



# COUNCIL VARIANCE 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: CV11-034 / 11315-00000-00642  
Date Received: 11/16/11  
Application Accepted By: S.P. Fee: \$1600 -  
Comments: Assigned to Shannon Pine, 645-2203, spine@columbus.gov

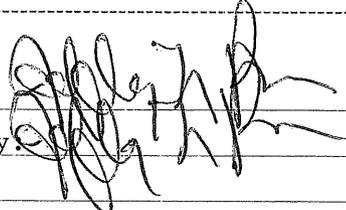
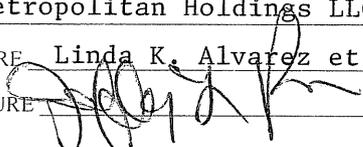
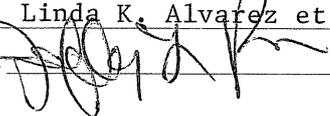
### LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 1404 Chesapeake Avenue Zip 43212  
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: 130-2453  
 Check here if listing additional parcel numbers on a separate page.  
Current Zoning District(s): R, Rural  
Recognized Civic Association or Area Commission: 5th by Northwest Area Commission  
Proposed use or reason for Council Variance request: See attached sheet  
Acreage: .64

**APPLICANT:** Name Metropolitan Holdings LLC  
Address 1500 W. Third Avenue, Suite 400 City/State Columbus, OH Zip 43212  
Phone # 488-1900 Fax # 488-1905 Email: mvekasy@metropolitanholdings.com

**PROPERTY OWNER(S):** Name Linda K. Alvarez, et al.  
Address 1567 Pinebluff Lane City/State Cincinnati, OH Zip 45255  
Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email: \_\_\_\_\_  
 Check here if listing additional property owners on a separate page.

**ATTORNEY / AGENT**  Attorney  Agent  
Name Jeffrey L. Brown - Smith & Hale LLC  
Address 37 W. Broad Street, Suite 725 City/State Columbus, OH Zip 43215  
Phone # 221-4255 Fax # 221-4409 Email: jlbrown@smithandhale.com

**SIGNATURES** (ALL SIGNATURES MUST BE SIGNED IN BLUE INK)  
APPLICANT SIGNATURE Metropolitan Holdings LLC By:   
PROPERTY OWNER SIGNATURE Linda K. Alvarez et al By:   
ATTORNEY / AGENT SIGNATURE 

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.

**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

CY11-034

Additional Parcel Numbers

130-2452

130-5580

130-1384

CV 11-034

Additional Property Owners

John D. Kost  
P.O. Box 603  
Columbus, OH 43216



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CV11-034

## 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 sheet

Signature of Applicant By:  Date 10/31/11

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Statement of Hardship

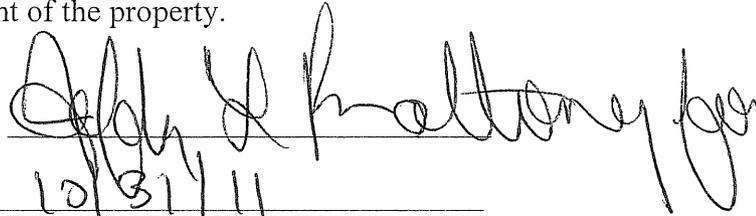
The applicant is requesting a council variance to allow him to develop two dwellings each containing two dwelling units on a single lot which is less than 50 feet in width. The applicant is in the process of annexing these sites into the City of Columbus. The proposed development of multi-family dwelling units would be consistent with the existing Columbus development. The proposed layout requires variances to the lot width, fronting, building lines, minimum side yards, rear yard, side and rear yard obstructions and maneuvering.

A council variance is necessary because the proposing zoning district AR-1 does not permit two dwellings each containing two dwelling units on a single lot. The additional variances relate to the layout of the dwellings. Variances are typically required when developing an infill site in the older areas of the city.

A hardship existing in the zoning code because there is not a classification that would permit this proposal without a series of variances. The grant of these requested variances will not adversely affect the surrounding property or surrounding neighborhood, will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion of public streets, or unreasonably diminish or impair established property values within the surrounding area, or otherwise impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus.

The applicant respectfully requests the grant of these variances necessary for this appropriate development of the property.

Signature of Applicant:



Date:

10/31/11

Requested Variances

3333.02 AR-12, ARLD and AR-1 apartment residential district use: to permit two dwellings on a lot each dwelling containing two dwelling units.

3333.09 Area requirements: to permit two dwellings on a lot with a lot width of less than 50 feet (40 feet).

3333.16 Fronting: to permit a second dwelling on a lot which does not front on a public street

3333.18 Building lines: to reduce the building setback from 25 feet to 12 feet.

3333.23 (a) and (c) minimum side yard permitted: to reduce the minimum side yard from 5 and 7 to 3 feet.

3333.24 Rear yard: to reduce the rear yard from 25% of the total lot area to \_\_\_\_\_.

3333.25 side or rear yard obstructions: to permit paving in the side and rear yards

3312.25 Maneuvering: to permit maneuvering across lot lines for parking.



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## AFFIDAVIT

(See next page for instructions)

APPLICATION # CV11-034

STATE OF OHIO \_\_\_\_\_

COUNTY OF FRANKLIN \_\_\_\_\_

Being first duly cautioned and sworn (1) NAME Jeffrey L. Brown

of (1) MAILING ADDRESS Smith & Hale LLC, 37 W. Broad Street, 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 CERTIFIED ADDRESS FOR ZONING PURPOSES 1404 Chesapeake 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) Linda K. Alvarez, et al.  
1567 Pinebluff Lane  
Cincinnati, OH 45255

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

Metropolitan Holdings LLC  
488-1900

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

(5) 5th by Northwest Area Commission  
Bruce Shalter  
1635 B Grandview Avenue, Columbus, OH 43212

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)

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

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this

(8) Jeffrey L. Brown  
31<sup>st</sup> day of October, in the year 2011  
(8) Natalie C. Timmons  
9/4/15

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:



Seal Here  
**Natalie C. Timmons**  
**Notary Public, State of Ohio**  
**My Commission Expires 09-04-2015**

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**Please make all checks payable to the Columbus City Treasurer**

APPLICANT

PROPERTY OWNERS

Metropolitan Holdings LLC  
1500 W. Third Avenue, Suite 400  
Columbus, OH 43212

Linda K. Alvarez  
1567 Pinebluff Lane  
Cincinnati, OH 45255

John D. Kost  
P.O. Box 603  
Columbus, OH 43216

ATTORNEY

AREA COMMISSION

Jeffrey L. Brown  
Smith & Hale LLC  
37 W. Broad Street, Suite 725  
Columbus, OH 43215

SURROUNDING PROPERTY OWNERS

5<sup>th</sup> by Northwest Area Commission  
c/o Bruce Shalter  
1635 B Grandview Avenue  
Columbus, OH 43212

Kroger Co.  
Real Estate Dept.  
4111 Executive Parkway  
Westerville, OH 43081

Guy Williams Jr.  
1387 Chambers Road  
Columbus, OH 43212

Michella Hinton  
P.O. Box 10585  
Columbus, OH 43201

Dorothy Staveley  
616 W. 53<sup>rd</sup> Street, Apt. 501  
Minneapolis, MN 55419

Guy & Laura Williams  
1387 Chambers Road  
Columbus, OH 43212

Starr Laneview Center  
P.O. Box 10585  
Columbus, OH 43201

1405 LLC  
911 Henry Street  
Columbus, OH 43215

Tellis Mitchell  
80 Winner Avenue  
Columbus, OH 43203



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## 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 # CV11-034

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] Jeffrey L. Brown

Of [COMPLETE ADDRESS] Smith & Hale LLC, 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 in the following formats

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

1. Metropolitan Holdings LLC 1500 W. Third Avenue, Suite 400 Columbus, OH 43212 Matt Vekasy - 488-1900 - 5 employees	2. Linda K. Alvarez 1567 Pinebluff Lane Cincinnati, OH 45255
3. John D. Kost P.O. Box 603 Columbus, OH 43216	4.

Check here if listing additional parties on a separate page.

### SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 31<sup>st</sup> day of October, in the year 2011

### SIGNATURE OF NOTARY PUBLIC

My Commission Expires: 9/4/15



Natalie C. Timmons  
Notary Public, State of Ohio  
My Commission Expires 09-04-2015

This Project Disclosure Statement expires six months after date of notarization.

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# City of Columbus Zoning Plat

CV11-034

## 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: 130002453, 130002452, 130005580, 130001384

Zoning Number: 1404

Street Name: CHESAPEAKE AVE

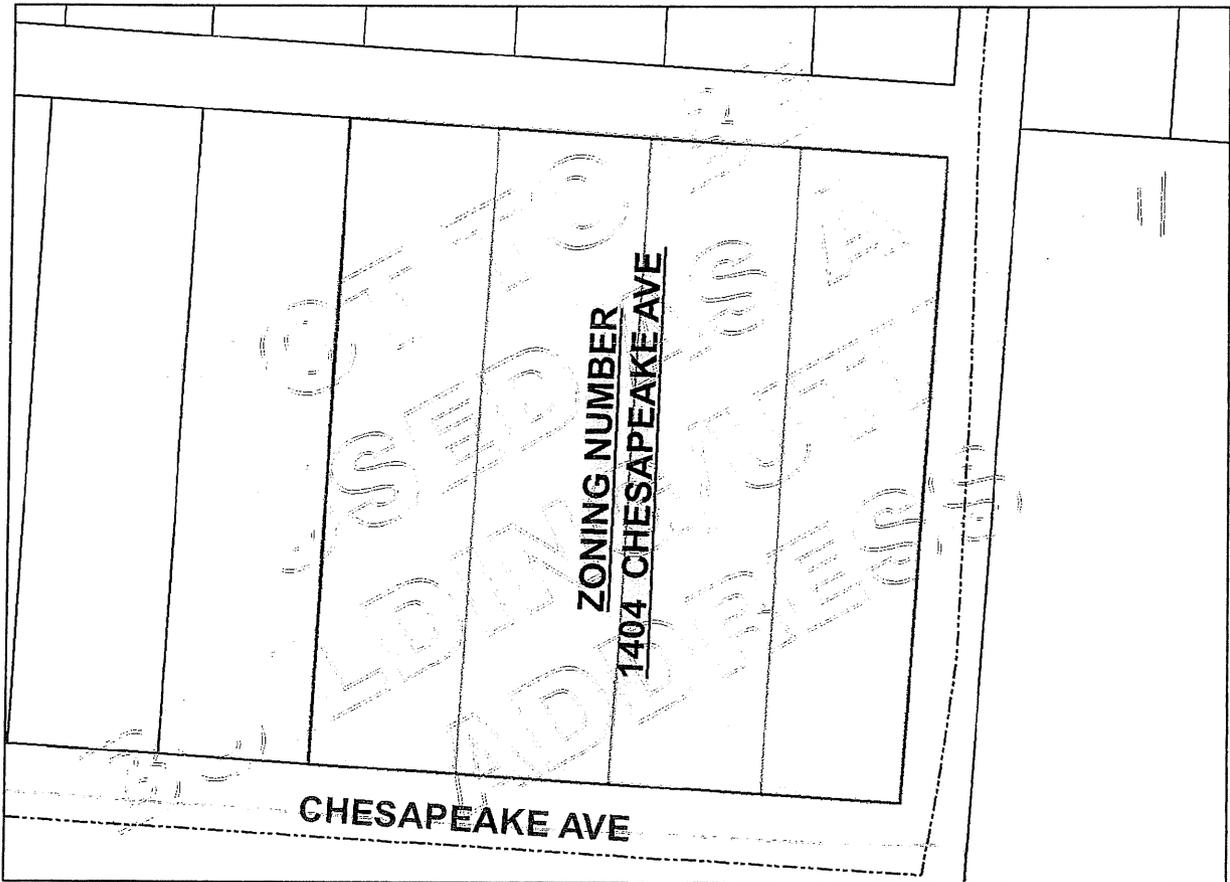
Lot Number: 58-61

Subdivision: LINCOLN HTS

Requested By: SMITH & HALE DAVID HODGE)

Issued By: *Patricia Austin*

Date: 10/27/2011



SCALE: 1 inch = 50 feet

GIS FILE NUMBER:



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

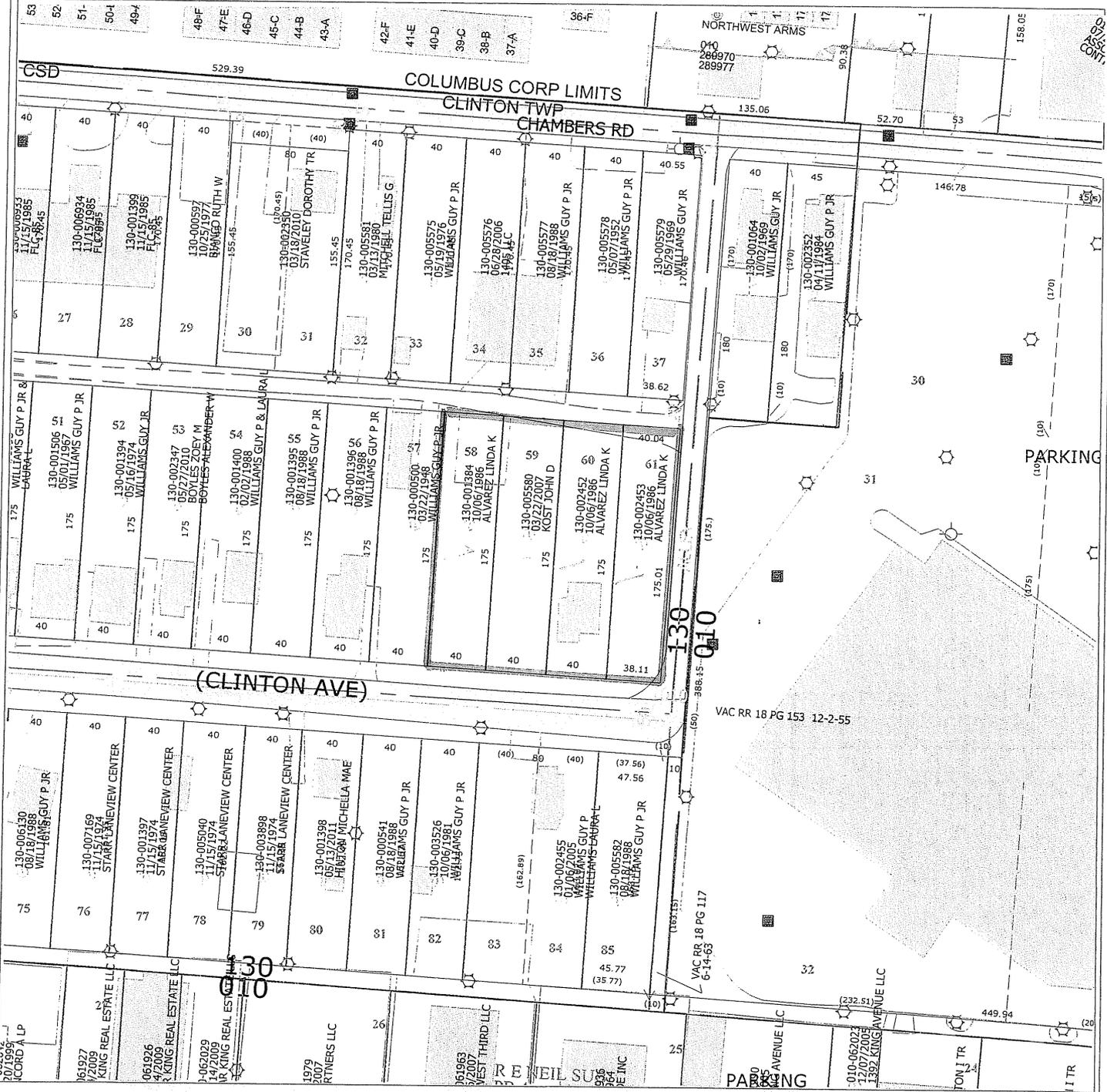
Cv11-034



# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

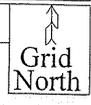
MAP ID: dlh

DATE: 10/28/11



Disclaimer

Scale = 100

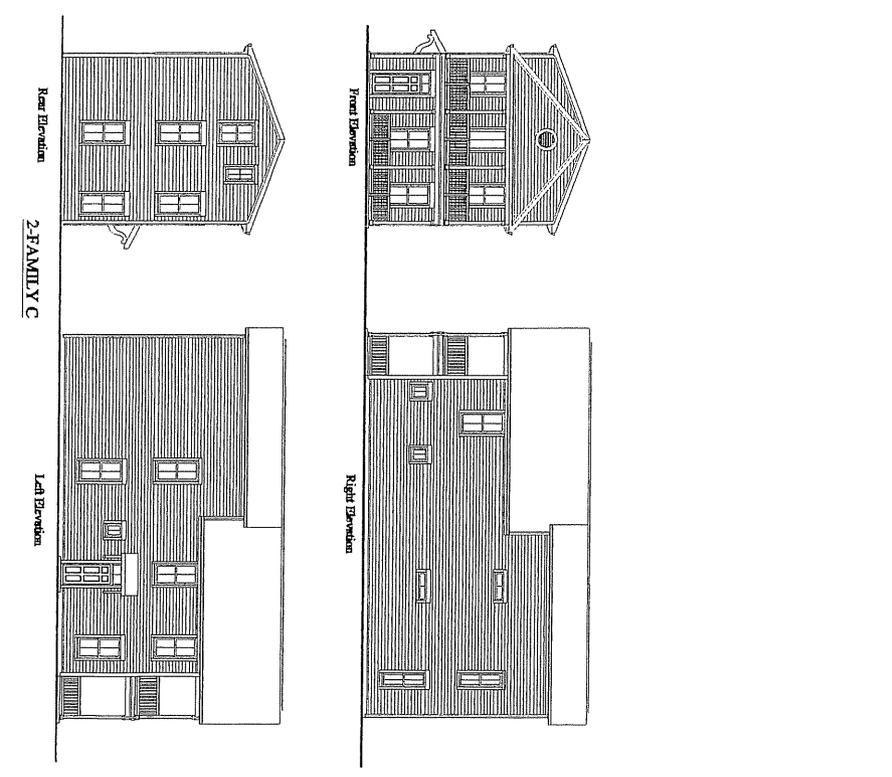
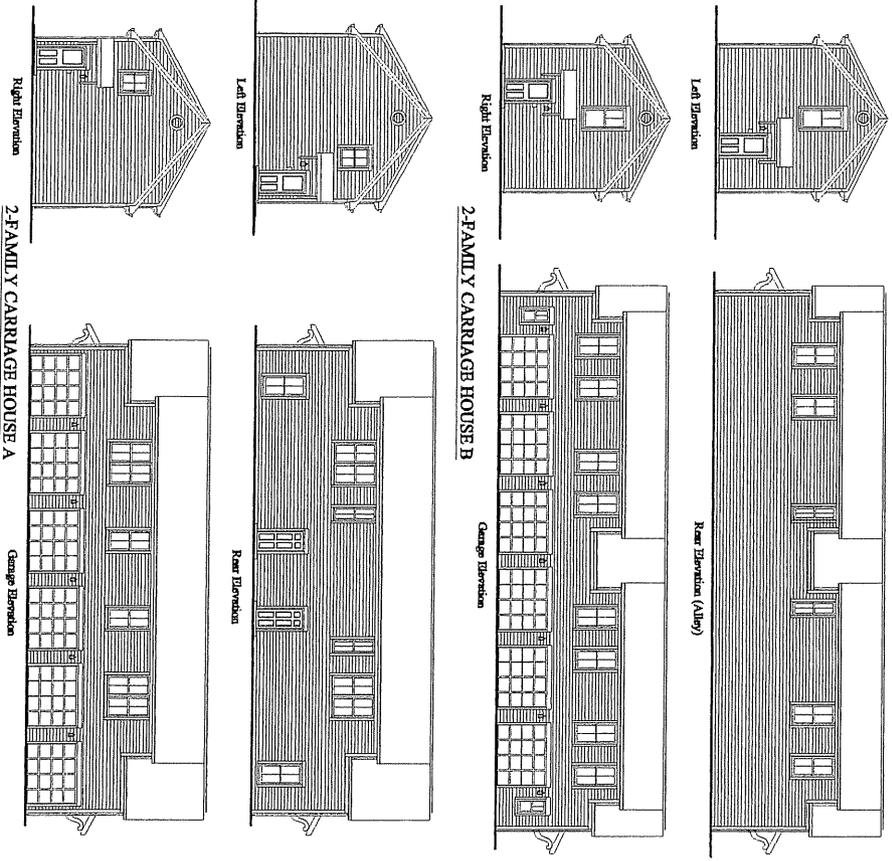
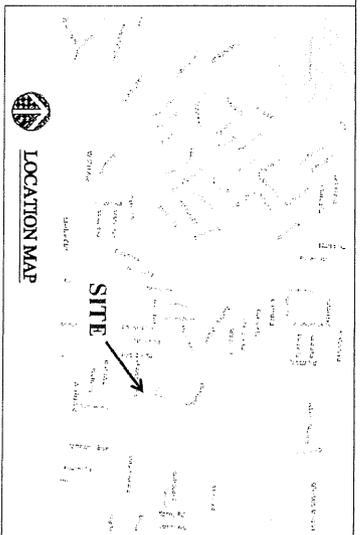


This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on 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.

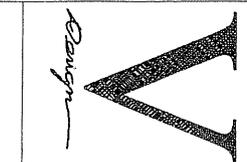




CONCEPTUAL  
BUILDING ELEVATIONS



1404 CHESAPEAKE AVENUE



CV11-034

SHEET TITLE  
ZONING COMPLIANCE PLAN  
CONCEPTUAL BUILDING  
ELEVATIONS

DATE: OCTOBER 27, 2011  
REVISIONS:

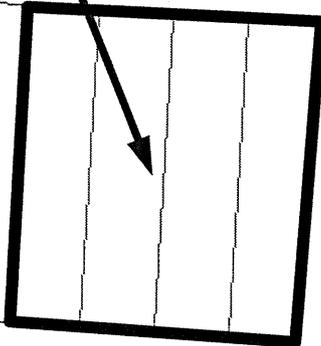
VAUGHAN  
SHEET NO.  
ZCA-2

KINGS CT

Z76-054  
AR1  
1/12/1977

Z76-054  
R  
1/12/1977

1404 Chesapeake Avenue  
Approximately 0.64 acres  
R to AR-1



CHESAPEAKE AVE

Z12-046  
C4  
10/23/1982

1041  
AR3  
5/29/1962

950  
AR3  
5/5/1961

ORIG  
C4  
2/27/1928

1072  
AR3  
2/12/1963

1042  
AR3  
5/29/1962

838  
AR1  
10/28/1959

ORIG  
C4  
2/27/1928

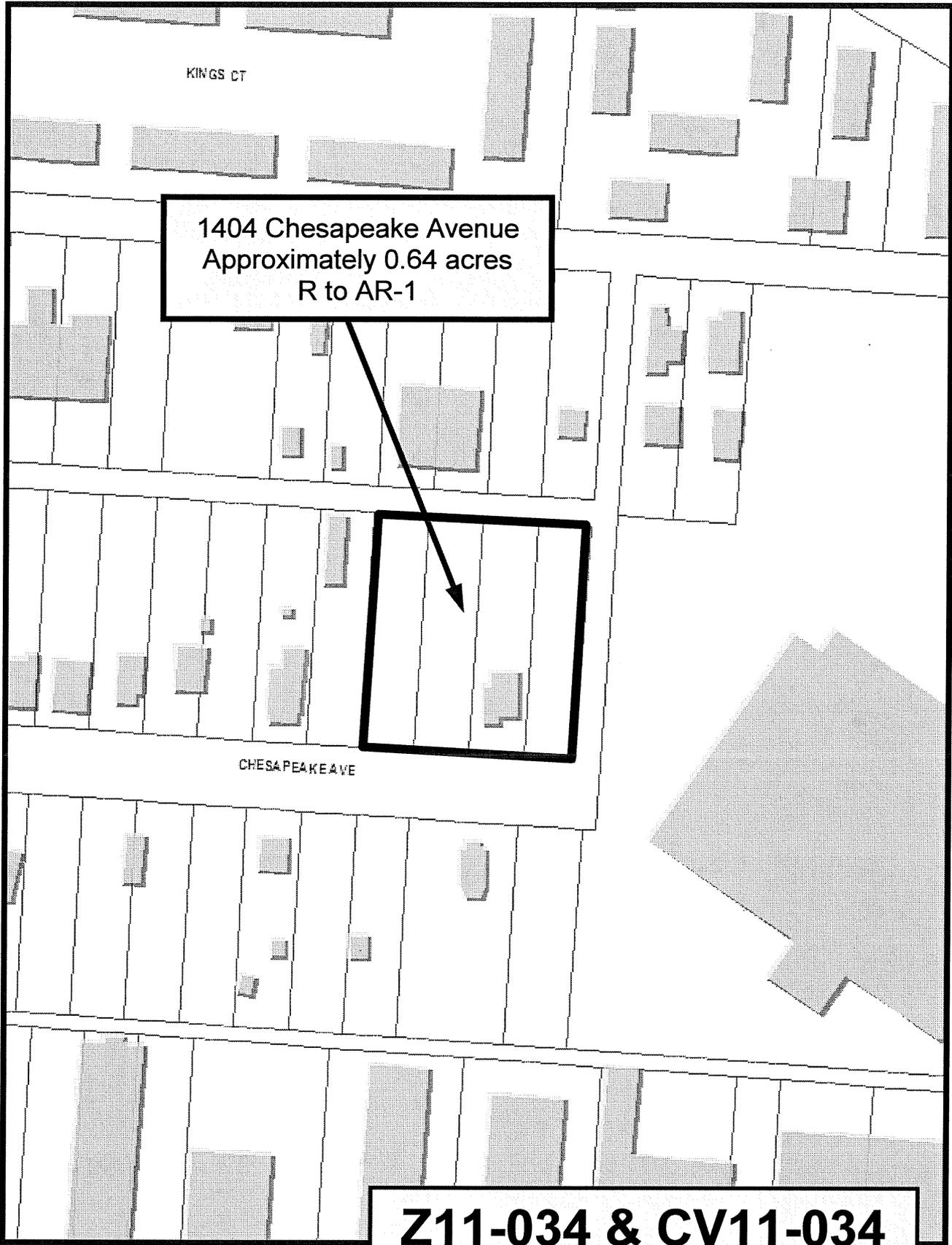
**Z11-034 & CV11-034**

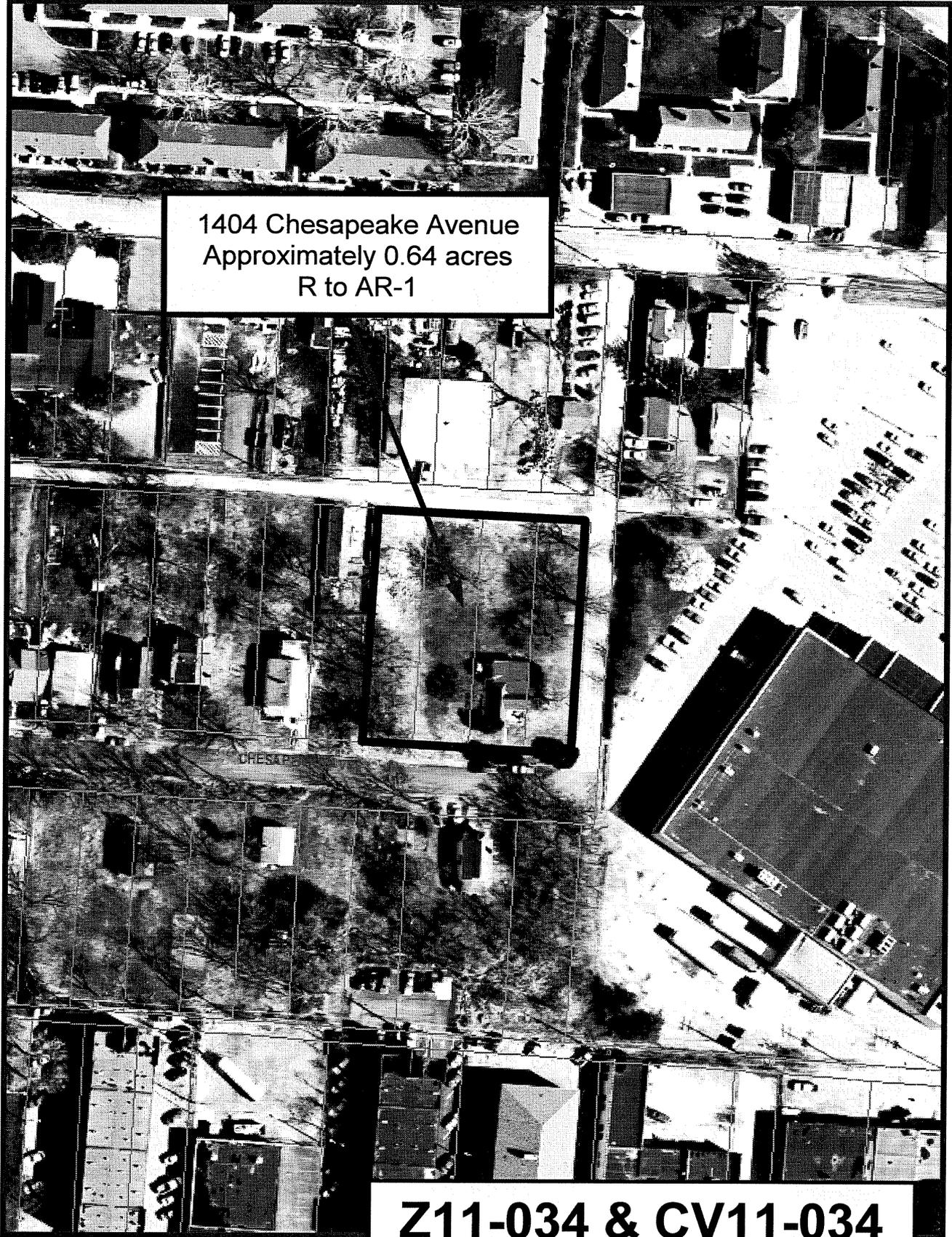
KINGS CT

1404 Chesapeake Avenue  
Approximately 0.64 acres  
R to AR-1

CHESAPEAKE AVE

**Z11-034 & CV11-034**



An aerial photograph of a residential neighborhood. A central property is highlighted with a black rectangular border. A white box with black text is positioned above the highlighted property, and a black line points from the text to the property. The surrounding area shows various houses, trees, and streets. The street name 'CHESAPEAKE' is visible on the road below the highlighted property. The overall image is in black and white.

1404 Chesapeake Avenue  
Approximately 0.64 acres  
R to AR-1

**Z11-034 & CV11-034**