



# 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

Application Number: CV11-019 (11315-00000-00344)  
Date Received: 6/24/11  
Application Accepted By: S. Pine Fee: \$1600  
Comments: Assigned to Shannon Pine, 645-2208, spine@columbus.gov

### LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 2765 Cleveland Ave. Cols, Ohio Zip 43224  
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: 010-079826  
 Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s): C/4

Recognized Civic Association or Area Commission: North Linden Area Commission

Proposed use or reason for Council Variance request: Four-unit with optional basement apartment  
Acreage: less than 1 acre

**APPLICANT:** Name Michael W. Sanders  
Address 5462 Blue Ash Rd. City/State Cols, Ohio Zip 43229  
Phone # (614)679-0298 Fax # \_\_\_\_\_ Email: Michael Sanders 679-0298 at yahoo.com

**PROPERTY OWNER(S):** Name Michael W. Sanders  
Address 5462 Blue Ash Rd. City/State Cols, Ohio Zip 43229  
Phone # (614)679-0298 Fax # \_\_\_\_\_ Email: Michael Sanders 679-0298 at yahoo.com  
 Check here if listing additional property owners on a separate page.

**ATTORNEY / AGENT**  Attorney  Agent  
Name \_\_\_\_\_  
Address \_\_\_\_\_ City/State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email: \_\_\_\_\_

**SIGNATURES** (ALL SIGNATURES MUST BE SIGNED IN BLUE INK)  
APPLICANT SIGNATURE Michael W. Sanders  
PROPERTY OWNER SIGNATURE Michael W. Sanders  
ATTORNEY / AGENT 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.  
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## AFFIDAVIT

(See next page for instructions)

APPLICATION # C11-019

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

Being first duly cautioned and sworn (1) NAME Michael W. Sanders  
of (1) MAILING ADDRESS 5462 Blue Ash Rd.

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 2765 Cleveland Ave. Col. Oh. 43229  
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) 6/24/11

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME AND MAILING ADDRESS  
(4) Michael W. Sanders  
5462 Blue Ash Rd.  
Col. Oh. 43229

APPLICANT'S NAME AND PHONE # (same as listed on front of application)  
Michael W. Sanders  
(614) 679-0298

AREA COMMISSION OR CIVIC GROUP  
AREA COMMISSION ZONING CHAIR OR CONTACT PERSON AND ADDRESS  
(5) North Linden Area Commission  
Walt Keiner  
5030 Westerville Rd Col. Oh. 43231  
(614) 882-0800

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 W. Sanders

Subscribed to me in my presence and before me this 17th day of JUNE, in the year 2011

SIGNATURE OF NOTARY PUBLIC (8) Stacy R. Stiers

My Commission Expires: Feb 8, 2012

Notary Seal Here



STACEY R. STIERS  
Notary Public, State of Ohio  
My Commission Expires  
February 8, 2012

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CU 11-019



# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: S

DATE: 6/13/11



Disclaimer

Scale = 74'



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.

**APPLICANT/ OWNER**

**AREA COMMISSION OR CIVIC  
ASSOCIATION**

CV11-019

Michael Sanders  
5462 Blue Ash Rd.  
Columbus, OH 43229

North Linden Area Commission  
c/o Walt Reiner  
5030 Westerville Rd.  
Columbus, OH 43231

**SURROUNDING PROPERTY  
OWNERS**

L & N Partnership  
c/o Ira Nutis SU TR  
3540 E. Fulton St.  
Columbus, OH 43227

Rigoberto Garcia  
502 Walnut Blvd.  
Lewis Center, OH 43035

Nur Badshah  
2752 Cleveland Ave.  
Columbus, OH 43224

Agustin Lopez  
2761 Westerville Rd.  
Columbus, OH 43224

Earl Harris & Earl Harris Jr.  
2778 Cleveland Ave.  
Columbus, OH 43224

Nhan Thi Nguyen  
1981 Hamrock Dr.  
Powell, OH 43065

Hager Thompson TR  
1725 Melrose Ave.  
Columbus, OH 43224

Schoedinger & Co.  
229 E. State St.  
Columbus, OH 43215

William L. Cecil III  
1722 Melrose Ave.  
Columbus, OH 43224

Walter F. Johnson III  
Laurel K. Hof-Johnson  
1735 Milford Ave.  
Columbus, OH 43224

Simeon Enterprises Inc.  
675 N. Wilson Rd.  
Columbus, OH 43204

Properties Anew LLC  
P.O. Box 24088  
Columbus, OH 43224



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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:**

When I bought this property it was already being used as a four unit dwelling. I've maintained it this way since 2001 when purchased. I believe it will have no negative bearing on the neighborhood for it to remain this way. This is one way I serve the community.

Signature of Applicant

*Michael W. Sanders*

Date

6-24-11

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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 # CVII-019

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] Michael W. Sanders

Of [COMPLETE ADDRESS] 5462 Blue Ash Rd - Col, Ohio 43229  
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>Michael Sanders</u> <u>5462 Blue Ash Rd. Col, Ohio 43229</u> <u>2 employees</u> <u>(614) 679-0298</u>	2.
3.	4.

Check here if listing additional parties on a separate page.

### SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 17th day of June, in the year 2011

### SIGNATURE OF NOTARY PUBLIC

My Commission Expires: FEB 8, 2012

Notary Seal Here



**STACEY R. STIERS**  
Notary Public, State of Ohio  
My Commission Expires  
February 8, 2012

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

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CV11-019

## PRE-APPLICATION REVIEW WORKSHEET

THIS PAGE WILL BE COMPLETED AT THE PRE-APPLICATION REVIEW MEETING BY CITY STAFF

- Address of location of the site 2765 Cleveland Ave
- Annexation status In Columbus
- Current development on the property office w/ apartments above
- Current zoning and legal use of the property (Attach computer record if applicable)
- Proposed use of the site 4-unit dwelling
- Zoning Districts, Variances or Special Permit requested > 1 acre
- Total acreage of the site
- Site location- Attach and identify here the types of maps referenced (Zoning Map/GIS Map)
- Special development review standards:
  - Flood plain
  - Airport Environs Overlay
  - Historic Districts [HRC, Architectural Review, Listed Property]
  - Traffic Standards Code [Right of Way, TIS, other] .....
  - Parkland (land, easements, bike paths, other) .....
  - Zoning Clearance (Site plan review)
  - Other
- Review of Public Notice Affidavit requirements
- Adopted Area Plan or Development Policies Recommendation / Other North Linden
- Preliminary Review of Limitation text or planned district text standards
- Area Commission or other Community Group North Linden Area Commission
- Proposed Hearing Date
- Cut-off Date for the Proposed Hearing Date
- Items to be completed or revised before submittal
  - (1)
  - (2)
  - (3)
  - (4)
  - (5)
- Requested Variances: 3356.03 C-4 Commercial District to allow a four-unit dwelling

Dan Blechschmidt, Planning & Operations Division 645-1694  
Maureen Lorenz, Dept of Recreation & Parks 645-3306

Comments [Applicant] \_\_\_\_\_

Comments [City] \_\_\_\_\_

Staff met with Michael Sanders on 6/13/11 regarding this proposed application and applicant received a copy of this pre-application worksheet.  
City Staff Representative Shannon J. Piro Date 6/13/11

Note: This Pre-Application Review is preliminary, based upon the information presented. This document is a tool to allow staff to become acquainted with the proposal and to identify issues relevant to the application. Additional information may be necessary after City Staff formally reviews your request.

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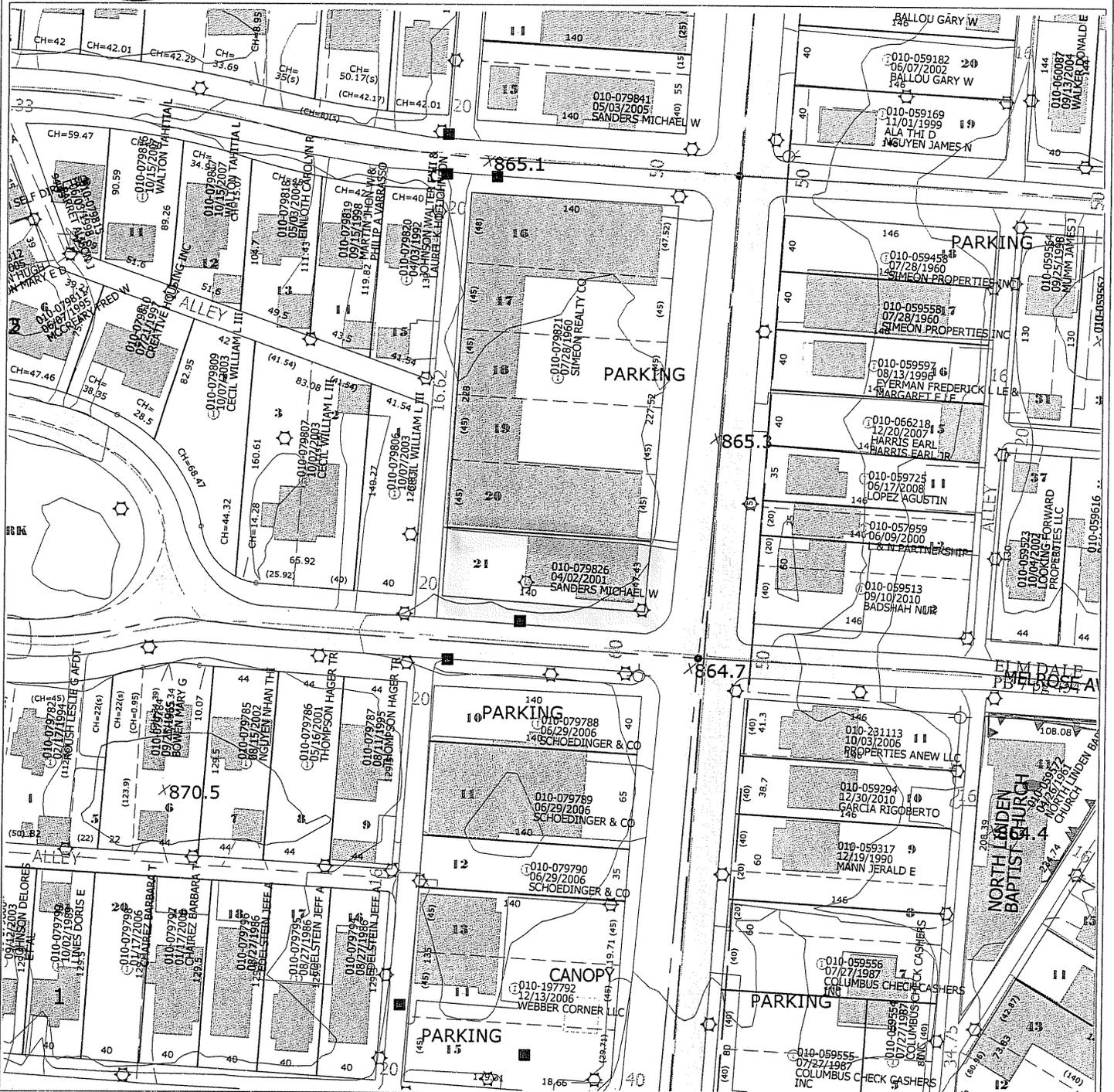
CU-11-019



# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: S

DATE: 6/13/11



Disclaimer

Scale = 100

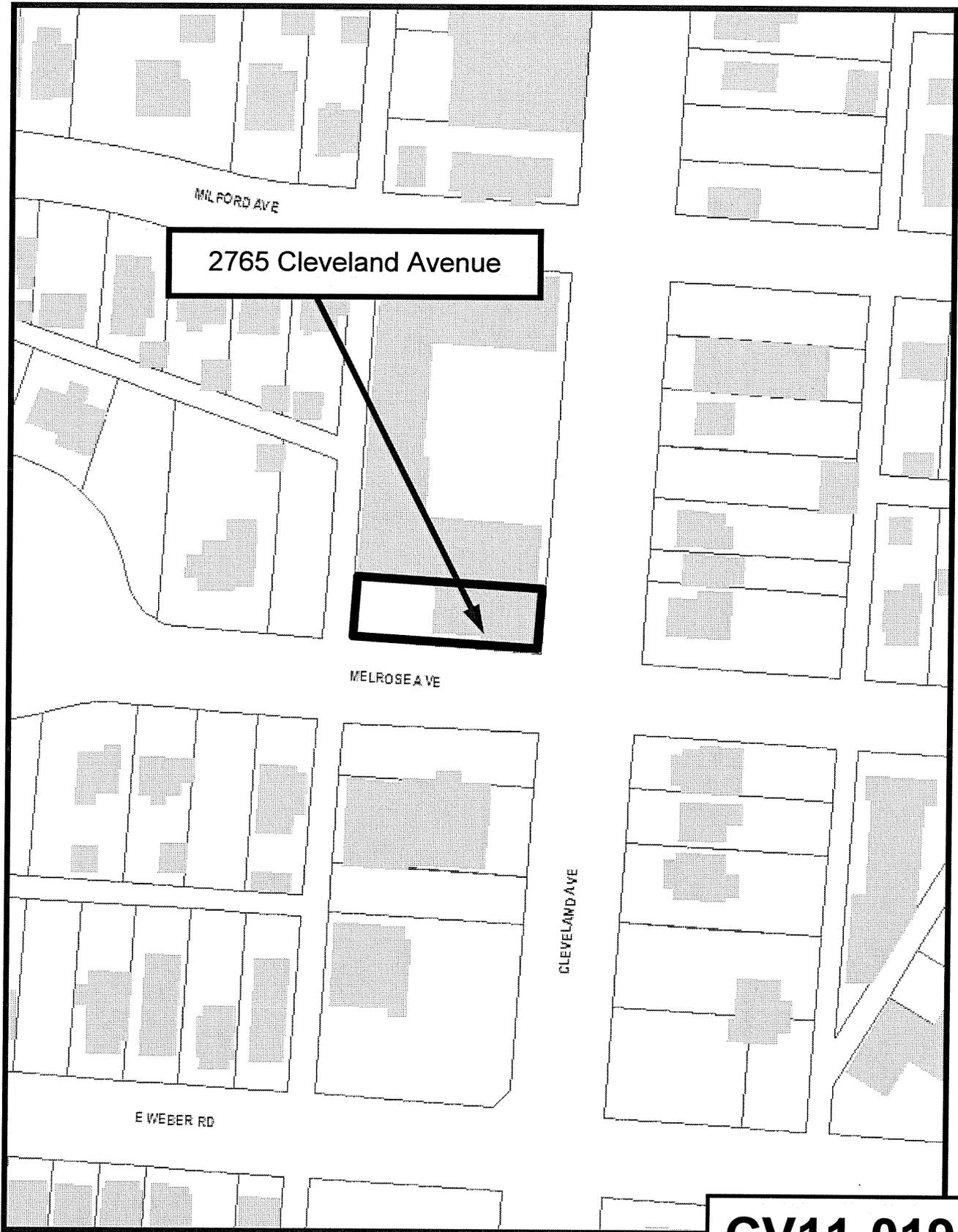


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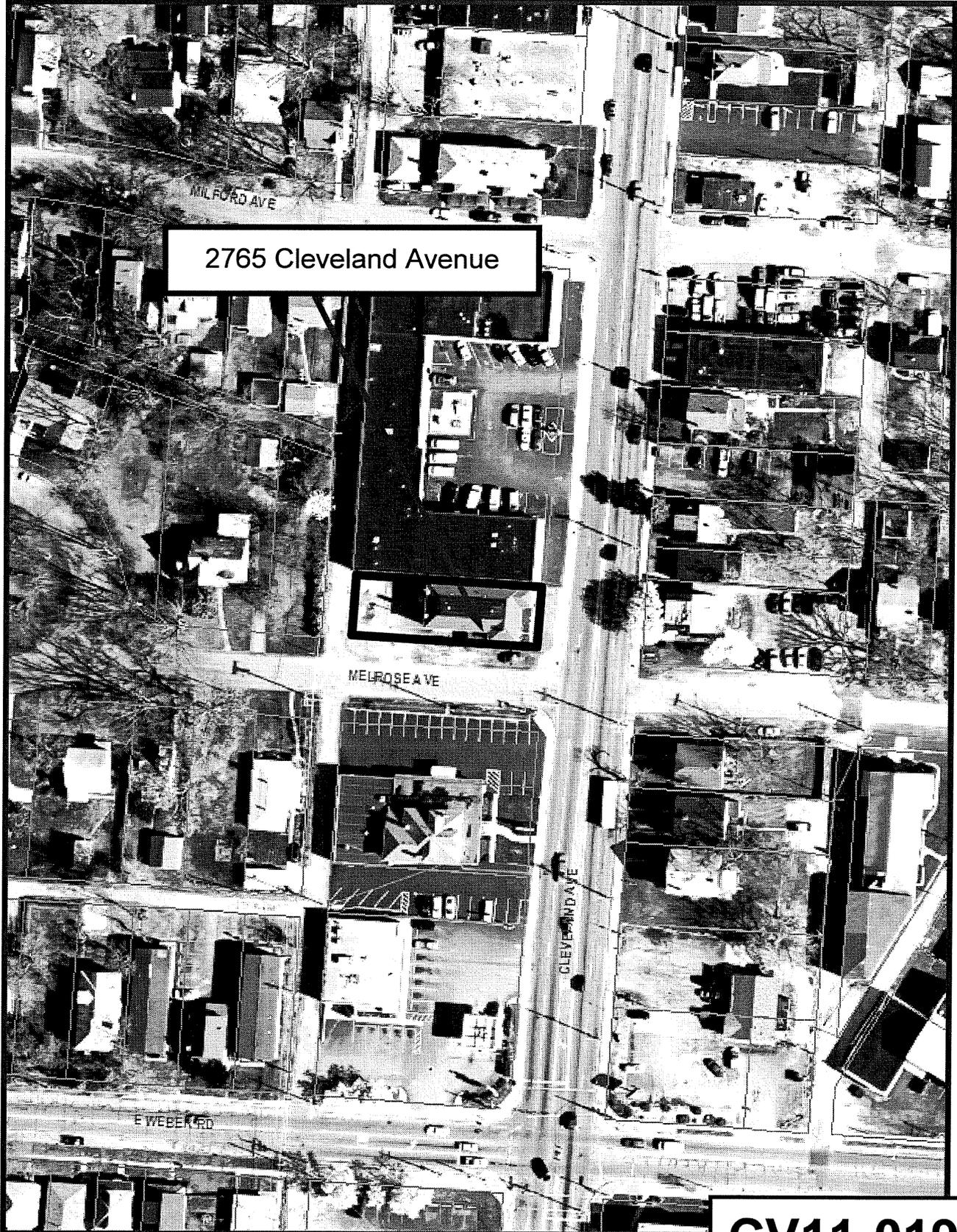


2765 Cleveland Avenue

CV11-019



**CV11-019**



**CV11-019**