

Date 10/5/10 Application # CV10-035/10315-00000-00422

City of Columbus | Department of Development | Building Services Division | 757 Gady Avenue Columbus, Ohio 43224

Case Planner: Mr. Dana Hitt ⁶⁴⁵⁻²³⁹⁵ dahitt@cityofcolumbus.gov Total: \$1600 -



COUNCIL VARIANCE APPLICATION

OFFICE USE ONLY:

Planning Area: University Received By: S. Pine

LOCATION AND ZONING REQUEST:

Certified Address(for Zoning Purposes) 36 East Norwich Avenue Zip 43201

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. N/A

Parcel Number for certified address 010-035174, 010-035075

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

Current Zoning District (s) AR-4

Recognized Civic Association or Area Commission University Area Commission

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

Proposed Use or reason for Council Variance request: Change of use of church to property management office and 1 dwelling unit. See

Proposed Height District: H-35, existing Stmt of Hardship 0.35 +/- Ac (15,246 sq ft)
(Columbus City Code Section 3309.14)

APPLICANT: Name Garland Properties LTD c/o Donald Plank
Address Plank Law Firm City Columbus, OH Zip 43215
145 East Rich Street, 3rd Flr.

PROPERTY OWNER(S) Name Garland Properties LTD c/o Donald Plank
Address Plank Law Firm City Columbus, OH Zip 43215
 If applicable, check here if listing additional property owners on a separate page (Required)
145 East Rich Street, 3rd. Flr.

ATTORNEY / AGENT Attorney Agent

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

SIGNATURES (ALL SIGNATURES MUST BE SIGNED IN BLUE INK)

Applicant Signature Donald Plank attorney for applicant

Property Owner Signature Donald Plank attorney for owner

Attorney/ Agent Signature Donald Plank

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.



City of Columbus Zoning Plat



CW10-035

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: 010035174, 010035075

Zoning Number: 36

Street Name: E NORWICH AVE

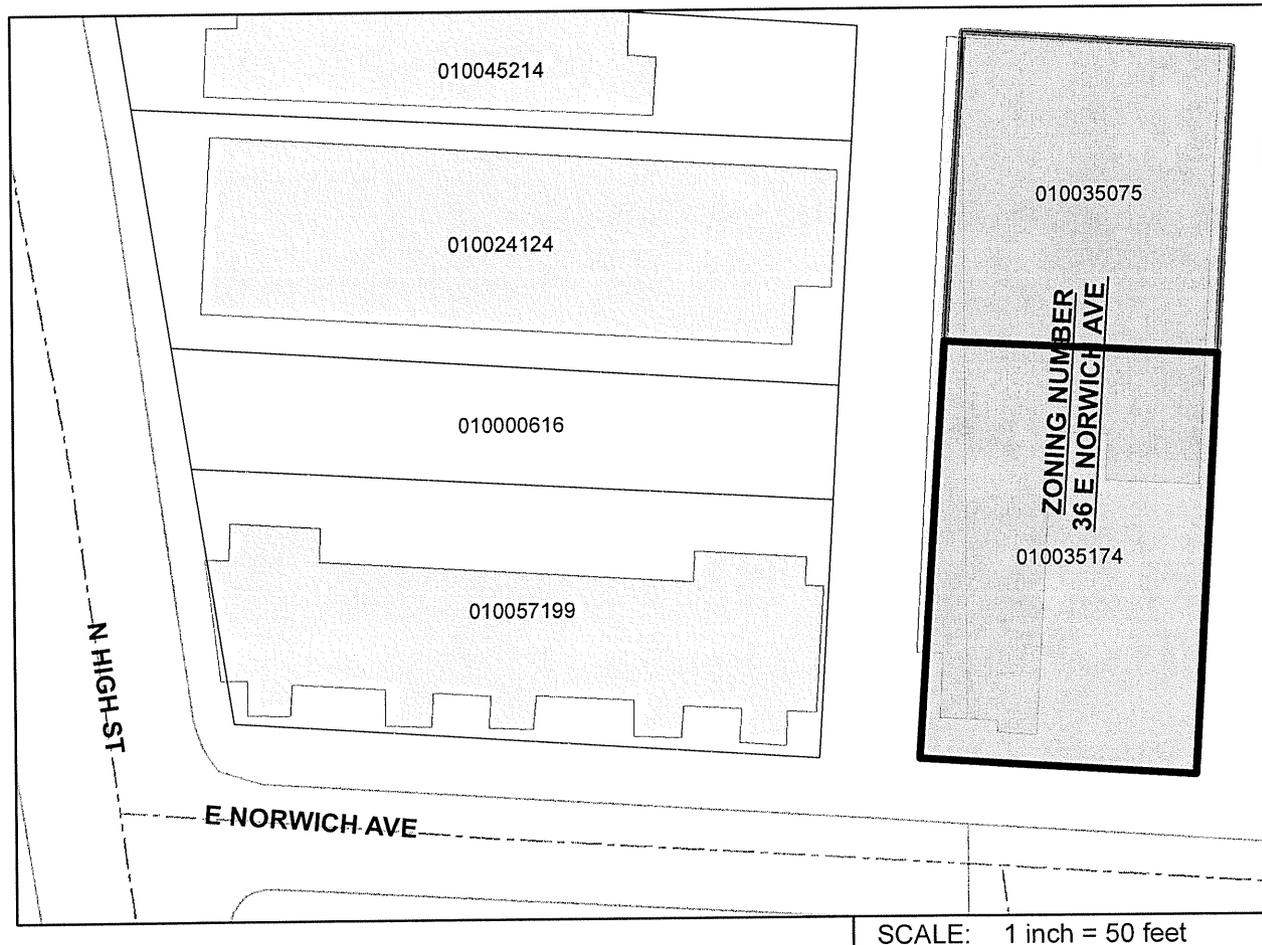
Lot Number: 5-6

Subdivision: CONSTANS

Requested By: DAVE PERRY CO., INC

Issued By: *Adyana Amarjian*

Date: 9/29/2010



SCALE: 1 inch = 50 feet



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

GIS FILE NUMBER: 7045

CV10-035



AFFIDAVIT

(See reverse side for instructions)

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME DONALD PLANK, Plank Law Firm
of (1) MAILING ADDRESS 145 East Rich Street, 3rd. Flr., 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 36 East Norwich Avenue, Columbus, OH
for which the application for a rezoning, variance, special permit or graphics plan was filed 43201
with the Department of Development, Building Services Division on (3) 10/5/10
(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNER'S NAME
AND MAILING ADDRESS

(4) Garland Properties LTD c/o Donald Plank
Plank Law Firm
145 East Rich Street, 3rd Flr
Columbus, OH 43215

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

Garland Properties LTD c/o Donald Plank
(614) 947-8600

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

(5) University Area Commission
c/o Ron Hupman
1298 Hunter Avenue
Columbus, OH 43201

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) Donald Plank

Subscribed to me in my presence and before me this 1st day of October, in the year 2010

SIGNATURE OF NOTARY PUBLIC

(8) [Signature]
NIA

My Commission Expires:

Notary Seal Here



David Watkins
Attorney At Law
Notary Public - State of Ohio
My commission Has no Expiration Date
Ohio Revised Code Section 147.03

CV10-035

Exhibit A
36 East Norwich Avenue
CV10-
October 4, 2010

APPLICANT:

Garland Properties LTD
c/o Donald Plank, Plank Law Firm
145 East Rich Street, 3rd Flr.
Columbus, OH 43215

PROPERTY OWNERS:

Garland Properties LTD
c/o Donald Plank, Plank Law Firm
145 East Rich Street, 3rd Flr.
Columbus, OH 43215

**ATTORNEY FOR APPLICANT
AND PROPERTY OWNERS**

Donald Plank
Plank Law Firm
145 East Rich Street, 3rd Flr.
Columbus, OH 43215-5240

COMMUNITY GROUP/COALITION:

University Area Commission
c/o Ron Hupman
1298 Hunter Avenue
Columbus, OH 43201

**SURROUNDING PROPERTY
OWNERS (125 Feet)**

Alexandria J. Paulus
45 East Northwood Avenue
Columbus, OH 43201

SLS Real Estate LLC
Oxford Campus I LLC
68 South Fourth Street
Columbus, OH 43215

2228 North High Street LLC
Northsteppe Realty
Attn: Dianna Hawks
PO Box 82355
Columbus, OH 43202

George Ziegler
Kay Gibney
40 East Norwich Avenue
Columbus, OH 43201

Alexandria J. Johnson
45 East Northwood Avenue
Columbus, OH 43201

Richard and Nancy Thompson
39 East Northwood Avenue
Columbus, OH 43201

Northwood Properties
2194 North High Street
Columbus, OH 43201

David E Dieringer
53 East Northwood Avenue
Columbus, OH 43201

Marion H Spiropoulos
25 E. Northwood Avenue
Columbus, OH 43201

Eventide Inc.
c/o Susan Martin
135 Waters Mill Circle
Alpharetta, GA 30022

Jason A. Bowers et al
4211 Woodbridge Road
Columbus, OH 43220

SHEET 1 of 2
October 4, 2010
CV10-035
36 East Norwich Avenue

Justin N. Johnston TR
1354 Manfeld Drive
Columbus, OH 43227

Michael T Rossiaky
1471 Crowfoot Circle N
Hoffman Estates, IL 60169

Omega Properties
c/o Pella Company
52 East 15th Avenue
Columbus, OH 43201-1602

Connor XI Limited LLC
626 Lummisford Lane N
Columbus, OH 43214

Mark A Camp
1992 Malvern Road
Columbus, OH 43221

SLS Real Estate LLC
c/o Sanford Soloman
68 S 4th Street
Columbus, OH 43215-43 15

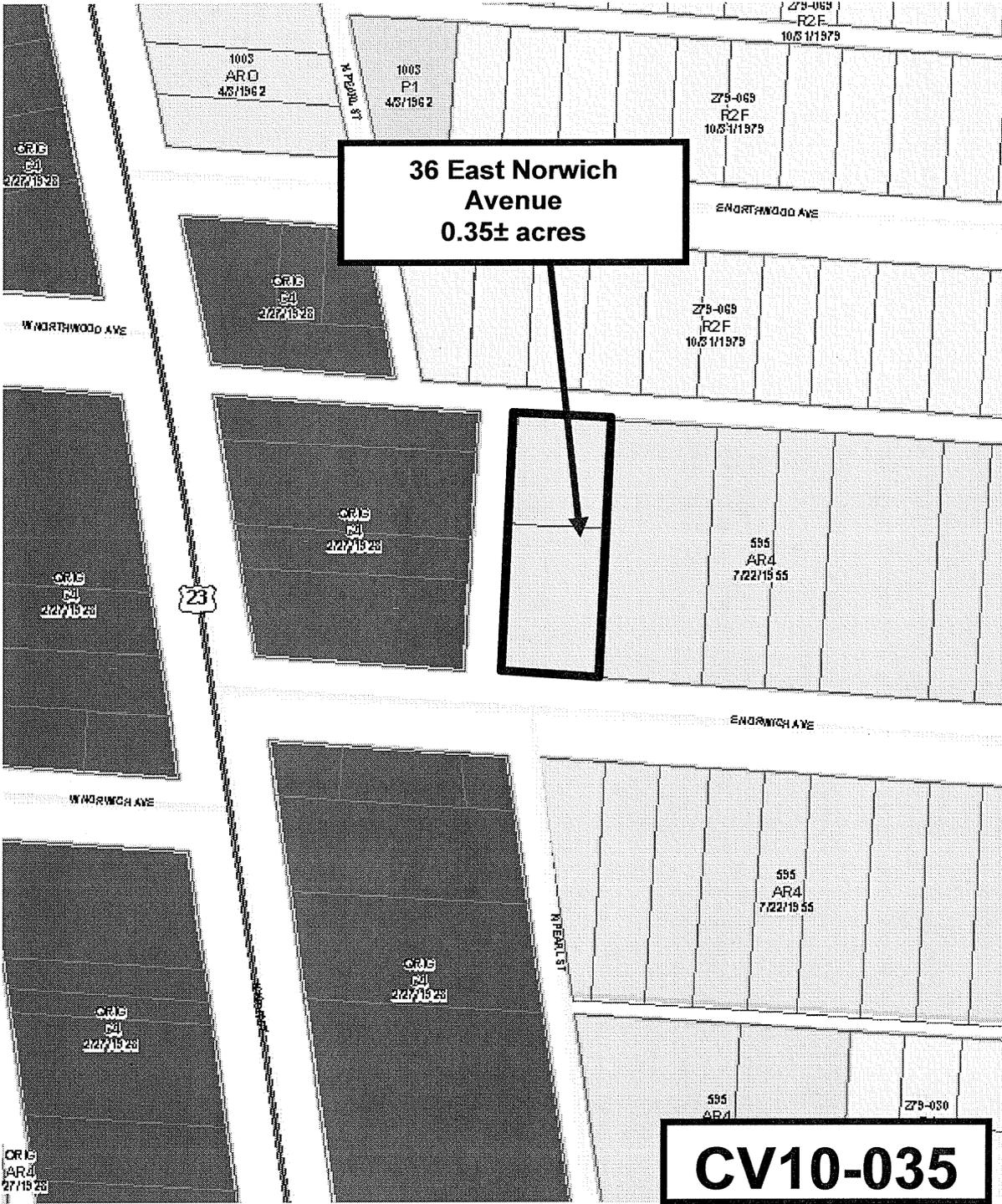
West Oakland Rentals LLC
Northsteppe Realty
PO Box 82355
Columbus, OH 43202

North Campus Rentals LLC
Northsteppe Realty
PO Box 82355
Columbus, OH 43202

ALSO NOTIFY:

David Perry
David Perry Co., Inc.
145 East Rich Street, 3rd Flr.
Columbus, Ohio 43215

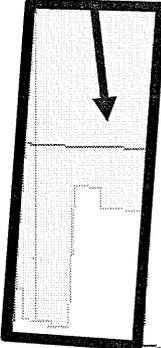
Garland Properties LTD
48 East 15th Avenue
Columbus, OH 43201



**36 East Norwich Avenue
0.35± acres**

CV10-035

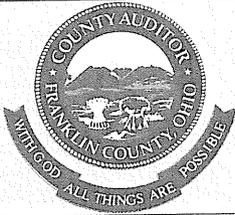
**36 East Norwich
Avenue
0.35± acres**



CV10-035



CV10-035



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: dbp

DATE: 9/28/10



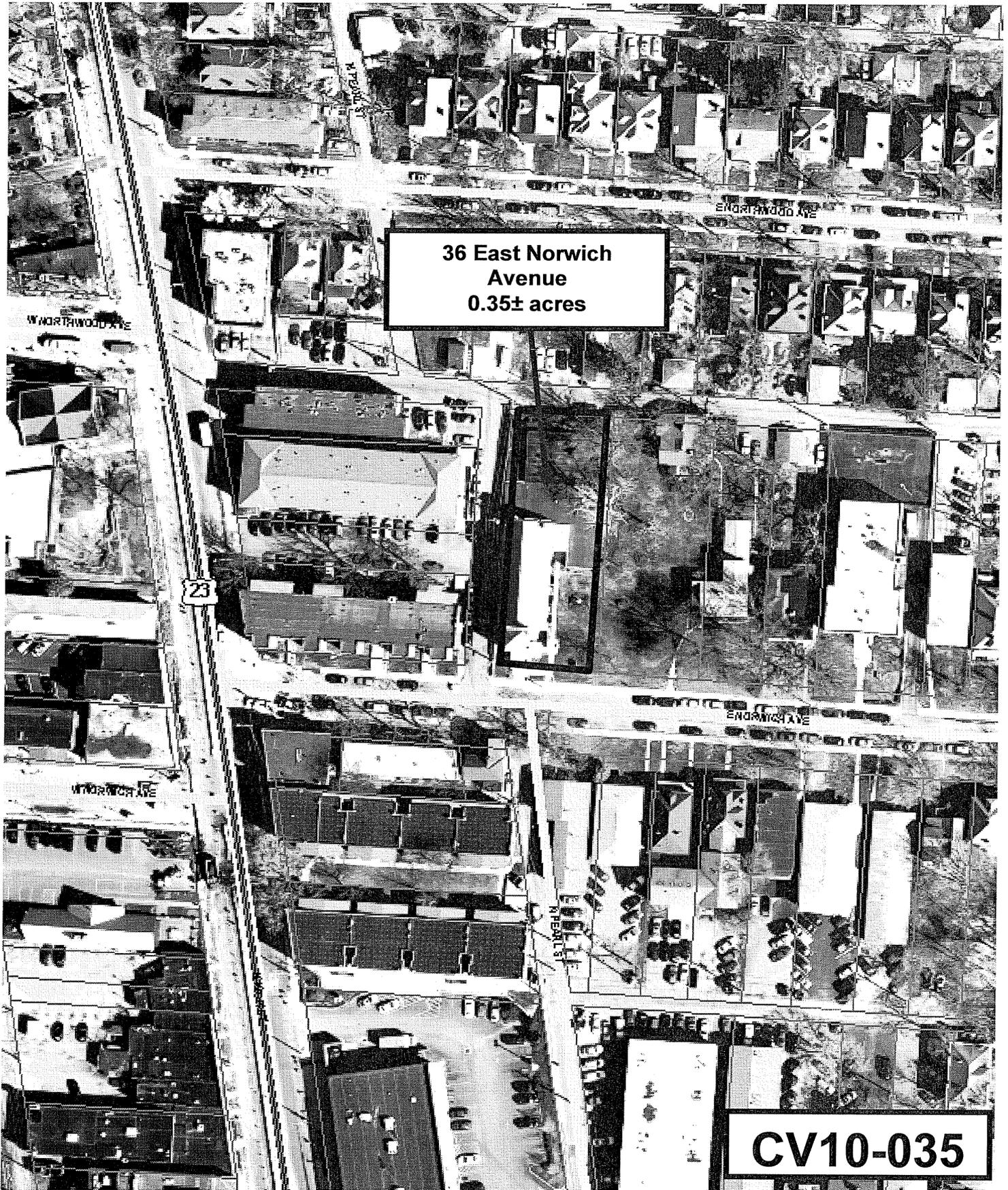
Disclaimer

Scale = 66



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.

Real Estate / GIS Department



36 East Norwich
Avenue
0.35± acres

CV10-035

CJ10-035



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 EXHIBIT B

Signature of Applicant Donald Plank Date 10/4/10
 Garland Properties LTD by Donald Plank, Attorney

EXHIBIT B

STATEMENT OF HARDSHIP

36 East Norwich Avenue, Columbus, OH 43201

CV10- 035

The 0.325 +/- acre (14,154 sq. ft.) site is located on the north side of Norwich Avenue, 175 +/- feet east of North High Street. The site is zoned AR-4, Apartment Residential and is also within the University Planning Overlay area. The site is developed with a church, but the building is no longer used as a church. Applicant proposes to reuse the church building with a change of use to one (1) dwelling unit and office use for a property management office. There is presently no (0) on-site parking. As part of the change of use, applicant will remove a rear (north) 4,400 +/- sq. ft. one (1) story newer addition to the church and replace the addition with a two (2) level parking structure to provide 28 parking spaces. The primary church building was built prior to 1920 and will be preserved.

Applicant requests the following variances:

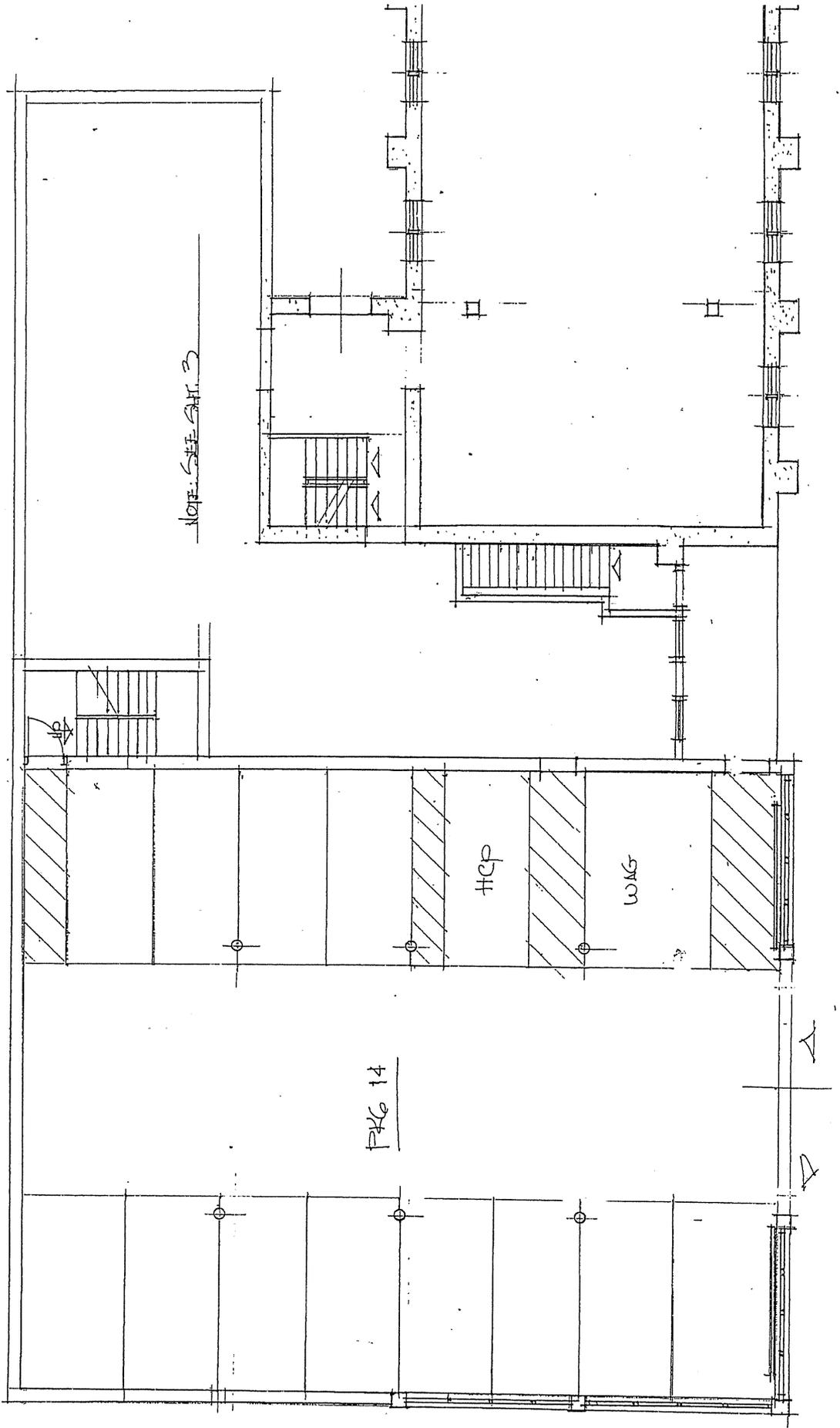
- 1) Section 3333.035, AR-4, Apartment Residential District Use, to permit the change of use of a church building to one (1) dwelling unit, a property management office (9,800 +/- sq. ft.) and accessory parking.
- 2) Section 3372.562, Landscaped Area and Treatment, which Section requires at least five (5) percent of the lot area to be landscaped and located behind the most rear portion of the principal residential building, while applicant is unable to provide rear landscaping because of the location of the existing church building and proposed parking facility, but landscaping is provided in other areas of the parcel.
- 3) Section 3333.22, Maximum Side Yard Required, which Section requires total side yard equal to 20% of the width of the lot or 14.8 feet, while the existing church building has existing east and west side yards of 0.15 +/- feet and these side yards will remain with the change of use and new parking facility.
- 4) Section 3333.23, Minimum Side Yard Permitted, which Section requires a minimum side yard of five (5) feet and existing side yards and the side yards of the parking facility will be 0.15 +/- feet.
- 5) Section 3333.27, Rear Yard, which section requires each principal building to provide 25% of lot area in rear yard, while the building presently has zero (0) rear yard and will have zero (0) rear yard with removal of the existing one (1) story rear addition and construction of the proposed parking facility.

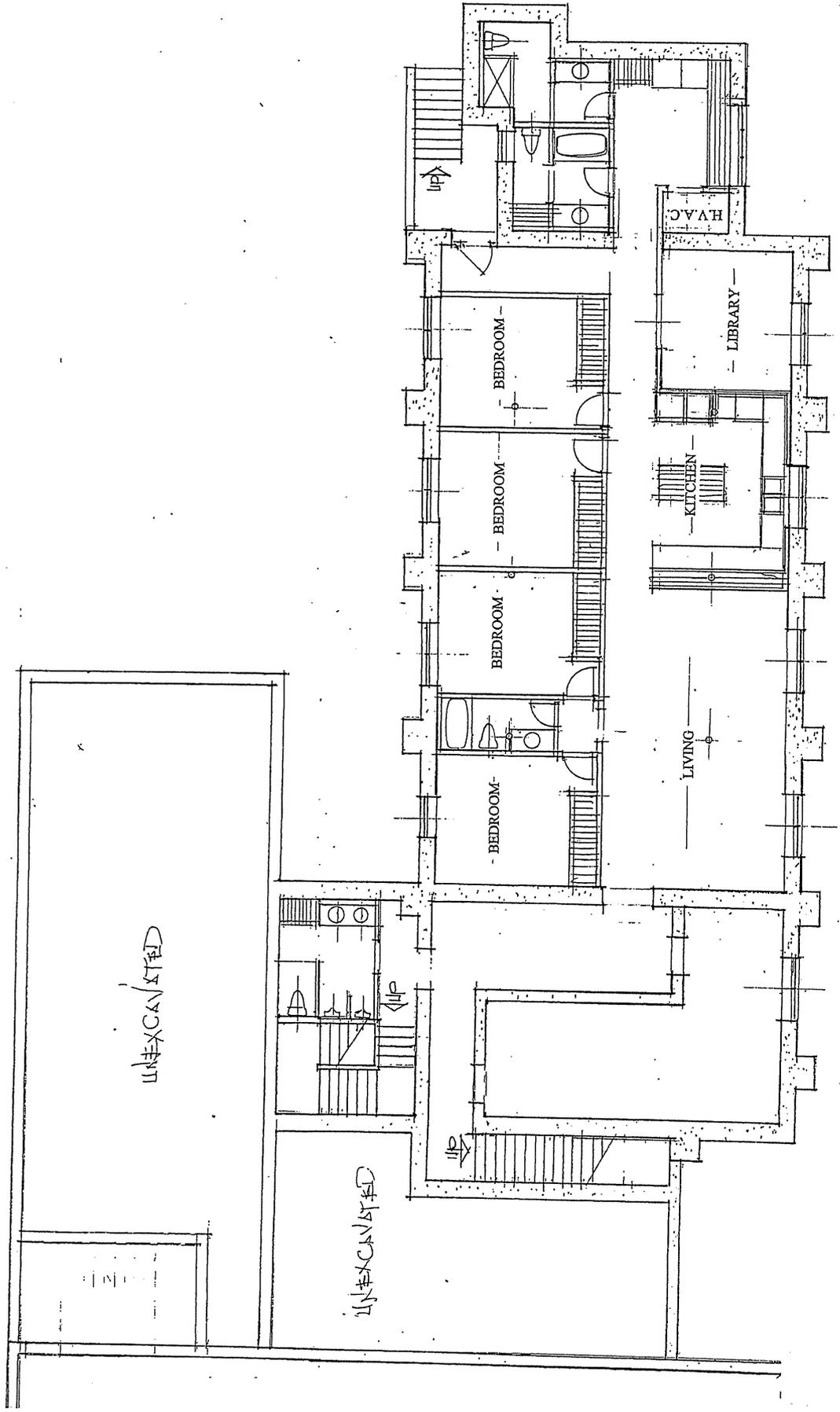
The proposed project is a reuse of a specialized contributing structure that has limited alternative uses. The requested variances primarily reflect existing conditions.



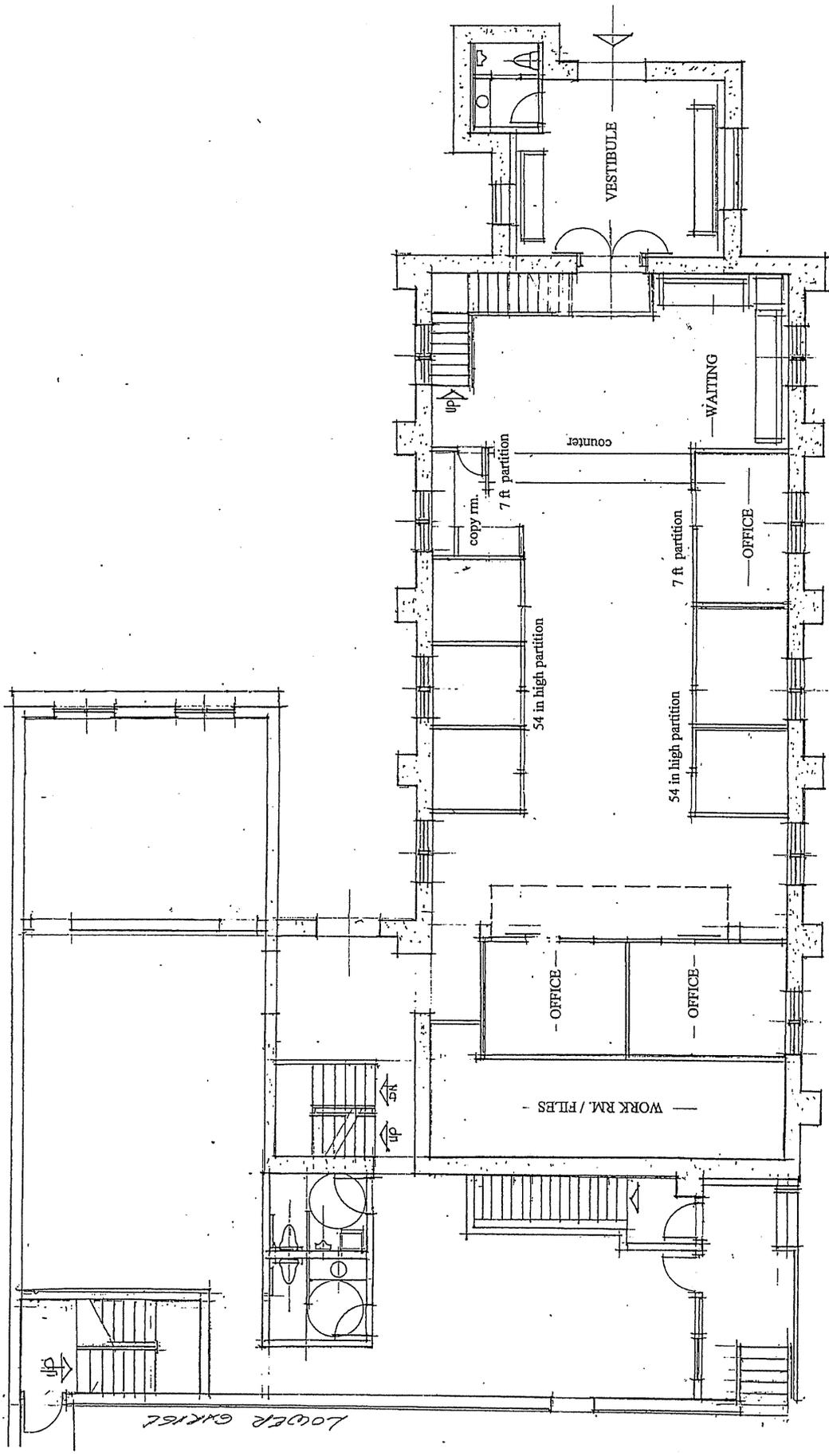
010-035174-00 12/19/2007

CV10-035

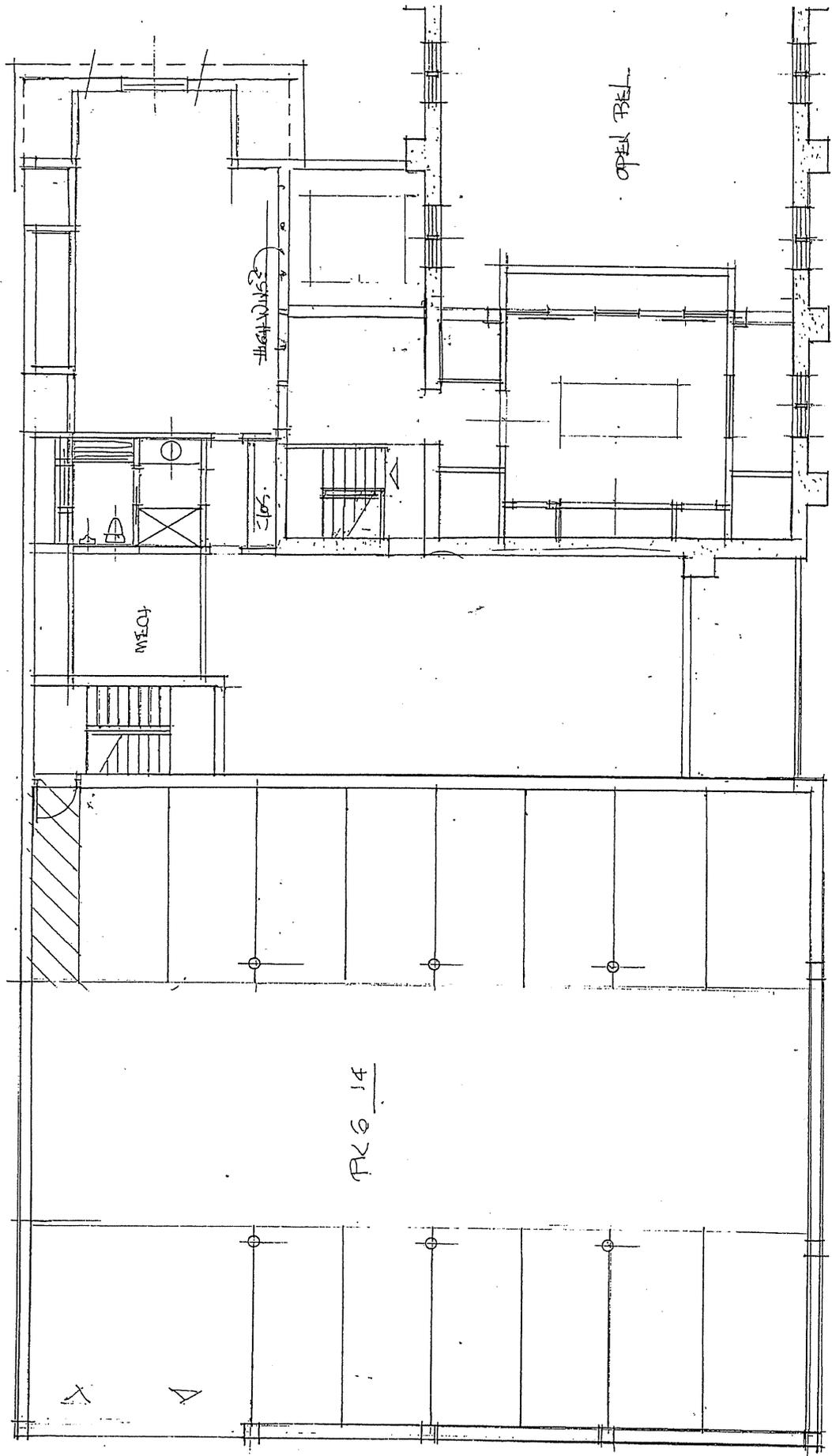




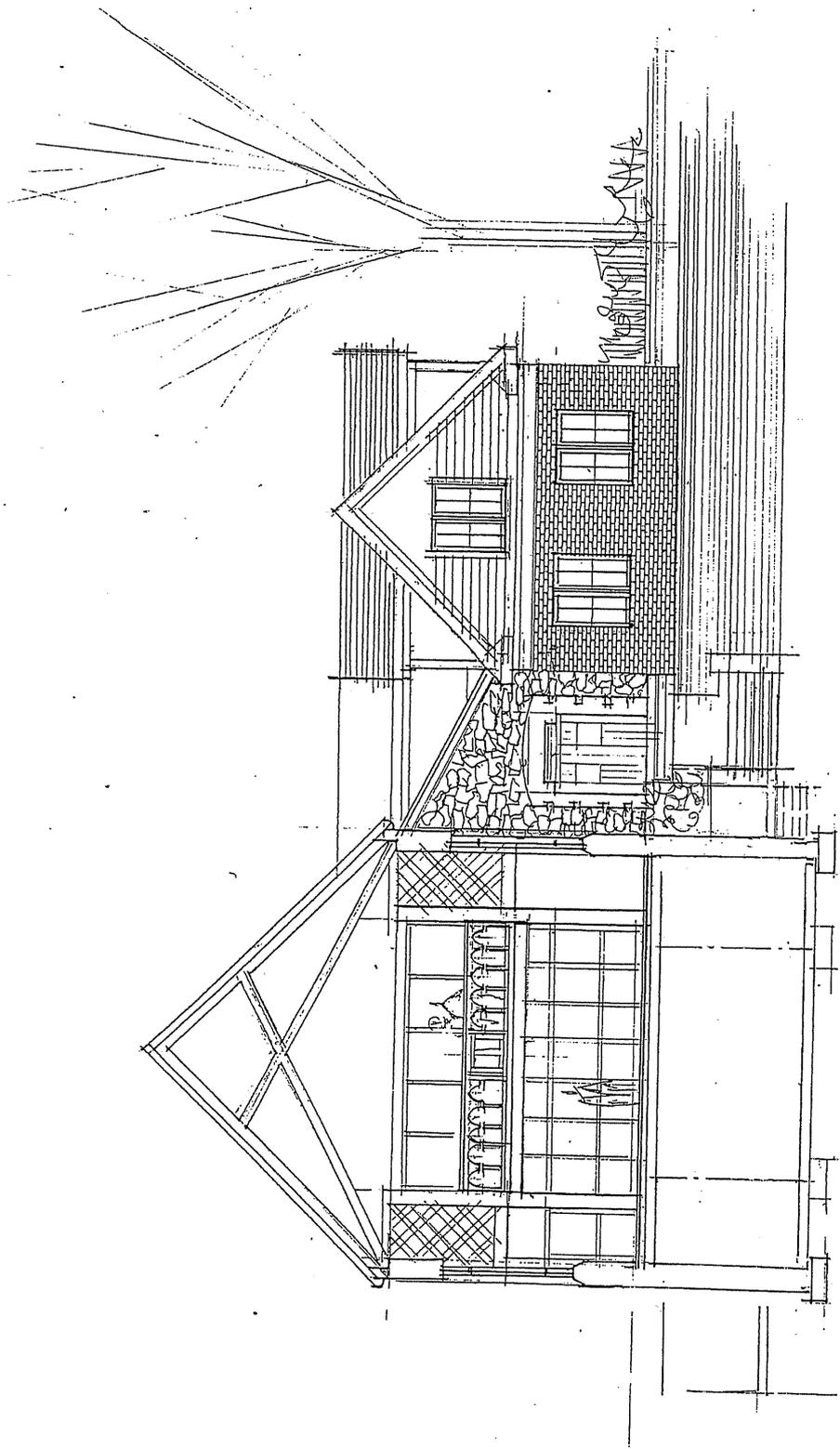
LOWER LEVEL PLAN —scale: 1/8 in. = 1' - 0"



GROUND LEVEL PLAN

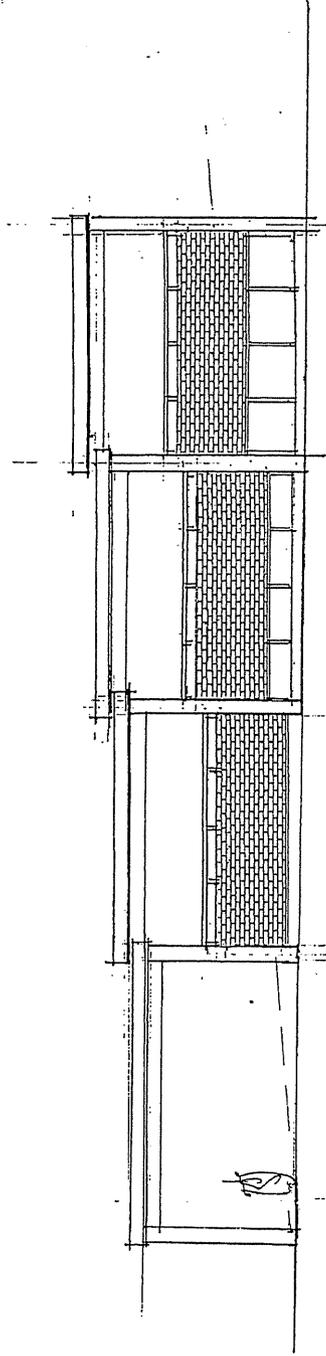


UPPER LEVEL PLAN

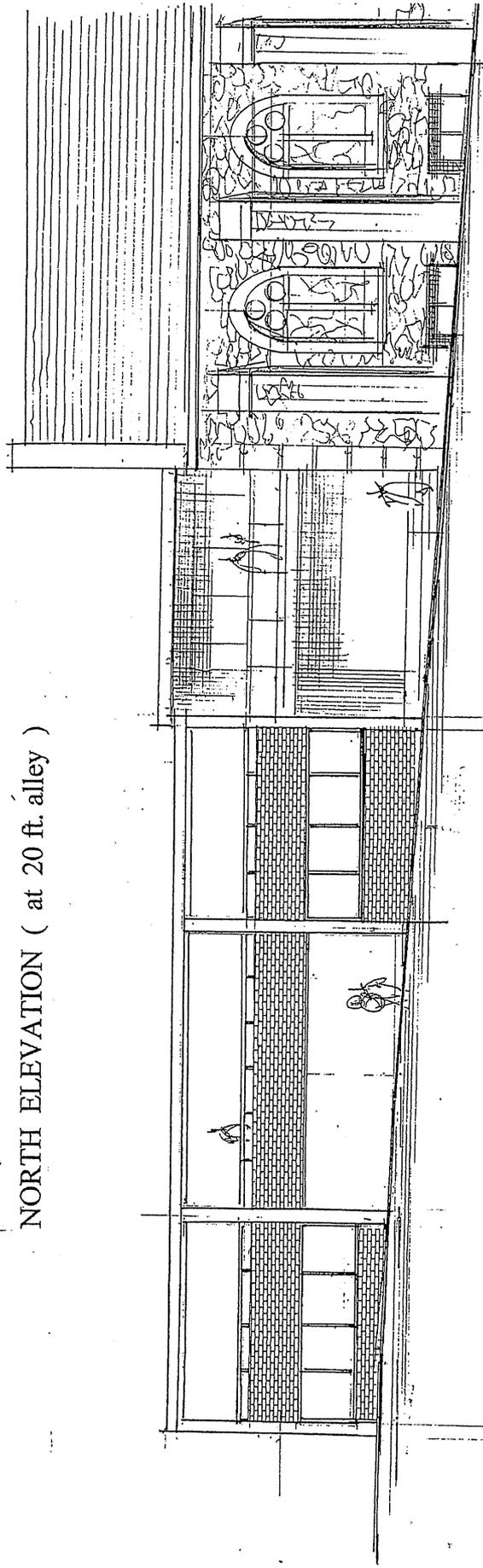


SECTION

SOUTH ELEVATION (at Norwich Avenue)



NORTH ELEVATION (at 20 ft. alley)



WEST ELEVATION (at 25 ft. alley)



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 # CW10-035

Being first duly cautioned and sworn (NAME) DONALD PLANK, Plank Law Firm
of (COMPLETE ADDRESS) 145 East Rich Street, 3rd Flr, 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 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

Garland Properties LTD
48 East 15th Avenue
Columbus, OH 43201
of Columbus based employees: 0
Contact: Wayne Garland, (614) 294-4411

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

SIGNATURE OF AFFIANT

Donald Plank

Subscribed to me in my presence and before me this 15th day
of October, in the year 2010

SIGNATURE OF NOTARY PUBLIC

[Signature]
NA

My Commission Expires:

Project Disclosure Statement expires six months after date of notarization.



David Watkins
Attorney At Law
Notary Public - State of Ohio
My commission Has no Expiration Date
Ohio Revised Code Section 147.33