

Date 7/9/10 Application # 10310-0-00259

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



Comments: _____ Application Number: _____ Commission/Group: Southeast
Date Received: 7/9/10 Planning Area: _____
Date of Hearing: 9/28/10 Acreage: _____
Zoning Fee: \$1,900.00 Address Fee _____
Existing Zoning: AR-1 Accepted by: W. Reiss

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: Split out of building known as 2209 Wabash Court W. on Parcel No. 010-138448 requiring variances of §§ 3333.12, 3333.15, 3333.16, 3333.24, & 3334.29. See attached Exhibit A for additional description of the variances being requested.

LOCATION

1. Certified Address Number and Street Name 2209 Wabash Court West
City Columbus State Ohio Zip 43232

Parcel Number (only one required.)

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APPLICANT (IF DIFFERENT FROM OWNER)

2. Name _____
3. Address _____ City _____ Zip _____
4. Phone# _____ Fax # _____
5. Email Address _____

PROPERTY OWNER(S)

6. Name Hawthorne Hall Apartments, LLC
7. Address 1209 Hill Rd. N. #200 City Pickerington, OH Zip 43147
8. Phone# 614-501-6228 Fax # 614-364-7519
9. Email Address _____

Check here if listing additional property owners on a separate page

ATTORNEY / AGENT (CIRCLE ONE)

10. Name Rebecca A. Smith
11. Address 503 S. Front St., Ste 210 City Columbus, OH Zip 43215
12. Phone# 614-221-0446 Fax # 614-221-0554
13. Email Address rebecca@fisherdouglas.com

SIGNATURES

14. Applicant Signature [Signature]
15. Property Owner Signature [Signature]
16. Attorney/Agent Signature [Signature]

One Stop Shop Zoning Report
Building Services Division
Department of Development
 Report date: 7/15/2010 2:24:37 PM

Parcel Report

| Parcel ID | Owner | Address |
|-----------|-------------------------------|--|
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2209 WABASH CT W 302 COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2246 WABASH CT W COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2209 WABASH CT W 101 COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2244 WABASH CT W COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 3182 EASTHAVEN DR S COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2209 WABASH CT W 201 COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2209 WABASH CT W 311 COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 3173 WABASH CT S COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 3187 WABASH CT S COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2209 WABASH CT W 102 COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 3159 WABASH CT S COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 3156 EASTHAVEN DR S COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 3219 WABASH CT N COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 3217 WABASH CT N COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 3207 WABASH CT N COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 3164 EASTHAVEN DR S COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2214 WABASH CT W COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2213 GARNET PL COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2238 WABASH CT W COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2237 GARNET PL COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2209 WABASH CT W 104 COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2209 WABASH CT W 106 COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2209 WABASH CT W 111 COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2209 WABASH CT W 112 COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2209 WABASH CT W 113 COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2209 WABASH CT W 204 COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2209 WABASH CT W 205 COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2209 WABASH CT W 206 COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2209 WABASH CT W 207 COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2209 WABASH CT W 213 COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2209 WABASH CT W 303 COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2209 WABASH CT W 304 COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2209 WABASH CT W 307 COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2209 WABASH CT W 308 COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2209 WABASH CT W 312 COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2234 WABASH CT W COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2226 WABASH CT W COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2219 GARNET PL COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2209 WABASH CT W 306 COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2227 GARNET PL COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2215 GARNET PL COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2209 WABASH CT W 107 COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2202 WABASH CT W COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 3186 EASTHAVEN DR S COLUMBUS OH 43232 |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 3185 WABASH |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2206 WABASH |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2251 GARNET F |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2243 GARNET F |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2228 WABASH |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 3171 WABASH |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2209 WABASH CT |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 2209 WABASH CT |
| 010138448 | HAWTHORNE HALL APARTMENTS LLC | 3193 WABASH CT |

10310-00259
2209 Wabash Ct., W.



STATEMENT OF HARDSHIP

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:

Applicant is requesting these variances in preparation for a lot split that would result in the creation of two lots from the existing 4.311 acre lot, to wit: one lot of 0.532 acres and a second lot of 3.779 acres. The variances being requested are in reference to the proposed 0.532 acres lot. The special circumstances or conditions are the unique mix of mostly townhome-style buildings with one building of a different style and character. There are existing conditions on the property and placement of the building that necessitate a request for variances, such as rear yard requirements under § 3333.24. The applicant purchased the subject property in its current condition with most of the conditions leading to this variance request already in place. Most of the conditions existed independent of Applicant's proposed lot split, so denial would deprive Applicant of use of its property. None of the requested variances will change the nature or use of the subject property, so there will be

no impact on neighboring properties, or to the public interest.

BOARD OF ZONING ADJUSTMENT APPLICATION

EXHIBIT "A"

Types of action requested:

Variances of §§ 3333.12, 3333.15, 3333.16, 3333.24 and 3342.29, to wit:

1. Section 3333.12: Area District Requirements. Allow a building in an AR-1 or AR-4 area district on a lot of record with an area which does not equal or exceed twelve hundred (1,200) square feet in area per dwelling unit if an interior lot for an apartment house, dwelling containing three or more dwelling units, apartment complex, or multiple-dwelling development, each as defined in Chapter 3303, C.C. To wit: a variance is requested to allow a lot area per dwelling unit of 551.5 square feet.
2. Section 3333.15: Basis of Computing Area. Allow a residence building to occupy alone or together with any other building greater than fifty (50) percent of the lot area. To wit: a variance is requested to allow a residence building alone to occupy fifty one (51) percent of the lot area.
3. Section 3333.16: Fronting. Allow an apartment house which does not front upon a public street. To wit: a variance is requested to allow an apartment house which fronts upon a private street known as Wabash Court West, but not upon a public street.
4. Section 3333.24: Rear Yard. Allow a dwelling, apartment house or other principal building which does not provide a rear yard totaling no less than twenty-five percent (25%) of the total lot area. To wit: a variance is requested to allow an apartment house which provides a rear yard totaling approximately twelve (12) percent of the total lot area.
5. Section ~~3342.28~~^{3312.49}: Minimum Number of Parking Spaces. Allow a multi-family residential building with three (3) or more dwelling units which has fewer than two (2) parking spaces per dwelling unit. To wit: a variance is requested to allow a forty two (42) unit multi-family residential building with zero (0) parking spaces, which is fewer than the eighty four (84) parking spaces required. Prior to the lot split, a suitable easement will be recording permanently allowing tenants, guests, and invitees to use areas of the adjacent parcel for parking, ingress, egress, and dumpster use.

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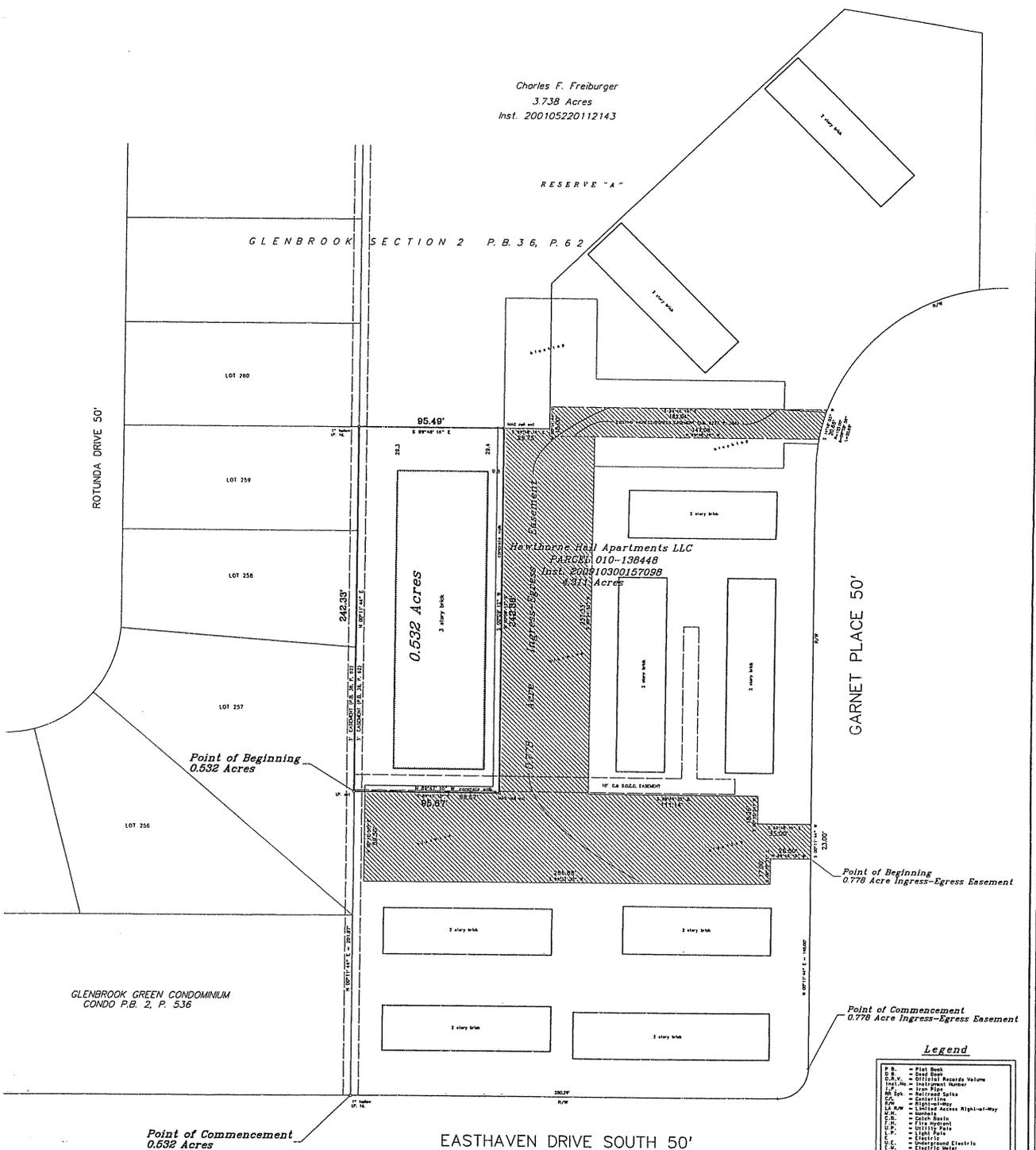
A Survey situated in the State of Ohio, County of Franklin, City of Columbus, part of Reserve "A" of Glenbrook Section 2, Plat Book 36, Page 62, Recorder's Office, Franklin County, Ohio for:

Hawthorne Hall Apartments LLC

Charles F. Freiburger
3.738 Acres
Inst. 200105220112143

| REVISIONS: | | | |
|------------|------|-------------|----|
| No. | Date | Description | By |
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Scale 1" = 30'
May 8, 2010
Boundary Survey



Legend

- P.B. = Plat Book
- D.S. = Deed Book
- O.R. = Official Records Volume
- L.S. = Local Street Number
- R.S. = Railroad Splice
- C. = Centerline
- C.M. = Centerline
- L.A.M. = Easement Access Right-of-Way
- S. = Survey
- C.B. = Catch Basin
- C.D. = City Drainage
- U.P. = Utility Pole
- L.P. = Light Pole
- E. = Electric
- C.E. = Underground Electric
- E.W. = Electric Meter
- T. = Transformer
- G. = Gas Meter
- C.W. = Gas Valve
- M. = Meter
- M.W. = Meter Valve
- W.V. = Water Valve
- T.P. = Telephone Pedestal
- I. = Intersection
- D.B.T. = Ohio Bell Telephone
- C.S. = City of Southern Ohio Electric
- C.T. = Cable Television
- S.P. = Sewer Pipe
- S.S. = Sanitary Sewer
- S.W. = Storm Sewer
- C.L. = Conduit in Trench
- B.L. = Blocktop
- C.W. = Concrete Wall
- C.C. = Concrete Block/Wall
- C.P. = Concrete
- A.V. = Post Indicator Valve
- G.I. = G.I. Inlet

We hereby certify that the foregoing Boundary Survey was prepared from actual field measurements in accordance with Chapter 4753-37 Ohio Administrative Code, iron plates not less than 30" x 12" in size, with an orange plastic flag numbered "65, 5579", unless otherwise noted. Begin of bearings in the west line of Reserve "A" held as north 00° 11' 44" East as per Plat Book 36, Page 62.

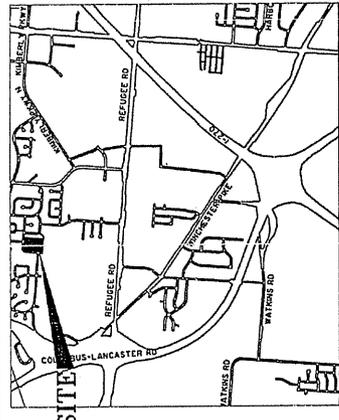
Albert W. Myers 5/8/2010
Albert W. Myers, Professional Surveyor No. 8579



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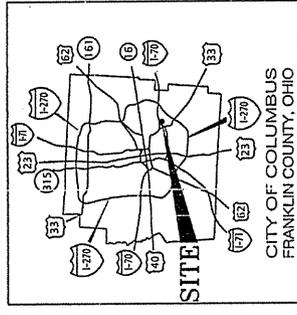
Myers Surveying
2740 E. Main St., Bowling, Ohio 43109-2577
614-835-4877 • 614-835-4559 Fax
info@myerssurveying.com

ASSIGNMENT OF APARTMENT ADDRESSES WITHIN THE CITY OF COLUMBUS, OHIO



REFERENCE MAP

| | |
|--------------------|------|
| CITY LAND USE MAP: | CLUM |
| GIS FACET NUMBER: | CFM |



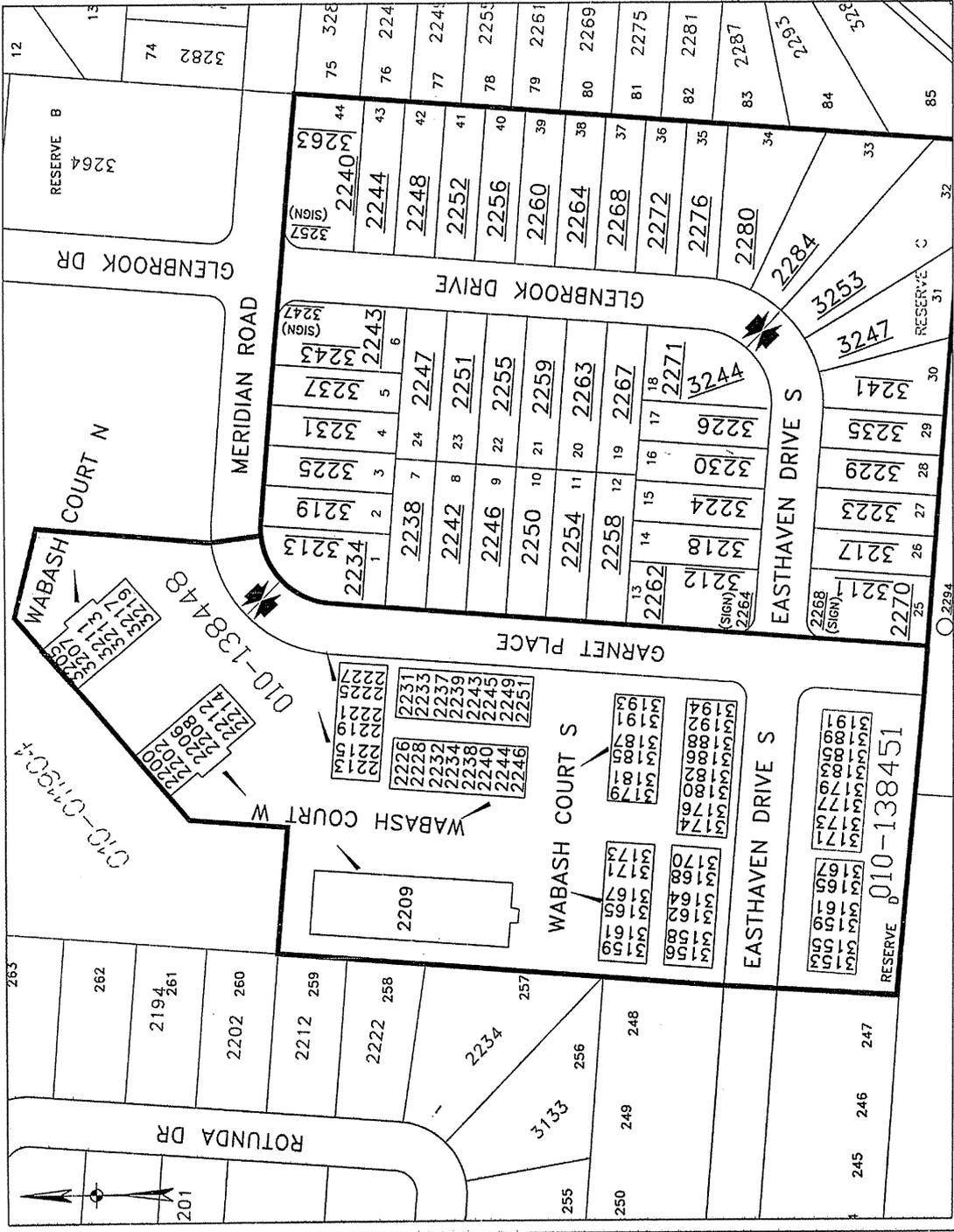
CERTIFIED HOUSE NUMBERS
 HOUSE NUMBERS SHOWN ON ATTACHED PERMITS ARE SUBJECT TO THE REVIEW OF BUILDING & UTILITY PERMITS

Issued by: *Robert C. Smith* Date: 12/19/00
 ROBERT C. SMITH, CITY ENGINEER
 ENGINEERING & CONSTRUCTION DIVISION
 109 N. FRONT ST.
 COLUMBUS, OH. 43215

ADDRESS FILE NUMBER - 00-139C

DEVELOPED BY: JEWEL BLDG & DEVELOPERS
 ENGINEERING CONSULTANT: CITY ENGINEER'S OFFICE
 EASTHAVEN APARTMENTS
 AKA YORKTOWN CLUB APARTMENTS

ORIGINAL PARCEL NUMBER: EASTHAVEN APARTMENTS
 DRAWN BY: BJB CHECKED BY: JWC

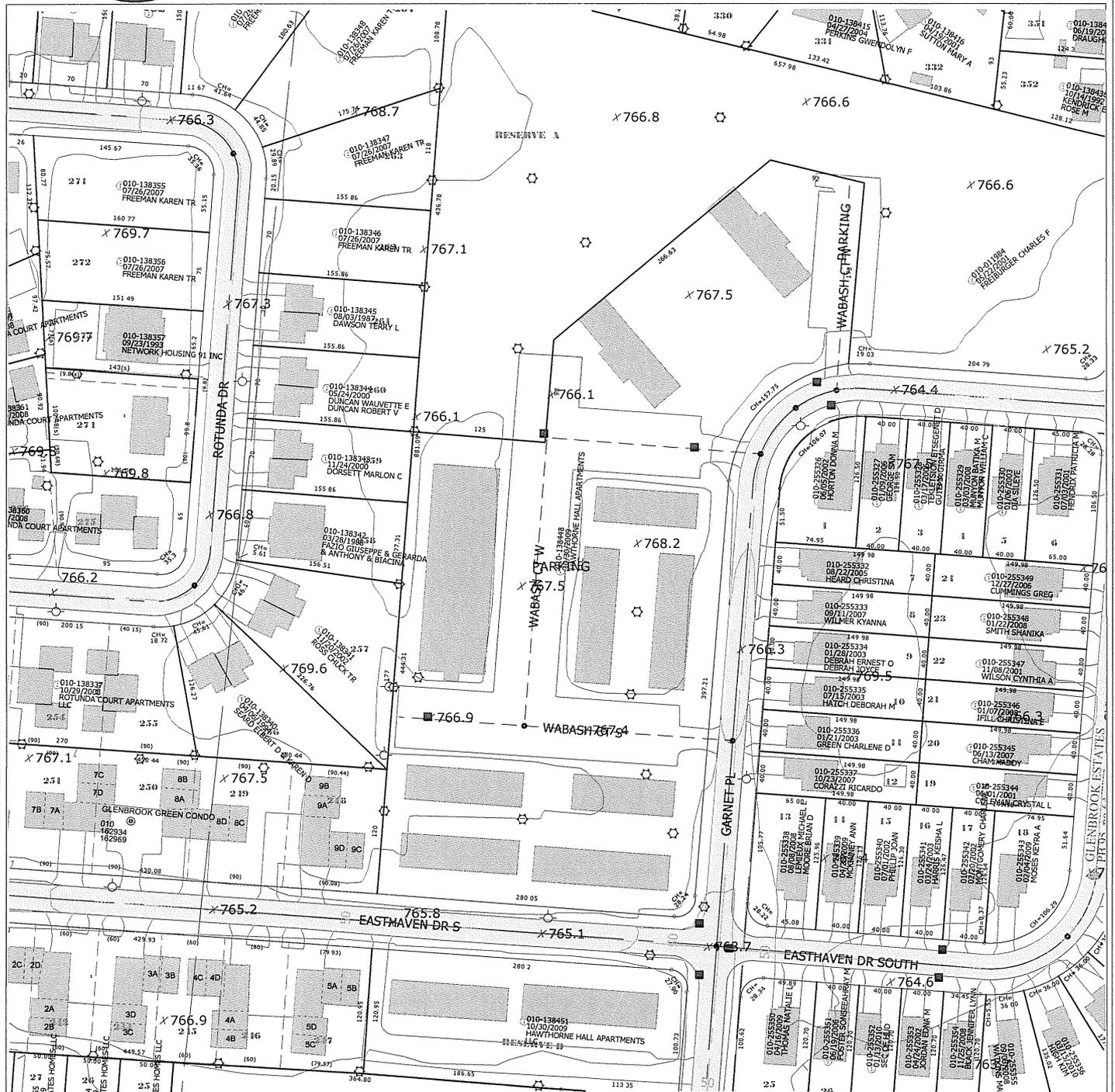




CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: M

DATE: 5/26/10



Disclaimer

Scale = 140



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

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2209 Wabash Ct., W.

