

DEPARTMENT OF BUILDING AND ZONING SERVICES

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

Application Number: BZA22-099	Date Receiv	Date Received: 07/19/2022		
Assigned Planner: ADAM TRIMMER	Fee: \$15			
Application Number: BZA22-099  Assigned Planner: ADAM TRIMMER  Contact Information: ADTRIMMER@COLUME  Comments: 8/11/2022 STAFF REVIEW	MBUS.GOV			
Comments: 8/11/2022 STAFF REVIEW				
TYPE(S) OF ACTION REQUESTED (Check all that apply):				
✓ Variance  ☐ Special Permit				
Project Description: The Applicant is requesting a variance from Columbus City Co	de sections 3372.609(a), 3372.604(a), 3372	2.605(b), and 3372.607.		
<u> </u>				
<b>LOCATION</b> Check here if listing additional parcel num. Certified Address: 1108 S. High St.	bers on a separate page City: Columbus	Zip: 43206		
Parcel Number(s): 010-013891-00; 010-029959-00				
	C4 C			
Neighborhood Group: Southside Area Commission	Current Zoning: C4 - C	ommercial		
APPLICANT (If different from Owner): Applicant Name: Driven Brands	Phone Number: 614-422-2478	Ext.:		
Address: 440 South Church St., Suite 700				
	City/State: Charlotte, NC	Zip: <u>28202</u>		
Email Address: valerie.medrano@drivenbrands.com	Fax Number:			
<b>PROPERTY OWNER(S)</b> Check here if listing addition Name: Lojon Property, LLC		T .		
	Phone Number: 614-340-7429	Ext.:		
Address: c/o Molly R. Gwin 2 Miranova Place, Suite 70	O City/State: Columbus, Ohio	Zip: <u>43215</u>		
Email Address: c/o mgwin@isaacwiles.com	Fax Number: 614-365	5-9516		
AGENT (Check one if applicable): ✓ Attorney ☐ Agent ☐	Licensed Architect or Engineer			
Name: Molly R. Gwin	Phone Number: <u>614-284-7808</u>	Ext.:		
Address: 2 Miranova Place, Suite 700	City/State: Columbus, Ohio	Zip: 43215		
Email Address: mgwin@isaacwiles.com	Fax Number: 614-365	5-9516		
SIGNATURES				
APPLICANT SIGNATURE Molly k June	per authoungation	1 from Diver		
PROPERTY OWNER SIGNATURE				
AGENT SIGNATURE MMM K. 1991	m			
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#### **BZA APPLICATION CHECKLIST**

A complete application consists of all applicable items listed below submitted in digital PDF format.



#### The Application Form

The Owner is the Applicant by default, unless there is a tenant to be included. An Agent, if applicable, is representing the Applicant, and cannot be the Applicant.



Statement in Support (See instructions on form)



Notarized Affidavit Form and Label Sets (See full instructions on form; some are provided here)

- The "Proximity Report" listing the surrounding property owners can be obtained at the Franklin County Auditor's
  office. Similar reports can also be obtained on the applicable County Auditor website.
  - From the Franklin County Auditor's website, after having opened the subject property record, select the Mapping page and run a 125-foot Buffer Search around the property (including contiguously-owned property), and generate the Proximity Report to obtain an Excel list of surrounding property owners.
- The mailing labels are emailed with the application as an Avery #5160 formatted Word document. This document can serve as the "Proximity Report" referred to on page 6.
  - Use the owner's mailing address by default, instead of the property address when they differ.
  - For owner-occupied dwelling units, please also include "or Current Occupant" after the owner(s) name.
  - If property owners appear on the list more than once, please provide only one mailing label.

X	Notarized Project Disclosure Statement (See instructions on form)
	Zoning Number (required only for property that does not already have an existing address): A Zoning Number can be obtained by contacting <u>BZS-GIS@columbus.gov</u> .
	Power of Attorney  If you are an applicant or agent who does not own the subject property, and you are not the owner's attorney, an engineer or an architect licensed by the State of Ohio, you must submit a power of attorney from the owner.
X	Site Plan  An accurate, scaled site plan with dimensions and/or other precise documentation of requested variance(s) in digital PDF format. If physical copies are submitted they should be on 8-1/2" x 11" or 11" x 17" paper.
	Zoning Orders  If this application is being made due to the issuance of zoning violation orders, please attach a copy of the order(s).
7	Application Fees (Non-Refundable) Online payments are preferred; instructions provided after submittal. Checks made payable to: Columbus City Treasurer
	<ul> <li>1-4 dwelling units, for residential uses</li> <li>All other uses</li> <li>Tabling for 1-4 dwelling units</li> <li>Tabling for all other uses</li> <li>\$300.00</li> <li>\$1,500.00</li> <li>\$100.00</li> <li>\$300.00</li> </ul>

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#### STATEMENT IN SUPPORT OF VARIANCE(S)

#### 3307.09 Variances by Board.

- A. The Board of Zoning Adjustment shall have the power, upon application, to grant variances from the provisions and requirements of this Zoning Code (except for those under the jurisdiction of the Graphics Commission and except for use variances under the jurisdiction of the Council). The board shall take into account all of the following facts and conditions when considering variances:
  - 1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance.
  - 2. Whether the variance is substantial.
  - 3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.
  - 4. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse service).
  - 5. Whether the property owner purchased the property with knowledge of the zoning restriction.
  - 6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.
  - 7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.
- **B.** In granting a variance, the Board may impose such requirements and conditions regarding the location, character, and other features of the proposed *uses or structures* as the Board deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard public safety and welfare.
- C. Nothing in this section shall be construed as authorizing the Board to affect changes in the Zoning Map or to add to the uses permitted in any district.

List all sections of Code to be varied and explain your reasoning as to why this request should be granted.

PLEASE NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are not included, a new application (and applicable fees) will be required.

I have read the foregoing and believe my application for relief from the requirements of the Zoning Code demonstrates practical difficulty as contemplated by C.C. 3307.09(A), in the following ways (use separate page if needed or desired):

The Applicant is requesting a variance from the following Code standards: 1) A variance from Columbus City Code 3372.609(a) is required to permit circulation areas for vehicles between the right-of-way and the newly proposed structure. The Applicant's proposed driveway will not go over the ROW line but the Applicant will be circulating vehicles in between the building and the ROW. The length of the driveway between the building and the ROW is approximately 33'. 2) A variance from section 3372.604(a) is required for proposed building frontage and setbacks. The Code requires a 10' building setback, but because of the proposed garage exit driveway the site requires enough space to exit the garage and loop around the back building. The garage is setback 36' from the ROW. 3) A variance from section 3372.605(b) is required for proposed percent coverage of building frontage. The Applicant's percent coverage is 53.23%. The City requires 60%. We are varying the lot coverage by 6.8%, and 4) a variance regarding the requirement to include a four foot high solid masonry/stone wall or metal tube/bar fence.

Signature of Applicant	Molly	Y.	Ami	Date	1118/2022
	,				11 - 1

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### [cont.]

The Applicant is currently providing a fence as required between our site and the neighboring residential property but does not wish to fence the entirety of the site. The property is proposed as a drive-through oil change facility, and a fence will impede access to the site. No other properties in this area appear to have a fencing requirement that meets the zoning.



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### STATEMENT IN SUPPORT OF SPECIAL PERMIT REQUEST

3307.06 Special Permits.

The board of zoning adjustment shall have the power:

- A. To grant special permits for uses listed in <u>Chapter 3389</u> where it is shown that the special use can be granted without substantial detriment to the public good, without substantial impairment of the general purpose and intent of the zoning district in which the use is proposed to be located, and without significant incompatibility with the general character of the neighborhood.
- B. To grant special permits for the relocation or expansion of nonconforming uses, where it can be shown that the relocation or expansion of the nonconforming use can be granted without substantial impairment of the general purpose and intent of the underlying zoning district, and without significant incompatibility with the general character of the neighborhood. No expansion of a nonconforming use shall exceed 50 percent of the total floor area the original nonconforming use occupied.
- C. To impose such requirements and conditions regarding the location, character, and other features of the proposed uses or structures as the board deems necessary to carry out the intent and purpose of the Zoning Code and to otherwise safeguard the public safety and welfare.
- **D.** Upon application by the city attorney, to revoke any special permit whose condition has been violated after notice and opportunity to conform have been given.
- E. To grant special permits for the relocation or expansion of nonconforming uses, where it can be shown that the relocation or expansion of the nonconforming use can be granted without substantial impairment of the general purpose and intent of the underlying zoning district, and without significant incompatibility with the general character of the neighborhood. No expansion of a nonconforming use shall exceed 50 percent of the total floor area the original nonconforming use occupied.

List all sections of Code relevant to your Special Permit request and explain your reasoning as to why this request should be granted.

PLEASE NOTE: It is the applicant's responsibility to identify the Special Permit required for the project. If the necessary Special Permit is not requested, a new application (and applicable fees) will be required.

I have read the foregoing and believe my application meets the criteria of C.C. 3307.06 in the following ways (use separate page if needed or desired):

Signature of Applicant _	hla	Date	n/a	

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### **Board of Zoning Adjustment Application**

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711110 100 00 (1111100 00 000) 1 1 1 1 1 1 1 1 1 1 1 1		
AFFIDAVIT		
STATE OF OHIO COUNTY OF FRANKLIN		
Being first duly cautioned and sworn (1) NAME $\underline{\text{Mo}}$	lly G	win
of (1) MAILING ADDRESS 2 Miranova Place, Su	uite 7	00, Columbus, Ohio 43215
deposes and states that (he/she) is the applicant, age	nt, 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	d of the property located at
(2) per PROPERTY ADDRESS 1108 S. High St.,	Colu	mbus, Ohio 43206
for which application for a rezoning, variance, special	perm	it or graphics plan was filed with the Department of Building and
Zoning Services		
		I I D D I I I C
SUBJECT PROPERTY OWNER'S NAME	(3)	Lojon Property, LLC
AND MAILING ADDRESS		1370 AV OF THE AMERICAS
		NEW YORK NY 10019
APPLICANT'S NAME AND PHONE #		Driven Brands
(same as listed on front application)		c/o Molly R. Gwin 614-340-7429
(came at noted on none approaction)		
NEIGHBORHOOD GROUP	(4)	Southside Area Commission
ZONING CHAIR OR CONTACT PERSON		Curtis Davis
AND EMAIL ADDRESS		cdavis@team-icsc.com
the County Auditor's Current Tax List or the C within 125 feet of the exterior boundaries of the pro-	<b>ount</b> operty	and complete mailing addresses, including zip codes, as shown on y Treasurer's Mailing List, of all the owners of record of property for which the application was filed, and all of the owners of any property event the applicant or the property owner owns the property contiguous to
SIGNATURE OF AFFIANT WWW V  Sworn to before me and signed in my presence this	187	WN 2002
Olekanes		Notary Seal Here
(6) SONATURE OF NOTARY PUBLIC		My Commission Expires
1 - 15		

Attorney At Law

Attorney At Law

Notary Public, State of Ohio

thy Cor. nission Has No Expiration Data

Section 147.03 R.C.

This Affidavit expires six (6) months after date of notarization.



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#### **INSTRUCTIONS FOR AFFIDAVIT**

- (1) Name and address of the person who did the research. It is important that the person who does the research is the same person who signs the notarized affidavit.
- (2) Address of the subject site as indicated on the address card from the Department of Building & Zoning Services, Map Room; Phone (614) 645-5661.
- (3) From real property records located on the 19th floor of the Franklin County Court House Building, 373 South High Street, or other applicable government records, such as the County Auditor website: enter the name and mailing address of the owner(s) of the subject property (this must be the same as the "Property Owners" shown on the application).
- (4) Fill in the appropriate Neighborhood Group and complete contact information. Go to <u>CbusAreaCommissions.org</u> to identify the Area Commission and, for areas not served by one, use the <u>ONE Map (gis.columbus.gov/one)</u>. Then, contact the Department of Neighborhoods at 614-645-1993 or the assigned Neighborhood Liaison to confirm this information.
- (5) A "Proximity Report" listing the surrounding property owners can be obtained from the applicable County Auditor. This list shall include properties across the street and in other municipalities and jurisdictions, if applicable. From the Franklin County Auditor's website, after having opened the subject property record, select the Mapping page and run a 125-foot Buffer Search around the property (including contiguously-owned property), and generate the Proximity Report to obtain an Excel list of surrounding property owners.
  - (5a) It is the affiant's responsibility to determine the actual address, including personally visiting the properties, if necessary.
  - (5b) <u>DO NOT list a mortgage company as a mailing address</u> for the property unless title to the property is held by the mortgage company, thereby making the company the actual property owner. It is the affiant's responsibility to exercise reasonable diligence to determine the address of the actual property owner.
  - (5c) For owner-occupied dwelling units, please also include "or Current Occupant" after the owner(s) name.
  - (5d) If property owners appear on the list more than once, please provide only one mailing label.
  - (5e) Please submit an MS Word document in Avery #5160 format (example provided), emailed to staff with the application, listing the names and complete addresses of the applicant; property owner(s); agent; applicable Area Commission or Neighborhood Group; and surrounding real property owners as explained in (5) above. Make sure that the last two lines of the address label contain the street address and the city, state, and zip code.
- (6) This Affidavit form must be signed in the presence of a Notary Public. The Affidavit expires six (6) months after date of notarization.

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#### **EXAMPLE LABEL SET**

		, , ,
APPLICANT	PROPERTY OWNER	AGENT
ACME Inc. C/O Brad Clark 555 Main Street Anytown, USA 10000	Jeffrey Jackson 430 Main Street Anytown, USA 10000	John W. Smith Law Office LP 123 Main Street Anytown, USA 10000
AREA COMMISSION OR NEIGHBORHOOD GROUP		
Neighborhood Group Name c/o Zoning Chair Person 100 Main Street Anytown, USA 10000		
	SURROUNDING PROPERTY OWNERS	
Jeffrey Johnson/or current occupant 430 Main Street Anytown, USA 10000	Robert Miller/or current occupant 425 Main Street Anytown, USA 10000	Jane Lewis/or current occupant 429 Main Street Anytown, USA 10000
Country Snaps LP/or current occupant c/o Shopping Centers Inc. 355 Town Street Anytown, USA 10000	Joel and Carla Nelson/ or current occupant 434 Main Street Anytown, USA 10000	Susan Griffin/or current occupant 505 High Street Anytown, USA 10000

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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.

STATE OF OHIO COUNTY OF FRANKLIN
Being first duly cautioned and sworn (NAME) Molly R. Gwin
of (COMPLETE ADDRESS) 2 Miranova Place, Suite 700, 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 and their mailing addresses:
NAME COMPLETE MAILING ADDRESS
Lojon Property, LLC 1370 Av. of the Amiricas
New York, NY 10019
SIGNATURE OF AFFIANT WWW K. AMM
Sworn to before me and signed in my presence this $18^{7h}$ day of $\sqrt{10^{10}}$ , in the year $\sqrt{100}$
Notary Seal Here
SIGNATURE OF NOTARY PUBLIC My Commission Expires
JEFFRE ALAN STANKUNAS Attorney At Law Notaty public, State of Ohio

nission Has No Expiration Data Section 147.03 R.C.

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

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#### PUBLIC HEARINGS APPLICATION INSTRUCTIONS

Applications are submitted by email to <u>ZoningInfo@columbus.gov</u> . Call 614-645-4522 or email for any questions. Follow-up appointments may be arranged with the assigned planner, if necessary. Incomplete applications will NOT be accepted.
It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are discovered after your application is approved, a new application (and applicable fees) will be required.
Applicants must confirm whether the subject site lies within the boundaries of an Area Commission, recognized Neighborhood Group, Historic Architectural Review Commission, or Design Review Area. Information can be obtained from the Columbus Zoning Map, at <a href="https://docs.org.com/cong/by-nc-2">CbusAreaCommissions.org</a> , or the <a href="https://docs.org.com/cong-2">ONE Map (gis.columbus.gov/one)</a> ; search by address or parcel ID. You may also contact the Department of Neighborhoods at 614-645-1993 to confirm the area where the site is located.
The applicant must arrange to meet with the group identified above, and obtain a written recommendation prior to the public hearing.
Be advised that the applicant will be assessed additional fees for requests for tabling, reconsideration, etc. These fees are listed on Page 2 of the application and on the Department of Building and Zoning Services website.
The applicant or agent must attend the hearing.
The City of Columbus makes no determination whether a property contains area(s) that might be classified as wetlands by the Army Corps of Engineers and the Ohio Environmental Protection Agency; nor does approval at the public hearing imply the site has complied with wetlands guidelines. It is the applicant's responsibility to determine if wetlands exist on the site.
A traffic impact and/or access study may be required by the Department of Public Service, Division of Traffic Management; the applicant should make contact for this determination as early as possible. All traffic studies must be submitted forty-five (45) days prior to the deadline for the public hearing agenda.
The Development Department Planning Division, as part of the variance or special permit process, reviews applications for consistency with adopted city plans. As part of that review, detailed information such as a site plan or building elevations may be requested. These materials are not necessarily required as part of the variance or special permit application, but may be requested as part of the application review. Contact the Planning Division at <a href="mailto:planninginfo@columbus.gov">planninginfo@columbus.gov</a> or 614-724-4437 for more information.
For properties undergoing annexation, applications cannot be accepted until the County Commissioners have approved the annexation petition.
An order of the Board of Zoning Adjustment becomes effective immediately. All variances and special permits, unless otherwise specified by the Board, will be void one (1) year after the date issued unless extended by the Board or unless an affirmative action by the applicant has been taken.
Other permits, clearances, and/or licenses may be required.

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CUTOFF	STAFF REVIEW (Internal)	HEARING DATE (Earliest Possible)
November 15, 2021	December 9, 2021	January 25, 2022
December 20, 2021	January 13, 2022	February 22, 2022
*January 18, 2022	February 10, 2022	March 22, 2022
*February 22, 2022	March 10, 2022	April 26, 2022
March 21, 2022	April 14, 2022	May 24, 2022
April 18, 2022	May 12, 2022	June 28, 2022
May 16, 2022	June 9, 2022	July 26, 2022
June 21, 2022	July 14, 2022	August 23, 2022
July 18, 2022	August 11, 2022	September 27, 2022
August 15, 2022	September 8, 2022	October 25, 2022
September 19, 2022	October 13, 2022	November 22, 2022
October 17, 2022	November 10, 2022	**December 20, 2022
November 21, 2022	December 8, 2022	January 24, 2023
December 19, 2022	January 12, 2023	February 28, 2023

<sup>\*</sup>Tuesday due to holiday

#### MEETINGS WILL BE HELD IN THE SECOND FLOOR HEARING ROOM. ALL MEETINGS BEGIN AT 4:30 PM.

STAFF ISSUES MUST BE RESOLVED AND NEIGHBORHOOD GROUP RECOMMENDATIONS MUST BE COMPLETE BEFORE APPLICATIONS ARE CONSIDERED BY THE BOARD.

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<sup>\*\*3</sup>rd Tuesday due to holiday



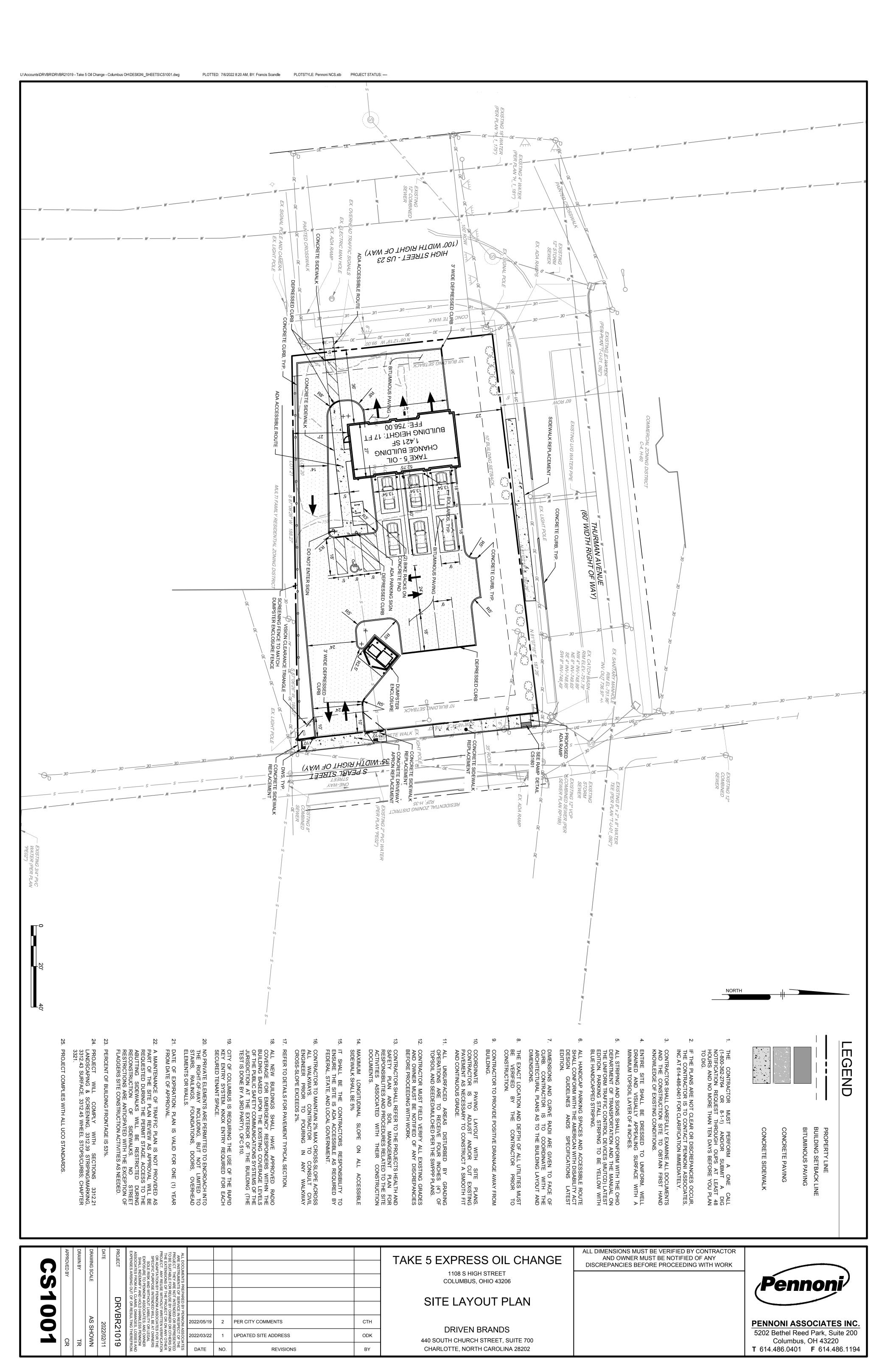
### Standardized Recommendation Form

DEPARTMENT OF BUILDING AND ZONING SERVICES

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FOR USE BY: AREA C (PLEASE PRINT)	OMMISSION / NEIGHBORHOOD GROUP
Case Number	
Address	
Group Name	
Meeting Date	
Specify Case Type	<ul> <li>□ BZA Variance / Special Permit</li> <li>□ Council Variance</li> <li>□ Rezoning</li> <li>□ Graphics Variance / Plan / Special Permit</li> </ul>
Recommendation (Check only one)	<ul><li>☐ Approval</li><li>☐ Disapproval</li></ul>
LIST BASIS FOR REC	OMMENDATION:
Vote	
Signature of Authori	zed Representative
Recommending Gro	ıp Title
Daytime Phone Num	ber

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.



#### **PROPERTY OWNER AGENT** APPLICANT **DRIVEN BRANDS** LOJON PROPERTY LLC MOLLY R. GWIN 440 SOUTH CHURCH St., SUITE 700 1370 AV OF THE AMERICAS 2 MIRANOVA PLACE, SUITE 700 CHARLOTTE, NORTH CAROLINA 23202 **NEW YORK NY 10019** COLUMBUS, OHIO 43215 AREA COMMISSION Southside Area Commission **SURROUNDING** Curtis Davis **PROPERTY OWNERS** cdavis@team-icsc.com 1116 S HIGH ST LLC BEHRENDS LOUIS N II **INGRAM FAMILY LIMITED** 0 S HIGH ST 1128 PEARL ST 1111 S HIGH ST COLUMBUS, OHIO 43206 COLUMBUS, OHIO 43206 COLUMBUS, OHIO 43206 COE SUSAN B S & DONALD R MCDONNELL ANN MARIE **GARRETT BETTY A** 32 THURMAN AV 31 THURMAN AV 38 THURMAN AV COLUMBUS, OHIO 43206 COLUMBUS, OHIO 43206 COLUMBUS, OHIO 43206 HOUSTON-STOKES KATHLEEN **AZIZ IHSANE** HIGH & GREENLAWN DUCHESS LLC **42 THURMAN AV** 35 THURMAN AV 1091 S HIGH ST COLUMBUS, OHIO 43206 COLUMBUS, OHIO 43206 COLUMBUS, OHIO 43206 **GELDIS PROPERTIES LLC** STRAUB NANCY LTR NANDKEOLYAR MIHIR

GVC LLC 1122 PEARL ST COLUMBUS, OHIO 43206

COLUMBUS, OHIO 43206

39 THURMAN AV

MAEDER-QUINT FUNERAL 1068 S HIGH ST COLUMBUS, OHIO 43206

COLUMBUS, OHIO 43206

1128 HIGH ST

MAEDER-QUINT FUNERAL 1084 S HIGH ST COLUMBUS, OHIO 43206

COLUMBUS, OHIO 43206

1120 PEARL ST