

**REZONING APPLICATION**

**Department of Building & Zoning Services**

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224-3218

Phone: 614-645-7433 www.columbus.gov

OFFICE USE ONLY

Application #: 217-019 Date Received: 5/23/17

Application Accepted By: SP & KP Fee: \$3200

Assigned Planner: Michael Maret; 614-645-2749; mjmaret@columbus.gov

**LOCATION AND ZONING REQUEST:**

Certified Address (for Zoning Purposes) 176 Rumsey Road Zip 43207

Is this application being annexed into the City of Columbus  Yes  No (select one)

*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 113981

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

Current Zoning District(s) R-2 Requested Zoning District(s) CPD

Area Commission Area Commission or Civic Association: FAR SOUTH COLUMBUS AREA COMMISSION

Proposed Use or reason for rezoning request: SEE ATTACHED

(continue on separate page if necessary)

Proposed Height District: H-35 Acreage ± 0.56

[Columbus City Code Section 3309.14]

**APPLICANT:**

Name BRIAN DANIEL

Address 5609 SIMS ROAD City/State GROVEPORT, OHIO Zip 43125

Phone # 614-554-8737 Fax # \_\_\_\_\_ Email COLUMBUSCARL@AHO.COM

**PROPERTY OWNER(S):**

Name SAME AS APPLICANT

Address \_\_\_\_\_ City/State \_\_\_\_\_ Zip \_\_\_\_\_

Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email \_\_\_\_\_

Check here if listing additional property owners on a separate page

**ATTORNEY AGENT** (CHECK ONE IF APPLICABLE)

Attorney  Agent

Name SEAN MENTEL

Address 100 S. 4<sup>TH</sup> STREET, SUITE 100 City/State COLUMBUS, OHIO Zip 43215

Phone # 614-344-4800 Fax # 614-344-4801 Email: SEAN@KMFY/LAW.COM

**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 all checks payable to the Columbus City Treasurer

**176 Rumsey Road Rezoning Application**

Proposed use or reason for rezoning application: The site is currently zoned R-2 Residential and developed with an existing non-conforming bar and patio, a freestanding garage structure, and an unoccupied single family dwelling. The applicant proposes to convert the single family dwelling into a pizza shop.

**REZONING APPLICATION**

Department of Building & Zoning Services  
Scott Messer, Director  
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Phone: 614-645-7433 www.columbus.gov

**AFFIDAVIT**

(See instruction sheet)

APPLICATION # 217-019

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME SEAN MENTEL  
of (1) MAILING ADDRESS 100 S. 4<sup>TH</sup> STREET, SUITE 100 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) CERTIFIED ADDRESS FOR ZONING PURPOSES 176 RUMSEY ROAD, COLUMBUS, OH 43207  
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

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

(4) BRIAN DANIEL  
5609 SIMS ROAD  
GROVEPORT, OH 43125

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

BRIAN DANIEL  
614-554-8737

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

(5) FAR SOUTH COLUMBUS AREA COMMISSION  
BECKY WAICOTT, ZONING CHAIR  
723 IVORTON ROAD SOUTH  
COLUMBUS, OH 43207

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)

SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 23<sup>rd</sup> day of May, in the year 2017

SIGNATURE OF NOTARY PUBLIC

My Commission Expires \_\_\_\_\_

Notary Seal Here \_\_\_\_\_



(8) BRIAN T. KOOPERMAN  
ATTORNEY AT LAW  
Notary Public, State of Ohio  
My Commission Has No Expiration Date  
Section 147.03 ORC

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

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Please make all checks payable to the Columbus City Treasurer

**Applicant:**

Bruce Daniel  
 5609 Sims Rd.  
 Groveport, OH 43125

**Property Owner:**

Brian Daniel  
 5609 Sims Rd.  
 Groveport, OH 43125

**Attorney:**

Sean Mentel  
 100 S. 4<sup>th</sup> Street, Suite 100  
 Columbus, Ohio 43215

**Area Commission:**

Far South Columbus Area Commission  
 c/o Robin Watson, Chair  
 3802 Higbee Drive, East  
 Columbus, Ohio 43207

**Surrounding Property**

Madelyne Duncan  
 Or Current Resident  
 144 Rumsey Road  
 Columbus, OH 43207

Robert and Emma Barker  
 Or Current Resident  
 149 Rumsey Road  
 Columbus, OH 43207

Douglas Dawson  
 Or Current Resident  
 140 Rumsey Road  
 Columbus, OH 43207

Webb Entertainment LLC  
 Or Current Resident  
 3224 S. High St.  
 Columbus, OH 43207

**Owners:**

Edward Donnis Barnett  
 Or Current Resident  
 150 Rumsey Road  
 Columbus, OH 43207

Network Housing 94 Sixth Street Inc.  
 Or Current Resident  
 1680 Watermark Dr.  
 Columbus, OH 43215

Charles Darrell Hoy  
 Or Current Resident  
 174 Rumsey Road  
 Columbus, OH 43207

James Pezor  
 Or Current Resident  
 218 Rumsey Road  
 Columbus, OH 43207

Marjorie Foreman  
 Or Current Resident  
 200 Colton Road  
 Columbus, OH 43207

Robert Jones  
 Or Current Resident  
 3243 S. Sixth Street  
 Columbus, OH 43207

217-019

**REZONING APPLICATION**

Department of Building & Zoning Services  
Scott Messer, Director  
757 Carolyn Avenue, Columbus, Ohio 43224-3218  
Phone: 614-645-7433 www.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 # 217-019

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) SEAN MENDEL  
of (COMPLETE ADDRESS) 100 S. 4th STREET, SUITE 100, 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 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>BRIAN DANIEL</u> <u>5609 SIMS ROAD</u> <u>GROVEPORT, OH 43125</u> <u>614-554-8737</u>	2. <u>176 RUMSEY LLC</u> <u>176 RUMSEY ROAD</u> <u>COLUMBUS, OH 43207</u> <u>BRIAN DANIEL, 614-554-8737</u>
3.	4.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

[Signature]

Subscribed to me in my presence and before me this 23<sup>rd</sup> day of May, in the year 2017

SIGNATURE OF NOTARY PUBLIC

[Signature] N/A

My Commission Expires

BRIAN T. KOOPERMAN  
ATTORNEY AT LAW

Notary Public, State of Ohio  
This Project Disclosure Statement expires six months after date of notarization.  
My Commission Has No Expiration Date  
Section 147.03 ORC

Notary Seal Here



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# 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: 010113981

Zoning Number: 176

Street Name: RUMSEY RD

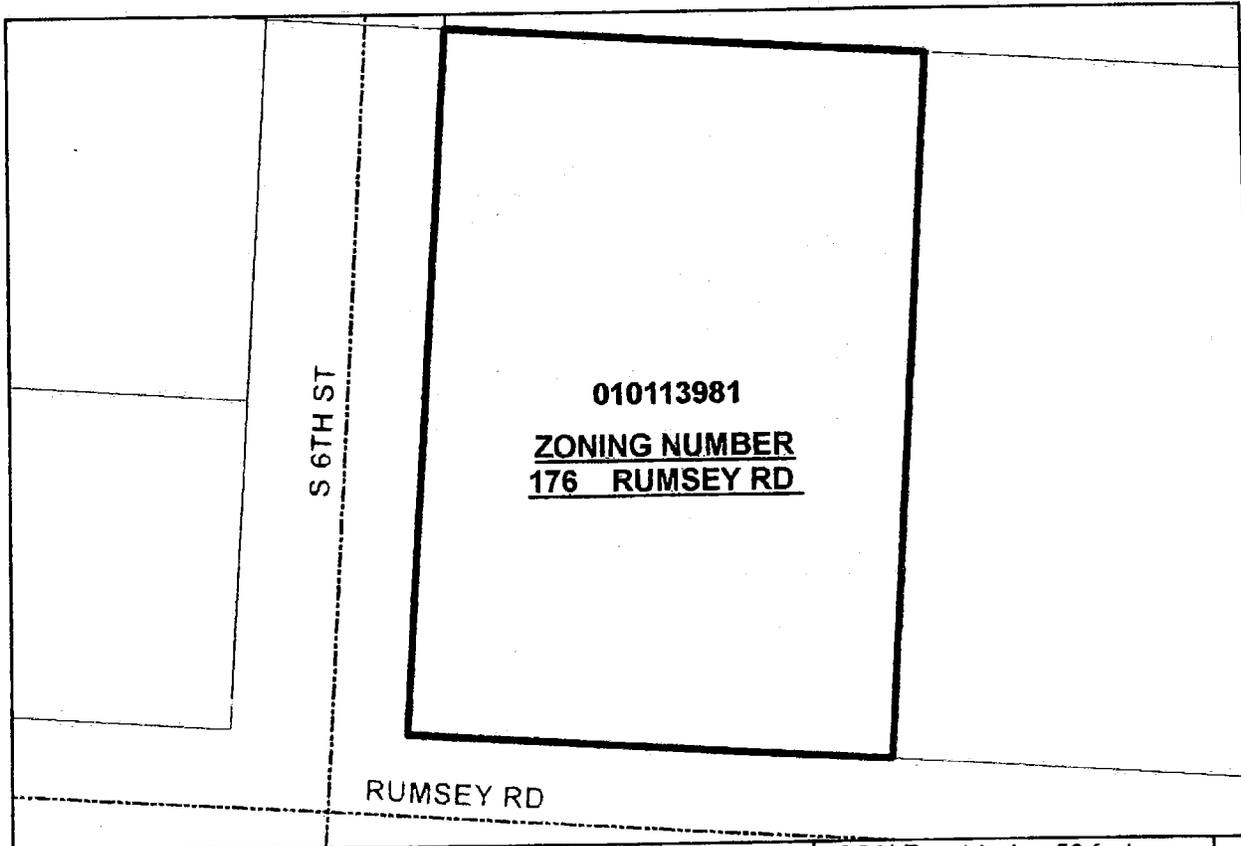
Lot Number: 145

Subdivision: HOME ACRES

Requested By: KOOPERMAN GILLESPIE MENDEL (SEAN MENDEL)

Issued By: *Edyana Whisenand*

Date: 8/7/2015



SCALE: 1 inch = 50 feet

GIS FILE NUMBER: 41083



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

217-019

**LEGAL DESCRIPTION**

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

Being Lot Number One Hundred Forty-five (145) of THE HOME ACRES ADDITION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 16, Page 23, Recorder's Office, Franklin County, Ohio.

Tax Parcel No: 010-113981

Property Address: 174 Rumsey Road, Columbus, OH 43207

Prior Instrument Reference: Instrument No. 201201310013686

217-019

**DEVELOPMENT TEXT**

**CPD, COMMERCIAL PLANNED DEVELOPMENT DISTRICT**

**0.56 ACRES**

**EXISTING DISTRICTS:** R2, Residential District

**PROPOSED DISTRICT:** CPD, Commercial Planned Development District - Height H-35

**PROPERTY ADDRESS:** 176 Rumsey Road, Columbus, Ohio 43207

**OWNER:** Brian Daniel, 176 Rumsey Road, Columbus, Ohio 43207

**APPLICANT:** Brian Daniel, 176 Rumsey Road, Columbus, Ohio 43207

**DATE OF TEXT:** May 23, 2017

**APPLICATION NUMBER:**

1. **INTRODUCTION:** The  $\pm 0.56$  acre subject property is located at the corner of Rumsey Road and South Sixth Street and is zoned in the R2, Residential District. The surrounding properties consist of a single-family dwelling to the West, a vacant field to the North, a vacant lot to the East and a lumber yard to the South. The site is within the boundaries of the Far South Columbus Area Commission.

The site is currently developed with a non-conforming bar, the "Old Landmark," with a patio expanded by a special permit granted in 2015. The "Old Landmark" was built in the 1940's and became a legal non-conforming use in 1958 when the property was zoned R2. There is also a vacant single-family residential dwelling and a detached garage located on the site.

The Applicant proposes to maintain the existing non-conforming use of the "Old Landmark" and patio, as well as the non-conforming parking lot, while converting the first floor of the vacant single-family dwelling into a pizza shop, with an outdoor patio. The conversion to a pizza shop would add approximately 675 square feet to the residential structure for hallway, walk-in cooler and toilet rooms, as well as approximately 940 square feet of paving for additional parking on the East edge of the property.

2. **PERMITTED USES:** The existing bar, patio, detached garage and parking and all uses in Columbus City Code Chapter 3351, C-1, Neighborhood Commercial District.

3. **DEVELOPMENT STANDARDS:** The applicable development standards shall be as specified in Chapter 3351, C-1, Neighborhood Commercial District, Chapter 3312, Off-Street Parking and Loading and Chapter 3321, General Site Development Standard, except as specifically set forth herein.

**A. Density, Height, Lot and/or Setback Commitments.**

1. The minimum building setback along Rumsey Road shall be 8 feet.
2. The minimum building setback along South Sixth Street shall be 10 feet.
2. The minimum parking setback along Rumsey Road shall be 15 feet as depicted on the submitted Site Plan.
3. The minimum parking setback along South Sixth Street shall be 0 feet.
4. The minimum pavement setback along the east property line shall be +/- 2'-8" as depicted on the submitted site plan.
5. Lot Coverage for Building and Pavement shall not exceed sixty-five (65) percent (%).

**B. Access, Loading, Parking and/or other Traffic Related Commitments.**

1. The existing clear vision triangle at the corner of Rumsey and South Sixth Street shall be as depicted on the submitted site plan.
2. The existing parking lot shall remain as depicted on the submitted site plan.

**C. Buffering, Landscaping, Open Space and/or Screening Commitments.**

1. Screening shall be as depicted on the submitted site plan.

**D. Building Design and/or Interior-Exterior Treatment Commitments.**

N/A

**E. Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments.**

N/A

**F. Other CPD Requirements**

1. Natural Environment: The natural environment of the site is flat.
2. Existing Land Use: The property is developed with an existing bar, patio and detached garage as well as a single-family residential dwelling.
3. Circulation: Access to and from the site is via Rumsey road.

4. Visual Form of the Environment: The area surrounding the site is zoned for Residential use, however the property to the South is utilized as a lumber yard.
5. Visibility: The site is visible from Rumsey Road and South Sixth Street.
6. Proposed Development: Maintain existing bar and develop new pizza shop with patio.
7. Behavior Patterns: Existing traffic flow shall be maintained.
8. Emissions: Development will conform to City of Columbus requirements as further controlled by development standards of this development text for light levels, sounds and dust. There will be no objectionable emissions.

**G. Miscellaneous Commitments**

1. The Property shall be developed in accordance with the Site Plan. The Site Plan may be slightly adjusted to reflect engineering topographical or other site data developed at the time of development and when engineering plans are completed. Any slight adjustment to the Site Plan is subject to review and approval by the Director of the Department of Building and Zoning Services, or designee, upon submission of the appropriate data regarding the proposed adjustment.

**H. Variances Requested**

1. Section 3312.49 Minimum Number of Parking Spaces Required.

The Applicant proposed to convert the first floor of the existing single-family dwelling into an eating and drinking establishment and construct a patio/outdoor dining area. Section 3312.49 requires the following calculations:

Eating and Drinking Establishment without pickup unit:  $1579 \text{ sq.ft.} - 1:75 = 21.05 \text{ spaces}$   
 Patio/outdoor dining area:  $705 - 1:150 = 4.7 \text{ spaces}$   
 Total spaces required = 25.75  
 Total spaces provided = 4

Variance requested for 22 parking spaces.

2. Section 3321.07 Landscaping

Section 3321 requires front yard landscaping.

Variance requested to allow for no front yard landscaping.

3. Section 3321.09 Screening.

Section 3321.09 requires screening of non-residential districts abutting residential districts.

Variance requested to allow for no screening of the site.

The undersigned, being the owner of the subject property together with the applicant in the subject application, or other authorized representatives do hereby agree singularly and collectively for themselves, their heirs, successors and assigns, to abide by above restrictions, conditions, and commitments regarding development of the subject property and for such purpose each states that he fully understands and acknowledges that none of the foregoing restrictions, conditions, or commitments shall in any manner act to negate, nullify, alter or modify any more restrictive provision of the Columbus City Code, except as permitted by this development text and drawings referenced herein.

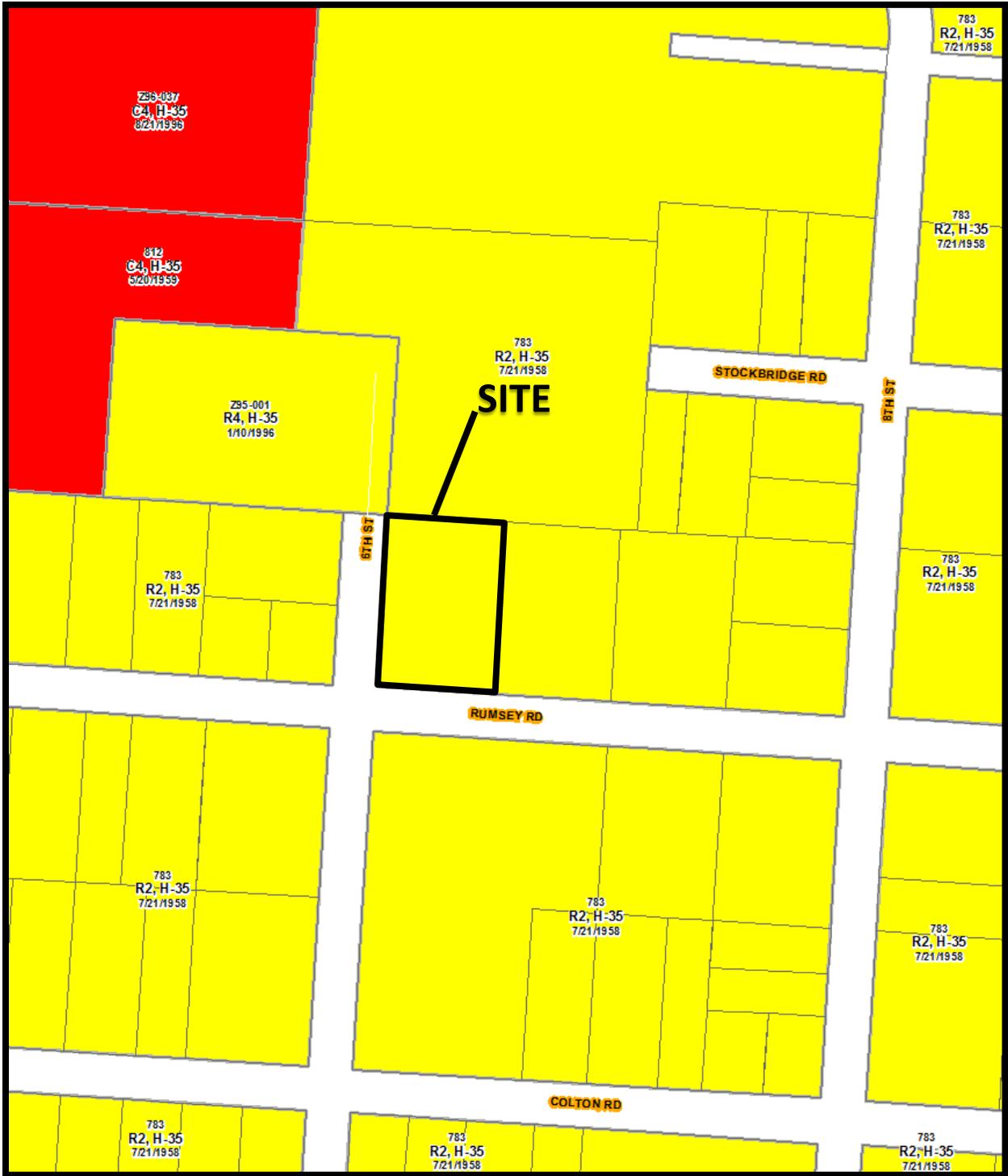
**SIGNATURE:**

A handwritten signature in black ink, appearing to be 'S. J. T.', written over a horizontal line.

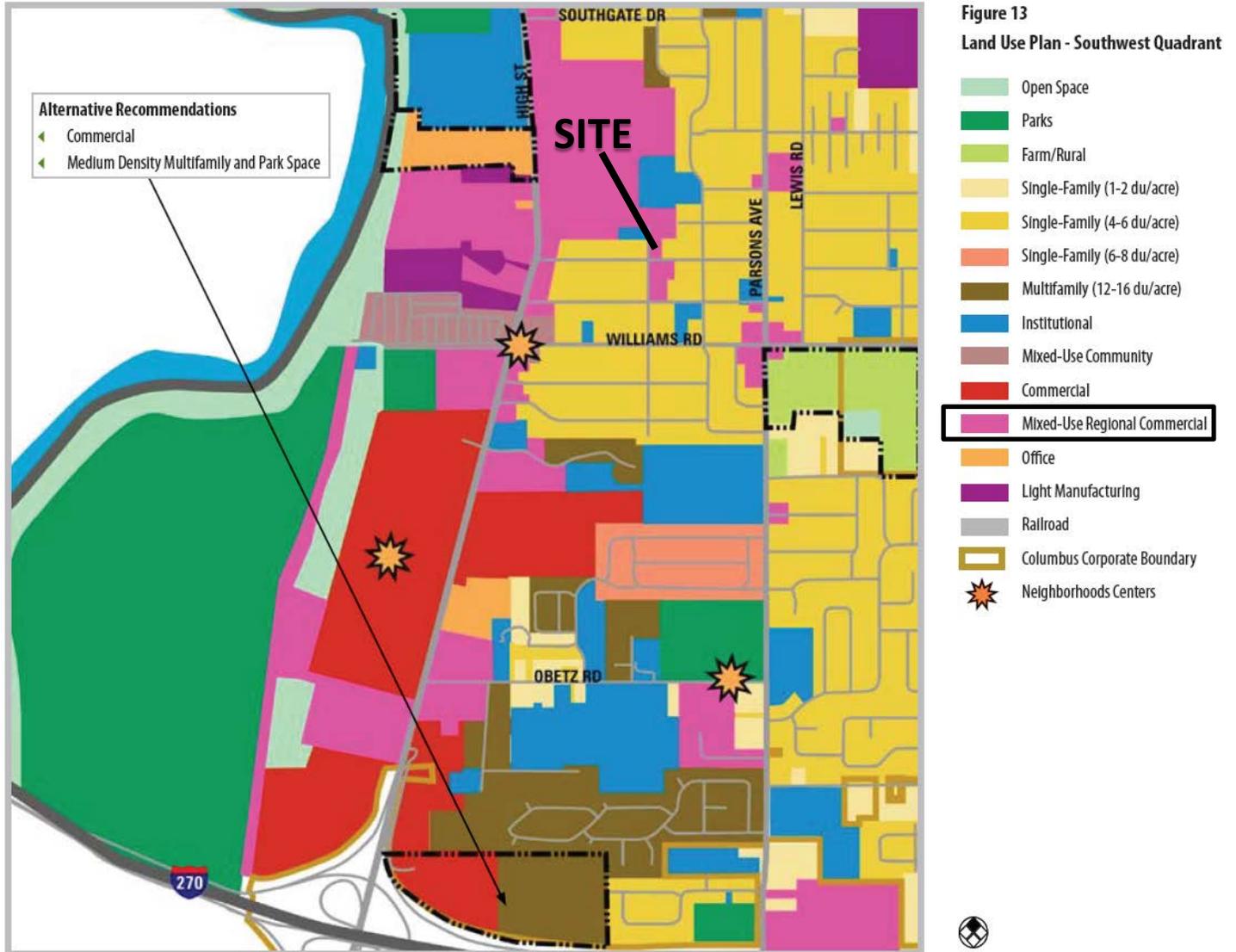
**DATE:**

5/23/17





Z17-019  
176 Rumsey Road  
Approximately 0.56 acres  
R-2 to CPD



Scioto Southland Area Plan (2007) – “Mixed-Use Regional Commercial” Recommended

Z17-019  
 176 Rumsey Road  
 Approximately 0.56 acres  
 R-2 to CPD



Z17-019  
176 Rumsey Road  
Approximately 0.56 acres  
R-2 to CPD