



# BOARD OF ZONING ADJUSTMENT 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: 11310-00610  
Date Received: 10/19/11  
Commission/Group: S. Linden  
Existing Zoning: \_\_\_\_\_ Application Accepted by: D. Reiss Fee: \$1,900<sup>00</sup>  
Comments: 1/24/12

### 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.

The applicant is requesting variances to allow for the reconfiguration of 6 existing lots to make 9 that will not meet the minimum lot width requirement of C.C. 3332.05 and the minimum lot area requirement of C.C. 3332.20. These lots are currently developed with nonconforming two-family structures, this proposal is therefore more compliant than status quo

### LOCATION

1. Certified Address Number and Street Name 1347 26th Avenue  
City Columbus State Ohio Zip 43211  
Parcel Number (only one required) 010-255593, et al.

### APPLICANT: (IF DIFFERENT FROM OWNER)

Name Duxberry Landing Homes LLC  
Address 562 E. Main St. City/State Columbus Zip 43215  
Phone # 545-4878 Fax # 221-8591 Email \_\_\_\_\_

### PROPERTY OWNER(S):

Name DTV Real Estate LLC  
Address 10510 Laguna Circle City/State Plain City Zip 43064  
Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email \_\_\_\_\_  
 Check here if listing additional property owners on a separate page.

### ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

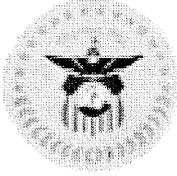
Attorney       Agent

Name David Hodge / Smith & Hale LLC  
Address 37 W. Broad St., Suite 725 City/State Columbus Zip 43215  
Phone # 221-4255 Fax # 221-4409 Email: \_\_\_\_\_

### SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE Duxberry Landing Homes LLC By: David Hodge  
PROPERTY OWNER SIGNATURE DTV Real Estate LLC By: David Hodge  
ATTORNEY / AGENT SIGNATURE \_\_\_\_\_ By: David Hodge

**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



11310-00000-00610  
1347 26th AVENUE

# CITY OF COLUMBUS

## DEPARTMENT OF BUILDING AND ZONING SERVICE

### One Stop Shop Zoning Report Date: Thu Oct 27 2011

Zoning General Inquiry: 614-645-8637

#### SITE INFORMATION

**Address:** 1321 26TH AVE COLUMBUS OH 43211

**Mailing Address:** 10510 LAGUNA CIRCLE  
PLAIN CITY OH 43064

**Owner:** DTV REALESTATE LLC

**Parcel Number:** 010255593

#### ZONING INFORMATION

**Zoning:** Z70-082, Residential, R3  
effective 7/15/1972, Height District H-35

**Council Variance:** N/A

**Board of Zoning Adjustment (BZA):** N/A

**Graphic Commission:** N/A

**Area Commission:** South Linden Area Commission

**Planning Overlay:** N/A

**Historical District:** N/A

**Historical Site:** No

**Overlay:** N/A

**Flood Zone:** OUT

**Airport Noise Environ:** N/A

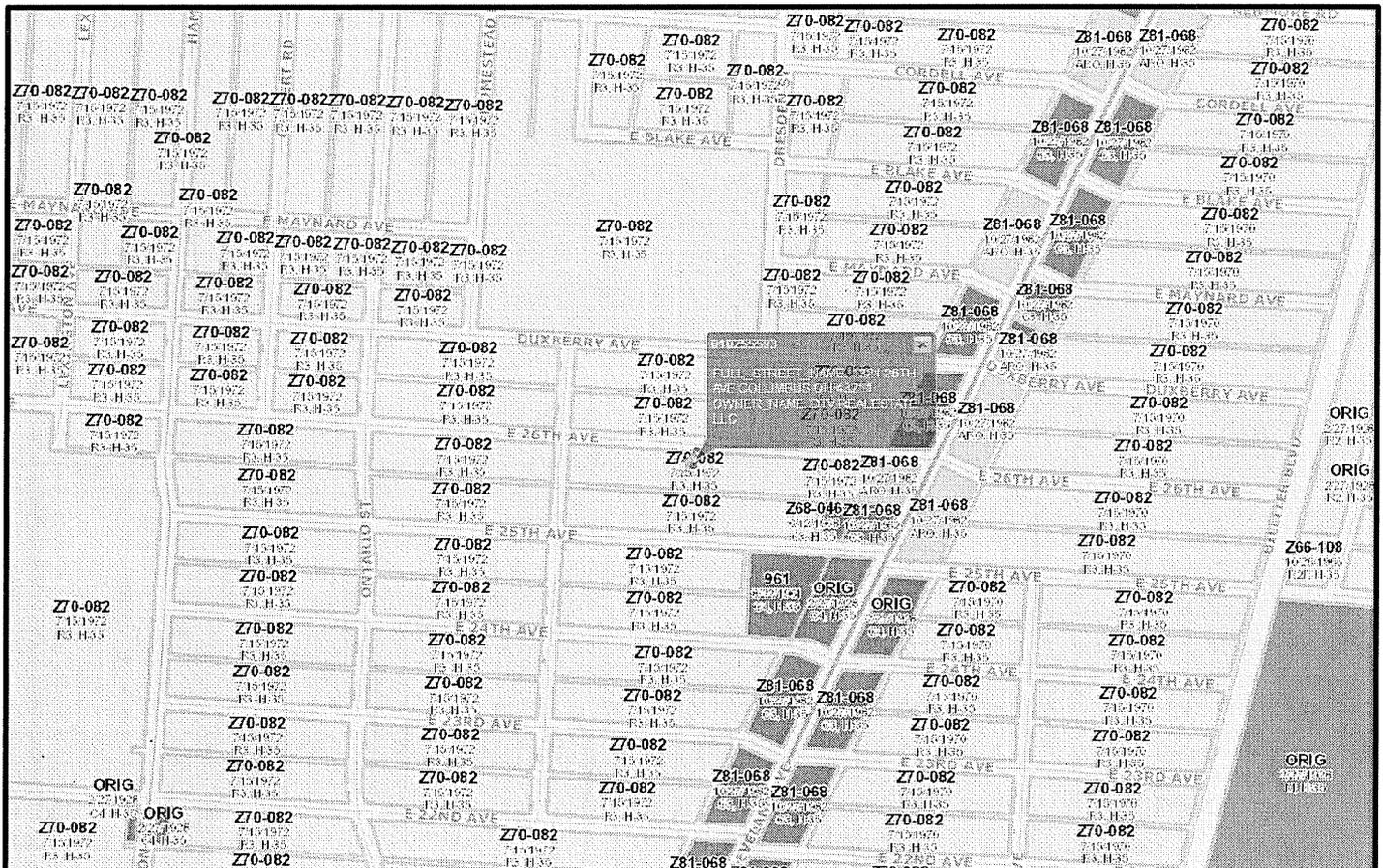
#### PENDING ZONING ACTION

**Zoning:** N/A

**Board of Zoning Adjustment (BZA):** N/A

**Council Variance:** N/A

**Graphic Commission:** N/A





# BOARD OF ZONING ADJUSTMENT 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)

## AFFIDAVIT

**11310-00000-00610**  
**1347 26th AVENUE**

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME David Hodge  
of (1) MAILING ADDRESS 37 W. Broad St., Suite 725, 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 ADDRESS CARD FOR PROPERTY 1347 26th 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) \_\_\_\_\_

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME  
AND MAILING ADDRESS

(4) DTV Real Estate LLC  
10510 Laguna Circle  
Plain City, OH 43064

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

Duxberry Landing Homes LLC  
545-4878

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

(5) South Linden Area Commission  
c/o Mr. George Walker  
1378 E. 23rd Ave., Columbus, OH 43211

and that the following 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:

(6) PROPERTY OWNER(S) NAME      (6A) ADDRESS OF PROPERTY      (6B) PROPERTY OWNER(S) MAILING ADDRESS  
Please see attached list.

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

SIGNATURE OF AFFIANT

(8) David Hodge  
Subscribed to me in my presence and before me this 19<sup>th</sup> day of October, in the year 2011



NOTARY PUBLIC  
**AMBER K. KAUFMAN**  
Notary Public, State of Ohio  
My Commission Expires  
**06-08-2016**

(8) Amber K. Kaufman  
06-08-2016

**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**



Statement of Hardship

The applicant seeks to reconfigure existing nonconforming single-family residential lots to provide for the demolition of the existing nonconforming, dilapidated, two-family structures, to create new lots in the R-3, Residential district to be redeveloped with new single-family homes on lots that are not in strict compliance with all R-3 development standards.

The variances requested are as follows:

C.C. 3332.05, Area district standards.

The section provides that the minimum lot width must be 50 feet, where the applicant is requesting a reduction to 35 feet. The current lots are roughly between 50 feet and 55 feet, though when originally platted were 40 foot lots consistent with many lots currently existing in this neighborhood. Further, there are currently 35 foot lots existing in this neighborhood, making this request compatible and consistent with other residential uses in the area. It should be noted that the existing structures are uninhabitable and the lots are developed with nonconforming two-family structures in this R-3 district.

C.C. 3332.20, R-3 Area district requirements.

This section provides that the minimum lot area shall be 5,000 square feet, where the applicant is proposing lots that are approximately 4,580 square feet. Again, lots below the 5,000 square foot minimum are appropriate and consistent with other single-family residential lots in this neighborhood.

The grant of the requested variances will allow for a significant improvement to this neighborhood, ridding it of a boarded up and dilapidated row of residential development that today does not comply with the underlying R-3 zoning requirements. While this proposal does seek minor development standard variances, it would accommodate redevelopment to a use that complies with the zoning district making it more compliant with the applicable zoning regulations.

This applicant has met preliminary and conceptually with the South Linden Area Commission who is supportive of this proposal. The grant of these variances will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of the Zoning Code. Rather, the grant will facilitate an improvement to these properties, as well as the neighborhood in which they are located.

Duxberry Landing Homes LLC

Signature of Applicant: By: David Hoyle

Date: 10/19/2011



# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: DLH

DATE: 10/17/11



Disclaimer

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

Scale = 200



**11310-00000-00610**  
**1347 26th AVENUE**

is,

map.

Department





**SUBDIVISION NOTES:**  
 1. The site is located in the City of Columbus, Franklin County, Ohio.  
 2. The site is zoned R-1.  
 3. The site is located in the Dresden Avenue Subdivision.  
 4. The site is located in the 26th Avenue Subdivision.  
 5. The site is located in the 11310-00000-00610 Subdivision.

**PRELIMINARY PLAT FOR  
 DUXBERRY LANDING HOMES LLC**  
 LOT 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

**PROPOSED NEW WATER SERVICE LOCATION**  
 1. Proposed new water service location.  
 2. Proposed new water service location.

**PROPOSED NEW WATER SERVICE LOCATION**  
 1. Proposed new water service location.  
 2. Proposed new water service location.

**PROPOSED NEW WATER SERVICE LOCATION**  
 1. Proposed new water service location.  
 2. Proposed new water service location.

**PROPOSED NEW WATER SERVICE LOCATION**  
 1. Proposed new water service location.  
 2. Proposed new water service location.

**PROPOSED NEW WATER SERVICE LOCATION**  
 1. Proposed new water service location.  
 2. Proposed new water service location.



**Geo-Graphics, Inc.**  
 1331 Madison Avenue  
 Columbus, Ohio 43215  
 Phone: (614) 291-1111  
 Fax: (614) 291-1112  
 Website: www.geo-graphics.com

**PREPARED BY: JEFF P. BOYD**  
 REGISTERED PROFESSIONAL SURVEYOR  
 1821-1827 TWENTY-SIXTH AVENUE  
 CITY OF COLUMBUS, OHIO  
 FRANKLIN COUNTY, OHIO

SCALE: 1" = 20' SET

PREPARED FOR:  
 DUXBERRY LANDING HOMES LLC  
 1821-1827 TWENTY-SIXTH AVENUE  
 CITY OF COLUMBUS, OHIO  
 FRANKLIN COUNTY, OHIO

DATE: 08/08/2011  
 TIME: 10:00 AM  
 PROJECT: 11310-00000-00610

PROJECT: 11310-00000-00610  
 SHEET: 1 OF 1

DATE: 08/08/2011  
 TIME: 10:00 AM

PROJECT: 11310-00000-00610  
 SHEET: 1 OF 1

DATE: 08/08/2011  
 TIME: 10:00 AM

PROJECT: 11310-00000-00610  
 SHEET: 1 OF 1

DATE: 08/08/2011  
 TIME: 10:00 AM



# BOARD OF ZONING ADJUSTMENT 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)

## 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 # 11310-00000-00610  
**1347 26th AVENUE**

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) David Hodge  
of (COMPLETE ADDRESS) 37 W. Broad St., Suite 725, Columbus, OH 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 and their mailing addresses:

NAME	COMPLETE MAILING ADDRESS
Duxberry Landing Homes LLC,	562 E. Main St., Columbus, OH 43215
DTV Real Estate LLC,	10510 Laguna Circle, Plain City, OH 43064

SIGNATURE OF AFFIANT David Hodge

Subscribed to me in my presence and before me this 19<sup>th</sup> day of October, in the year 2011

SIGNATURE OF NOTARY PUBLIC Amber K. Kaufman

My Commission Expires: 06-08-2016



**AMBER K. KAUFMAN**  
Notary Public, State of Ohio  
My Commission Expires  
06-08-2016

**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