

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

DEPARTMENT OF BUILDING
AND ZONING SERVICES

OFFICE USE ONLY

Application Number: CV17-068 Date Received: 9/26/17
Application Accepted by: TD Fee: \$2,240
Assigned Planner: Tim Dietrich; 614-645-6665; tedietrich@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes): 324 E. Second Avenue 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: 010-007208 + 010-046809

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

Current Zoning District(s): M, Manufacturing

Area Commission or Civic Association: Italian Village Commission

Proposed Use or reason for Council Variance request: Permit residential dwelling units (3363.01 M-Manufacturing District) and a reduction in the building setback along E. Second Ave. from 25 ft. to 4 ft.

Acresage: 4.2± 7 in. (3363.24 Building lines in a M, Manufacturing District)

APPLICANT:

Name: Avenue Partners LLC Phone Number: 614-746-5858 Ext.: _____

Address: 100 W. Third Ave., Suite 240 City/State: Columbus, OH Zip: 43201

Email Address: snyder@avenuepartners.com Fax Number: _____

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

Name: Jana Holdings LLC Phone Number: 317-590-1182 Ext.: _____

Address: 2455 Londonberry Blvd. City/State: Carmel, IN Zip: 46032-8219

Email Address: awachter@acorndistributors.com Fax Number: _____

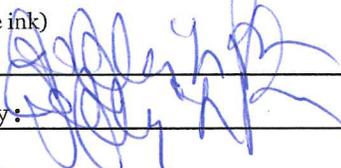
ATTORNEY / AGENT (Check one if applicable): Attorney Agent

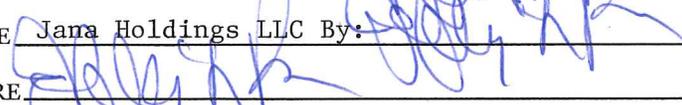
Name: Jeffrey L. Brown Phone Number: 614-221-4255 Ext.: _____

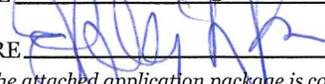
Address: 37 W. Broad Street, Suite 460 City/State: Columbus, OH Zip: 43215

Email Address: jlbrown@smithandhale.com Fax Number: 614-221-4409

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

APPLICANT SIGNATURE Avenue Partners LLC By: 

PROPERTY OWNER SIGNATURE Jana Holdings LLC By: 

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

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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):

The site is zoned M, Manufacturing and that zoning does not permit residential dwelling units. The applicant is looking at a mixed use development for this site.

By granting the use variance along with the building setback reduction along

E. Second Avenue the applicant will be able to construct its development. These

variances 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.

Signature of Applicant

Date

9/26/17

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AFFIDAVIT (See instruction sheet)

Application Number: CV17-068

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Jeffrey L. Brown
of (1) MAILING ADDRESS 37 W. Broad Street, Suite 460, Columbus, OH 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 324 E. Second Ave.

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 9/26/17
(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME (4) Jana Holdings LLC
AND MAILING ADDRESS 2455 Londonberry Blvd.
Carmel, IN 46032-8219

APPLICANT'S NAME AND PHONE # (5) Avenue Partners LLC
(same as listed on front application) 614-746-5858

AREA COMMISSION OR CIVIC GROUP (6) Italian Village Commission
AREA COMMISSION ZONING CHAIR James Goodman
OR CONTACT PERSON AND ADDRESS Planning Dept
50 W. 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)

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 20th day of September, in the year 2017

(8) SIGNATURE OF NOTARY PUBLIC [Signature] My Commission Expires 9/4/2020



Natalie C. Timmons
Notary Public, State of Ohio
My Commission Expires 09-04-2020



Natalie C. Timmons
Notary Public, State of Ohio
My Commission Expires 09-04-2020

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APPLICANT

Avenue Partners LLC
100 W. Third Ave., Suite 240
Columbus, OH 43201

PROPERTY OWNER

Jana Holdings LLC
2455 Londonberry Blvd.
Carmel, IN 46032

ATTORNEY

Jeffrey L. Brown
Smith & Hale LLC
37 W. Broad Street, Suite 460
Columbus, OH 43215

AREA COMMISSION

Italian Village Commission
c/o James Goodman
50 W. Gay Street, 4th Floor
Columbus, OH 43215

avenuepartners-secondave.lbl (nct)
9/25/17 S:Docs/s&hlabels/2017

SURROUNDING PROPERTY OWNERS

Janie D Roberts
Or current occupant
982 N. Sixth Street
Columbus, OH 43201

Matt & Danielle DiGruttolo
Or current occupant
976 N. Sixth Street
Columbus, OH 43201

Robert M & Cindy S Knapp
Or current occupant
972 N. Sixth Street
Columbus, OH 43201

Danielle R Jasper
Jo Ann Coffey
Or current occupant
970 N. Sixth Street
Columbus, OH 43201

Lindsey Hoell
Or current occupant
966 N. Sixth Street
Columbus, OH 43201

Annie L Birdsong
Or current occupant
962 N. Sixth Street
Columbus, OH 43201

Molly M Peirano
Or current occupant
956 N. Sixth Street
Columbus, OH 43201

Robert Salcedo
Maureen Stevens
Or current occupant
950 N. Sixth Street
Columbus, OH 43201

Zachary M Klein
Genevieve N Persichetti
Or current occupant
268 E. Second Avenue
Columbus, OH 43201

Colin & Alexis O'Reilly
Or current occupant
270 E. Second Avenue
Columbus, OH 43201

Jody W Dierksheide
Or current occupant
819 Hamlet Street
Columbus, OH 43215

Eric & Angela Neal Tabor
Or current occupant
166 Punta Alley
Columbus, OH 43201

New Victorians Inc.
Or current occupant
455 W. 3rd Avenue
Columbus, OH 43201-3363

New Victorians 2 LLC
Or current occupant
455 W. 3rd Avenue
Columbus, OH 43201-3363

D Johnson
Or current occupant
895 N. 6th Street, Apt. 208
Columbus, OH 43201

Clark Grave Vault Co.
Or current occupant
375 E. 5th Avenue
P.O. Box 8250
Columbus, OH 43201-0250

Wood Stone Columbus First Avenue LLC
Or current occupant
116 Radio Circle Drive, Suite 306
Mt. Kisco, NY 10549

Veritas Community Church
Or current occupant
345 E. 2nd Avenue
Columbus, OH 43201

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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 # CV17-068

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Jeffrey L. Brown
of (COMPLETE ADDRESS) 37 W. Broad Street, Suite 460, Columbus, OH 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. Avenue Partners LLC 100 W. Third Ave., Suite 240 Columbus, OH 43201 Jason Snyder - 614-746-5858 3 Columbus based employees	2. Jana Holdings LLC 2455 Londonberry Blvd. Carmel, IN 46032-8219 Al Wachter - 317-590-1182 No Columbus based employees
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 6th day of September, in the year 2017

[Signature]
SIGNATURE OF NOTARY PUBLIC

9/4/2020
My Commission Expires

Notary Seal Here



Natalie C. Timmons
Notary Public, State of Ohio
My Commission Expires 09-04-2020

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EXHIBIT "A"

Parcel I:

Tract A:

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

Being a part of half or fractional Section No. 4, Township No. 5, Range No. 22, Refugee Lands, and being Lot or parcel No. 4, as shown on the plat marked Exhibit "A", attached to the report of Commissioners in partition in the case of Robert S. Neil, et al, vs. Franklin J. Dickman, Moses H. Neil, and Charles H. Neil, as executors of the last will and testament of Robert Neil, deceased, and others, in the Court of Common Pleas, Franklin County, Ohio, and of record in Complete Record No. 153, Page 440, said Court and bounded and described as follows:

Beginning at the intersection of the center line of Second Avenue with the east line of William Phelan's Mt. Pleasant Addition; being the northwest corner of Lot or Parcel No. 6, as shown upon plat aforesaid; thence northerly with the east line of said William Phelan's Mt. Pleasant Addition 436.10 feet to the intersection with the center line of Third Avenue, being the southwest corner to Lot or Parcel No. 3, as shown upon the plat aforesaid; thence easterly with the south line of said Lot or Parcel No. 3 and parallel with the north line of said half or fractional section 4, 558.40 feet to the northwest corner to Lot or Parcel No. 5, as shown upon the plat aforesaid; thence southerly with the west line of said lot or parcel No. 5, and parallel with the east line of said Williams Phelan's Mt. Pleasant Addition, 435.40 feet to the intersection with the center line of Second Avenue if produced easterly, being southwest corner to said lot or parcel No. 5, northwest corner to a tract of land conveyed to the Smith Capital City Wheel Company by deed dated January 19, 1891, and of record in Deed Book 220, Page 463, and the northeast corner to said lot or parcel No. 6; thence westerly with the center line of Second Avenue, if produced and the north line of said lot or parcel No. 6, 558.40 feet to the beginning, containing 5.486 acres,

EXCEPTING therefrom three (3) acres off the west end of said parcel No. 4, heretofore leased for the term of 99 years by Charles H. Neil and Mary W. Neil on the 31st day of August, 1917, to The Sinclair Refining Company by lease recorded in Lease Record 31, Page 72, Recorder's Office, Franklin County, Ohio, and described as being three (3) acres off the west end of Parcel No. Four (4) of Plat "A" of the partition of the Robert Neil estates, as same is shown of record in Complete Record Book No. 153, Page 440, Court of Common Pleas, Franklin County, Ohio, and being more particularly described as follows:

Beginning at a point in the center line of Second Avenue at its intersection with the easterly line of an alley running north and south, and located 735 feet, more or less, westerly of the New York Central right of way; thence northerly along the easterly line of said alley 25 feet to the north line of said Second Avenue, continuing thence northerly along said easterly line of said alley 410.95 feet to a point; thence easterly, forming an angle to the southeast of 90 degrees and 13' and parallel to the north line of said Second Avenue a distance of 299.76 feet to a point; thence southerly and parallel to the easterly line of the hereinabove mentioned alley, 410.95 feet to the north line of Second Avenue; thence along the same line 25 feet to the center line of said Second Avenue; thence westerly on the center line of said Second Avenue 299.76 feet to the place of beginning, and containing 3 and no/100 (3.00) acres.

AND FURTHER EXCEPTING THEREFROM that portion thereof conveyed by Pittsburgh Plate Glass Company to The Clark Grave Vault Company, by its deed, dated May 29, 1942, of record in the Recorder's Office of Franklin County, Ohio, more particularly described as follows:

Situate in the County of Franklin, State of Ohio and in the City of Columbus, and being part of half or fractional section No. 4; Township No. 5, Range No. 22, Refugee Lands, and being a part of Parcel No. 4 shown on the plat marked Exhibit "A"; attached to the report of Commissioners in partition in the case of Robert S. Neil, et al., vs. Franklin J. Dickman, Moses H. Neil, and Charles H. Neil, as Executors of the last will and testament of Robert Neil, deceased, et al., in the Court of Common Pleas, Franklin County, Ohio, and of record in Complete Record No. 153, Page 440, said Court bounded and described as follows:

Beginning at a point in the center line of Second Avenue produced, said beginning point being also the southeast corner of the above mentioned Parcel No. 4; thence Northerly with the east line of said Parcel No. 4; and the west line of Parcel No. 5, shown upon said plat marked Exhibit "A", in said case of Neil, et al., vs. Dickman, et al., 435.96 feet to an iron pin at the northeast corner of said parcel No. 4; thence westerly with the north line of said Parcel No. 4, 258.64 feet to a point at the northwest corner of the tract deeded to the Pittsburgh Plate Glass Company by Luellen D. Lampman by deed dated March 23, 1942, and recorded in

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Volume 1177, Page 569, of the Deed Records in the Recorder's Office of Franklin County, Ohio; thence southerly with the west line of said Pittsburgh Plate Glass Company's tract 30 feet to a point; thence easterly, parallel with the north line of said Pittsburgh Plate Glass Company's tract and the north line of the above mentioned Parcel No. 4, 166.34 feet to an iron pin; thence southerly, parallel with the east line of said Parcel No. 4, 405.98 feet to a point in the center line of East Second Avenue produced (passing an iron pin at 375.95 feet); thence easterly with the center line of Second Avenue produced 92.3 feet to the place of beginning, containing 1.038 acres.

TRACT B:

Being a part of half or fractional Section No. 4, Township No. 5, Range No. 22, Refugee Lands, and being Lot or parcel No. 4, as shown on the plat marked Exhibit "A", attached to the report of Commissioners in partition in the case of Robert S. Neil, et al, vs. Franklin J. Dickman, Moses H. Neil, and Charles H. Neil, as executors of the last will and testament of Robert Neil, deceased, and others, in the Court of Common Pleas, Franklin County, Ohio, and of record in Complete Record No. 153, Page 440, of said Court and bounded and described as follows:

Beginning at a point in the center line of Second Avenue, if produced, said point being also the southeast corner of the above mentioned Parcel No. 4; thence westerly with the south line of the said Parcel No. 4, 258.64 feet to a point, the southwest corner of a tract of land conveyed to Pittsburgh Plate Glass Company by Luellen D. Lampman, by deed dated march 23, 1942, and recorded in Volume 1177 of Deeds, at Page 569, in the Office of the Recorder of Franklin County, Ohio, THE TRUE PLACE OF BEGINNING; thence northerly with the west line of the said tract of land conveyed to Pittsburgh Plate Glass Company, the distance of 405.95 feet to a point, which point is distant southerly 30.00 feet from the northwest corner of the said tract of land conveyed to Pittsburgh Plate Glass Company and on the division line between the land of Pittsburgh Plate Glass Company and a tract of land conveyed by Pittsburgh Plate Glass Company to the Clark Grave Vault company by deed dated May 29, 1942; thence westerly parallel with the center line of Second Avenue, if produced and 405.95 feet northerly therefrom the distance of 3.00 feet to a point; thence southerly parallel with the west line of the said tract of land conveyed to Pittsburgh Plate Glass Company and 3.00 feet westerly distant therefrom, the distance of 405.95 feet to a point in the center line of Second Avenue, if produced; thence easterly with the center line of Second Avenue, if produced, the distance of 3.00 feet to a point, the place of beginning, but saving and excepting therefrom any appurtenant rights contained in a switch track agreement recorded in Lease Record Volume 78, Page 149, Recorder's Office, Franklin County, Ohio.

Parcel No. 010-007202

PARCEL II:

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

Being Parcel 7 as conveyed from Jeffrey Galion, Inc., an Ohio Corporation to Jeffrey Galion, Inc., a Delaware Corporation as recorded in Deed Book 3394, Page 428 of the records of Franklin County, Ohio and being more fully described as follows:

Beginning at an iron pin, said iron pin being at the intersection of the northerly right-of-way line of East Second Avenue with the easterly right-of-way line of a 12.00 feet alley, said alley being the first alley east of North Sixth Street;

Thence North 3 degrees 16' 10" East a distance of 406.10 feet to a point, said point being in the center line of East Third Avenue, said point in said center line also being the point of termination of said East Third Street;

Thence with the centerline of East Third Avenue projected easterly South 86 degrees 54' 50" East a distance of 299.67 feet to a point;

Thence South 3 degrees 16' 10" West a distance of 30.00 feet to a point, said point being the northeast corner of a 3.00 foot strip of land conveyed to PPG Industries, Inc., as recorded in Deed Book 2915, Page 111 of the records of Franklin County, Ohio;

Thence North 86 degrees 54' 50" West a distance of 3.00 feet to a point, said point being the northwest corner of said 3.00 foot strip of land;

Thence South 3 degrees 16' 10" West a distance of 375.93 feet to a point in the northerly right-of-way line of

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East Second Avenue, said point also being the southwest corner of said 3.00 foot strip of land;

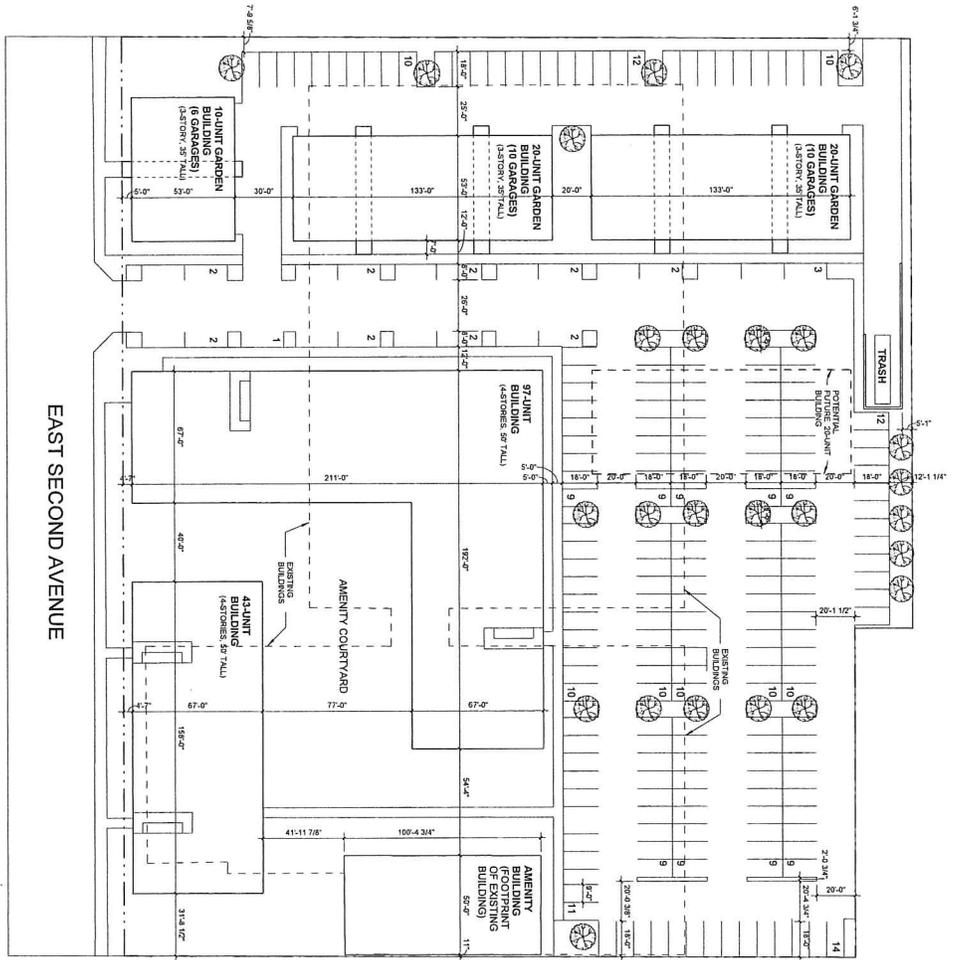
Thence North 86 degrees 56' 50" West a distance of 296.67 feet to the place of beginning, containing 2.767 acres more or less.

Parcel No. 010-046809

Also known as: 324 East Second Avenue, Columbus, Ohio 43201

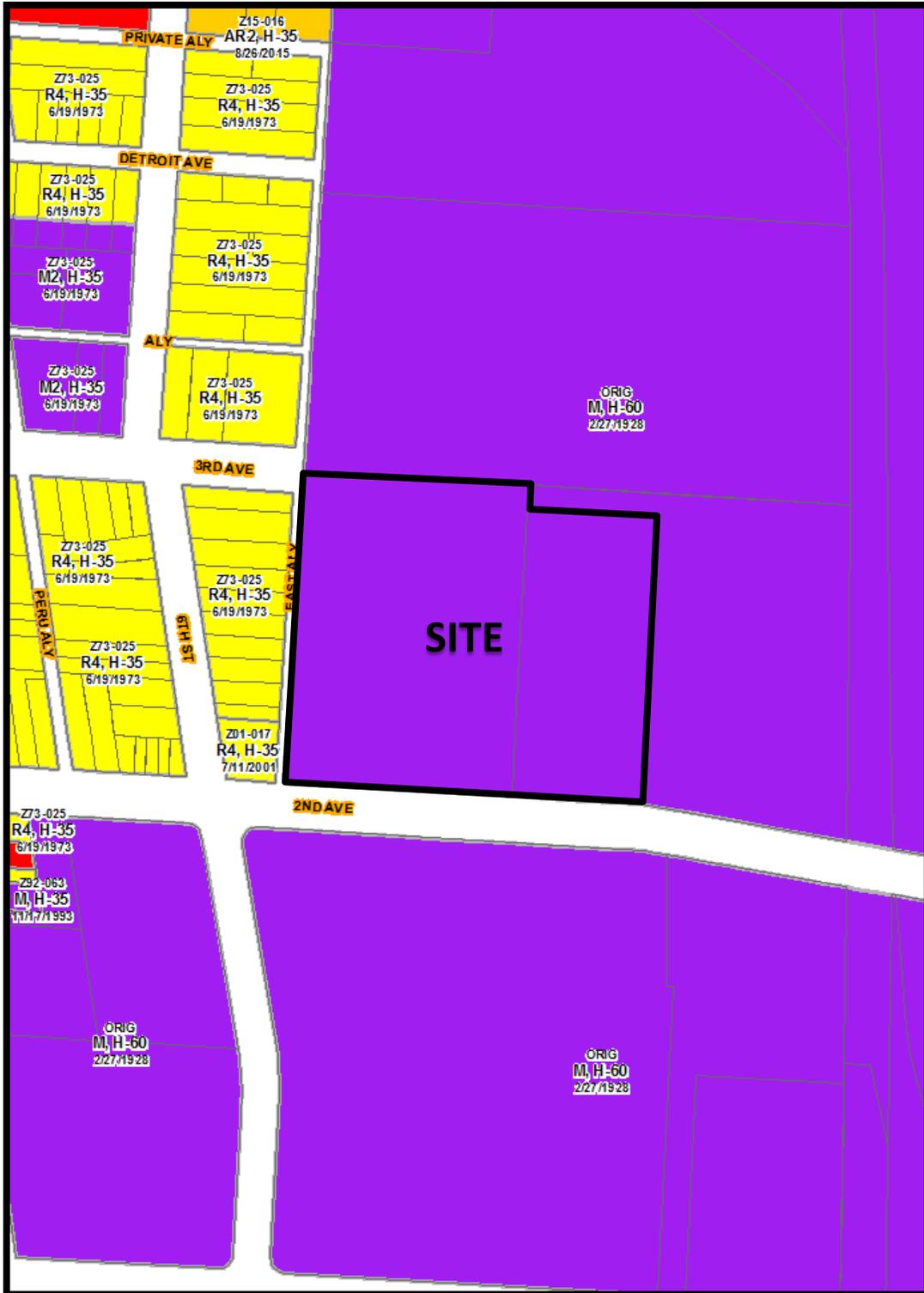
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1 Site Plan
 1" = 300'-0"

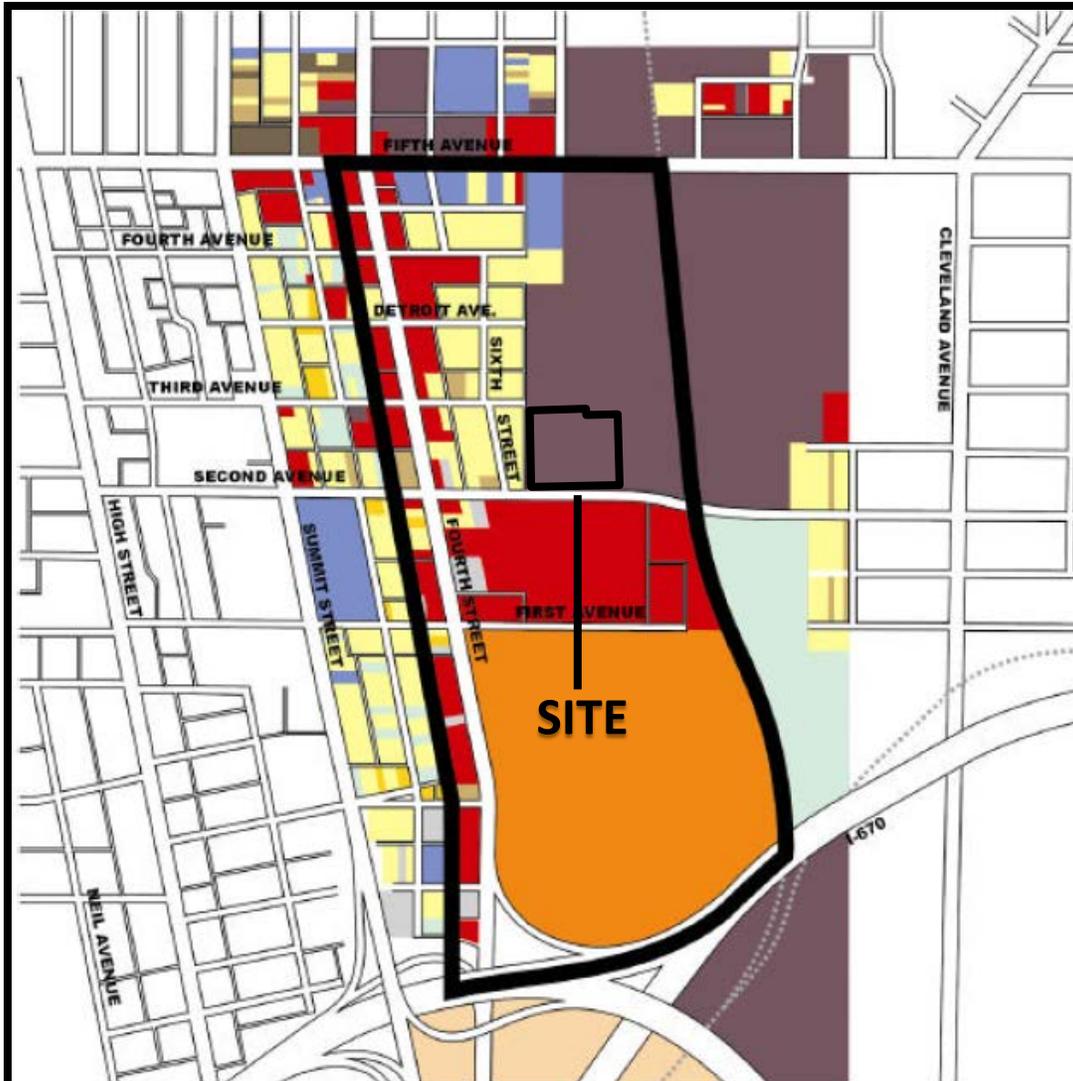


TOTAL UNITS:	190
PARKING COUNT:	223
ATTACHED GARAGES:	28
TOTAL PARKING SPACES:	249

CV12-068



CV17-068
 342 East Second Avenue
 Approximately 4.2 acres



Italian Village East

Proposed Land Use



January 2000



	Residential (1 - 2 units)
	Residential (3 - 4 units)
	Residential (> 4 units)
	Mixed Use
	Commercial
	Manufacturing
	Institutional
	Parks/Open Space
	Vacant Lots/Buildings
	Parking
	Downtown District



City of Columbus
 Michael B. Coleman, Mayor
 Department of Trade and Development
 Mark Barbois, Director
 Planning Office
 Stephen R. McClary, Administrator
 Urban Design Section
 Larry D. Leusk, Graphic Designer

CV17-068
 342 East Second Avenue
 Approximately 4.2 acres



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342 East Second Avenue
Approximately 4.2 acres