

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: CV17-024 Date Received: 3/29/17
Application Accepted by: KP + SP Fee: \$1600
Assigned Planner: Kelsey Priebe: kpriebe@columbus.gov; 614-645-1341

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes): 43-716.18th Street Zip: 43205

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: 010-048064-00 + 010-048064-3

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

Current Zoning District(s): ARLD

Area Commission or Civic Association: Near East Area Commission

Proposed Use or reason for Council Variance request:

To allow the following uses for a commercial first floor tenant: Eating/Drinking Establishment, office, retail

Acreage: .09±

APPLICANT:

Name: Stanton Coville + Alexa Sibberson Phone Number: 614 288 5500 Ext.: _____

Address: 100 E Gay St Unit 303 City/State: Columbus, OH Zip: 43215

Email Address: stanton.coville@gmail.com Fax Number: _____

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

Name: YVESKELE CLEVI Phone Number: 614 571 5003 Ext.: _____

Address: 139 E Main St Unit 103 City/State: Columbus OH Zip: 43215

Email Address: yveskele456@yahoo.com Fax Number: _____

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

Name: Amanda Dunfield Phone Number: 513-289-6164 Ext.: _____

Address: 3126 Derby Rd City/State: Columbus / Ohio Zip: 43221

Email Address: amanda@cadastre-arch.com Fax Number: _____

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

APPLICANT SIGNATURE [Signature]

PROPERTY OWNER SIGNATURE [Signature]

ATTORNEY / AGENT SIGNATURE [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

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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

List all sections of Code to be varied and explain your reasoning as to why this request should be granted.

PLEASE NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are discovered after your application is approved, a new application will be required.

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(s) requested as detailed below (use separate page if needed or desired):

Please See attached.

Signature of Applicant

Date

3/20/2017

3/27/2017

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CV17-024

Statement of Hardship

Foreword

CV13-014 will remain in effect for rest of parcels not listed in this new council variance. This CV has been amended CV13-014 to allow the first floor of 63-71 S Eighteenth Street to become an eating and drinking establishment and/ or retail business and/or fitness studio and/ or office and/ or to remain residential units and to apply for a variance to build a patio adjacent to this space in a private side yard that would be occupied by the first floor tenant. The side yard is shared by the neighboring building and thus has also been included in this council variance to allow the patio use within the side yard. CV13-014, granted the first floor of the property located at 63-71 S Eighteenth Street to be used for manufacturing and commercial use, specifically as a production bakery and retail space, but the language of CV13-014 is too specific and needs to be revised to allow for flexibility for potential future tenants.

Hardships:

The project is making use of existing buildings and conditions which creates a hardship for density, parking, driveway, lot area, setback, yard, and uses requirements. The projects intent is to keep the look of the neighborhood intact while developing the buildings to better suit the neighborhoods current needs residentially and commercially.

Item 1 3333.02, Allowable Uses

63-71 S Eighteenth St.:

The proposed use of the entire first floor as an eating and drinking establishment and/or an office; retail business; fitness studio while still allowing for the potential future use to return to residential units, while keeping two residential units on the 2nd floor. The following uses are not permitted in an ARLD district and require a variance: eating and drinking establishment, office, retail, fitness studio. The intended use of the building would consist of an eating and drinking establishment, a retail space and a fitness studio on the first floor and 2 residential units on the second floor. The proposed eating and drinking establishment, retail space and fitness studio would add to the neighborhood's business diversity while complimenting existing establishments making use of a building which has remained vacant for several years.

The proposed first floor tenant and attached 712 SF fenced in patio is not a permitted use in an ARLD district. A majority of the potential users would access the building by foot, so parking would not be greatly impacted. A restaurant with connected patio use is consistent with the Near East Area Plan. The additional patio is consistent with properties in the same zoning district and would replace an undeveloped lot side yard.

73-75 S Eighteenth St.:

The property at 73-75 S. Eighteenth St. is an existing 2-family dwelling. As stated in section 3333.02, a 2-family dwelling is a non-conforming use for an ARLD district if the property was not separately owned or of record on January 14, 1959. While the existing building meets this requirement, the request is to maintain the use in the event of catastrophic loss to the structure. In addition, the proposed patio for 63-71 S Eighteenth crosses the property line into this parcel at the side yard; the same variance request applies for this space.

A variance is requested to allow commercial use on the first floor of 69-71 Eighteenth Street along with a commercial patio, and allow a commercial patio at 73-75 S. Eighteenth St.

Item 2 ARLD density requirement

All of the lots for which buildings are located on are contained within an ARLD district. The proposed number of units for this site has been established as 31 and the overall lot square footage is 38,605. The existing density for the site is 46.2 units per acre. The proposed density for this site is 34.83 units per acre. While still over the required density of 17.4, the proposed work would result in a decrease in density.

Item 3 3312.49, Minimum number of parking spaces required

The existing site does not meet the parking requirement. With a total of 14 spaces, the proposed structures will provide a much needed amenity providing secure parking for the new residents of the dwellings.

Proposed 4 dwelling units

73-75 S Eighteenth St. – 2 units @ 2 spaces/unit = 4 spaces

63-71 S Eighteenth St. – 2 units @ 2 spaces/unit = 4 spaces

Required spaces = 8

Proposed Eating/ Drinking establishment at 63-71 S Eighteenth (2,082 SF) (1space/75 SF)

Required spaces = 27

Proposed Restaurant patio at 63-71 S Eighteenth (712 SF) (1space/150 SF)

Required spaces = 5

Total required spaces = 40

Total parking spaces proposed = 0

A variance is requested for the 40 spaces of required parking that are not being provided. Some parking is included in CV13-014 which will not be changed by this council variance.

Item 4 3333.15, Lot Area requirements

The proposed lot coverage of the site is 66% based of the 4,573 SF total building area and 6,829 SF total lot area. The existing lot coverage of the site is 56 %. The proposed patio will provide a much needed amenity providing outdoor space to a new commercial tenant for the surrounding residential units.

A variance is requested to allow a building area denser than what is allowed.

Item 5 3333.18, Setback requirements

The existing buildings do not meet the setback requirement. As stated in section 333.18 the required building setback for ARLD district shall be 25 feet.

A variance is requested to allow a setback less than 25 feet.

Item 6 3333.22 – 3333.255, Yard requirements

The existing buildings do not meet the front, side, or rear yard requirements. As stated in sections 3333.20 – 3333.255 there are requirements for the size of front, side and rear yards for a building. These required sizes cannot be met due to the existing density of the site.

A variance is requested to allow the yard conditions as shown.

Item 7 3321.05, Vision Clearance

The existing conditions do not meet the vision clearance requirement. As stated in section 3321.05, a vision clearance of 30 feet is required at street intersections and 10 feet at vehicular access points. Neither the main streets nor the access point to the interior of the site meet this requirement.

A variance is requested to allow a vision clearance less than what is allowed.

Item 8 3312.25, Maneuvering

The existing conditions do not meet the requirement that maneuvering for parking spaces be provided on the same lot as the parking spaces.

A variance is requested to allow maneuvering over property lines to access parking spaces.

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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: CV17-024

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Amanda Dinsfield

of (1) MAILING ADDRESS 3126 Derby Rd, Columbus, Ohio 43221

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 63-71 18th Street, Columbus, Ohio 43205

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 3/29/17

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) LG Venture Ohio LLC
139 E. Main Street Apt 103
Columbus, Ohio 43215

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

Stanton Corille + Alexa Silberman

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

(5) Near East Area Commission
Kathleen Bailey (Cell) 582-3053
489 Linwood Ave, Columbus, Ohio 43205

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)

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

(8) SIGNATURE OF AFFIANT

[Signature]

Sworn to before me and signed in my presence this 27th day of March, in the year 2017

(8) SIGNATURE OF NOTARY PUBLIC

[Signature]

5.1.2021
My Commission Expires

Notary Seal Here

This Affidavit expires six (6) months after the date of notarization.



KRISTIN D. BETTS
Notary Public, State of Ohio
My Commission Expires 05-01-2021

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APPLICANTPROPERTY OWNERAGENT

STANTON COVILLE + ALEXA SIBBERSON
100 E GAY STREET, UNIT 303
COLUMBUS, OHIO 43215

YHEVIEL LEVI
139 E MAIN STREET, UNIT 103
COLUMBUS, OHIO 43215

AMANDA DUNFIELD, AIA
3126 DERBY ROAD
COLUMBUS, OHIO 43221

AREA COMMISSION

NEAR EAST AREA COMMISSION
KATHLEEN BAILEY
489 LINWOOD AVE
COLUMBUS, OHIO 43205

SURROUNDING PROPERTY OWNERS

ACCESS INFRASTRUCTURE OHIO LLC
99 N BRICE RD STE 360
COLUMBUS, OHIO 43213

CRAFTER BETTY J
850 OAK ST
COLUMBUS, OHIO 43205

OAK STREET INVESTORS LLC
217 S DAWSON AVE
DUBLIN, OHIO 43017

DOUGLAS PARTNERSHIP
65-71 S DOUGLASS ST
COLUMBUS, OHIO 43205

OAK STREET PARTNERS LLC
1336 EASTWOOD AVE
COLUMBUS, OHIO 43203

WEISS CHRISTOPHER J
883-885 OAK ST
COLUMBUS, OHIO 43205

D&S PROPERTIES
849-851 OAK ST
COLUMBUS, OHIO 43205

COTNER JEFFREY G +
ELAZIBE GUAD
879 OAK ST
COLUMBUS, OHIO 43205

SHAHER TIMOTHY S
100 S SEVENTEETH ST
COLUMBUS, OHIO 43205

ALLEGHENY WEST CONFERENCE
CORPORATION SEVENTH-DAY,
ADVENTIST
1339 E BROAD ST
COLUMBUS, OHIO 43205

MC GEE MINNIE M
844 OAK ST
COLUMBUS, OHIO 43205

ESTEP RANDEE R
BEER DANIEL W
986 BRYDEN RD
COLUMBUS, OHIO 43205

MIKEL DANIEL J + MIKEL SHANNON
905- 907 OAK ST
COLUMBUS, OHIO 43205

SHAHER TIMOTHY S
863-865 OAK ST
COLUMBUS, OHIO 43232

BOARD OF EDUCATION OF THE
COLUMBUS CITY SCHOOL DIST
270 E STATE ST
COLUMBUS, OHIO 43215

102 LLC
102 S 18TH ST
COLUMBUS, OHIO 43205

ALLIANCE ONE LTD
845 OAK ST
COLUMBUS, OHIO 43205

KEARLEY JULIE A FABULOUS REAL
ESTATE, INVESTMENTS LLC
3086 WAKESHIRE DRD
DUBLIN, OHIO 43017

MITCHELL JIMMIE
3086 WAKESHIRE DRD
DUBLIN, OHIO 43017

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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 # CV17-024

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Amanda Dinfeld

of (COMPLETE ADDRESS) 3126 Derby Rd, Columbus, Ohio 43224

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. <u>LG Venture Ohio LLC</u>	2.
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 27th day of March, in the year 2017

[Signature]
SIGNATURE OF NOTARY PUBLIC

5-01-2021
My Commission Expires

Notary Seal Here



KRISTIN D. BETTS
Notary Public, State of Ohio
My Commission Expires 05-01-2021

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63- 75 EIGHTEENTH STREET (43205), being 0.15± acres located at the northeast corner of 18th street and Agate Alley, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin and in the City of Columbus:

Parcel No. 010-048064

Known as: 63-71 S. Eighteenth Street, Columbus, Ohio 43205
.0713 Acres

Being a part of Lot No. Five (5) of C.B. and D.H. COWAN'S SUBDIVISION of Lots Nos. Forty-five (45) and Fortynine (49), both inclusive of Samuel Barlit's Amended Subdivision, as the said Lot No. 5 is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 5, page 311, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

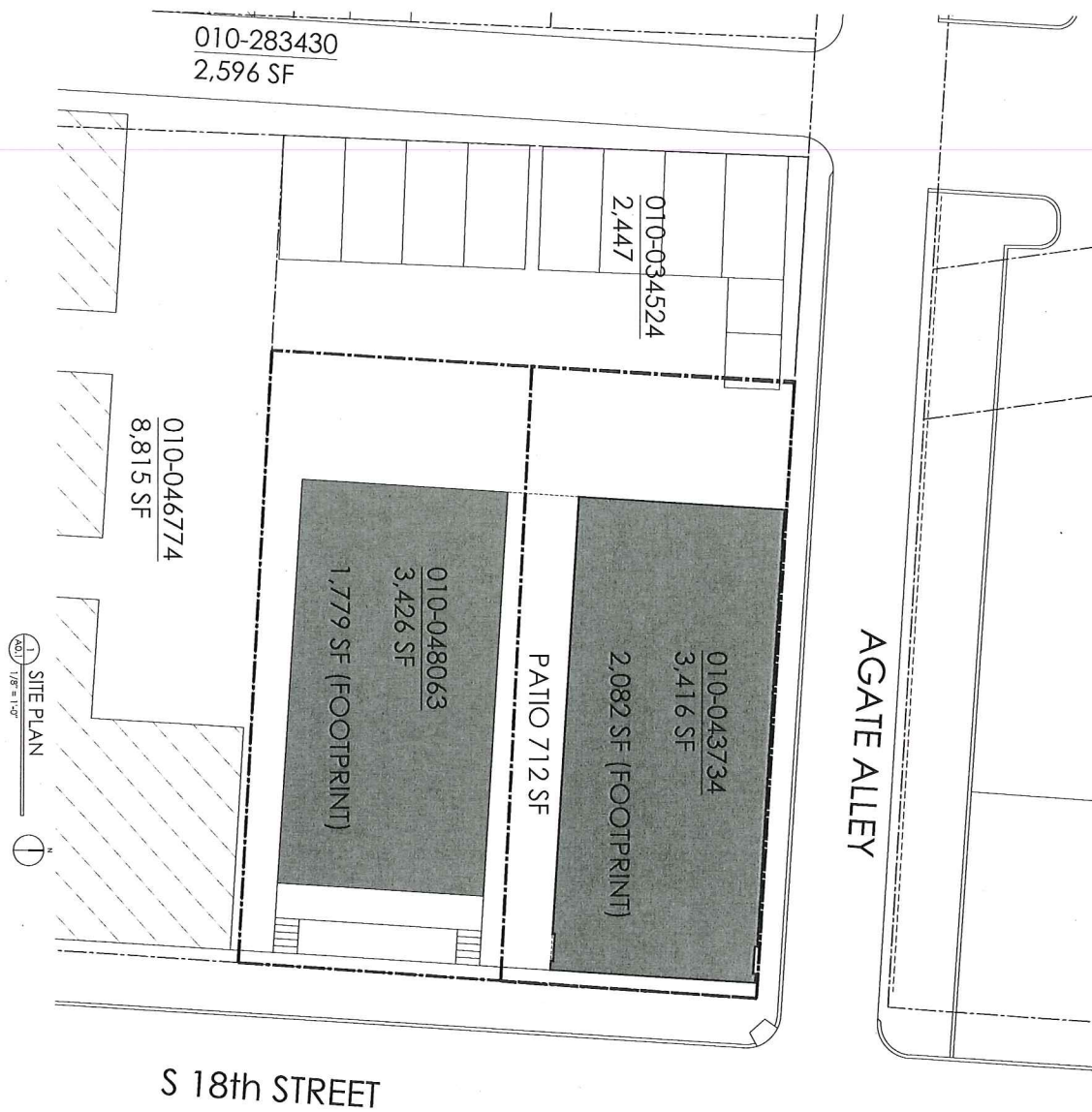
Beginning at the northeast corner of Lot No. 5 marked by a cut on a concrete step; thence with the east line of said Lot No. 5, it being also the west line of 18th Street, south 35.63 feet to a cut on concrete to the center line of the Court; thence westerly with a line parallel with the north line of said Lot No. 5, 87 feet to a stake; thence on a line parallel with the west line of 18th Street, northerly 35.63 feet more or less to the north line of said Lot No. 5; thence easterly along the north line of said Lot No. 5, 87 feet more or less to the place of beginning.

Parcel No. 010-048063

Known as: 73-75 S. Eighteenth Street, Columbus, Ohio 43205
.0779 Acres

Situated in the State of Ohio, County of Franklin and in the City of Columbus:

Being eighty-seven (87) feet off of the east end of Lot Number Six (6) of C.B. and D.H. COWAN'S SUBDIVISION of Lots Nos. Forty-five (45) and Forty-nine (49), both inclusive of Samuel Barlit's Addition, as the same appears of record in Plat Book No. 5, page 311, Recorder's Office, Franklin County, Ohio, also a strip 1.87 feet off of the south side by 87 feet off of the east end of Lot Number five (5), of said Cowan's Subdivision. Beginning at the southeast corner of said Lot Number Six (6) marked by a cut on a concrete step, it being also the west line of Eighteenth Street; thence with the east line of said Lots Nos. 6 and 5 north 39.37 feet to a cut on the concrete at the center of a court, and being 1.87 feet north of the southeast corner of said Lot Number Five (5), 1.87 feet north thereof, west 87 feet to a stake; thence with a line parallel to the east line of said Lots Nos. 5 and 6, south 39.37 feet to a stake in the south line of said Lot Number Six (6); thence with the south line of said Lot Number Six (6), 87 feet to the place of beginning.



Sheet Number
A0.1

SITE PLAN



DATE
2-28-2017

63 - 75 S 18TH STREET
COUNCIL VARIANCE

OAK AND S 18th STREET
COLUMBUS, OHIO 43205

CV17-024

AMANDA D. DUNFELD
#1315025
EXPIRATION: 12.31.17





CV17-024
63-75 South Eighteenth Street
Approximately 0.89 acres



CV17-024
63-75 South Eighteenth Street
Approximately 0.89 acres