

LEGEND

○ IPS IRON PIN SET

ALL IRON PINS SET ARE 3/4" I.D. IRON PIPES 30" LONG, W/ RED PLASTIC CAP STAMPED LANDMARK SURVEY

FLOOD NOTE:

THE SUBJECT PROPERTY LIES IN ZONE X (AREA DETERMINED TO BE OUTSIDE THE 100-YEAR FLOODPLAIN, AS DETERMINED BY GRATING INTERPOLATION FROM THE FLOOD INSURANCE RATE MAP NUMBER 38017D (1446), WITH AN EFFECTIVE DATE OF AUGUST 2, 1995, PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

▨ LIMITED COMMON ELEMENTS TO UNITS 47 & 49

▩ LIMITED COMMON ELEMENTS TO UNITS 43 & 45

ALL AREAS NOT DESIGNATED AS LIMITED COMMON ELEMENTS OR UNITS ARE COMMON ELEMENTS.

BASIS OF BEARINGS:

THE BEARINGS SHOWN HEREON ARE BASED ON THE BEARING OF EAST FOR THE SOUTH LINE OF WEBER ROAD AND ARE USED TO DENOTE LOT ANGLES ONLY.

I HEREBY CERTIFY THAT THESE DRAWINGS ACCURATELY REFLECT THE LOCATION OF IMPROVEMENTS AND RECORDED EASEMENTS, IF ANY.

Scott G. Gravel 10/24/05
 SCOTT G. GRAVEL, P.S.
 REGISTERED SURVEYOR NO. 8047



I HEREBY CERTIFY THAT THESE DRAWINGS ACCURATELY SHOW EACH BUILDING AS BUILT OR CONSTRUCTED.

REGISTERED ARCHITECT NO. _____ DATE _____

SHEET 1 OF _____

CONDOMINIUM PLAT OF
43-49 WEBER ROAD
CONDOMINIUM
 LYING IN
 LOT 38 & LOT 39
 SUNSET PARK
 PLAT BOOK 13, PAGE 17
 QUARTER TOWNSHIP 3, TOWNSHIP 1, RANGE 18
 UNITED STATES MILITARY LANDS
 CITY OF COLUMBUS, COUNTY OF FRANKLIN
 STATE OF OHIO



LS GI LANDMARK SURVEY GROUP, INCORPORATED

2006 WEST FIFTH AVENUE, COLUMBUS, OHIO 43212
 PHONE: (614) 485-9000 FAX: (614) 485-9002
 DATE: 10/25/05 FILE NO. 70840

CONSENT & KLEIN, ATTORNEY
 3-9-06
 FINAL RECEIVED by L. Ruasler
 3-10-2006
 CV05-061

CV05-061

Attachment 1**Council Variance Application
Statement of Hardship**

Applicant: Connie J. Klema
Owner: Northwood Properties, Inc.
Subject Property: 43, 45, 47 + 49 W. Weber Rd.

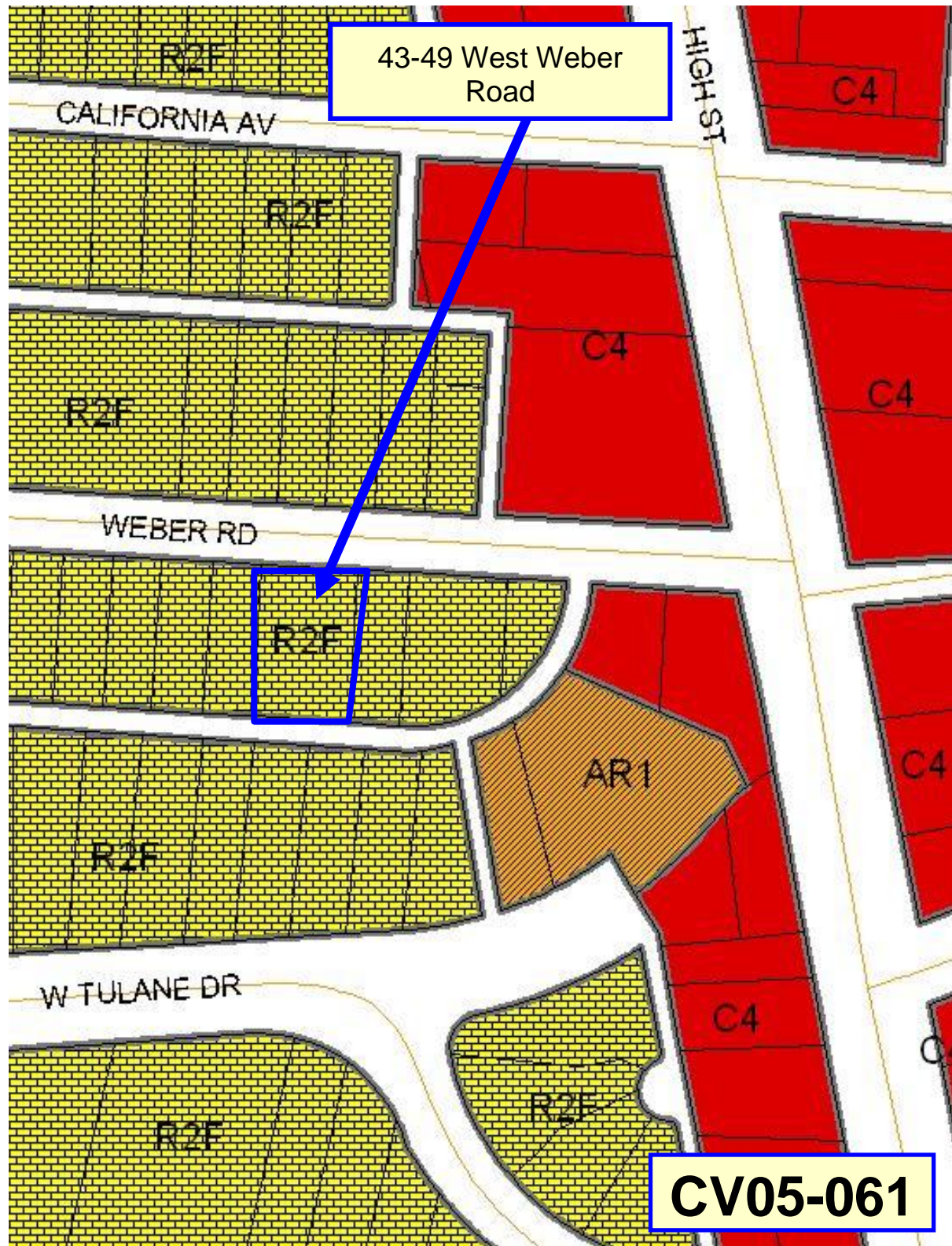
The subject property consists of one (1) parcel. The parcel consists of two (2) contiguous Lots, Lots 38 and 39. The parcel consists of one (1) building with four (4) residential dwelling units. The parcel is zoned R-2F.

Under the present R-2F regulations, a dwelling cannot contain more than two (2) dwelling units. However, because the four (4) unit building was constructed prior to the present R-2F regulations being applicable to the site, the existing building is permitted as a "nonconforming use".

A nonconforming use is not permitted to continue if the use of the building is enlarged, expanded, reconstructed or structurally altered in any lawful manner under C.C. 3391.01. A nonconforming use also cannot be extended, so as to increase the floor space over the existing floor space.

Therefore, the applicant requests a use variance to preserve the right to continue the use of the dwelling as a four (4) unit dwelling and the right to restore such units in the event of damage or destruction, including to the extent of fifty percent (50%) or more of the value of the existing building. Given the fact that the variance will not alter the actual "use" of the site (residential), or the number of dwelling units in the building (4), such use variance will not adversely affect the surrounding property or surrounding neighborhood.

Furthermore, the variance will not impair an adequate supply of light and air to the adjacent property, as no height or square footage adjustments will be made to the four (4) units or to the building. The subject property will continue to blend with the architecture, character, and design of the neighboring homes. Because no increase in density is requested, the variance will not increase the congestion of public streets or increase the danger of fires. In addition, it will not endanger the public safety or unreasonably diminish or impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus.







MEMORANDUM

To: Lisa Russell
From: Paul Harris, Clintonville Area Commission Secretary
Date: 22 March 2006
Re: Zoning Variance: *34 W. Tulane Rd. and 43,45,47 and 49 W. Weber Rd.*

The Clintonville Area Commission (CAC) met Thursday, January 5th to consider a single development item. The issue was a council variance request by attorney Connie J. Klema on behalf of Northwood Properties, Inc. the owner of the property at 34 W. Tulane Rd. and 43-49 W. Weber Rd.

- The request was to preserve the right to continue the use of the current building on the property as a four-unit dwelling and permit the restoration of these units if they are damaged or destroyed. **The CAC recommended approval of the request by a vote of 8-0** after consideration and discussion of the following:
 - Ms. Klema noted that the subject parcel is zoned R-2F which limits a dwelling to no more than two units. Because the existing four-unit structure was built prior to the current R2-F restrictions, the current building is permitted as a “non-conforming use.”
 - Ms. Klema stated that Columbus code (C.C.3391.01) does not permit non-conforming use to continue if the subject building is enlarged, expanded, reconstructed or structurally altered. Therefore, the applicant requests a council variance to permit the four residential units to be restored in the event they are damaged or destroyed.
 - Applicant asserted that any restoration will not change the number of units in the building (four), nor will any height or square footage adjustments be made to the four units or to the building. Any alterations will be done in a manner that maintains architectural and design compatibility with neighboring structures.
 - The CAC Variance and Zoning committee recommended approval of the request with two conditions: (1) Approval of all required variances for the existing building and improvements, and (2) Maintenance of current building footprint, location and elevation. The V&Z committee vote to approve was 6-0 with one abstention.
 - Ms. Klema submitted a list of six required variances relating to four-family dwelling status; building line and maximum / minimum side yard dimensions, and number of parking space / parking space dimensions.
 - In his district report, Commissioner Chris Gawronski said he had received no objections from residents.

Please feel free to contact me if you have any questions about this report.

Sincerely,

CAC Memo to City Council
22 March 2006

Page 6

Paul Harris, Secretary
Clintonville Area Commission

Cc: Applicants



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



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 # CW05-061

Being first duly cautioned and sworn (NAME) Commie J. Klema Attorney
of (COMPLETE ADDRESS) P.O. Box 991, Pataskala, Ohio 43062
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 format:

- 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

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

1. Northwood Properties, Inc. (1 employee) 3124 North High Street Columbus, Ohio 43202 Rob Martin (614) 263-9798	2.
3.	4.

SIGNATURE OF AFFIANT

Commie J. Klema, Atty

Subscribed to me in my presence and before me this 27th day of October, in the year 2005

SIGNATURE OF NOTARY PUBLIC

Rebecca J. Mott

My Commission Expires:

REBECCA J. MOTT
Notary Public, State of Ohio
My Commission Expires 04/19/09

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

Notary Seal Here

