

THE CITY OF
COLUMBUS

ANDREW J. GINTHER, MAYOR

DEPARTMENT OF BUILDING
AND ZONING SERVICES

COUNCIL VARIANCE APPLICATION

Department of Building & Zoning Services

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224

Phone: 614-645-7433 • www.bzs.columbus.gov

OFFICE USE ONLY

Application Number: CV16-004 Date Received: 1-5-16

Application Accepted by: Rev JB + TD Fee: \$1,600

Comments: Assigned to Michael Maret; (614)645-2749; mjmaret@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 718 S. High Street Columbus, OH Zip: 43206

Is this application being annexed into the City of Columbus? Select one: ☐ YES ☒ NO

If the site is currently pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.

Parcel Number for Certified Address: 010-027229, 010-027730

☐ Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s): C-4

Area Commission or Civic Association: Brewery District Commission

Proposed Use or reason for Council Variance request:

See Exhibit B

Acreage: 0.34

APPLICANT:

Name: LUTEG HIGH LLC, c/o Donald Plank Phone Number: 614-947-8600 Ext.: ---

Plank Law Firm

Address: 145 E Rich Street, FL 3 City/State: Columbus, OH Zip: 43215

Email Address: dplank@planklaw.com Fax Number: 614-228-1790

PROPERTY OWNER(S) ☐ Check here if listing additional property owners on a separate page

Name: LUTEG HIGH LLC, c/o Donald Plank Phone Number: 614-947-8600 Ext.: ----

Plank Law Firm

Address: 145 E Rich Street, 3rd FL. City/State: Columbus, Ohio Zip: 43215

Email Address: dplank@planklaw.com Fax Number: 614-228-1790

ATTORNEY / AGENT (Check one if applicable): ☒ Attorney ☐ Agent

Name: Donald Plank, Plank Law Firm Phone Number: 614-947-8600 Ext.: ----

Address: 145 E Rich Street, 3rd FL City/State: Columbus, OH Zip: 43215

Email Address: dplank@planklaw.com Fax Number: 614-228-1790

SIGNATURES (All signatures must be provided and signed in blue ink)

APPLICANT SIGNATURE Donald Plank Attorney

PROPERTY OWNER SIGNATURE Donald Plank Attorney

ATTORNEY / AGENT SIGNATURE Donald Plank

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that the City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc. may delay the review of this application.

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.

Applications must be submitted by appointment. Call 614-645-4522 to schedule.

Please make checks payable to the Columbus City Treasurer

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CV16-004

STATEMENT OF HARDSHIP

Chapter 3307 of the Columbus Zoning Code

Section 3307.10 Variances by City Council

A. Permit a variance in the yard, height, or parking requirements of any district only in conjunction with a change in zoning or a use variance and only where there are unusual and practical difficulties or unusual hardships in the carrying out of the zoning district provisions due to an irregular shape of lot, topography, or other conditions, providing such variance will not seriously affect any adjoining property or the general welfare.

B. Permit a use of the property not permitted by the Zoning District established on the property if such use will not adversely affect the surrounding property or surrounding neighborhood and if Council is satisfied that the granting of such variance will alleviate some hardship or difficulty which warrants a variance from the Comprehensive Plan.

Before authorizing any variance from the Zoning Code in a specific case, City Council shall first determine that such variance will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus.

In granting a variance pursuant to this section, Council may impose such requirements and conditions regarding the location, character, duration, and other features of the variance proposal as Council deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.

I have read the foregoing and believe my application for relief from the requirements of the Zoning Code contains the necessary hardship, will not adversely affect surrounding property owners and will comply with the variance requested as detailed below:

See Exhibit "B"

Signature of Applicant

Donald Plank

Date

1/5/2016

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Exhibit B

Statement of Hardship

CV16-004, 718 S High Street

The subject site is zoned C-4, Commercial and is located in a dense urban area on a major arterial road. The C-4 district permits many commercial uses and all are represented along this commercial corridor. The commercial corridor has historically and presently encompassed a broad range of commercial uses. The property is located within the Brewery District Commission because of its location between S. High Street and S Pearl Street, but abuts German Village and residential uses to the east. Applicant proposes the change of use of 3,070 SF of retail use along S Pearl Street for use as a single dwelling unit and also the change of use of 4,900 SF of retail use to restaurant on the S. High Street frontage. The dwelling unit will have both ground level parking, exclusive to the dwelling unit, as well as ground level residential use.

Applicant has a hardship and practical difficulty warranting a variance in that there is no zoning district to which the site could be rezoned to permit the proposes uses, there have been many approved variances for ground floor residential use and there have been many approved variances to reduce code required parking for property on old arterial corridors, such as S. High Street.

Applicant requests the following variances:

- 1). 3356.03, C-4 Permitted Uses, to permit ground floor residential use for one (1) dwelling unit on the east side of the property, adjacent to S Pearl Street.
- 2). 3312.09, Aisle, to permit triple stacked parking spaces, as depicted on the Site Plan, to be assigned for employee use only, by reducing the aisle width for the two (2) interior stacked spaces from 20 feet to zero (0) feet.
- 3). 3312.25, Maneuvering, to permit triple stacked parking spaces, to be assigned for employee use only, by reducing code required maneuvering from 20 feet to zero (0) feet for the two (2) interior spaces of the stacked spaces.
- 4). 3312.49, Minimum Numbers of Parking Spaces Required, to permit the change of use of 4,900 SF of retail area for restaurant use by reducing parking from 35 spaces to zero (0) for the change of use.

01/05/2016

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757 Carolyn Avenue, Columbus, Ohio 43224

Phone: 614-645-7433 • www.bzs.columbus.gov

AFFIDAVIT (See instruction sheet)

Application Number: CV16-004

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Donald Plank
of (1) MAILING ADDRESS Plank Law Firm, 145 E Rich Street, FL 3, Columbus, OH 43215

deposes and states that (he/she) is the applicant, agent, 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 of the property located at

(2) per ADDRESS CARD FOR PROPERTY

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3)

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) LUTEG HIGH, LLC

C/o Donald Plank, Plank Law Firm

145 E Rich Street, FL 3

Columbus, OH 43215

APPLICANT'S NAME AND PHONE #
(same as listed on front application)

LUTEG HIGH, LLC

Donald Plank, 614-947-8600

AREA COMMISSION OR CIVIC GROUP
AREA COMMISSION ZONING CHAIR
OR CONTACT PERSON AND ADDRESS

(5) Brewery District Commission

c/o James A. Goodman

Historic Preservation Office/City of Columbus

50 WE. Gay Street, FL 4 Columbus, OH 43215

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)

☒ (7) Check here if listing additional property owners on a separate page.

(8) SIGNATURE OF AFFIANT

Donald Plank

Sworn to before me and signed in my presence this 5TH day of JANUARY, in the year 2016

Rev

Stacey L. Danza

(8) SIGNATURE OF NOTARY PUBLIC

11-5-2016
My Commission Expires

Notary Seal Here



Stacey L. Danza
Notary Public, State of Ohio
My Commission Expires 11-05-2018

This Affidavit expires six (6) months after the date of filing

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EXHIBIT A, Public Notice
718 S. High Street
CV16-004
January 5, 2016

APPLICANT

LUTEG HIGH LLC
c/o Donald Plank
Plank Law Firm
145 East Rich Street, FL 3
Columbus, OH 43215

PROPERTY OWNER

LUTEG HIGH LLC
c/o Donald Plank
Plank Law Firm
145 East Rich Street, FL 3
Columbus, OH 43215

ATTORNEY

Donald Plank, Plank Law Firm
145 East Rich Street, FL 3
Columbus, OH 43215

COMMUNITY GROUP

Brewery District Commission
c/o James A Goodman, Historic
Preservation Office, City of Columbus
50 West Gay Street, FL 4
Columbus, Ohio 43215

PROPERTY OWNERS WITHIN 125 FEET

Grange Mutual Casualty Co.
650 S Front Street
Columbus, Ohio 43206

Thomas L Crunkilton
33 E Sycamore Street
Columbus, Ohio 43206

Michael A McKinney
832 S Roosevelt Avenue
Columbus, Ohio 43209

A-Z Investment Properties
37901 S Old 3C Highway
Galena Ohio 43021

Benjamin J Horn
3996 N Hampton Drive
Powell, Ohio 43065

Meredith Connors
12701 Brexton Place
Columbus, Ohio 43212

Terrence P Kelley
716 S High Street, Apt 134
Columbus, Ohio 43215

Daniel Vought
722 S Pearl Street
Columbus, Ohio 43206

Brian M Bush
32 E Frankfort Street
Columbus, Ohio 43206

Charles H Walker
40 E Frankfort Street
Columbus, Ohio 43206

Joseph P Mayer III
24 E Frankfort Street
Columbus, Ohio 43206

718 S High Street
CV16-_____
Exhibit A, Public Notice
Page 1 of 2, 1/5/2016

Aaron B Moses
655 Macon Aly
Columbus, Ohio 43206

Mark M Hunt
720 S High Street
Columbus, Ohio 43206

George A Kontomerkos
6116 Laurelwood Court
Columbus, Ohio 43229

Principal Investments INC
1101 Clubviewe Blvd.
Columbus, Ohio 43235-1899

South Compass Properties, LLC
9665 S Compass Drive
Rossford, Ohio 43460

RWRES LLC
145 E Rich Street
Columbus, Ohio 43215

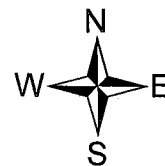
ALSO NOTIFY

LUTEG HIGH LLC
250 E Broad Street, Suite 1100
Columbus, Ohio 43215

David Perry
David Perry Company, Inc.
145 E Rich Street, FL 3
Columbus, Ohio 43215



City of Columbus Zoning Plat



CV16-004

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: 010027730

Zoning Number: 718

Street Name: S HIGH ST

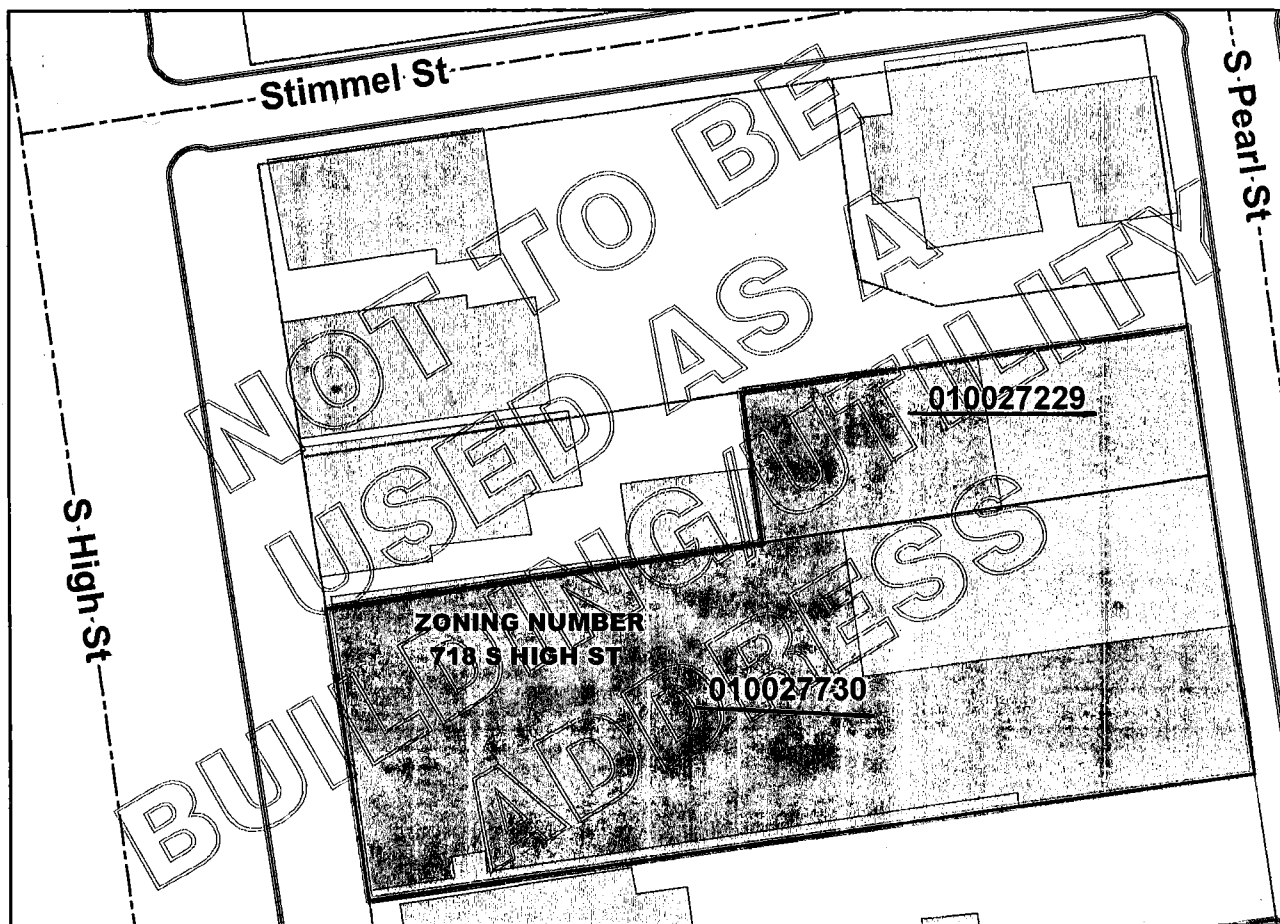
Lot Number: N/A

Subdivision: N/A

Requested By: DAVE PERRY COMPANY, INC. (DAVE PERRY)

Issued By: *Adyana Amarism*

Date: 1/5/2016



JAMES D. YOUNG, P.E., ADMINISTRATOR
DIVISION OF INFRASTRUCTURE MANAGEMENT
COLUMBUS, OHIO

SCALE: 1 inch = 40 feet

GIS FILE NUMBER: 53877

718 S High Street

CV16- 004

Legal Description

PARCEL I

Situated in the State of Ohio, County of Franklin and in the City of Columbus:

Being the South one-half (1/2) of Lot Number Two (2) and the North one-half (1/2) of Lot Number Three (3) of C.F. JAEGER'S FIRST ADDITION to the City of Columbus, as the same are numbered and delineated upon the recorded plat thereof , of record in Deed Book No. 33, Page 11, Recorder's Office, Franklin County, Ohio.

Parcel No.: 010-027730-00

Street Address: 716-718 South High Street, Columbus, Ohio

PARCEL II

Situated in the State of Ohio, County of Franklin and in the City of Columbus:

Being the East one-half (1/2) of the North one-half (1/2) of Lot Number Two (2) of C.F. JAEGER'S FIRST ADDITION of the City of Columbus, Ohio, as the same is numbered and delineated upon the recorded plat thereof, of record in Deed Book No. 33, Page 11, Recorder's Office, Franklin County, Ohio.

Parcel No.: 010-027229-00

Street Address: 707 South Pearl Street, Columbus, Ohio

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Department of Building & Zoning Services

Scott Messer, Director

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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.

APPLICATION # CV16-004

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald Plank
of (COMPLETE ADDRESS) Plank Law Firm, 145 E Rich Street, 3rd FL, Columbus, OH 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
Business or individual's address
Address of corporate headquarters
City, State, Zip
Number of Columbus based employees
Contact name and number

1. LUTEG HIGH, LLC 250 E Broad Street, Suite 1100 Columbus, Ohio 43215 # of Columbus Based Employees: 0 Contact: Michael Kelley, 614-372-6390	2. _____ _____ _____ _____ _____
3. _____ _____ _____ _____ _____	4. _____ _____ _____ _____ _____

☐ Check here if listing additional property owners on a separate page.

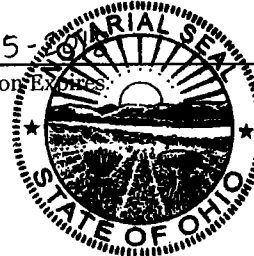
SIGNATURE OF AFFIANT

Donald Plank

Sworn to before me and signed in my presence this 5TH day of JANUARY, in the year 2016

Stacey L. Danza
SIGNATURE OF NOTARY PUBLIC

11-5-
My Commission Expires



Notary Seal Here

Stacey L. Danza
Notary Public, State of Ohio
My Commission Expires 11-05-2018

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SITE DATA

ADDRESS: 718 S. High Street, Columbus, OH 43205
PID: 010-027723, 010-027730
AREA: 0.37 ac (14,713 SF)
ZONING: C-4, Commercial
EXISTING USE: South High Street/South Front Street Urban Commercial Overlay (UCO)
PROPOSED USE: Retail and second floor dwelling unit
Restaurant, retail, second floor dwelling unit, and ground floor dwelling unit

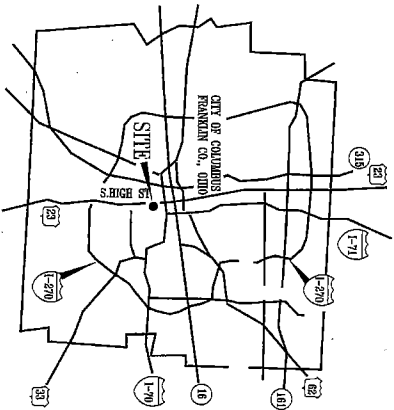
CHANGE OF USE:

4,900 +/- SF of retail/store area change to restaurant
Dwelling unit: change of use of 3,070 +/- SF to one (1) dwelling unit

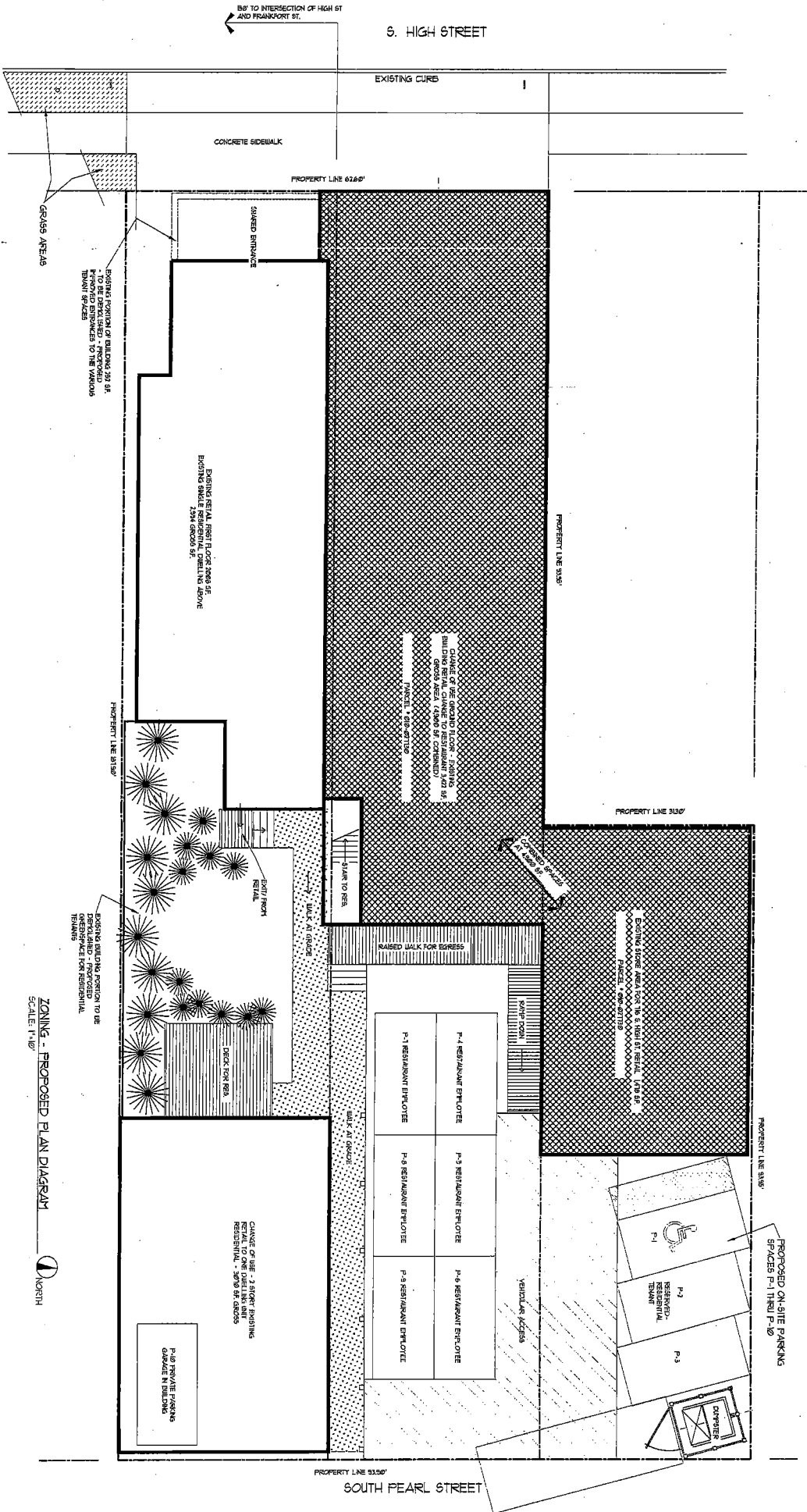
PARKING:

Restaurant: change of use retail to restaurant:
4,900 SF @ 1.75 SF, 66 spaces
4,900 SF @ 1.250 SF, 20 spaces
LESS: UCO reduction (25%) 46 spaces
Required Parking: 11 spaces (variance)
35 spaces (variance)
Dwelling Unit, change of use retail to one (1) dwelling unit:
3,070 SF @ 1.250, 13 spaces
One (1) dwelling unit, 2 spaces
Dwelling unit less intense use, no parking required

CV16-004



SITE LOCATION MAP

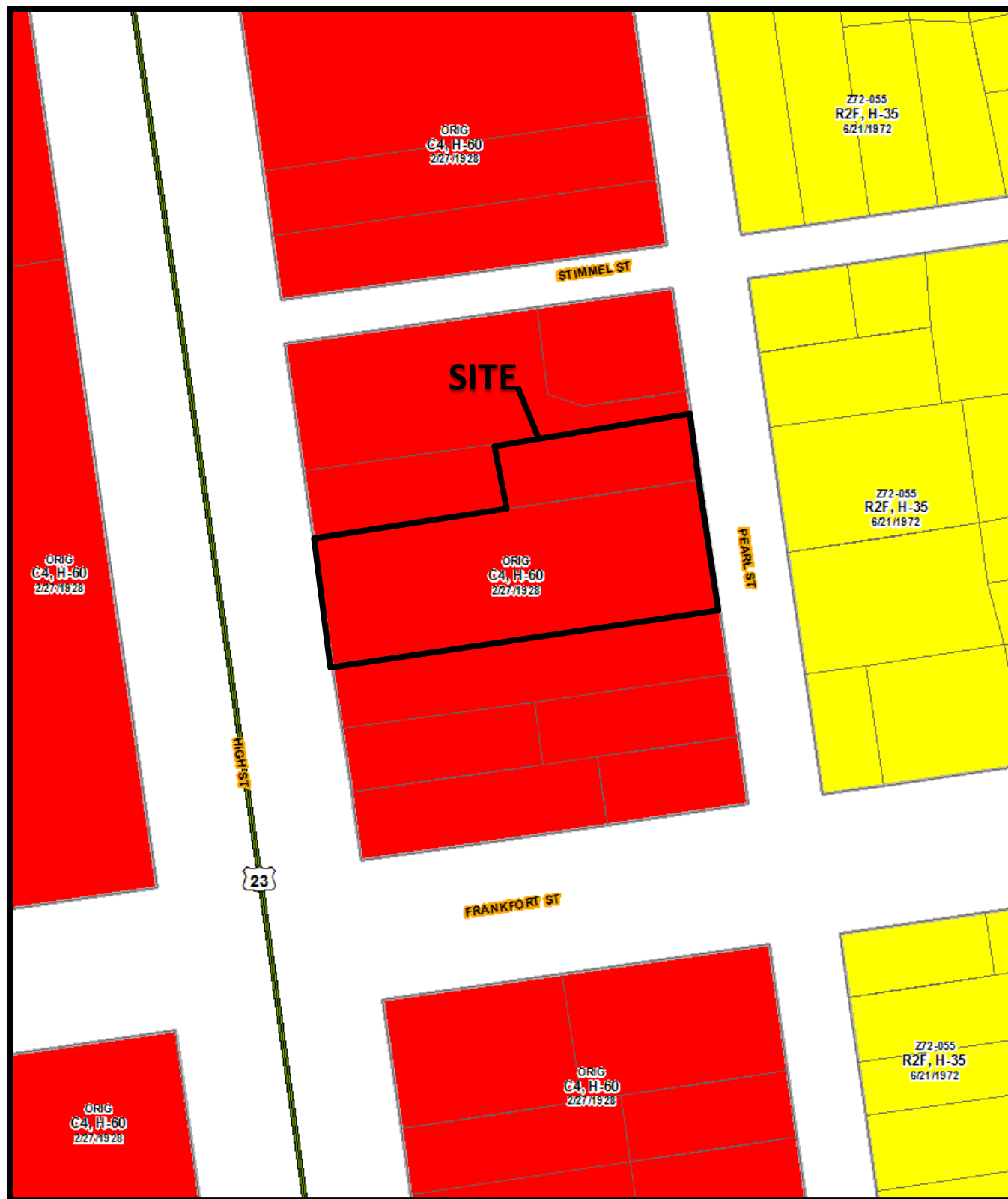


ZONING - PROPOSED PLAN DIAGRAM
SCALE 1"=10'
NORTH

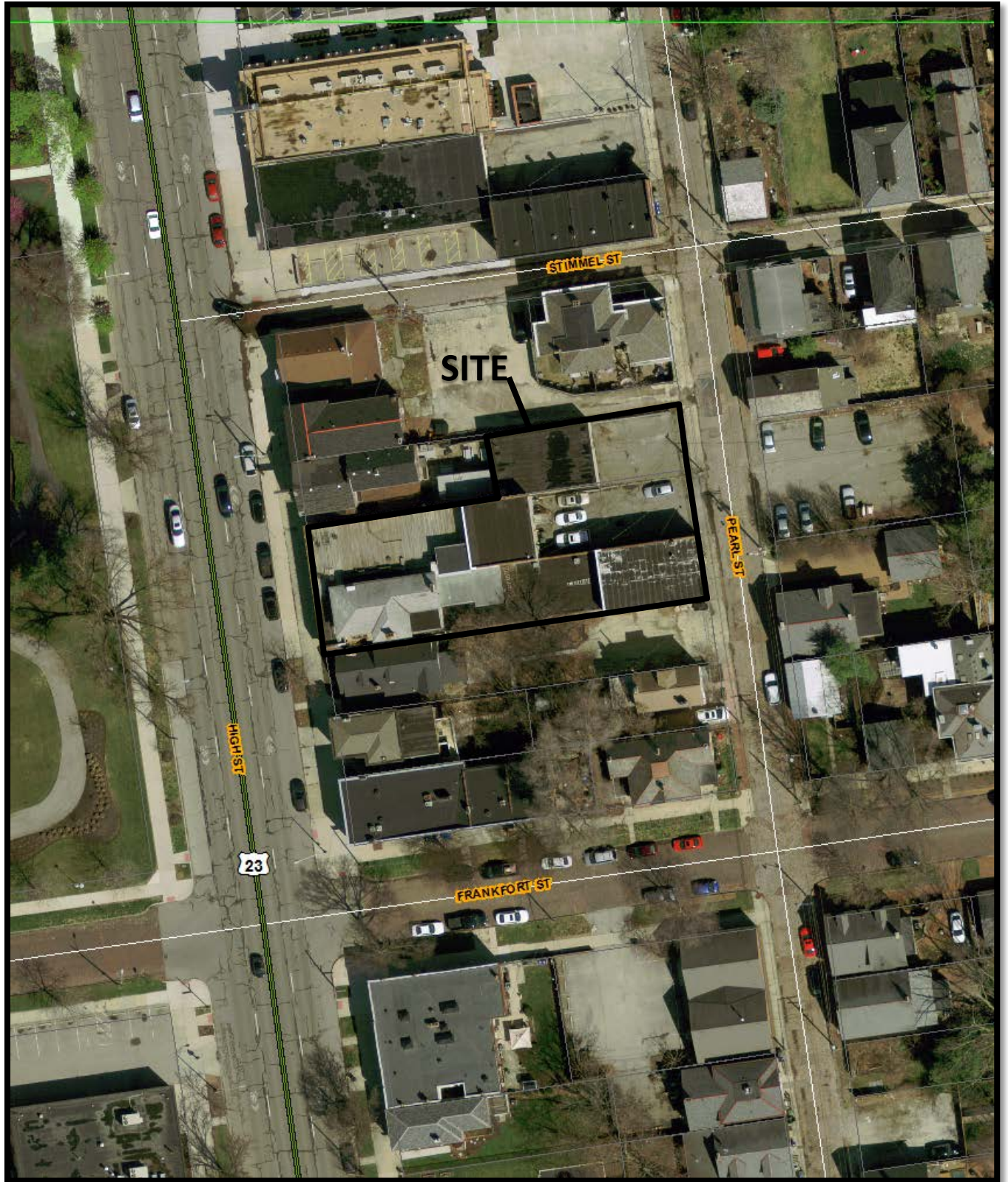
Craig W. Murlidick
ARCHITECT LTD.
144 E. Longview Rd.
Columbus, OH 43205
614-273-0101
For quick response send questions to:
craig@murlidick-arch.com

716-718 S. HIGH ST
Columbus, Oh 43206

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REV. 3
DATE: Jan. 05, 2016
SHEET: 1
PAGE: 1



CV16-004
718 S. High Street
Approximately .34 Acres



CV16-004
718 S. High Street
Approximately .34 Acres