

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: CV16-029 Date Received: 4/19/16
Application Accepted by: SP Fee: \$16.00
Comments: Assigned to Shannon Pine, 614-645-2200, spine@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 944 N 4th Ave Zip: 43201

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: 010-049973

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

Current Zoning District(s): R-4

Area Commission or Civic Association: Italian Village Commission

Proposed Use or reason for Council Variance request:

Expand existing + drinking establishment to add
less than 1 rooftop patio

Acreage: less than 1

APPLICANT:

Name: Quinn Fallon Phone Number: 614-397-3650 Ext.: _____

Address: 1017 N. 6th St. City/State: Columbus, OH Zip: 43201

Email Address: holidayg@shglobal.net Fax Number: _____

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

Name: Quinn Fallon Phone Number: _____ Ext.: _____

Address: same as above City/State: _____ Zip: _____

Email Address: _____ Fax Number: _____

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

Name: _____ Phone Number: _____ Ext.: _____

Address: _____ City/State: _____ Zip: _____

Email Address: _____ Fax Number: _____

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

APPLICANT SIGNATURE _____

PROPERTY OWNER SIGNATURE _____

ATTORNEY / AGENT SIGNATURE _____

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.

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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.

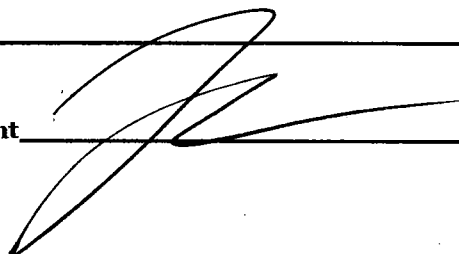
Before authorizing any variance from the Zoning Code in a specific case, City Council shall first determine that such variance will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the 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 attached

Signature of Applicant



Date

04/19/16

Statement of Hardship

Little Rock is requesting approval of 700 square foot rooftop patio to go over the building at 944 North 4th.

I have received a CoA from the Italian Village Commission and met all 4 stipulations they require of a rooftop patio. It is atop a 1 story building, it does not overlook a residential backyard, it only runs along both sides of the roof adjacent to 2 heavily trafficked streets and the building has no setback and should not be visible from the sidewalk or street.

I have secured 49 spaces for use by our patrons including a handicap accessible spot in our rear lot.

Little Rock is located between 7 Sons, Hoof Hearted and Exile, all of which enjoy much larger patios than the 350 square feet existing patio we have on the sidewalk of East Second Avenue now. Warm weather drives much of the business in Columbus and as of now we can only accommodate 4 tables outdoors.

The following variances are being requested, which are carried-over from the 2006 Council variance (CV06-014) that permitted an eating and drinking establishment at this location:

3332.039, R-4, Residential district uses, to allow an eating and drinking establishment

3312.49(C) Minimum numbers of parking spaces required, to reduce required parking spaces from 25 to 2 spaces for a 2,100 square-foot eating and drinking establishment with a 700 square foot roof-top patio

3332.05, Area district lot width requirements, to maintain a reduced minimum lot width of 37 feet (50 feet is required)

3332.15, R-4 Area district requirements, to maintain the existing reduced lot area of 3,594 square feet (5000 square feet is required).

Section 3321.05(B)(2), Vision clearance, requires that a thirty (30) foot right angle clear vision triangle shall be maintained on each residential lot adjacent to a street intersection, while the applicant proposes to maintain no clear vision triangle at the intersection of East Barthman and South Washington Avenues; and

Section 3332.18(D), Basis of computing area, limits buildings from occupying more than fifty (50) percent of the lot area, while the applicant proposes to maintain an increased lot coverage of ninety (90) percent; and

3332.26(C)(1), Minimum side yard permitted, to maintain a minimum side yard of 0 feet (3 feet is required)

3332.27, Rear yard, to maintain a rear yard (including parking lot) of 237 square feet or 6.6% (25% is required).

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AFFIDAVIT (See instruction sheet)

Application Number: CV16-029

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Quinn Fallon

of (1) MAILING ADDRESS 1017 N. 6th St Columbus, OH 43201

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 944 N 4th 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) 4/19/16

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME

AND MAILING ADDRESS

(4)

Quinn Fallon

1017 N. 6th St

Columbus, OH

43201

APPLICANT'S NAME AND PHONE #

(same as listed on front application)

Quinn Fallon

614-397-3650

AREA COMMISSION OR CIVIC GROUP

AREA COMMISSION ZONING CHAIR

OR CONTACT PERSON AND ADDRESS

(5)

Connie Torbeck

Italian Village Commission

50 W 6th St 4th Floor

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

Sworn to before me and signed in my presence this 19 day of April, in the year 2016

Rev

(8) SIGNATURE OF NOTARY PUBLIC

Notary Seal Here



ANTONETTE M. GILLUM
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES JUNE 17, 2019

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.

Network Restorations
957 E Broad
Columbus, OH 43201

Chris Perry
846 Neil Ave
Columbus, OH 43215

Chelsea Horwood
1575 Balmoral Way
Westlake, OH 44145

Brandon Rollins
234 E 2nd Ave
Columbus, OH 43201

Kevin Noesner
3123 Cranston Dr.
Dublin, OH 43017

Brandy Richards
935 N 4th St
Columbus, OH 43201

Kristina Keeling
P.O. Box 91057
Columbus, OH 43209

True North rentals
10 E 17th Ave
Columbus, OH 43201

Thomas Mason
365 N Halstead St
Chicago, IL 43201

Adam Maier
244 E 2nd Ave
Columbus, OH 43201

KN Investments
2112 Britains Ln.
Columbus, OH 43224

New Victorians
455 W 3rd Ave
Columbus, OH 43201-
3363

Mathew Hittle
246 2nd Ave 20 FT
Columbus, OH 43201

Robert Wagner
929 N 4th St.
Columbus, OH 43201

Italian Village Commission
c/o Connie Torbeck
50 W Gay St. 4th Floor
Columbus, OH 43215

JDS Battery B
447 E Main St STE 200
Columbus, OH 43215

Terry Dininger
931 N 4th St.
Columbus, OH 43215

Quinn Fallon
1017 N 6th St.
Columbus, OH 43201

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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 # CV16-029

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Quinn Fallon
of (COMPLETE ADDRESS) 1017 N. 6th St Columbus 43201

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. Quinn Fallon 1017 N. 6th St. Columbus, OH 43201 11 employees same as above	2.
3.	4.

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

SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this _____ day of _____, in the year _____

Notary Seal Here

SIGNATURE OF NOTARY PUBLIC

My Commission Expires

Parcel 010-049973
944 N. Fourth Street

Being Lot Number 1 of the Horace J. Marnard's Subdivision which is delineated on a plat as recorded in Plat Book 2, Page 268 of the records of Franklin County, Ohio and Lot also being described as parcel 18 as conveyed from Jeffrey Galion Inc., and Ohio corporation to Jeffrey Galion Inc., a Delaware corporation as recorded in Deed Book 3394, page 428 of the records of Franklin County, Ohio, and being more fully described as follows:

Beginning at a point of intersection of the easterly right-of-way line of North Fourth Street with the southerly right-of-way line of East Second Avenue, said point also being the northwest corner of Lot Number 1 of the above mentioned subdivision, thence South 86 degrees 56' 50" East a distance of 100.00 feet to a point in said southerly right-of-way line, said point also being the northeast corner of Lot Number 1 of the above mentioned subdivision; thence South 8 degrees 30' 22" East a distance of 37.00 feet to a point, said point being the southeast corner of Lot Number 1 of the above mentioned subdivision; thence North 86 degrees 56' 50" West a distance of 100.00 feet to a point in the easterly right-of-way of said North Fourth Street said point also being the southwest corner of Lot Number 1 of the above mentioned subdivision; thence North 8 degrees 30' 22" West a distance of 37.00 feet to the point of beginning.

COPY

CERTIFICATE OF APPROPRIATENESS
ITALIAN VILLAGE COMMISSION

This Certificate of Appropriateness is not a zoning clearance or a building permit. This document does not relieve the applicant from the responsibility of filing for and obtaining any required zoning clearance and/or building permit from the City of Columbus Department of Building & Zoning Services (645-6090 / 757 Carolyn Avenue) and following all other applicable codes and ordinances of the City of Columbus.

PROPERTY ADDRESS: 944 North Fourth Street

APPLICANT'S NAME: Steve Schwope/New Avenue Architects (Applicant)

Quinn Fallon (Owner)

APPLICATION NO.: 16-3-11

HEARING DATE: 3-22-2016

EXPIRATION: 3-22-2017

The Italian Village Commission hereby certifies that the application for the above referenced property and a copy of this Certificate of Appropriateness are on file with the city's Historic Preservation Office. The Commission has reviewed the application and taken the following action(s) in accordance with Columbus City Code 3116 & 3319 and the architectural guidelines:

- ☒ **Approved:** Exterior alterations per APPROVED SPECIFICATIONS
☐ **Recommendation for Approval:** Requested re-zoning/special permit/variance per APPROVED SPECIFICATIONS

APPROVED SPECIFICATIONS:


Approve Application 16-3-11, 944 North Fourth Street, as submitted, with all clarifications, as noted:
New Rooftop Patio

- Build a new rooftop patio, per the submitted drawings.
- Exterior cladding to be "charcoal gray" standing seam metal.
- Railing to be clad with "light gray," vertical, corrugated metal.
- Awning poles and frame to be black to match awning material.
- All light fixtures, other than required by code for egress, to be located lower than the parapet.
- Final light fixtures and locations to be submitted to Historic Preservation Office staff for final review and approval.

MOTION: Lapp/Cooke (7-0-0) APPROVED

☒ **Drawings Required**

This Certificate of Appropriateness is only valid for work performed in accordance with the motion so passed and approved by the Commission, and shall accompany plans submitted for zoning clearance and/or building permits.



Randy F. Black
Historic Preservation Officer



COPY
Original Approval

**Certificate of Appropriateness
ITALIAN VILLAGE COMMISSION**

This Certificate of Appropriateness is not a zoning clearance or a building permit. This document does not relieve the applicant from the responsibility of filing for and obtaining any required zoning clearance and/or building permit from the City of Columbus Department of Building & Zoning Services (645-6090 / 757 Carolyn Avenue) and following all other applicable codes and ordinances of the City of Columbus.

PROPERTY ADDRESS: 944 North Fourth Street

APPLICANT'S NAME: Steve Schwope/New Avenue Architects (Applicant)

Quinn Fallon (Owner)

APPLICATION NO.: 14-9-10

HEARING DATE: 9-16-2014

EXPIRATION: 9-16-2015

The Italian Village Commission hereby certifies that the application for the above referenced property and a copy of this Certificate of Appropriateness are on file with the city's Historic Preservation Office. The Commission has reviewed the application and taken the following action(s) in accordance with Columbus City Code 3116 & 3119 and the architectural guidelines:

- ☒ **Approved:** Exterior alterations per APPROVED SPECIFICATIONS
- ☐ **Recommendation for Approval:** Requested re-zoning/special permit/variance per APPROVED SPECIFICATIONS

APPROVED SPECIFICATIONS:

Approve Application #14-9-10, 944 North Fourth Street, as submitted, with all clarifications, as noted.

Install New Rooftop Patio

- New patio to be supported by new steel members clear-spanning the existing bearing walls.
- Access to the patio will be via a fire-rated stair enclosure penetrating the existing roof structure, and opening onto a new penthouse structure on the roof, per the submitted drawing.
- Penthouse enclosure to consist of steel stud framing clad with vertical standing-seam metal siding and trim and finished "Charcoal Gray." Roofing material to match.
- New 42" high, black, wrought iron guardrails to fully enclose the roof top.
- The street facing sides of the benches/guard rail to be screened with vertical standing-seam metal siding and finished "Charcoal Gray."
- Floor to be composite decking on painted steel framing.
- Revised drawing to be submitted to Historic Preservation Office staff for final review and approval, in consultation with the Italian Village Commission, prior to issuance of a Certificate of Appropriateness.

Paint Entrance Doors

- Prepare the two (2) existing entrance doors on North Fourth Street and East Second Street for painting. Finish coat to match existing green trim.

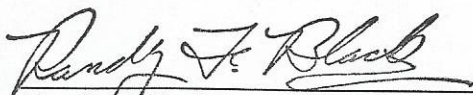
Note: this rooftop deck is being approved at this specific location for the following reasons:

1) The business is a one-story, flat-roofed, commercial building located on a corner of a busy commercial corridor; 2) The deck is limited to the street side areas of the roof; 3) The building/deck is lower than adjacent buildings; 4) An interior stair tower is being installed and is largely screened from the street by a high parapet.

MOTION: Goodman/Sudy (4-0-0) APPROVED

☒ **Drawings Required**

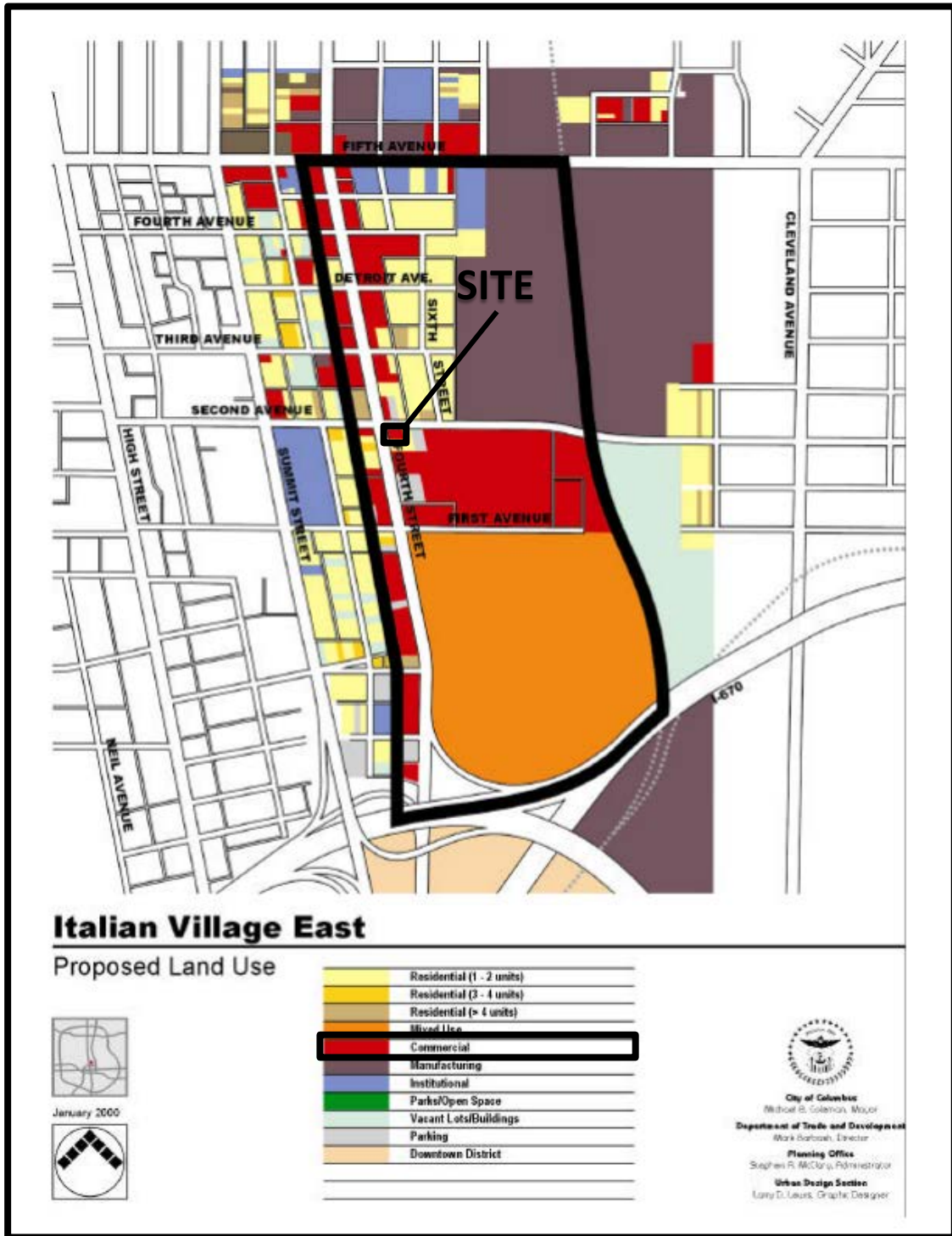
This Certificate of Appropriateness is only valid for work performed in accordance with the motion so passed and approved by the Commission, and shall accompany plans submitted for zoning clearance and/or building permits.


Randy F. Black
Historic Preservation Officer





CV16-029
944 North Fourth Street
Approximately 0.08 acres



CV16-029
944 North Fourth Street
Approximately 0.08 acres
Italian Village East Redevelopment Plan (2000)



CV16-029
944 North Fourth Street
Approximately 0.08 acres