

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

Application Number: CV14-653 / 14315-00000 - 00768 Date Received: Application Accepted By: 50+ Comments: Assigned to Shannon Pine, 645-2208, spine@columbus.gov **LOCATION AND ZONING REQUEST:** zip 43201 97 E. 5th Avenue Certified Address (for Zoning Purposes) X No Yes Is this property currently being annexed into the City of Columbus If the site is pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition. Parcel Number for Certified Address: 010-004662/028166/014566/020042/005514 Check here if listing additional parcel numbers on a separate page. Current Zoning District(s): C-4 & R-4 Italian Village Commission Civic Association or Area Commission: Proposed use or reason for Council Variance request: to develop a mixed use project Acreage: 0.90 acres Burwell Investments LLC APPLICANT: Name City/State Columbus, OH 1920 Beverly Road Zip 43221 Address Fax # _____ Email: __bradhowe222@yahoo.com Phone # Burwell Investments LLC PROPERTY OWNER(S): Name City/State Columbus, OH Zip 43221 Address 1920 Beverly Road Fax # Email: bradhowe222@yahoo.com Phone # 946-4693 Check here if listing additional property owners on a separate page. ATTORNEY / AGENT X Attorney Agent Name Jackson B. Reynolds, III c/o Smith & Hale LLC Address 37 West Broad St., Suite 460 City/State Columbus, OH Zip 43215 Phone # 221-4255 Fax # 221-4409 Email: jreynolds@smithandhale.com SIGNATURES (ALL SIGNATURES MUST BE SIGNED/IN BLOE INK) APPLICANT SIGNATURE By: PROPERTY OWNER SIGNATURE BY ATTORNEY / AGENT SIGNATURE My signature attests to the fact that the attached application package of 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.



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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.

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:

The owner/applicant is seeking the council variance to address residential use on the first floor of a commercially zoned lot and various development standard variances for an infill project in the Italian Village Commission area. The owner/applicant is seeking to develop an urban infill type of project with the building pulled up to the right of way and parking behind the structure, which is in keeping with the established precedent set in the neighborhood. The proposed townhome proposed along Greenwood Alley is appropriate as a transition from the residential uses south of the site to the commercial uses proposed along the 5th Avenue and Summit Street frontages.

The proposed variances will not negatively impact surrounding properties and is not in contravention of the Columbus Zoning Code. The variances are warranted given other properties in the area operate under similar circumstances and not granting the variances would put the owner/applicant in a detrimental position.

Signature of Applicant

um.

Council Variance Request 97 East 5th Avenue Burwell Investments

- 1. 3356.03(C-4) variance to allow residential use on 1st floor
- 2. 3309.142(a) height (35') variance to allow building to be 72' tall (variance of 37')
- 3. 3332.039 (R-4) variance to allow commercial use on the residential property
- 4. 3349.12(c) Parking spaces to reduce the required number of parking spaces from 138 to 102 (a reduction of 36 spaces)
- 5. 3312.13 Driveway width to reduce the required driveway width from 20' to 15' (a reduction of 5')
- 6. 3312.21(c) Screening to omit screening along the west side of the ramp area
- 7. 3332.21 Setback (25') to reduce the building setback from 25' to 0' (variance of 25')
- 8. 3332.25 Maximum sideyard (16') to reduce the maximum sideyard to 0' (variance of 16')
- 9. 3332.26 Minimum sideyard (5') to reduce the minimum sideyard from 5' to 0' (variance of 5')
- 10. 3332.18 lot coverage (50%) to allow 100% lot coverage
- 11. 3332.27 Rearyard (25% of lot) to omit rearyard area
- 12. 3332.29 Height (35') variance to allow building to be 72' tall (variance of 37')
- 13. 3312.21 Landscaping to omit tree requirement on surface parking lot (3 trees to 0)



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(See next page for instructions)	
	APPLICATION # CV14-053
STATE OF OHIO	
COUNTY OF FRANKLIN	
Being first duly cautioned and sworn (1) NAME Jac of (1) MAILING ADDRESS 37 West Broad St	
deposed and states that (he/she) is the applicant list of the name(s) and mailing address(es) of a (2) per CERTIFIED ADDRESS FOR ZONING PURPO	t, agent, or duly authorized attorney for same and the following is a ll the owners of record of the property located at
for which the application for a rezoning, variance, special and Zoning Services, on (3)	al permit or graphics plan was filed with the Department of Building
गि	IIS LINE TO BE FILLED OUT BY CITY STAFF)
SUBJECT PROPERTY OWNERS NAME	(4) Burwell Investments LLC
AND MAILING ADDRESS	1920_Beverly Road
	Columbus, OH 43221
APPLICANT'S NAME AND PHONE #	Burwell Investments LLC
(same as listed on front of application)	946-4693
AREA COMMISSION OR CIVIC GROUP	(5) Italian Village Commission
AREA COMMISSION ZONING CHAIR OR	c/o Connie Torbeck
CONTACT PERSON AND ADDRESS	50 W. Gay Street, 4th Floor Columbus, OH 43215
shown on the County Auditor's Current Tax record of property within 125 feet of the exte	the names and complete mailing addresses, including zip codes, as List or the County Treasurer's Mailing List, of all the owners or ior boundaries of the property for which the application was filed, and set of the applicant's or owner's property in the event the applicant of us to the subject property(7)
(7) Check here if listing additional property owners of	
SIGNATURE OF AFFIANT	(8) Ckuhom B. Neyroll III
Subscribed to me in my presence and before me this	hay of Cotors, in the year 2014
SIGNATURE OF NOTARY PUBLIC	(8) Totalle (#
My Commission Expires:	9/4/15
Notary Public, State of Ohio My Commission Expires 09-04-2015	

APPLICANT/PROPERTY OWNER

AREA COMMISSION

ATTORNEY

Burwell Investments LLC 1920 Beverly Road Columbus, OH 43221 Italian Village Commission c/o Connie Torbeck 50 West Gay Street, 4th Floor Columbus, OH 43215 Jackson B. Reynolds, III Smith & Hale LLC 37 West Broad Street, Suite 460 Columbus, OH 43215

SURROUNDING PROPERTY OWNERS

Michael J Essman 1156 Summit Street Columbus, OH 43201

Community Housing Network 1680 Watermark Drive Columbus, OH 43215 1202-1218 Indianola Avenue LLC c/o Bruce H Wiland 1231 Indianola Avenue Columbus, OH 43201

Steven G Godek 85 East Fifth Avenue Columbus, OH 43201

North Campus Rental Properties c/o Northsteppe Realty 10 East 17th Avenue Columbus, OH 43201 Marybeth Curtis 1158 Summit Street Columbus, OH 43201

1202-1218 Indianola Avenue LLC 2200 West 5th Avenue, Suite 120 Columbus, OH 43215

Jennifer Bleen 11000 Broken Land Parkway Columbus, MD 21044 LS Development Systems LLC P.O. Box 10123 Columbus, OH 43201

Glenn A Davey Leslie J Gustafson 970 North 6th Street Columbus, OH 43201

Hamdy H Hassanain 2983 Castlebrook Avenue Hilliard, OH 43026 Marigold Mill LLC 86 Fifth Avenue Columbus, OH 43201

Kyle A Schriner 1161 Summit Street Columbus, OH 43201

127E5 LLC 4160 Rutherford Road Powell, OH 43065 Genevi Schindehutte 1171 Say Avenue Columbus, OH 43201

Raymond E Cole Jr. Margaret E Cole 119 Summit Street Columbus, OH 43201 Linsker Holding LLC c/o Northsteppe Realty 10 East 17th Avenue Columbus, OH 43201

Hakeem Shittu 1000 Urlin Avenue, Apt. 1501 Columbus, OH 43212

Starlet L Leslie 1164 Say Avenue Columbus, OH 43201 Bradley A Strickling 1163 Say Avenue Columbus, OH 43201 Elaine Larson 77 East 5th Avenue Columbus, OH 43201 Lykens Companies 1020 Dennison Avenue, Suite 102 Columbus, OH 43201 Michael J Essman 1156 Summit Street Columbus, OH 43201 Jennifer A Parks 1143 Summit Street Columbus, OH 43201

Kyle D Widder 1145 Summit Street Columbus, OH 43201 Audra A Jones 69 East Fifth Street Columbus, OH 43201 Grettel Z Estrada 71 East Fifth Avenue Columbus, OH 43201

5th & Say Condos LLC c/o Thomas P Heilman II 222 East 11th Avenue Columbus, OH 43201

buwell-5thave.lbl (nct) 10/8/14 F:Docs/s&hlabels/2014



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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 # UVI 1 UVI				
STATE OF OHIO COUNTY OF FRANKLIN					
Being first duly cautioned and sworn [NAME	E] Jackson B. Reynolds, III				
Of [COMPLETE ADDRESS] 37 West 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 formats					
	Name of business or individual Business or individual's address				
	Address of corporate headquarters				
	City, Sate, Zip				
	Number of Columbus based employees Contact name and number				
	Contact name and number				
1. Burwell Investments LLC 1920 Beverly Road Columbus, OH 43221 0 employees Brad Howe - 946-4693	2.				
3.	4.				
Check here if listing additional parties on a separate page					
SIGNATURE OF AFFIANT	whole Mynolik II				
Subscribed to me in my presence and before me this	The day of The day of the year 2014				
	und of the search of the searc				
SIGNATURE OF NOTARY PUBLIC /	Hetaur G				
My Commission Expires:	9/4/15				
Notary Public, State of Ohio My Commission Expires 09-04-2015 This Project Disclosure Statement expires six month	s after date of notarization				



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: 010005514, 010004662, 010028166, 010014566, 010020042

Zoning Number: 97

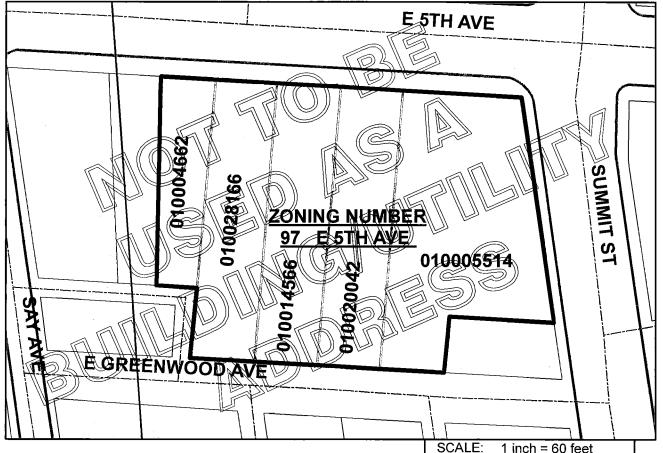
Street Name: E 5TH AVE

Lot Number: N/A

Subdivision: N/A

Requested By: SMITH & HALE (JACK REYNOLDS)

Issued By: _____ Date: 10/1/2014





JAMES D. YOUNG, P.E., ADMINISTRATOR DIVISION OF INFRASTRUCTURE MANAGEMENT COLUMBUS, OHIO 43215

GIS FILE NUMBER: 23153

Legal Description 97 East 5th Avenue

Tract 1

Being located in the State of Ohio, County of Franklin, and City of Columbus: Being Lot number Four (4) in S.C. Dumm's Subdivision of Lot Number's Six (6), Seven (7) and Eight (8) of M.M. Green's Subdivision of Lots Numbers Thirty-Seven (37), Thirty-Eight (38) and Thirty-Nine (39) of W.G. Deshler's Addition to Phelan's Mt. Pleasant Addition to the City of Columbus, Ohio as per plat of said Addition in Plat Book 4, page 90, Recorder's Office, Franklin County, Ohio.

Parcel Number: 010-004662

Tract 2

Being located in the State of Ohio, County of Franklin, and City of Columbus: Being Lot Five (5) of Milbury M. Green's Subdivision of Lots Number Thirty-Seven, Thirty-Eight and Thirty-Nine (37, 38, and 39) of William G. Deshler's Amended Addition to William Phelan's Mt. Pleasant Addition to said City, as the is numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, page 177, Recorder's Office, Recorder's Office, Ohio.

Parcel Number: 010-028166

Tract 3

Being located in the State of Ohio, County of Franklin, and City of Columbus: Being part of Lot No. 1 of Wilbury M. Green's Subdivision of Lots Nos 37, 38 and 39 of Wm. G. Deshler's Addition to Phelan's Mt. Pleasant Addition to the said City of Columbus, as said Lot #1 is numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, page 177, Recorder's Office, Franklin County, Ohio, which portion of said lot is bounded and described as follows:

Commencing at the Northeast corner of said Lot #1, lying in the southerly line of Fifth Avenue; thence westerly a distance of 34 feet, more or less along the North line of said Lot #1 (the south line of Fifth Avenue) to the Northwest corner thereof;

Thence southerly along the westerly line of said Lot #1 a distance of 100.13 feet to a stake; thence easterly parallel with the North line of said Lot #1 to the East line of said Lot #1 (the westerly line of Summit Street);

Thence North on the East line of said Lot #1 (a westerly line of Summit Street), a distance of one hundred two and eighty-three one hundredths (102.83) feet to the place of beginning.

Parcel Number: 010-005514

Tract 4

Being located in the State of Ohio, County of Franklin, and City of Columbus: Being Lot No. 2 of Willbury M. Green's Subdivision of Lots Nos. 37, 38, and 39 of Deshler's Addition to Phelan's Mt. Pleasant Addition to said City of Columbus, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, page 177, Recorder's Office, Franklin County, Ohio, being more particularly described as follows:

Beginning at a point in the southerly line of Fifth Avenue, 34 feet, more or less, westerly of the intersection of the westerly line of Summit Street with the southerly line of Fifth Avenue and being the Northwest corner of Lot No. 1 in said Subdivision and the Northeast corner of said Lot 2, thence westerly along the southerly line of Fifth Avenue a distance of 40 feet to the Northwest corner of said Lot No. 2;

Thence southerly along the westerly line of said Lot No. 2 a distance of 178.12 feet to a point; thence run easterly along the southerly line of said Lot No. 2 a distance of 40 feet to the Southeast corner of said Lot No. 2;

Thence northerly along the easterly line of said Lot No. 2 a distance of 178.12 feet to the point of beginning.

Parcel Number: 010-005514

Tract 5

Being located in the State of Ohio, County of Franklin, and City of Columbus: Being part of Lot No. 1 Millbury M. Green's Subdivision of Lots Nos. 37, 38, and 39 of Deshler's Addition, as the same is shown of record in Plat Book 2, page 177, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at an iron pin in the east line of Lot No. 2 in the above mentioned subdivision, said pin being at the southwest corner of that part of Lot No. 1 deeded to the Sun Oil Company in 1938; thence with the south line of said part of Lot No. 1 so deeded South 88 degrees 59 minutes East 55.9 feet to an iron pin in the west line of Summit Street;

Thence with the west line of Summit Street South (10) Ten degrees 24 minutes East 45 feet to an iron pin; thence North 88 degrees 52 minutes West parallel with the south line of Lot No. 1 65.61 feet to an iron pin in the east line of Lot No. 2 above mentioned;

Thence with the line between Lots No. 1 and 2 North 1 degree 58 minutes East 43.95 feet to the place of beginning.

Parcel Number: 010-005514

Tract 6

Being located in the State of Ohio, County of Franklin, and City of Columbus: Being all of Lots 3 and 4 of M.M. Greene's Subdivision of Lots 37, 38 and 39 of W.G. Deshler's Addition of Phelan's Mt. Pleasant Addition, as the same are numbered and delineated upon the recorded plat thereof in Plat Book 2, page 177, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Commencing at a point at the intersection of the southerly line of East Fifth Avenue (60 feet wide), with the westerly line of Summit Street (60 feet wide), and at the northeasterly corner of Lot 1 of M.M. Greene's Subdivision:

Thence West, (the distance of the Southerly line of said E. Fifth Avenue and the northerly line of said M.M. Greene's Subdivision was assumed to be the East and West, for the purpose of this description only, and all bearings used herein are relatively to each other only), along the southerly line of said E. Fifth Ave., and along the northerly line of Lots 1 and 2 of said M.M. Greene's Subdivision, a distance of 73.89 feet to an iron pin at the northwesterly corner of said Lot 2 and the northeasterly corner of said Lot 3, and the true point of beginning at this description;

Thence South 0 degrees 58 minutes west, along the line between said lots 2 and 3, a distance of 178.28 feet to a point at the southeasterly corner of said Lot 3, (southwesterly corner of Lot 2) and in the northerly line of Greenwood Avenue, said last described point being South 89 degrees 55 minutes West, along the southerly line of said Lots 1 and 2, and along the northerly line of said Greenwood Avenue, a distance of 112.83 feet from a point at southeasterly corner of said Lot 1, and at the intersection of the westerly line of said Summit Street, with the northerly line of said Greenwood Avenue;

Thence South 89 degrees 55 minutes West, along the southerly line of said Lots 3 and 4, and along the northerly line of said Greenwood Avenue, a distance of 79.88 feet to an iron pin at the southwesterly corner of said Lot 4 and the southwesterly corner of Lot 5 of said M.M. Greene's Subdivision; thence North 0 degrees 58 minutes East along the line between said Lots 4 and 5 a distance of 178.40 feet to a point at the northwesterly corner of said Lot 4, (and at the northeasterly corner of said Lot 5), and in the southerly line of said East Fifth Avenue;

Thence East, along the northerly line of said Lots 3 and 4 along the southerly line of said East Fifth Avenue, a distance of 79.88 feet to the place of beginning.

Parcel Number: 010-020042 and 010-014566

burwell-5thst.leg (nct) 10/7/14 F:Docs/s&hlegals/2014



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR



This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

Real Estate / GIS Department



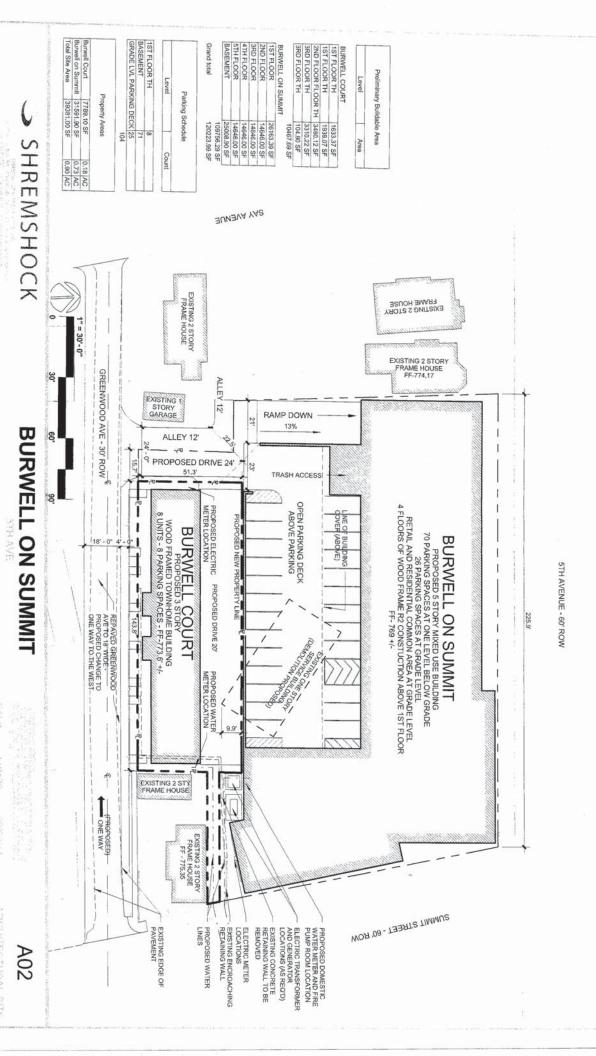
CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: jbr DATE: 10/7/14

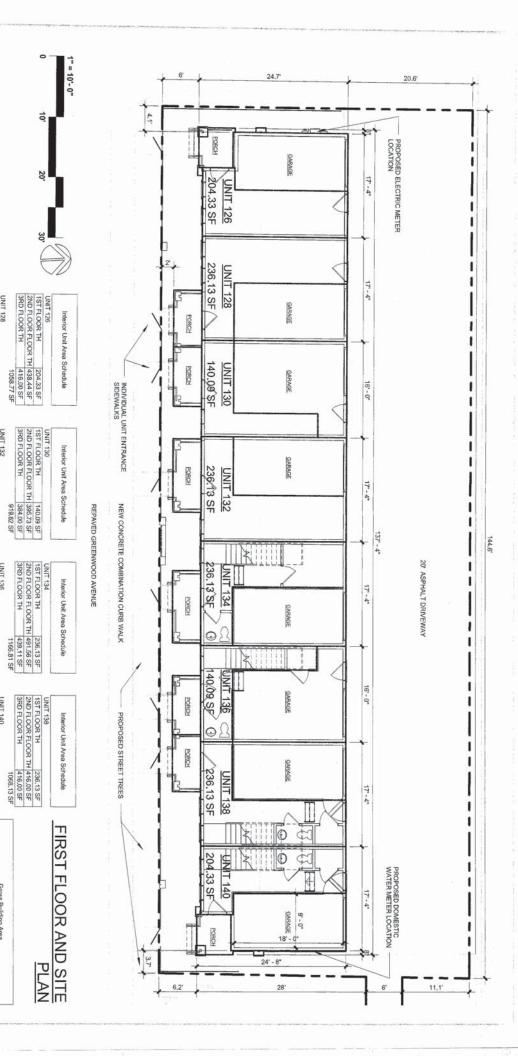


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Real Estate / GIS Department



CV14-053



SHREMSHOCK

UNIT 132
11ST FLOOR TH 236.13 SF
2ND FLOOR TH 488.22 SF
3RD FLOOR TH 499.11 SF
1163.47 SF

UNIT 140
1ST FLOOR TH 204.33 SF
2ND FLOOR FLOOR TH 438.44 SF
3RD FLOOR TH 445.00 SF
1058.77 SF
8423.72 SF

1ST FLOOR TH 2ND FLOOR FLOOR TH 3RD FLOOR TH Grand total

3572.44 SF 3480.12 SF 3415.13 SF 10467.69 SF

Gross Building Area

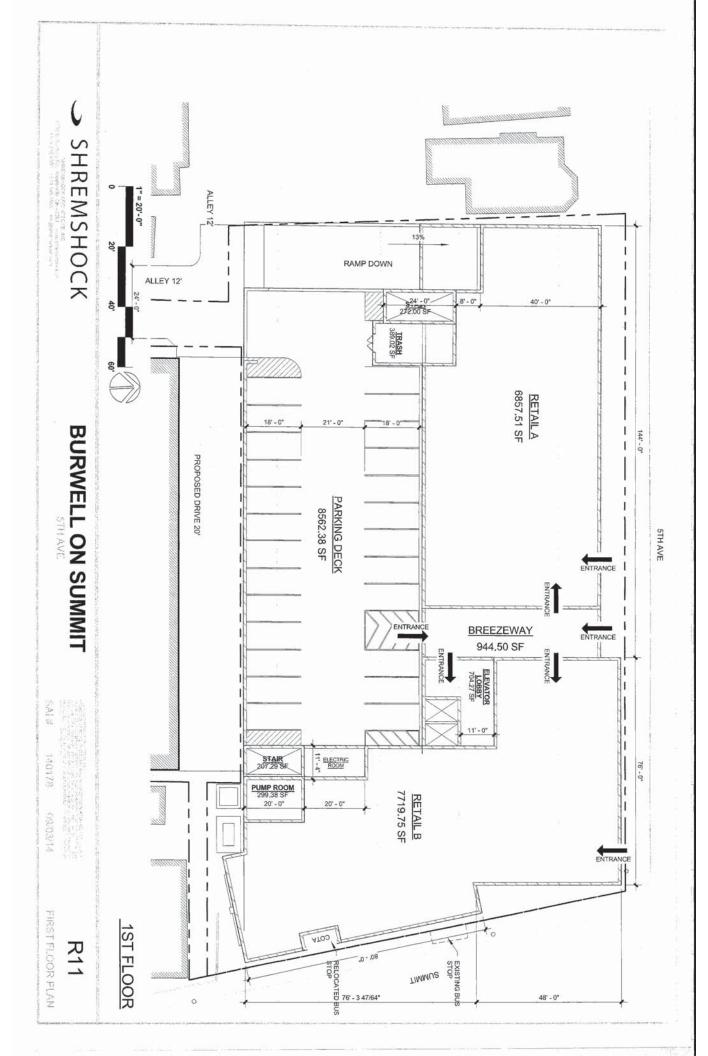
BURWELL COURT

GREENWOOD AVE

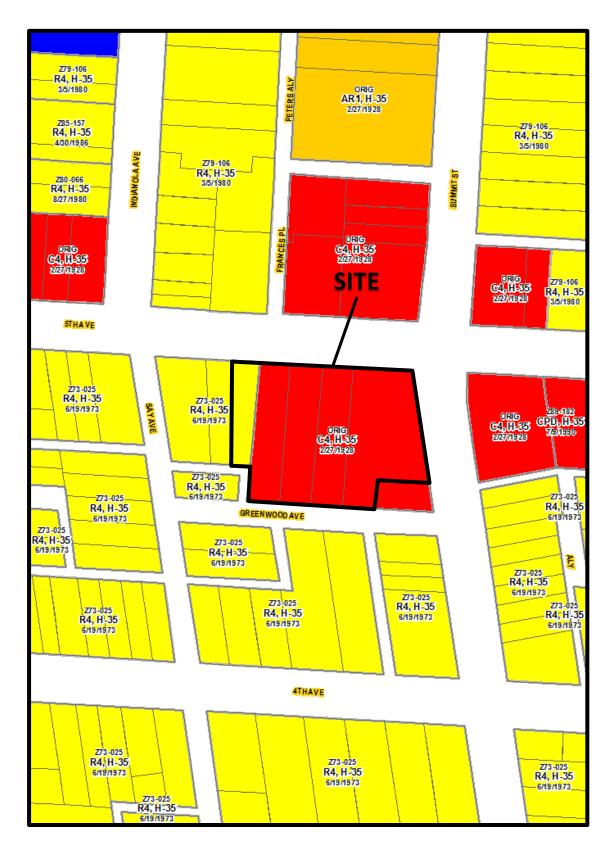
SALF 140178 09/03/14

A03

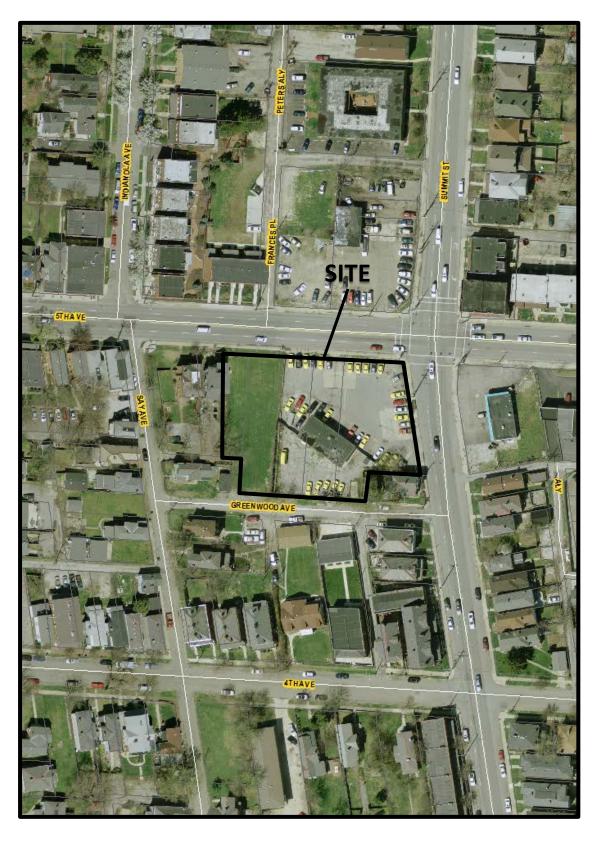
ARCHITECTURAL SITE



○ SHREMSHOCK BACK OF CURB RAN.9 UP OFFSET FOR LAYBACK BURWELL ON SUMMIT 124'-0" GARAGE 25008.90 SF SALIT 140178 09/03/14 BASEMENT BASEMENT R10 BACK OF CURB



CV14-053 97 East Fifth Avenue Approximately 0.90 acres



CV14-053 97 East Fifth Avenue Approximately 0.90 acres