

Date: 12/13/10

Application # 10310-0-00569

City of Columbus | Department of Building and Zoning Services | 757 Carolyn Avenue, Columbus, Ohio 43224

If you have questions about this form call 645-4522



Comments: \_\_\_\_\_ Commission/Group: University  
 \_\_\_\_\_ Date Received: 12/13/10 Planning Area: \_\_\_\_\_  
 \_\_\_\_\_ Date of Hearing: 2/22/11 Acreage: \_\_\_\_\_  
 \_\_\_\_\_ Zoning Fee: \$1,900<sup>00</sup> Address Fee \_\_\_\_\_  
 \_\_\_\_\_ Existing Zoning AR-4 Accepted by D. 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.

Variances to permit change of use of existing building from current use as property management office and five (5) dwelling units (CV94-045) to eight (8) dwelling units in the AR-4. See Statement of Hardship, Exhibit B

#### LOCATION

1. Certified Address Number and Street Name 48 East Fifteenth Avenue  
 City Columbus State Ohio Zip 43201  
 Parcel Number (only one required.) 

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#### APPLICANT (IF DIFFERENT FROM OWNER)

2. Name Garland Properties LTD c/ Donald Plank, Plank Law Firm  
 3. Address 145 E. Rich St., 3rd Flr City Columbus, OH Zip 43215  
 4. Phone# (614) 947-8600 Fax# (614) 228-1790  
 5. Email Address dplank@planklaw.com

#### PROPERTY OWNER(S)

6. Name Garland Properties LTD c/o Donald Plank, Plank Law Firm  
 7. Address 145 E. Rich St., 3rd Flr City Columbus, OH Zip 43215  
 8. Phone# (614) 947-8600 Fax# (614) 228-1790  
 9. Email Address dplank@planklaw.com

Check here if listing additional property owners on a separate page

#### ATTORNEY/AGENT (CIRCLE ONE)

10. Name Donald Plank, Plank Law Firm  
 11. Address 145 E. Rich St., 3rd Flr City Columbus, OH Zip 43215  
 12. Phone# (614) 947-8600 Fax# (614) 228-1790  
 13. Email Address dplank@planklaw.com

#### SIGNATURES

14. Applicant Signature Donald Plank, attorney  
 15. Property Owner Signature Donald Plank, attorney  
 16. Attorney/Agent Signature Donald Plank

# One Stop Shop Zoning Report

**Building Services Division**  
**Department of Development**  
 Report date: 12/15/2010 10:43:20 AM

### Parcel Report

Parcel ID	Owner	Address
010021568	GARLAND PROPERTIES LTD	48 E 15TH AVE COLUMBUS OH 43201

### Base Zoning Report

Case Number	Classification	Height District	Map Number	General Zoning Category	Limitation Text
ORIG	AR4	H-35	28	Multi-Family	(View Document)

### Zoning Overlay District

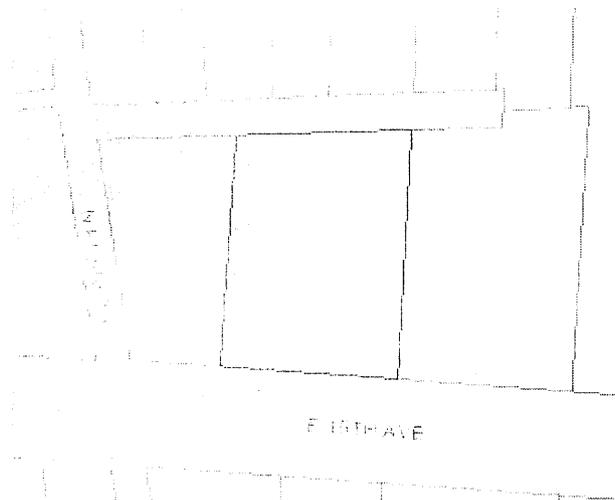
Overlay Name	District Name	Planning Overlay
University/Impact	PLANNING OVERLAY	PI
University/Impact	PLANNING OVERLAY	PI

### Flood Zone

Firm Panel	Flood Zone	SFHA	Panel Type	FZONE
TBD	X	OUT	CURRENT	X

### Area Commissions

Area Name	INFObase URL
University Area Commission	INFObase Page



This map is intended to locate the property in question, and provide information about the land use categories governing the use of this parcel. Please consult with zoning staff before making binding decisions based on this information. The property address is not a certified address for building purposes. No warranty is expressed or implied.

**10310-00569**  
**48 E. 15th Ave.**

## Statement of Hardship

48 East 15<sup>th</sup> Avenue, Columbus, OH

10310-00569

48 E. 15th Ave.

BZA: \_\_\_\_\_

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The site is developed with a 10,960 sq. ft. building built in 1971 as a fraternity house. In 1994, by Council Variance CV94-045 (Ordinance 33-95, passed January 23, 1995), Columbus City Council permitted the change of use of the building to a property management office (up to 7,100 +/- sq. ft. permitted) and five (5) dwelling units in the AR-4, Apartment Residential District. Applicable variances to site development standards, all of which were for existing site conditions, were also included in Ordinance 33-95.

By this application to the Board of Zoning Adjustment (BZA), applicant proposes to change the use of the building from the current property management office (6,445 sq. ft.) and five (5) dwelling units to all residential use with a total of eight (8) dwelling units. The building is located in the heart of the high density multi-family use area of the off-campus housing area. Use of the building for eight (8) dwelling units is consistent with the zoning of the property and many surrounding uses. All of the variances requested reflect existing conditions and are cited due the change of use occurring under the AR-4, Apartment Residential District zoning and University Planning Overlay.

Applicant requests the following variances:

- 1) 3333.23, Minimum Side Yard Permitted, which Section requires a minimum side yard of five (5) feet, while a survey shows the east side yard is 4.8 feet.
- 2) 3333.24, Rear Yard, which Section requires each principal dwelling or apartment house to be erected with a rear yard totaling no less than 25 percent of total lot area, while the building is existing from construction in 1971 and has a rear yard of 16+/- %.
- 3) 3312.13, Driveway, prohibits a driveway width of less than 20 feet for 2 way travel, while applicant proposes the existing driveway width of 13 +/- feet along parking spaces #13 and #16.
- 4) 3312.21(A)(2), Landscaping and Screening, which Section requires each landscaping island to be a minimum of 145 sq. ft., while the existing landscaping bed between parking spaces #10 and #11 is 112 +/- sq. ft.
- 5) 3312.27, Parking Setback Line, which Section requires a 25 foot parking setback line, while the existing parking setback line, as permitted by CV94-045, is ten (10) feet along East 15<sup>th</sup> Avenue.
- 6) 3372.521, Supplemental Parking Requirements, which Section states no parking or maneuvering shall be permitted in any required side yard or required landscaped area or between any building and any public street and that each parking area be separated from any required yard or landscaped area by either a 8 inch high curb or other

permanent barrier, while there is existing parking between East Fifteenth Avenue and the building setback line and all parking, driveway and vehicular maneuvering area is existing.

- 7) 3372.562, Landscaped Area and Treatment, which Section requires at least 5% of lot area to be planted with live vegetation and located behind the most rear portion of the building and further requires the planting of a tree for each ten (10) parking spaces, while all of the area behind the building is paved and used for site access, parking and a dumpster.
- 8) 3372.564(A), Parking, which Section prohibits more than 35% of lot area to be devoted to parking and maneuvering of vehicles, while the existing paved area for parking and maneuvering is 45 +/- % of lot area.
- 9) 3372.567(C), Maximum Floor Area, which Section limits the maximum total calculated floor area to 0.60, while the existing building has a floor area ratio (FAR) of 0.82 +/-.

**10310-00569**  
**48 E. 15th Ave.**





# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: dbp

DATE: 12/8/10



Disclaimer

Scale = 60



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 not information sources should be consulted for verification of the information. The county and the mapping companies assume no legal responsibilities for the information. Please notify the Franklin County GIS Division of any discrepancies.

10310-00569  
48 E. 15th Ave.



Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

### 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.

STATE OF OHIO APPLICATION # \_\_\_\_\_  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) DONALD PLANK -----  
of (COMPLETE ADDRESS) Plank Law Firm, 145 East Rich Street, 3rd. Flr., Columbus, OH  
deposes and states that (he/she) is the APPLICANT, AGENT or DULY AUTHORIZED ATTORNEY FOR SAME and the following is 43215  
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
Garland Properties LTD (Wayne Garland)	48 East 15th Avenue, Columbus, OH 43201

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SIGNATURE OF AFFIANT Donald Plank, attorney

Subscribed to me in my presence and before me this 13th day of December, in the year 2010

SIGNATURE OF NOTARY PUBLIC 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