

From: macnena1@aol.com
To: [Elaine McCloskey](#)
Subject: Variance request
Date: Friday, March 5, 2021 2:33:39 PM

Caution! This message was sent from outside your organization.

We have received and reviewed the request for Enlargement Alternation of the building located at 152 W Central Avenue. We do not think it is an appropriate addition to the area that is zoned R-3 (One Family Residential District). We do not approve of additional rental units in the area, leading to increased traffic and congestion. The increased noise and traffic from the construction would disrupt the neighborhood and inconvenience the area, this area already suffers from large amounts of traffic and congestion. Additionally, from the plans provided, the building will look more like an apartment building than a single family home that fits the neighborhood. Finally, the owner of the property is not local and could not be easily reached for concerns or problems that may arise from this property.

Sincerely,
Nena Smale
Carl M. Piatt
141 W. Central Ave.

From: [Arthur Sisler](#)
To: [Elaine McCloskey](#)
Subject: 152 W Central zoning/construction proposal
Date: Saturday, March 6, 2021 4:57:45 PM

Caution! This message was sent from outside your organization.

To whom this may concern

My name is Arthur Philip Sisler. I live currently and for the last 20 plus years at 146 W Central Ave. I am writing this in regards to the new zoning and new construction proposal by the current owner of 152 W Central Ave.

It is my understanding that the new owner has plans to basically turn 152 W Central into a housing complex. My property and basically most of the others in close proximity to 152 are all single-family homes(mine was a duplex that I converted back to single-family), as that is basically the norm of this part of the NW Neighborhood. This proposal of change would be, in my opinion...very intrusive.

My property already has privacy and boundary issues as it is. If this plan was to take fruition and ground broke. It is going to really change my situation and the peaceful setting that I have enjoyed for many years. This plan is going to be basically on top of me. I had issues with Planned Parenthood on days they were open(thankfully it was just a couple of days a week). It was a parking disaster with people parking on my property, parking me in even. I had to go into PP and get people to move their car so I could leave my house. Not exactly fun or fun for them either. I never had an issue with PP has a resource. However, it was horribly placed for many years.

This proposal will have an additional 6 bedrooms (in addition to 4 in the front building). I shudder to think of the noise and traffic increase in our quiet little neighborhood. This two-story building will tower over my house, and at close range, I think beginning where Planned Parenthood was since it sits on higher ground.

Most of the people that own or rent property in this area have been living here for a long time. We all have respect for and look out for one another. This new proposal is going to threaten that considerably.

The owner of 152 does not reside in Delaware. He has done little to nothing at 152 since purchased. He has never tried to talk to me or really anyone in that location personally. I got a letter from him about a month ago with this plan and thought it looked ridiculous and way over the top for this part of the city. I view his plan as not one to enhance the neighborhood, but one to make money off the neighborhood. He has no plans to reside there. Let's be honest. he wants to rent to college kids and fleece their parents for housing money.

I am 100% for a denial of this proposal.

Thanks for your time.

Sincerely and respectfully

Arthur Philip Sisler
Homeowner of 146 W Central Ave.

Please excuse any typos

From: [Mary Ann Davis](#)
To: [Elaine McCloskey](#)
Subject: Fwd: Board of Zoning Appeals, comments for March 10 meeting
Date: Tuesday, March 9, 2021 9:13:34 AM

Caution! This message was sent from outside your organization.

To the Board of Zoning Appeals of the City of Delaware, Ohio

Re: 2021-0433

Comments for the March 10 virtual meeting

As a resident of the historic Northwest Neighborhood District for 30 years, I am shocked that the City would consider allowing the building of a large multifamily addition to one of our historic homes. This addition, to house four indoor garages, and two, 2 story, 3 bedroom 'townhouses', all on a single family sized lot is not aligned with the character or personality of this neighborhood. Although this lot is deep, the last 3rd of it is steeply sloped to retaining walls behind single family residences on Woodland Avenue, so the whole usable single family lot will be parking lots and massive building. This request to change the variance to allow an addition that, because of roof variability, should really be called an apartment complex, will dwarf surrounding houses, and be between 2 and 3 times the mass of the existing single story add-ons.

Those of us in the neighborhood overlook the current neglected add-ons, to see the trees above. Those older, majestic major trees, within 3 to 5 feet of the property line will be destroyed with this building. Because of the slope on that side of the building, part of which is built 5 feet in the ground, the roots will be destroyed and the trees will be gone.

The flat part of this lot will be all parking lot and apartment complex. Those new 3 bedroom units will not be families, there will be no place for children to play, and Central is now a very busy street. This could be an additional 12 adults, in addition to the 8 that could live in the original house, possibly 20 adults living on a single family plot covered with blacktop.

The parking and use of the very narrow alley connected to this property will make it a traffic nightmare.

This owner is a Columbus real estate attorney and specialist in zoning and rezoning. The first, and now second request for rezoning, and perhaps more to come appears to be an attempt to circumvent proper process of the Zoning Board. He knew the condition of the building when he bought it 6 or 7 years ago, knew the local zoning. I suggest the City hire an independent real estate appraiser to estimate the loss of value in properties surrounding this building. If the

City allows the neighborhood to be change just so this absentee landlord can make a bigger profit, it makes sense that the neighbors be reimbursed by him for the loss of property value caused by this fiasco. We love this neighborhood and live here because of its easy pace, the mature trees with their many birds, the peacefulness of our backyards, older single family homes and long term residents. This proposed expansive, densely populated building is the exact opposite of what we cherish.

MaryAnn Davis

138 W Central Avenue

Delaware, OH 43015

From: [T.M](#)
To: [Elaine McCloskey](#)
Subject: Board of Zoning Appeals, comments for March 10 meeting
Date: Wednesday, March 10, 2021 7:47:27 AM

Ms. McCloskey,

Unfortunately I am unable to attend tonight's virtual Board of Zoning Meeting. Please enter the following comments on my behalf.

Thank you,
Troy A. Mueller

To the Board of Zoning Appeals of the City of Delaware, Ohio
Re: 2021-0433
Comments for the March 10 virtual meeting

As residents of the historic Northwest Neighborhood District for 25 years, we are opposed to any multi-family dwelling in this area that has been typically an area with historic single-family homes. The proposed construction plan on the lot identified as 152 W. Central Ave is for two, 2 story, 3 bedroom 'townhouses' with garages and does not yield to the same character or personality of this neighborhood.

The alleyway just east of this proposed construction cannot handle the increase in traffic that construction will bring. The current owner has stated that he will try to contain construction traffic not his property "as much as possible" but has not offered any proposal(s) as to how he intends for that to be accomplished. Considering that the owner does not live in Delaware, the fear is that this construction traffic will not be monitored, therefore allowing for plausible deniability of any traffic issues after the fact. Furthermore, the alleyway is very narrow and maneuvering large vehicles would be extremely difficult without impacting neighboring properties and traffic patterns. In addition, adding these townhomes would increase daily traffic in the alleyway by the renters of said townhomes, post-construction. This could potentially be an additional 8-10 vehicles utilizing this alleyway on a daily basis in a way that it was not originally intended.

The surrounding residents have taken on the responsibility for upkeep of this alleyway; paying for snow removal and filling in potholes. This is done for the love of the neighborhood and a sense of neighborhood community. We do not want to continue to invest in these upkeep resources just to further the financial well-being of a landlord that has no investment in the neighborhood other than to further his own personal finances.

This is the second rezoning request from the owner of 152 W. Central Ave. and one must ask oneself if these continuing rezoning requests are only part of a larger, undisclosed plan to circumvent the proper process of the Zoning Board to fulfill the owner's own goals; seeing

as the poor condition of these buildings were known when he purchased them.

Our house was chosen and purchased because of the peaceful, quiet nature of the area with historic charm; to destroy those things for the sole sake of personal financial gain would be disrespectful and insulting to those who invest and call this area and community their home. In a world where “Me First” is the common mindset, it is nice to be able to live in an area that values community principles. It is sad that this concept seems foreign to others. I speculate that the owner of 152 W. Central Ave. would not want modern townhomes being built next to his own personal historic house in Grandview Heights. I encourage the zoning board and/or all other authorizing bodies to return this area to single-family dwellings.

Troy A. Mueller
Kaleb A. Walker
136 W. Central Ave.
Delaware, OH 43015

From: [kathy laughlin](#)
To: [Elaine McCloskey](#)
Cc: [David Laughlin](#)
Subject: 2021-0433
Date: Tuesday, March 9, 2021 9:23:02 PM

Caution! This message was sent from outside your organization.

To Whom It May Concern:

With regard to Request 2021-0433, we are opposed to the proposed alterations @ 152 West Central Ave.

We do not feel it's in the best interests of the neighborhood. The amount of noise with the demolition and subsequent build; the ongoing impact of travel on Central Ave will prove to be an overwhelming disruption to all concerned for an extended period of time. We understand the destruction/construction phase is a temporary disruption of the quality of those living near this parcel, and we appreciate all who take pride and care of their property investments.

Our main concern, however, is the efficacy of opening the door to creating multi unit residences on property that was intended for a single residence. This does not feel like a good fit for this area, and we are uncomfortable with the thought that this will serve as the opening to having this happen on more parcels in this neighborhood going forward.

Thank you for receiving and considering our concerns and opinion.

Sincerely

Kathy & David Laughlin
24 Darlington Rd
Delaware OH

[Sent from Yahoo Mail on Android](#)

From: [Kaity](#)
To: [Elaine McCloskey](#)
Subject: 152 W Central zoning/construction Proposal
Date: Wednesday, March 10, 2021 11:03:37 AM

Caution! This message was sent from outside your organization.

My name is Kaity Hord, and I own/live at [158 W Central Avenue](#), which is next door to 152 West Central (the "Property"), with Anthony Pezzutti. We reviewed the variance the zoning board approved in November 2020, as well as the recent request by Mr. Hatzifotinos (the "Owner") to change that variance, and we strongly urge the board to deny the Owner's request for the reasons below.

Currently, the structures on the Property sit 5ft or less from the border of our eastern property line. The demolition/construction the Owner is proposing here will undoubtedly damage our patio, driveway, two giant walnut trees, and raised garden beds that sit near the same property line. That is simply unacceptable and the Board should deny the variance request on that basis alone.

Additionally, if The Owner is allowed to build new units where the current units sit, the completely new two-story structure will literally be on top of us and tower over our backyard. Like most other folks in this neighborhood, we love spending time in our yard. It is one of the main reasons we moved here 3 years ago. Every year we look forward to spending time in our yard during spring, summer, and fall. This is especially true this year considering the stressful last 12 months we all have endured. The thought of going out into our yard this spring and summer to enjoy some time outside and being met by major construction less than 10 feet from where we sit on our patio is literally nauseating. We cannot express the misery this construction project would cause us if it is allowed to go forward and take place literally outside of our bedroom window. And for what? So that The Owner can lease a few more units and collect more rent every month or sell the property and make a bigger profit at our expense? That is absolutely unacceptable, and will only serve to set a terrible precedent for this neighborhood going forward.

In his January 29, 2021, letter to us, the Owner complained he has had difficulty selling and fully renting out the Property. I wonder what kind of hardship (economic or otherwise) he thinks his neighbors will have to bear if he moves forward with this project. I doubt he's given it much thought or would even care, considering he's never met most of us and doesn't even live in this city (as far as we know). Truthfully, for those of us who actually live in this neighborhood and intend on being here long after The Owner sells off his 'high end rental unit' complex, this plan feels a bit like a slap in the face. If the Owner can't rent out the units he has, or sell the Property as it is, or renovate the existing units without tearing down and rebuilding, then it sounds like the Owner made a bad investment and the city shouldn't reward him for that at the expense of Delaware residents.

Sincerely,
Kaity Hord

(614)595-6564

From: [Anthony Pezzutti](#)
To: [Elaine McCloskey](#)
Cc: [Lance Schultz](#); [David M. Efland](#)
Subject: 152 W Central Ave Zoning/Construction Proposal
Date: Wednesday, March 10, 2021 2:15:27 PM

Warning! This message was sent from outside your organization and we are unable to verify the sender.

I'm Anthony Pezzutti and I own 158 West Central with Kaity Hord. Our home is next door to 152 West Central (the "Property"), and we strongly urge the board to deny this proposal for the Property from Mr. Hatzifotinos (the "Owner").

In his 2020 proposal, the Owner indicated he wanted to renovate and refurbish the existing units under Section 1151.03(d) of the City's Code, which was fine. In this new proposal, however, he's asking to demolish two of the units so he can construct new 'high-end rental units'. Such a structural alteration is that it's not authorized under 1151.03(d) and would conflict with the following restriction the board included in the current variance: "The size and footprint of the existing structure including all the subsequent additions **shall not be increased either horizontally or vertically....**" Essentially, the Owner is now asking the board disregard City Code and its own decision so he can demolish, excavate, and build a new, bigger structure on the lot.

The Owner claims this new proposal was necessary after a recent inspection revealed the initial proposal wasn't viable because "using the existing footing to construct a residence is likely not possible." The problem with this is that his variance approves the renovation project he proposed, not a demolition/construction project. The two are very different, and the board's approval of one doesn't mean it should approve the other. The following is the only mention of authorized construction in the board's variance report was: "**the uses and structures could be rebuilt to the extent they exist today – as allowed by the variance – if destroyed by an act of God.**" This isn't the case here, so his proposed construction is prohibited. The renovation not being possible is the Owner's problem and his neighbors shouldn't have to suffer because of it.

Also of note, if this proposal was really necessary due to a recent inspection, that would mean the Owner submitted his prior proposal before confirming he could convert the existing units into residences. I find this VERY unlikely considering the Owner is an attorney that specializes in real estate, construction law, and zoning/variance/planning. I can't imagine he would apply for a variance to renovate before knowing if he could complete the renovation. So, he either: (a) requested the variance without having all the facts and really had to completely change his plan; or (b) never intended to renovate what's on the lot. Both possibilities make me nervous about how this project would proceed if under the Owner's direction if approved. How can we know his plan won't change again or that he'll ask to build bigger, taller units down the road?

Simply put, this proposal describes an alteration that is not authorized under the City Code and if it's approved, the neighbors will suffer, the nature of the surrounding

properties will suffer, and the character of the Northwest Neighborhood will suffer. The only person that benefits is the Owner, and he's not even a resident of this city.

Very truly yours,

Anthony D. Pezzutti, Esq.
Arenstein & Andersen Co., LPA
6740 Avery Muirfield Drive, Suite B
Dublin, Ohio 43017-1240
Direct: [614-364-4175](tel:614-364-4175)
Dublin: [614-602-6550](tel:614-602-6550)
Tipp City: [937-458-3855](tel:937-458-3855)
Fax: 866-309-0892
<http://www.aacolpa.com>

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From: [Northwest Neighborhood Association](#)
To: [Elaine McCloskey](#)
Subject: Board of Zoning Appeals March 10, 2021
Date: Wednesday, March 10, 2021 2:45:48 PM

Warning! This message was sent from outside your organization and we are unable to verify the sender.

Dear Members of the Board of Zoning Appeals,

We are contacting you regarding agenda item B: 2021-0433 on behalf of the residents that reside adjacent to the property in question (152 W. Central Ave). There is concern that the request to create a new structure that could potentially house four (4) units of five (5) residence each in addition to the two (2) existing rental units on the property, would not be congruent with the residential nature of the Northwest Neighborhood. Although we have multi-family and rental properties sprinkled throughout the neighborhood, these were mainly created within existing structures or built on much larger lots/ footprints.

We are also concerned about the potential of increased traffic in the alleyway behind the property and its impact on the adjacent neighbors.

It is our recommendation that the property owner consider upgrades to the existing property that sits closest to Central Ave., but there would not be approval of additional buildings that would expand the rental capacity from two (2) units to four (4).

Sincerely,

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NNA Delaware
Northwest Neighborhood Association (Delaware, OH)
2020-2021 Executive Board
Lisa Ho, President
Nikki Hogarth, Vice-President
Glenda Nieto-Cubas, Secretary
Erinn Nicley, Treasurer



From: [Northwest Neighborhood Association](#)
To: [Elaine McCloskey](#)
Subject: Re: Board of Zoning Appeals March 10, 2021
Date: Wednesday, March 10, 2021 5:06:28 PM

Warning! This message was sent from outside your organization and we are unable to verify the sender.

Elaine,

Apologies - my fellow exec members found some typos in my initial email. IF you get this in time and can read the following letter/ statement, that would be great.

Dear Members of the Board of Zoning Appeals,

We are contacting you regarding agenda item B: 2021-0433 on behalf of the residents that reside adjacent to the property in question (152 W. Central Ave). There is concern that the request to create a new structure that could potentially house four (4) units of five (5) residence each in addition to the two (2) existing rental units on the property, would not be congruent with the residential nature of the Northwest Neighborhood. Although we have multi-family and rental properties sprinkled throughout the neighborhood, these were mainly created within existing structures or built on much larger lots/ footprints.

We are also concerned about the potential of increased traffic in the alleyway behind the property and its impact on the adjacent neighbors.

It is our recommendation that the BZA carefully consider the appropriateness of the specific proposed structural modifications and whether the approval of such variance is appropriate to the historic, largely single-family residential nature of the Northwest Neighborhood community.

Sincerely,

On Wed, Mar 10, 2021 at 2:45 PM Northwest Neighborhood Association

<NNA@nnadelaware.org> wrote:

Dear Members of the Board of Zoning Appeals,

We are contacting you regarding agenda item B: 2021-0433 on behalf of the residents that reside adjacent to the property in question (152 W. Central Ave). There is concern that the request to create a new structure that could potentially house four (4) units of five (5) residence each in addition to the two (2) existing rental units on the property, would not be congruent with the residential nature of the Northwest Neighborhood. Although we have multi-family and rental properties sprinkled throughout the neighborhood, these were mainly created within existing structures or built on much larger lots/ footprints.

We are also concerned about the potential of increased traffic in the alleyway

behind the property and its impact on the adjacent neighbors.

It is our recommendation that the property owner consider upgrades to the existing property that sits closest to Central Ave., but there would not be approval of additional buildings that would expand the rental capacity from two (2) units to four (4).

Sincerely,

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NNA Delaware
Northwest Neighborhood Association (Delaware, OH)
2020-2021 Executive Board
Lisa Ho, President
Nikki Hogarth, Vice-President
Glenda Nieto-Cubas, Secretary
Erinn Nicley, Treasurer



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NNA Delaware
Northwest Neighborhood Association (Delaware, OH)
2020-2021 Executive Board
Lisa Ho, President
Nikki Hogarth, Vice-President
Glenda Nieto-Cubas, Secretary
Erinn Nicley, Treasurer



From: [Lucy Sessa-Dunn](#)
To: [Elaine McCloskey](#)
Subject: 152 W Central Avenue
Date: Wednesday, March 10, 2021 6:58:20 PM

Caution! This message was sent from outside your organization.

Hello!

Michael and I are the new neighbors at 19 Woodland. We strongly disapprove of the new townhouse proposal on 152 W Central Avenue. Coming from small historic towns, we realize how these new builds destroy the authenticity of a town. We chose to live in Delaware because of the history and this property does not seem to fit in at all. As new homeowners we also worry that our property value will drastically decrease with this "new build" coming into very close quarters with our first home. I understand our generation loves these "new builds," but we just made our biggest purchase in our lives to AVOID THEM! Now they want to build one in our backyard. We are very upset with this information.

Best,
Lucy (Sessa-Dunn) and Michael Dunn