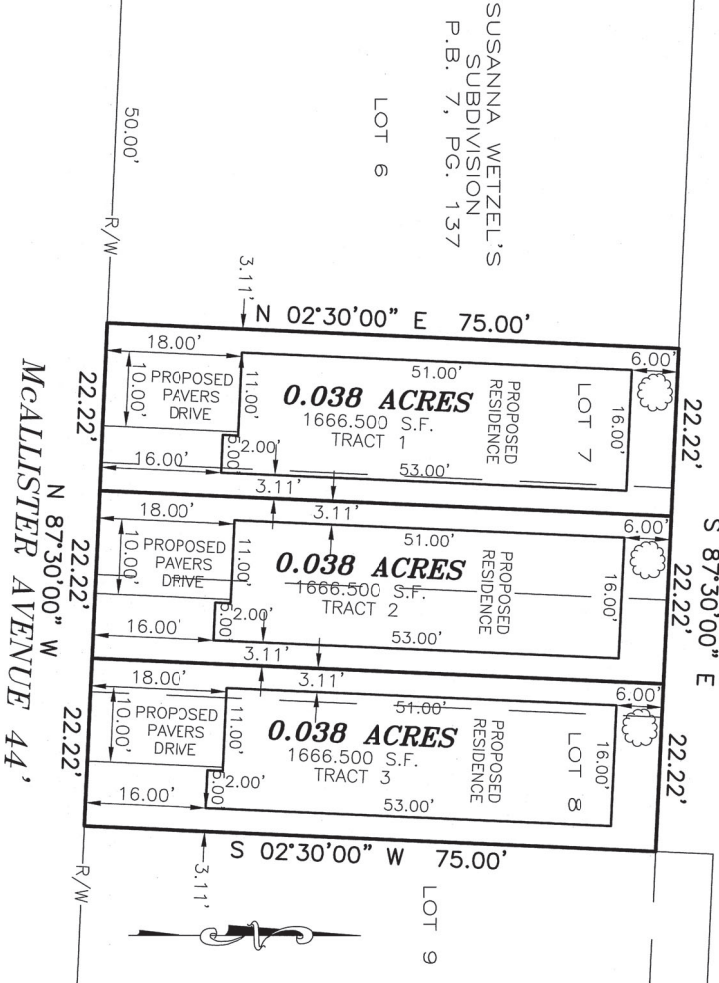


DRAWN BY: DJH

CARPENTER STREET 45'



MIDWESTERN REALTY LLC
I.N. 201509220132719

S 87°30'00" E

SUSANNA WETZEL'S
SUBDIVISION
P.B. 7, PG. 137

LOT 6

N 02°30'00" E 75.00'

0.038 ACRES
1666.500 S.F.
TRACT 1

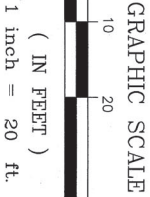
0.038 ACRES
1666.500 S.F.
TRACT 2

0.038 ACRES
1666.500 S.F.
TRACT 3

LOT 9

S 02°30'00" W 75.00'

McALLISTER AVENUE 44'



CV22-042; Final Received 11-1-2022; Page 1 of 2

TRACT 1

TRACT 1	
LOT CALCULATIONS	
LOCATION	S.F.
LOT	1667
HOUSE	826
DRIVE	180
APPROACH	NA
PORCHES	NA
WALK	NA
VEGETATION	661
LOT AC	0.038 Ac.
REAR YD	133/8.0%
LOT COV	49.5%

TRACT 2

TRACT 2	
LOT CALCULATIONS	
LOCATION	S.F.
LOT	1667
HOUSE	826
DRIVE	180
APPROACH	NA
PATIO	NA
PORCH	NA
VEGETATION	661
LOT AC	0.038 Ac.
REAR YD	133/8.0%
LOT COV	49.5%

TRACT 3

TRACT 3	
LOT CALCULATIONS	
LOCATION	S.F.
LOT	1667
HOUSE	826
DRIVE	180
APPROACH	NA
PORCHES	NA
WALK	NA
VEGETATION	661
LOT AC	0.038 Ac.
REAR YARD	133/8.0%
LOT COV	49.5%

HEIGHT OF BUILDING
FOR EACH TRACT:
33.13 FEET

UNIT SQUARE FOOTAGES FOR EACH TRACT:

FIRST FLOOR: 535 S.F.

SECOND FLOOR: 791 S.F.

THIRD FLOOR: 826 S.F.

TOTAL: 2,152 S.F.

FLOOD NOTE:

THE SUBJECT PROPERTY LIES IN ZONE X (AREA DETERMINED TO BE OUTSIDE THE 500 YEAR FLOODPLAIN), AS DETERMINED BY GRAPHIC INTERPOLATION FROM THE FLOOD INSURANCE RATE MAP NUMBER 3904G003328K, WITH AN EFFECTIVE DATE OF 6/17/2008, PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

DEED REFERENCE:
JOSS CONSTRUCTION GROUP, LLC
I.N. 202203240047249
P.I.D. 010-006707
P.I.D. 010-006709
P.I.D. 010-010916
P.I.D. 010-006708

BASIS OF BEARINGS:

THE BEARINGS SHOWN HEREON ARE BASED ON THE BEARING OF N 87°30'00" W FOR THE NORTHERLY LINE OF McALLISTER AVENUE, OF RECORD IN P.B. 7, PG. 137, RECORDERS OFFICE, FRANKLIN COUNTY, OHIO.

NOTE:

THIS EXHIBIT DOES NOT REPRESENT ANY EASEMENTS THAT MAY AFFECT THIS TRACT AND DOES NOT REPRESENT ANY UNDERGROUND UTILITIES THAT MAY AFFECT THIS TRACT.

**EXHIBIT OF
THREE (3) PROPOSED
0.038 ACRE TRACTS**

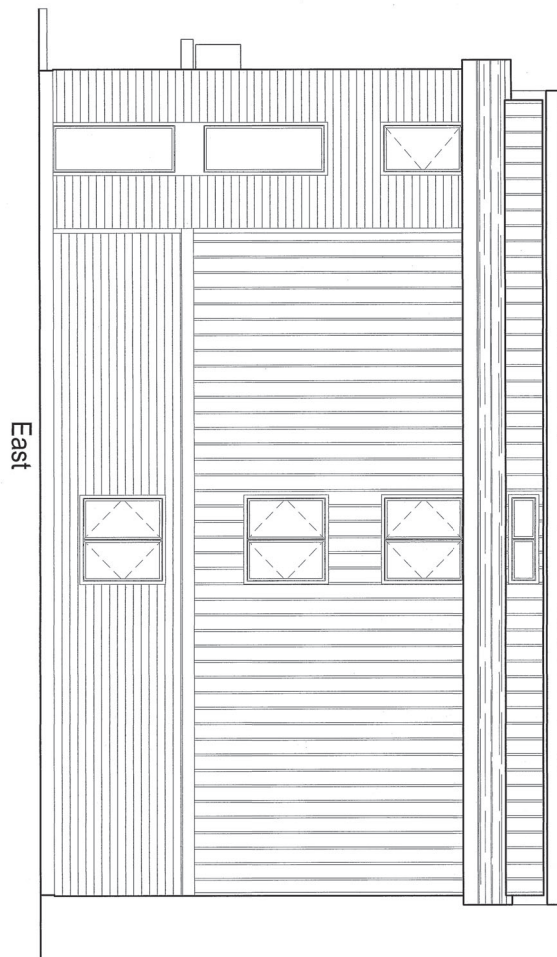
LYING IN
LOTS 7 AND 8
SUSANNA WETZEL'S SUBDIVISION
PLAT BOOK 7, PAGE 137
CITY OF COLUMBUS, COUNTY OF FRANKLIN
STATE OF OHIO

LS LANDMARK SURVEY
GI GROUP INCORPORATED

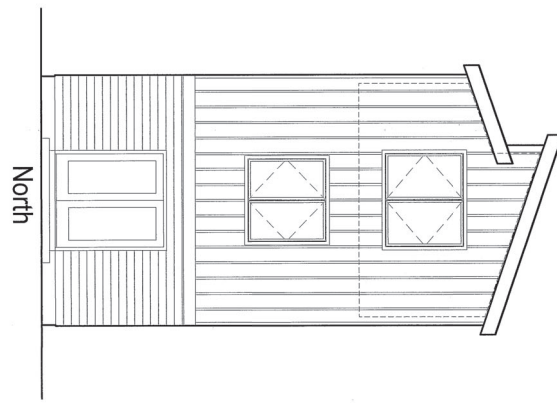
690 LAKEVIEW PLAZA BLVD, SUITE A, WORTHINGTON, OH 43085
PHONE: (614) 485-9000 WWW.LANDMARKSURVEY.COM
DATE: 4/6/22
REV: 7/6/22
REV: 7/12/22 FILE NO. JOSS1--0804-MISC

*Release of Matt, Attorney
September 8, 2022*

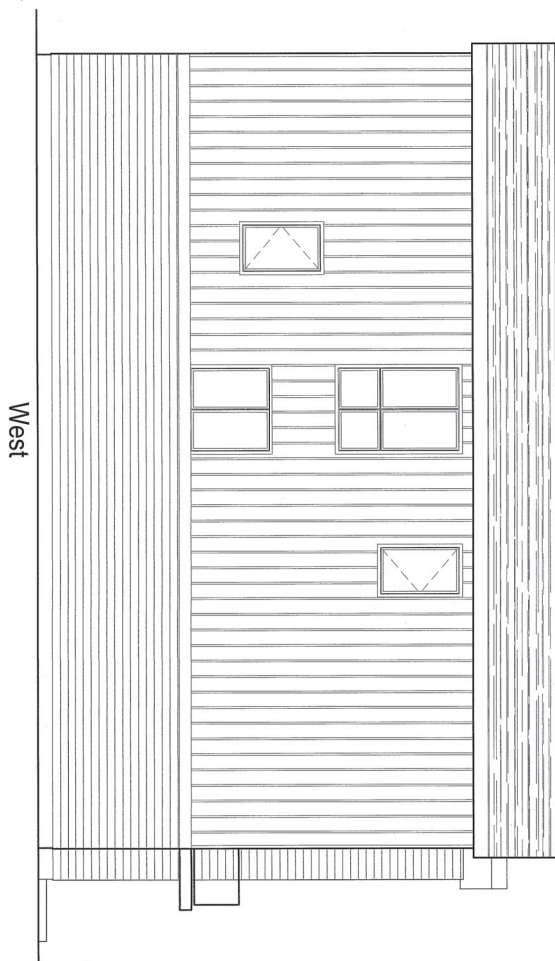
Elevations
1/8" = 1'-0"



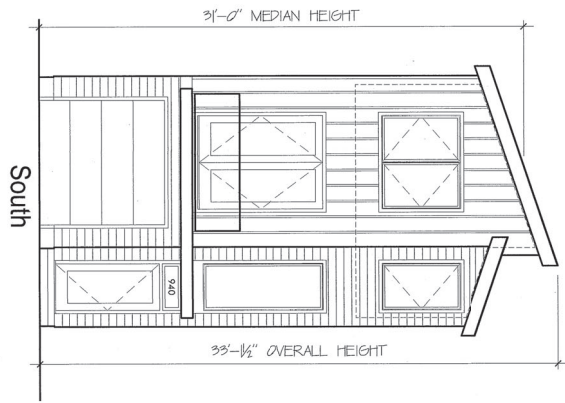
East



North



West



South

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940 E. McAllister

*Rebecca Q. Mott, Attorney
September 8, 2022*

Exhibit "B"

Use Variance and Area Variances Requested (Hardship and Practical Difficulties Statement) for
940 McAllister Avenue, Columbus, Ohio

The Property, the subject of this variance application, consists of real property located at 940 McAllister Avenue, Columbus, Ohio, commonly known as Franklin County Auditor Tax Parcel Id. No.'s: 010-006707; 010-006709; 010-010916; and 010-006708. The Property is currently zoned ARLD Residential District. The Property is surrounded on all sides by residential zoned properties in the ARLD Residential District.

Use Variance

The Applicant proposes to construct three (3) detached single family residential dwellings on the Property, after the existing four (4) lots are combined and split into three (3) lots, which is not technically permitted under the existing ARLD Residential District (Section 3333.02(16) of the Zoning Code) even after taking into account the exceptions under Section 3333.055 of the Zoning Code permitting detached single family dwellings on lots that are separately owned and of record, because Applicant is taking the four (4) vacant existing lots of record, combining them, and then splitting them into three (3) lots instead. Applicant is requesting a use variance in order to construct the detached single-family dwellings on the three (3) newly proposed lots, as shown on the site plan dated July 12, 2022 (the "Site Plan").

The broader essential character of the neighborhood is predominantly residential, with some commercially-zoned properties as well, and includes many single family dwellings on individual parcels. This proposal is consistent and harmonious with the zoning and uses in the neighborhood.

Applicant respectfully requests approval of the following area variances by City Council, with the request for the use variance, to allow the construction of these detached single-family residential dwellings on the Property.

Below are the four (4) area variances that Applicant is seeking:

- 1.) Section 3333.09 – Area requirements. Applicant seeks a variance from the required lot width requirement (measured at the front line) of 50 feet, to approximately 22 feet on each proposed lot, for a variance of 28 feet. The existing lots of record also do not meet the Zoning Code standard for lot width, so this is an existing condition.
- 2.) Section 3333.11 – Area district requirements. In an ARLD district no building shall be erected or altered except on a lot of record with an area which equals or exceeds 2,500 square feet in area. Applicant seeks a variance from the required lot area requirement for a lot area of approximately 1,665 square feet in area for each new lot.
- 3.) Section 3333.23(a) and (d) – Minimum side yard permitted. In an ARLD district, a side yard shall be a minimum of 5 feet under (a); however, under (d) "where a building exceeds two and one-half stories in height, the minimum side yard shall be not less than one-sixth of the height of the building and never less than the minimum requirements of subsections (a) and (c)" . . . which would be 5.52 feet for each lot. Applicant seeks a variance under both subsections to

provide side yards of approximately 3 feet for each side yard, for each lot, which is a variance of 2 feet.

- 4.) Section 3333.24 – Rear yard. Each dwelling shall provide a rear yard totaling no less than 25 percent of the total lot area. The rear yard required is approximately 416.75 square feet for each new lot. Applicant requests a variance from the rear yard requirement in order to provide rear yards of 133 square feet for each new lot (to accommodate each lot’s driveways parking spaces at 18’ in length).

Area Variances – Test of Practical Difficulties

1. Whether property will yield reasonable return or whether there can be any beneficial use of property without the variance.

In an urban infill development, where Applicant is developing four (4) existing lots of record, by combining the parcels and splitting them into three (3) lots actually increases the dimensions, lot widths, area, side yards, rear yards, etc. for each lot, it is reasonable to permit these variances to allow the construction of three (3) detached single family residential dwellings. The newly proposed lots and development standards provided meet the lot configurations, lot widths, and areas of the other lots in the neighborhood. The Property cannot be expanded to meet this technical requirement as the Applicant does not own or control additional adjacent properties. Applicant is proposing to provide an aesthetically pleasing product (three-level townhouse style, with ample yard space/green space, a garage space for each dwelling, and a shade tree on each lot. The product will be a nice offering in the neighborhood and will help to increase property values for properties in the neighborhood.

2. Whether the variance is substantial.

These requests for variances are not substantial. The variances requested are the most minimal deviations necessary in order to offer an attractive development of detached single family dwellings, each with three floors of living space, a second floor balcony, and a one car garage, with adequate setbacks, landscaping, yard spaces, parking (for the operation of the units), and other development standards that will provide ample living space for the residents of each unit.

3. Whether the essential character of neighborhood would be substantially altered or whether adjoining properties would suffer substantial detriment as a result of variance.

The variances requested provide for standards that comport with, and would not substantially alter, the essential character of the neighborhood. There would be no substantial detriment to adjoining properties if the variances were approved. The requested variances are standard for this type of development in an urban core.

4. Whether variance would adversely affect delivery of governmental services.

There will be no adverse affect on the delivery of governmental services to the Property if these variance requests are approved. There are adequate public services and facilities, as well as utilities to the Property, and fire and police safety responders and vehicles will have adequate ingress-egress and maneuverability in and out of the Property.

5. Whether property owner purchased property with knowledge of zoning restrictions.

The Applicant did not know the type of project that it desired to develop on the Property until those plans were firmed up recently, by and through submission of this application. These variances are minimal and technical in nature.

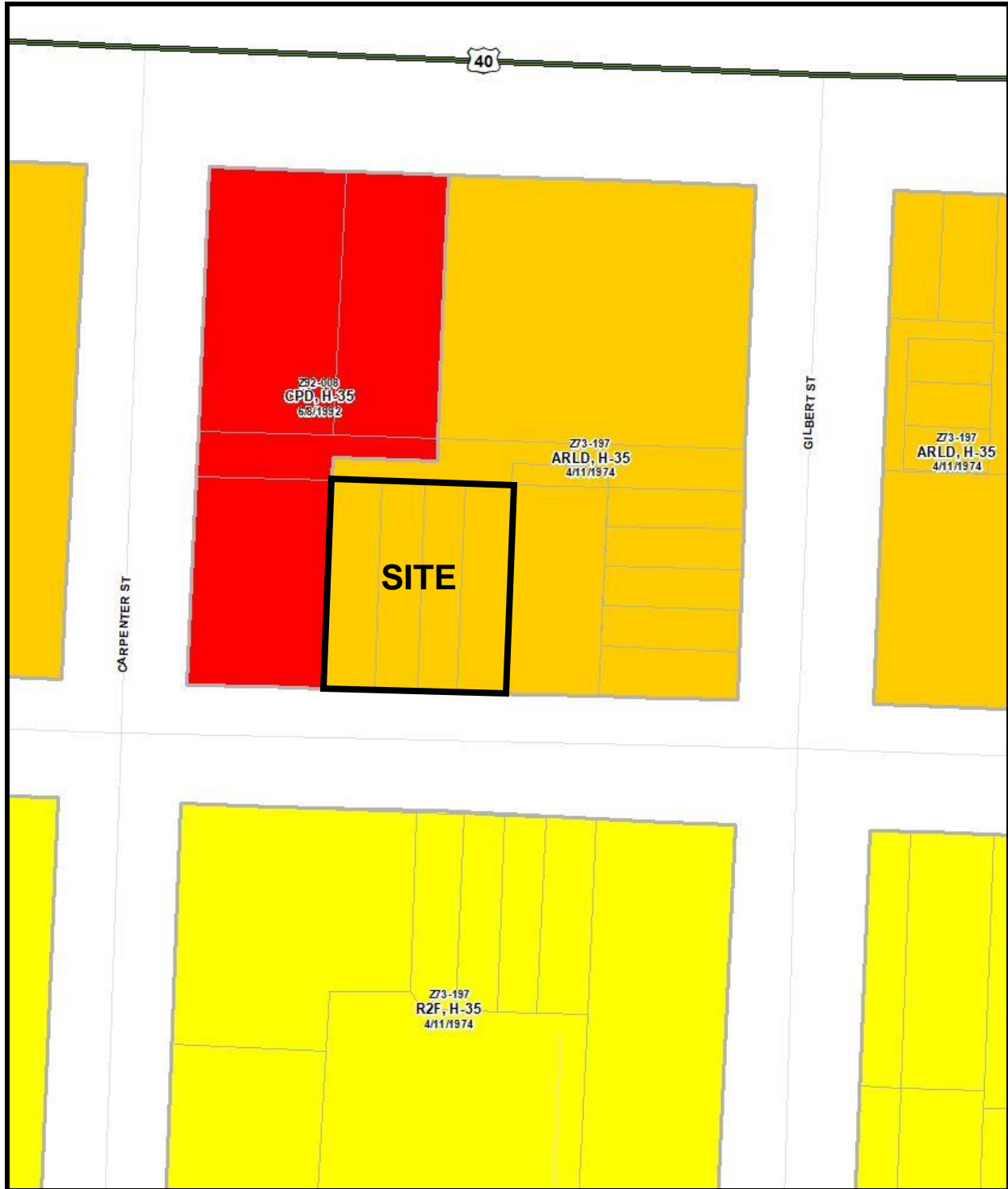
6. Whether property owner's predicament feasibly can be obviated through some method other than variance.

In order to develop the Property in conformance with essential character of the neighborhood and adhere to best practices for urban infill development, the variances are necessary.

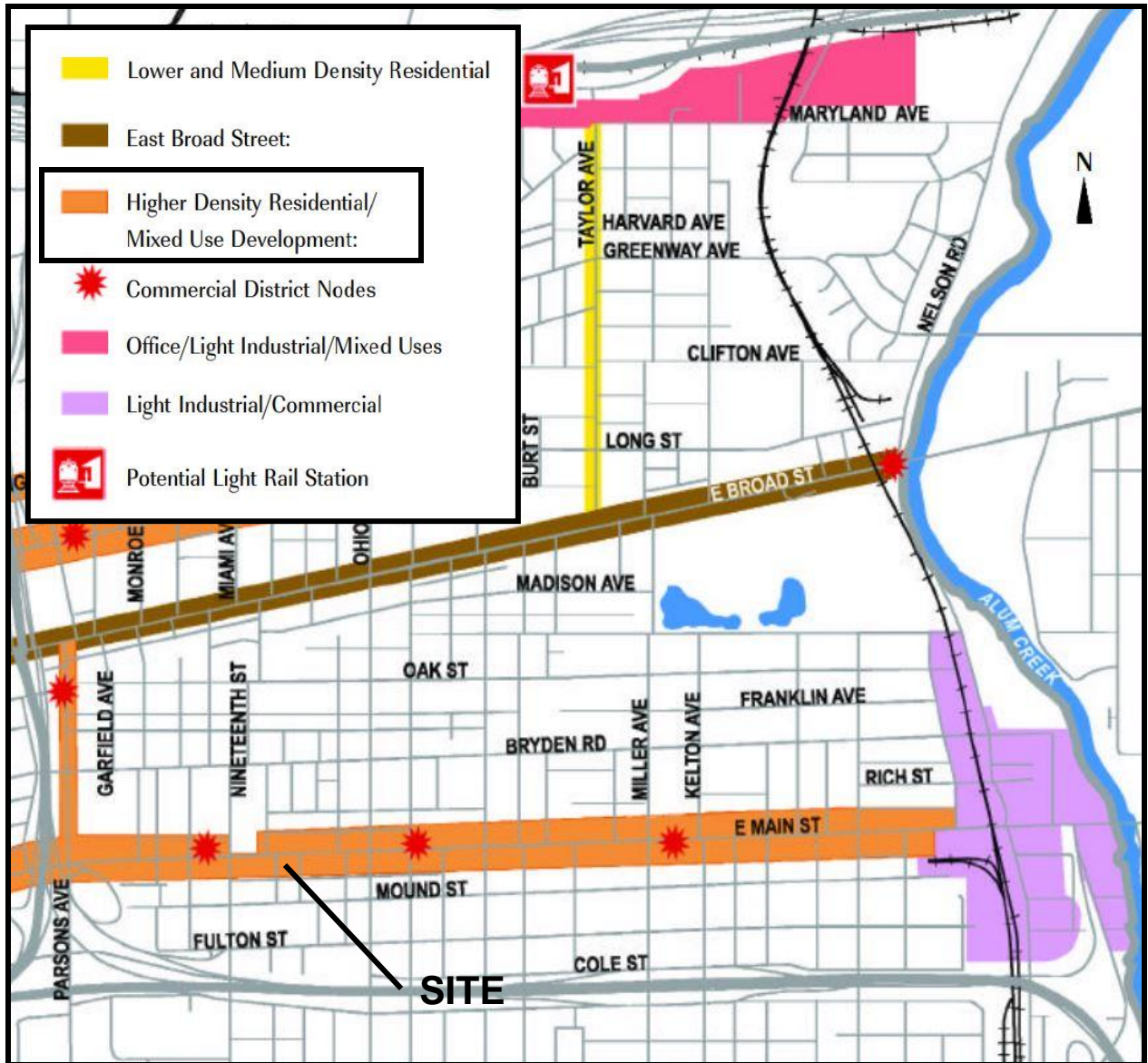
7. Whether spirit and intent behind zoning requirement would be observed and substantial justice done by granting variance.

The spirit and intent behind the zoning requirements and substantial justice may be done by granting the requested variance.

Rebecca J. Mott
September 8, 2022



CV22-042
940 McAllister Avenue
Approximately 0.11 acres



CV22-042
940 McAllister Avenue
Approximately 0.11 acres



CV22-042
940 McAllister Avenue
Approximately 0.11 acres



Standardized Recommendation Form

DEPARTMENT OF BUILDING AND ZONING SERVICES

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

FOR USE BY: AREA COMMISSION / NEIGHBORHOOD GROUP
(PLEASE PRINT)

Case Number CV22-042

Address 940 McAllister Ave

Group Name Near East Area Commission

Meeting Date 9/8/2022

- Specify Case Type
- BZA Variance / Special Permit
 - Council Variance
 - Rezoning
 - Graphics Variance / Plan / Special Permit

- Recommendation (Check only one)
- Approval
 - Disapproval

LIST BASIS FOR RECOMMENDATION:

Vote 11-0-2

Signature of Authorized Representative [Signature]

Recommending Group Title Chair

Daytime Phone Number (614) 4032225

Please e-mail this form to the assigned planner within 48 hours of meeting day; OR FAX to Zoning at (614) 645-2463; OR MAIL to: Zoning, City of Columbus, Department of Building & Zoning Services, 111 N Front Street, Columbus, Ohio 43215.

Council Variance Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

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

PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV22-042

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

Being first duly cautioned and sworn (NAME) Rebecca J. Mott, Esq., Plank Law Firm, LPA
of (COMPLETE ADDRESS) 411 East Town Street, Floor 2, Columbus, Ohio 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 format:

Name of Business or individual (including contact name and number)
Business or individual's address; City, State, Zip Code
Number of Columbus-based employees
(Limited to 3 lines per box)

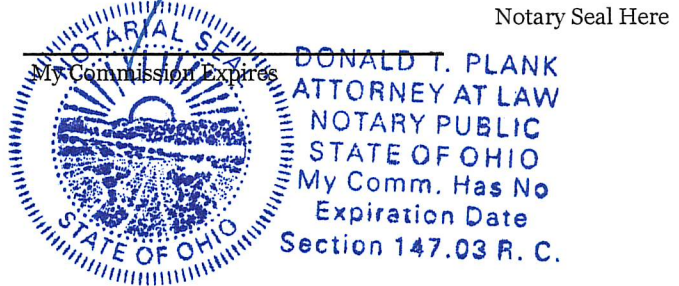
<p>1. Ankur Gupta - 50% 5732 Evans Farm Drive, Lewis Center, Ohio 43035</p>	<p>2. Ajay (AJ) Lall - 50% 5732 Evans Farm Drive, Lewis Center, Ohio 43035</p>
<p>3.</p>	<p>4.</p>

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT Rebecca J. Mott

Sworn to before me and signed in my presence this 22nd day of May, in the year 2020

Donald Plank
SIGNATURE OF NOTARY PUBLIC



This Project Disclosure Statement expires six (6) months after date of notarization.