DAVID PERRY COMPANY, INC.

ZONING/REAL ESTATE DEVELOPMENT CONSULTANTS

411 East Town Street, 1st Floor COLUMBUS, OHIO 43215 TELEPHONE: (614) 228-1727 TELECOPIER: (614) 228-1790

October 2, 2018

Ms. Jennifer Adair Chair, North Linden Area Commission 1385 Norris Drive Columbus, OH 43224

RE:

Council Variance Application CV18-085, 2959 Cleveland Avenue

Homeport

Jennifer:

Per our messaging, a complete copy of the zoning variance application submitted on behalf of Homeport is enclosed.

Thank you.

Sincerely,

David B. Perry

Enclosure, as noted

RECEIPT

CITY OF COLUMBUS, MAYOR ANDREW J. GINTHER DEPARTMENT OF BUILDING AND ZONING SERVICES 111 NORTH FRONT STREET (614) 645-6090

Application: CV18-085

Application Type: Zoning/Council Variance/NA/NA

Address: 2959 CLEVELAND AVE, COLUMBUS, OH 43224

Receipt No.

1050659

Payment Method Ref Number Amount Paid Payment Date Cashier ID Received Comments

Check

041936

\$1,760.00

09/25/2018

CDUFF

Owner Info.:

NEW SALEM BAPTIST CHURCH

JOHN H. BOXILL

COLUMBUS, OH 43224,

Work

Description:

CV18-085 2959 CLEVELAND AVENUE 010-070877 AND 4 OTHERS 45-DWELLING UNIT APARTMENT BUILDING, R-4 RESIDENTIAL DISTRICT

10/18/2018 STAFF REVIEW



DEPARTMENT OF BUILDING AND ZONING SERVICES

Council Variance Application 111 North Front Street, Columbus, Ohio 43215

111 North Front Street, Columbus, Ohio 43215
Phone: 614-645-4522 • www.columbus.gov/bzs • zoninginfo@columbus.gov

Application #:	***************************************		Date F	Received:		
Application Accepted by:			Fee:			
Application Accepted by: Assigned Planner:				*	***************************************	
LOCATION AND ZONING REQUEST:						
Certified Address or Zoning Number:	2959 Clevela	and Avenue, Colur	mbus, Ohio)	Zip:	43224
Is this application being annexed into the City of If the site is currently pending annexation, App petition.	Columbus? icant must show do	☐ YES	O (select one aty Commiss	e) sioner's ado	ption of the o	nnexation
Parcel Number for Certified Address: 010	070877, 010-07	0893, 010-07089	5, 010-076	6498, and	010-1864	01
Check here if listing additional p		a separate page.				
Current Zoning District(s): R-4, Reside						
Area Commission or Civic Association:	orth Linden Area	Commission		t		-
Proposed Use or reason for Council Variance req						
Acreage: 1.23 +/-			(conti	inue on sepa	rate page if ne	cessary)
Acteage:						
APPLICANT:					25	
Name: Homeport c/o Dave Perry		Phone #:	614.2	28.1727	Ext.:_	n/a
Address: David Perry Company, Inc., 411	East Town St, FI	. 1_City/State:	Columbus	s, Ohio	Zip:	43215
Email: dave@daveperryco.net	rananauri, decida uruahahura admerinistrasida		Fax #:	n/a	EF AN IE E EFF OAK STOCK AS AF SE	the entry factors are the control of
PROPERTY OWNER(S): Check here						
Name: New Salem Baptist Church c/o John	H. Boxill	Phone #:	1ers on a s 114 267	eparate p 7 2536	age Est.	132
		City/State:				
Email Address: jboxill@newsalemcares.c						
ATTORNEYXXXXXX (Check one if applical	ole): 🛛 Attorney	☐ Agent (At	torney for A	Applicant)		
Name: Donald T. Plank		Phone#:		47.8600	Ext.:	
Address: Plank Law Firm, 411 East Town	Street, Floor 2	City/State:	Columbu	s, Ohio	Zip:	43215
Email Address: dplank@planklaw.com		i	_Fax #:	n/a		
SIGNATURES (All signatures must be provide	d and signed in blu	e ink)		85		
APPLICANT SIGNATURE Torregon	by Devi	13.12	- As	ent	David B. P	erry
PROPERTY OWNER SIGNATURE:	B/				John H. B	llixc
ATTORNEYXXXXXXIGNATURE:	ruld.	Mark	-		Donald T.	Plank
My signature attests to the fact that the attached applic City staff review of this application is dependent upon a provided by me/my firm/etc. may delay the review of t		plete and accurate to the ormation provided and	he best of my I that any ind			

\mathbf{CV}	18 -	3	
295	9 Cle	veland	Avenue

SUPPLEMENTAL PROPERTY OWNER LIST AND SIGNATURES

John E. Fralick 1719 Eddystone Avenue Columbus, Ohio 43224

Phone: 614.784.8502

Email: greybeard1952@gmail.com

Darcy Brownfield 2585 Eastcleft Road Upper Arlington, Ohio 43221

Phone: 614-353-7999

Email: familybrownfield@gmail.com

Signature Date

ture The D

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: 010070893, 010070877, 010070895, 010076498 & 010186401

Zoning Number: 2959

Street Name: CLEVELAND AVE

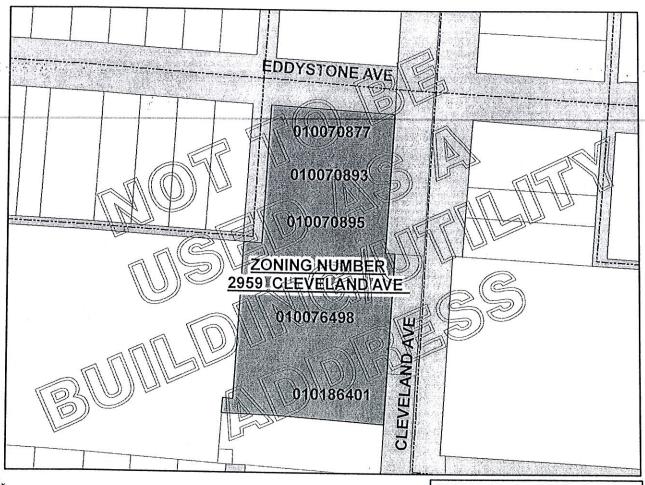
Lot Number: N/A

Subdivision: N/A

Requested By: DAVID PERRY CO. INC (DAVE PERRY)

Issued By: Idvana umariam

Date: 9/14/2018



FRANK D. WILLIAMS, ADMINISTRATOR
DIVISION OF INFRASTRUCTURE MANAGEMENT
COLUMBUS, OHIO

SCALE: 1 inch = 100 feet

GIS FILE NUMBER: 135500



DEPARTMENT OF BUILDING AND ZONING SERVICES

Council Variance Application

111 North Front Street, Columbus, Ohio 43215 Phone: 614-645-4522 • www.columbus.gov/bzs • zoninginfo@columbus.gov

AFFIDAVIT (See instruction sheet)

AREA COMMISSION OR CIVIC GROUP

CONTACT PERSON AND ADDRESS

AREA COMMISSION ZONING CHAIR OR

STATE OF OHIO COUNTY OF FRANKLIN	APPLICATION #:		
(2) CERTIFIED ADDRESS FOR ZONING PURPOSEs for which the application for a rezoning, variance, speciand Zoning Services, on (3)	Street, 1st FL, Columbus, Ohio 43215 XKXXIX agent, MXXIX XXXXIX XXXIX XXXIX XXXIX Agent, MXXIX XXXIX XXXIX XXXIX XXXIX XXXIX XXIX		
SUBJECT PROPERTY OWNERS NAME AND MAILING ADDRESS Check here if listing additional property owners on a separate page.	(4) New Salem Baptist Church c/o John H. Boxill 2956 Cleveland Aveue Columbus, Ohio 43224		
APPLICANT'S NAME AND PHONE # (same as listed on front of application)	Homeport, c/o Dave Perry		

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)

614.228.1727

1385 Norris Drive

Columbus, Ohio 43224

(5) North Linden Area Commission; c/o Jennifer Adair

SIGNATURE OF AFFIANT (8) David B. Perry Sworn to before me and signed in my presence this day of September in the year SIGNATURE OF NOTARY PUBLIC (8) My Commission Expires:

Notary Seal Here

MaryAlice Wolf NOTARY PUBLIC, STATE OF OHIO MY COMMISSION EXPIRES SEPTEMBER 2, 2018 pires six (6) months after date of notarization.

CV 18 -	
2959 Cleveland	Avenue

SUPPLEMENTAL PROPERTY OWNER LIST AND SIGNATURES

John E. Fralick 1719 Eddystone Avenue Columbus, Ohio 43224

Phone: 614.784.8502

Email: greybeard1952@gmail.com

Darcy Brownfield 2585 Eastcleft Road Upper Arlington, Ohio 43221

Phone: 614-353-7999

Email: familybrownfield@gmail.com

Signature

Date

Signature //

EXHIBIT A, PUBLIC NOTICE 2959 CLEVELAND AVENUE CV 18-September 1, 2018

APPLICANT:

Homeport c/o Dave Perry David Perry Company, Inc. 411 East Town Street, Floor 1 Columbus, Ohio 43215

PROPERTY OWNERS:

New Salem Baptist Church c/o John Boxill 2956 Cleveland Avenue Columbus, Ohio 43224

Darcy Brownfield 2585 Eastcleft Road Upper Arlington, Ohio 43221

ATTORNEY FOR APPLICANT:

Donald T. Plank Plank Law Firm 411 East Town Street, Floor 2 Columbus, Ohio 43215

COMMUNITY GROUPS:

North Linden Area Commission c/o Jennifer Adair 1385 Norris Drive Columbus, Ohio 43224

North Linden Area Commission c/o Walter Reiner 5030 Westerville Road Columbus, Ohio 43231 John E. Fralick 1719 Eddystone Avenue Columbus, Ohio 43224

PROPERTY OWNERS WITHIN 125 FEET:

City of Columbus (or current occupant) 90 West Broad Street, No. 425 Columbus, Ohio 43215

Deal Realty, LLC (or current occupant) P.O. Box 417 Powell, Ohio 43065 Thomas E. Cua, Trustee (or current occupant) 6934 Big Walnut Road Galena, Ohio 43021

Ruben Echevarria and Esmeralda Puerto (or current occupant) 3008 Cleveland Avenue Columbus, Ohio 43224 Dannee Cunningham (or current occupant) New Salem Baptist Church 2956 Cleveland Avenue Columbus, Ohio 43224

Daniel and Cordelia Foster (or current occupant) 1754 Weldon Avenue Columbus, Ohio 43224

2959 CLEVELAND AVENUE
CV 18-_____, Sept. 1, 2018
EXHIBIT A, PUBLIC NOTICE
Page 1 of 2

Michael C. Hodgkiss (or current occupant) 2937 Cleveland Avenue Columbus, Ohio 43224

Homeport c/o Jim Baugh 3443 Agler Road Columbus, Ohio 43219

Khalifah Ilmi and Zahrah Omar (or current occupant) 2945 Cleveland Avenue Columbus, Ohio 43224

Mount Lebanon Baptist Church (or current occupant) 1771 / 1775 Eddystone Avenue Columbus, Ohio 43224

Michael W. Sanders (or current occupant) 5462 Blue Ash Road Columbus, Ohio 43229

Frankie, Maravon II, and Chazarae M. Wolford
(or current occupant)
2931 Cleveland Avenue
Columbus, Ohio 43224

Homeport c/o Leah Evans 3443 Agler Road Columbus, Ohio 43219

Homeport c/o Justin Metzler 3443 Agler Road Columbus, Ohio 43219

Linda M. Kimes (or current occupant) P.O. Box 324 Hilliard, Ohio 43026

New Salem Baptist Church c/o Adam Troy 2956 Cleveland Avenue Columbus, Ohio 43224

Solid Ground, LLC (or current occupant) 33 West 10th Street, Suite 800 Anderson, Indiana 46016

Jeff Woodward (or current occupant) New Salem Baptist Church 2956 Cleveland Avenue Columbus, Ohio 43224 Homeport c/o Roy Lowenstein 3443 Agler Road Columbus, Ohio 43219

Hopkins Properties, LLC (or current occupant) P.O. Box 821 La Jolla, California 92038

Rachel M. McCloskey (or current occupant) 1764 Weldon Avenue Columbus, Ohio 43224

Kimberly Palmer (or current occupant) New Salem Baptist Church 2956 Cleveland Avenue Columbus, Ohio 43224

Vbannex B. Borrower, LLC (or current occupant) 5550 Huber Road Huber Heights, Ohio 45424



DEPARTMENT OF BUILDING AND ZONING SERVICES

Council Variance Application

111 North Front Street, Columbus, Ohio 43215 Phone: 614-645-4522 • www.columbus.gov • zoninginfo@columbus.gov

PROJECT DISCLOSURE STATEMENT

All parties having a 5% or more interest in the project that is the subject of this application should be listed.
THIS PACE MUST BE BULLED OUT COMMENTAL STATE Subject of this application should be listed.
THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

	APPLICATION #:				
	STATE OF OHIO COUNTY OF FRANKLIN				
	Being first duly cautioned and sworn (NAME) Donald Plank (Plank Law Firm) of (COMPLETE ADDRESS) 411 East Town Street, 2nd FL, Columbus, OH 43215				
	deposes and states that (he/khx) is the XRRMXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX				
ſ	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-Homeport 3443 Agler Road Columbus, Ohio 43219 Number of Columbus-based Employees: Fifty-one (51) Contact: Leah Evans; phone 614-545-4829 2. New Salem Baptist Church 2956 Cleveland Avenue Columbus, Ohio 43224 Number of Columbus-based Employees: Seventeen (17) Contact: John H. Boxill; phone 614-267-2536, x 132				
	3. John E. Fralick 1719 Eddystone Avenue Columbus, Ohio 43224 Number of Columbus-based Employees: Zero (0) Contact: John Fralick; phone 614-784-8502 4. Darcy Brownfield 2585 Eastcleft Road Columbus, Ohio 43221 Number of Columbus-based Employees: Zero (0) Contact: Darcy Brownfield; phone 614-353-7999				
	Check here if listing additional parties on a separate page.				
	SIGNATURE OF AFFIANT Donald T. Plank				
	Subscribed to me in my presence and before me this day of September, in the year 2018				
	SIGNATURE OF NOTARY PUBLIC				
	My Commission Expires:				
ı	Notary Seal Here Notary Seal Here Notary Seal Here NOTARY PUBLIC, STATE OF OHIO NY COMMISSION EXPIRES SEPTEMBER 2, 2018				



DEPARTMENT OF BUILDING AND ZONING SERVICES

Council Variance Application
111 North Front Street, Columbus, Ohio 43215
Phone: 614-645-4522 • www.columbus.gov/bzs • zoninginfo@columbus.gov

STA'	<u>FEMENT OF HARDSHIP</u>	Application #:
C	hapter 3307 of the Columbus Zoning Code	
S	ection 3307.10 Variances by City Council	
A	a use variance and only where there are unusual and pr	ements of any district only in conjuction with a change in zoning or actical difficulties or unusual hardships in the carrying out of the ot, topography, or other conditions, providing such variance will all welfare.
В	affect the surrounding property or surrounding neighbor will alleviate some hardship or difficulty which warrant Before authorizing any variance from the Zoning Cod variance will not impair an adequate supply of light and of public streets, increase the danger of fires, endanger health, safety, comfort, morals, or welfare of the inhabiting granting a variance pursuant to this section, Coun-	le in a specific case, City Council shall first determine that such air to the adjacent property, unreasonably increase the congestion the public safety, unreasonably diminish or impair the public tants of the City of Columbus. cil may impose such requirements and conditions regarding the variance proposal as Council deems necessary to carry out the
L	ist all sections of Code to be varied and explain yo	ur reasoning as to why this request should be granted.
P. ne	LEASE NOTE: It is the applicant's responsibility to ecessary variances are discovered after your appli	o identify all variances required for the project. If any cation is approved, a new application will be required.
c	ontains the necessary hardship, will not adversely be variance(s) requested as detailed below (use se	n for relief from the requirements of the Zoning Code affect surrounding property owners and will comply with parate page if needed or desired):
-ua-warangan	See Exhibit 'B'	
-		
-		
_		
-		
-		
-		
Att	gnature of Applicant_ corney: \(\) male land	Date(Donald Plank, Plank Law Firm) Date(Dave Perry, David Perry Company, Inc.) Date 9/24/8
	10. V	, , ,

Exhibit B

Statement of Hardship

CV18- , 2959 Cleveland Avenue

The site is 1.23 +/- acres located at the southwest corner of Cleveland Avenue and Eddystone
Avenue, extending south 314 +/- feet on Cleveland Avenue. The site is zoned R-4, Residential.
Applicant proposes to redevelop the site with a 45 dwelling unit, 3 story apartment building.
Applicant has a hardship and practical difficulty in that there is no zoning district to rezone the
site to without also needing variances. Cleveland Avenue is an arterial corridor developed with
many types of land uses and a broad range of densities. The proposed use will provide new
housing in the area. The site plan titled "Preliminary Site Plan", dated, is submitted
with this application as the site development plan.

Applicant requests the following variances:

- 1). Section 3332.039, R-4 Residential District, to permit a 45 dwelling unit apartment building.
- 2). Section 3312.21(A)(3)(B)(3), Landscaping and Screening, to place required interior parking lot trees on the perimeter of the parking lot and to reduce the height of parking lot screening from 5' to 3'.
- 3). 3312.49, Minimum Numbers of Parking Spaces Required, to reduce parking from 68 spaces (45 DU @ 1.5 spaces/DU) to 46 spaces.
- 4). Section 3332.21(D)(2), Building Lines, to reduce the Cleveland Avenue building setback line, from 20 feet (calculated setback of 2945 Cleveland Avenue, PID: 010-186467) to 15 feet, net of ten (10) feet of right of way dedication (total 40 feet from centerline).

09/24/2018

2959 Cleveland Avenue, Columbus, Ohio 43224 Legal Description, 1.23 +/- acres CV18-

PARCEL 1

Being the parts of Parcel Numbers one and two of Miles B. Loretta and Beatrice M. Loretta's Land acquired by a deed of record in Deed Book 3279, Page 160, Franklin County Ohio Recorder's Office; being further bounded and described as follows:

From an iron pin found at the southeast corner of the said Parcel Number Two (being also at the northeast corner of Lot Number eight in "Crest Linden" addition of record in Plat Book 10, Page 66 in the records of the said County, Thence North 3° 30' 00" east 53.79 feet along the west line of Cleveland Avenue to an iron pin set at the true point of beginning;

From the said point of beginning, North 86° 30' 00" west 112.34 feet to an iron pin set;

Thence North 3° 30' 00" east 53.72 feet along a new line to an iron pin set;

Thence South 86° 30′ 00″ east 142.24 feet passing an iron pin set at the west line of Cleveland Avenue at 112.24 feet to a point on the centerline of the said Cleveland Avenue; Thence South 3° 30′ 00″ west 38.55 feet along the centerline of said Cleveland Avenue to a point;

Thence North 86° 25' 38" west to a point on the west line of said Cleveland Avenue, 30.00 feet;

Thence South 3° 30' 00" west 15.21 feet along the west line of said Cleveland Avenue to the point of beginning containing 7,187.5 square feet or 0.165 acres of land.

Parcel No.: 010-186401

Street Address: 2953 Cleveland Avenue, Columbus, Ohio 43224

PARCEL 2

Being the parts of Parcel Numbers one and two of Miles B. Loretta and Beatrice M. Loretta's Land acquired by a deed of record in Deed Book 3279, Page 160, Franklin County Ohio Recorder's Office; being further bounded and described as follows:

From an iron pin found at the southeast corner of the said Parcel number two (being also at the northeast corner of the said Lot Number eight in "Crest Linden" addition of record in Plat Book 10, Page 66 in the records of the said county), thence North 86° 25' 38" west 112.24 feet along the south line of said parcel iron pin set at the true point of beginning:

From the said point of beginning North 86° 25' 38" west 43.85 feet (passing an iron pin found at the northwest corner of the said Lot Number 8 at 27.80 feet) to an iron pin found at the southeast corner of Columbia Gas Company's land (Deed Book 2295, Page 453);

Thence North 3° 31' 37" east 15.94 feet along the east line of the said Columbia Gas Company's land to an iron pin found;

Thence North 86° 57' 40" west 14.00 feet along the north line of the said Columbia Gas Company's land to an iron pin found on the east line of City of Columbus 2.889 acre tract (Deed Book 1810, Page 224);

Thence North 3° 22′ 52″ east 53.30 feet to an iron pin found; Thence south 85° 33′ 11″ east 10.00 feet to an iron pin found; Thence north 3° 34′ 10″ east 160.66 feet along the said City of Columbus land to an iron pin set on the south line of "Eddystone Place" addition (Plat Book 21, Page 12, in the records of the said County);

Thence South 86° 43' 00" east along the south line of the said addition (passing an iron pin found on the west line of Cleveland Avenue at 160.00 feet) 190 feet to a point of the centerline of the said Cleveland Avenue:

Thence South 3° 30' 00" west 123.00 feet along the centerline of said Cleveland Avenue to a point;

Thence North 86° 30' 00" west 142.24 feet (passing an iron pin set on the west line of Cleveland Avenue at 30.00 feet) to an iron pin set;

Thence South 3° 30' 00" west (passing an iron pin set on line at 53.72 feet) 107.37 feet to the point of beginning, containing 28,972.5 square feet or 0.6651 acre of land.

Parcel No.: 010-076498

Street Address: 2967 Cleveland Avenue, Columbus, Ohio 43224

PARCEL 3

Situated in the State of Ohio, County of Franklin, City of Columbus, and being Lot Number Twenty-two (22) in Eddystone Place Subdivision, as in numbered, delineated, and recorded in Plat Book 21, Page 12, Recorder's Office, Franklin County, Ohio.

Parcel No.: 010-070895

Street Address: 2975 Cleveland Avenue, Columbus, Ohio 43224

PARCEL 4

Situated in the State of Ohio, County of Franklin, City of Columbus, and being Lot No. Twenty-three (23) in Eddystone Place Subdivision, as numbered, delineated, and recorded in Plat Book 21, Page 12, Recorder's Office, Franklin County, Ohio.

Parcel No.: 010-070893

Street Address: 2979 Cleveland Avenue, Columbus, Ohio 43224

PARCEL 5

Situated in the State of Ohio, County of Franklin, City of Columbus, and being Lot No. Twenty-four (24) in Eddystone Place Subdivision, as numbered, delineated, and recorded in Plat Book 21, Page 12, Recorder's Office, Franklin County, Ohio.

Parcel No.: 010-070877

Street Address: 2983 Cleveland Avenue, Columbus, Ohio 43224

9/24/2018

