



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

OFFICE USE ONLY

Application Number: 11310-02000-00311
Date Received: 7 June 2011
Commission/Group: _____
Existing Zoning: M-1 Application Accepted by: JF Fee: \$1,900
Comments: _____

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.

- Variance for front parking setback from 25' to 10'. Section 3312.27
- Variance for sideyard setback from 25' to 15'. Section 3365.21(2)

LOCATION

1. Certified Address Number and Street Name 4766 Kenny Road
City Columbus State OH Zip 43220
Parcel Number (only one required) 010-129807

APPLICANT: (IF DIFFERENT FROM OWNER)

Name Shawn McAllister
Address 1679 Old Henderson Road City/State Columbus Zip OH
Phone # 614-451-4136 Fax # 614-457-7683 Email smarch@ameritech.net

PROPERTY OWNER(S):

Name George B. & Catherine E. Cleary
Address 4766 Kenny Road City/State Columbus, OH Zip 43220
Phone # 614-459-4000 Fax # 614-459-4038 Email george@clearycompany.com
 Check here if listing additional property owners on a separate page.

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

Attorney Agent

Name Shawn McAllister
Address 1679 Old Henderson Road City/State Columbus, OH Zip 43220
Phone # 614-451-4136 Fax # 614-457-7683 Email: smarch@ameritech.net

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

APPLICANT SIGNATURE _____
PROPERTY OWNER SIGNATURE _____
ATTORNEY / AGENT SIGNATURE _____

PLEASE NOTE: incomplete information will result in the rejection of this submittal.
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STATEMENT OF HARDSHIP

11310-00000-00311
4766 KENNY ROAD

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:

Front parking setback variance from 25' to 10'

1. The property is limited on where parking can go.
2. The circumstances & conditions are not the result of the property owner or applicant
3. The adjacent property to the south has parking within the parking setback.
4. The granting of the variance will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of the zoning code.

Building sideyard setback from 25' to 15'

1. The 25' building setback would limit the addition and not make it a practical size.
2. The circumstances & conditions are not the result of the property owner or applicant.
3. The adjacent property to the south has its sideyard setback at approximately 3'
4. The granting of the variance will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of the zoning code.

Signature of Applicant _____

Date _____

6/1/11

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AFFIDAVIT

11310-00000-00311

4766 KENNY ROAD

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Shawn McAllister
of (1) MAILING ADDRESS 1679 Old Henderson Road, 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) per ADDRESS CARD FOR PROPERTY 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 (4) George B. & Catherine E. Cleary
AND MAILING ADDRESS 4766 Kenny Road, Columbus, OH 43220

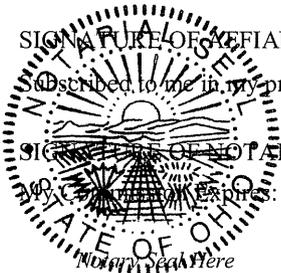
APPLICANT'S NAME AND PHONE # (same as listed on front of application) Shawn McAllister 614-451-4136

AREA COMMISSION OR CIVIC GROUP (5) Northwest Civic Association
AREA COMMISSION ZONING CHAIR OR Jennifer Adair
CONTACT PERSON AND ADDRESS 5316 Portland Street, Columbus, OH 43235

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
Subscribed to me in my presence and before me this
NICOLE L. TUDD
NOTARY PUBLIC
STATE OF OHIO
Recorded in
Franklin County
My Comm. Exp. 5/29/10

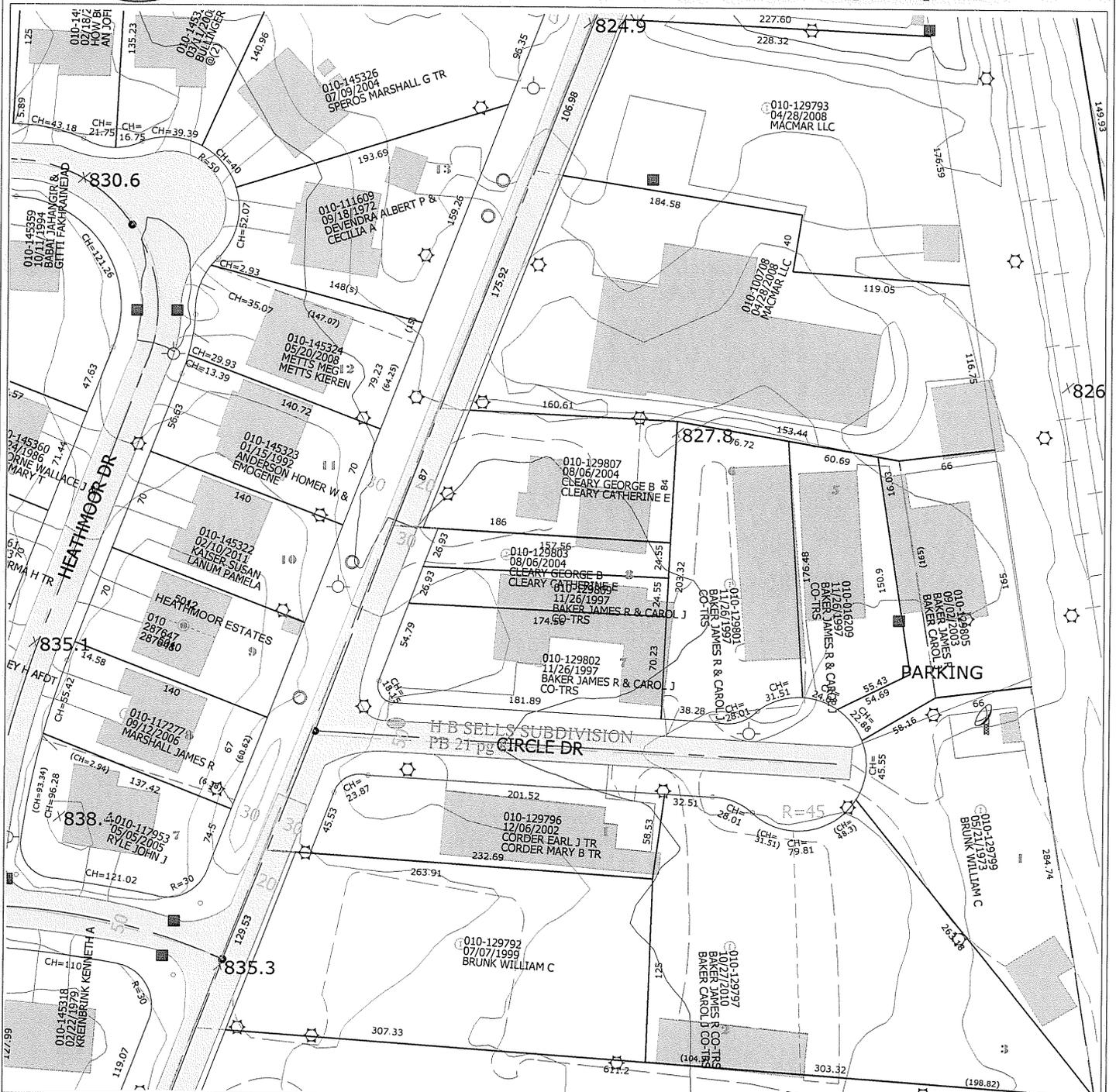
(8) [Signature]
Letn day of June, in the year 2011
(8) Nicole L. Tudd
5/29/2010

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CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: S DATE: 5/25/11



Disclaimer

Scale = 100

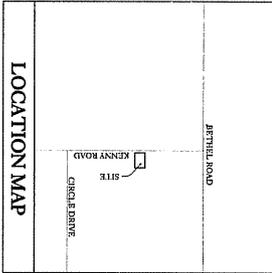
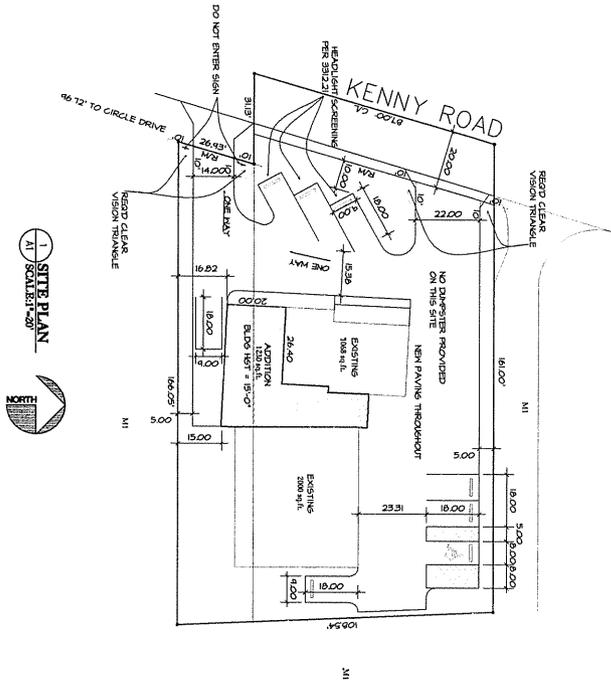


This map is prepared for the real property inventory within this county survey plats, and other public records and data. Users of this map information sources should be consulted for verification of the information and the mapping companies assume no legal responsibility. Please notify the Franklin County GIS Division of any discrepancies.

11310-00000-00311
4766 KENNY ROAD

11310-00000-00311

4766 KENNY ROAD



SITE DATA

ADDRESS: 4766 Kenny Road
 PID: 010-08007
 SITE AREA: 14,518 SQ. FT.
 EXISTING ZONING: M1
 EXISTING BUILDING: 18,000 SQ. FT.
 EXISTING BUILDING: 20,000 SQ. FT.
 EXISTING BUILDING: 20,000 SQ. FT.
 ADDITION: 12,000 SQ. FT.
 OFFICE: 12,000 SQ. FT.

PARKING REQ.

M1: 1000 + 4200000 + SERVICES
 8 SERVICES

PARKING PROVIDED

8 SERVICES

PROPOSED PROJECT WILL COMPLY WITH SECTIONS 103.01, 103.02, 103.03, 103.04, 103.05, 103.06, 103.07, 103.08, 103.09, 103.10, 103.11, 103.12, 103.13, 103.14, 103.15, 103.16, 103.17, 103.18, 103.19, 103.20, 103.21, 103.22, 103.23, 103.24, 103.25, 103.26, 103.27, 103.28, 103.29, 103.30, 103.31, 103.32, 103.33, 103.34, 103.35, 103.36, 103.37, 103.38, 103.39, 103.40, 103.41, 103.42, 103.43, 103.44, 103.45, 103.46, 103.47, 103.48, 103.49, 103.50, 103.51, 103.52, 103.53, 103.54, 103.55, 103.56, 103.57, 103.58, 103.59, 103.60, 103.61, 103.62, 103.63, 103.64, 103.65, 103.66, 103.67, 103.68, 103.69, 103.70, 103.71, 103.72, 103.73, 103.74, 103.75, 103.76, 103.77, 103.78, 103.79, 103.80, 103.81, 103.82, 103.83, 103.84, 103.85, 103.86, 103.87, 103.88, 103.89, 103.90, 103.91, 103.92, 103.93, 103.94, 103.95, 103.96, 103.97, 103.98, 103.99, 104.00

C1	SITE PLAN		SHAWN McAllister Architect, Inc.	1679 OLD HENDERSON ROAD COLUMBUS, OH 43220 TEL: 614-451-4136 FAX: 614-457-7683 smarch@ameritech.net	4766 Kenny Road Columbus, OH
	JOB #214110	SCALE: AS NOTED			
	ISSUE DATE: 6/1/11				



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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 # **11310-00000-00311**

4766 KENNY ROAD

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Shawn McAllister
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:

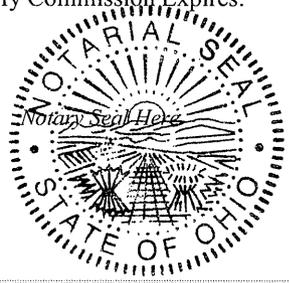
NAME	COMPLETE MAILING ADDRESS
George B. & Catherine E. Cleary	4766 Kenny Road, Columbus, OH 43220

SIGNATURE OF AFFIANT *Shawn McAllister*

Subscribed to me in my presence and before me this 6th day of June, in the year 2011

SIGNATURE OF NOTARY PUBLIC *Nicole L. Judd*

My Commission Expires: 5/29/11



NICOLE L. JUDD
NOTARY PUBLIC
STATE OF OHIO
Recorded in
Franklin County
My Comm. Exp. 5/29/16

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