

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: CV16-015 Date Received: 3/1/16
Application Accepted by: Michael Maret Fee: \$800
Comments: Assigned to Michael Maret; 645-2749; mjmaret@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 882 S Front Street 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: 010-051713

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

Current Zoning District(s): AR-1 (Z16-014)

Area Commission or Civic Association: Brewery District Commission

Proposed Use or reason for Council Variance request:

Variances related to Z16-014 and residential redevelopment

Acreage: 0.991

APPLICANT:

Name: 876 S Front LLC c/o Donald Plank Phone Number: 614-947-8600 Ext.: ----
Plank Law Firm
Address: 145 E Rich Street, FL 3 City/State: Columbus, Ohio 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: 876 S Front LLC c/o Donald Plank Phone Number: 614-947-8600 Ext.: ----
Plank Law Firm
Address: 145 E Rich Street FL 3 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, FL 3 City/State: Columbus, Ohio 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

SUPPLEMENTAL LIST OF PARCEL NUMBERS

CV16- 015

882 S. Front Street

010-023789	010-000598	010-013231	010-000576	010-021241	010-051713
010-033017	010-002482	010-051330	010-023160	010-023111	010-057698

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CV16-015

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

2/26/16

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Exhibit B

Statement of Hardship

CV16-015 , 882 S Front Street

Rezoning application Z16-014 is pending to rezone the 0.991 ac site from M, Manufacturing to the AR-1, Apartment Residential District. This variance application is submitted for variances to certain applicable site development standards of the AR-1 district as a companion application to the pending rezoning. The site plan titled "Variance Site Plan, 882 S Front Street, Columbus, Ohio", hereafter "Site Plan", is the development plan for the site. Applicant proposes site development with twenty (20) townhouse dwelling units.

The Brewery District Plan (1992) identifies the site as being in the "Southern Tier". The plan notes residential uses as appropriate and encourages the relocation of industrial uses. The site has previously been cleared of historic structures and was redeveloped with the present industrial use under M, Manufacturing District zoning. Applicant proposes to rezone the site for residential development. Large areas of the Brewery District are zoned M, Manufacturing, which doesn't reflect the actual land use with many residential uses. The Brewery District Plan notes the need for rezoning on an area wide basis to reflect actual and desired land use.

The site is an urban site with two (2) street frontages. There is no zoning district to which the site could be rezoned without also requiring variances for the proposed development. Applicant has a hardship and practical difficulty to comply with applicable code standards and develop the site in a manner consistent with urban development and Brewery District standards. The standards of the Columbus Zoning Code multi-family residential districts were designed for suburban development.

Applicant requests the following variances. The variances are entirely consistent with urban development in general and with conditions in the area.

1. Section 3309.14(A), Height Districts, to permit a maximum height of 40' for the proposed dwelling units.
2. Section 3321.05 (B)(1)(2), Vision Clearance, to reduce the clear vision triangle at the intersection of West Whittier Street and S. Front Street from 30' x 30' to 16' x 16' for part of unit # 8, and to reduce the clear vision triangle at the intersection of W. Whittier Street and S Wall Street (alley) from 10' x 10' to 3' x 3' for part of unit #16.
3. Section 3333.02, AR-12, ARLD and AR-1, apartment residential district use, to permit a mix of two (2), and three (3) unit buildings without separate lots, as depicted on the Site Plan.
4. 3333.16, Fronting, to permit units 16 – 20, inclusive, to not front upon a public street (S. Wall Street, 33' ROW).
5. 3333.18, Building Lines (D), to reduce the required W. Whittier Street and S. Front Street building setback lines from ten (10) feet to five (5) feet for the dwelling unit located at the corner of W. Whittier Street and S. Front Street and the dwelling unit located at the

corner of W. Whittier Street and E. Wall Street (alley), both due to the irregular right of way line of W. Whittier Street, and to reduce the S. Front Street building setback line from 50', based on the Columbus Thoroughfare Plan designation of S Front Street as a 4-2 arterial, to ten (10') feet.

6. Section 3333.225, Perimeter Yard, to reduce the 25' perimeter yard to 0' to 10', as depicted on the Site Plan.

02-26-2016

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

AFFIDAVIT (See instruction sheet)

Application Number: ZV16-015

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, 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 the name(s) and mailing address(es) of all the owners of record of the property located at

(2) per ADDRESS CARD FOR PROPERTY 882 S Front Street

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

(4) 876 S. Front LLC

AND MAILING ADDRESS

c/o Donald Plank, Plank Law Firm

145 E Rich Street, FL 3

Columbus, Ohio 43215

APPLICANT'S NAME AND PHONE #

876 S. Front LLC

(same as listed on front application)

C/o Donald Palank 614-947-8600

AREA COMMISSION OR CIVIC GROUP

(5) Brewery District Commission

AREA COMMISSION ZONING CHAIR

C/o James Goodman

OR CONTACT PERSON AND ADDRESS

50 W Gay Street, 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 26th day of February, in the year 2016

Rev

Stacey L. Danza

(8) SIGNATURE OF NOTARY PUBLIC

My Commission Expires

11-5-2016

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 notarization.

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

EXHIBIT A, Public Notice
882 S. Front Street
CV16-015
February 18, 2016

APPLICANT

876 S. Front LLC
c/o Donald Plank
Plank Law Firm
145 East Rich Street, FL 3
Columbus, OH 43215

PROPERTY OWNER

876 S. Front 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 Goodman
50 West Gay Street
Columbus, Ohio 43215

PROPERTY OWNERS WITHIN 125 FEET

Douglas P. Brownfield
902 S. Wall Street
Columbus, Ohio 43206

James L. Widmaier
1210 N. Via Donna
Palm Springs, CA 92262

Hudnich LLC
138 Oak Canyon Drive
Pataskala, Ohio 43062

DJM Equities Ltd
887 S High Street
Columbus, Ohio 43206

Gary Paul Price, TR
23 W Whittier Street
Columbus, Ohio 43206

Martin Management Co., Inc.
795 S Wall Street
Columbus, Ohio 43206

Deen Spade LLC
871 S High Street
Columbus, Ohio 43215

David Lapczynski
298 Rumsey Road
Columbus, Ohio 43207

Mukhdomi Properties, LLC
4215 Gantz Road
Grove City, Ohio 43123

Joann A. Blum
7233 River Knolls Place
Dublin, Ohio 43016

876 S Front Street
10848 Weyomouth Avenue
Powell, Ohio 43065

882 S. Front Street
CV16-015
Exhibit A, Public Notice
Page 1 of 2, 02/18/2016

Andrew C Hinton
909 S Wall Street
Columbus, Ohio 43206

Martin Management Co., Inc.
795 S Wall Street
Columbus, Ohio 43206

C&D Holdings, LLC
918 S Front street
Columbus, Ohio 43206

Peggy S Edwards
924 S Front Street
Columbus, Ohio 43206

William B. Thompson
6310 Linworth Road
Worthington, Ohio 43085

Pops Holding LLC
1925 Edgemont Road
Columbus, Ohio 43212

Philip H. Sheridan, Jr.
915 S High Street
Columbus, Ohio 43206

Jacquelyn L. Risner
885 S Front Street
Columbus, Ohio 43206

George Huntley
907 S Front Street
Columbus, Ohio 43206

Benjamin B Webb
891 South Front Street
Columbus, Ohio 43206

Alan D. Hampton
915 S Wall Street
Columbus, Ohio 43206

KJ Restoration LLC
897 S Front Street
Columbus, Ohio 43206

RAJ Hospitality LLC
919 S High Street
Columbus, Ohio 43206

Bonnie L. Elliott
915 S. Front Street
Columbus, Ohio 43206

Angelina M Weimer
1128 Black Gold Place
Columbus, Ohio 43230

Jacquelyn Bardosi
903 S Front Street
Columbus, Ohio 43206

Miller Special Projects
4641 Northwest Parkway
Hilliard, Ohio 43026

Douglas P Brownfield
902 S Wall Street
Columbus, Ohio 43206

ALSO NOTIFY

876 S. Front LLC
10848 Weyomouth Avenue
Powell, Ohio 43065

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

882 S. Front Street
CV16-015
Exhibit A, Public Notice
Page 2 of 2, 02/18/2016

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

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 # CV16-015

STATE OF OHIO
COUNTY OF FRANKLIN

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

1. 876 S Front LLC 10848 Weymouth Avenue Powell, Ohio 43065 # Columbus Based Employees: 0 Contact: Denis King 614-313-7881	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 26th day of February, in the year 2016

Stacey L. Danza

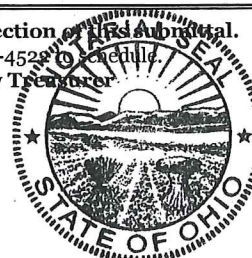
SIGNATURE OF NOTARY PUBLIC

11-5-2018

My Commission Expires

Notary Seal Here

PLEASE NOTE: Incomplete information will result in the rejection of this application.
Applications must be submitted by appointment. Call 614-645-4528 to schedule.
Please make checks payable to the Columbus City Treasurer.



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



City of Columbus Zoning Plat



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: 010023160 + 12 OTHER PARCELS

Zoning Number: 882

Street Name: S FRONT ST

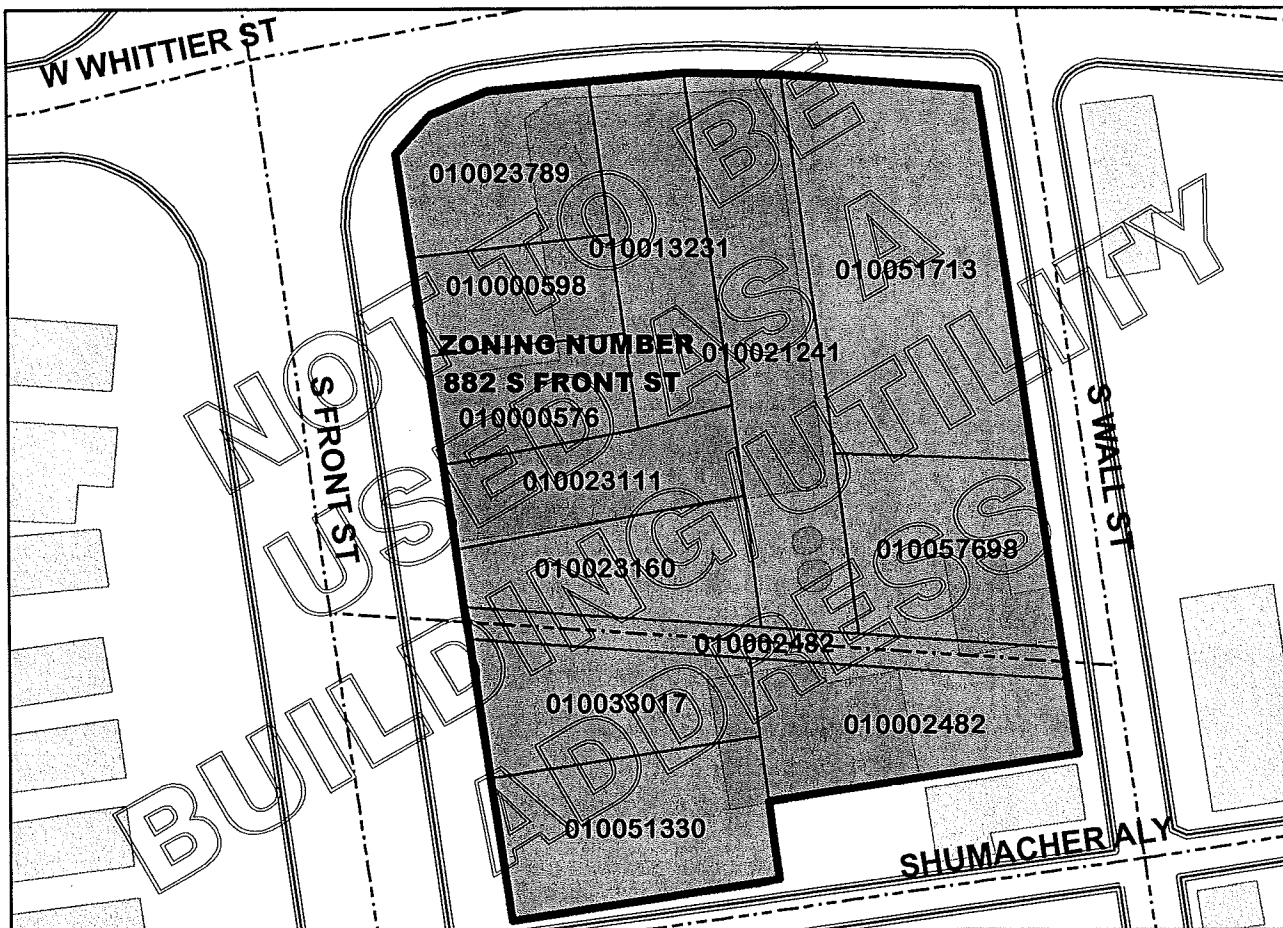
Lot Number: N/A

Subdivision: N/A

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

Issued By: *Edyana Amarian*

Date: 2/19/2016



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

SCALE: 1 inch = 60 feet

GIS FILE NUMBER: 57736



882 S Front Street
Legal Description
Z16- 014
CV16- 015

**DESCRIPTION OF
0.991 ACRES**

Situated in the State of Ohio, County of Franklin, Half Section 28 and 29, Township 5, Range 22, Refugee Lands, being all of that 0.07 acres (PID 01002378900), 0.04 acres (PID 01000059800), 0.05 acres (PID 01000057600), 0.06 acres (PID 01002311100), 0.06 acres (PID 01002316000), 0.07 acres (PID 01003301700), 0.09 acres (PID 01005133000), 0.07 acres (PID 01001323100), 0.12 acres (PID 01002124100), 0.16 acres (PID 01005171300), 0.08 acres (PID 01005769800), 0.08 acres (PID 01000248200), as conveyed to 876 S. Front LLC, and a vacated alley (10 feet wide), all records obtained from the Auditor's Office, Franklin County, Ohio, being and being more particularly described as follows:

BEGINNING at the northeast corner of said 0.16 acres (PID 01005171300), being the intersection of the southerly right of way of West Whittier Street (54 feet wide) and the westerly right of way of South Wall Street (33 feet wide);

Thence South 08°16'24" East, with the westerly right of way of said South Wall Street, a distance of 209.18 feet, to a point in the easterly common corner of said 0.08 acres (PID 01000248200) and that 0.06 acres (PID 01003828000), as conveyed to Andrew C. Hinton;

Thence South 81°18'26" West, with the common line of said 0.08 acres (PID 01000248200) and said 0.06 acres (PID 01003828000), a distance of 97.92 feet, to a point in the westerly common corner of said tracts;

Thence South 07°31'57" East, with the common line of said 0.06 acres (PID 01003828000) and said 0.09 acres (PID 01005133000), a distance of 24.41, to a point in the southerly common corner of said tracts, being in the northerly right of way of Shumacher Alley (20 feet wide);

Thence South 81°33'21" West, with the common line of said 0.09 acres (PID 01005133000) and said northerly right of way of Schumcher Alley, a distance of 85.12 feet, to a point in the southwesterly corner of said 0.09 acres (PID 01005133000);

Thence North 08°14'52" West, with the easterly right of way of South Front Street (82.5 feet wide), a distance of 241.19 feet, to a point in intersection of said easterly right of way of South Front Street and the southerly right of way of West Whittier Street;

Thence with the southerly right of way of West Whittier Street, the following courses:

North 41°15'08" East, a distance of 16.23 feet, to a point;

North 67°18'40" East, a distance of 19.18 feet, to a point;

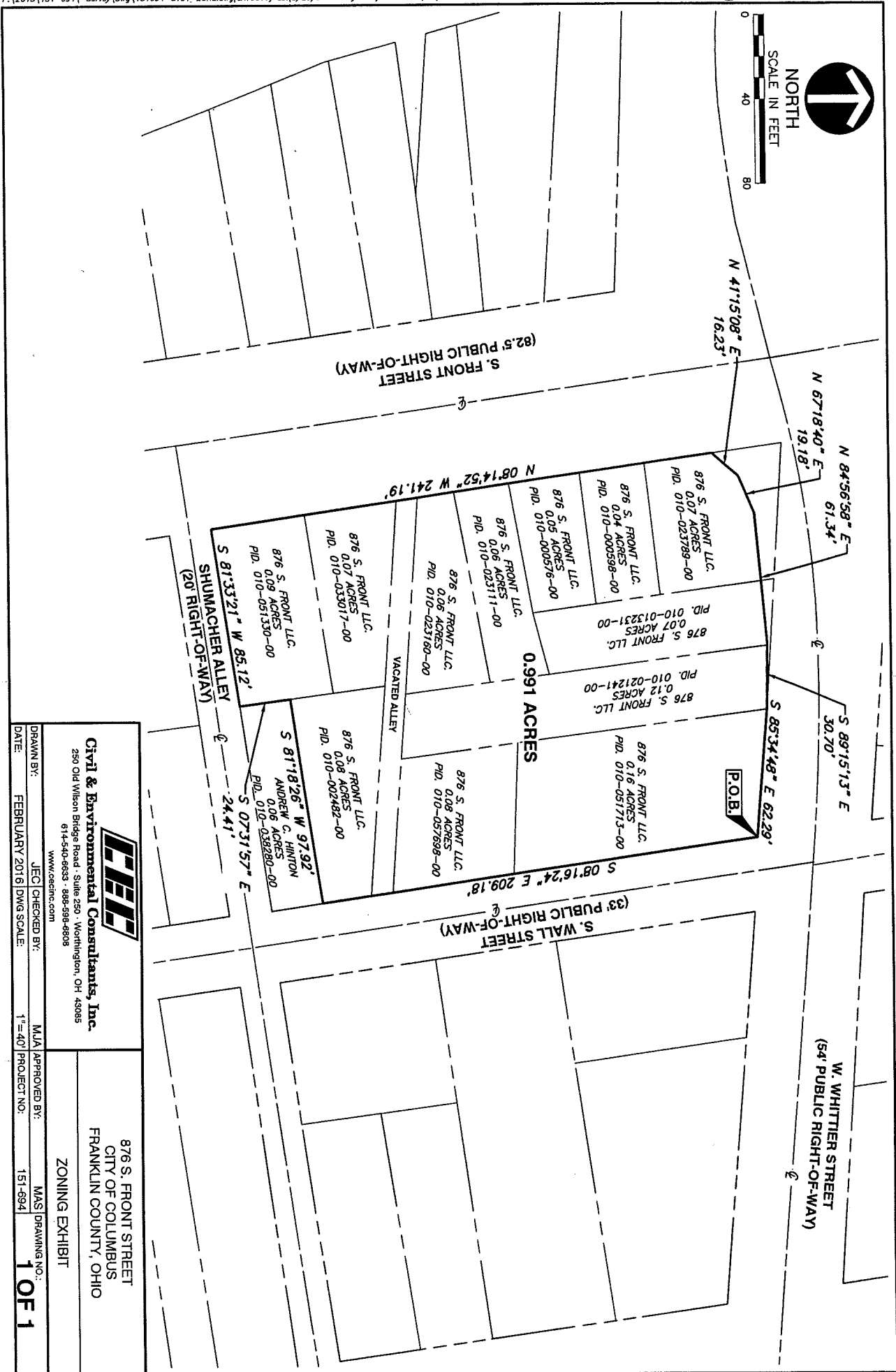
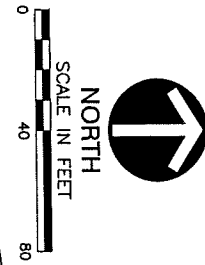
North 84°56'58" East, a distance of 61.34 feet, to a point;


South 89°15'13" East, a distance of 30.70 feet, to a point;

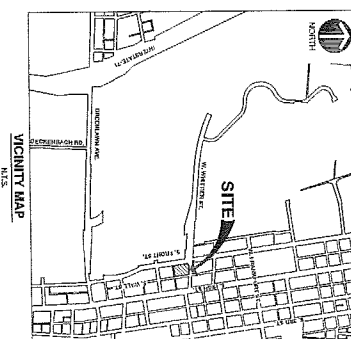
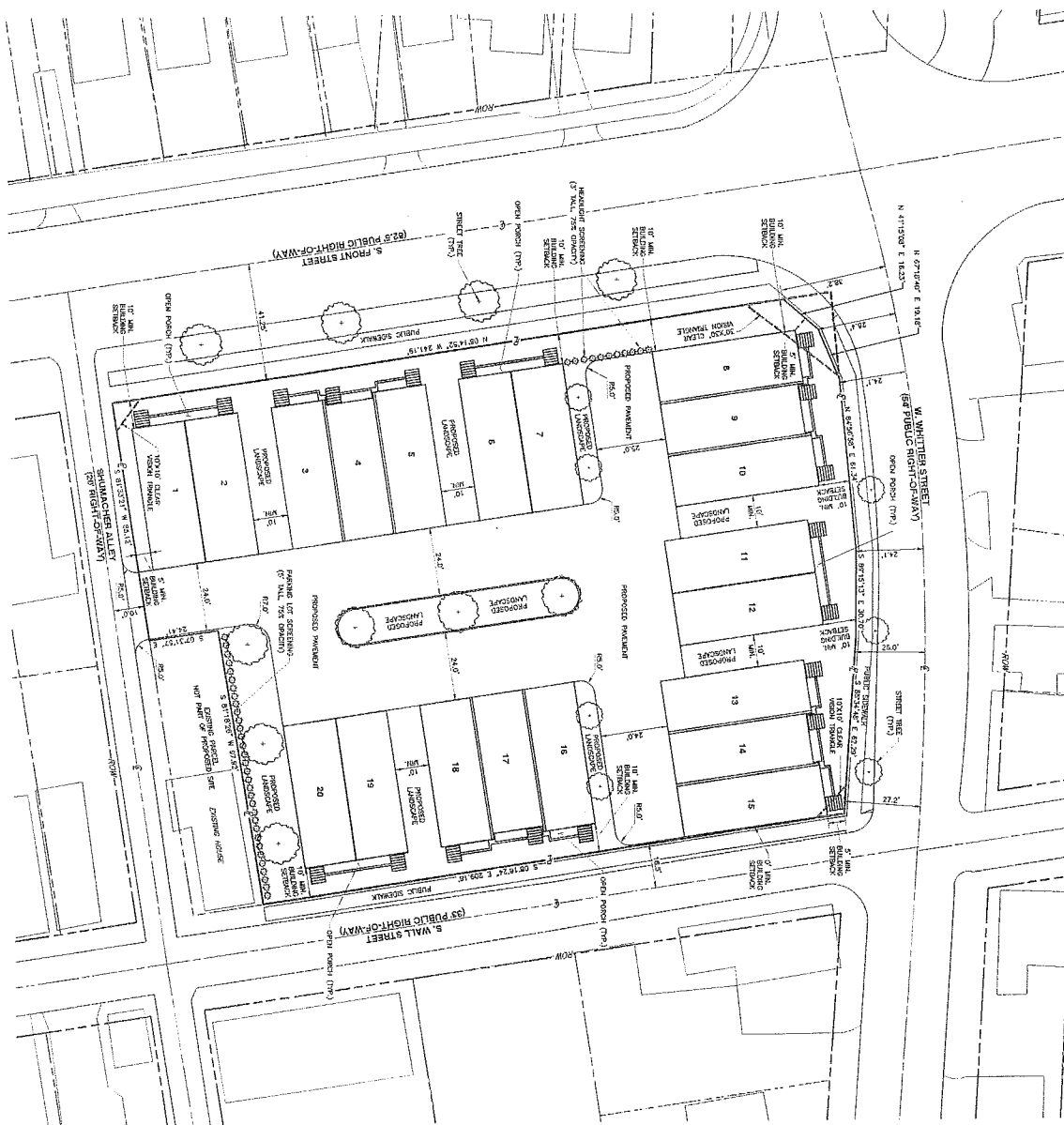
South 85°34'48" East, a distance of 62.29 feet, to the **POINT OF BEGINNING**, containing 0.991 acres, more or less.

The above description is based on linework obtained from the Franklin County Auditor's Office and the content is intended for zoning purposes only.

CV16-015



 Civil & Environmental Consultants, Inc. 250 Old Wilson Bridge Road, Suite 250, Worthington, OH 43085 614-540-6633 • 866-598-6608 www.cecinc.com		876 S. FRONT STREET CITY OF COLUMBUS FRANKLIN COUNTY, OHIO	
DRAWN BY: JEC CHECKED BY: MJA DATE: FEBRUARY 2016 DWG SCALE: 1"=40'	APPROVED BY: MAS PROJECT NO.: 151-694	ZONING EXHIBIT 1 OF 1	

[illegible]

CVT6- 615

VARIANCE SITE PLAN
882 S. FRONT STREET
COLUMBUS, OHIO

DATE	MARCH 1, 2018	DRAWN BY	EAC
DWG SCALE	1" = 20'	CHECKED BY	TJV
PROJECT NO.	151-694		
APPROVED BY	DRAFT		

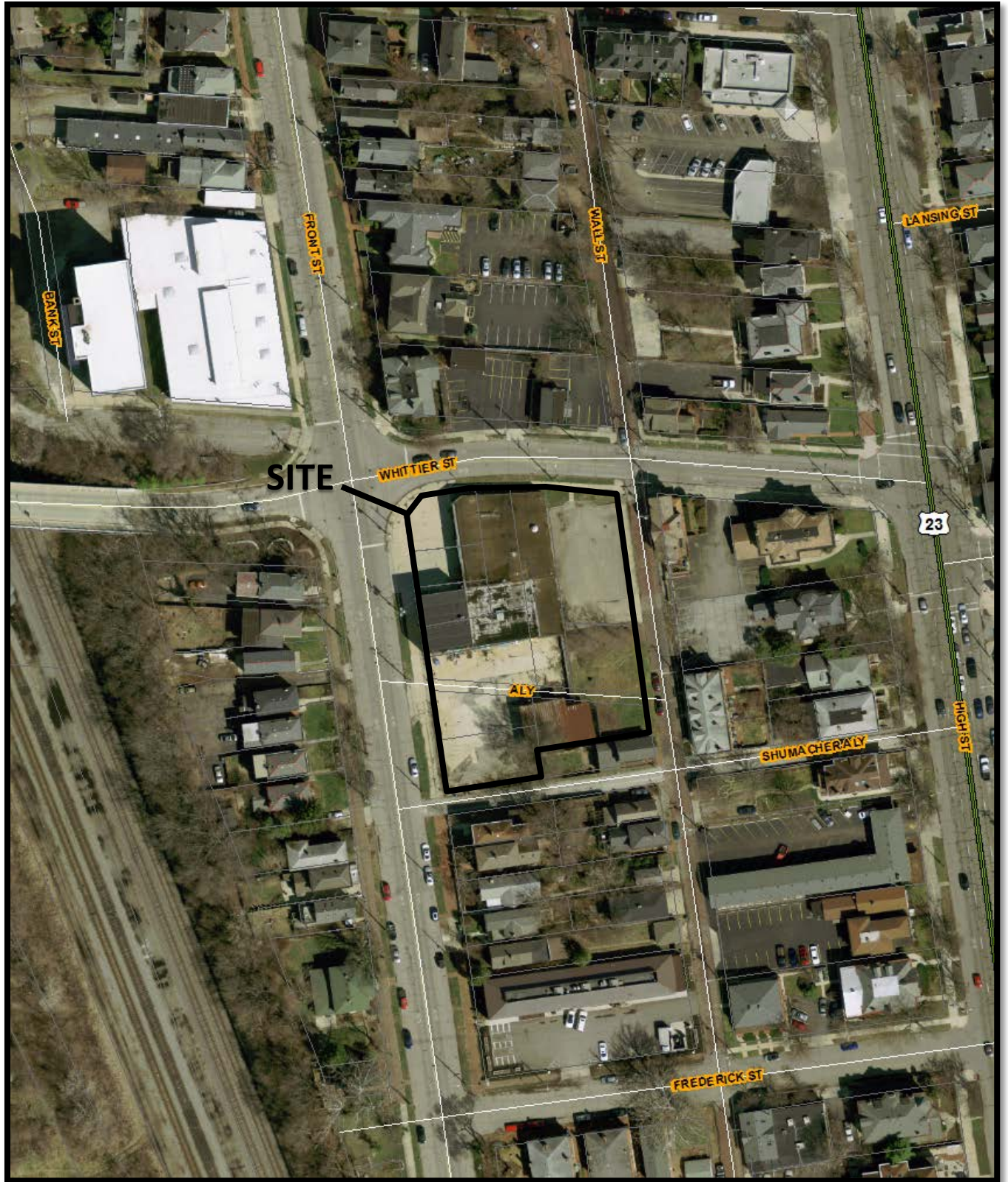


Civil & Environmental Consultants, Inc.
250 Old Wilson Bridge Road • Suite 250 • Worthington, OH 43085
614-840-6833 • 888-598-6808
www.ceciinc.com

[illegible]



CV16-015
882 South Front Street
Approximately .991 acres



CV16-015
882 South Front Street
Approximately .991 acres