

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: CU16-077 Date Received: 11/1/16
Application Accepted by: TD + KP Fee: \$800
Comments: Assigned to Tim Dietrich; 614-645-6665; tedietrich@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 1453 N 4th St 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: 010-025259, 010-030575 & 010-038136

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

Current Zoning District(s): C-4

Area Commission or Civic Association: Italian Village Commission

Proposed Use or reason for Council Variance request: Rezoning

Acreage: 0.39

APPLICANT:

Name: 4x5 Acquisitions, LLC Phone Number: 614-563-3533 Ext.: _____

Address: 1349 Dennison Avenue City/State: Columbus, OH Zip: 43201

Email Address: bhiggins@archcitydevelopment.com Fax Number: n/a

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

Name: New Victorians, Inc Phone Number: 614-294-0550 Ext.: _____

Address: 455 West Third Avenue City/State: Columbus, OH Zip: 43201

Email Address: joe@remaxcitycenter.com Fax Number: _____

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

Name: NATHAN SAMPSON (BEHAL SAMPSON DIETZ) Phone Number: 614-464-1933 Ext.: _____

Address: 990 W. 3RD AVE. City/State: Columbus, OH Zip: 43212

Email Address: nsampson@bsdarchitects.com Fax Number: 614-298-2149

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

APPLICANT SIGNATURE _____

PROPERTY OWNER SIGNATURE JOSEPH ARMENY - THE NEW VICTORIANS

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.

Applications must be submitted by appointment. Call 614-645-4522 to schedule.

Please make checks payable to the Columbus City Treasurer

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

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 EXHIBITS A AND B ON THE FOLLOWING PAGES.

Signature of Applicant



Date

11.1.16

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

Board of Zoning Adjustment Application - List of Requested Variances

Zoning Number: 1453 N. 4th Street

Parcel IDs #010-025259, 010-030575, 010-038136

Parcels	010-025259, 010-030575, 010-038136
Existing zoning	C4, Commercial (Z73-025)
Height district	H-35
Commercial overlay	Italian Village UCO
Historic district	Italian Village
Combined lot area	19,028 sq.ft. (0.436 acres)
(3 combined parcels + center of Greenwood Ave. per ccc3333.15(b))	
Proposed building footprint	10,956 sq.ft. (58% lot coverage)
Proposed building height	35 feet
Proposed dwelling units	14
Proposed zoning	AR-1, Apartment Residential district
Lot density	32.11 dwelling units per acre
Rear yard	7,720 sq.ft. (40.5% total lot area)
Private garage	1,415 sq.ft. (18% of rear yard)
Net floor area for living quarters	21,316 sq.ft. (private garage is less than 1/3 of net floor area)

Variances:

3312.49(C) – Minimum number of parking spaces required
To permit the minimum number of parking spaces to be reduced from 21 spaces to 16 spaces

3321.05(B)(2) – Clear vision at intersections
To reduce the clear vision triangle from 30 feet to 7 feet at E. 5th Ave. And N. 4th Ave.

3333.15(C) - Basis of computing area
To permit a residence building to occupy 58% of the lot area

3333.18(D)(1) – Building lines
To reduce the building line from 10 feet to 0 feet at e. 5th ave. And n. 4th ave.

3333.22 - Maximum side yard required
To reduce the sum of the widths of each side from 16 feet to 0 feet

3333.23(D) - Minimum side yard permitted
To reduce the minimum side yard permitted from 5.8 feet to 0 feet

EXHIBIT B

Board of Zoning Adjustment Application - Statement of Hardship

Zoning Number: 1453 N. 4th Street

Parcel IDs #010-025259, 010-030575, 010-038136

These parcels are located in the Italian Village historic district and are bounded by E. 5th Avenue to the north, N. 4th Street to the east, Greenwood Avenue to the south and an adjacent parcel to the west. These parcels are currently zoned C-4, Commercial.

To effectively redevelop these properties, the developer is requesting a rezoning of these parcels to AR-1 - Apartment Residential use which, in conjunction with the requested variances, will allow the developer to combine these parcels into a single parcel and construct one (1) 14-unit Apartment House (condominium) with twenty (20) off-street parking spaces.

The rezoning of this parcel will permit this proposed structure to contain a higher density of dwelling units per acre, which is necessary to proceed with the redevelopment of this site. The requested variances are essential to maintaining an appropriate rhythm of the existing urban streetscape containing several properties with zero setbacks along E. 5th Avenue and N. 4th Street.

The design intent of the proposed structure is meant to become an "anchor" for this corner property, thereby reinforcing the significance of this street intersection and continuing to promote further investment and development of this neighborhood. In the best interest of surrounding property owners, this development will be an attractive addition to the neighborhood and will help to foster increased property values.

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: CU16-077

STATE OF OHIO

COUNTY OF FRANKLIN

Brian Higgins

Being first duly cautioned and sworn (1) NAME

of (1) MAILING ADDRESS 1349 Dennison Avenue, 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 1453 North 4th 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) 11/1/16

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME

AND MAILING ADDRESS

(4) New Victorians, Inc.

455 West Third Avenue

Columbus, OH 43201

4x5 Aquisitions, LLC

614-563-3533

APPLICANT'S NAME AND PHONE #

(same as listed on front application)

AREA COMMISSION OR CIVIC GROUP

AREA COMMISSION ZONING CHAIR

OR CONTACT PERSON AND ADDRESS

(5) Italian Village Commission

50 West 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

Sworn to before me and signed in my presence this

Rev

(8) SIGNATURE OF NOTARY PUBLIC

Notary Seal Here

CHRISTINA L. HUNTLEY

Notary Public, State of Ohio

My Commission Expires 01-01-2020

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

Lakshmi 200 E 5th
1020 Dennison Avenue, Suite 102
Columbus, OH 43201

Sequence One, LLC
855 Grandview Avenue, Suite 2015
Columbus, OH 43212

New Victorians Inc.
455 West Third Avenue
Columbus, OH 43201

Andrew Losinske
1150 Millcreek Court
Columbus, OH 43220

Heidi Koestner
3175 Tremont Road
Columbus, OH 43221

James Toland
4459 Snowy Meadow Drive
Grove City, OH 43123

Adnan Mouneimne
185 East Fifth Avenue
Columbus, OH 43201

Nathan Sampson
Behal Sampson Dietz
990 W. 3rd Avenue
Columbus, OH 43212

4x5 Acquisitions, LLC
1349 Dennison Avenue
Columbus, OH 43201

New Victorians, Inc.
455 West Third Avenue
Columbus, OH 43201

Italian Village Commission
50 West Gay Street
Columbus, OH 43215

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 # CU16-077

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) [Signature]

of (COMPLETE ADDRESS) 1397 Denison Ave. 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 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. MDB Lakeshore Holdings, LLC 1555 Lake Shore Drive Columbus, OH 43204	2. VHS 4x5, LLC 823 East Long Street, 2nd Floor Columbus, OH 43203
3.	4.

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

SIGNATURE OF AFFIANT [Signature]

Sworn to before me and signed in my presence this 31st day of October, in the year 2016

[Signature]
SIGNATURE OF NOTARY PUBLIC

01-01-20
My Commission Expires

Notary Seal Here

CHRISTINA L HUNTLEY
Notary Public, State of Ohio
My Commission Expires 01-01-2020

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



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: 010030575, 010038136, 010025259

Zoning Number: 1453

Street Name: N 4TH ST

Lot Number: N/A

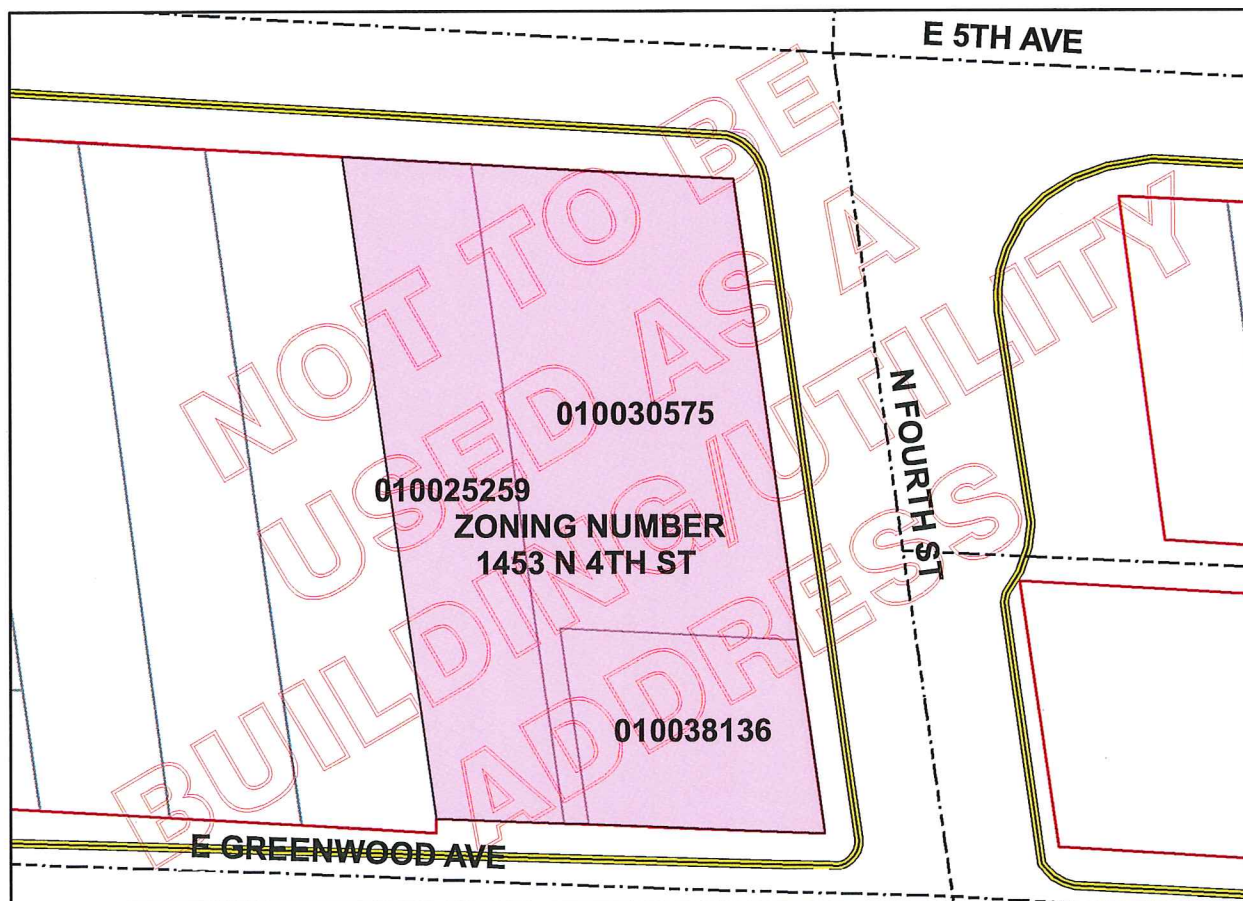
Subdivision: N/A

Requested By: BEHAL SAMPSON DIETZ (MARK OSWANSKI)

Issued By:

Adyana Umarian

Date: 10/28/2016



FRANK D. WILLIAMS, ADMINISTRATOR
DIVISION OF INFRASTRUCTURE MANAGEMENT
COLUMBUS, OHIO

SCALE: 1 inch = 50 feet

GIS FILE NUMBER: 77566

EXHIBIT A - LEGAL DESCRIPTION

Taxing Authority's Number: 010-025259-00

Taxing Authority's Address: 455 W Third St, Columbus OH 43201

Taxing Authority's Number: 010-030575-00

Taxing Authority's Address: 0 North Fourth St, Columbus OH 43201

Taxing Authority's Number: 010-038136-00

Taxing Authority's Address: 1145 N Fourth St, Columbus OH 43201

Legal Description: Parcel I:

Parcel No. 010-025259-00

Street Address: 197 East Fifth Avenue, Columbus OH 43201

Situated in the County of Franklin, in the State of Ohio, and in the City of Columbus and bounded and described as follows:

Being thirty-four and one-third (34 1/3) feet off the West side of Lot Number Four (4) of EDWIN AND ELIZABETH DOMONEY'S SUBDIVISION of Lot Number Thirty-one (31) of WILLIAM G. DESHLER'S AMENDED ADDITION of WILLIAM PHELAN'S MT. PLEASANT ADDITION to the City, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, page 321, Recorder's Office, Franklin County, Ohio.

Prior Instrument: 200404160085690

Parcel II:

Parcel No. 010-030575-00

Street Address: Corner of East Fifth and North Fourth, Columbus OH 43201

Situated in the State of Ohio, County of Franklin, and City of Columbus, and being more particularly described as follows:

Being a part of Lot No. 4 in the Edwin and Elizabeth Domoney's Subdivision of Lot No. 31, in William G. Deshler's Addition to William Phelan's Mount Pleasant Addition to said city, as said Lot No. 4 is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 2, page 321, Recorder's Office, Franklin County, Ohio, and being more particularly bounded and described as follows:

Beginning at an iron pin located at the southwest corner of Fifth Avenue and Fourth Street (formerly Lazelle Street) as the same are now established in said city; thence in a southerly direction along the West line of Fourth Street, as the same is now established, 122.25 feet to a stake; thence in a westerly direction and parallel to the south line of Fifth Avenue 63.66 2/3 feet to a stake; thence in a southerly direction parallel to the West line of said Lot No. 4, 53.25 feet, more or less, to a stake in the South line of said Lot No. 4; thence in a westerly direction along the South line of said lot, 5 feet to a stake located 34.33 feet East of the West line of said lot; thence in a northerly direction and parallel to the West line of said lot, 175.50 feet, more or less, to a stake in the South line of said Fifth Avenue, as the same is now established, located 34.33 feet East of the West line of said lot; thence in an easterly direction along the South line of Fifth Avenue, as now established, 68.66 feet to the place of beginning.

Prior Instrument References: 199804200092547 and 199804200092549

Parcel III:

CV16-077

Parcel No. 010-038136-00

Street Address: 1145 North Fourth Street, Columbus OH 43201

Situated in the County of Franklin, in the State of Ohio and in the City of Columbus and bounded and described as follows:

Being a part of Lot Number Four (4) in EDWIN AND ELIZABTEH DOMONEY'S SUBDIVISION of Lot Number Thirty-one (31) in William G. Deshler's Amended Addition to William Phelan's Mount Pleasant Addition to said City of Columbus, bounded and described as follows:

Commencing at a point in the East line of said Lot Four (4) (West line of Laxell now Fourth Street); thence westerly by a line parallel with the North line of said Lot 4, South line of Fifth Avenue, except 11 5/8 inches taken off for widening of Fourth Street, Sixty-three (63) feet and Eight (8) inches; thence southerly by a line parallel with the East line of said Lot Four (4) (West line of Fourth Street) about Fifty-three (53) feet and Two (2) inches to the South line of said Lot Four (4); thence eastward on the South line of said Lot Four (4), Sixty-three (63) and Eight (8) inches, except One and 39/100ths feet taken off for widening of Fourth Street (1.39 ft. per Inst. 198401090043882), to the southeast corner of said Lot; thence northward on the East line of said Lot Four (4) about Fifty-three (53) feet and Two (2) inches to the place of beginning.

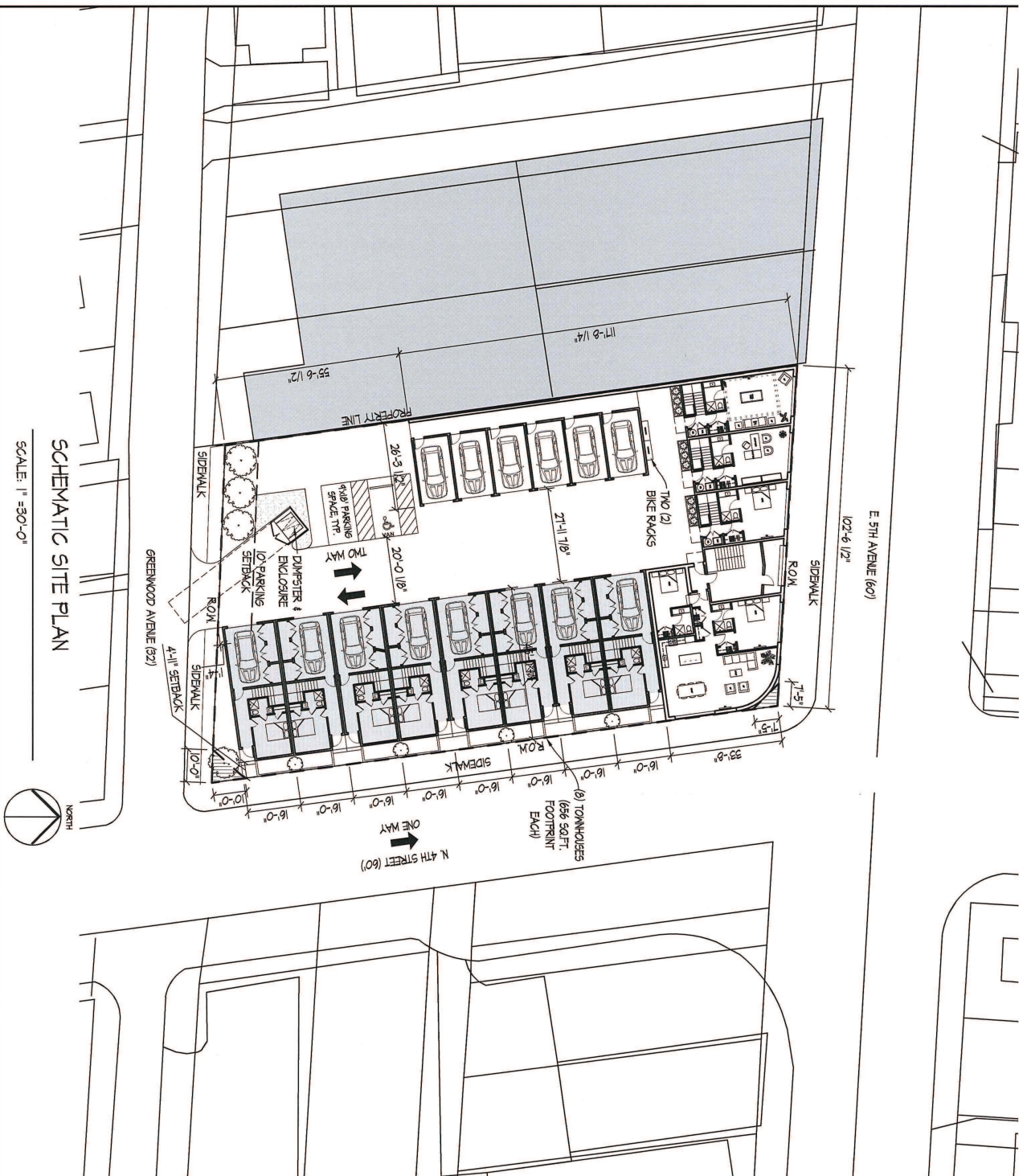
Prior Instrument Reference: 200001120008400

Easements, restrictions, etc.: Subject to easements, conditions, and restrictions of record.

Being the same property conveyed to **The New Victorians**, a Corporation, organized under the laws of Ohio, by Deed from **Marvin Glassman**, a.k.a. Marvin L. Glassman and **Amelia Glassman** (the latter who executed only for the purpose of releasing dower), husband and wife, dated April 1, 1998, and recorded April 2, 1998 at 09:13 a.m. in Instrument Number 199804200092547 of the Franklin County Recorder's Office in Columbus, Ohio; being the same property conveyed to **The New Victorians**, a Corporation, organized under the laws of Ohio, by Deed from **Diane G. Witt** and **Robert Witt** (the latter who executed only for the purpose of releasing dower), wife and husband, dated April 1, 1998, and recorded April 20, 1998 at 09:13 a.m. in Instrument Number 199804200092549 of the Franklin County Recorder's Office in Columbus, Ohio; being the same property conveyed to by Deed from **Frieda Kauffman**, Deceased, by and through **National City Bank**, Executor of said decedent's Estate, dated April 1, 1998, and recorded April 20, 1998 at 09:13 a.m. in Instrument Number 199804200092551 of the Franklin County Recorder's Office in Columbus, Ohio; and being the same property conveyed to **The New Victorians**, a Corporation, organized under the laws of Ohio, by Deed from **Nettie E. Baxton** and **Edgar B. Baxton** (the latter who executed only for the purpose of releasing dower), wife and husband, dated April 15, 2004, and recorded April 16, 2004 at 2:12 p.m. in Instrument Number 200404160085690 of the Franklin County Recorder's Office in Columbus, Ohio.

CUL6-022

BEHAL SAMPSON DIETZ
 940 WEST THIRD AVE.
 COLUMBUS, OHIO 43212



SCHEMATIC SITE PLAN

SCALE: 1" = 30'-0"



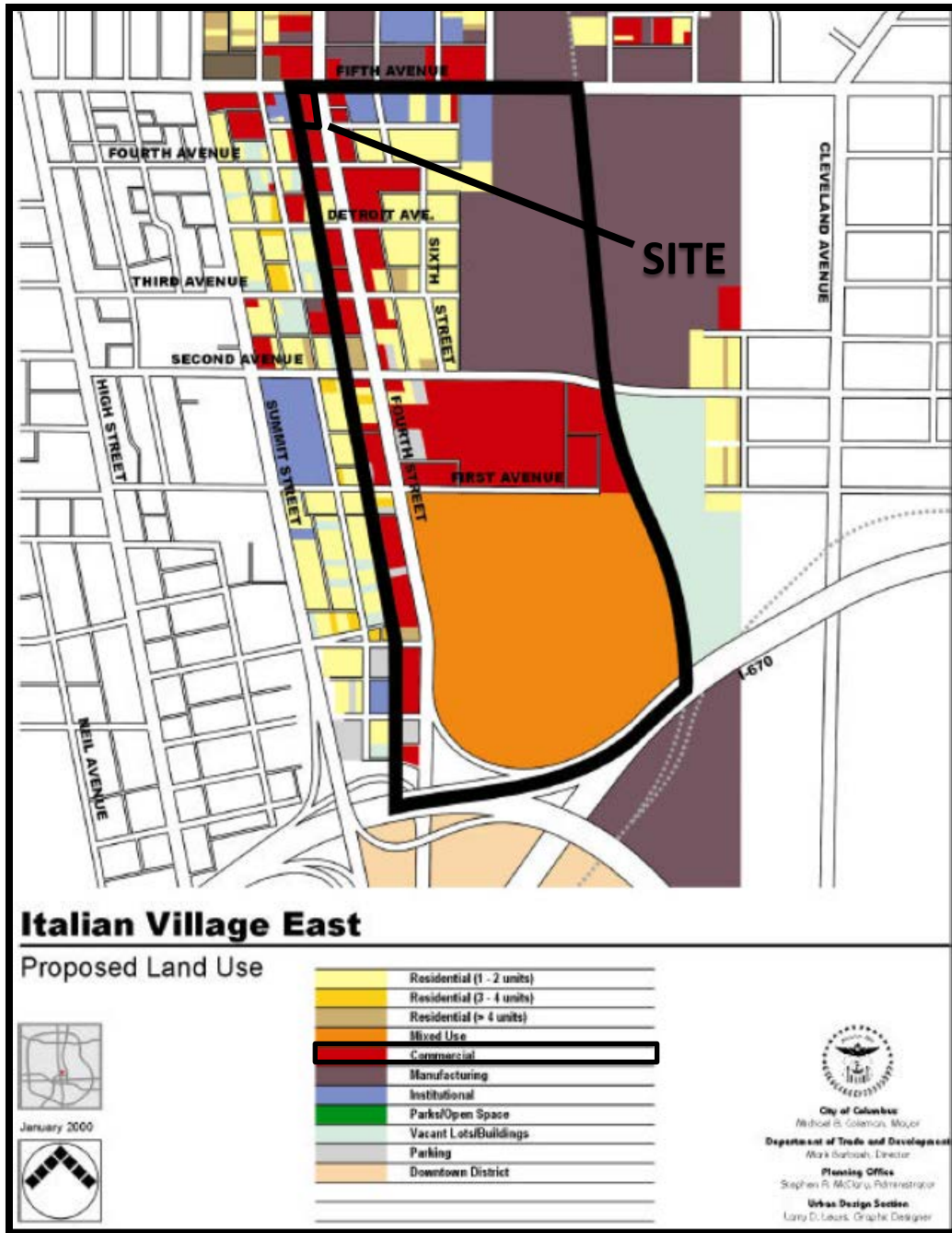
SCHEMATIC SITE PLAN DESIGN FOR
 4X5 DEVELOPMENT
 NOVEMBER 1, 2016

216-079

BEHAL SAMPSON DIETZ
 440 WEST THIRD AVE.
 COLUMBUS, OHIO 43212

DESIGN CALCULATIONS AND VARIANCES	SITE PLAN NOTES
<p>PARKS</p> <p>EXISTING ZONING: C4 COMMERCIAL (271-409)</p> <p>HEIGHT DISTRICT: H-3</p> <p>COMMERCIAL OVERLAY: ITALIAN VILLAGE UCO</p> <p>HISTORIC DISTRICT: ITALIAN VILLAGE</p> <p>COMBINED LOT AREA: 19,028 SQ.FT. (0.44 ACRES)</p> <p>(6 COMBINED PARCELS - CENTER OF GREENWOOD AVE PER CCCC331.150)</p> <p>PROPOSED BUILDING FOOTPRINT: 10,954 SQ.FT. (25% LOT COVERAGE)</p> <p>PROPOSED BUILDING HEIGHT: 33 FEET</p> <p>PROPOSED DWELLING UNITS: 14</p> <p>PROPOSED ZONING: A4.1 APARTMENT RESIDENTIAL DISTRICT</p> <p>LOT DENSITY: 32.11 DWELLING UNITS PER ACRE</p> <p>REAR YARD: 7,729 SQ.FT. (0.18% TOTAL LOT AREA)</p> <p>PRIVATE GARAGE: 1,415 SQ.FT. (10% OF REAR YARD)</p> <p>NET FLOOR AREA FOR LIVING QUARTERS: 21,166 SQ.FT. (PRIVATE GARAGE IS LESS THAN 1/3 OF NET FLOOR AREA)</p> <p>VARIANCES:</p> <p>332.900 - MINIMUM NUMBER OF PARKING SPACES REQUIRED TO PERMIT THE MINIMUM NUMBER OF PARKING SPACES TO BE REDUCED FROM 21 SPACES TO 16 SPACES</p> <p>332.160/2 - CLEAR VISION AT INTERSECTIONS TO REDUCE THE CLEAR VISION TRIANGLE FROM 39 FEET TO 7 FEET AT E. 5TH AVE. AND N. 4TH AVE.</p> <p>333.150 - BASIS OF COMPETING AREA TO PERMIT A RESIDENTIAL BUILDING TO OCCUPY 50% OF THE LOT AREA</p> <p>333.160/1 - BUILDING LINES TO REDUCE THE BUILDING LINE FROM 10 FEET TO 0 FEET AT E. 5TH AVE. AND N. 4TH AVE.</p> <p>333.22 - MAXIMUM SIDE YARD REQUIRED TO REDUCE THE SIDE OF THE WIDTHS OF EACH SIDE FROM 16 FEET TO 0 FEET</p> <p>333.230 - MINIMUM SIDE YARD PERMITTED TO REDUCE THE MINIMUM SIDE YARD PERMITTED FROM 5.8 FEET TO 0 FEET</p>	<ul style="list-style-type: none"> - LANDSCAPING AND SCREENING SHALL COMPLY WITH CCCC331.21 - PARKING SPACES SHALL COMPLY WITH CCCC331.29 - PARKING SPACE FOR ADA COMPLIANCE SHALL COMPLY WITH CCCC331.31 - REQUIRED SIGNAGE FOR PARKING SHALL COMPLY WITH CCCC331.45 - SIGNING AND MARKING SHALL COMPLY WITH CCCC331.29 - BICYCLE PARKING SHALL COMPLY WITH CCCC331.40/1 - DUMPSTER AREA SHALL COMPLY WITH CCCC331.41 - LIGHTING SHALL COMPLY WITH CCCC331.48 - LANDSCAPING SHALL COMPLY WITH CCCC331.47 - SCREENING SHALL COMPLY WITH CCCC331.49 <p>FLOOD ZONE: OUT</p> <p>PANEL: 38 OF 465</p> <p>MAP NUMBER: 39040303K</p> <p>MAP REVISION: 1/26/17, 208</p>

SCHEMATIC SITE PLAN DESIGN FOR
 4X5 DEVELOPMENT
 NOVEMBER 1, 2016



CV16-077
1453 North Fourth Street
Approximately 0.39 acres



CV16-077
1453 North Fourth Street
Approximately 0.39 acres