



Mayor Michael B. Coleman

## BOARD OF ZONING ADJUSTMENT APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services

757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • [www.columbus.gov](http://www.columbus.gov)

OFFICE USE ONLY

Application Number: 11310-00000-00624  
Date Received: 26 Oct. 2011  
Commission/Group: Univ. A.C.  
Existing Zoning: \_\_\_\_\_ Application Accepted by: JF Fee: \$1905  
Comments: \_\_\_\_\_

### TYPE(S) OF ACTION REQUESTED

(Check all that apply)

☒ Variance ☐ Special Permit

Indicate what the proposal is and list applicable code sections. State what it is you are requesting.

Please see Attachment A-1.

### LOCATION

1. Certified Address Number and Street Name 1479 North High Street  
City Columbus State Ohio Zip 43201  
Parcel Number (only one required) 010-012829

### APPLICANT: (IF DIFFERENT FROM OWNER)

Name Joseph P. Borghese Jack D. Walters & Assoc., Inc., Architects & Engineers  
Address 5166 Blazer Parkway City/State Dublin OH Zip 43017  
Phone # 614/ 889-2516 Fax # 614/ 889-5596 Email incoming@jdwae.com

### PROPERTY OWNER(S):

Name Mollica, Joseph P. and Linda S.  
Address 1376 Castleton Road North City/State Columbus OH Zip 43220  
Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email \_\_\_\_\_  
☐ Check here if listing additional property owners on a separate page.

### ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

☐ Attorney ☒ Agent

Name Joseph P. Borghese  
Address 5166 Blazer Parkway City/State Dublin OH Zip 43017  
Phone # 614/ 889-2516 Fax # 614/ 889-5596 Email: incoming@jdwae.com

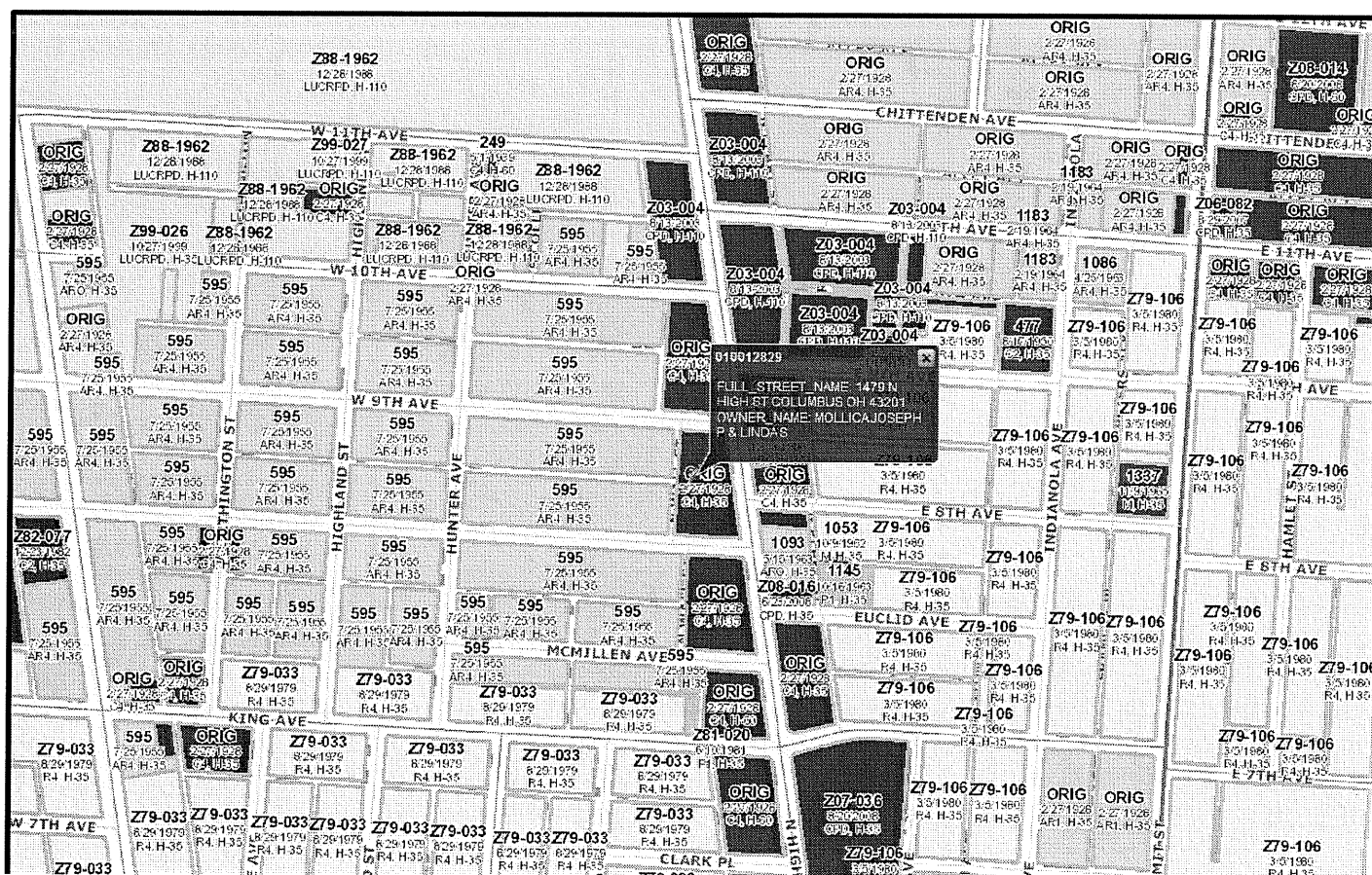
### SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE Joseph P. Borghese  
PROPERTY OWNER SIGNATURE Joseph P. Mollica  
ATTORNEY / AGENT SIGNATURE Joseph P. Borghese

PLEASE NOTE: incomplete information will result in the rejection of this submittal.

For all questions regarding this form and fees please call: 614-645-4522

Please make all checks payable to the Columbus City Treasurer





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**11310-00000-00624**

**1479 NORTH HIGH  
STREET**

## AFFIDAVIT

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Joseph P. Borghese  
of (1) MAILING ADDRESS 5166 Blazer Parkway Dublin Ohio 43017  
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 1479 North High Street  
(2) per ADDRESS CARD FOR PROPERTY Columbus OH 43201  
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

(4) Joseph P. and Linda S. Millica

AND MAILING ADDRESS

1376 Castleton Road North

Columbus, Ohio 43220

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

Joseph P. Borghese 614/ 889-2516

AREA COMMISSION OR CIVIC GROUP

(5) University Area Commission

AREA COMMISSION ZONING CHAIR OR

Susan Keeny, Zoning Chair

CONTACT PERSON AND ADDRESS

358 King Avenue Columbus OH 43201

and that the following 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:

(6) PROPERTY OWNER(S) NAME (6A) ADDRESS OF PROPERTY (6B) PROPERTY OWNER(S) MAILING ADDRESS

(Please see attachment pages)

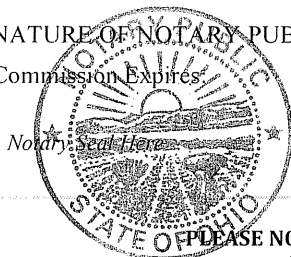
XXX ☒ (7) Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 7<sup>th</sup> day of Oct, in the year 2011

SIGNATURE OF NOTARY PUBLIC

My Commission Expires



(8) Stephanie Aguila  
Notary Public, State of Ohio  
My Commission Expires  
November 9, 2014

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### STATEMENT OF HARDSHIP

**11310-00000-00624**  
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**STREET**

APPLICATION # \_\_\_\_\_

#### 3307.09 Variances by Board.

- A. The Board of Zoning Adjustment shall have the power, upon application, to grant variances from the provisions and requirements of this Zoning Code (except for those under the jurisdiction of the Graphics Commission and except for use variances under the jurisdiction of the Council). No variance shall be granted unless the Board finds that all of the following facts and conditions exist:
1. That special circumstances or conditions apply to the subject property that does not apply generally to other properties in the same zoning district.
  2. That the special circumstances or conditions are not the result of the actions of the property owner or applicant.
  3. That the special circumstances or conditions make it necessary that a variance be granted to preserve a substantial property right of the applicant which is possessed by owners of other property in the same zoning district.
  4. That the grant of a variance will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of this Zoning Code.
- B. In granting a variance, the Board may impose such requirements and conditions regarding the location, character, and other features of the proposed uses or structures as the Board deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.
- C. Nothing in this section shall be construed as authorizing the Board to affect changes in the Zoning Map or to add to the uses permitted in any district.

**I have read Section 3307.09, Variances by Board, and believe my application for relief from the requirements of the Zoning Code satisfies the four criteria for a variance in the following ways:**

**3312- 49C: REDUCE MINIMUM REQUIRED PARKING FROM (9) SPACES TO (4) SPACES:**

- 1) Bar/tavern is in University Area on N, High St. with substantial local and pedestrian patronage. This property also shares existing excess parking on the adjacent lot to North which is under same ownership.
- 2) Original configuration of site (building in back, drive/parking in front) predates the current Owner (building constructed 1943, current owner 1971).
- 3) Parking variance allows continued viability of business with public/private patio similar to many establishments in University Impact District, such as the property immediately to South (1475 N. High St.).
- 4) (Continued on attached pages Statement of Hardship-.1 &-.2.)

Signature of Applicant

*Joseph P. Rafter*

Date

*10/07/2011*

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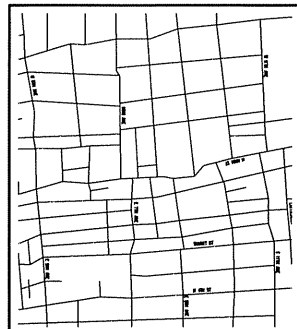
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3312- 49C: (Continued)

- 4) As parking is available on adjacent property, and with pedestrian traffic, variance would not overburden neighboring properties. Proposed patio and parking screen wall improvements will enhance the neighborhood appearance and the University Design Guidelines Zone Two pedestrian oriented space (University / High Street Development & Design Guidelines May 2002, pp. 31,32.)

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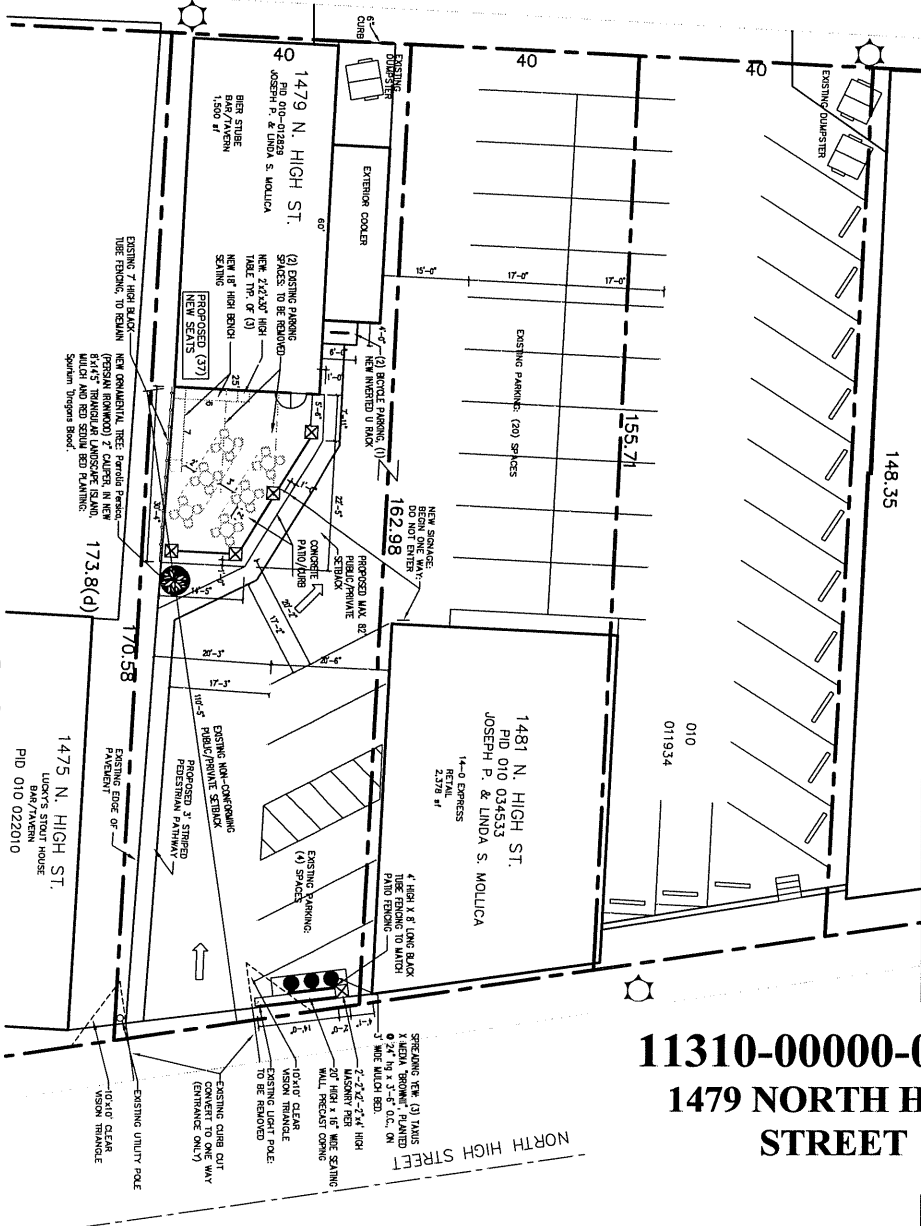




MULTI-UNIT BUILDING  
010  
013711  
RESIDENTIAL

**PARKING AREA**

NORTH WALL STREET



**11310-00000-00624**  
**1479 NORTH HIGH**  
**STREET**

## SITE PLAN

---

$\Gamma = 10$

A1.0

1475 N. HIGH ST.  
LUCKY'S STOUT HOUSE

CHS/LAVERN  
PID 010 02201

**FRONT (HIGH STREET) ELEVATION**

$$\left(\frac{2}{A1.0}\right)$$

**FRONT (HIGH STREET) ELEVATION**

$$\frac{2}{A1.0}$$

PROPOSED PATIO ADDITION  
BIER STUBE BAR/TAVERN

1479 N. HIGH STREET  
COLUMBUS, OHIO 43201

RESUME

**JACK D. WALTERS  
&  
ASSOCIATES, INC.**  
ARCHITECTS/ENGINEER  
5166 BLAZER PARKWAY  
P.O. BOX 665  
DUBLIN, OHIO 43017  
PH: (614) 869-2516  
F.X: (614) 869-5595



STATE OF OHIO  
★ JOSEPH P. BORGHESI ★  
10741  
REGISTERED ARCHITECT

**STATUS:**  
UNIVERSITY IMPACT  
APPROVAL APPLICATION

A1.0



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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.

APPLICANT

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STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Joseph P. Borghese  
of (COMPLETE ADDRESS) 5166 Blazer Parkway Dublin Ohio 43017

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 and their mailing addresses:

NAME

COMPLETE MAILING ADDRESS

Joseph P. Mollica 1376 Castleton Road North Columbus Ohio 43220

Linda S. Mollica 1376 Castleton Road North Columbus Ohio 43220

SIGNATURE OF AFFIANT

*Joseph P. Borghese*

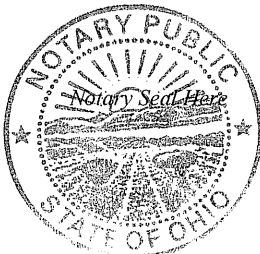
Subscribed to me in my presence and before me this 7th day of Oct, in the year 2011

SIGNATURE OF NOTARY PUBLIC

*Stephanie Aguilera*

My Commission Expires:

Nov 09, 2014



STEPHANIE AGUILA  
Notary Public, State of Ohio  
My Commission Expires  
November 9, 2014

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