

Council Variance Application

757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov

OFFICE USE ONLY

Application Number: CV15-054 Date Received: 9/1/15
Application Accepted by: JB, MM & SP Fee: \$1,600
Comments: Assigned to James Burdin; (614)645-1341; JEBurdin@columbus.gov
Shannon Pine; (614)645-2208; SPine@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 1525 N. High Street 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: 010030184 & 010063229

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

Current Zoning District(s): Commercial C4

Area Commission or Civic Association: Univerxity Area Commission, UARB

Proposed Use or reason for Council Variance request:
To develop mixed use commercial and residential development

Acreage: .61 acres

APPLICANT:

Name: Bellhigh, LLC Phone Number: 614.221.4286 Ext.: _____
Address: 10 N. High St., Ste. 401 City/State: Columbus, OH Zip: 43215

Email Address: skip@rweiler.com Fax Number: _____

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

Name: G-Made Inc. Phone Number: 419.422.3437 Ext.: _____
Address: 2738 N. Main St., Ste. A City/State: Findlay, OH Zip: 45840

Email Address: _____ Fax Number: _____

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

Name: Michael T. Shannon Phone Number: 614.229.4506 Ext.: _____
Address: 500 S. Front St., Ste. 1200 City/State: Columbus, OH Zip: 43215

Email Address: mshannon@cbjlawyers.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

Council Variance Application

757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov

CV15-054

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:

Please see attached

Signature of Applicant



Michael T. Shannon

Date

8/28/15

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

Statement of Hardship

CV15-054

Property Address: 1525 North High Street

Applicant: BellHigh, LLC
Michael T. Shannon, Esq.
CRABBE, BROWN & JAMES, LLP
500 South Front Street, Suite 1200
Columbus, Ohio 43215
mshannon@cbjlawyers.com

Date of Text: August 28, 2015

The Site consists of two parcels which will be combined (010030164, 010063229). The site is located between West 9th Avenue and West 10th Avenue and North High Street (west side of N. High). The site is currently used to operate a fast food restaurant with an adjacent parking lot.

The Site is currently zoned Commercial C-4, Height H-35. The site is subject to the University Area commission, the University/Impact planning overlay, and the University UCO commercial overlay.

The applicant proposes the construction of a mixed-use multi-unit apartment residential development with: residential accessories, retail space, and a restaurant facility. The development will be approximately 7150 square feet of retail, office and/or restaurant space with a maximum 1000 square feet of residential accessories on the first floor. The development will include a mix of studio residential apartments, one bedroom residential apartments, two bedroom residential apartments and three and four bedroom apartments with the maximum number of residential units of 101.

The building will be approximately 72 feet in height.

The Applicant requests the following variances:

1. 3356.03 Permitted uses in a C4 Commercial District. The Applicant requests a variance to the City of Columbus Zoning Code to allow ground floor residential accessory uses such as: an onsite leasing office, a work out facility, or a computer station/study exclusively for the use of residents in the building.
2. 3309.14, Height District, which Section limits the height of buildings in the H-35 District to 35 feet. Applicant requests a variance to allow a building height of 75 feet.

3. 3312.49(C), Minimum Number of Parking Spaces Required to be reduced from 254 to 115 spaces.

A hardship exists in that the C4 Commercial Zoning District does not permit the intended uses for the proposed development. Accordingly, the above use variance is necessary because the Applicant has no other means to develop the site and cannot conform to the underlying commercial zoning district established by the City's Zoning Code. The development will appreciate and enhance the existing neighborhood and, therefore, will not adversely affect the surrounding property or surrounding neighborhood. Rather, the development will alleviate a hardship for difficulty which warrants variances from the C-4, Commercial Zoning Code.

Additionally, a practical difficulty exists because the Applicant cannot meet the underlying development standards required by the City's Zoning Code. Accordingly, the above development standard variances are necessary in order for the Applicant to maintain the intended mix use development project.

The requested variances will not impair an adequate supply of light or 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 established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals, or welfare of the inhabitants of the city.

For the reasons stated above, Applicant respectfully requests approval of the requested variances.

Respectfully submitted,



Michael T. Shannon, Esq.
Attorney for Applicant

Council Variance Application

757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov

AFFIDAVIT (See instruction sheet)

Application Number: CV15-054

STATE OF OHIO

COUNTY OF FRANKLIN

Michael T. Shannon

Being first duly cautioned and sworn (1) NAME

of (1) MAILING ADDRESS 500 S. Front St., Ste. 1200, 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

1525 N. High St. Columbus, OH 43201

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 9/1/15

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME

AND MAILING ADDRESS

(4) G-Made, Inc.

2718 N. Main St., Ste. A

Findlay, Ohio 45840-4035

Bellhigh, LLC

614.221.4286

APPLICANT'S NAME AND PHONE #

(same as listed on front application)

AREA COMMISSION OR CIVIC GROUP

AREA COMMISSION ZONING CHAIR

OR CONTACT PERSON AND ADDRESS

(5) University Area Commission

Susan Keeny, Chair

358 King Ave., Columbus, OH 43201

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)

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

(8) SIGNATURE OF AFFIANT

Michael T. Shannon

Sworn to before me and signed in my presence this 38th day of August, in the year 2015

(8) SIGNATURE OF NOTARY PUBLIC

Carol A. Stewart

CAROL A. STEWART
My Commission Expires
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES 08/28/2019



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

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

Council Variance Application

757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.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 # CV15-054

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Michael T. Shannon
of (COMPLETE ADDRESS) 500 S. Front St., Ste. 1200, 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

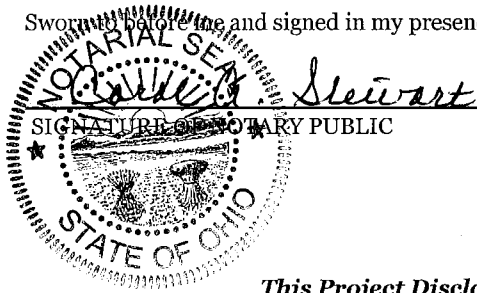
1. G-Made, Inc. 2738 N. Main St., Ste. A Findlay, Ohio 45840-4035 419.422.3437	2. Bellhigh, LLC 10 N. High St., Ste. 401 Columbus, Ohio 43215 614.221.4286
3.	4.

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

SIGNATURE OF AFFIANT

Michael T. Shannon
Michael T. Shannon

Sworn to before me and signed in my presence this 28th day of August, in the year 2015



Notary Seal Here

My Commission Expires
CAROL A. STEWART
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES 06/28/2019

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

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



City of Columbus Zoning Plat



CV15-054

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: 010030184 & 010063229

Zoning Number: 1525

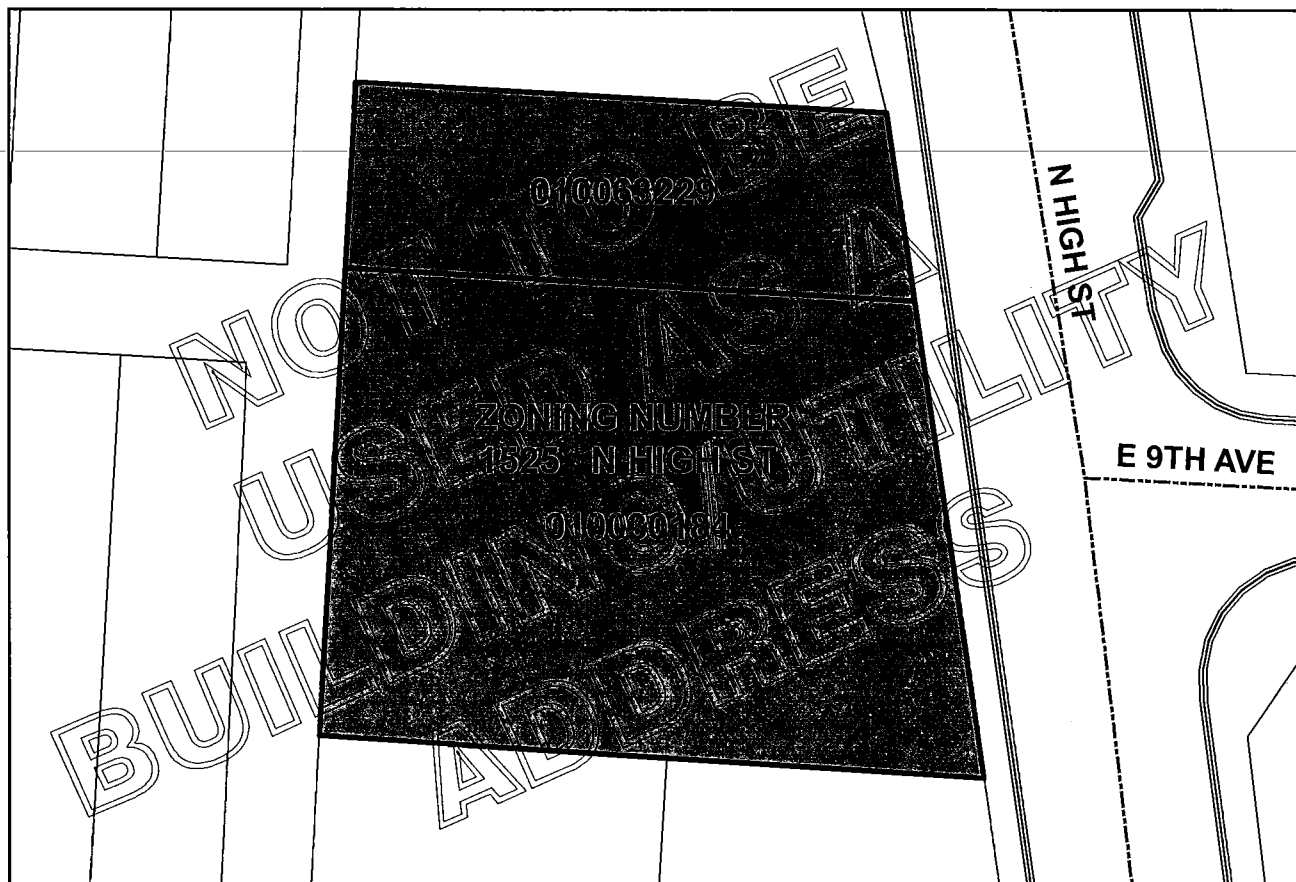
Street Name: N HIGH ST

Lot Number: N/A

Subdivision: N/A

Requested By: CRABBE, BROWN & JAMES, LLP (MICHAEL SHANNON)

Issued By: Adriana Williams Date: 8/31/2015



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

SCALE: 1 inch = 50 feet

GIS FILE NUMBER: 42997

Description of a 0.610 Acre Tract
Per the Current Deed in Instrument 201205210070860

CV15-054

Situated in the City of Columbus, County of Franklin, State of Ohio, described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, also being Lots 2, 3 and 4 of a Converse's North High Street addition, as recorded in P.B. 3, Pg 401 and Lot 19 and a strip of land off the South side of Lot Number 18 having a frontage on North High Street of 13.37 feet of Burdell and Linden's Addition, as recorded in P.B. 4, PG. 124, Franklin County Recorder's records.

Beginning at the Southeast corner of Lot 2 and a found 3/4" iron pin:

Thence West a distance of 173.91 feet to a set 3/4" iron pin;

Thence due North a distance of 169.28 feet to a 3/4" iron pin set;

Thence due East a distance of 139.96 feet to a 3/4" iron pin set;

Thence South 11° 20' 26" East a distance of 172.65 feet to a found 3/4" iron pin and the True Place of Beginning, containing 26.566 square feet.

This description was based on an actual field survey by the Jerry A. Malott Surveying Co. In January, 1994.

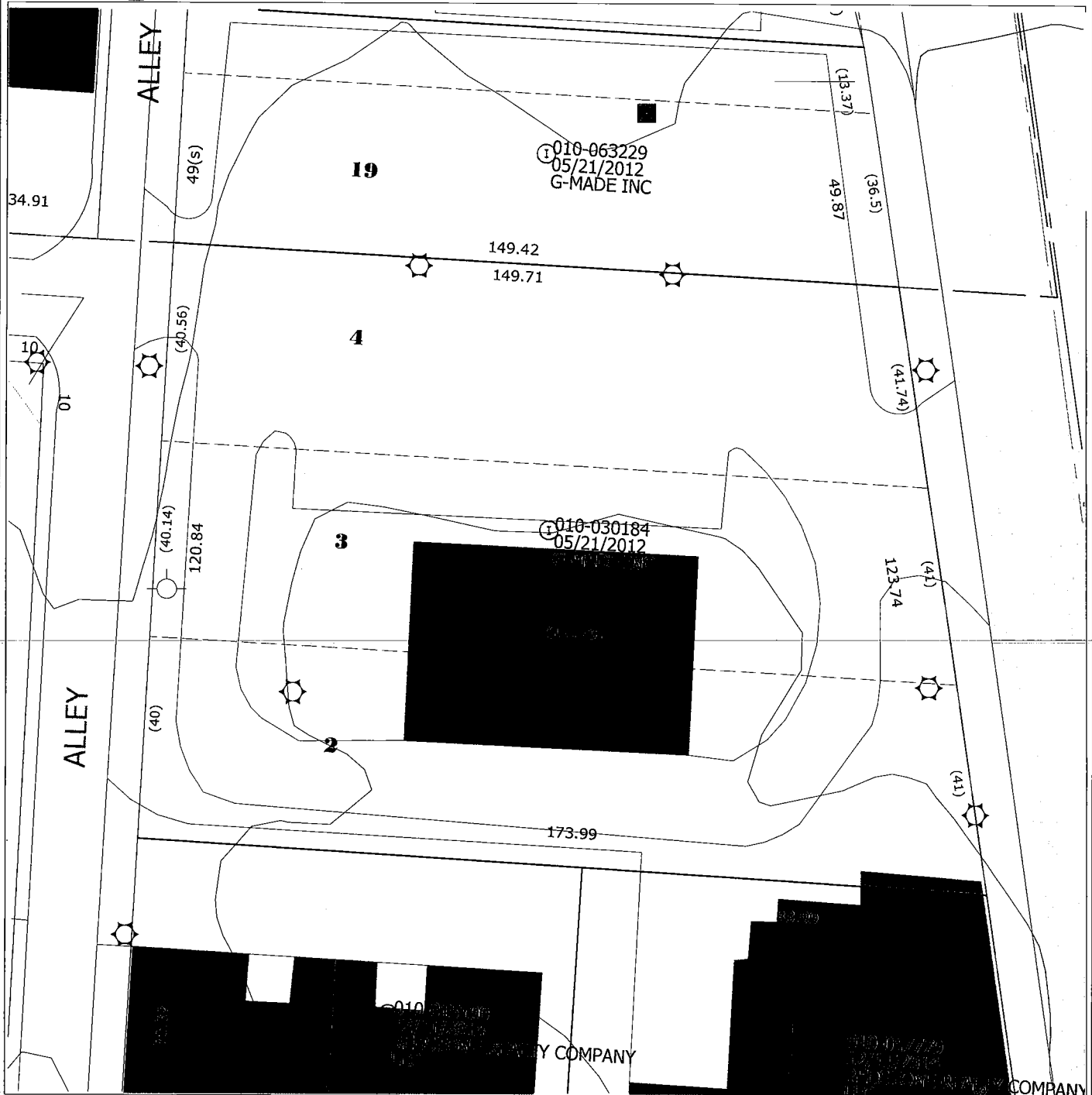
Permanent Parcel Numbers: 010-030184-00 AND 010-063229-00

CV15-054



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: C **DATE: 8/28/15**



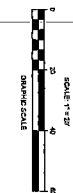
Disclaimer

Scale = 30



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



DESCRIPTION OF A 650' X 425' 170-FT.
PER THE CURRENT DEED IN INSTRUMENT 07-02851-070860

SITUATED IN THE CITY OF COLUMBUS, COUNTY OF FRANKLIN, STATE OF OHIO, DESCRIBED AS FOLLOWS:
SITuated IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF COLUMBUS, ALSO BEING LOTS 2, 3 AND 1 OF A
SUBDIVISION OF LOTS 2, 3 AND 1 OF A SUBDIVISION OF LOTS 2, 3 AND 1 OF A SUBDIVISION OF LOTS 2, 3 AND 1
OF THE SOUTH END OF LOT NUMBER 18, A VARYING A PORTION ON NORTH HIGH STREET OF 13.21 FEET
BUTTERFIELD AND LINDBERGH ADDITION, AS RECORDED IN B. & P. 124, FRANKLIN COUNTY RECORDS. RECORDS.
BEGINNING AT THE SOUTHWEST CORNER OF LOT 2 AND A FOUND 3/4" IRON PIN;
THENCE WEST A DISTANCE OF 173.81 FEET TO A SET 3/4" IRON PIN;
THENCE DUE NORTH A DISTANCE OF 48.24 FEET TO A 3/4" IRON PIN SET;
THENCE DUE NORTH A DISTANCE OF 138.95 FEET TO A 3/4" IRON PIN SET;
THENCE SOUTH 1/2° 27' 28" EAST A DISTANCE OF 172.65 FEET TO A FOUND 3/4" IRON PIN AND THE TRUE PLACE OF
BEGINNING, CONTAINING 2.88 ACRES SQUARE FEET.
THESE PREMISES BEING THE SAME AS SHOWN ON THE MAP OF THE CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO,
ANALYSED 1394
PREPAYMENT PARCEL NUMBERS: 010-00184-00 AND 010-005233-00

OWNER/DEVELOPER

BELL-NORTH I.T.C.
10 NORTH HIGH STREET, SUITE 400
COLUMBIA, MD 21046
ATTN: JAMES W. HARRIS
PHONE 314-221-4766

ENGINEER/SUPERVISOR

C. F. BRID & R. L. BULL, INC.
285 W. DUBLINGARAVILLE ROAD
DUBLINGAR, OHIO 43015
ATTN: JAMES L. BRID
PHONE 614-231-1322
FAX 614-231-1321
CONTACT: ANDREW GARDNER P.E.
E-MAIL: AGARDNER@BRIDBULL.COM

ARCHITECT

I HEREBY CERTIFY THAT THE BUILDING AND SITE PLAN MEET ALL REQUIRED ZONING TEXT STANDARDS

ANDREW A GARDNER - OHIO ENGINEER NO. E-68865

CHIEF PLANS OFFICIAL, BUILDING SERVICES DIVISION **DATE**

THIS SITE PLAN IS VALID FOR (1) YEAR FROM DATE OF APPROVAL

PROPOSED TACO BELL & STUDENT HOUSING
 1525 N. HIGH STREET
 COLUMBUS, OHIO

SITE COMPLIANCE PLAN

Bird + Bull
 2875 W. Dublin-Gesswein Road
 Dublin, OH 43017
 Tel: (614) 761-1460
 Fax: (614) 761-1241
 Web: www.birdandbull.com

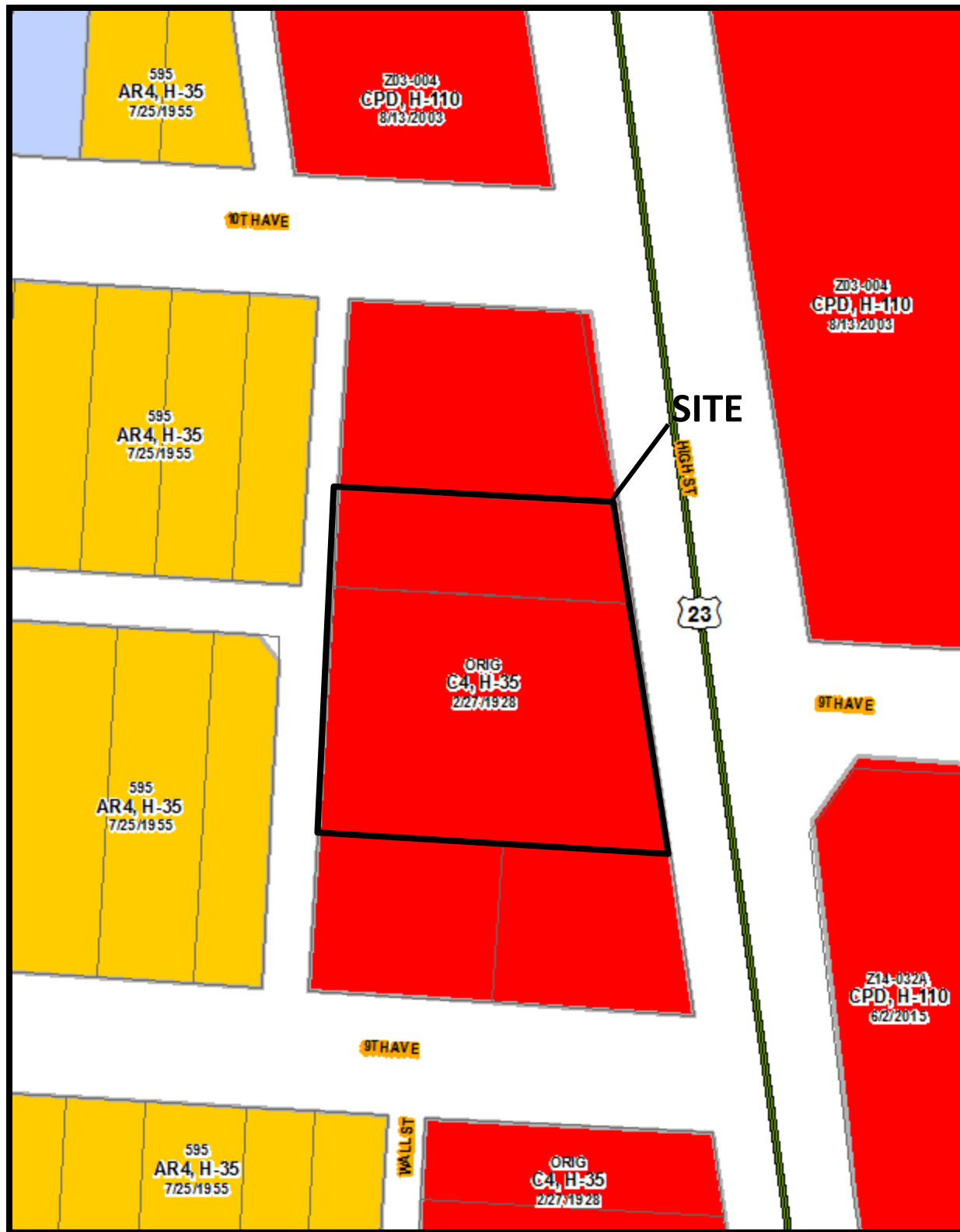
Architects & Surveyors

SCALE: 1" = 20'

CDS NO. 1

SITE COMPLIANCE PLAN

PROPOSED TACO BELL & STUDENT HOUSING
4536 N HIGH STREET

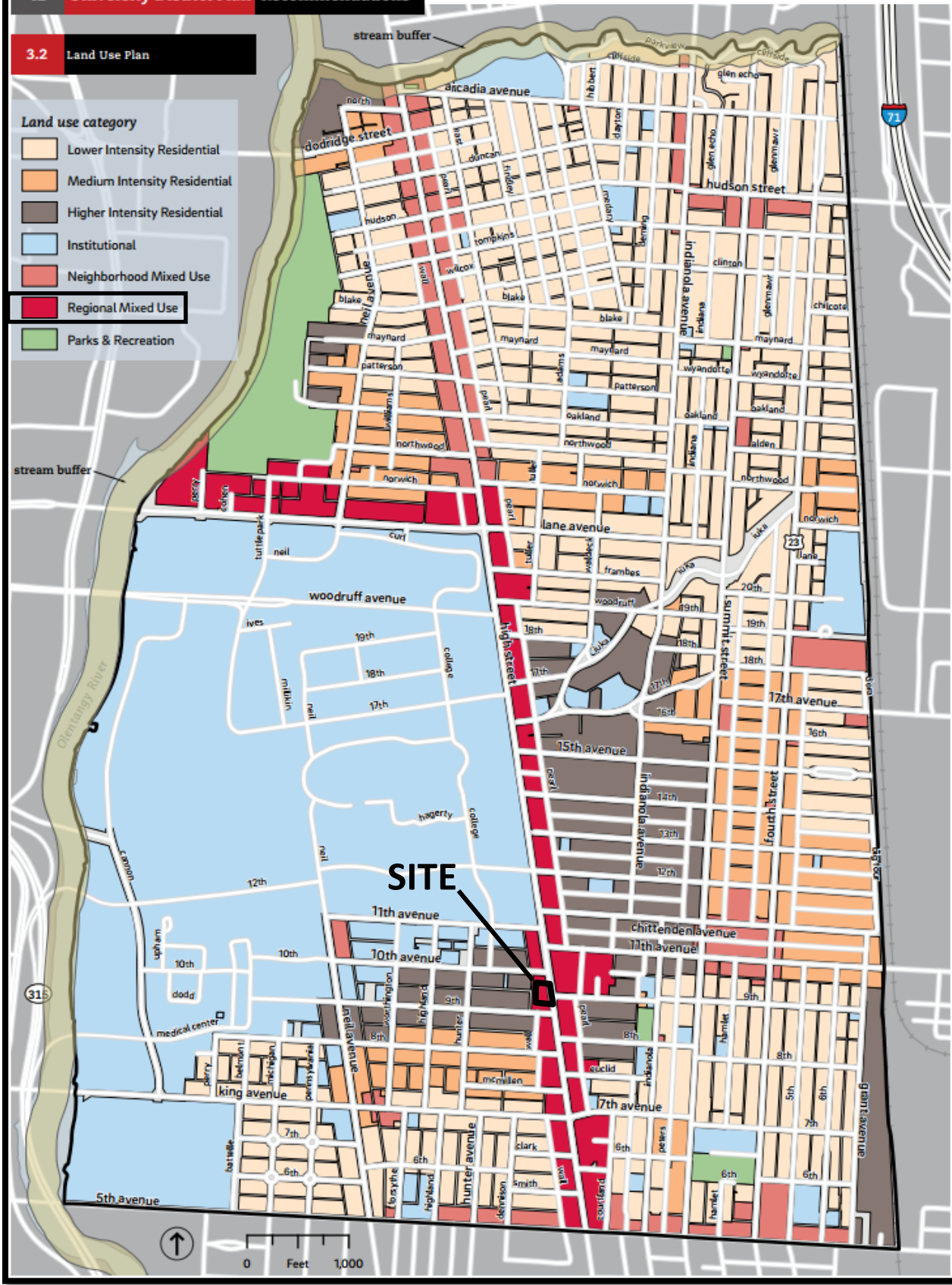


CV15-054
1525 North High Street
Approximately 0.61 acres

3.2 Land Use Plan

Land use category

- Lower Intensity Residential
- Medium Intensity Residential
- Higher Intensity Residential
- Institutional
- Neighborhood Mixed Use
- Regional Mixed Use
- Parks & Recreation



CV15-054
 1525 North High Street
 Approximately 0.61 acres



CV15-054
1525 North High Street
Approximately 0.61 acres