CITY OF COLUMBUS
DEPARTMENT OF BUILDING AND ZONING SERVICES

One Stop Shop Zoning Report  Date: Mon Mar 28 2016
General Zoning Inquiries: 614-645-8637

SITE INFORMATION
Address: 965 N HIGH ST COLUMBUS, OH
Mailing Address: PO BOX 1498
COLUMBUS OH 43216-1498

Owner: WHITE CASTLE SYSTEM INC
Parcel Number: 010006949

ZONING INFORMATION
Zoning: ORIG, Commercial, C4
effective 2/27/1928, Height District H-35
Board of Zoning Adjustment (BZA): N/A
Commercial Overlay: N/A
Graphic Commission: N/A
Area Commission: N/A
Planning Overlay: I-670 Graphics Control

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

Applicant Number: BZA16-036

Date Received: 14 MAR. 2016

Fee: $1,900

Commission/Civic: Vic Village

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:

Variances to permit the construction of a building for restaurant, retail, office, residential, and public parking garage. See attached variances and applicable code sections.

LOCATION

Certified Address: 965 N. High Street. City: Pataskala, Ohio Zip: 43201

Parcel Number (only one required): 010-006949 & 010-036557 (to be combined)

APPLICANT (If different from Owner):

Applicant Name: Connie J. Klema, Attorney

Address: P.O. Box 991

City/State: Pataskala, Ohio Zip: 43062

Email Address: cklemaattorney@gmail.com

Fax Number: n/a

Phone Number: 614 374 8488 Ext.: n/a

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

Name: White Castle System, Inc.

Address: P.O. Box 1498

City/State: Columbus, Ohio Zip: 43216

Email Address: richarjt@whitecastle.com

Fax Number: n/a

Phone Number: 740-501-3294 Ext.: n/a

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

Name: Connie J. Klema, Attorney

Address: P.O. Box 991

City/State: Pataskala, Ohio Zip: 43062

Email Address: cklemaattorney@gmail.com

Fax Number: n/a

Phone Number: 614 374 8488 Ext.: n/a

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

APPLICANT SIGNATURE: Connie J. Klema, Attorney

PROPERTY OWNER SIGNATURE: Connie J. Klema on behalf of White Castle System, Inc.

ATTORNEY / AGENT SIGNATURE: Connie J. Klema, Attorney

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.
Board of Zoning Adjustment Application

757 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

(2) MAILING ADDRESS 965 NORTH HIGH STREET

of (1) MAILING ADDRESS P.O. BOX 991 PATHSKALL OH 43062

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 975 N. HIGH 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) WHITE CASTLE SYSTEM, INC. P.O. BOX 1498

AND MAILING ADDRESS Columbus OH 43216

* CITY OF COLUMBUS 90 W. BROAD ST. RM 425

REAL ESTATE DIVISION Cols OH 43215-9000

APPLICANT’S NAME AND PHONE #
Connie J. Klemt Attorney

(same as listed on front application) 614 374 8488

AREA COMMISSION OR CIVIC GROUP
(5) VICTORIAN VILLAGE COMMISSION

AREA COMMISSION ZONING CHAIR
James Goodman

OR CONTACT PERSON AND ADDRESS
80 W. MARY STREET, 4TH FLOOR Columbus OH 43215

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

SEE 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 14th day of March, in the year 2016

(8) SIGNATURE OF NOTARY PUBLIC

My Commission Expires

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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:

SEE ATTACHED

______________________________
Signature of Applicant

Date: 3/10/16
STATEMENT OF HARDSHIP

975 N. HIGH STREET

The City of Columbus and White Castle System, Inc. own two adjacent parcels that front on N. High Street at the corner of Second Avenue. Presently, the City parcel, which is .31 acres, is used to accommodate 42 public parking spaces, and the White Castle parcel, which is .69 acres, is used to accommodate a small White Castle restaurant and a paved private parking area for use by White Castle.

By combining the parcels, the owners have an approximate 1 acre site to develop a building with a public parking garage that accommodates 104 public parking spaces plus 101 parking spaces available for 100 residential apartments. The building will also house the White Castle restaurant and retail and office spaces fronting on N. High Street.

The requested variances serve to permit 62 more public parking spaces than currently available on the City parking lot while providing 1 private parking space for each residential unit. They also permit the building to front on N. High and Second Avenue in line with existing buildings on High and Second, thereby keeping a uniform setback. They also permit White Castle to maintain a drive-through window that enters and exits the parking garage through a separate private aisle way, thereby making the public parking entrance easy to enter and free from cars entering the drive through.

This inner city lot fronts on a main thoroughfare bordered by commercial and residential structures with no setback. The special circumstances that apply to this lot and the streetscape of which it is a part do not generally apply to other properties in a C-4 District. This area known as the “Short North” has and continues to be an area of residential and commercial growth that requires accommodation of design standards not typical in less dense areas. The granting of the variances will not be injurious to neighboring properties and is in the best interest of the public.
975 N. HIGH STREET

PARCEL NOS: 010-006949 & 010-036557 (TO BE COMBINED)

LIST OF VARIANCES

1. 3312.11—Drive-up stacking area: To reduce the drive-up stacking space requirements for 1 unit from 8 to 7 and to eliminate the by-pass lane.

2. 3312.49—Minimum number of parking spaces required: To permit the provision of 205 parking spaces to be apportioned as follows:

   101: To 101 Residential Units
   104: To Public Parking

   Thereby requiring the following variances:

   >Residential Uses: To permit a reduction of parking from 152 to 101.
   >Restaurant pickup unit & seating less than 5000 square feet from 21 spaces to 0 spaces.
   >Restaurant without pickup greater than 5000 square feet from 99 spaces to 0.
   >Retail space exceeding 10,001 square feet from 40 spaces to 0.

3. 3321.03—Lighting: To permit light fixtures located on the garage roof to exceed 28 feet in height.

4. 3312.53(B)(2) Loading Space: To reduce the requirement from one loading space to no loading space.

5. Height: To permit the district height of 35 feet to be increased to 106 feet.

6. 3356.11—Set back: To reduce the building setback requirement from 60 feet to zero along High Street, and from 25 feet to zero along 2nd Avenue.
Board of Zoning Adjustment Application

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 #

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Connie J. Klema, Attorney
of (COMPLETE ADDRESS) P.O. Box 991, Pataskala, OH 43062

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

1) CITY OF COLUMBUS, REAL ESTATE DIVISION
90 W. Broad Street, Rm 426
Columbus, OH 43215-9000

2) WHITE CASTLE SYSTEM
P.O. Box 1498
Columbus, OH 43216

SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 14 day of March, in the year 2016

SIGNATURE OF NOTARY PUBLIC

Notary Seal Here

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