



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: # 12310-00000-00334
Date Received: 18 JUN 2012
Commission/Group: 54/NW
Existing Zoning: _____ Application Accepted by: TF Fee: \$1900
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.

The applicant is seeking to re-design the outdoor seating area for its existing residence. In order to complete the proposed construction, the applicant is requesting variances to Section 3312.40 (minimum parking spaces required); 3312.21(b) (parking setback and perimeter landscaping); and 3356.11 (building setback).

LOCATION

1. Certified Address Number and Street Name 1433 West 3rd Avenue
City Columbus State Ohio Zip 43212
Parcel Number (only one required) 010-062769

APPLICANT: (IF DIFFERENT FROM OWNER)

Name Third & Hollywood Bar & Grill
Address 1433 West 3rd Avenue City/State Columbus, Ohio Zip 43212
Phone # 263-0303 Fax # _____ Email _____

PROPERTY OWNER(S):

Name 3rd / Hollywood Inc.
Address 1433 West 3rd Avenue City/State Columbus, Ohio Zip 43212
Phone # _____ Fax # _____ Email _____
☐ Check here if listing additional property owners on a separate page.

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

☒ Attorney ☐ Agent

Name Jill Tangeman, Esq.
Address 52 East Gay Street City/State Columbus, Ohio Zip 43216
Phone # 614-464-5608 Fax # 614-719-4638 Email: jstangeman@vorys.com

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

APPLICANT SIGNATURE Jill Tangeman, Esq.
PROPERTY OWNER SIGNATURE [Signature]
ATTORNEY / AGENT SIGNATURE Jill Tangeman, Esq.

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



CITY OF COLUMBUS

DEPARTMENT OF BUILDING AND ZONING SERVICES

12310-00000-00334
1433 WEST 3RD STREET

One Stop Shop Zoning Report Date: Fri Jul 6 2012

General Zoning Inquiries: 614-645-8637

SITE INFORMATION

Address: N/A

Mailing Address: 1289 GRANDVIEWAVE
COLUMBUS, OH 43212

Owner: 3RD/ HOLLYWOOD INC

Parcel Number: 010062769

ZONING INFORMATION

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

Board of Zoning Adjustment (BZA): N/A

Commercial Overlay: N/A

Graphic Commission: N/A

Area Commission: 5th by Northwest Area Commission

Planning Overlay: N/A

Historic District: N/A

Historic Site: No

Council Variance: N/A

Flood Zone: OUT

Airport Overlay Environs: N/A

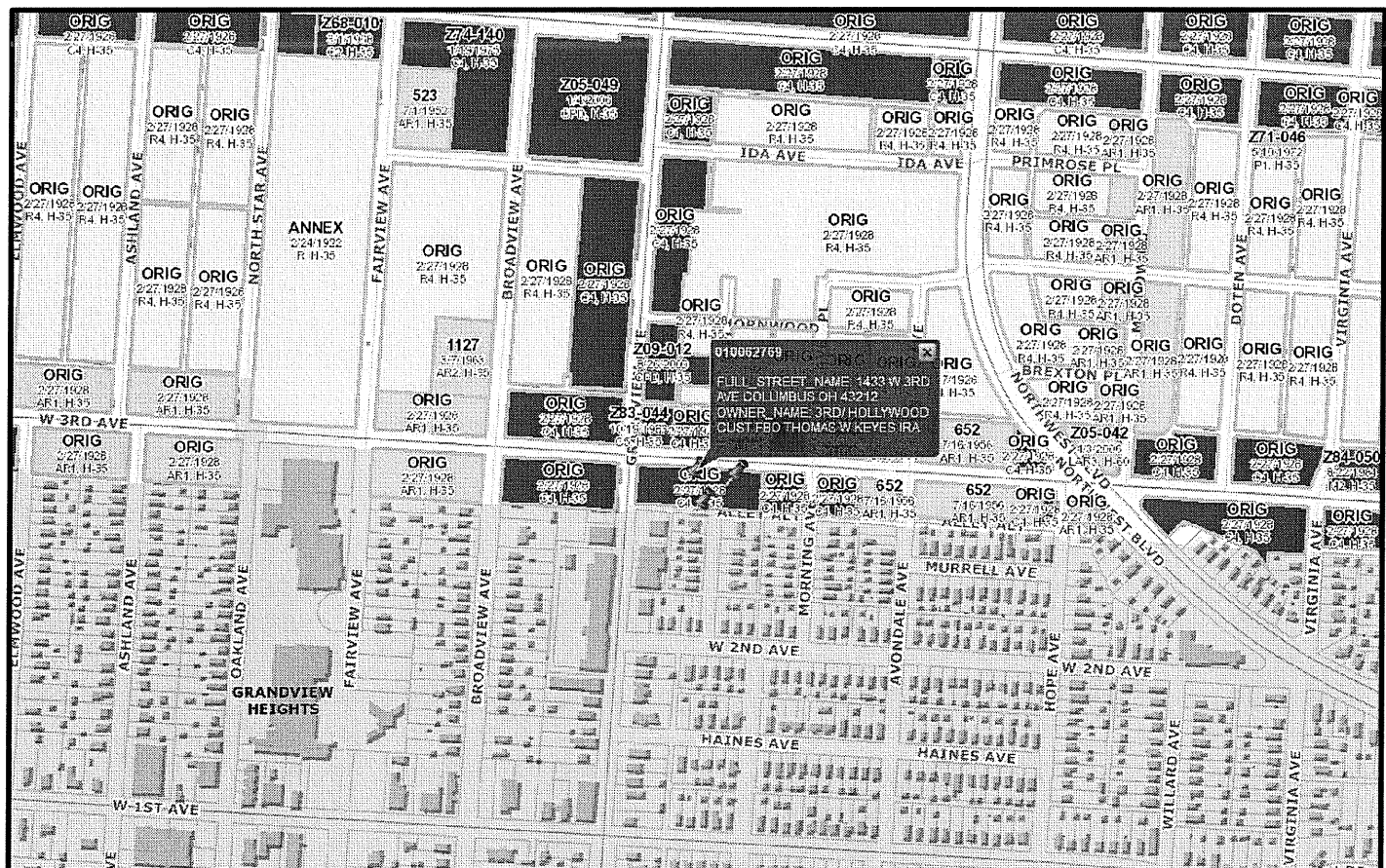
PENDING ZONING ACTION

Zoning: N/A

Board of Zoning Adjustment (BZA): N/A

Council Variance: N/A

Graphic Commission: N/A





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AFFIDAVIT

12310-00000-00334
1433 WEST 3RD STREET

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Jill Tangeman, Esq.

of (1) MAILING ADDRESS 52 East Gay Street, Columbus, Ohio 43216

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) 3rd/Hollywood Inc.

AND MAILING ADDRESS

1433 West 3rd Avenue, Columbus, OH 43212

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

Third & Hollywood Bar & Grill

614-263-0303

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

(5) 5th by Northwest

c/o Rebecca Obester

1802 Kings Court, Unit C, 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.

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

SIGNATURE OF AFFIANT

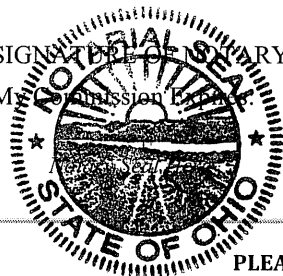
Subscribed to me in my presence and before me this 14th day of June, in the year 2012

SIGNATURE OF NOTARY PUBLIC

My Commission Expires

MICHELLE L. PARMENTER
Notary Public, State of Ohio
My Commission Expires
October 16, 2012

(8) Michelle L. Parmenter



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STATEMENT OF HARDSHIP

APPLICATION # _____

12310-00000-00334
1433 WEST 3RD STREET

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:

See attached Statement of Hardship.

Signature of Applicant

Date

6/14/2012

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STATEMENT OF HARDSHIP

Address: 1433 West Third Avenue
Application: Third & Hollywood Bar & Grill

12310-00000-00334
1433 WEST 3RD STREET

The applicant, the Third & Hollywood Bar & Grill, is proposing to re-design its existing patio area to allow for a few additional tables as well as more space for aisles and serving areas. The applicant is requesting several variances in order to complete the proposed re-design of the patio, most of which are existing non-conforming uses on the site.

The subject parcel is improved with two buildings, one of which houses the Third & Hollywood Bar & Grill and an empty retail location (formerly the Clay Café Company). The applicant expects to eventually expand its restaurant operation into the empty retail location. The second building houses a framing and photography shop. The two buildings share a parking lot, which has a total of 30 spaces. The parking lot sits on the property line to the north and south of the site. The Third & Hollywood Bar & Grill building sits on the property line to the north.

The subject site has been used for a restaurant / retail location for many years. The condition and location of the parking lot and the existing buildings have been non-conforming for many years. The applicant is seeking the requested variances in order to rectify the non-conforming status as part of its re-design of the patio area.

Specifically, the applicant is seeking the following variances:

1. Section 3312.49 – Minimum number of parking spaces required. For the Third & Hollywood Bar & Grill building (which is approximately 6031 square feet), code requires 80 parking spaces. For the retail building, code requires 7 parking spaces. Consequently, as the buildings exist today, the minimum parking requirements are not met and have not been for some time. With the expansion of the patio area, an additional 12 spaces are required. Applicant is therefore requesting a variance to reduce the minimum number of parking spaces required from 92 to 30. As a result of the existing condition of the reduced parking, the applicant provides valet parking for all customers and has a formal lease for the use of a neighboring church parking lot.

2. Section 3312.21(b) and Section 3312.27 – Parking setback / Parking lot landscaping. The pavement of the existing parking lot sits on the property line of the subject parcel to both the north and the south. As a result of the size and location of the parcel between two public streets, there is no room for landscaping or screening. The parking lot has been in existence for a long time and there requirements have never been met. The applicant is therefore requesting that the parking setback be reduced to zero and that the need for parking lot landscaping be eliminated in order for the parking area to remain in its existing condition.

3. Section 3356.11 – Building setback. Both the existing Third & Hollywood Bar & Grill building and the retail building sit on the property line to the north. This condition has been in existence for a long time. The applicant is requesting that the building setback be reduced to zero in order to allow for the buildings to remain in their existing condition.

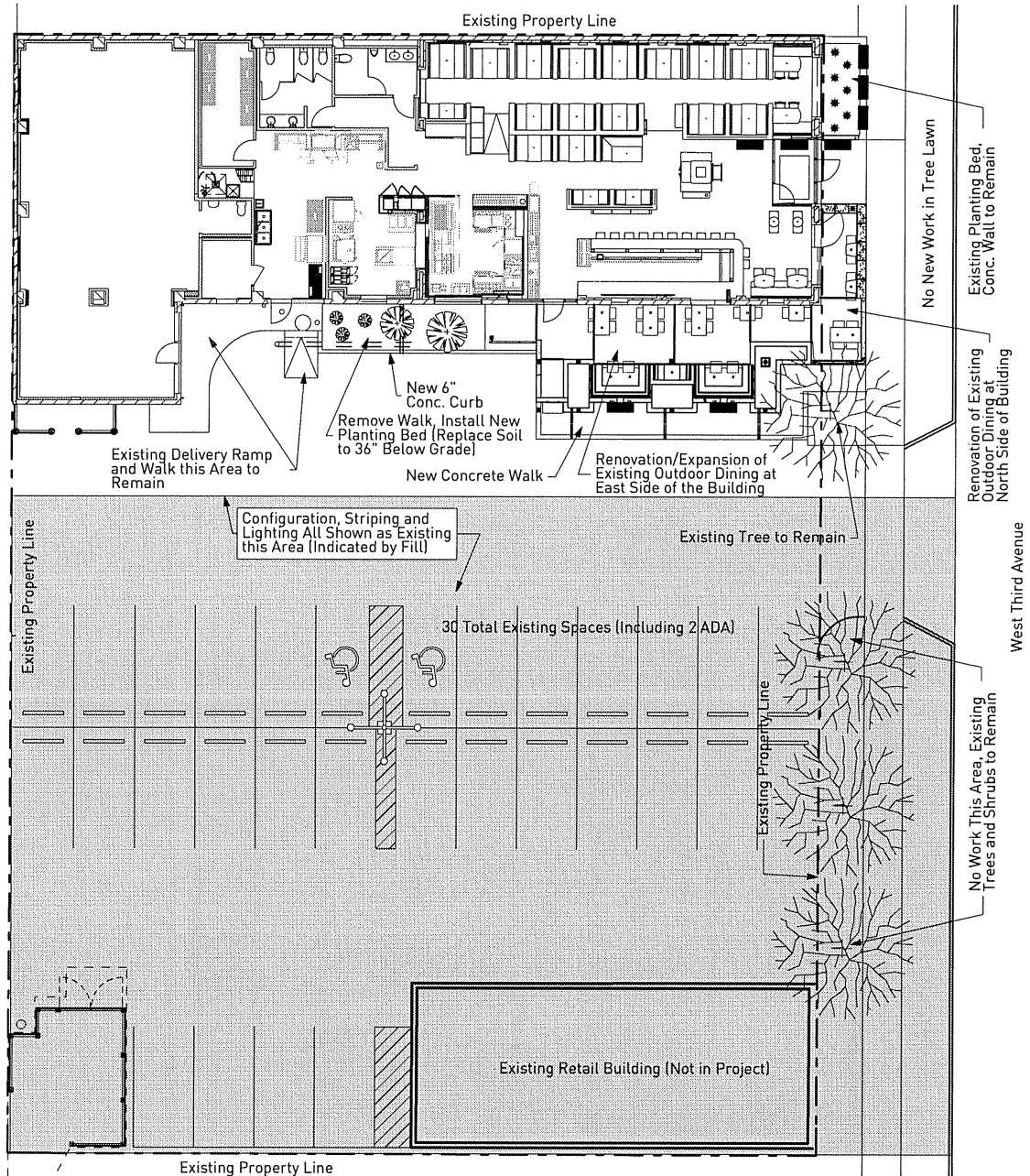
The requested variances are intended to address existing non-conforming conditions. The proposed patio re-design will not have any significant impact on the existing conditions of the site.



Grid
North

Real Estate / GIS Department

12310-00000-00334
1433 WEST 3RD STREET



⊕ Site Plan
Scale: 1" = 20'

Third & Hollywood
1431 W Third Ave
Columbus, Ohio
43212
06.14.12



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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 #

12310-00000-00334

STATE OF OHIO

COUNTY OF FRANKLIN

1433 WEST 3RD STREET

Being first duly cautioned and sworn (NAME) Jill Tangeman, Esq.

of (COMPLETE ADDRESS) 52 East Gay Street, Columbus, OH 43212

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

Third & Hollywood Bar & Grill

1433 West 3rd Avenue, Columbus, OH 43212

SIGNATURE OF AFFIANT

Jill Tangeman

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

SIGNATURE OF NOTARY PUBLIC

Michelle L. Parmenter

My Commission Expires



MICHELLE L. PARMENTER
Notary Public, State of Ohio
My Commission Expires
October 16, 2012

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