



CITY OF COLUMBUS

DEPARTMENT OF BUILDING AND ZONING SERVICES

One Stop Shop Zoning Report Date: Thu Jul 28 2016

General Zoning Inquiries: 614-645-8637

SITE INFORMATION

Address: 3120 E MAIN ST COLUMBUS OH 43209
Mailing Address: 5700 BASTILLE PL
COLUMBUS OH 43213-1493

Owner: 3100 EAST MAIN ST CO
Parcel Number: 010092060

ZONING INFORMATION

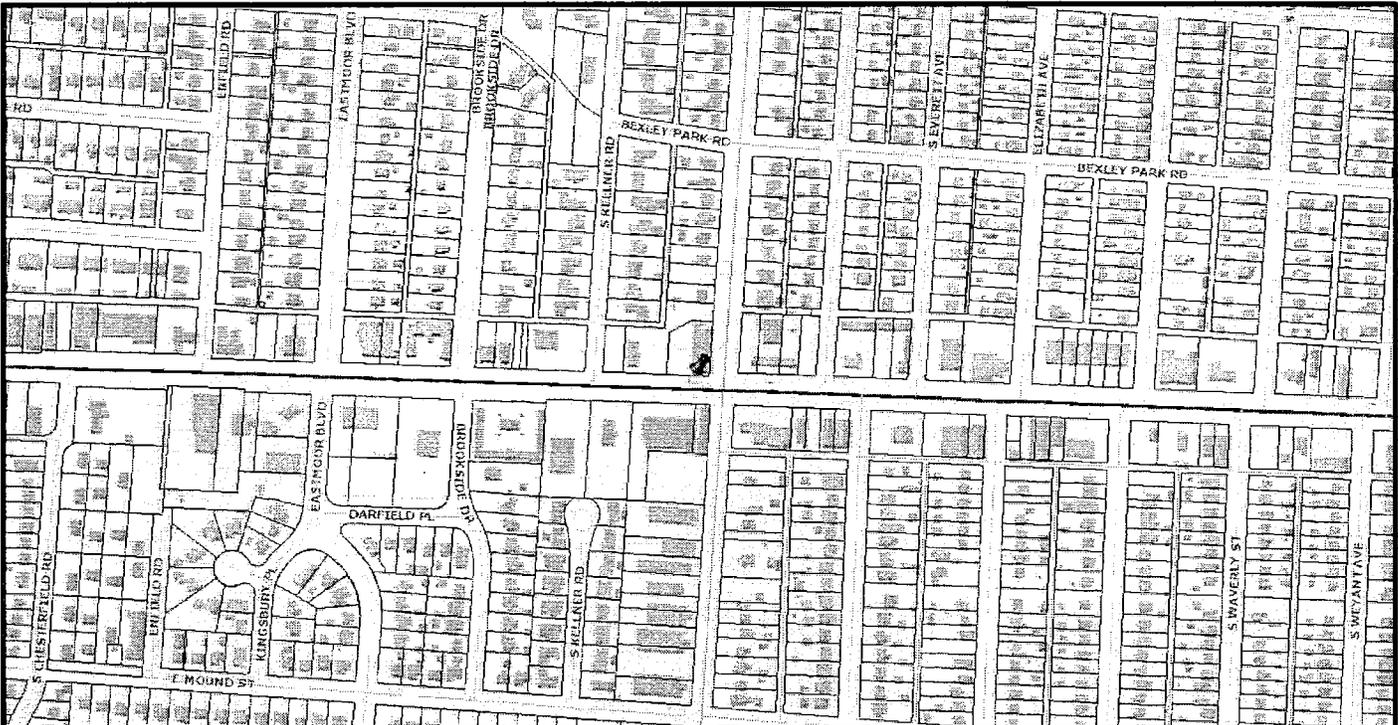
Zoning: ORIG, Commercial, C4
effective 2/27/1928, Height District H-35
Board of Zoning Adjustment (BZA): N/A
Commercial Overlay: EAST MAIN STREET CCO
Graphic Commission: N/A
Area Commission: N/A
Planning Overlay: N/A

Historic District: N/A
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





ANDREW J. GINTHER, MAYOR

Board of Zoning Adjustment Application

DEPARTMENT OF BUILDING AND ZONING SERVICES

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

OFFICE USE ONLY

Application Number: BZA16-105
Date Received: 18 July 2016
Application Accepted by: JF
Fee: \$1900
Commission/Civic:
Existing Zoning:
Comments:

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

- [X] Variance [] Special Permit

Indicate what the proposal is and list applicable code sections:

Applicant proposes demolition of the existing office building and construction of a +/- 1,340 square foot restaurant with drive-thru. Requested Variances: 3372.704(A), 33704(B), and 3372.705(F)

LOCATION

Certified Address: 3120 East Maint Street City: Columbus Zip: Ohio

Parcel Number (only one required): 010-092060

APPLICANT (If different from Owner):

Applicant Name: Rssum Holdings Phone Number: Ext.:

Address: 2367 Ford Road City/State: Delaware, Ohio Zip: 43015

Email Address: Fax Number:

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

Name: 3100 East Main St. Co. c/o Samuel Swartz Phone Number: Ext.:

Address: 5700 Bastille Pl. City/State: Columbus, Ohio Zip: 43213

Email Address: Fax Number:

ATTORNEY / AGENT (Check one if applicable): [X] Attorney [] Agent

Name: Michael Shannon, Esq. Phone Number: 614-229-4506 Ext.:

Address: 500 South Front Street, Suite 1200 City/State: Columbus, Ohio Zip: 43215

Email Address: mshannon@cbjlawyers.com Fax Number: 614-229-4559

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

APPLICANT SIGNATURE Michael Shannon (ESJ)

PROPERTY OWNER SIGNATURE Michael Shannon (ESJ)

ATTORNEY / AGENT SIGNATURE Michael Shannon (ESJ)

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

DEPARTMENT OF BUILDING AND ZONING SERVICES

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 Eric Zartman of (1) MAILING ADDRESS 500 South Front Street, Suite 1200, 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 3120 East Main 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 AND MAILING ADDRESS (4) 3100 East Main St. Co. c/o Samuel Swartz 5700 Bastille Pl., Columbus, Ohio 43213

APPLICANT'S NAME AND PHONE # (same as listed on front application) Rssum Holdings, c/o Michael Shannon, Esq. 614-229-4506

AREA COMMISSION OR CIVIC GROUP AREA COMMISSION ZONING CHAIR OR CONTACT PERSON AND ADDRESS (5) Eastmoor Civic Association and Block Watch John Hamlin 273 Eastmoor Blvd., Columbus, Ohio 43209

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:

Table with 3 columns: (6) PROPERTY OWNER NAME, (6a) PROPERTY ADDRESS, (6b) PROPERTY OWNER MAILING ADDRESS. Row 1: See attached, blank, blank.

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

(8) SIGNATURE OF AFFIANT Eric Zartman

Sworn to before me and signed in my presence this 18th day of July, in the year 2016 Notary Seal Here

(8) SIGNATURE OF NOTARY PUBLIC CAROLA A. STEWART My Commission Expires NOTARY PUBLIC, STATE OF OHIO MY COMMISSION EXPIRES 06/28/2019



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BZA16-105
3120 EAST MAIN STREET

Statement of Hardship

Property Address: 3120 East Main Street
Parcel ID: 010-092060
Applicant: Rssum Holdings
2367 Ford Road
Delaware, Ohio 43015
Attorney: Michael T. Shannon, Esq.
CRABBE, BROWN & JAMES, LLP
500 South Front Street, Suite 1200
Columbus, Ohio 43215
mshannon@cbjlawyers.com
Date of Text: August 2, 2016
Application: BZA16-105

The Site is a +/- .314-acre single parcel located on the north-west corner of the East Main Street and South James Road intersection. The Site is currently used as a commercial office space with approximately 15 foot and 0 foot building setbacks from East Main Street and South James Road, respectively.

The Site is currently zoned Commercial, C-4. The Site is not situated within a Graphic Commission, Area Commission, Planning Overlay, or Historic District. The Site is situated within the East Main Street Community Commercial Overlay, the Eastmoor Civic Association and Block Watch, and the *Main and Broad Corridor Revitalization Plan (2007)* area.

Applicant proposes demolition of the existing office building and construction of a +/- 1,340 square foot restaurant with drive-thru.

The Applicant requests the following variances:

1. § 3372.704(A) – Setback Requirements – Which section requires a building setback of 25 feet +/- 2 feet along primary streets. Applicant requests a variance to allow building setbacks of zero (0) feet from South James Road and 29 feet and 8 inches from East Main Street.
2. § 3372.705(B) – Building Design Standards – Which section requires the width of a principal building along a primary building frontage to be 60% of the lot width. Applicant requests a variance to allow a reduction of principal building width along East Main Street to 26% of the street frontage and a reduction of principal building width along South James Road to 49% of the street frontage.
3. § 3372.705(F) – Building Design Standards – Which section provides, for primary building frontage of a commercial use, a minimum of 40 % of the area between the height of two feet and ten feet above grade shall be in clear window glass. Applicant requests a variance to allow a minimum of 24 % of the area of the primary frontage between the height of two feet and ten feet to be clear window glass.

BZA16-105
3120 EAST MAIN STREET

The Site is subject to special circumstances because it sits at the intersection of two primary streets within a Community Commercial Overlay. That overlay imposes building setback development standards on both of the Site's frontages. Without the requested setback variance, the Site would not have enough space for parking and internal circulation and the Applicant would be precluded from developing the proposed drive-thru restaurant.

Likewise, the fact that the Site sits at an intersection within the overlay means that the building is required to have 60% frontage on both primary streets. A building with 60% frontage on both primary streets would again prevent the Site from having enough space for parking and access, thereby precluding the Applicant from the proposed development.

These special circumstances are not the result or actions of the Applicant. These variances are necessary to preserve Applicant's property right in light of these special circumstances. Also, the requested variances will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of the Zoning Code.

For the reasons stated above, Applicant respectfully requests approval of the requested variances.

Respectfully submitted,

/s/ Michael Shannon
Michael T. Shannon, Esq.
Attorney for Applicant



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: JP

DATE: 7/15/16



Disclaimer

Scale = 70



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.

THE CITY OF COLUMBUS
ANDREW J. GIBNER, MAYOR

Board of Zoning Adjustment Application

DEPARTMENT OF BUILDING AND ZONING SERVICES

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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) Eric Zartman
of (COMPLETE ADDRESS) 500 South Front Street, Suite 1200, 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 and their mailing addresses:

NAME	COMPLETE MAILING ADDRESS
Rssum Holdings,	2367 Ford Road, Delaware, Ohio 43015

SIGNATURE OF AFFIANT *Eric Zartman*

Sworn to before me and signed in my presence this 18th day of July, in the year 2016

Carol A. Stewart
SIGNATURE OF NOTARY PUBLIC

My Commission Expires 06/28/2019
CAROL A. STEWART
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES 06/28/2019

Notary Seal Here



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