



# CITY OF COLUMBUS

DEPARTMENT OF BUILDING AND ZONING SERVICES

## One Stop Shop Zoning Report Date: Wed Oct 26 2016

General Zoning Inquiries: 614-645-8637

### SITE INFORMATION

**Address:** 823 W 3RD AVE COLUMBUS OH 43212

**Mailing Address:** 375 N FRONT ST STE 200

COLUMBUS OH 43215-2258

**Owner:** NRI EQUITY LAND INVESTMENTS LLC

**Parcel Number:** 010022561

### ZONING INFORMATION

**Zoning:** ORIG, Manufacturing, M  
effective 2/27/1928, Height District H-60

**Board of Zoning Adjustment (BZA):** N/A

**Commercial Overlay:** N/A

**Graphic Commission:** N/A

**Area Commission:** 5th by Northwest Area Commission

**Planning Overlay:** N/A

**Historic District:** N/A

**Historic Site:** No

**Council Variance:** N/A

**Flood Zone:** OUT

**Airport Overlay Environs:** N/A

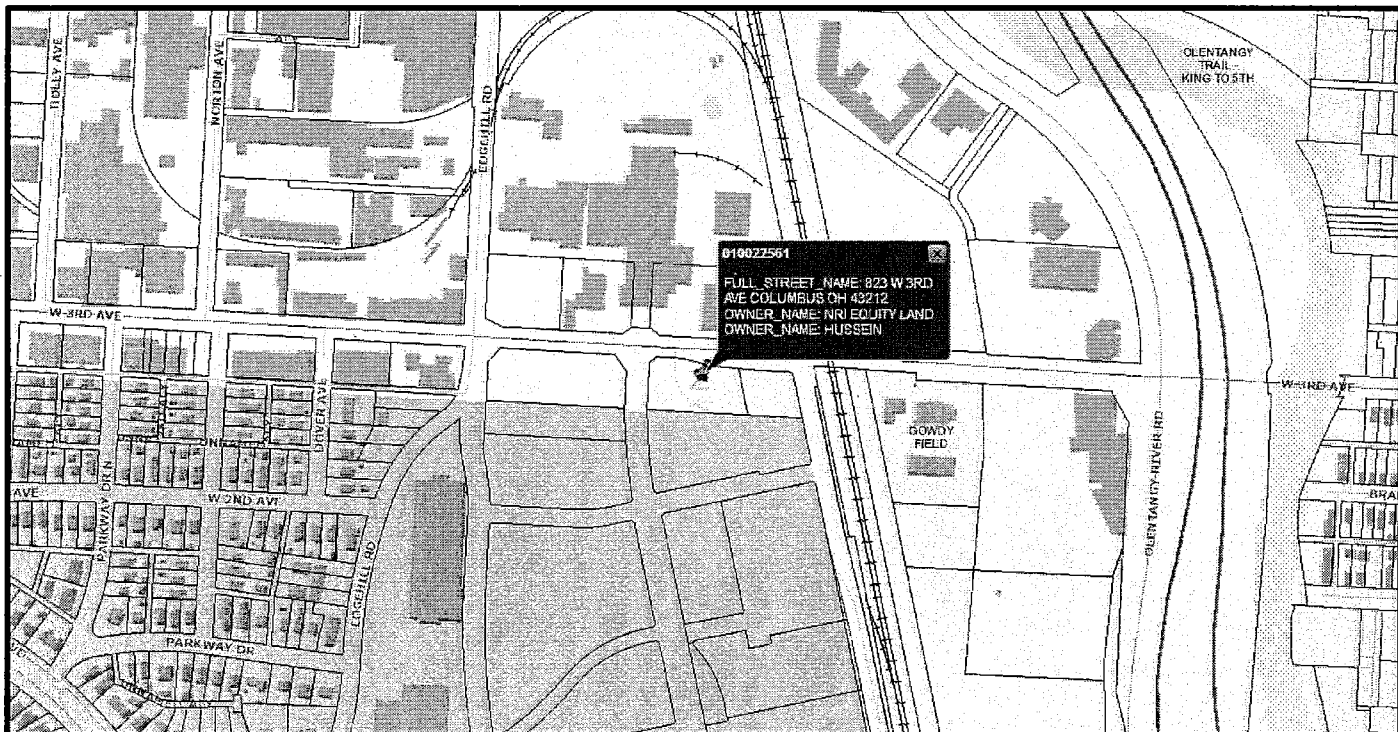
### PENDING ZONING ACTION

**Zoning:** N/A

**Board of Zoning Adjustment (BZA):** N/A

**Council Variance:** N/A

**Graphic Commission:** N/A





**BZA16-143**  
**823 WEST THIRD AVE.**

## BOARD OF ZONING ADJUSTMENT APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services  
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • [www.columbus.gov](http://www.columbus.gov)

OFFICE USE ONLY

Application Number: BZA16-143  
Date Received: 25 Oct. 2016  
Commission/Civic: 5th / NorthWest  
Existing Zoning: \_\_\_\_\_ Application Accepted by: JF Fee: \$1900  
Comments: \_\_\_\_\_

### TYPE(S) OF ACTION REQUESTED

(Check all that apply)

☒ Variance ☐ Special Permit

Indicate what the proposal is and list applicable code sections.

Per 3363.27, to reduce the building setback along Yard Street from 25' to 0'. Per 3312.25, to allow maneuvering over a parcel line or municipal line.

Per 3312.29, to reduce the parking space size due to corporation limit line location (min. parking stall width = 1' and min. length = 4').

Per 3312.49, to reduce the minimum required parking count from 13 spaces to 5 spaces. Additional parking spaces have been provided outside of City of Columbus Corporation Limits.

### LOCATION

1. Certified Address Number and Street Name 823 W 3rd Avenue  
City Columbus State OH Zip 43212  
Parcel Number (only one required) 010022561 & 010067165

### APPLICANT: (IF DIFFERENT FROM OWNER)

Name (See Property Owner) \_\_\_\_\_  
Address \_\_\_\_\_ City/State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email \_\_\_\_\_

### PROPERTY OWNER(S):

Name NRI Equity Land Investments, LLC  
Address 375 North Front Street City/State Columbus, Ohio Zip 43215  
Phone # (614) 857-2332 Fax # (614) 857-2346 Email Rostj@nationwide.com  
☐ Check here if listing additional property owners on a separate page.

### ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

☐ Attorney ☐ Agent

Name Josh Cummings  
Address 5500 New Albany Road City/State Columbus, Ohio Zip 43054  
Phone # (614) 775-4627 Fax # (614) 775-4856 Email: jcummings@emht.com

### SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE \_\_\_\_\_  
PROPERTY OWNER SIGNATURE \_\_\_\_\_  
ATTORNEY / AGENT SIGNATURE \_\_\_\_\_

**PLEASE NOTE:** incomplete information will result in the rejection of this submittal.  
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**Please make all checks payable to the Columbus City Treasurer**



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### AFFIDAVIT

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME James K. Rost

of (1) MAILING ADDRESS 375 North Front Street Columbus, Ohio 43215

deposed 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

for which the 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) NRI Equity Land Investments, LLC

375 North Front Street

Columbus, Ohio 43215

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

James K. Rost

(614) 857-2332

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

(5) 5th by Northwest

Rebecca Obester

1802 Kings Ct. Unit C Columbus, Ohio 43212

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(S) NAME      (6A) ADDRESS OF PROPERTY      (6B) PROPERTY OWNER(S) MAILING ADDRESS  
(See attached List)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 12<sup>th</sup> day of October, in the year 2016

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

(8) Adam Spradlin  
4/18/2021



**ADAM SPRADLIN**  
Notary Public, State of Ohio  
My Commission Expires 04-18-2021

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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. That special circumstances or conditions apply to the subject property that does not apply generally to other properties in the same zoning district.
  2. That the special circumstances or conditions are not the result of the actions of the property owner or applicant.
  3. That 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. That 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 the 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 is requesting a variance for building setback along the East side of Yard Street. The request is based upon neighborhood design goals established in the Grandview Yard Mixed-Use overlay approved by Grandview Heights and upheld by the master developer in all efforts within the neighborhood to date. In an effort to create a pedestrian-friendly neighborhood as well as market-supported commercial building opportunities, the proposed building plans are sited in a manner that respects the primary setback along Third Avenue while requesting a setback variance along the secondary frontage of Yard Street. The setback is requested to provide sufficient area for three full bays of parking in accordance with the City of Columbus requirements for the proposed buildings. Approving this variance, allowing the utilization of land within the building setback, will provide a pedestrian-oriented site plan that precludes unsightly parking from being placed in front of the proposed buildings along Third Avenue at these highly visible corners at the north end of Grandview Yard. Without the approval of this variance, the buildings would not fit within the City of Columbus corporation limits and would require a different function for this property. The applicant is also requesting a variance to reduce parking within the site, a variance to reduce the size of the parking stall, and a variance to reduce the maneuverability within the property. These variances are technical variances that are being requested because the proposed property is divided by Corporation Line of the City of Columbus and the City of Grandview Heights. It is anticipated that the entire development will have adequate parking for the three buildings within the development. As shown within the exhibit, the total minimum spaces required for all three buildings based off of the City of Columbus zoning code is 366 spaces. It is anticipated that the total number of spaces provided will be 177 spaces within the developed block.

(Continued on next sheet.)

Signature of Applicant \_\_\_\_\_

Date 10/12/2016

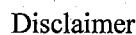
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(Continued from statement of hardship)

Given the fact that this development is a part of an overall Grandview Yard Master plan, this project will be able to utilize the public parking garage located directly to the south of this development for the additional required parking spaces needed for this site. The public parking garage directly south of this site, as shown within the attached exhibit, will provide 1477 additional spaces that will be utilized by the entire development area. This parking garage will provide parking for the office buildings located just south of the garage, the apartment and retail building located to the west of the garage and the proposed north commercial development as proposed within this application. In accordance with the Grandview Yard Master Plan as approved by the City of Grandview Heights, we believe that a large volume of people will walk to the proposed development due to the use and proximity of the surrounding developments, reducing the need for the additional parking spaces on site.

This development has provided these calculations based off of the highest demanded requirement within the City of Columbus Zoning code, utilizing the restaurant space requirement at 1 space per 75 square feet of building gross. It is anticipated that that this development will be a majority of restaurant base users, however, there is a possibility that some users may be retail space which would require less parking spaces for the development.

The Grandview Yard Development also has agreements set forth with the City of Grandview Heights that allows for shared cross parking and access routes throughout the entire development.



Grid  
North

Real Estate / GIS Department





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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) James K. Rost

of (COMPLETE ADDRESS) 375 North Front Street 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
NRI Equity Land Investments, LLC	375 North Front Street Columbus, Ohio 43215

SIGNATURE OF AFFIANT

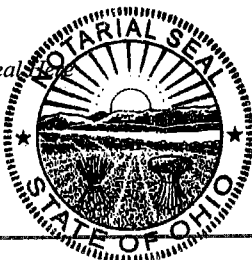
Subscribed to me in my presence and before me this 12 day of October, in the year 2016

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

Adam Spradlin  
~~10/12/2016~~ 4/18/2021

Notary Seal



**ADAM SPRADLIN**  
Notary Public, State of Ohio  
My Commission Expires 04-18-2021

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