CITY OF COLUMBUS
DEPARTMENT OF BUILDING AND ZONING SERVICES

One Stop Shop Zoning Report Date: Thu Dec 3 2015
General Zoning Inquiries: 614-645-8637

SITE INFORMATION
Address: 185 E 3RD AVE COLUMBUS, OH
Mailing Address: 580 N 4TH ST STE 120
COLUMBUS OH 43215-2112

Owner: 995 NORTH FOURTH STREET LI
Parcel Number: 010011562

ZONING INFORMATION
Zoning: 512, Manufacturing, M
effective 12/20/1951, Height District H-35
Board of Zoning Adjustment (BZA): N/A
Commercial Overlay: ITALIAN VILLAGE UCO
Graphic Commission: N/A
Area Commission: N/A
Planning Overlay: I-670 Graphics Control

Historic District: Italian Village
Historic Site: No
Council Variance: N/A
Flood Zone: OUT
Airport Overlay Environs: N/A

PENDING ZONING ACTION
Zoning: N/A
Board of Zoning Adjustment (BZA): N/A

Council Variance: N/A
Graphic Commission: N/A
Board of Zoning Adjustment Application

Application Number: BZA15-131
Date Received: 18 Nov. 2015

Application Accepted by: 
Fee: $1900

Existing Zoning: 
Comments: 

TYPE(S) OF ACTION REQUESTED (Check all that apply):
☑ Variance  □ Special Permit

Indicate what the proposal is and list applicable code sections:

☐ Variance request to reduce the minimum number of required parking spaces from 100 to 60. Columbus City Code Section 3312.49. 

☐ Variance request to reduce the required number of off-street loading spaces from 1 to 0. Columbus City Code Section 3312.53

LOCATION
Certified Address: 185 E. 3rd Avenue 
City: Columbus 
Zip: 43201

Parcel Number (only one required): 010-011562-00

APPLICANT (If different from Owner):

Applicant Name: 
Phone Number: 
Ext: 

Address: 
City/State: 
Zip: 

Email Address: 
Fax Number: 

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

Name: 995 North Fourth Street, LLC 
Phone Number: 614-758-8371 
Ext: 

Address: 580 N. Fourth St., Suite 120 
City/State: Columbus, OH 
Zip: 43215 

Email Address: realestate@capitolequities.com 
Fax Number: 614-798-0015

ATTORNEY/AGENT (Check one if applicable): ☑ Attorney  □ Agent

Name: James Robert Rishel 
Phone Number: 614-221-0717 
Ext: 

Address: 300 E. Broad St., Suite 450 
City/State: Columbus, OH 
Zip: 43215 

Email Address: rrishel@rrgovlaw.com 
Fax Number: 614-221-1278

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

APPLICANT SIGNATURE 

PROPERTY OWNER SIGNATURE 

ATTORNEY/AGENT SIGNATURE

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
THE CITY OF
COLUMBUS
MICHAEL D. COLEMAN, MAYOR
DEPARTMENT OF BUILDING
AND ZONING SERVICES

Board of Zoning Adjustment Application
577 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov

AFFIDAVIT

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME James Robert Rishe
of (1) MAILING ADDRESS 300 E. Broad St., Suite 450, 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 185 E. 3rd Ave., Columbus, OH 43201
for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and
Zoning Services, on (3)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) 995 North Fourth Street, LLC
580 N. Fourth St., Suite 120
Columbus, OH 43215

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

995 North Fourth Street, LLC
614-758-8371

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

(5) Italian Village
Connie Tarbeck – 50 W. Gay Street
Columbus, OH 43215-9040

and that the following 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:

(6) PROPERTY OWNER NAME
All properties listed on attached

(6a) PROPERTY ADDRESS

(6b) PROPERTY OWNER MAILING ADDRESS

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

(8) SIGNATURE OF AFFIANT
Sworn to before me and signed in my presence this 13th day of November in the year 2015

(8) SIGNATURE OF NOTARY PUBLIC

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STATEMENT OF HARDSHIP

APPLICATION #

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). No variance shall be granted unless the Board finds that all of the following facts and conditions exist:

1. Special circumstances or conditions apply to the subject property that do not apply, generally, to other properties in the same zoning district.
2. The special circumstances or conditions are not the result of the actions of the property owner or applicant.
3. The special circumstances or conditions make it necessary that a variance be granted to preserve a substantial property right of the applicant which is possessed by owners of other property in the same zoning district.
4. The grant of a variance will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of this Zoning Code.

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.

I have read Section 3307.09, Variances by Board, and believe my application for relief from the requirements of the Zoning Code satisfies the four criteria for a variance in the following ways:

________________________________________________________________________________________

Please see Attached.

________________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________

Signature of Applicant ___________________________ Date 11-13-15

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EXHIBIT A

REQUEST FOR VARIANCE and STATEMENT OF HARDSHIP
995 NORTH FOURTH STREET, COLUMBUS, OHIO 43201

Applicant request a variance to the standards of Columbus City Code Sections 3312.49 and 3312.53.

THE SITE

The site that is subject to the application consists of 7 parcels (to be combined as a condition for approval) located on the southwest corner of North Fourth Street and Third Avenue. This site is in the City’s Italian Village District, and within that area of the Italian Village that is subject to the Italian Village East Redevelopment Plan (“Redevelopment Plan”). All of the parcels within the site are zoned “M” (MANUFACTURING), with current designated land uses of “Commercial Warehouse”. The site is bordered by R4 zoning designations to the east, west and south. To the north it is bordered by R4 and one CPD classification.

The site is currently owned by 995 North Fourth Street LLC. The site has been operating as a commercial retail site with a large warehouse for the past thirty-five years (1st Source Servall Appliance Parts). The site housed a laundry, dry cleaning and industrial supply company as far back as 1950. These uses are inconsistent with the Redevelopment Plan that seeks to prevent, any large, single use, within the planning area as they are, “inconsistent with the Village’s prevailing land use pattern.”

The site is occupied by two buildings. The current business on the site only occupies one of the buildings. The smaller of the buildings is classified as a historic building, and currently houses no businesses. Because of the designation however, the building cannot be demolished, and thus it sits empty.

Parking for the site is currently provided by a lot at the front of the buildings that borders onto North Front Street. The property owners recently repaired this parking area, without increasing the footprint, at the request of the business tenant. There is a rear area that is served by an existing curb cut off of Third Avenue. Given the presence of the curb cut and the presence of a loading door at the back of one of the buildings, it is appropriate to assume that the area was once used to provide vehicle access to the site (likely for loading and unloading) and vehicle storage. There is no evidence, however, that it was ever used as a commercial parking area. This area is unimproved and has no hard surface. It is not used to provide parking for the site. This area is also surrounded by a rusted, chain link fence.
front parking area, will give the site 60 on site spaces, while meeting the desires of the Italian Village Commission. Thus, a variance to allow 60 spaces where 100 are required.

Also, by the design, maneuverability is reduced, thus the applicant also requests a variance to the requirements of Section 3312.53 of the Columbus City Code to allow for 0 loading spaces where 1 is required.

**VARIANCE REQUIREMENTS – 3307.09**

- That special circumstances or conditions apply to the subject property that do not apply generally to other properties in the same zoning district.
- That the special circumstances are not the result of the actions of the property owners or applicant.
- That the special circumstances or conditions make it necessary that a variance be granted to preserve a substantial property right of the applicant which is possessed by owners of other property in the same zoning district.
- That the grant of a variance will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of this Zoning Code.

The site is zoned “manufacturing”; a zoning district that allows for a wide variety of uses, including all of the uses the applicant is requesting. However, the requested uses and the square footage they require creates the need for 100 parking spaces. The parcels in the Italian Village are small and constrictive; an issue not uncommon with older neighborhoods, but uncommon for parcels in a manufacturing district. The site itself is unique in that it requires the applicant to a combination of seven parcels to create the site that is subject to the proposal. Most parcels designated “manufacturing” do not encounter such restrictive conditions. Here, because of the constrictive nature of the site and the Village as a whole, the range of uses allowed in a manufacturing district are severely limited.

The site also contains a historic building that cannot be demolished to provide additional space for parking. Often, an unused building in a manufacturing district will be demolished to provide parking area as part of a site redevelopment plan. The applicant does not have that option however. The applicant’s proposal also meets the goal of repurposing this historic building by providing a desired use for the community. Thus, not only can the applicant not remove the building to provide more parking, the applicant also has increased the parking requirement by proposing to meet a goal of the community by actually putting the building to use.

The site is in a historic district that creates its own unique challenges. First, the parking areas need to be designed and constructed in order to comply with the requirements of the area. This requires more landscaping and screening features than is normal, and thus, some parking is lost when including these features. Second, The Italian Village Commission has made it clear to the applicant that large, surface lots are not preferred within the Italian Village. This was evidenced by the Commission’s initial opposition to any new parking area on the site, and the suggestion that the applicant should depend on street parking. Therefore, option for shared
ensuring that, “The Italian Village East Planning Area...reflect the diverse mix of land uses that characterize the Village.”

The City has recognized potential issues with parking and provided an overlay to try and alleviate some of the restrictive parking challenges. However, given the factors listed above, the overlay is not sufficient to overcome the unique circumstances of this site.

SUMMARY

The applicant proposes a redevelopment of a very unique site. A site zoned manufacturing, surrounded by residential uses, with a historic structure, that the Redevelopment Plan specifically recommends be a commercial use. The applicant’s proposal for a multi use, commercial development cannot be done without the grant of the variances. As the applicant’s proposal is consistent with the vision of the North Fourth Street Corridor, as provided in the Redevelopment Plan, and consistent with the recommendations of the Italian Village Commission, it is in the public’s interest to grant the variances needed to allow the redevelopment. The proposal will have a positive impact on the North Fourth Street corridor, the Italian Village, and the City of Columbus by helping to provide the commercial corridor on North Fourth Street, and furthering the goal of providing a mixed use development for the area that serves the neighborhood while strengthening its existing development pattern.
Disclaimer

This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

Real Estate / GIS Department
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 # ______________________

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) James Robert Rishel
of (COMPLETE ADDRESS) 300 E. Broad St., Suite 450, 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 and their mailing addresses:

<table>
<thead>
<tr>
<th>NAME</th>
<th>COMPLETE MAILING ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>995 North Fourth Street, LLC</td>
<td>580 N. Fourth St., Ste., 120</td>
</tr>
<tr>
<td></td>
<td>Columbus, OH 43215</td>
</tr>
</tbody>
</table>

SIGNATURE OF AFFIANT: 

Sworn to before me and signed in my presence this 13th day of November, in the year 2015

SIGNATURE OF NOTARY PUBLIC:

Marian R. Geer
Notary Public, State of Ohio
My Commission Expires 11-02-18

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