



## COUNCIL VARIANCE 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: CV12-024 / 12315-00000-00282  
Date Received: 5/22/12  
Application Accepted By: S.P. Fee: \$315  
Comments: Assigned to Shannon Pine, 645-2208, spire@columbus.gov

### LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 754 Bank Street Zip 43026  
Is this property currently being annexed into the City of Columbus ☐ Yes ☒ No  
If the site is pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.  
Parcel Number for Certified Address: 010-026514  
☐ Check here if listing additional parcel numbers on a separate page.  
Current Zoning District(s): M, Manufacturing  
Recognized Civic Association or Area Commission: Brewery District Commission  
Proposed use or reason for Council Variance request: See Statement of Hardship  
Acreage: 0.086 +/- acres

**APPLICANT:** Name Brianne E. DeRolph c/o Donald Plank, Plank Law Firm

Address 145 East Rich Street, 3rd Flr. City/State Columbus, OH Zip 43215  
Phone # (614) 947-8600 Fax # (614) 228-1790 Email: dplank@planklaw.com

**PROPERTY OWNER(S):** Name DriftIndustry LLC c/o Donald Plank, Plank Law Firm

Address 145 East Rich Street, 3rd Flr. 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

☒ Attorney ☐ Agent

Name Donald Plank, Plank Law Firm  
Address 145 East Rich Street, 3rd Flr. City/State Columbus, OH Zip 43215  
Phone # (614) 947-8600 Fax # (614) 228-1790 Email: dplank@planklaw.com

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

APPLICANT SIGNATURE Donald Plank, attorney  
PROPERTY OWNER SIGNATURE Donald Plank, attorney  
ATTORNEY AGENT SIGNATURE Donald Plank

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 all checks payable to the Columbus City Treasurer





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CV12-024

### 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:**

See Exhibit B

Signature of Applicant

*Donald Plank Attorney*  
\_\_\_\_\_  
Brienne E. DeRolph  
BY: Donald Plank, Attorney

Date May 21, 2012

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**Exhibit B**  
**754 Bank Street**  
**CV12-024**

**Statement of Hardship**

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The 0.086 +/- acre site is located on the east side of Bank Street, 128' +/- south of Frankfort Street. The site is developed with a 1,512 +/- sq. ft. one (1) story block commercial building built in approximately 1982. The existing building is located at the rear (east) of the 44.2 feet wide by 84.75 feet deep parcel. Parking is located in front of the building, between the building and Bank Street. The property is zoned M, Manufacturing, as is much of the Brewery District. The site is also located in the South Front Street/South High Street Urban Commercial Overlay, although little of the Overlay specifically applies to this particular project since the building is existing, the proposed addition is less than a 50% expansion and the site is within the Brewery District Commission, an architectural review commission to which standards of the Overlay are deferred.

Applicant proposes a 450 +/- sq. ft. second floor addition to the existing building. There will be no change to the building foot print. The addition is a 30% expansion of the existing building. Applicant proposes to remodel approximately 1,100 sq. ft., of the expanded building, a total of 1,962 +/- sq. ft. after construction of the addition, for a dwelling unit, with the balance of the building (856 +/- sq. ft.) to be used for an art studio/professional office. The art studio/professional is a presently a permitted use of the property in the M, Manufacturing District. Applicant proposes a fence and gate located parallel to the west property line (Bank Street) but setback 2 – 3 feet to enclose the property.

The site is located in the “Southern Tier” of the Brewery District Plan. Residential and mixed-use land uses are recommended for the “Southern Tier”. Applicant’s proposed introduction of a single dwelling unit to the site is consistent with recommendations of the Brewery District Plan. The 1992 Brewery District Plan proposed an area rezoning for the “Southern Tier” to reflect the desired residential and mixed-use developments as well as the predominant residential use of the “Southern Tier”, but the “Southern Tier” hasn’t been rezoned.

Applicant requests the following variances:

- 1) 3363.01, M, Manufacturing Districts, which Section prohibits residential use other than for a resident security person associated with a Manufacturing District use, while there are residential uses in all directions from the subject site, residential use is the predominant existing land use and applicant proposes to build a 450 +/- sq. ft. addition

(second floor) to the existing 1,512 sq. ft. building and use the resulting building in whole or in part for one (1) dwelling unit.

- 2) 3312.49(C), Minimum Numbers of Parking Spaces Required, which Section requires a total of five (5) parking spaces for one (1) dwelling unit and 856 +/- sq. ft. of art studio/professional office area, including the 25% reduction of code required parking permitted by the South Front Street/South High Street Urban Commercial Overlay, while applicant proposes to provide two (2) parking spaces, including one (1) ADA van accessible space, as depicted on the site plan.
- 3) 3321.05 (A), Vision Clearance, which Section requires a 10' by 10' clear vision triangle at the intersection of a public street and a driveway to a parking lot, while applicant proposes a fence and gate located approximately 2 – 3 feet east of and parallel to the west property line along Bank Street, which will be partially located in the clear vision triangle.

Applicant has a hardship warranting a variance in that the area is largely zoned M, Manufacturing, an adopted area plan (The Brewery District Plan, 1992, "Plan") noted the predominance of residential uses in the "Southern Tier" of the Plan and recommends the area be rezoned to a district that permits residential uses and numerous variances have been granted for both existing residential uses and new construction of residential uses within the Plan area.





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### AFFIDAVIT

(See next page for instructions)

APPLICATION # CV12-024

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 Flr., 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 CERTIFIED ADDRESS FOR ZONING PURPOSES 754 Bank Street  
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) 5/22/12

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME  
AND MAILING ADDRESS

(4) DriftIndustry, LLC  
c/o Donald Plank, Plank Law Firm  
145 East Rich Street, 3rd Flr.  
Columbus, OH 43215

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

Brianne E. DeRolph c/o Donald Plank, Attorney  
(614) 946-8700

AREA COMMISSION OR CIVIC GROUP  
AREA COMMISSION ZONING CHAIR OR  
CONTACT PERSON AND ADDRESS

(5) Brewery District Commission c/o Randy Black  
Historic Preservation Office, Development Department, City of Columbus  
109 North Front 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)

#### 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 21st day of MAY, in the year 2012

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 AUGUST 3, 2015

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**Exhibit A  
Public Notice  
754 Bank Street  
CV12-024  
May 20, 2012**

**APPLICANT:**

Brianne E. DeRolph  
c/o Donald Plank, Attorney  
Plank Law Firm  
145 East Rich Street, Flr. 3  
Columbus, OH 43215

**PROPERTY OWNERS:**

DriftIndustry, LLC  
c/o Donald Plank, Attorney  
Plank Law Firm  
145 East Rich Street, Flr. 3  
Columbus, OH 43215

**ATTORNEY FOR APPLICANT**

Donald Plank, Attorney  
Plank Law Firm  
145 East Rich Street, Flr. 3  
Columbus, OH 43215

**COMMUNITY  
GROUP/COALITION:**

Brewery District Commission  
c/o Randy Black  
Historic Preservation Office  
109 North Front Street  
Columbus, OH 43201

**SURROUNDING PROPERTY  
OWNERS (125 Feet)**

George H. Faerber  
Bethany Faerber  
747 S. Front Street  
Columbus, OH 43206

Bank Street Ventures LLC  
c/o Arshot Investment Co.  
107 S. High Street, FL 3  
Columbus, OH 43215

Frank L. Swartz  
87 W. Frankfort Street  
Columbus, OH 43206

George Herbst  
Frank L. Swartz  
87 W. Frankfort Street  
Columbus, OH 43206

William T. Wentzel  
781 S. Front Street  
Columbus, OH 43206

Hilliard M. Abroms  
Janet F. Abroms  
753 S. Front Street  
Columbus, OH 43206

David S. Bates  
Katherine G. Bates  
758 Bank Street  
Columbus, OH 43206

Frances M. Weiner  
743 S. Front Street  
Columbus, OH 43206

RA Long Properties LLC  
PO Box 494  
Reynoldsburg, OH 43068

Paula L. Swank  
948 Nash Loop  
The Villages, FL 32162

Crystal M. Fauber  
144 S. Brinker Avenue  
Columbus, OH 43204

**SHEET 1 of 2**  
May 20, 2012  
CV12-024  
754 Bank Street



Brewers Yard Apartments LTD  
c/o Capital Square LTD  
34 S. Third Street.  
Columbus, Ohio 43215

**ALSO NOTIFY:**

David B. Perry  
David Perry Company, Inc.  
145 East Rich Street, 3<sup>rd</sup> Flr.  
Columbus, Ohio 43215

DriftIndustry LLC  
10620 Township Road 500  
Thornville, OH 43076

DriftIndustry, LLC  
754 Bank Street  
Columbus, OH 43206

David C. Hughes  
DCH Architects, LLC  
4625 Tremont Club Drive  
Hilliard, OH 43026

Brianne E. DeRolph  
10620 Township Road 500  
Thornville, OH 43076

Brianne E. DeRolph  
754 Bank Street  
Columbus, OH 43206



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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 # CV12-024

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] Donald Plank

Of [COMPLETE ADDRESS] Plank Law Firm, 145 East Rich Street, 3rd Flr., 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, State, Zip  
Number of Columbus based employees  
Contact name and number

1. Brienne E. DeRolph 10620 Township Road 500 Thornville, OH 43076 Number of City of Columbus Based Employees: 0 Contact: Brienne E. DeRolph, (740) 438-4535	2. DriftIndustry, LLC 10620 Township Road 500 Thornville, OH 43076 Number of City of Columbus Based Employees: 0 Contact: Brienne E. DeRolph, (740) 438-4535
3. ----- -----	4. ----- -----

☐ Check here if listing additional parties on a separate page.

#### SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 21st day of MAY, in the year 2012

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:



Notary Seal Here

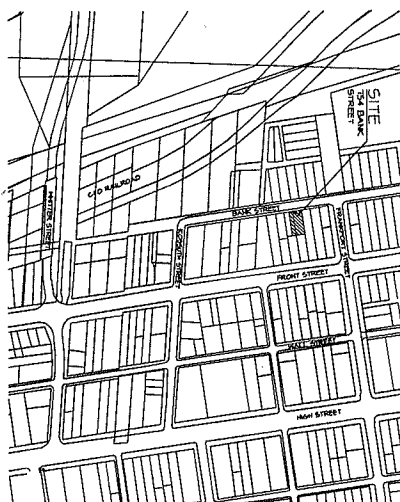
BARBARA A. PAINTER  
Notary Public, State of Ohio  
My Commission Expires AUGUST 3, 2015

This Project Disclosure Statement expires six months after date of notarization.

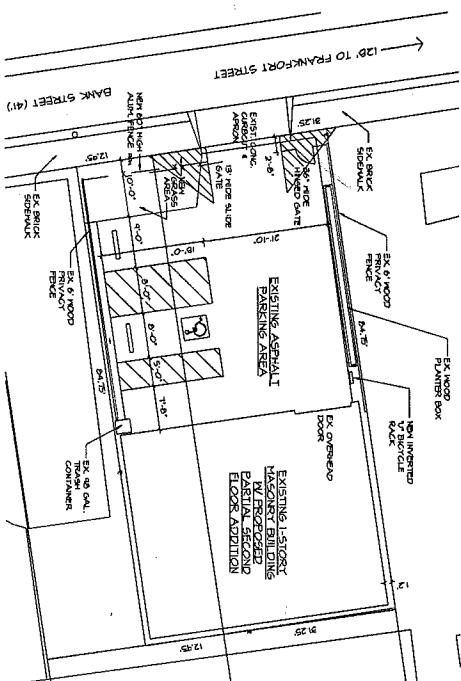
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COLUMBUS, OHIO 43026

[illegible]

LOCATION MAP  
1" = 200'



SITE PLAN  
1" = 10'

NOT FOR  
CONSTRUCTION

Issue Date	MAY 29, 2012
Revision Date	Mark

### General Notes

DCH

**DCH ARCHITECTS, LLC**

4625 Fremont Club Drive  
Berkeley, CA 94706

Hilliard, Ohio 43026  
 614.742.7525  
 614.452.7550 Fax

deharchitect@biglobe.ne.jp

[www.dharchitects.com](http://www.dharchitects.com)

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**Paper** 2120

**FOUNDING VARIANCE**

754 BANK STREET  
LONGING VARIANCE

COLUMBUS, OHIO 43206

100

## Project Info

SITE PLAN

CY12-

Sheet Number

Q



# City of Columbus Address Plat

CV12-024



## CERTIFIED HOUSE NUMBERS

The House Numbers Contained on This Form  
are Herein Certified for Securing  
of Building & Utility Permits

Parcel ID: 010026514

Project Name: COMMERCIAL OFFICE

House Number: 754

Street Name: BANK ST

Lot Number: 170

Subdivision: JAEGER

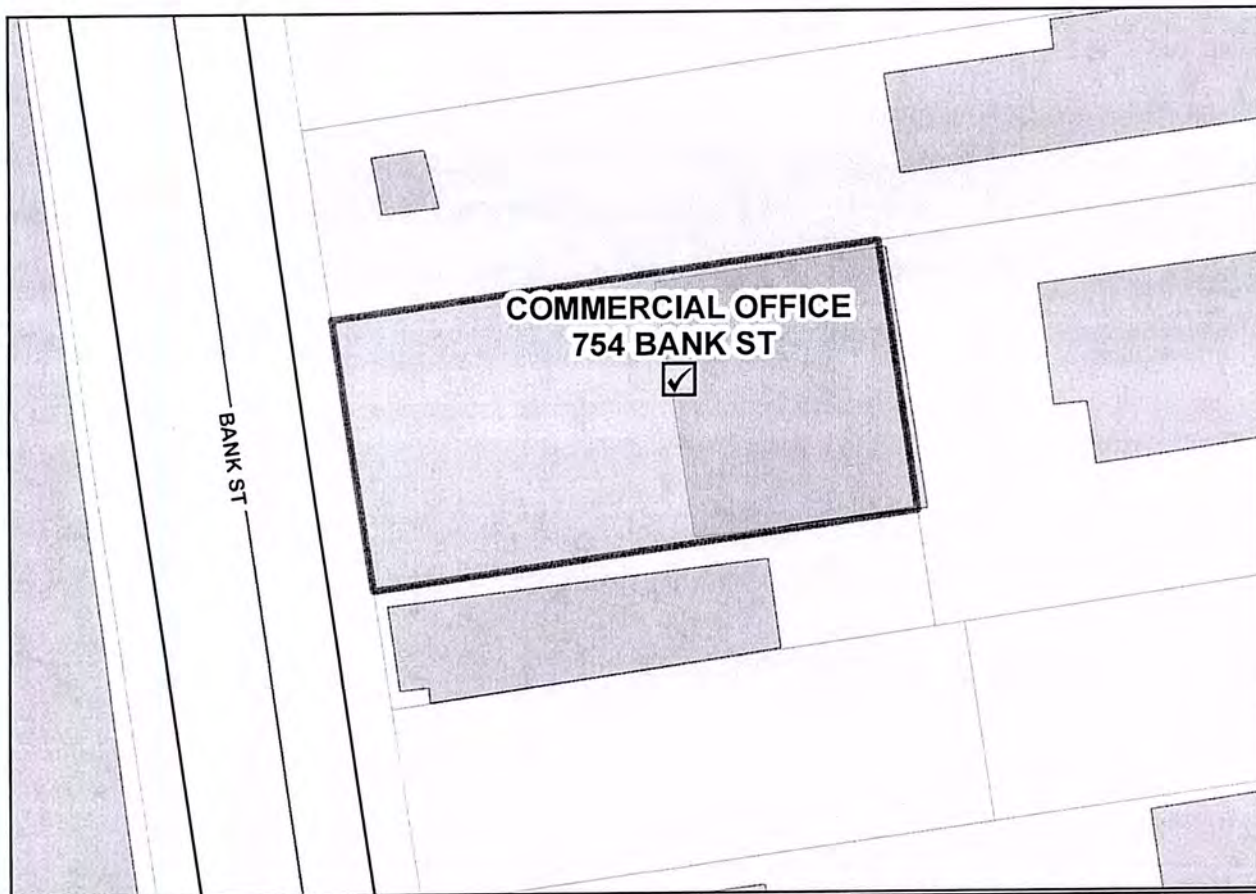
Work Done: REMODEL

Complex: N/A

Owner: DRIFTINDUSTRY LLC

Requested By: DAVE PERRY COMPANY ( DAVE PERRY )

Printed By: James R Reagan Date: \_\_\_\_\_



SCALE: 1 inch = 30 feet



PATRICIA A. AUSTIN, P.E., ADMINISTRATOR  
DIVISION OF PLANNING AND OPERATIONS  
COLUMBUS, OHIO

GIS FILE NUMBER: 569842



Legal Description

CV12- 024

754 Bank Street

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

Being part of Lot Number One Hundred Seventy (170) and Lot Number One Hundred Seventy-one (171) of the C. F. Jaeger's Addition, as the same are numbered and delineated upon the record plat thereof, of record in Plat Book 2, page 335, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at an iron pin set in the East line of Bank Street (41 feet wide), which said iron pin represents the Northwest corner of said Lot 170; thence Southerly along the East line of said Bank Street, and the Westerly lines of said Lots 170 and 171, measure Forty-four and twenty hundredths (44.20) feet, to a point in the Westerly line of said Lot 171, which last said point is Northerly Eighteen and fifty hundredths (18.50) feet, measured along the Westerly line of said Lot 171 from the Southwest corner of said Lot 171; thence Easterly and parallel to the Northerly line of said Lot 170; measure Eighty-four and seventy-five hundredths (84.75) feet, to an iron pin; thence Forty-four and twenty hundredths (44.20) feet to a stake set in the Northerly line of said Lot 170; thence Westerly along the Northerly line of said Lot 170, measure Eighty-four and seventy-five hundredths (84.75) feet to the point of beginning.



W12-024



# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: dbp

DATE: 5/18/12



Disclaimer

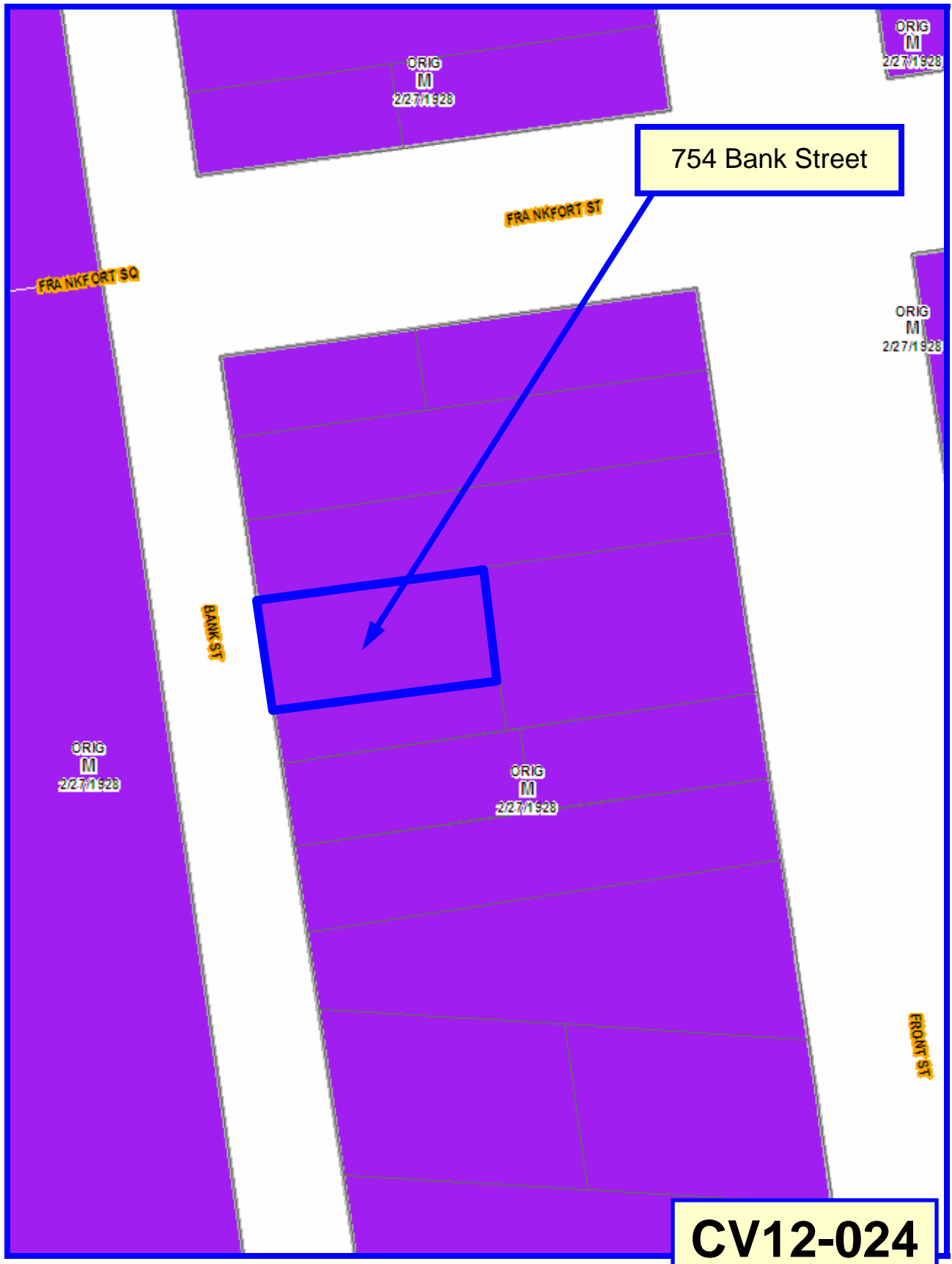
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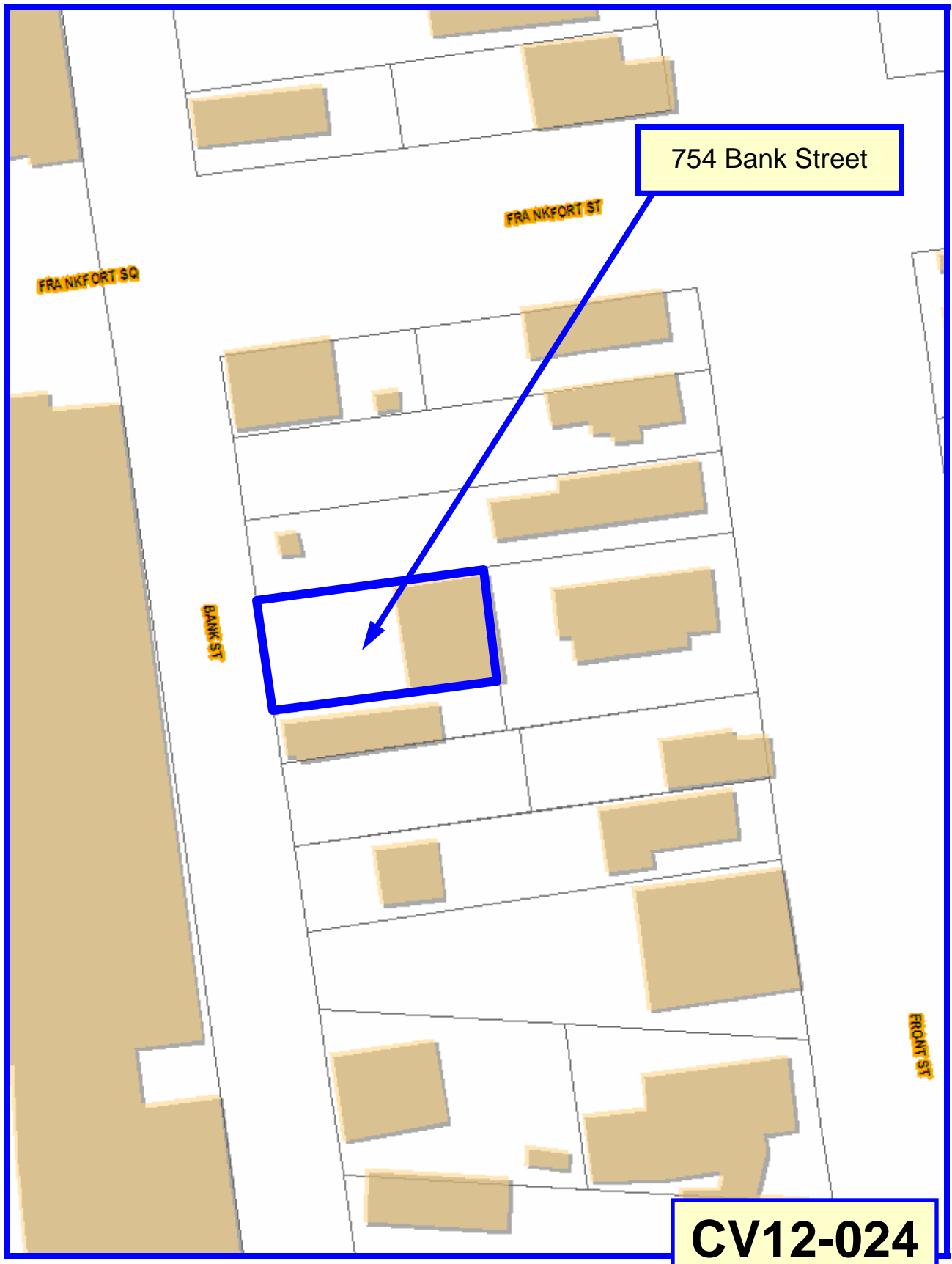


This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on 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











754 Bank Street

CV12-024