



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

OFFICE USE ONLY

Application Number: # 12310 - 00000 - 00333
Date Received: 18 June 2012
Commission/Group: 5th NW
Existing Zoning: M-C-4 Application Accepted by: JF Fee: \$1900
Comments: 8/28/12

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.

See attached sheet

LOCATION

1. Certified Address Number and Street Name 1201 Olentangy River Road (also includes 1177)
City Columbus State Ohio Zip 43212
Parcel Number (only one required) 010-061836

APPLICANT: (IF DIFFERENT FROM OWNER)

Name Northstar Realty
Address 150 E. Broad Street, Suite 300 City/State Columbus, OH Zip 43215
Phone # 454-5000 Fax # 454-5001 Email _____

PROPERTY OWNER(S):

Name Olentangy TKT LLC & CAB Holding Company LLC
Address 150 E. Broad Street, Suite 300 City/State Columbus, OH Zip 43215
Phone # 454-5000 Fax # 454-5001 Email _____
☐ Check here if listing additional property owners on a separate page.

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

☒ Attorney ☐ Agent

Name Jackson B. Reynolds, III - Smith & Hale LLC
Address 37 W. Broad Street, Suite 725 City/State Columbus, OH Zip 43215
Phone # 221-4255 Fax # 221-4409 Email: jreynolds@smithandhale.com

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

APPLICANT SIGNATURE Northstar Realty By: Jackson B. Reynolds III
PROPERTY OWNER SIGNATURE Olentangy TKT LLC et al. By: Jackson B. Reynolds III
ATTORNEY / AGENT SIGNATURE Jackson B. Reynolds III

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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AFFIDAVIT

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Jackson B. Reynolds, III - Smith & Hale LLC
of (1) MAILING ADDRESS 37 W. Broad Street, Suite 725, 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) 1201 Olentangy River Road

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) Olentangy TKT LLC &

CAB Holdings Company LLC

150 E. Broad Street, Suite 300

Columbus, OH 43215

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

Northstar Realty

454-5000

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

(5) 5th by Northwest Area Commission

c/o Bruce Shalter

1635 Grandview Avenue, Columbus, OH 43212

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 attached list

☒ (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 14th day of JUNE, in the year 2012

SIGNATURE OF NOTARY PUBLIC

(8) Natalie C. Timmons
9/4/15

My Commission Expires:

Natalie C. Timmons
Notary Public, State of Ohio
My Commission Expires 09-04-2015



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OWNER

Olentangy TKT LLC
150 E. Broad St.
Columbus, OH 43215

Cab Holding Company
1177 Olentangy River Road
Columbus, OH 43212

City of Columbus
Real Estate Mgmt.
90 W. Broad St.
Columbus, OH 43215

APPLICANT

North Star Realty
150 E. Broad St.
Columbus, OH 43215

Cole FM Grandview OH LLC
Ruths Hospitality Group
400 International Pkwy. #300
Lake Mary, FL 32746

Edwards Tribeca LLC
495 S. High St., Suite 150
Columbus, OH 43215

ATTORNEY

Jackson B. Reynolds III
Smith & Hale LLC
37 W. Broad St. Suite 725
Columbus, OH 43215

AREA COMMISSION

Fifth by Northwest
Bruce Shalter
Zoning Commission Chair
Columbus, OH 43212

Gowdy Partners III LLC
1533 Lake Shore Drive
Columbus, OH 43215



CITY OF COLUMBUS

DEPARTMENT OF BUILDING AND ZONING SERVICES

One Stop Shop Zoning Report Date: Mon Jun 18 2012

General Zoning Inquiries: 614-645-8637

SITE INFORMATION

Address: 1201 OLENTANGY RIVER RD COLUMBUS OH 43212

Mailing Address: 150 E BROAD ST STE 100
COLUMBUS OH 43215

Owner: OLENTANGY TKT LLC

Parcel Number: 010061836

ZONING INFORMATION

Zoning: Z11-007, Commercial, C4
effective 8/24/2011, Height District H-35

Historic District: N/A

Board of Zoning Adjustment (BZA): N/A

Historic Site: No

Commercial Overlay: OLENTANGY RIVER ROAD SOUTH CCO

Council Variance: N/A

Graphic Commission: N/A

Flood Zone: OUT

Area Commission: 5th by Northwest Area Commission

Airport Overlay Environs: N/A

Planning Overlay: N/A

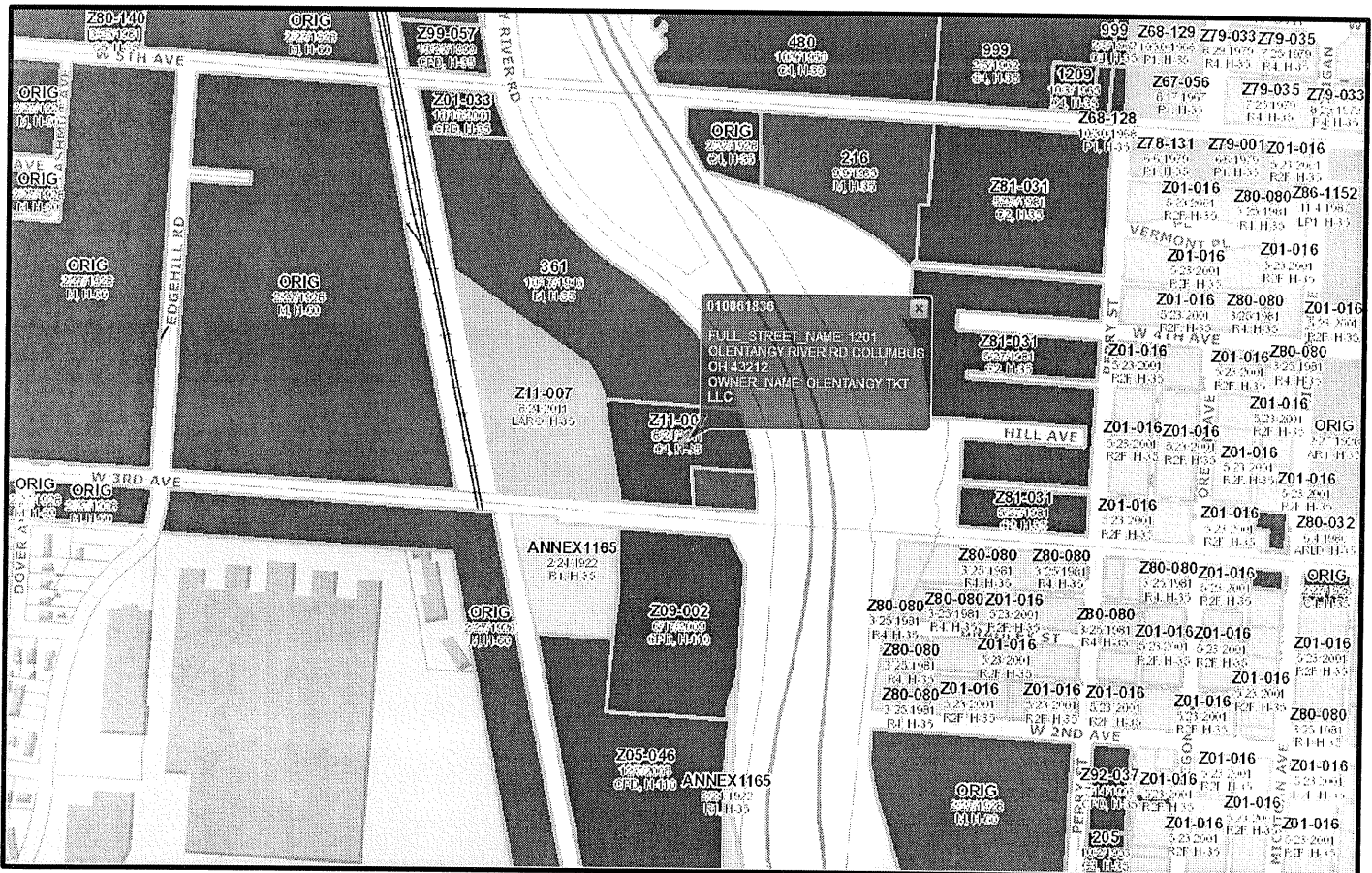
PENDING ZONING ACTION

Zoning: N/A

Council Variance: N/A

Board of Zoning Adjustment (BZA): N/A

Graphic Commission: N/A





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STATEMENT OF HARDSHIP

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:

The applicant is seeking 4 variances, 2 of which were previously approved as a part of case decided in February 2012. The owner/applicant has added an abutting parcel to the area to be redeveloped and with this new parcel 2 new variances are requested. One is required because of an existing easement extending 40' back from the Olentangy River Road right of way. This easement was placed on the property in 1947 and remains effective today so the overlay required that the new building be located 25' back of the right of way can not be accomplished due to the easement encumbering the property. The second variance is due to the location of the dumpster on the west end of the north side of the new building. Placing the dumpster on the west side of the building would result in the loss of needed parking spaces to serve the site. The dumpster will be fully screened and enclosed so it is not visible to the surrounding properties. The special conditions are not a result of the actions of the applicant and the requested variances will protect and preserve a substantial property right enjoyed by the owner/applicant. Granting the requested variances will not injury surrounding property nor be contrary to the public interest and will not harm the intent nor the purpose of the zoning code.

Signature of Applicant _____

Date _____

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Variances Requested

1. 3372.709(A) Parking in front of the principal building – Olentangy River Road and Front of building
2. 3372.704(D) Reduce the parking lot setback along Olentangy River Road to 5' from 25'
3. 3372.704(A) Increase the required setback along Olentangy River Road to 40' plus due to private easement and the curvature of the road.
4. 3372.707(F) To allow the location of the dumpster along the north side of the new building instead of the west side.

northstar-wthird-variance.lst (nct) (2)
6/13/12 F:Docs

12310-00333
1201 Olentangy River Rd.

SITE STATISTICS

PRIMARY BUILDING:

SIZE	USE
TENANT SPACE 'A':	1,600±S.F. (RESTAURANT)
TENANT SPACE 'B':	1,600±S.F. (RESTAURANT)
TENANT SPACE 'C':	1,600±S.F. (RESTAURANT)
TENANT SPACE 'D':	1,600±S.F. (RESTAURANT)
TENANT SPACE 'E':	2,810±S.F. (RETAIL < 10,000 S.F.)
TENANT SPACE 'F':	11,283±S.F. (RETAIL > 10,000 S.F.)
COORDINATE MECH:	1,053±S.F. (RETAIL < 10,000 S.F.)
TOTAL	21,546±S.F.

SECONDARY BUILDING:

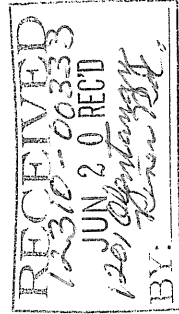
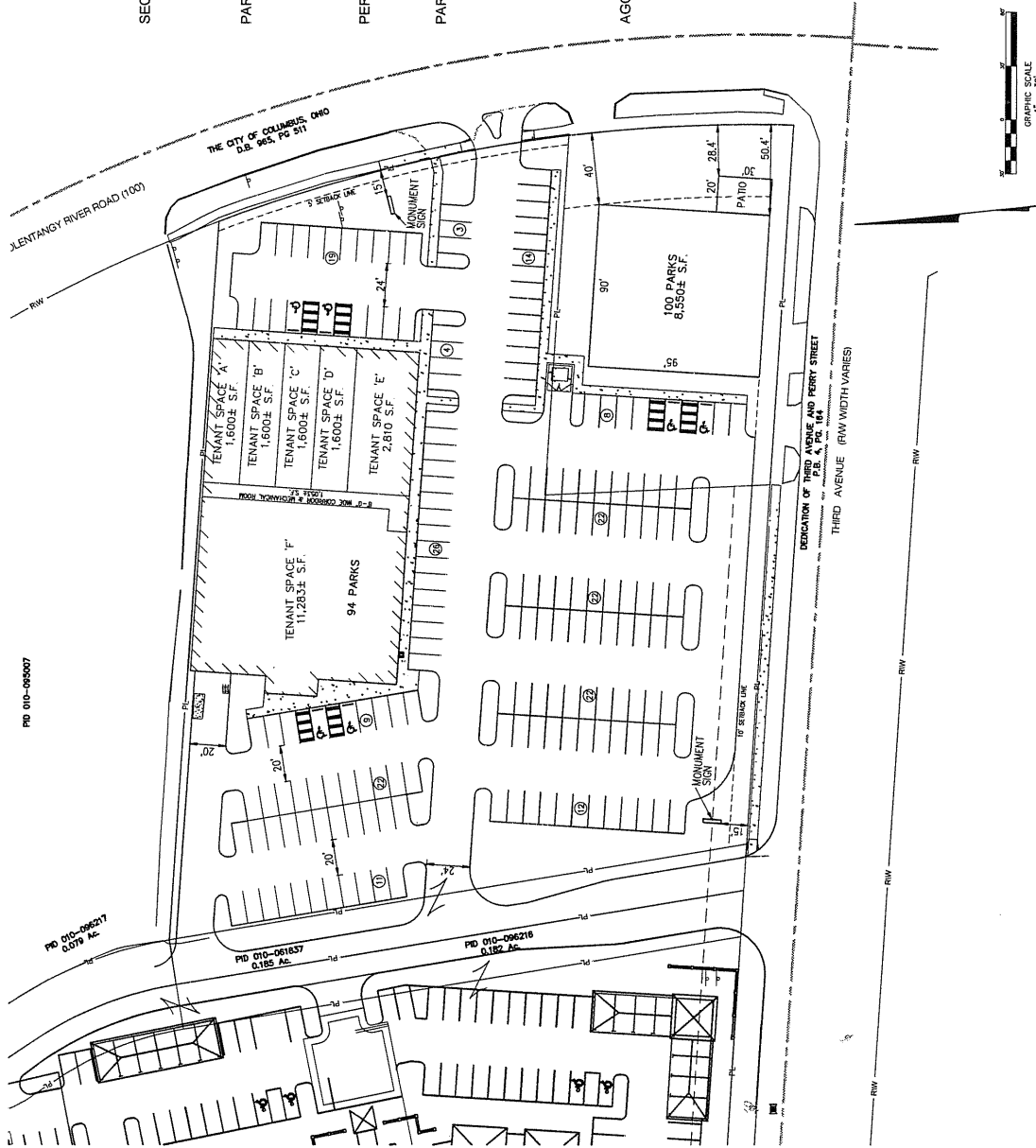
RESTAURANT	8,550±S.F.
PATIO	600±S.F.

PARKING CODE 3312.49	MIN	MAX
RESTAURANT < 5,000 S.F. W/ PU	1:175	1:50
RESTAURANT W/O PU	1:75	1:50
PATIO	1:87.5	1:50
RETAIL < 10,000 S.F.	1:250	1:200
RETAIL > 10,000 S.F.	1:275	1:200

PER OVERLAY: 25% PARKING REDUCTION AVAILABLE FOR RESTAURANT (<5,000 S.F.) AND RETAIL USES

PARKING REQUIRED:

PRIMARY	MIN	MAX
RESTAURANT (W/O PU) (8,550 S.F.)	114	171
PATIO (600 S.F.)	8	12
RESTAURANT < 5,000 S.F. (8,400 S.F.)	37	128
RETAIL < 10,000 S.F. (3,863 S.F.)	16	20
RETAIL > 10,000 S.F. (11,283 S.F.)	42	57
APPLYING 25% REDUCTION	217	388
AGGREGATE TOTAL PARKING PROVIDED	194	337
(INCLUDES 6 HC)		



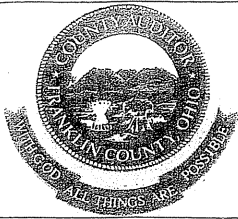
Mannik & Smith
 Civil Engineering, Surveying and Environmental Consulting
 115 Oakwood Avenue, Suite 400
 Columbus, Ohio 43215
 Tel: (614) 441-1222
 Fax: (614) 441-1223

CONCEPTUAL SITE LAYOUTS **FOR** **OLENTANGY & 3RD**

NO.	DATE	REVISION
1		INITIALS OWNERS REVIEW
2		INITIALS REVISED LAYOUT
3		INITIALS REVISED LAYOUT
4		INITIALS REVISED LAYOUT
5		INITIALS REVISED LAYOUT
6		INITIALS REVISED LAYOUT

DATE: OCTOBER 7, 2011
 JOB NO.:

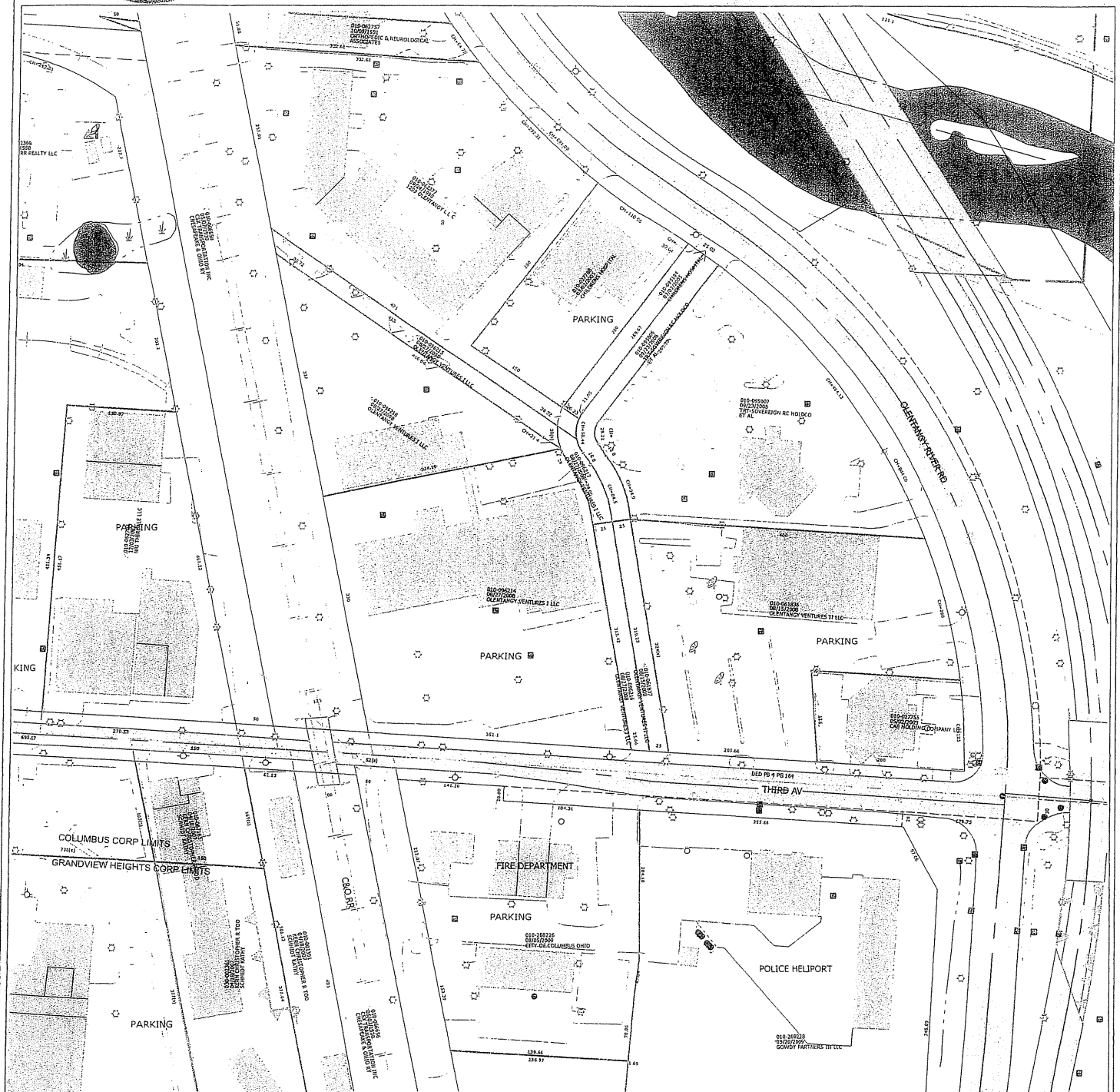
C-100



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: jbr

DATE: 11/24/09



Disclaimer

Scale = 200



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



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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 #

12310-00333

1201 Olentangy River Rd.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Jackson B. Reynolds, III - Smith & Hale LLC
of (COMPLETE ADDRESS) 37 W. Broad Street, Suite 725, 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

Northstar Realty, 150 E. Broad Street, Suite 300, Columbus, OH 43215

Olentangy TKT LLC, 150 E. Broad Street, Suite 300, Columbus, OH 43215

CAB Holding Company LLC, 455 Jessing Trail, Columbus, OH 43235

SIGNATURE OF AFFIANT

Jackson B. Reynolds, III

Subscribed to me in my presence and before me this 14th day of June, in the year 2012

SIGNATURE OF NOTARY PUBLIC

Natalie C. Timmons
9/4/15

My Commission Expires:



Natalie C. Timmons
Notary Public, State of Ohio
My Commission Expires 09-04-2015

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