



# 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: # 11310-00000-00730

Date Received: 12/19/11

Commission/Group: University Area Commission

Existing Zoning: C-4, Commercial

Application Accepted by: HF

Fee: \$1,900.00

Comments: Hearing date: 2/28/12

## 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.

Variance to reduce required parking for outside patio for a restaurant (3 spaces) and remove conditions of V99-007 by re-granting variance to permit 6,400 sq. ft restaurant w/o conditions

## LOCATION

1. Certified Address Number and Street Name 1918 North High Street

City Columbus

State OH

Zip 43201

Parcel Number (only one required) 010-053768

## APPLICANT: (IF DIFFERENT FROM OWNER)

Name Chumley's Pub c/o Donald Plank, Plank Law Firm

Address 145 East Rich Street, 3rd Floor

City/State Columbus, OH

Zip 43215

Phone # (614) 947-8600

Fax # (614) 228-1790

Email dplank@planklaw.com

## PROPERTY OWNER(S):

Name Oxford-Ross of Ohio LLC Donald Plank, Plank Law Firm

Address 145 East Rich Street, 3rd Floor

City/State Columbus, OH

Zip 43215

Phone # (614) 947-8600

Fax # (614) 228-1790

Email dplank@planklaw.com

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

## ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

☒ Attorney

☐ Agent

Name Donald Plank, Plank Law Firm

Address 145 East Rich Street, 3rd Floor

City/State Columbus, OH

Zip 43215

Phone # (614) 947-8600

Fax # (614) 228-1790

Email: dplank@planklaw.com

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

APPLICANT SIGNATURE

PROPERTY OWNER SIGNATURE

ATTORNEY / AGENT SIGNATURE

**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



# CITY OF COLUMBUS

## DEPARTMENT OF BUILDING AND ZONING SERVICES

11310-00730  
1918 N. High St.

### One Stop Shop Zoning Report Date: Thu Dec 29 2011

General Zoning Inquiries: 614-645-8637

#### SITE INFORMATION

Address: 1918 N HIGH ST COLUMBUS OH 43201

Mailing Address: 68 S FOURTH ST  
COLUMBUS, OH 43215

Owner: OXFORD-ROSS OF OHIO LLC

Parcel Number: 010053768

#### ZONING INFORMATION

Zoning: ORIG, Commercial, C4  
effective 2/27/1928, Height District H-35

Board of Zoning Adjustment (BZA): N/A

Commercial Overlay: UNIVERSITY UCO

Graphic Commission: N/A

Area Commission: University Area Commission

Planning Overlay: University/Impact

Historic District: N/A

Historic Site: No

Council Variance: N/A

Flood Zone: OUT

Airport Overlay Environs: N/A

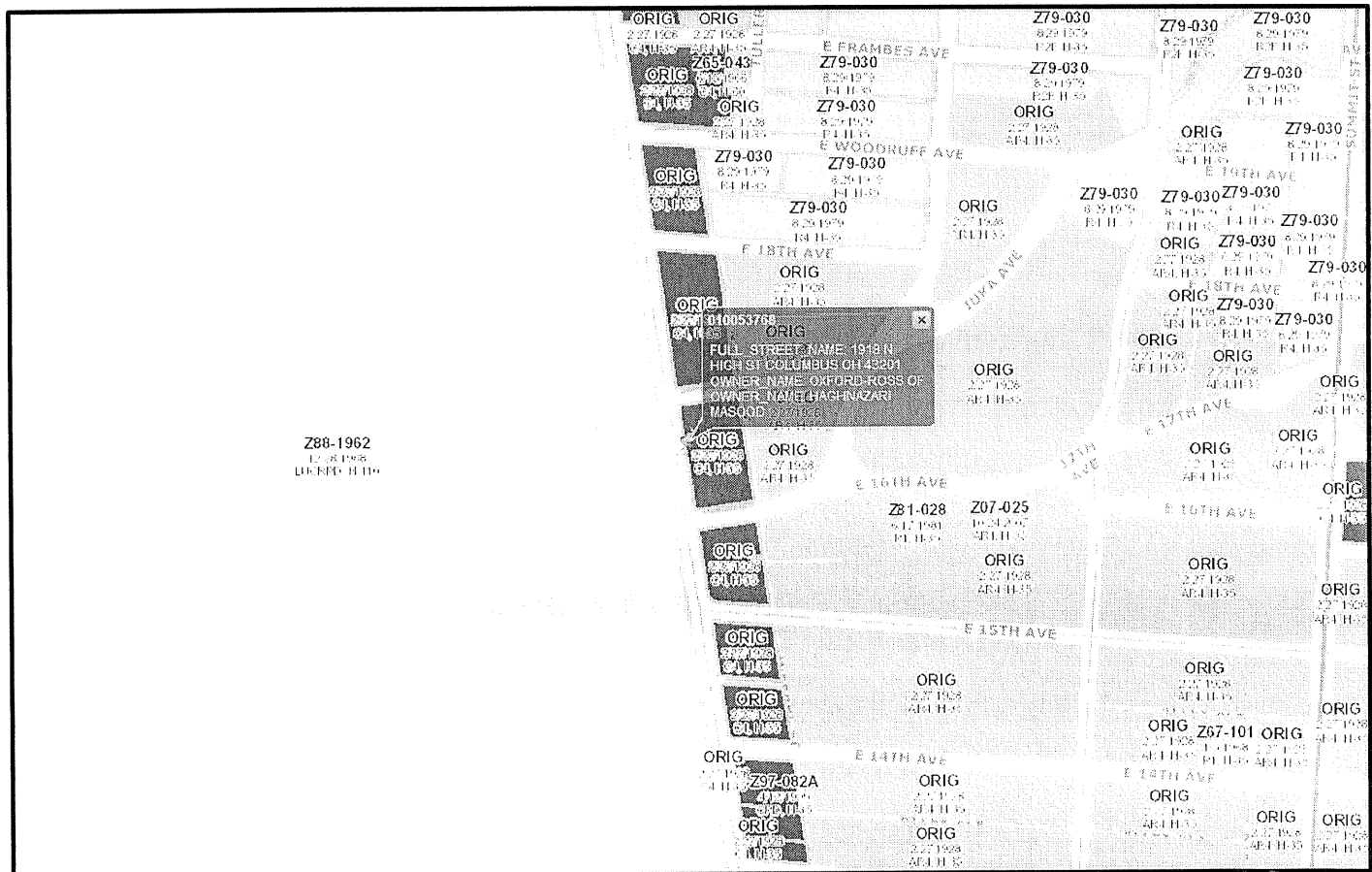
#### PENDING ZONING ACTION

Zoning: N/A

Board of Zoning Adjustment (BZA): N/A

Council Variance: N/A

Graphic Commission: N/A



**EXHIBIT B**  
**Statement of Hardship**

**1918 North High Street**

**BZA:** \_\_\_\_\_

---

The site is located on the east side of North High Street, 98 +/- feet south of East 17<sup>th</sup> Avenue. The property is zoned C-4, as is most of the North High Street corridor in the University Area Commission area. The property is also subject to the University Urban Commercial Overlay (UUCO). The Use of Record of the existing 6,400 sq. ft. building is a restaurant. Typical of the commercial corridor, there are many restaurants with limited on-site parking, with the limited parking typically located to the rear of the building and accessed from Pearl Street (20').

A 1999 Board of Zoning Adjustment (BZA) variance reduced parking for the use of this building for restaurant use, subject to certain conditions, as itemized in the Board Order (attached), and incorporated by reference. Applicant proposes to repeat the variance for the use of the building as a restaurant, as permitted in 1999 (V99-007, April 27, 1999), without the three (3) conditions of the 1999 Board Order. The UUCO, enacted and amended subsequent to the 1999 variance, permits an automatic reduction of 25% of required parking. The University Area Review Board, empowered to review exterior alterations on North High Street, also subsequent to 1999, is the appropriate body for building materials and color specifications. Applicant requests a variance to permit a 6,400 sq. ft., restaurant by reducing parking from 65 spaces (86 spaces @ 1:75 less 25% reduction permitted by UUCO = 65) to seven (7) existing on-site parking spaces.

The State of Ohio has prohibited smoking inside commercial buildings since the 1999 zoning variance. Many restaurants have sought to provide outside patios as both a seasonal amenity to patrons and to accommodate smokers. There have been numerous approved variances to reduce required parking related to an outside seasonal patio. Applicant proposes a 430 square foot outside, seasonal patio located as depicted on the submitted site plan. Applicant requests a variance to permit a 430 sq. ft. outside, seasonal accessory dining patio by reducing required parking from three (3) to zero (0) (2.86 spaces @ 1:150 less 25% reduction permitted by UUCO = 2.15 spaces = 3).

The property owner and applicant have a practical difficulty in making use of the property with the restrictions contained in the 1999 Board Order (V99-007), when no other property in the North High Street/Ohio State University corridor is prohibited from selling alcoholic beverages where comparable zoning and property characteristics exist. The property owner and applicant have a practical difficulty with providing three (3) additional, new parking spaces on a fully-developed site for a seasonal use.

Applicant requests the following variance:

- 1) 3372.609, Parking and Circulation, which Section requires 65 parking spaces for the use of the 6,400 +/- sq. ft. building as a restaurant and three (3) parking spaces for a 430 +/- sq. ft. seasonal accessory outside dining patio, or 68 total parking spaces, while applicant proposes the use of the 6,400 +/- sq. ft. building as a restaurant with a 430 +/- sq. ft. seasonal accessory outside dining patio with seven (7) on-site parking spaces.

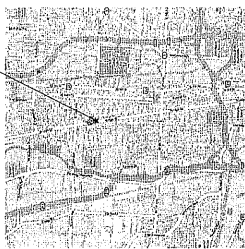
12/15/11



**PROJECT CONTACTS**

**ARCHITECT**  
DAVID PORTS ARCHITECT, INC.  
3154 BRECKSVILLE ROAD  
RICHFIELD, OHIO 44286  
ATTN: DAVE PORTS  
P. 330.659.4420  
F. 330.659.4422  
E. [dave@portsarchitects.com](mailto:dave@portsarchitects.com)

**LOCATION PLAN**  
**NOT TO SCALE**

[illegible][illegible]

**SITE PLAN**  
SCALE: 1" = 10'-0"

**S-1.0**  
DRAWING NUMBER  
**SITE PLAN**

1918 NORTH HIGH STREET  
COLUMBUS, OH 43201

Chumbeys

DATE	ISSUE / REVISION	DATE	ISSUE / REVISION
12/16/2011	SITE VARIANCE		

**11310-00730**  
**1918 N. High St.**

1. PROPERTY IS WITHIN FLOOD ZONE "x" AS PER F.I.R.M. MAP # 39049C0144 G, DATED AUG. 2 1985.
2. THE LOCATIONS OF EXISTING UTILITIES HAVE BEEN SHOWN ON THIS PLAN IN ACCORDANCE WITH AVAILABLE RECORDS. IT IS BELIEVED THAT THESE LOCATIONS ARE ESSENTIALLY CORRECT. HOWEVER THE CONTRACTOR SHALL INVESTIGATE AND LOCATE ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY THE CHAIRMAN OF THE PROTECTION SERVICE (800-271-6285) AT LEAST TWO WORKING DAYS PRIOR TO BEGINNING WORK. NON-MEMBERS WILL BE CALLED DIRECTLY.

[illegible]

216 N. FRONT ST.  
COLUMBUS, OH 43215  
(614)464-7228  
ATTN: TOM COLE  
RE: AMERICAN ELECTRIC POWER

150 E. GAY ST  
COLUMBUS, OH 43215  
(614)223-4988  
ATTN: ED NAVONSTEN  
RE: AMERITECH

[illegible][illegible]

SITUATED IN THE COUNTY OF FRANKLIN, IN THE STATE OF OHIO,  
AND IN THE CITY OF COLUMBUS

BEING 4 FEET OFF THE NORTH SIDE OF LOT NUMBER ONE HUNDRED EIGHTEEN (118), AND 42.5 FEET OFF THE SOUTH SIDE OF LOT NUMBER ONE HUNDRED NINETEEN (119) OF THE INDIANOLA FOREST ADDITION TO THE CITY OF COLUMBUS, AS THE SAME ARE NUMBERED AND DELINEATED UPON THE RECORDED PLAT THEREOF, OF RECORD IN PLAT BOOK NO. 8, PAGE NO. 4, RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO

**TWO WORKING DAYS  
BEFORE YOU DIG**  
**CALL 1-800-362-2764 (TOLL FREE)**  
**OHIO UTILITIES PROTECTION SERVICE**  
**NON-MEMBERS**  
**MUST BE CALLED DIRECTLY**

**WATER**

**CALIFORNIA** DIVISION OF WATER

1000 DUBLIN RD  
DUBLIN, CALIF 94568  
(415) 460-2115

**ILLINOIS** DIVISION OF WATER

510 DUBLIN RD  
DUBLIN, ILL 60018  
(312) 460-7120

**INDIANA** DIVISION OF WATER

510 DUBLIN RD  
DUBLIN, IN 46015  
(317) 460-7120

**MISSOURI** DIVISION OF WATER

510 DUBLIN RD  
DUBLIN, MO 64588  
(314) 460-7120

**NEW YORK** DIVISION OF WATER

510 DUBLIN RD  
DUBLIN, NY 11556  
(516) 460-7120

**OHIO** DIVISION OF WATER

510 DUBLIN RD  
DUBLIN, OH 43015  
(614) 460-7120

**PENNSYLVANIA** DIVISION OF WATER

510 DUBLIN RD  
DUBLIN, PA 19018  
(610) 460-7120

**TENNESSEE** DIVISION OF WATER

510 DUBLIN RD  
DUBLIN, TN 37019  
(615) 460-7120

**TEXAS** DIVISION OF WATER

510 DUBLIN RD  
DUBLIN, TX 75423  
(409) 460-7120

**VIRGINIA** DIVISION OF WATER

510 DUBLIN RD  
DUBLIN, VA 22029  
(703) 460-7120

**WASHINGTON** DIVISION OF WATER

510 DUBLIN RD  
DUBLIN, WA 98015  
(206) 460-7120

**WEST VIRGINIA** DIVISION OF WATER

510 DUBLIN RD  
DUBLIN, WV 26031  
(304) 460-7120

**WISCONSIN** DIVISION OF WATER

510 DUBLIN RD  
DUBLIN, WI 53015  
(414) 460-7120

**MISSOURI** DIVISION OF WATER

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DUBLIN, MO 64588  
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**NON-MEMBERS**  
**MUST BE CALLED DIRECTLY**




for layout and driveway widths.  
See also p. 10.

## LEGEND

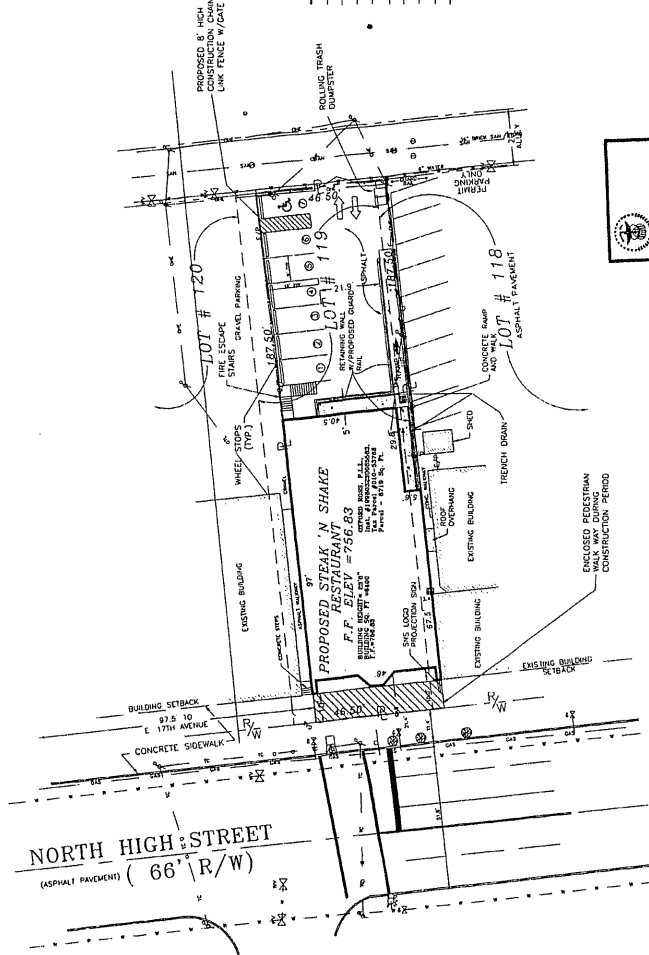
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SIGN APPROVAL NOT  
INCLUDED IN THIS  
PERMIT

 Certificate of  
Zoning Clearance

Number: F174 D577  
Date Issued: 5-7-95  
By: Building Department  
Other permits issued: V19-007

Comments: \$ 6400  
re-surveyed



S-1

**SITE PLAN  
FOR  
STEAK 'N SHAKE**

1918 NORTH HIGH STREET  
COLUMBUS, OHIO

DATE: 08 APRIL 1990  
SCALE: 1" = 20'

**11310-00730**  
**1918 N. High St.**



**11310-00730**  
**1918 N. High St.**

Select Language ▼

Powered by Google Translate



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## Photo

### Parcel Info

	Parcel ID	Map Routing Number	Owner	Location
Summary	<b>010-053768-00</b>	<b>010-B033 - 014-00</b>	<b><u>OXFORD-ROSS OF OHIO LLC</u></b>	<b>1918 N HIGH ST</b>
2011 Value				

Property Profile

Land

Building

Improvements

MAP(GIS)

Sketch

Photo



Transfer History

2010/2011 BOR

Area Sales Activity

Area Rentals

Tax/Payment Info

Current Levy Info

Tax Distribution

Levy Distribution

Rental Contact

Tax Estimator

Property Reports

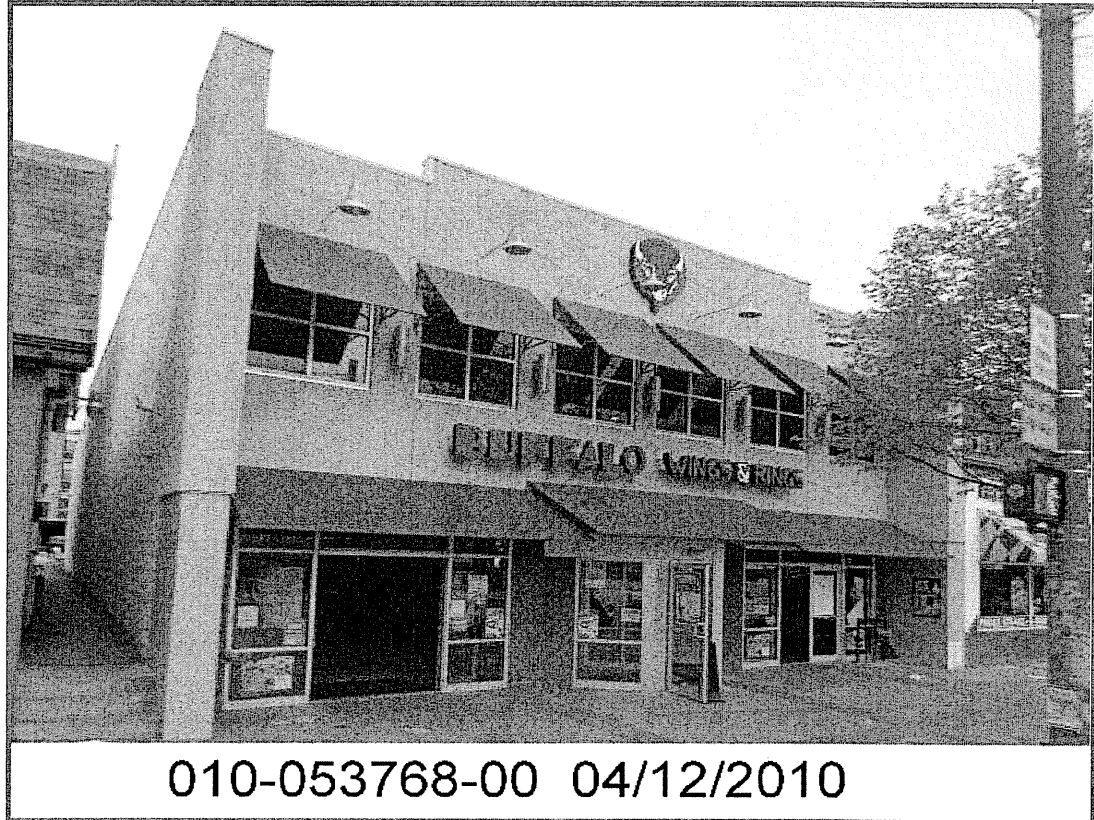
Recorder's Office

Document Search

Area Sex Offender  
Inquiry

Property Photograph for 010-053768-00

Clarence E. Mingo II, Franklin County Auditor



**010-053768-00 04/12/2010**

Image Date: Apr 22 2011 9:34AM

#### Disclaimer

The information on this web site is prepared for the real property inventory within this county. Users of this data are notified that the public primary information source should be consulted for verification of the information contained on this site. The county and vendors assume no legal responsibilities for the information contained on this site. Please notify the Franklin County Auditor's Real Estate Division of any discrepancies.

**Pay Real Estate  
Taxes Here**



BOARD ORDER  
BOARD OF ZONING ADJUSTMENT  
CITY OF COLUMBUS, OHIO  
APRIL 27, 1999

2.     **APPLICATION:**       V99-007  
       **Location:**        1918-1922 NORTH HIGH STREET (43201), located on the east side of High Street, 95-½ ft. south of East 17th Avenue  
       **Area Commission:** University Area Commission  
       **Existing Zoning:** C-4, Commercial District  
       **Request:**         Variance(s) to Section(s):  
                              1.       3342.28, Minimum number of parking spaces required.  
                                      To reduce the required number of parking spaces from 86 to 7 (79-spaces).  
       **Proposal:**         To construct a new restaurant  
       **Applicant(s):**     Joe Scott, c/o Steak & Shake 6820 Roosevelt Ave. Franklin, OH 45005  
       **Property Owner(s):** Oxford-Ross P.L.L. 68 S. Fourth St. Columbus, OH 43215

**RESULTS:**   APPROVED WITH CONDITIONS   **VOTE:**       5-0

**CONDITION(S):**

1.     No sales of alcoholic beverages on the premises.
2.     Earthtone tile to be used on exposed south side of building.
3.     Minimum seven (7) parking spaces on-site for patrons plus eight (8) leased off-site spaces for the staff.

**MEMBER:**

James V. Maniace (Chair)	yes
Bob Garrison	yes
John Haytas	yes
Connie Klema	yes
Samuel McDaniel	yes

Signature of **STAFF MEMBER** in attendance, certifying that the outcome of this case was as reported above:

	<u>4/28/99</u>
Name	Date

This ruling pertains to the above referenced section(s) of the Zoning Code. It does not modify any other obligation you may have under other existing City or State codes.

**NOTICE**

When the use proposed herein involves the change of use of an existing building, the building is subject to review under current building code requirements for the proposed new use. Changing the use of a building



# 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)

## AFFIDAVIT

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Donald Plank  
of (1) MAILING ADDRESS Plank Law Firm, 145 East Rich Street, 3rd Floor, Columbus, OH 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) per ADDRESS CARD FOR PROPERTY

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) Oxford-Ross of Ohio LLC

AND MAILING ADDRESS

c/o Donald Plank, Plank Law Firm

145 East Rich Street, 3rd Floor

Columbus, OH 43215

APPLICANT'S NAME AND PHONE #

(same as listed on front of application)

Chumley's Pub c/o Donald Plank

(614) 947-8600

AREA COMMISSION OR CIVIC GROUP

(5) University Area Commission

AREA COMMISSION ZONING CHAIR OR

c/o Susan Keeney

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

See Exhibit A

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

SIGNATURE OF AFFIANT

(8) Donald Plank

Subscribed to me in my presence and before me this 14th day of DECEMBER, in the year 2011

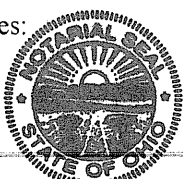
SIGNATURE OF NOTARY PUBLIC

(8) Barbara A. Painter

My Commission Expires:

AUGUST 3, 2015

Notary Seal Here



BARBARA A. PAINTER  
Notary Public, State of Ohio  
My Commission Expires AUG 3, 2015

**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**

**EXHIBIT A, Public Notice**  
**1918 North High Street**  
**BZA \_\_\_\_\_**  
**December 14, 2011**

**APPLICANT**

Chumley's Pub  
c/o Donald Plank, Plank law Firm  
145 East Rich Street, 3<sup>rd</sup> Floor  
Columbus, OH 43215

**PROPERTY OWNER**

Oxford-Ross of Ohio LLC  
c/o Donald Plank, Plank law Firm  
145 East Rich Street, 3<sup>rd</sup> Floor  
Columbus, OH 43215

**ATTORNEY**

Donald Plank, Plank law Firm  
145 East Rich Street, 3<sup>rd</sup> Floor  
Columbus, OH 43215

**COMMUNITY GROUP**

University Area Commission  
c/o Susan Keeney  
358 King Avenue  
Columbus, OH 43201

33 East 17<sup>th</sup> Company LTD  
PO Box 8310  
Columbus, OH 43201

Mark Feinknopf & Ellen F. Mack  
1928 North High Street  
Columbus, OH 43201

South Campus Rentals LLC  
41 East 17<sup>th</sup> Avenue  
Columbus, OH 43201-1598

**PROPERTY OWNERS WITHIN 125 FEET**

Campus Partners for Community Urban  
Redevelopment  
1534 North High Street  
Columbus, OH 43201

Hillel Foundation of Ohio  
46 East 16<sup>th</sup> Avenue  
Columbus, OH 43201

State of Ohio/The Ohio State University  
Real Estate Property Management  
53 West 11<sup>th</sup> Avenue  
Columbus, OH 43201

Epic Realty of Ohio I LLC  
Pella Company/George Bavelis  
52 East 15<sup>th</sup> Avenue  
Columbus, OH 43201

Huntington National Bank  
Bank Property Division  
PO Box 182334  
Columbus, OH 43218-2334

Wellington Properties  
Pella Company/George Bavelis  
52 East 15<sup>th</sup> Avenue  
Columbus, OH 43201

**ALSO NOTIFY**

Oxford-Ross of Ohio LLC  
68 South 4<sup>th</sup> Street  
Columbus, OH 43215

Chumley's Pub  
c/o Debra Bruce  
122 North 3<sup>rd</sup> Street  
Lafayette, IN 47901

David B. Perry  
David Perry Co., Inc.  
145 East Rich Street, 3<sup>rd</sup> Floor  
Columbus, OH 43215

**EXHIBIT A, Public Notice**  
**1918 North High Street**  
**BZA \_\_\_\_\_**  
**December 14, 2011**

**APPLICANT**

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c/o Donald Plank, Plank law Firm  
145 East Rich Street, 3<sup>rd</sup> Floor  
Columbus, OH 43215

**PROPERTY OWNER**

Oxford-Ross of Ohio LLC  
c/o Donald Plank, Plank law Firm  
145 East Rich Street, 3<sup>rd</sup> Floor  
Columbus, OH 43215

**ATTORNEY**

Donald Plank, Plank law Firm  
145 East Rich Street, 3<sup>rd</sup> Floor  
Columbus, OH 43215

**COMMUNITY GROUP**

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122 North 3<sup>rd</sup> Street  
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David B. Perry  
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Columbus, OH 43215



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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)

## 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 #

**11310-00730**

STATE OF OHIO  
COUNTY OF FRANKLIN

**1918 N. High St.**

Being first duly cautioned and sworn (NAME) Donald Plank -----

of (COMPLETE ADDRESS) Plank Law Firm, 145 East Rich Street, 3rd Floor, 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 and their mailing addresses:

NAME

COMPLETE MAILING ADDRESS

Chumley's Pub c/o Debra Bruce

122 North 3rd Street, Lafayette, IN 47901

Oxford-Ross of Columbus LLC

c/o Scott Soloman

68 South Fourth Street, Columbus, OH 43215

SIGNATURE OF AFFIANT

Donald Plank

Subscribed to me in my presence and before me this 14th day of DECEMBER, in the year 2011

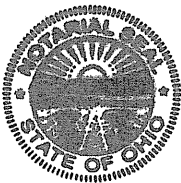
SIGNATURE OF NOTARY PUBLIC

Barbara A. Painter

My Commission Expires:

AUGUST 3, 2015

Notary Seal Here



BARBARA A. PAINTER  
Notary Public, State of Ohio  
My Commission Expires AUG 3, 2015

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