



CVII - 007

Assigned to: Shannon Rie  
645-2208  
sriem@columbus.gov

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

**OFFICE USE ONLY:**

Planning Area: University Received By: DH

**LOCATION AND ZONING REQUEST:**

Certified Address (for Zoning Purposes) 135 E. Maynard Avenue Zip 43202

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 010-047210

If applicable, check here if listing additional parcel numbers on a separate page [Required]

Current Zoning District(s) R2F

Recognized Civic Association or Area Commission University Area Commission

Proposed use or reason for Council Variance request: Request a variance to the permitted use to allow a three family dwelling

Proposed Height District: H-35 Acreage \_\_\_\_\_  
(Columbus City Code Section 3309.14)

**APPLICANT:** Name Thomas D. Saad

Address 1245 Windham Road City/State Columbus, Ohio Zip 43220

Email \_\_\_\_\_

**PROPERTY OWNER(S):** Name Thomas D. Saad and Jennifer A. Saad

Address 1245 Windham Road City/State Columbus, Ohio Zip 43220

Email \_\_\_\_\_

If applicable, check here if listing additional property owners on a separate page [Required]

**ATTORNEY / AGENT**  Attorney  Agent

Name Michael D. Saad, Esq.

Address 41 South High Street, Suite 2000 City/State Columbus, Ohio Zip 43215

Phone # 614-365-2735 Fax # 614-365-2499 Email: michael.saad@ssd.com

**SIGNATURES** (ALL SIGNATURES MUST BE SIGNED IN BLUE INK)

APPLICANT SIGNATURE [Signature]

PROPERTY OWNER SIGNATURE [Signature]

ATTORNEY / AGENT SIGNATURE [Signature]

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.  
For all questions regarding this form and fees please call: 614-645-8637  
Please make all checks payable to the Columbus City Treasurer



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## AFFIDAVIT

(See next page for instructions)

APPLICATION # CV11-007

STATE OF OHIO \_\_\_\_\_  
COUNTY OF FRANKLIN \_\_\_\_\_

Being first duly cautioned and sworn (1) NAME Michael D. Saad  
of (1) MAILING ADDRESS 41 South High Street, Suite 2000, Columbus, Ohio 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 135 East Maynard Avenue  
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) 2/24/11  
(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME AND MAILING ADDRESS

(4) Thomas D. Saad  
Jennifer A. Saad  
1245 Windham Road  
Columbus, Ohio 43220

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

Thomas D. Saad (614) 208-1071

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

(5) University Area Commission  
Ron Hupman, Chair  
1298 Hunter Avenue, Columbus, Ohio 43201

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

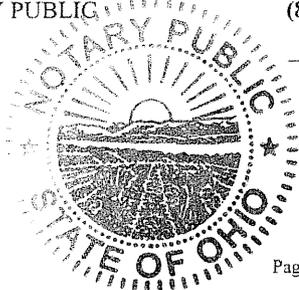
(8) Michael D. Saad  
Subscribed to me in my presence and before me this 23<sup>rd</sup> day of FEBRUARY, in the year 2011

SIGNATURE OF NOTARY PUBLIC

(8) Beverly J. Kantor

My Commission Expires:

Notary Seal Here



**Beverly J. Kantor**  
**Notary Public, State of Ohio**  
**My Commission Expires 12/16/2011**

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CV11-007

APPLICANT

Thomas D. Saad  
1245 Windham Road  
Columbus, Ohio 43220

PROPERTY OWNER

Thomas D. Saad  
1245 Windham Road  
Columbus, Ohio 43220

ATTORNEY

Michael D. Saad Esq.  
Squire Sanders & Dempsey (US) LLP  
41 S High St Ste 2000  
Columbus, Ohio 43215

AREA COMMISSION OR  
NEIGHBORHOOD GROUP

University Area Commission  
Ron Hupman, Chair  
1298 Hunter Ave  
Columbus, Ohio 43201

SURROUNDING PROPERTY OWNERS

Thomas J. Abernathy  
194 Chaucer Ct  
Worthington, Ohio 43085

Thomas J. Abernathy  
Sondra Abernathy  
194 Chaucer Ct  
Worthington, Ohio 43085

Gerald & Joyce E. Bradford  
632 Highland Dr  
Columbus, Ohio 43214

Jin K. Choi  
Woong-Chul Choi  
9225 Deer Path Court  
Powell, Ohio 43065

Verlin F & Carol R. Cooper  
156 Maynard Ave  
Columbus, Ohio 43202

William A Finley  
Shelley L. Finley  
122-124 E Maynard Ave  
Columbus, Ohio 43202

Goodneighbor Real Estate LLC  
130-132 E Maynard Ave  
Columbus, Ohio 43202

Bishop James Griffin Herrmann  
198 E Broad St  
Columbus, Ohio 43215

Burley & Carolyn L. Keathley  
85 East Patterson  
Columbus, Ohio 43202

Gerard Lozanski  
Arletta Lozanski  
5571 Loch Mere Ct  
Dublin, Ohio 43017

Northwest Investment Properties LLC  
7355 Winchester Rd  
Carroll, Ohio 43112

Scott F. Nowicki  
149 Maynard Ave  
Columbus, Ohio 43202

Jill ODonnell  
John ONeil  
2338 Adams Ave  
Columbus, Ohio 43202

Open Shore LLC  
440 Abermarle Circle  
Delaware, Ohio 43015

Charles F. Pacella  
Cynthia J. Pacella  
134 West Salem St  
Columbiana, Ohio 44408

John D. Proodian  
Janet Proodian  
PO Box 82150  
Columbus, Ohio 43202

John D. Proodian  
Janet E. Proodian  
PO Box 82150  
Columbus, Ohio 43202

Matt Rausenberg  
142 E Maynard Ave  
Columbus, Ohio 43202

Robert M. Tod Singleton  
2339 Adams Ave  
Columbus, Ohio 43202

Timothy E. & Betsy A. Warner  
7800 State Route 656  
Sunbury, Ohio 43074

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Sunbury, Ohio 43074

Timothy E. Warner  
Betsy A. Warner  
7800 State Route 656  
Sunbury, Ohio 43074



### STATEMENT OF HARDSHIP

The property that is the subject of this council variance application is comprised of one (1) tract of real estate under the following Franklin County Auditor's Tax Parcel Number: 010-047210 (the "Site"). The existing structure on the Site is an occupied three family dwelling.

As a result of a rezoning by the City of Columbus on or about October 1, 1979, the Site was included in and under a blanket rezoning for residential purposes and was zoned to an R2F designation. As a consequence of this blanket rezoning, the continuing operation of the three family dwelling was and has been a proper and lawful non-conforming use. Applicant seeks to continue this non-conforming use.

It should be emphasized that in seeking this variance, Applicant merely desires to continue the pre-existing, non-conforming use of the Site that has existed for many years. Importantly, granting of this variance will not in any way affect the essential character of the Site as it relates to surrounding properties nor will there be any adverse effect on the surrounding property owners. Furthermore, there will be no effect on the delivery of governmental services. Instead, the use of the Site will remain the same with the existing structure.

Furthermore, the granting of this variance will in no way impair an adequate supply of light and air to adjacent property as the structure to be constructed will be a two-story structure similar in height to the existing structure. The granting of this variance also will not unreasonably increase the congestion of the public streets, increase the danger of fires, endanger the public safety or unreasonably diminish or impair the public health, safety, comfort, morals or welfare of the inhabitants of the City of Columbus, as the ultimate use of the property will remain the same.

In light of the obvious hardship and the practical difficulties being experienced by it, the Applicant respectfully requests that City Council grant the variance to permit the continued use of the Site as a three family dwelling.



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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 # CV11-007

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] Michael D. Saad, Esq.

Of [COMPLETE ADDRESS] 41 South High Street, Suite 2000, Columbus, Ohio 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 of individuals address
- Address of corporate headquarters
- City, State, Zip
- Number of Columbus based employees
- Contact name and number

If applicable, check here if listing additional parties on a separate page [required]

### SIGNATURE OF AFFIANT

*Michael D. Saad*

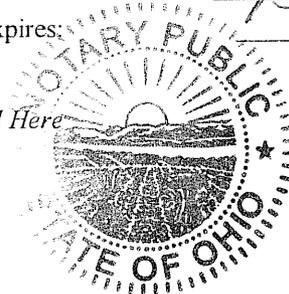
Subscribed to me in my presence and before me this 23rd day of February, in the year 2011

### SIGNATURE OF NOTARY PUBLIC

*Beverly J. Kantor*

My Commission Expires:

Notary Seal Here



**Beverly J. Kantor**  
**Notary Public, State of Ohio**  
**My Commission Expires 12/16/2011**

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

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## PROJECT DISCLOSURE STATEMENT

Thomas D. Saad  
1245 Windham Road  
Columbus, Ohio 43220  
0 Columbus based employees  
Thomas D. Saad 614-208-1071

Jennifer A. Saad  
1245 Windham Road  
Columbus, Ohio 43220  
0 Columbus based employees  
Thomas D. Saad 614-208-1071



# City of Columbus Zoning Plat



## 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: 010047210

Zoning Number: 135

Street Name: E MAYNARD AVE

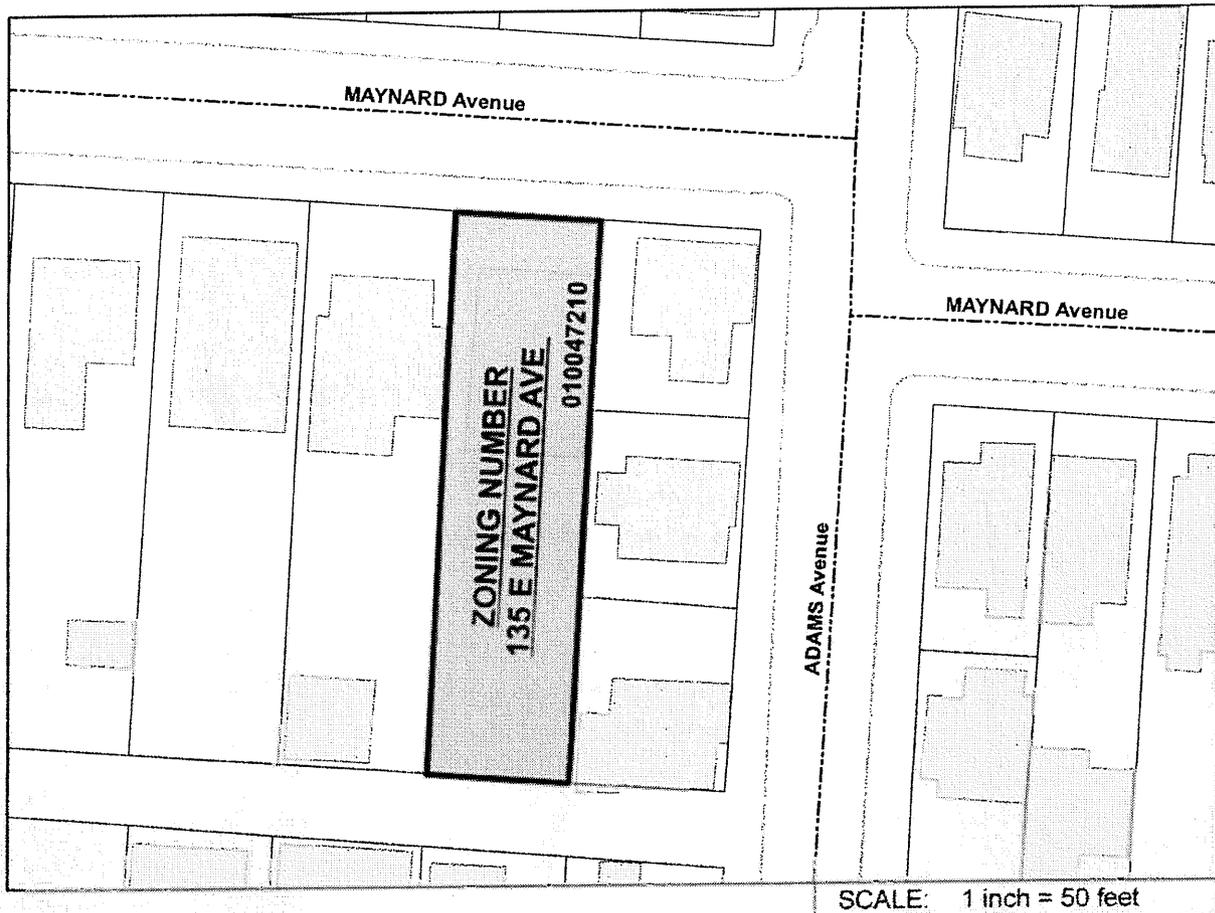
Lot Number: 49

Subdivision: KNICKERBOCKER

Requested By: SQUIRE SANDERS - DEMPSEY (US) LLP

Issued By: *Patricia Austin*

Date: 2/7/2011



SCALE: 1 inch = 50 feet

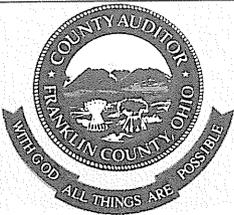
GIS FILE NUMBER: 1365



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

CV11-007

CV11-007



# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: M

DATE: 2/11/11



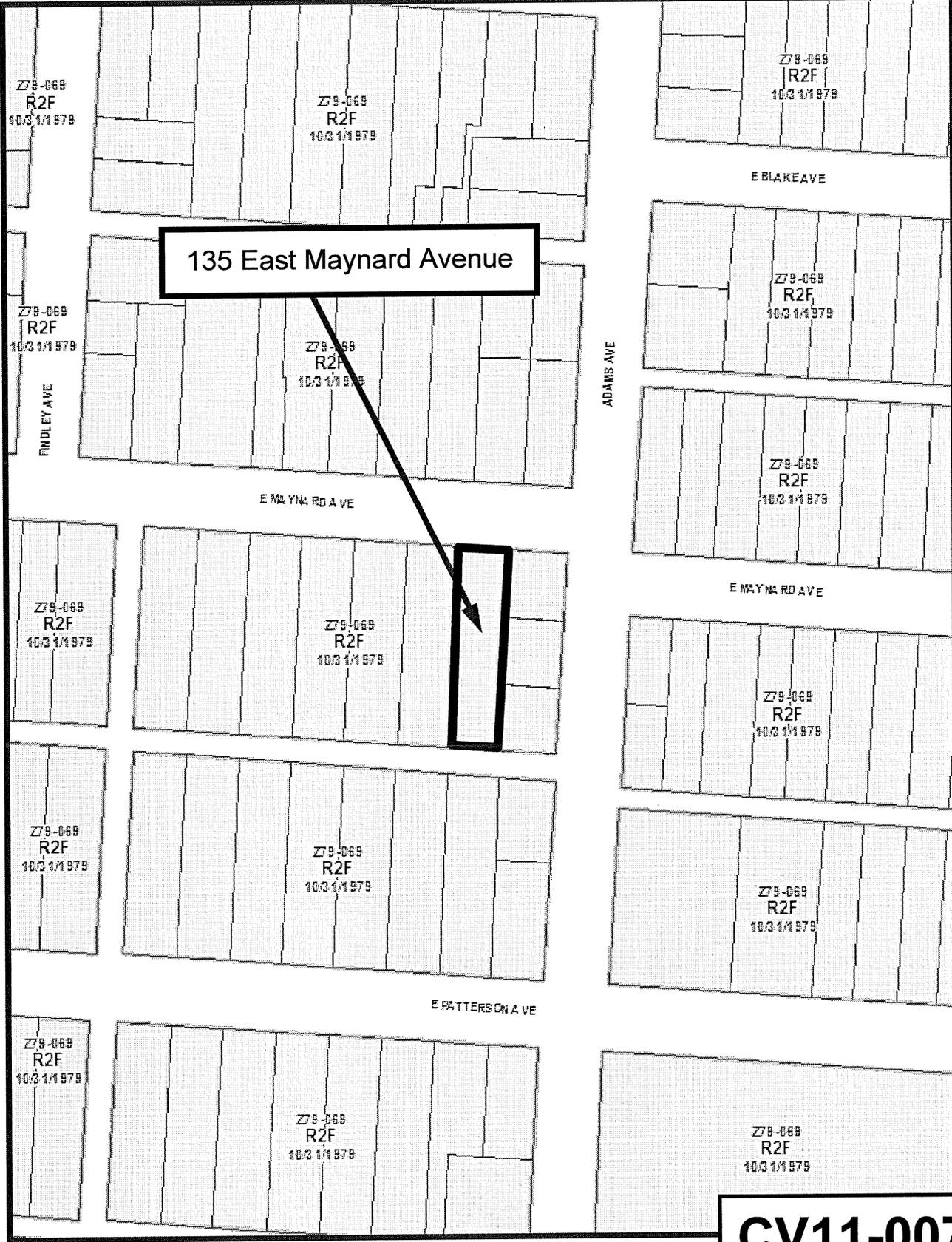
Disclaimer

Scale = 80



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



135 East Maynard Avenue

Z79-069  
R2F  
10/3 1/1 1979

Z79-069  
R2F  
10/3 1/1 1979

Z79-069  
R2F  
10/3 1/1 1979

E BLAKE AVE

Z79-069  
R2F  
10/3 1/1 1979

Z79-069  
R2F  
10/3 1/1 1979

Z79-069  
R2F  
10/3 1/1 1979

ADAMS AVE

FINDLEY AVE

Z79-069  
R2F  
10/3 1/1 1979

E MAYNARD AVE

E MAYNARD AVE

Z79-069  
R2F  
10/3 1/1 1979

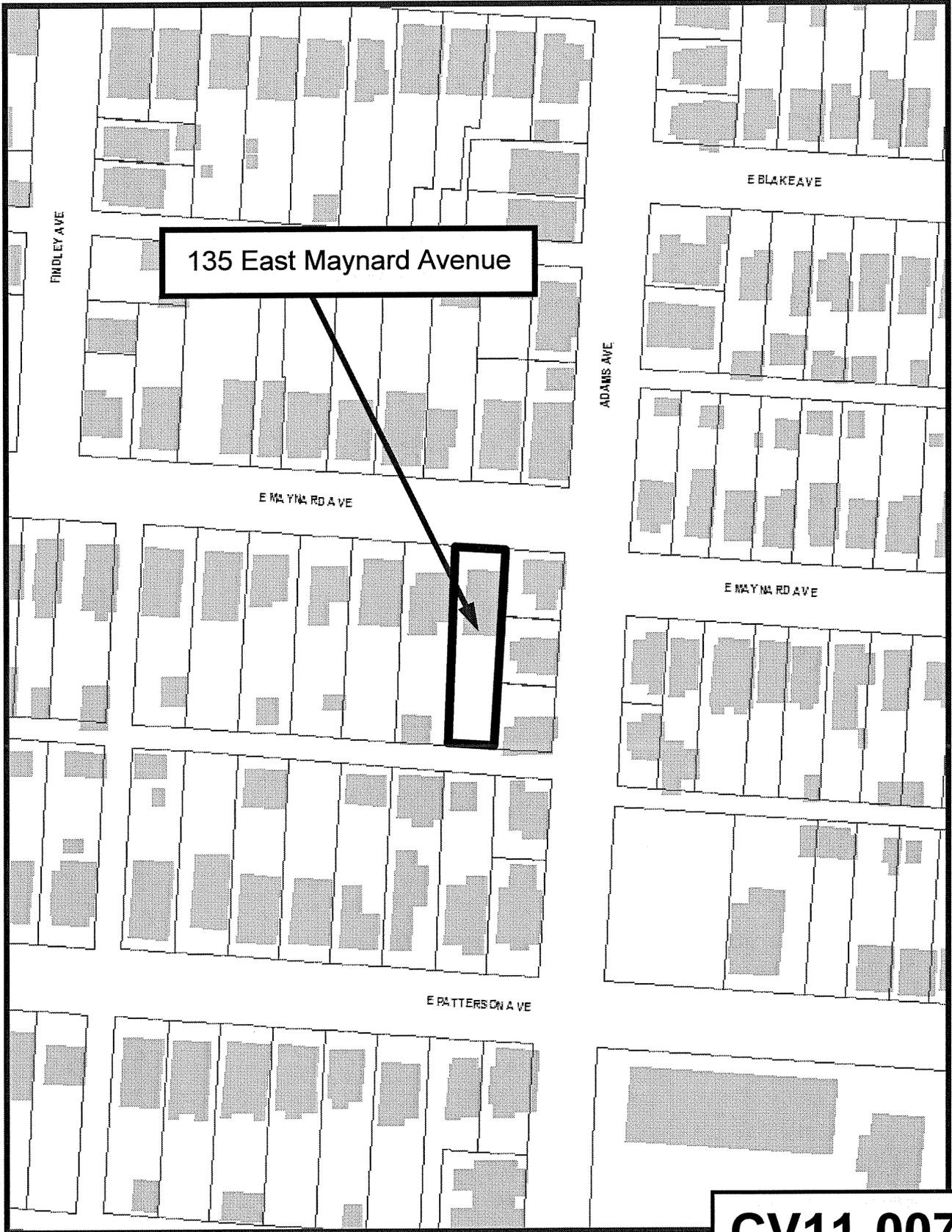
E PATTERSON AVE

Z79-069  
R2F  
10/3 1/1 1979

Z79-069  
R2F  
10/3 1/1 1979

Z79-069  
R2F  
10/3 1/1 1979

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135 East Maynard Avenue

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