

Board of Zoning Adjustment Application

DEPARTMENT OF PLANNING
AND ZONING SERVICES

757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov

OFFICE USE ONLY

Application Number: BZA 16-043 Date Received: 4/13/16
Application Accepted by: D. Reiss Fee: \$1,900.00
Commission/Civic: Hilltop
Existing Zoning: C-4
Comments: 6/28/16

TYPE(S) OF ACTION REQUESTED (Check all that apply):

☒ Variance ☐ Special Permit

Indicate what the proposal is and list applicable code sections:

To reduce the required number of parking spaces from 8 to 0 - Section 3312.49(c) of the Columbus Zoning Code.

LOCATION

Certified Address: 11 North Westmoor Avenue City: Columbus Zip: 43204

Parcel Number (only one required): 010-058361

APPLICANT (If different from Owner):

Applicant Name: Daryl Hennessy Phone Number: 572-9636 Ext.:

Address: 2965 Palmetto Street City/State: Columbus, OH Zip: 43204

Email Address: dph@hennessylandscaping.com Fax Number:

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

Name: Daryl Hennessy Phone Number: 572-9636 Ext.:

Address: 2695 Palmetto Street City/State: Columbus, OH Zip: 43204

Email Address: dph@hennessylandscaping.com Fax Number:

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

Name: Jackson B. Reynolds, III Phone Number: 614-221-4255 Ext.:

Address: 37 West Broad Street, Suite 460 City/State: Columbus, OH Zip: 43215

Email Address: jreynolds@smithandhale.com Fax Number: 614-221-4409

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

APPLICANT SIGNATURE By: Daryl Hennessy

PROPERTY OWNER SIGNATURE By: Jackson B. Reynolds, III

ATTORNEY / AGENT SIGNATURE Jackson B. Reynolds, III

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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Board of Zoning Adjustment Application

DEPARTMENT OF BUILDING AND
ZONING SERVICES

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AFFIDAVIT

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn **(1) NAME** Jackson B. Reynolds, IIIof **(1) MAILING ADDRESS** 37 West Broad Street, Suite 460, 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 11 N. Westmoor Avenuefor 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) Daryl Hennessy
2695 Palmetto Street
Columbus, OH 43204

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

Daryl Hennessy
572-9636

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

(5) Greater Hilltop Area Commission
c/o Greg Large
P.O. Box 28052
Columbus, OH 43228

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 **(6a) PROPERTY ADDRESS** **(6b) PROPERTY OWNER MAILING ADDRESS**

<u>see attached list</u>		

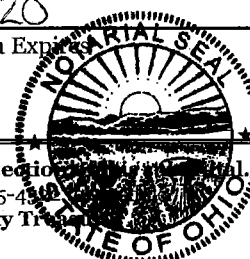
☐ **(7)** Check here if listing additional property owners on a separate page.

(8) SIGNATURE OF AFFIANT

Jackson B. Reynolds III

Sworn to before me and signed in my presence this 29th day of March, in the year 2016**(8) SIGNATURE OF NOTARY PUBLIC**My Commission Expires 9/4/2020

Notary Seal Here



Natalie C. Timmons
Notary Public, State of Ohio
My Commission Expires 09-04-2020

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APPLICANT

Daryl Hennessy
2965 Palmelto Street
Columbus, OH 43204

PROPERTY OWNER

Daryl Hennessy
2965 Palmelto Street
Columbus, OH 43204

ATTORNEY

Jackson B. Reynolds, III
Smith & Hale LLC
37 West Broad Street, Suite 460
Columbus, OH 43215

AREA COMMISSION

Greater Hilltop Area Commission
c/o Greg Large
PO Box 28054
Columbus, OH 43228

SURROUNDING PROPERTY
OWNERS

Anthony Panzera
1601 West 5th Avenue, #211
Columbus, OH 43212

Kassel Equity Group LLC
PO Box 273
Lewis Center, OH 43035

Raymond Neu
9225 Boston Harbor Way
Orient, OH 43146

Sharyn Johnson
171 Fernhill Avenue
Columbus, OH 43228

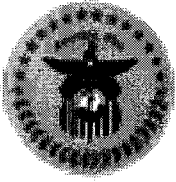
Myron Simkins
652 Freshwater Court
Westerville, OH 43082

Duckworth Family LP
12311 Parliament Drive NW
Baltimore, OH 43105

Douglas S & Deborah J Petty
26 North Westgate Avenue
Columbus, OH 43204

Rami Properties LLC
c/o State Street Realty Co
229 East State Street
Columbus, OH 43215

Westmoor Apartments LLC
c/o Helen J Johnston
953 Havendale Drive
Columbus, OH 43220



CITY OF COLUMBUS

DEPARTMENT OF BUILDING AND ZONING SERVICES

One Stop Shop Zoning Report Date: Thu Apr 14 2016

General Zoning Inquiries: 614-645-8637

SITE INFORMATION

Address: 13 N WESTMOOR AVE COLUMBUS, OH

Mailing Address: 2965 PALMETTO ST

COLUMBUS OH 43204-2578

Owner: HENNESSY DARYL

Parcel Number: 010058361

ZONING INFORMATION

Zoning: ORIG, Commercial, C4

effective 2/27/1928, Height District H-35

Historic District: N/A

Board of Zoning Adjustment (BZA): N/A

Historic Site: No

Commercial Overlay: WEST BROAD STREET/ GREATER HILTOP CCO **Council Variance:** N/A

Graphic Commission: N/A

Flood Zone: OUT

Area Commission: Greater Hilltop Area Commission

Airport Overlay Environs: N/A

Planning Overlay: N/A

PENDING ZONING ACTION

Zoning: N/A

Council Variance: N/A

Board of Zoning Adjustment (BZA): N/A

Graphic Commission: N/A



STATEMENT OF HARDSHIP

APPLICATION #

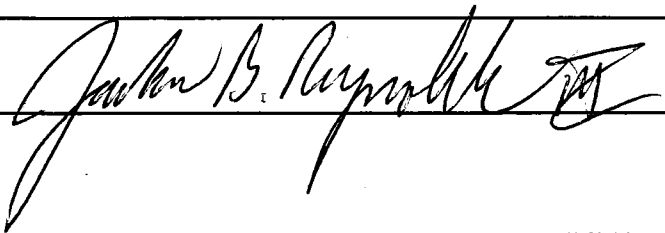
3307.09 Variances by Board.

- 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:

The applicant/owner is seeking a change of use from retail to restaurant for a small store front space (approximately 1,075 sq. ft.). The request is to reduce the onsite parking spaces from 8 to 0. The building was constructed in 1926 and is zoned C-4. The building has never had parking spaces associated with its use and on street parking has always been utilized for the operation of the various activities that have occupied the building for the last 90 years. The special circumstances in this case is that historically there has been no parking spaces associated with the occupancy of this building and requiring the 8 spaces associated with the proposed change of use would be a hardship on the applicant/owner to be able to lease the premise for a use that is permitted in the C-4 zoning category. The granting of the parking variance will not be injurious to surrounding property owners nor would it be contrary to the public interest or the purposes and intents of the Zoning Code.

Signature of Applicant



Date

3/29/12

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Please make checks payable to the Columbus City Treasurer



CLARENCE E MINGO II

FRANKLIN COUNTY AUDITOR

MAP ID: jbr

DATE: 3/17/16



Disclaimer

Scale = 60

 Grid
North

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

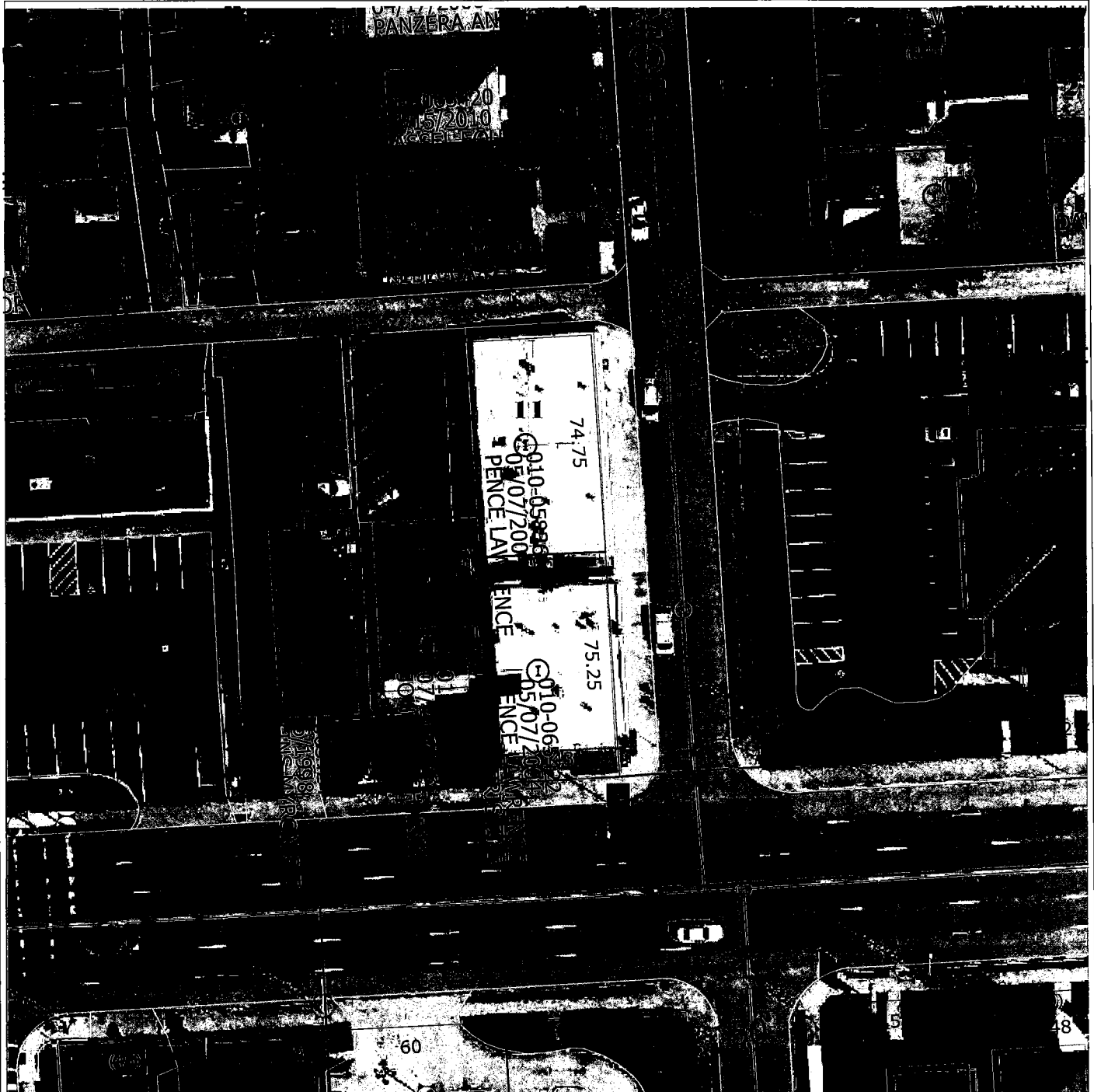


CLARENCE E MINGO II

FRANKLIN COUNTY AUDITOR

MAP ID: jbr

DATE: 3/17/16



ORTHOPHOTOGRAPHY DATE 2014

Disclaimer

Scale = 50



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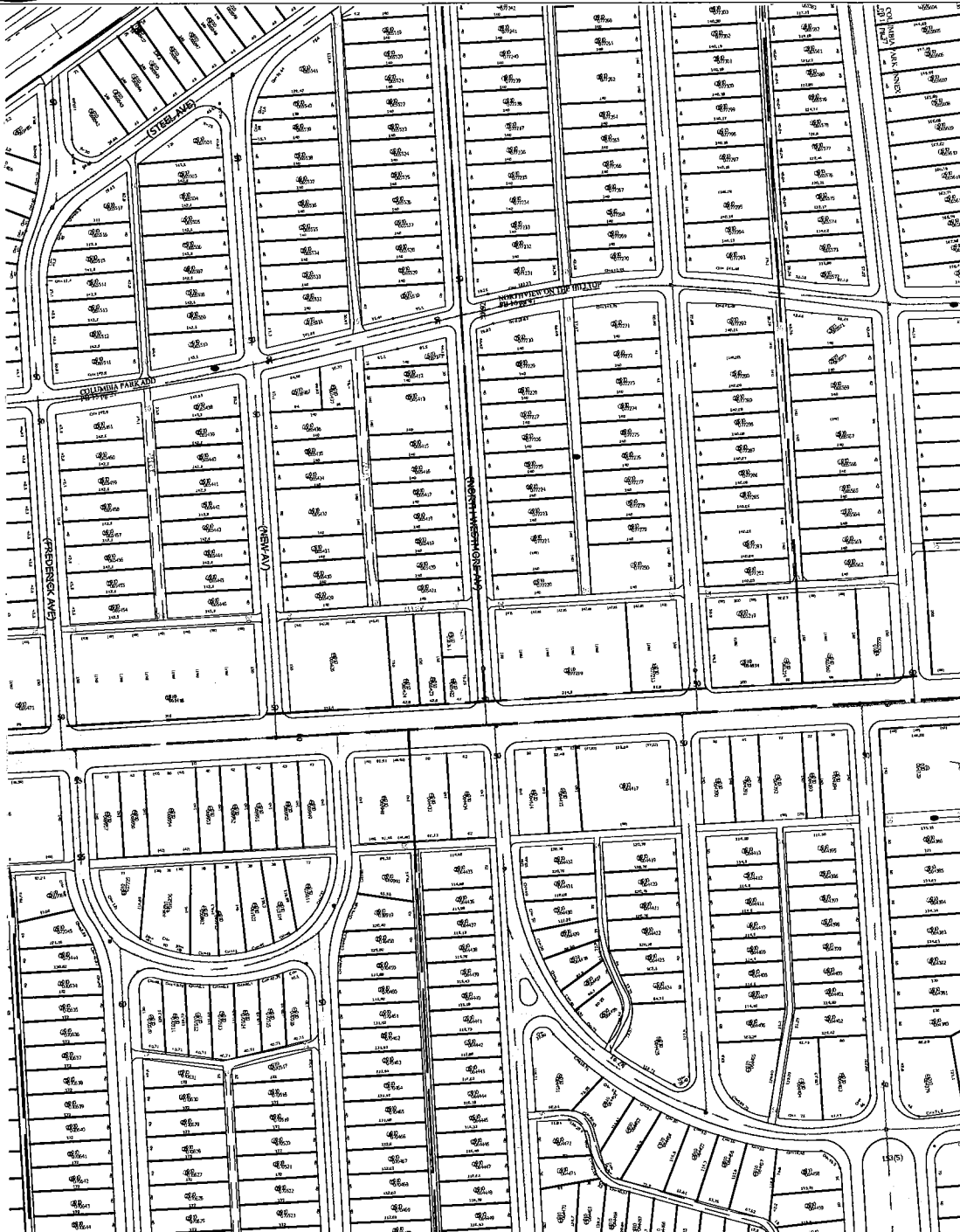


CLARENCE E MINGO II

FRANKLIN COUNTY AUDITOR

MAP ID: jbr

DATE: 3/17/16



Disclaimer

Scale = 275



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Real Estate / GIS Department



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: 010058361

Zoning Number: 11

Street Name: N WESTMOOR AVE

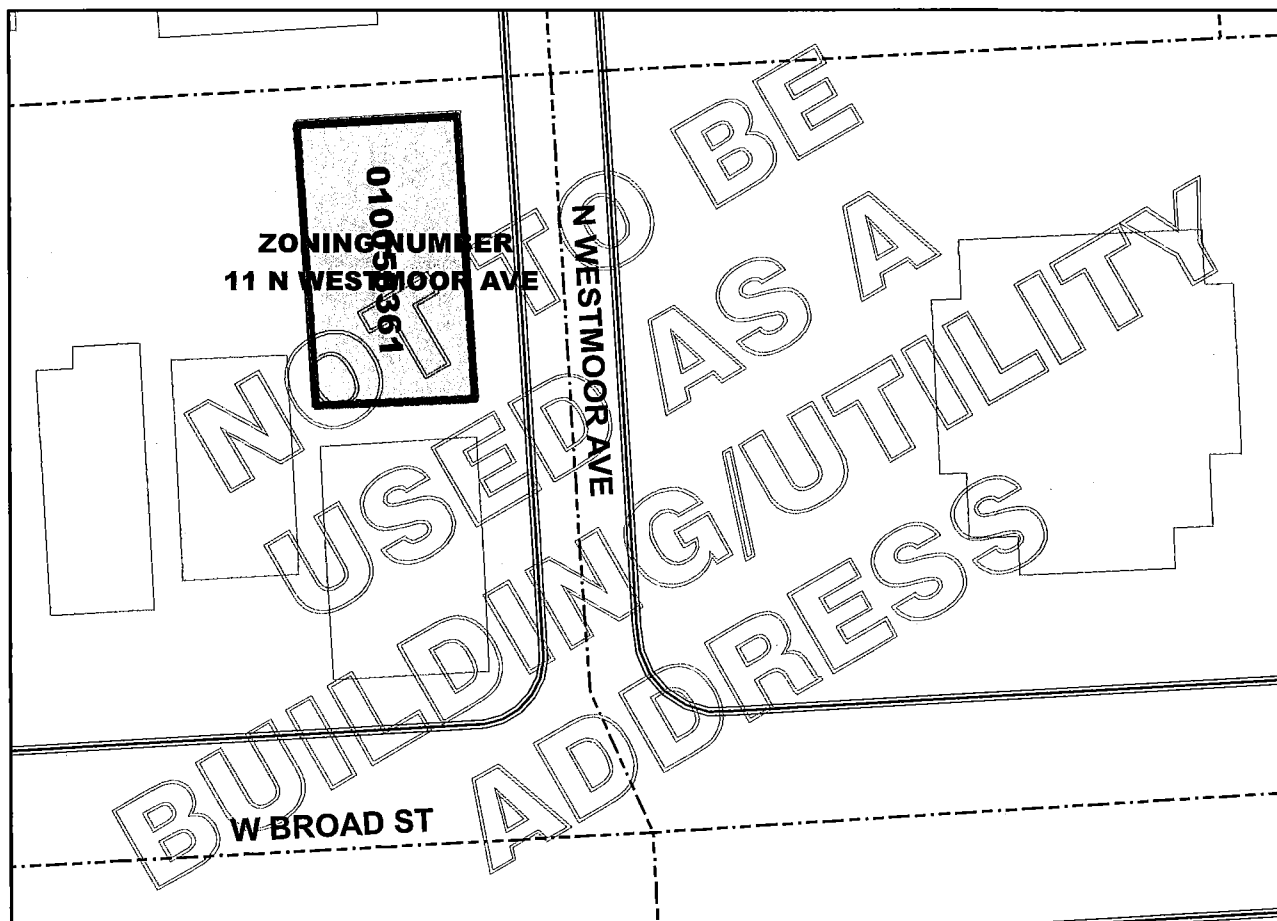
Lot Number: N/A

Subdivision: N/A

Requested By: SMITH & HALE (JACK REYNOLDS)

Issued By: *Adyana Umariam*

Date: 3/23/2016



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

SCALE: 1 inch = 50 feet

GIS FILE NUMBER: 59957

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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 # _____

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Jackson B. Reynolds, III
of (COMPLETE ADDRESS) 37 West Broad Street, Suite 460, 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:

NAME**COMPLETE MAILING ADDRESS**

Daryl Hennessy 2695 Palmetto Street, Columbus, OH 43204

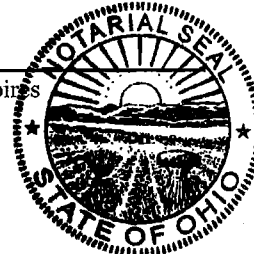
SIGNATURE OF AFFIANT

Jackson B. Reynolds III

Sworn to before me and signed in my presence this 29th day of March, in the year 2016

Natalie C. Timmons
SIGNATURE OF NOTARY PUBLIC

9/4/2020
My Commission Expires



Notary Seal Here

Natalie C. Timmons
Notary Public, State of Ohio
My Commission Expires 09-04-2020

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