lot coverage.

To conform the existing and proposed lot coverage of 60% from the permitted 40%..

3372.567 Maximum floor area.

To conform the existing and proposed F.A.R. for subarea 1 from the allowable .6 to 1.44.

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163 Chittenden Ave.

Date

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AFFIDAVIT

(See next page for instructions.)

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME SHAWN McALLISTER of
(1) MAILING ADDRESS 1679 Old Henderson Rd Columbus, OH 43220
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) ADDRESS OF PROPERTY 163 CHITTENDEN AVE
for which the application for a rezoning, variance, special permit or graphics plan was filed with the
Department of Development, Building Services Division on (3)

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNER'S NAME
AND MAILING ADDRESS

(4) SG 109 E 9TH LLC
1799 W 5TH AVE
COLUMBUS, OH 43212

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

SHAWN McALLISTER 614-451-4136

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

(5) UNIVERSITY AREA COMMISSION
ATTN: RON HUDMAN
1298 HUNTER AVE COLUMBUS, OH 43201

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

SEE ATTACHED

(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 13th day of MAY, in the year 2010

SIGNATURE OF NOTARY PUBLIC(8) [Signature]
My Commission Expires: Lifetime

Notary Seal Here WILLIAM GEHRETT HUDDLE
NOTARY PUBLIC - STATE OF OHIO
LIFETIME COMMISSION

Buckeye Real Estate
P.O. Box 8310
Columbus, OH 43201

BAC Tax Service
2375 N. Glenville Drive
Richardson, TX 75082

Kimrae LLC
6540 Huntley Road
Columbus OH 43229

Sunrise Management Inc.
2621 Sandover Road
Columbus, OH 43220

Keybank Real Estate
Attn: Servicing Dept.
911 Main St.
Suite 1500
Kansas City, MO 64105

SG Chittenden 1 LLC
1799 W. 5th Avenue
Columbus, OH 43212

Graver Properties
P.O. Box 1407
Westerville, OH 43086-1407

136 E. 11th LLC
P. O. Box 06348
Columbus, OH 43206

Edward G. Gaughan
540 Teteridge Road
Columbus, OH 43214

Thomas P. Heilman II
28 East 11th St. Avenue
Columbus , OH 43201

Liberty Lending Services
First American Re Tax Srv
1721 Moon Lake Blvd #400
Hoffman Estates, IL 60169

University Manors
Campus Homes
72 E.14th Avenue
Columbus, OH 43201

Asamoto Roy & Bruce
668 Kenilworth Court
Columbus, OH 43230

Jack Beatley
70 W. Northwood Ave. Apt 1E
Columbus, OH 43201-1037

First Community Bank
4300 E. Broad Street
Columbus, OH 43213

Buckeye Real Estate
P.O. Box 8310
Columbus, OH 43201

OCWEN Loan Services LLC
First American Re Tax Srv
1721 Moon Lake Blvd #400
Hoffman Estates, IL 60169

Chase Home Finance LLC
First American Re Tax Srv
1721 Moon Lake Blvd #400
Hoffman Estates, IL 60169

First Community Bank
4300 E. Broad Street
Columbus, OH 43213

Graver Properties
P.O. Box 1407
Westerville, OH 43086-1407

Kubat, Elizabeth A.
3334 Cemetery Road
Hilliard, OH 43026

University Area Commission
Attn: Ron Hupman
1298 Hunter Ave
Columbus, OH 43201

Shawn McAllister
1679 Old Henderson Road
Columbus, OH 43220

Jim Whalen
650 Strumbly Drive
Highland Heights, OH 44143

Don Paltani
2115 Weston Drive
Hudson, OH 44236

Donald Valliant
5312 King Charles Way
Bethesda, MD 20814

Frank Lynch
11181 Longwood Grove Drive
Reston, VA 20194

Jim Zimmer
7322 Winnipeg Drive
Dublin, OH 43016

Mark Stadnik
1321 Forsythe Ave
Columbus, OH 43201

One Stop Shop Zoning Report

Building Services Division Department of Development

Report date: 5/17/2010 12:43:54 PM

Parcel Report

Parcel ID	Owner	Address
010035352	SG 109 E9TH LLC	161 CHITTENDEN AVE COLUMBUS OH 43201
010035352	SG 109 E9TH LLC	1588 INDIANOLA AVE COLUMBUS OH 43201
010035352	SG 109 E9TH LLC	1586 INDIANOLA AVE COLUMBUS OH 43201
010035352	SG 109 E9TH LLC	163 CHITTENDEN AVE COLUMBUS OH 43201

Base Zoning Report

Case Number	Classification	Height District	Map Number	General Zoning Category	Limitation Text
ORIG	AR4	H-35	28	Multi-Family	(View Document)

Zoning Overlay District

Overlay Name	District Name	Planning Overlay
UNIVERSITY/IMPACT	PLANNING OVERLAY	PI
UNIVERSITY/IMPACT	REVIEW PLANNING OVERLAY	PI

Flood Zone

Firm Panel	Flood Zone	SFHA	Panel Type	FZONE
TBD	X	OUT	CURRENT	X

Area Commissions

Area Name	INFObase URL
University Area Commission	INFObase Page



This map is intended to locate the property in question, and provide information about the land use categories governing the use of this parcel. Please consult with zoning staff before making binding decisions based on this information. The property address is not a certified address for building purposes. No warranty is expressed or implied.

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163 Chittenden Ave.



STATEMENT OF HARDSHIP

10310-00161
163 Chittenden Ave.

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 do 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:

THE SPECIAL CIRCUMSTANCES WITH THIS PROPERTY
ARE THERE ARE (2) MULTIFAMILY STRUCTURES
ON THE SITE. IN ORDER TO CONVERT 161-163 CHITTENDEN
TO A (2) FAMILY, THERE ARE VARIANCES NEEDED DUE
TO CHANGE OF USE. IT APPEARS WHEN THE RESIDENCE
WAS BUILT, IT WAS A (2) FAMILY, ORIGINALLY. BY
GRANTING THE VARIANCES, 161-163 CHITTENDEN, CAN
BE RESTORED BACK TO WHAT IT ONCE WAS. THERE ARE
NO ADDITIONS BEING PROPOSED TO THE STRUCTURES, AND THEREFORE
FEEL IT WILL NOT BE INJURIOUS TO THE NEIGHBORING PROPERTIES.



City of Columbus Zoning Plat

10310-00161
163 Chittenden Ave.

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: 010035352

Zoning Number: 163

Street Name: CHITTENDEN AVE

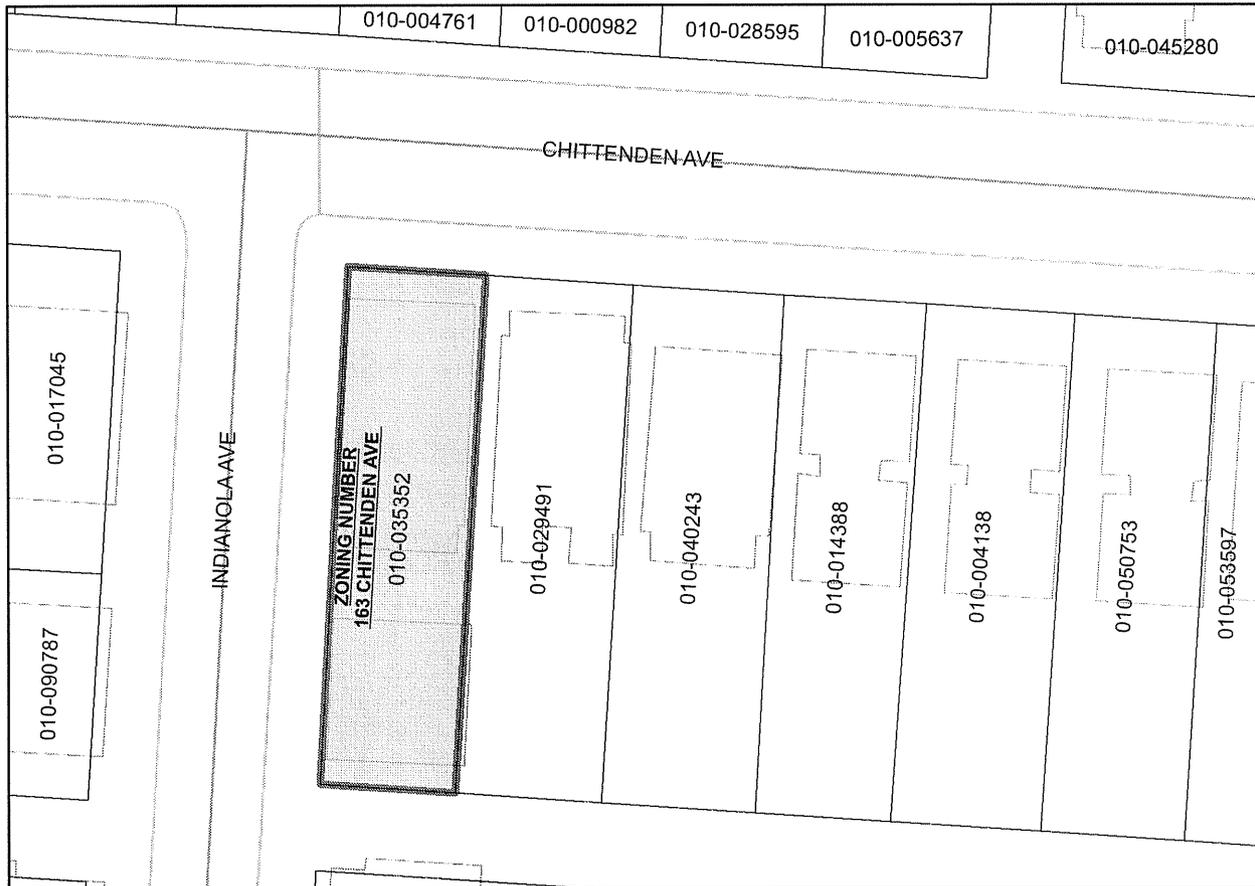
Lot Number: 24

Subdivision: CHITTENDEN PLACE ADD

Requested By: SHAWN McALLISTER ARCHTECT, INC.

Issued By: *Patricia A. Austin*

Date: 5/5/2010



PATRICIA A. AUSTIN, P.E., ADMINISTRATOR
DIVISION OF PLANNING AND OPERATIONS
COLUMBUS, OHIO

SCALE: 1 inch = 50 feet
GIS NOS FILE NUMBER: 4162

The Talon Group and/or First Community

Legal Description: Situated in The State of Ohio, County of Franklin, City of Columbus Being Part of Lot 24 Chittenden Place Addition, Plat Book 7, Page 148

Applicant: SG109 E. 9th, LLC

Posted Address: 161-163 Chittenden Ave./1586-1588 Indianola Ave. Columbus, Ohio

F.E.M.A. Flood Zone Designation: Flood Zone "X" as per F.I.R.M. 390170 0232H

Apparent Encroachments: 1) Eaves and Gutters Over Property Line.



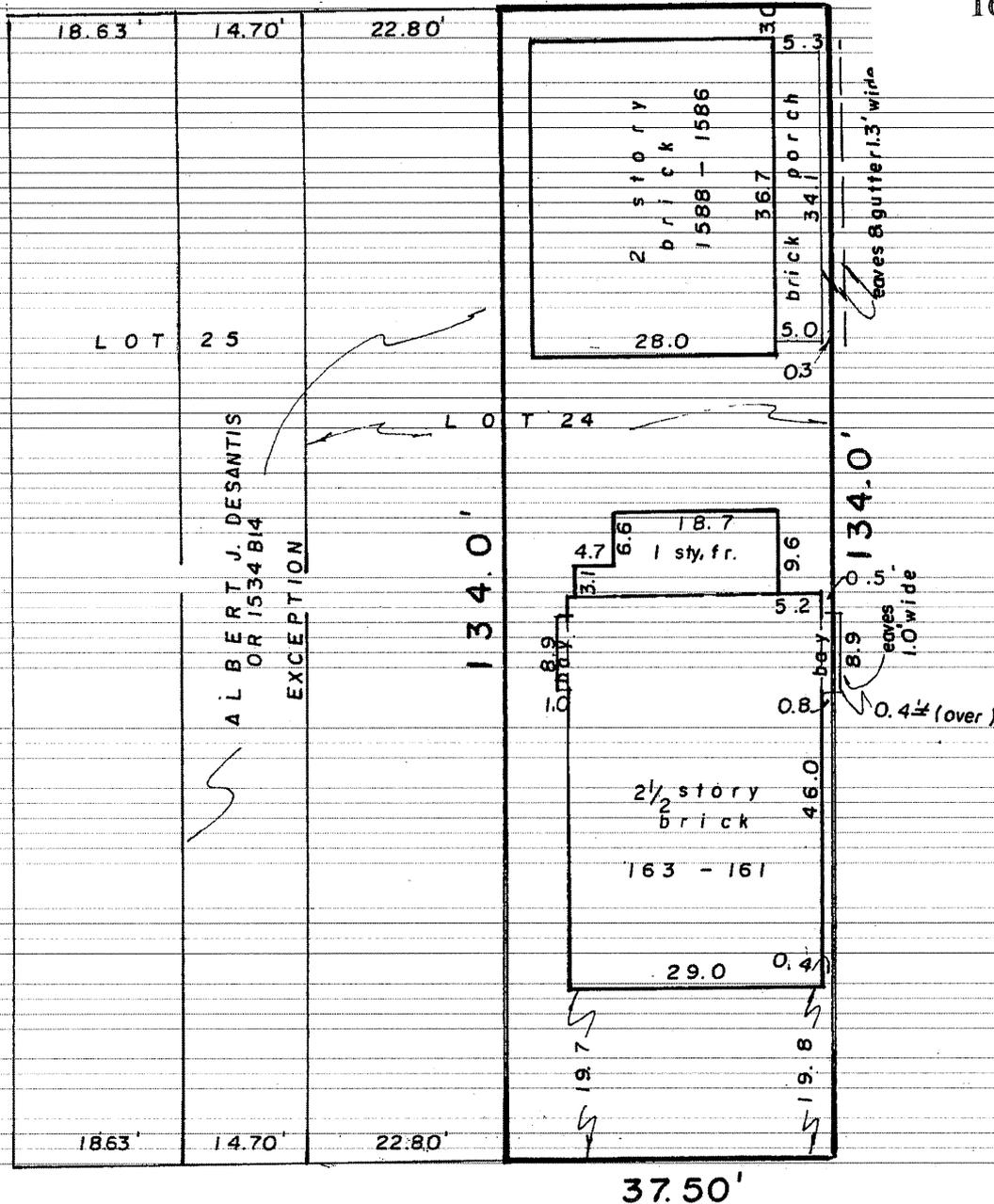
Scale 1" = 20'

Date: 09/11/2006



22.50' ALLEY

10310-00161
163 Chittenden Ave.



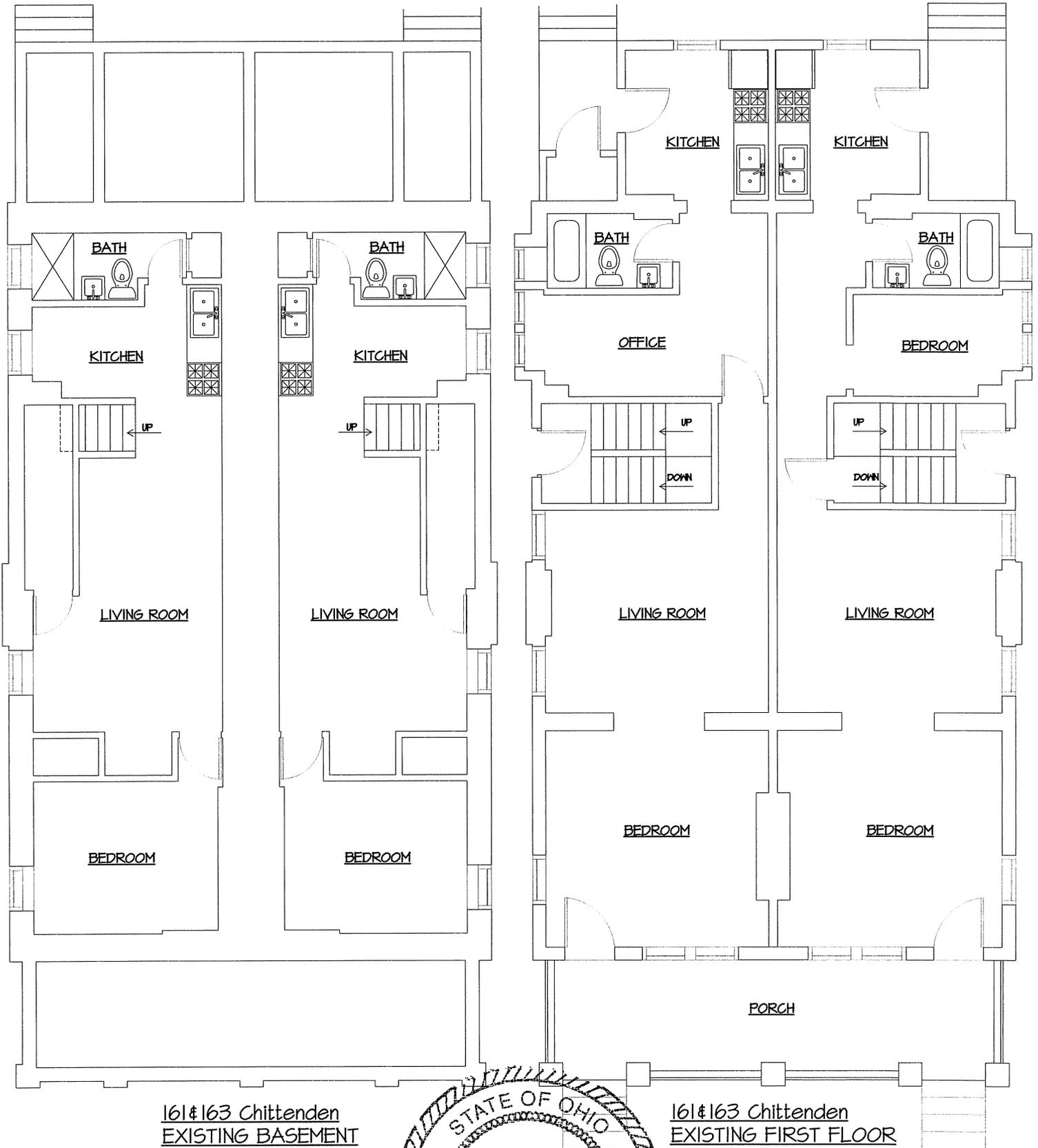
CHITTENDEN AVE. 60'



We hereby certify that the foregoing Mortgage Location survey was prepared from actual field measurements in accordance with Chapter 4733-38 Ohio Administrative Code, and is not a boundary survey pursuant to Chapter 4733-37 of said code.

Myers Surveying Co., Inc.

10310-00161
163 Chittenden Ave.



161 & 163 Chittenden
EXISTING BASEMENT

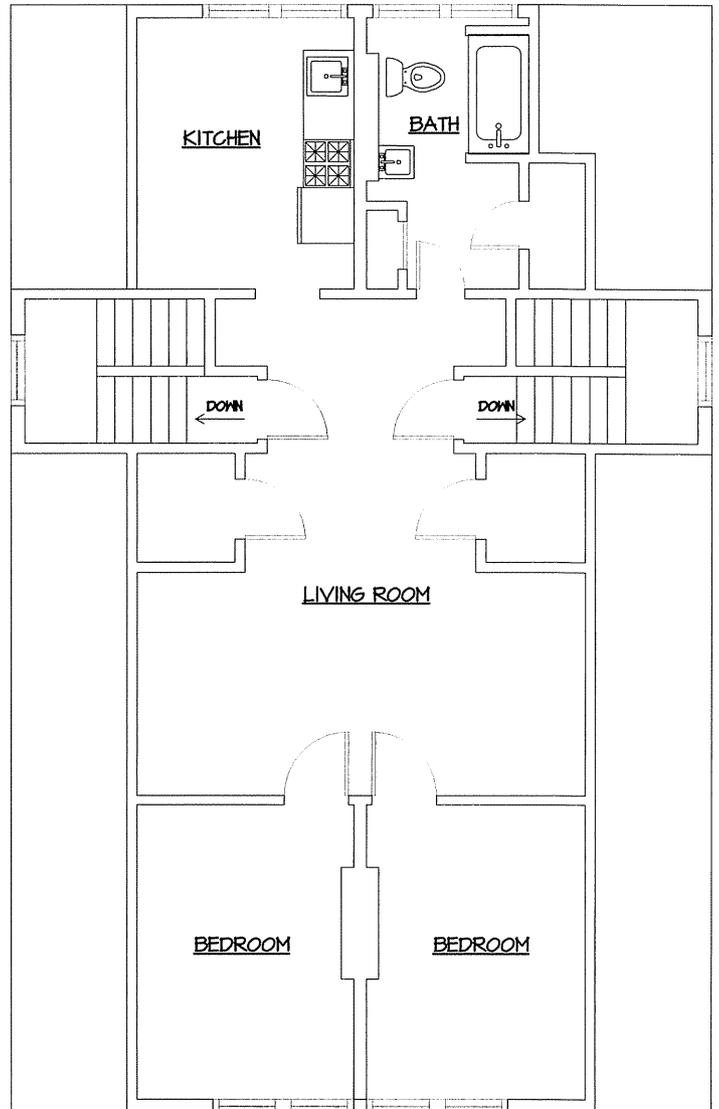
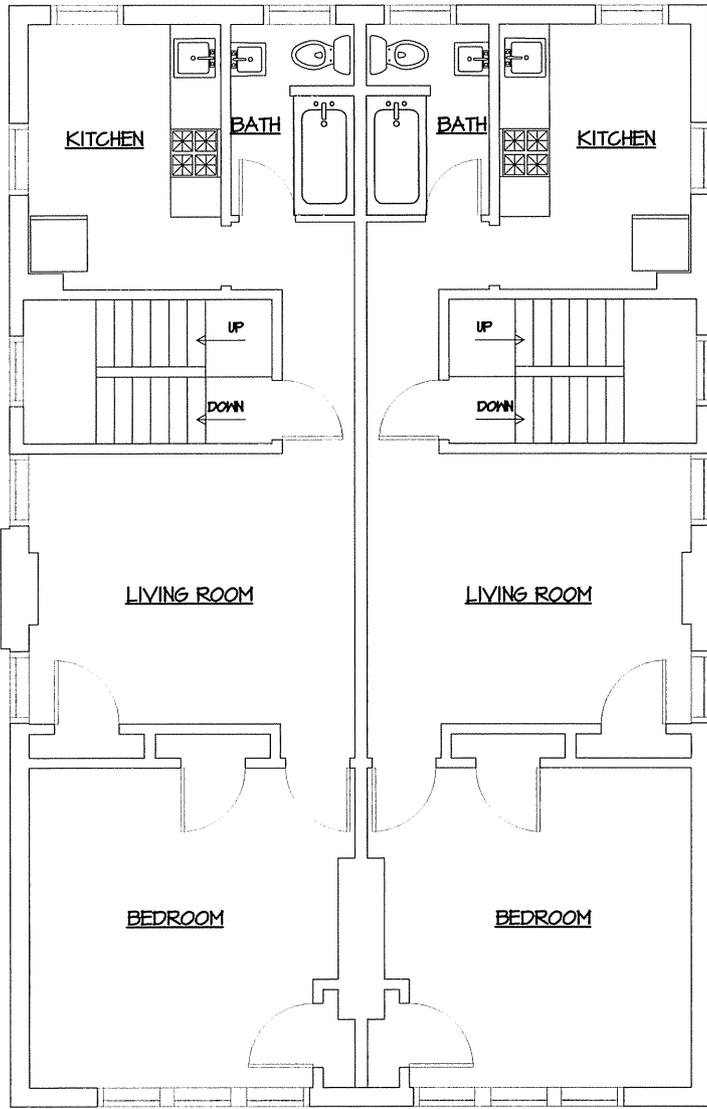
1334 GROSS SQ.FT.

161 & 163 Chittenden
EXISTING FIRST FLOOR

1538 GROSS SQ.FT.



10310-00161
163 Chittenden Ave.



161 & 163 Chittenden
EXISTING SECOND FLOOR

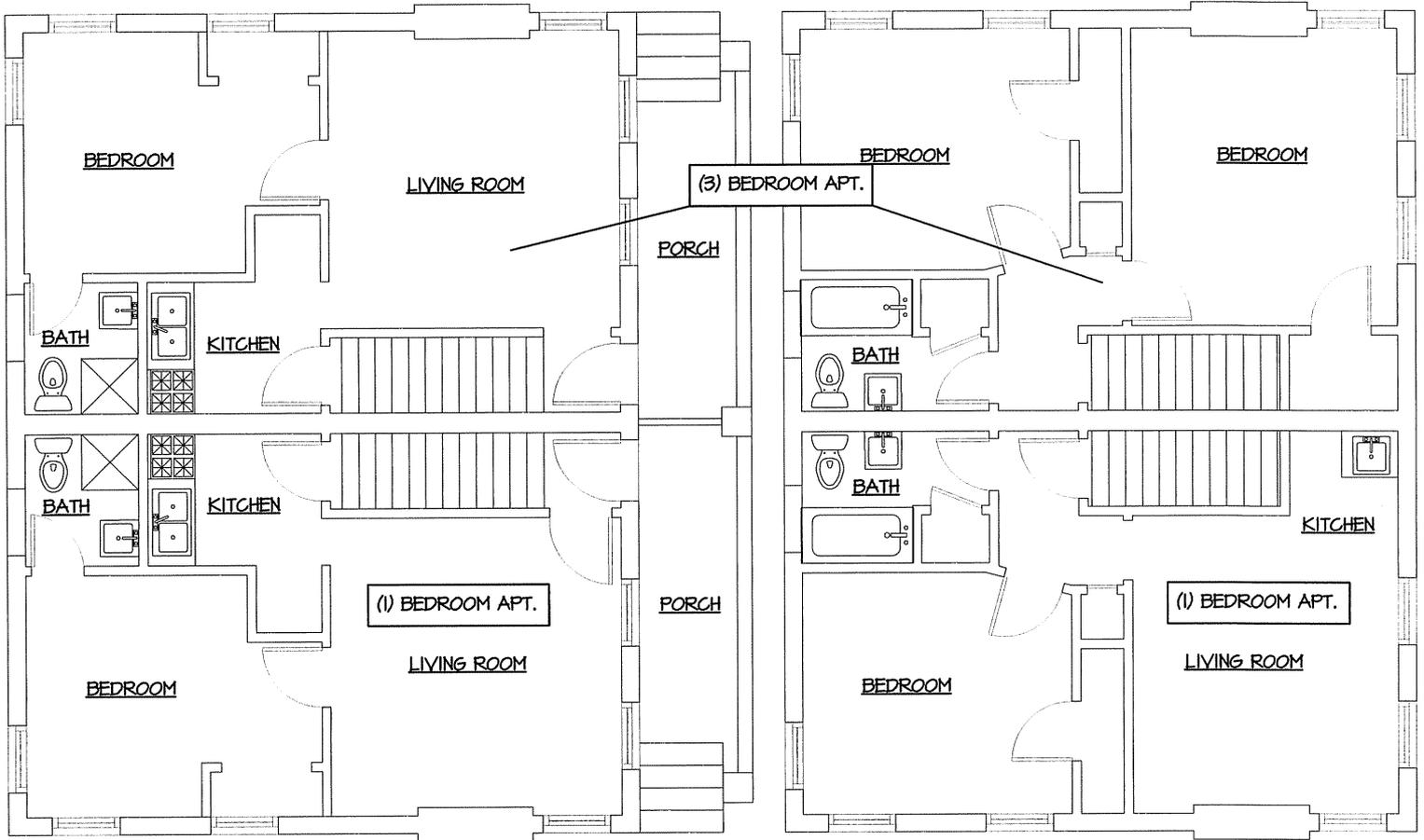
1334 GROSS SQ.FT.

161 & 163 Chittenden
EXISTING ATTIC

962 GROSS SQ.FT.



10310-00161
163 Chittenden Ave.

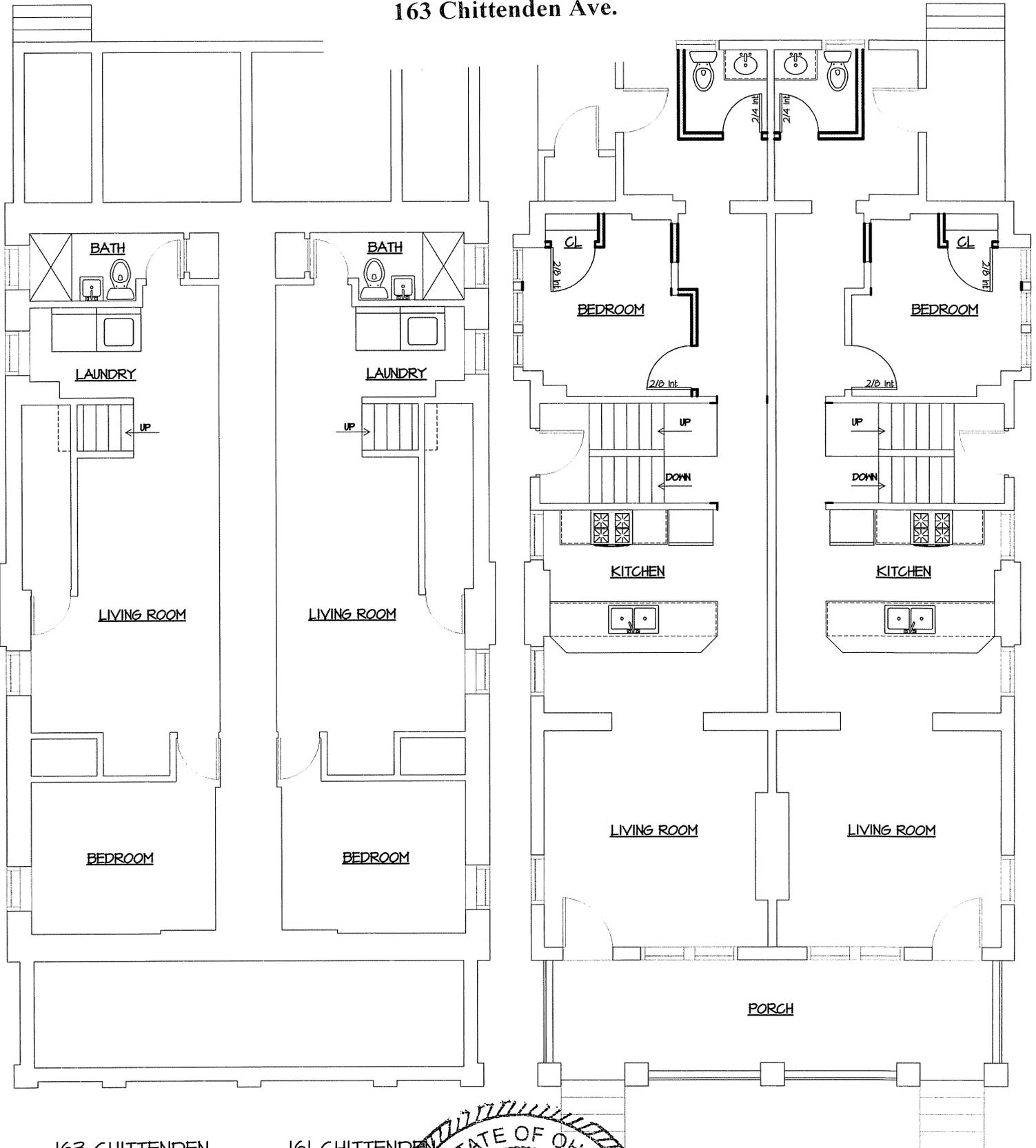


1586 & 1588 Indianola
EXISTING FIRST FLOOR
1030 GROSS SQ.FT.

1586 & 1588 Indianola
EXISTING SECOND FLOOR
1030 GROSS SQ.FT.



10310-00161
163 Chittenden Ave.



163 CHITTENDEN
667 GROSS SQ.FT.

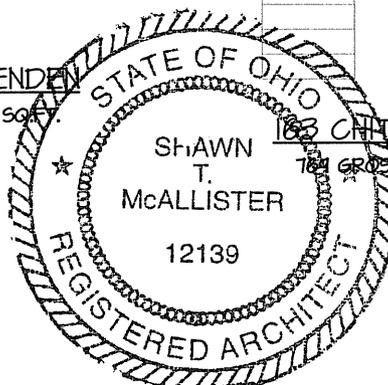
161 CHITTENDEN
667 GROSS SQ.FT.

163 CHITTENDEN
784 GROSS SQ.FT.

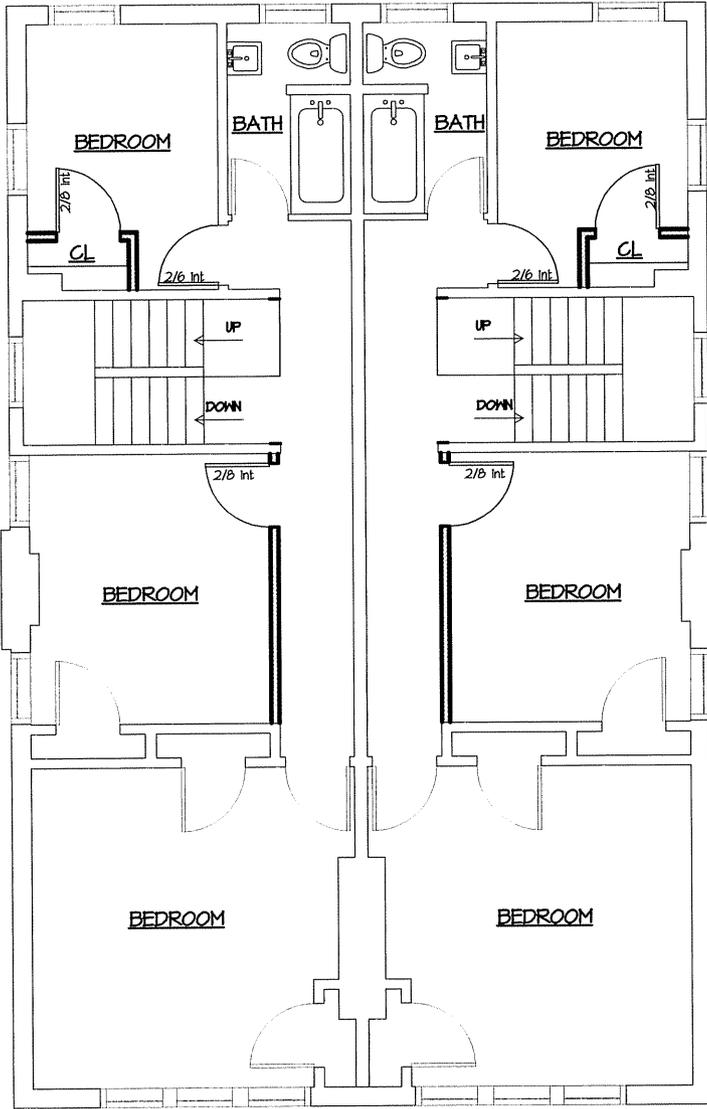
161 CHITTENDEN
769 GROSS SQ.FT.

PROPOSED BASEMENT

PROPOSED FIRST FLOOR

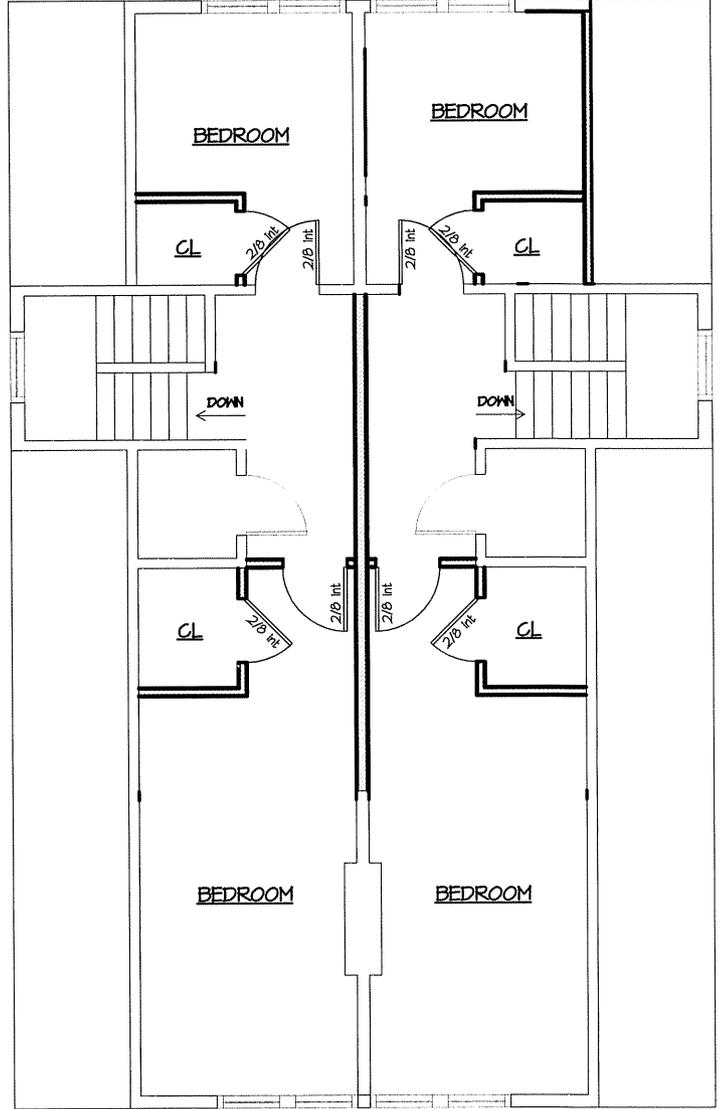


10310-00161
163 Chittenden Ave.



163 CHITTENDEN
667 GROSS SQ.FT.

161 CHITTENDEN
667 GROSS SQ.FT.



163 CHITTENDEN
481 GROSS SQ.FT.

161 CHITTENDEN
481 GROSS SQ.FT.

PROPOSED SECOND FLOOR

PROPOSED ATTIC





Signature of Applicant [Signature] Date 5/11/10

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

10310-00161
163 Chittenden Ave.

STATE OF OHIO
COUNTY OF FRANKLIN

APPLICATION # _____

Being first duly cautioned and sworn (NAME) SHAWN McALISTER
of (COMPLETE ADDRESS) 1679 Old Henderson Road, Columbus, OH 43220
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
<u>DON PALTANI</u>	<u>2115 WESTON DR HUDSON, OH 44236</u>
<u>DONALD VALIANT</u>	<u>5312 KING CHARLES WAY BETHESDA, MD 20814</u>
<u>FRANK LYNCH</u>	<u>11181 LONGWOOD GROVE DR. RESTON, VA 20194</u>
<u>JIM ZIMMER</u>	<u>7322 WINNIPEG DR DUBLIN, OH 43016</u>
<u>MARK STADNIK</u>	<u>1321 FORSYTHE AVE COLUMBUS, OH 43201</u>
<u>JIM WHALEN</u>	<u>650 STURMBLY DR HIGHLAND HTS, OH 44143</u>

SIGNATURE OF AFFIANT [Signature]

Subscribed to me in my presence and before me this 13th day of MAY, in the year 2010

SIGNATURE OF NOTARY PUBLIC William G. Huddle

My Commission Expires: LIFETIME

Notary Seal Here
WILLIAM GERRETT HUDDLE
NOTARY PUBLIC - STATE OF OHIO
LIFETIME COMMISSION