

Date 6/29/10 Application # CV10-025
10315-00000-00239
City of Columbus | Department of Development | Building Services Division | 757 Cardyn Avenue Columbus, Ohio 43224
\$630



COUNCIL VARIANCE APPLICATION

OFFICE USE ONLY:

Planning Area: South Linden Received By: S. Pine

LOCATION AND ZONING REQUEST:

Certified Address(for Zoning Purposes) 1331 E. 18th Ave Zip 43211

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 010-060262

If applicable, check here if listing additional parcel numbers on a separate page (Required)

Current Zoning District (s) R3

Recognized Civic Association or Area Commission South Linden Area Commission

(See instructions in "Things to Remember" on the front of application packet)

Proposed Use or reason for Council Variance request: To conform existing 2 Family Dwelling in R3

Proposed Height District: Existing # 35 Acreage 0.120

(Columbus City Code Section 3309.14)

APPLICANT: Name TR2 Group, LLC
Address 396 S. Washington City Columbus Zip 43215

PROPERTY OWNER(S) Name G. Hudecek, Trustee
Address P.O. Box 091296 City Columbus Zip 43209

If applicable, check here if listing additional property owners on a separate page (Required)

ATTORNEY / AGENT

Attorney Agent

Name Rebecca L. Egelhoff
Address 88 E. Broad St., Ste 2000 City Columbus Zip 43215
Phone # 614-227-6040 Fax # 614-227-6041
Email REBECCA@MENTELLELEGALGROUP.COM

SIGNATURES (ALL SIGNATURES MUST BE SIGNED IN BLUE INK)

Applicant Signature Thomas J. Lumsden Member

Property Owner Signature Thomas J. Lumsden Member

Attorney / Agent Signature Rebecca Egelhoff

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.

Planner: Shannon Pine, 645-2208, spine@columbus.gov

CV10-025



AFFIDAVIT

(See reverse side for instructions)

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Rebecca L. Egelhoff
of (1) MAILING ADDRESS 88 E. Broad St., Ste 2000, 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) CERTIFIED ADDRESS FOR ZONING PURPOSES 1331 E. 18th Ave

for which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Development, Building Services Division on (3) 6/29/10

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNER'S NAME AND MAILING ADDRESS

(4) G. Hudecek, Trustee
P.O. Box 091296
Columbus, OH 43209

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

TRZ Group, LLC
740-361-7315

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

(5) SOUTH LINDEN AREA Commission
George Walker, Jr., Zoning Chair
13780 E. 23rd Ave., Gals, OH 43211

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)

SIGNATURE OF AFFIANT

(8) Rebecca Egelhoff

Subscribed to me in my presence and before me this 29th day of June, in the year 2010

SIGNATURE OF NOTARY PUBLIC

(8) Laura L. Gerber
2/4/2014

My Commission Expires:



Laura L. Gerber
Notary Public, State of Ohio
My Commission Expires 02-04-2014

CV10-025

Applicant

TRZ Group, LLC
396 S. Washington
Columbus, OH 43215

Property Owner

G. Hudecek, Trustee
P.O. Box 91296
Columbus, Ohio 43209

Attorney

Rebecca L. Egelhoff
88 E. Broad Street
Suite 2000
Columbus, OH 43215

Neighborhood Group

South Linden Area Commission
c/o George Walker, Zoning Chair
1378 E. 23rd
Columbus, OH 43211

Surrounding Property Owners

TAG Real Estate, LLC
1320-1322 E. 17th Ave.
Columbus, OH 43211

George W. Campbell
c/o Carla Reed
5632 Bashaw Dr.
Columbus, Ohio 43081

Joseph and Diane Wade
1336 E. 17th Ave.
Columbus, Ohio 43211

Brian J. Boham
1327 E. 17th Ave.
Columbus, OH 43211

Frank and Doris Nelson
4586 Reinbeau Dr.
Columbus, OH 43232

City of Columbus
Land Trust
109 N. Front Street
Columbus, OH 43215

Averdand Funding, LLC
3021 E. Dublin Granville
Columbus, OH 43231

Mary L. Brown
1323 E. 18th Ave.
Columbus, OH 43211

Dwayne Hubbard
388 E. Tompkins St.
Columbus, OH 43202

Gerry and William Ringle
1321-1323 E. 18th
Columbus, OH 43211

Jeanette M. Layne
1342 E. 18th Ave.
Columbus, OH 43211

RTK Investments LLC
6600 Perimeter Drive
Suite 200
Dublin, OH 43016

G J First Chose Investment, LLC
4614 Morse Rd.
Columbus, OH 43230

Mary W. Winbush
3601 Briarglen Lane
Louisville, KY 40220

David Ruhwedel
1320 E. 18th Ave.
Columbus, OH 70

Dan Moncrief, III
1324 E. 18th Ave.
Columbus, OH 43211

Catherine H. Fox
1328 E. 18th Ave.
Columbus, OH 43211

Donald F. Weaver
1332 E. 18th Ave.
Columbus, OH 432111

Cain Malcolm
1338 E. 18th Ave.
Columbus, OH 43211

Audrey Williams
P.O. Box 1262
Reynoldsburg, OH 43068

TRZ Group, LLC
396 S. Washington
Columbus, OH 43215

G. Hudecek, Trustee
P.O. Box 91296
Columbus, OH 43209

Rebecca L. Egelhoff
The Law Offices of Sean A. Mentel, LLC
88 E. Broad St., Ste 2000
Columbus, OH 43215

South Linden Area Commission
c/o George Walker, Jr., Zoning Chair
1378 E. 23rd Ave.
Columbus, OH 43211

TAG Real Estate, LLC
1320-1322 E. 17th Ave.
Columbus, OH 43211

TAG Real Estate, LLC
1316-1318 E. 17th Ave.
Columbus, OH 43211

George W. Campbell
c/o Carla Reed
5632 Bashaw Dr
Westerville, OH 43081

Joseph and Diane Wade
1336 E. 17th Ave/
Columbus, OH 43211

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Columbus, Ohio 43211

Frank and Doris Nelson
4586 Reinbeau Dr
Columbus, OH 43207

City of Columbus, Lank Bank
Columbus, Ohio
109 N. Front Street
Columbus, OH 44215

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P.O. Box 1262
Reynoldsburg, OH 43068

CV10-025



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 ATTACHED STATEMENT

Signature of Applicant Thomas J. Lunsberry Date 6/28/10
Member

CV10-025

**COUNCIL VARIANCE
1329-1331 E. 18th Avenue**

COUNCIL VARIANCE: To conform an existing 2-family dwelling in a R3 zoning district
PROPERTY ADDRESS: 1329-1331 E. 18th Avenue, Columbus, Ohio 43211
PARCEL NUMBERS: 010-060262
OWNER: G. Hudecek Trustee
APPLICANT: TRZ Group, LLC
DATE OF APPLICATION: June 28, 2010

STATEMENT OF HARDSHIP

The property subject to this Council Variance application is approximately 0.120 acres in size. It is commonly known as 1329-1331 E. 18th Avenue and consists of Parcel Number 010-060262 (the site). The site is currently zoned in the R-3, Residential District. The applicant requests the following Council Variances for the site:

1. C.C. §3332.035 R3 Residential District - To permit a Two-Family Dwelling in this R3 Zoning District.
2. C.C. §3332.05 Area District Lot Width Requirements – To conform the existing conditions on the site by reducing the lot width from 50 feet to 35 feet in this R3 district.
3. C.C. §3332.13 R3 Area District Requirements – To conform the existing conditions on the site by allowing a two-family dwelling or other principal building on a lot that is 0.120 acres.
4. C.C. §3332.21 Building Lines – To conform the existing conditions on the site by reducing the minimum building setback from 10 feet to 5 feet.
5. C.C. §3332.26 Minimum Side Yard Permitted – To reduce the minimum side yard from 3 feet to 1.5 feet.
6. C.C. §3332.27 Rear Yard – To reduce the minimum rear yard from no less than 25% of total area to no less than 5% of total area.

The Applicant has requested these variances for this site in order to avoid an unnecessary hardship. This site became non-conforming to the Zoning Code for the City of Columbus prior to the Applicant's ownership of the property. However, the Applicant is seeking these variances to bring the property into conformance with the Zoning Code in order to prevent problems with financing and to ensure the ability to rebuild the dwelling, as is, in the event of property damage or destruction.

These variances would be in harmony with the general purpose and intent of the Zoning Ordinance and preserve its spirit. This area of East Eighteenth Street is primarily residential and includes mostly Two-Family Dwellings throughout the neighborhood. Therefore, the granting of these variances will not adversely affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements in such neighborhood.



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
COUNTY OF FRANKLIN

APPLICATION # CV10-025

Being first duly cautioned and sworn (NAME) Rebecca Egelhoff
of (COMPLETE ADDRESS) 77 E. Broad St, Ste 2000 Cols., 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 in the following formats

Name of business or individual
Business of individual's address
Address of corporate headquarters
City, State, Zip
Number of Columbus based employees
Contact name and number

TRZ Group, LLC
396 S. Washington
Columbus, OH 43215
Contact: Tom Armstrong
740 361-7315
of Cols. employees = 1 (or 1+)

If applicable, check here if listing additional parties on a separate page (required)

SIGNATURE OF AFFIANT Rebecca Egelhoff
Subscribed to me in my presence and before me this 29th day
of June, in the year 2010

SIGNATURE OF NOTARY PUBLIC
Laura L. Gerber
My Commission Expires: 2/4/2014



This Project Disclosure Statement expires six months after date of notarization.
Laura L. Gerber
Notary Public, State of Ohio
My Commission Expires 02-04-2014



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: 010060262

Zoning Number: 1331

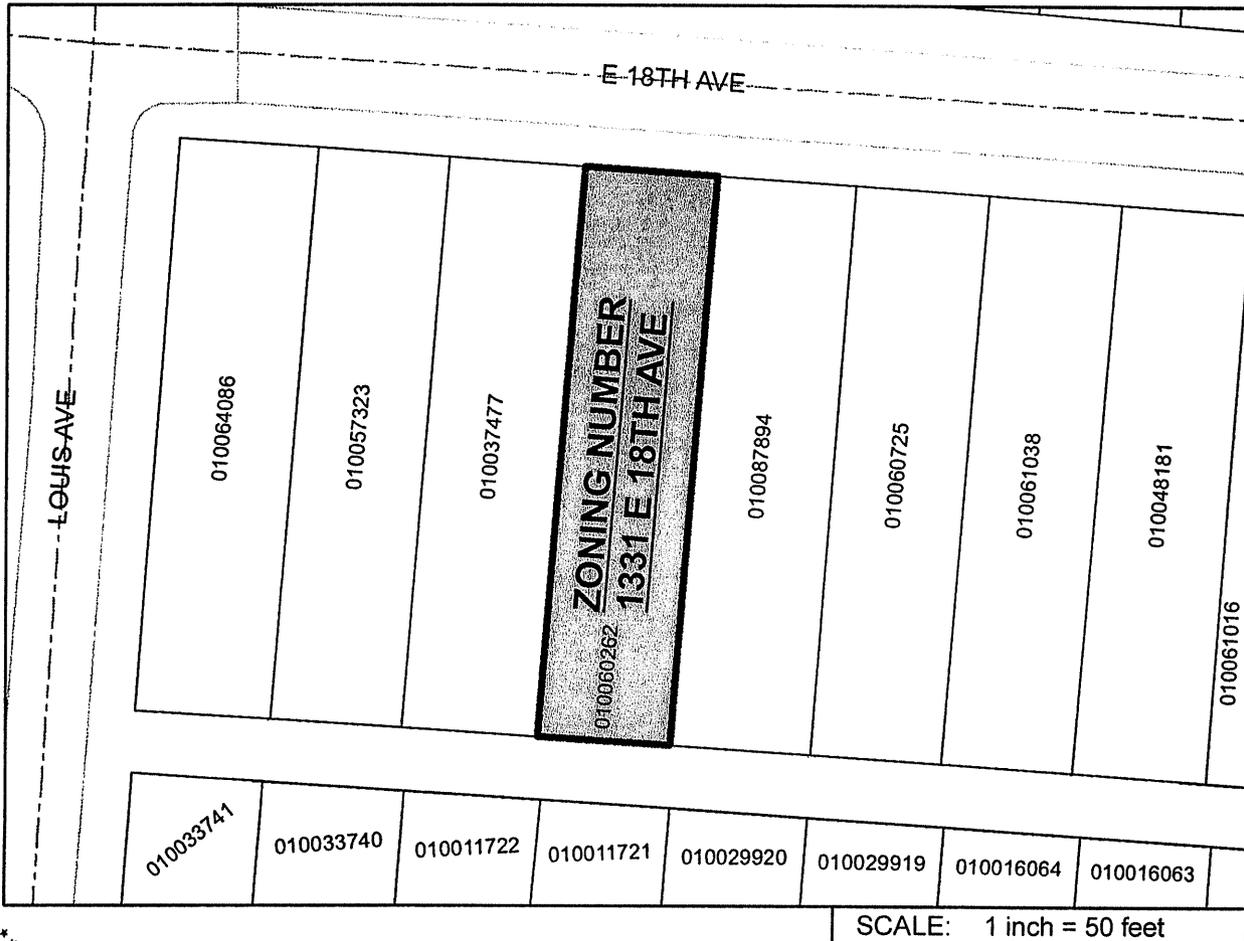
Street Name: E 18TH AVE

Lot Number: 47

Subdivision: LOUIS HTS

Requested By: THE LAW OFFICES OF SEAN A. MENDEL, LLC

Issued By: *Patricia Austin* Date: 6/24/2010



SCALE: 1 inch = 50 feet

GIS FILE NUMBER: 5779



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

CW10-025



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: S

DATE: 6/24/10

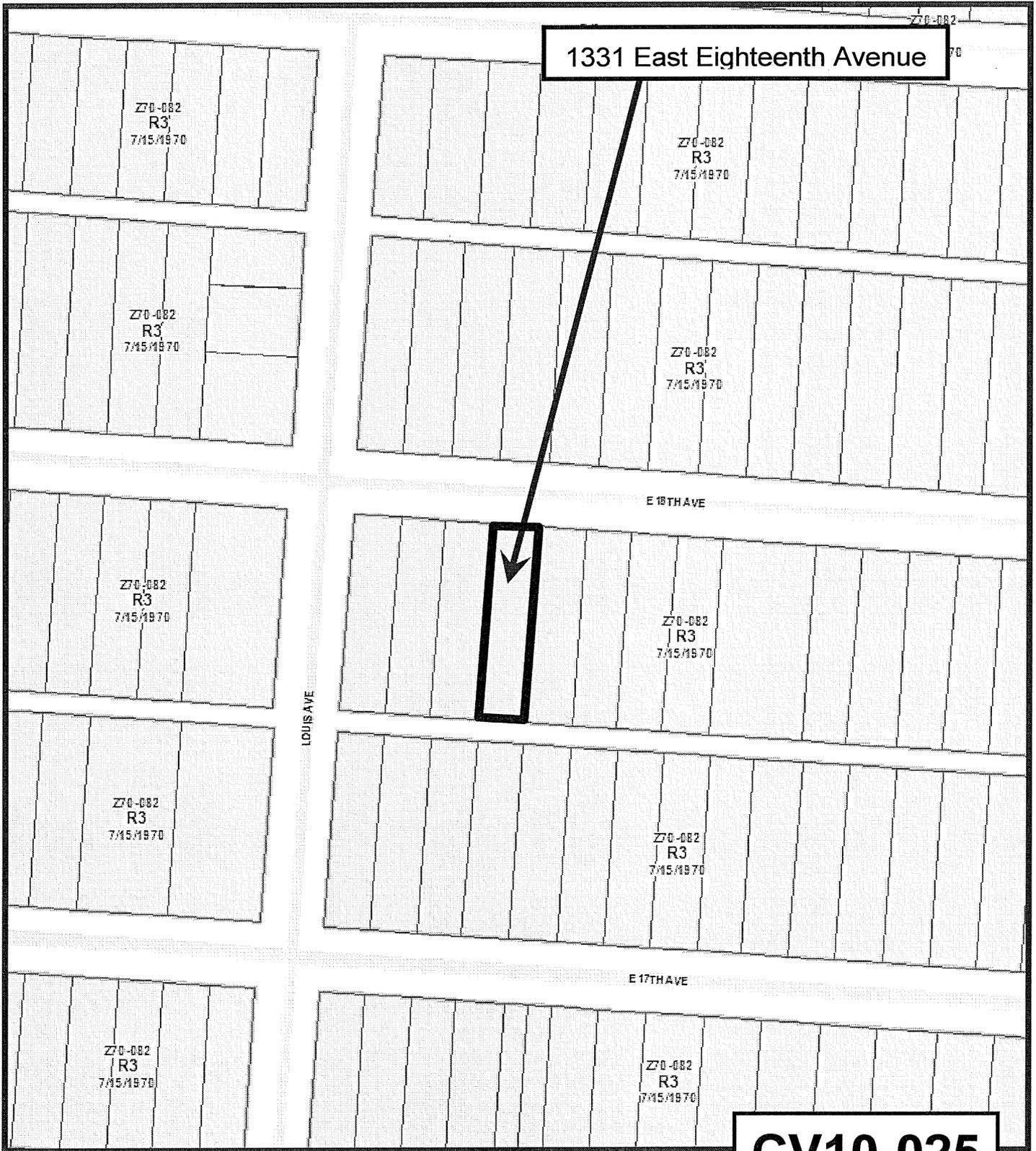


Disclaimer

Scale = 100



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.



1331 East Eighteenth Avenue

Z70-082
R3
7/15/1970

CV10-025

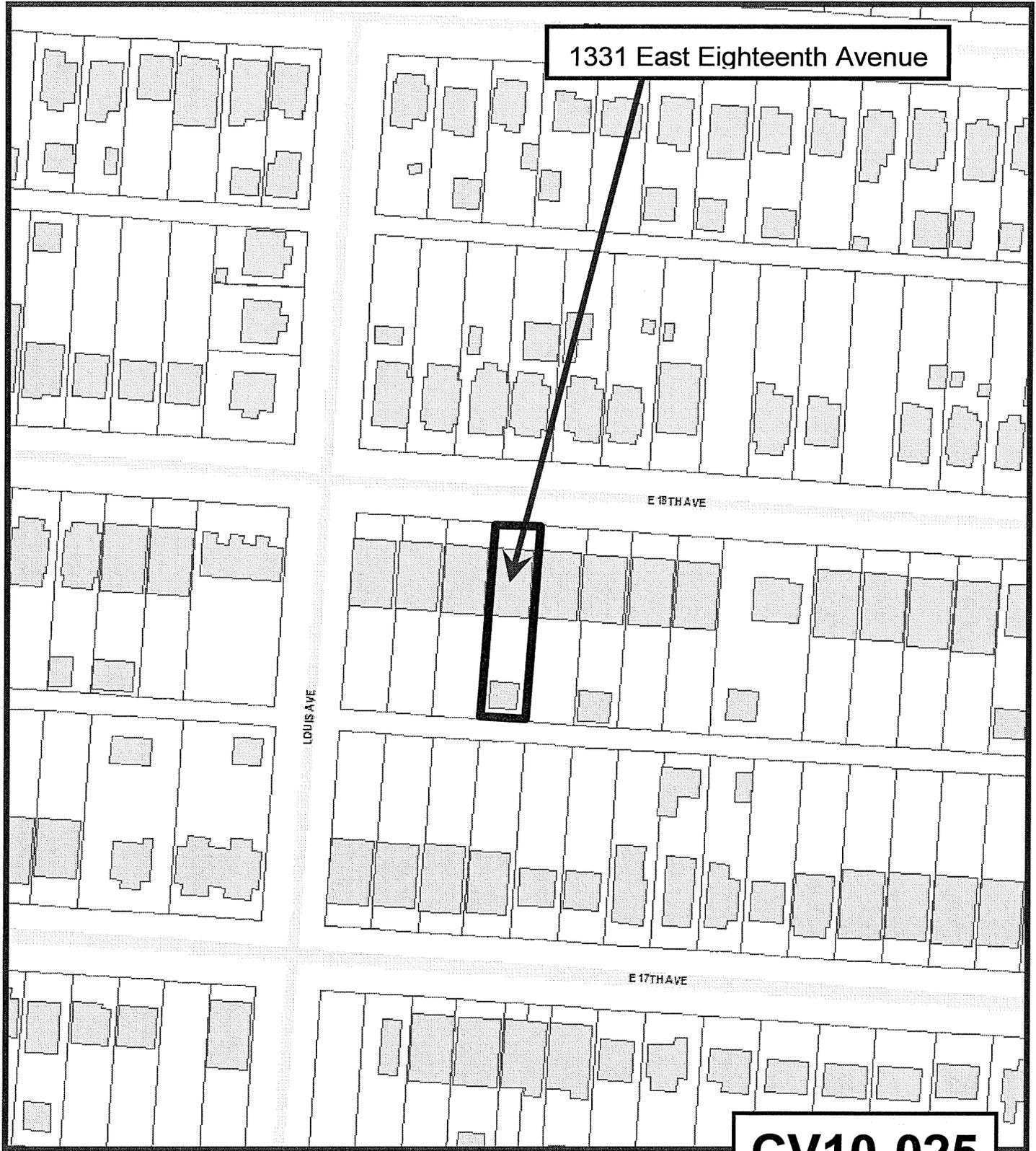
1331 East Eighteenth Avenue

E 18TH AVE

LOUIS AVE

E 17TH AVE

CV10-025





1331 East Eighteenth Avenue

CV10-025