



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: CV11-011 / 11315-00000-00193
Date Received: 4/7/11
Application Accepted By: S. Pine Fee: \$315
Comments: Case Planner: Dana Hitt 645-2395 dahitt@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 83 North Nelson Road Zip 43219

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: 010-039949, See Supplemental Tax Parcel Number List

Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s): M, C-4, L-P-1 -- See pending rezoning to CPD, Z11-

Recognized Civic Association or Area Commission: Near East Area Commission

Proposed use or reason for Council Variance request: To permit one (1) ground floor dwelling unit in the CPD (Z11-) in conjunction with auxiliary athletic facility

Acreage: 5.3

APPLICANT: Name Most Reverend Frederick F. Campbell, DD, Ph.D., Bishop of the Catholic Diocese of Columbus, c/o William S. Davis

Address 198 East Broad Street City/State Columbus, OH Zip 43215-3766

Phone # (614) 224-1221 Fax # (614) 241-2573 Email: wsdavis@colsdio.org

PROPERTY OWNER(S): Name Most Reverend Frederick F. Campbell, DD, Ph.D., Bishop of the Catholic Diocese of Columbus, c/o William S. Davis

Address 198 East Broad Street City/State Columbus, OH Zip 43215-3766

Phone # (614) 224-1221 Fax # (614) 241-2573 Email: wsdavis@colsdio.org

Check here if listing additional property owners on a separate page.

ATTORNEY/AGENT Attorney Agent

Name Donald Plank, Plank Law Firm

Address 145 East Rich Street, 3rd Flr. City/State Columbus, OH Zip 43215

Phone # (614) 947-8600 Fax # (614) 228-1790 Email: dplank@planklaw.com

SIGNATURES (ALL SIGNATURES MUST BE SIGNED IN BLUE INK)

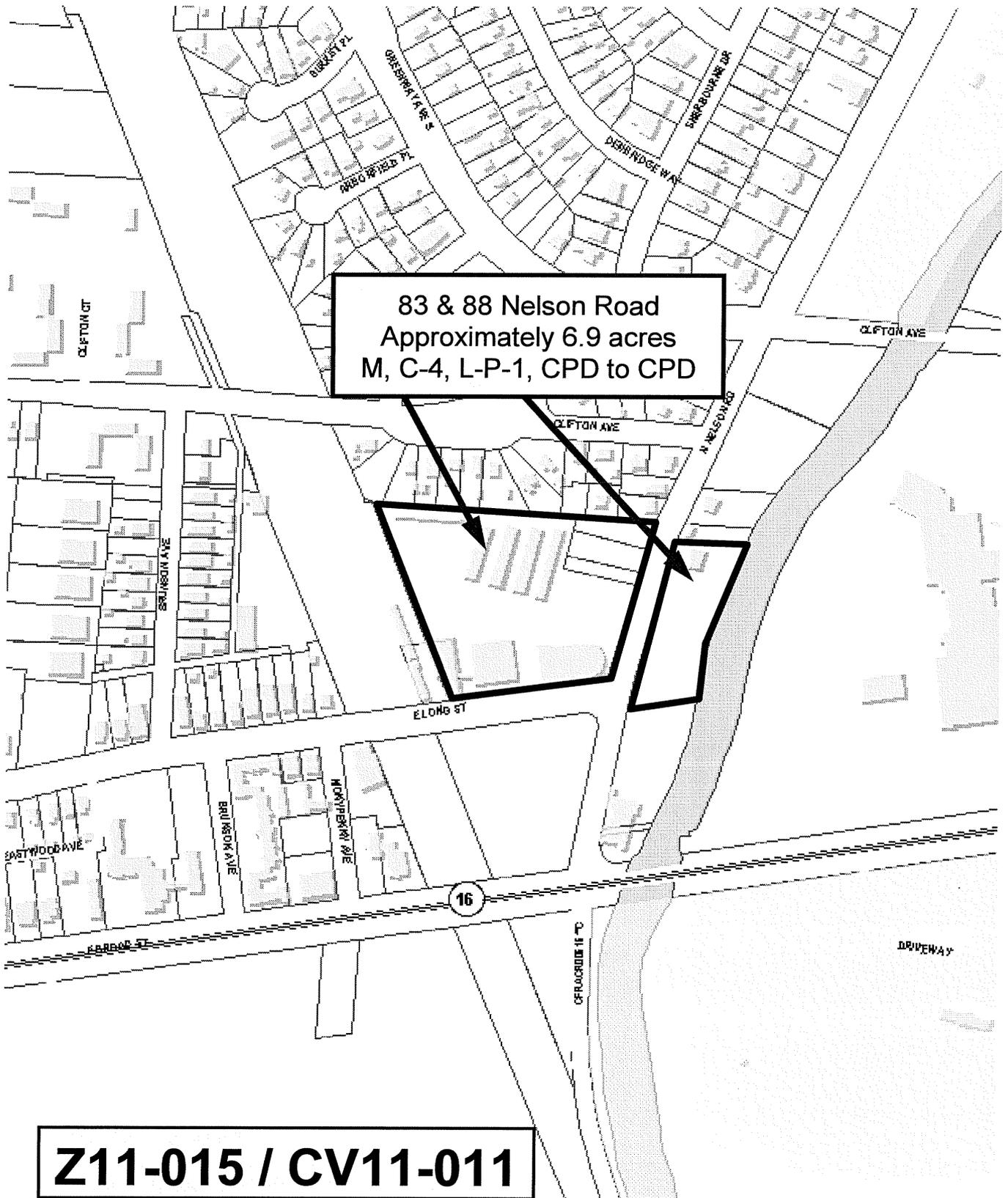
APPLICANT SIGNATURE F. J. Campbell F. J. Campbell

PROPERTY OWNER SIGNATURE F. J. Campbell F. J. Campbell

ATTORNEY/AGENT SIGNATURE Donald Plank

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: 614-645-4522
Please make all checks payable to the Columbus City Treasurer





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: 010039949.010023129, 010010148, 010010147, 010013907, 010185205,

Zoning Number: 83

Street Name: N NELSON RD

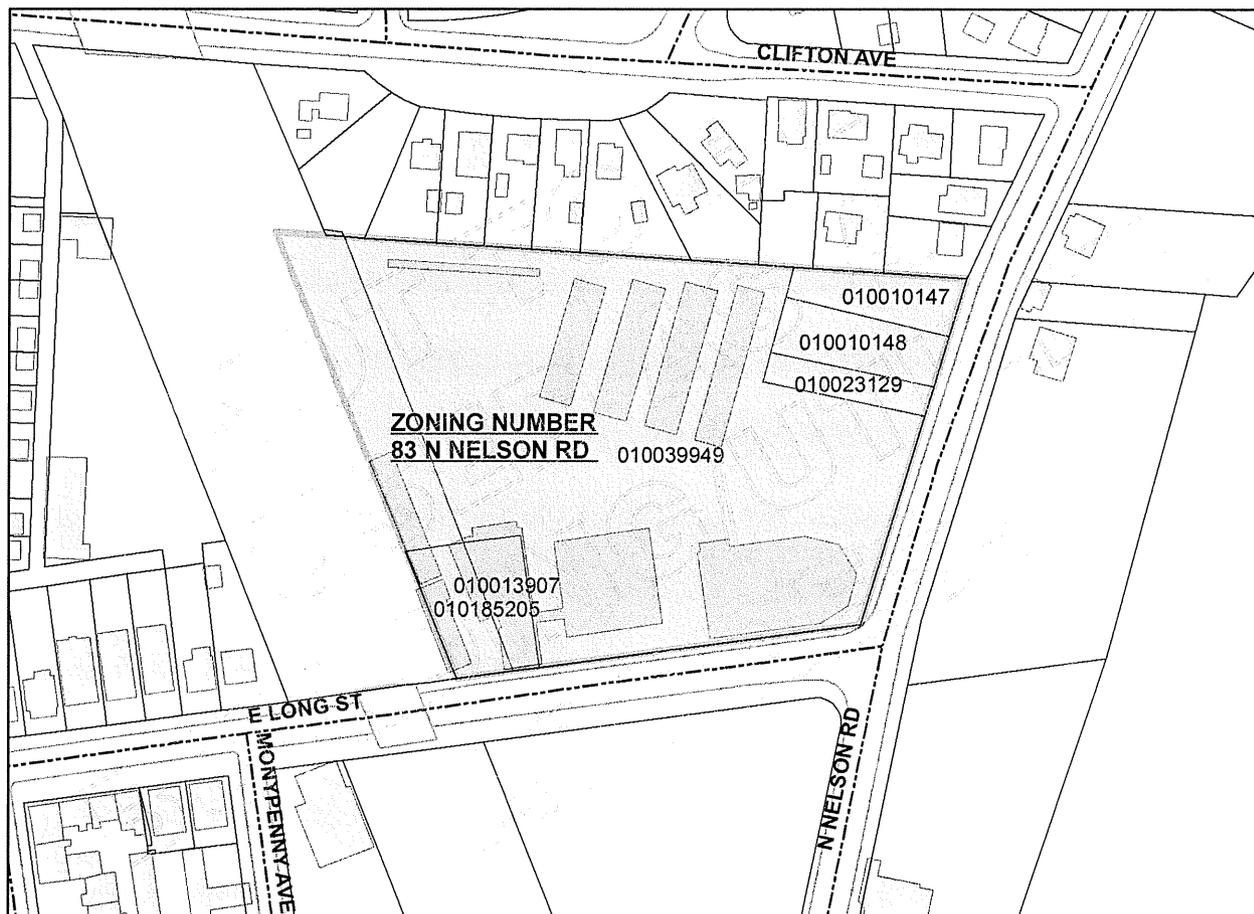
Lot Number:N/A

Subdivision:N/A

Requested By: DAVE PERRY CO. (DAVE PERRY)

Issued By: *Patricia A. Austin*

Date: 3/21/2011



SCALE: 1 inch = 200 feet

GIS FILE NUMBER: 1694



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



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AFFIDAVIT

(See next page for instructions)

APPLICATION # CV11-011

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME DONALD PLANK
of (1) MAILING ADDRESS Plank Law Firm, 145 East Rich Street, 3rd Flr., 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 83 North Nelson Road, Columbus, OH 43219 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) 4/7/11 (THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME AND MAILING ADDRESS (4) Most Reverend Frederick F. Campbell, DD, Ph.D., Bishop of the Catholic Diocese of Columbus, 198 East Broad Street, Columbus, OH 43215

APPLICANT'S NAME AND PHONE # (same as listed on front of application) Most Reverend Frederick F. Campbell, DD, Ph.D., c/o Donald Plank, Attorney, (614) 947-8600

AREA COMMISSION OR CIVIC GROUP AREA COMMISSION ZONING CHAIR OR CONTACT PERSON AND ADDRESS (5) Near East Area Commission c/o Kathleen Bailey, 489 Linwood Avenue, Columbus, OH 43205

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.

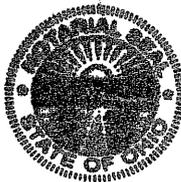
SIGNATURE OF AFFIANT (8) Donald Plank

Subscribed to me in my presence and before me this 5th day of APRIL, in the year 2011

SIGNATURE OF NOTARY PUBLIC (8) Barbara A. Painter

My Commission Expires: AUGUST 3, 2015

Notary Seal Here



BARBARA A. PAINTER
Notary Public, State of Ohio
My Commission Expires AUGUST 3, 2015

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Exhibit A

83 North Nelson Road
CV11- oil
March 28, 2011

APPLICANT:

Most Reverend Frederick F. Campbell
Bishop of the Catholic Diocese of
Columbus
198 East Broad Street
Columbus, OH 43215-3766

PROPERTY OWNER(S):

Most Reverend Frederick F. Campbell
Bishop of the Catholic Diocese of
Columbus
198 East Broad Street
Columbus, OH 43215-3766

ATTORNEY

Donald Plank
Plank Law Firm
145 East Rich Street, 3rd Fl.
Columbus, OH 43215

COMMUNITY GROUP/COALITION:

Near East Area Commission
c/o Kathleen Bailey
489 Linwood Avenue
Columbus, OH 43205

**SURROUNDING PROPERTY
OWNERS (125 Feet)**

Sabra E Howell
1859 Clifton Avenue
Columbus, OH 43219

Dennis W Borowski
1855 Clifton Avenue
Columbus, OH 43219

Jospeh A Gauthia
1841 Clifton Avenue
Columbus, OH 43219

Theodore G. Eshenour
106 N Nelson Road
Columbus, OH 43219

TH Midwest Inc.
257 Centerville Road
Lancaster, PA 17603

Moody Dubenion
1887 Clifton Avenue
Columbus, OH 43219

Bryce E Baker
1873 Clifton Avenue
Columbus, OH 43219

Dennis and Phyllis Cunningham
1877 Clifton Avenue
Columbus, OH 43219

SHEET 1 of 2
March 28, 2011
Z11-_____
83 North Nelson Road

Alexander X Gerena
1881 Clifton Avenue
Columbus, OH 43219

Consolidated Management Co.
c/o Gary Beim
2776 East Main Street
Columbus, OH 43209

Ronald and Diane Jedlicka
475 South Main Street
Pataskala, OH 43062

Garnett L. Steele
109 North Nelson Road
Columbus, OH 43219

Garnett L. Steele
c/o Theodore Eshenour
1795 East Long Street
Columbus, OH 43203

Barbara Culpepper
257 Crossing Creek N
Columbus, OH 43230

Toya L Powell
101 North Nelson Road
Columbus, OH 43219

Evelyn T Slade, Tr.
1911 Clifton Avenue
Columbus, OH 43219

Theresa J. Russell
1905 Clifton Avenue
Columbus, OH 43219

Lavenia Preston
1865 Clifton Avenue
Columbus, OH 43219

Jesse T. Maynard
David J. Ryan
119 North Nelson Road
Columbus, OH 43219

OBN Development Corp LLC
1331 Walcutt Road
Columbus, OH 43228

Miebaka P. Braide
2949 Hubbarton Pl
Reynoldsburg, OH 43068

Sara and Jerry Westbrooks
1824 East Long Street
Columbus, OH 43203

Walter C. Justice
1818 East Long Street
Columbus, OH 43203

Jason T. Jackson
1810 East Long Street
Columbus, OH 43203

Jon W Nesbitt et al
2600 North Cassady Avenue
Columbus, OH 43219

ALSO NOTIFY:

Dominic Cavello
St. Charles Preparatory School
2010 East Broad Street
Columbus, OH 43209

Jon Stephens, AIA
Sullivan Bruck Architects
309 South Fourth Street
Columbus, OH 43215

David B. Perry
David Perry Co., Inc.
145 East Rich Street, 3rd Flr.
Columbus, OH 43215-5240

Bill Riat
CASTO
191 W. Nationwide Blvd., Suite 200
Columbus, OH 43215

Tim Kelley
Donald W. Kelley and Assoc.
250 East Broad Street
Columbus, OH 43215

Joseph A. Ridgeway, P.E.
E.P. Ferris and Assoc., Inc.
880 King Avenue
Columbus, OH 43212

Gary Bruck, AIA
Sullivan Bruck Architects
309 South Fourth Street
Columbus, OH 43215

Matt Ferris, P.E.
E.P. Ferris and Assoc., Inc.
880 King Avenue
Columbus, OH 43212

SHEET 2 of 2
March 28, 2011
CV11 - _____
83 North Nelson Road



COUNCIL VARIANCE APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services
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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 # CV11-011

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] Most Reverend Frederick F. Campbell, DD, Ph.D.

Of [COMPLETE ADDRESS] Bishop of the Catholic Diocese of Columbus, 198 East Broad Street, Columbus, OH 43215-3766

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

<p>1. Most Reverend Frederick F. Campbell, DD, Ph.D. Bishop of the Catholic Diocese of Columbus 198 East Broad Street Columbus, OH 43215-3766 # of Columbus Based Employees: 1,553 Contact: William S. Davis, (614) 224-1221</p>	<p>2. -----</p>
<p>3. -----</p>	<p>4. -----</p>

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

F. F. Campbell F. F. Campbell

Subscribed to me in my presence and before me this 31st day of March, in the year 2011

SIGNATURE OF NOTARY PUBLIC

Katrina M. Nieman

My Commission Expires:

8/19/2013



Katrina M. Nieman
Notary Public, State of Ohio
My Commission Expires 08-19-2013

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

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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 Exhibit B

Signature of Applicant

Donald Plank

Date

April 4, 2011

Most Reverend Frederick F. Campbell, DD. Ph.D.
Bishop of the Catholic Diocese of Columbus
BY: Donald Plank, Attorney

April 4, 2011

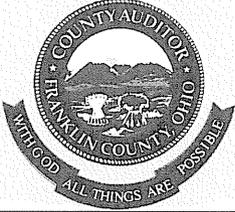
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Exhibit B
Statement of Hardship
Council Variance: CV11-011, 83 North Nelson Road, Columbus, OH 43219

This application is submitted in conjunction with rezoning application Z11-_____. By rezoning application Z11-_____, applicant proposes to rezone the site, designated as Sub-Area A in Z11-_____, to the CPD, Commercial Planned District for development of an auxiliary athletic facility for St. Charles Preparatory School (2010 East Broad Street, Columbus, OH 43209). As part of the auxiliary athletic facility, applicant proposes one (1) ground level dwelling unit for the residence of an employee to oversee the facility. See concept floor plan submitted with this application. Applicant has a hardship in providing an on-site apartment in that no commercial district permits ground level residential use and the existing structure to be remodeled for athletic facility support functions is one-story. There is no viable option other than a variance to permit ground floor residential use for one (1) dwelling unit. It is desirable for both applicant's interest and the public interest to have an on-site resident.

Applicant requests the following variance:

- 1) Section 3356.03, C-4 Permitted Uses, which Section permits residential use located above a ground level commercial use, while applicant proposes one (1) ground level dwelling unit in conjunction with the auxiliary athletic facility.



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: dbp

DATE: 3/11/11



Disclaimer

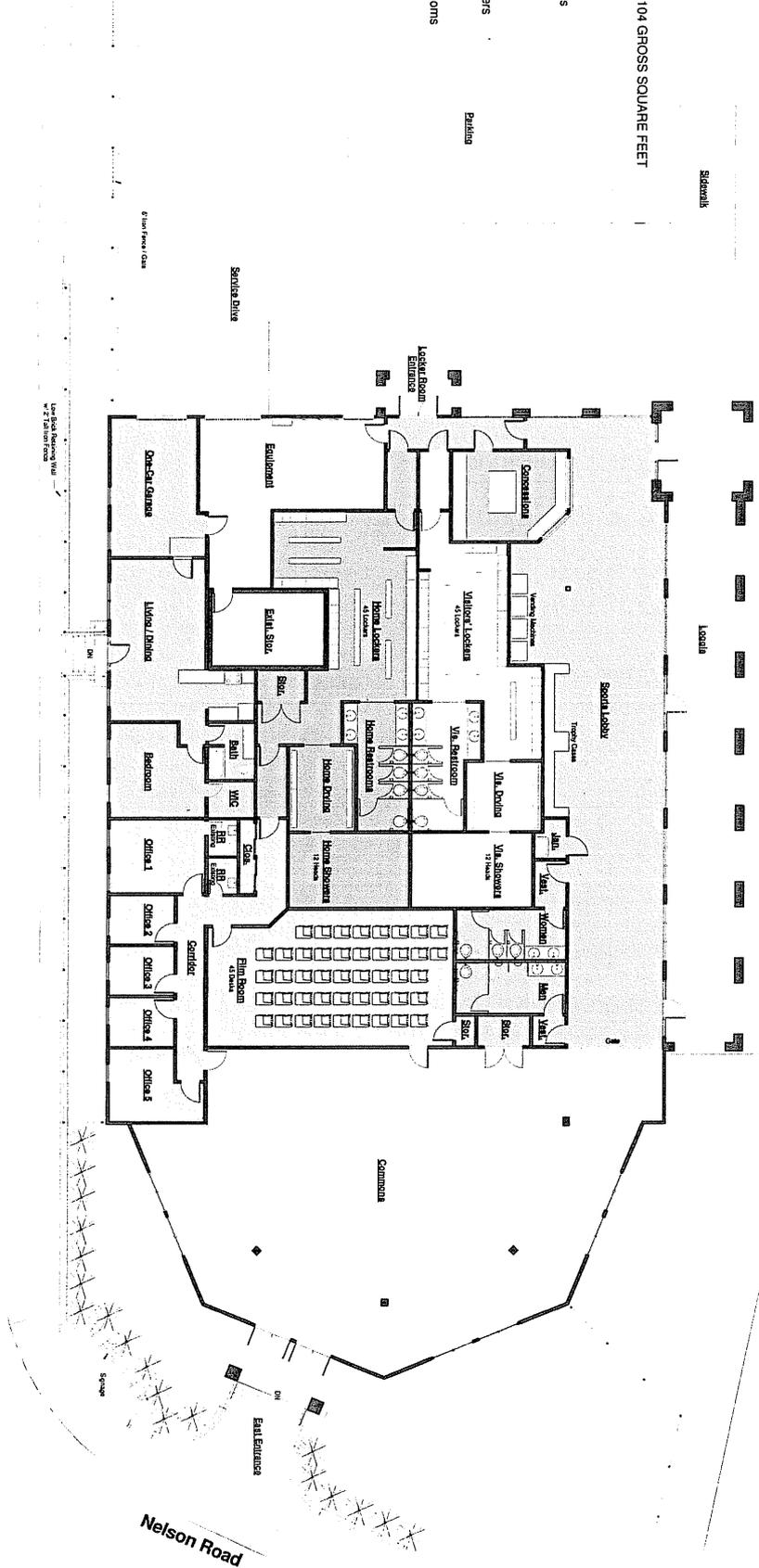
Scale = 140



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

- Area Legend**
- Apartment 1,104 GROSS SQUARE FEET
 - Sports Lobby
 - Commons
 - Home Lockers
 - Film Room
 - Offices
 - Visitors Lockers
 - Concessions
 - Public Restrooms
 - Storage

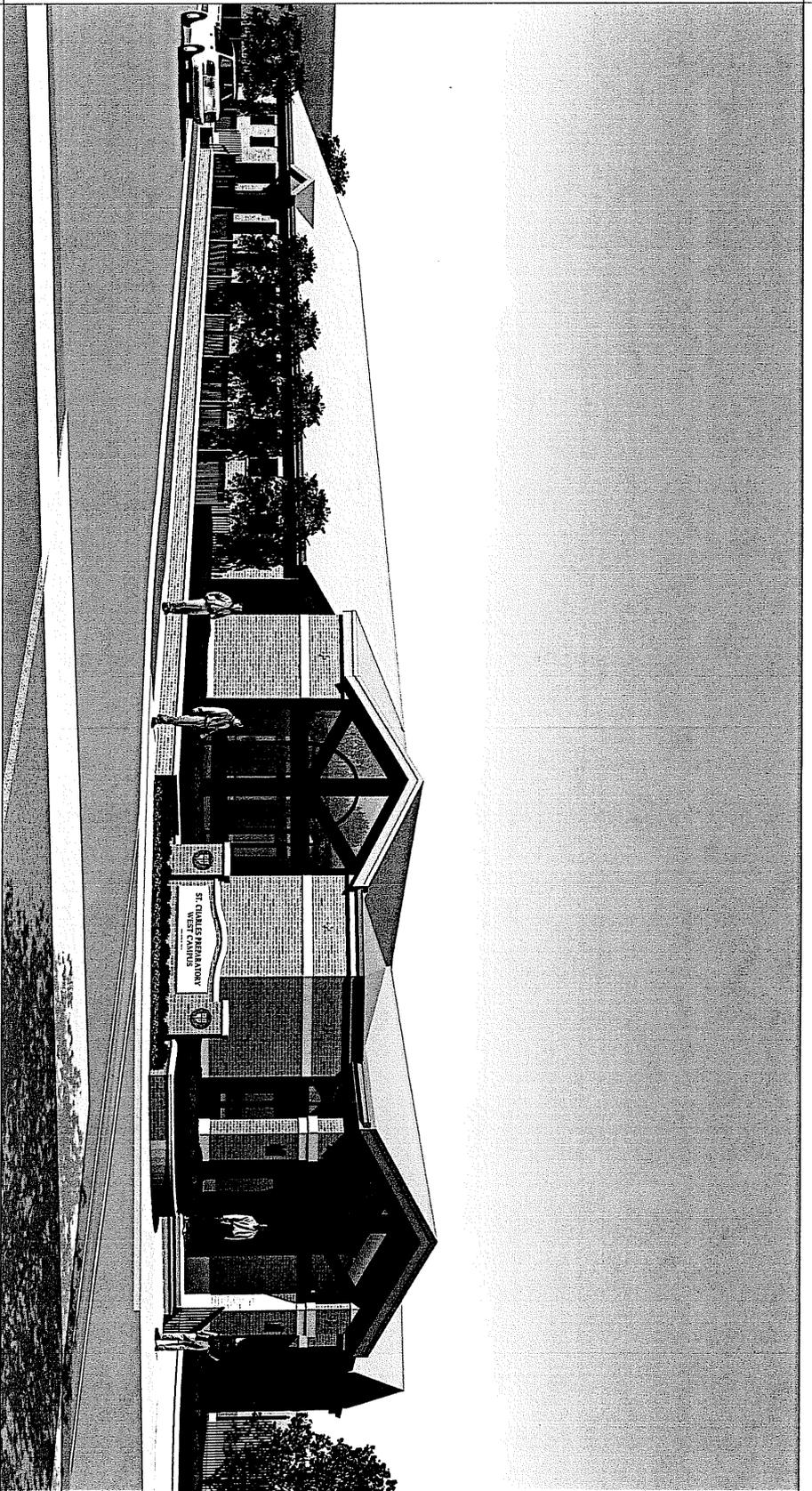


Building Floor Plan
Saint Charles Preparatory School West Campus

83 and 89 North Nelson Road
Columbus Ohio 43219
04.05.2011

The Catholic Diocese of Columbus - Frederick F. Campbell, Bishop

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View From Nelson Road

Saint Charles Preparatory School West Campus

83 and 88 North Nelson Road
Columbus Ohio 43219
04.05.2011

The Catholic Diocese of Columbus - Frederick F. Campbell, Bishop