



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

OFFICE USE ONLY

Application Number: 12310-00253
Date Received: 5/14/12
Commission/Group: German Village
Existing Zoning: C-4 Application Accepted by: IS Rein Fee: \$1,900.00
Comments: 7/24/12

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.

A variance from the parking requirements of Section 3312.49(C), Table 2, Eating and Drinking Establishments without pickup

LOCATION

1. Certified Address Number and Street Name 235 E. Livingston Avenue
City Columbus State Ohio Zip 43215
Parcel Number (only one required) 010-027862

APPLICANT: (IF DIFFERENT FROM OWNER)

Name Connie J. Klema, Attorney
Address 145 E. Rich Street City/State Columbus, Ohio Zip 43215
Phone # 614-469-9122 Fax # Email cklema@rroho.com

PROPERTY OWNER(S):

Name GMC Real Estate Investments LLC
Address 4256 Mountview Rd. City/State Columbus, Ohio Zip 43220
Phone # n/a Fax # n/a Email n/a
☐ Check here if listing additional property owners on a separate page.

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

☒ Attorney ☐ Agent

Name Connie J. Klema, Attorney
Address 145 E. Rich Street City/State Columbus, Ohio Zip 43215
Phone # 614-469-9122 Fax # Email: cklema@rroho.com

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

APPLICANT SIGNATURE Connie J. Klema, Attorney
PROPERTY OWNER SIGNATURE Seue Gifford By Connie J. Klema, Attorney on his behalf
ATTORNEY / AGENT SIGNATURE Connie J. Klema, Attorney

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



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

AFFIDAVIT

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn **(1) NAME** Connie J. Klema, Attorney

of **(1) MAILING ADDRESS** 145 E. Rich Street, Columbus, Ohio 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) GMC Real Estate Investments LLC

AND MAILING ADDRESS

4256 Mountview Rd.

Columbus, Ohio 43220

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

Connie J. Klema, Attorney

614-469-9122

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

(5) German Village Commission

Cristin Moody

614-645-8040

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

(8) Connie J. Klema

Subscribed to me in my presence and before me this 10th day of May in the year 2012

SIGNATURE OF NOTARY PUBLIC

(8) Gordon P. Shuler

My Commission Expires:

GORDON P. SHULER, Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
MY COMMISSION HAS NO EXPIRATION DATE
SECTION 147.03 R. C.

Notary Seal Here

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

Board Of Education
Real Estate Coordinator
270 E State St
Columbus, OH 43215

Livingston Methodist Episcopal Church
200 E Livingston Ave
Columbus, OH 43215

Toula Management LLC
P O Box 1595
Dublin, OH 43017

German Village Townhomes
Northsteppe Realty
ATTN Diane Hawks
10 E 17th Ave
Columbus, OH 43201

Nora P Dorrian
155 W Main St Apt 704
Columbus, OH 43215

Michael P Miller ET AL
3983 Easton Way
Columbus, OH 43219

Micheal P Miller ET AL
Wells Fargo Real Estate
Mac x2302-04D
1 Home Campus
Des Moines, IA 50328

GMC Real Estate Investments LLC
4256 Mountview Rd
Columbus, OH 43220

Ellisar Group LLC
4009 James River Rd
New Albany, OH 43054

EST of Robert N Shamansky
James B Fribel, Attorney
41 S High St STE 2600
Columbus, OH 43215

239-41 Blenkner Street LLC
314 Jackson St
Columbus, OH 43206

Michael Lewis Evans
243 E Blenkner St
Columbus, OH 43206

Heidi E Harendza
518 S Fifth St
Columbus, OH 43206

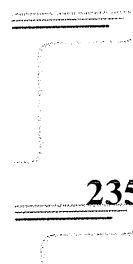
Brian A Sanders & Courtney Sanders-
Bennett
529 S Fifth St
Columbus, OH 43206

Livingston Group LTD
243 E Livingston SVE
Columbus, OH 43215

236 Jackson Street LLC
314 Jackson St
Columbus, OH 43206

Connie J. Klema, Attorney At Law
P O Box 991
Pataskala, OH 43206

Historic Preservation Office
ATTN Cristin Moody
109 N Front St
Ground Floor
Columbus, OH 43215



12310-00253
235 E. Livingston Ave.



VARIANCE

To permit a variance from the number of parking spaces required under Section 3312.03(C)(2)(c) for a new use of higher intensity without expansion of an existing building from 33 parking spaces to zero (0).

12310-00253

235 E. Livingston Ave.

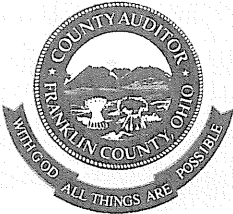
STATEMENT OF HARDSHIP

235 E. LIVINGSTON AVENUE

1. The subject property is an existing building that was built in 1920 for retail/commercial use on the first floor. The building and property were not constructed to accommodate on-site parking. Special circumstances make the subject property different from other buildings and property in the same zoning district given the building was built 92 years ago before the existence of the parking requirements in the present zoning code. Yet, regardless of its lack of parking, the building has and continues to be used for retail/commercial uses that serve the community without parking.
2. Neither the property owner nor the applicant caused the special circumstances applicable to this building and property.
3. The special circumstances of this building and property make it necessary that a variance be granted to preserve the substantial property right possessed by other property owners in the same district; the right to use the building and property and the right to use it for the purpose it was constructed.
4. Granting the variance will not be injurious to neighboring properties and will not be contrary to the public interest or the intent of the zoning code.

12310-00253

235 E. Livingston Ave.



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: s

DATE: 5/14/12



Disclaimer

Scale = 100

Grid North

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



City of Columbus Zoning Plat

ZONING NUMBER

The Zoning Number Contained on This Form
is Herein Certified to Obtain Zoning, Rezoning,
and Variances, and is NOT to be Used for
the Securing of Building & Utility Permits

Parcel ID: 010027862, 010027863

Zoning Number: 235

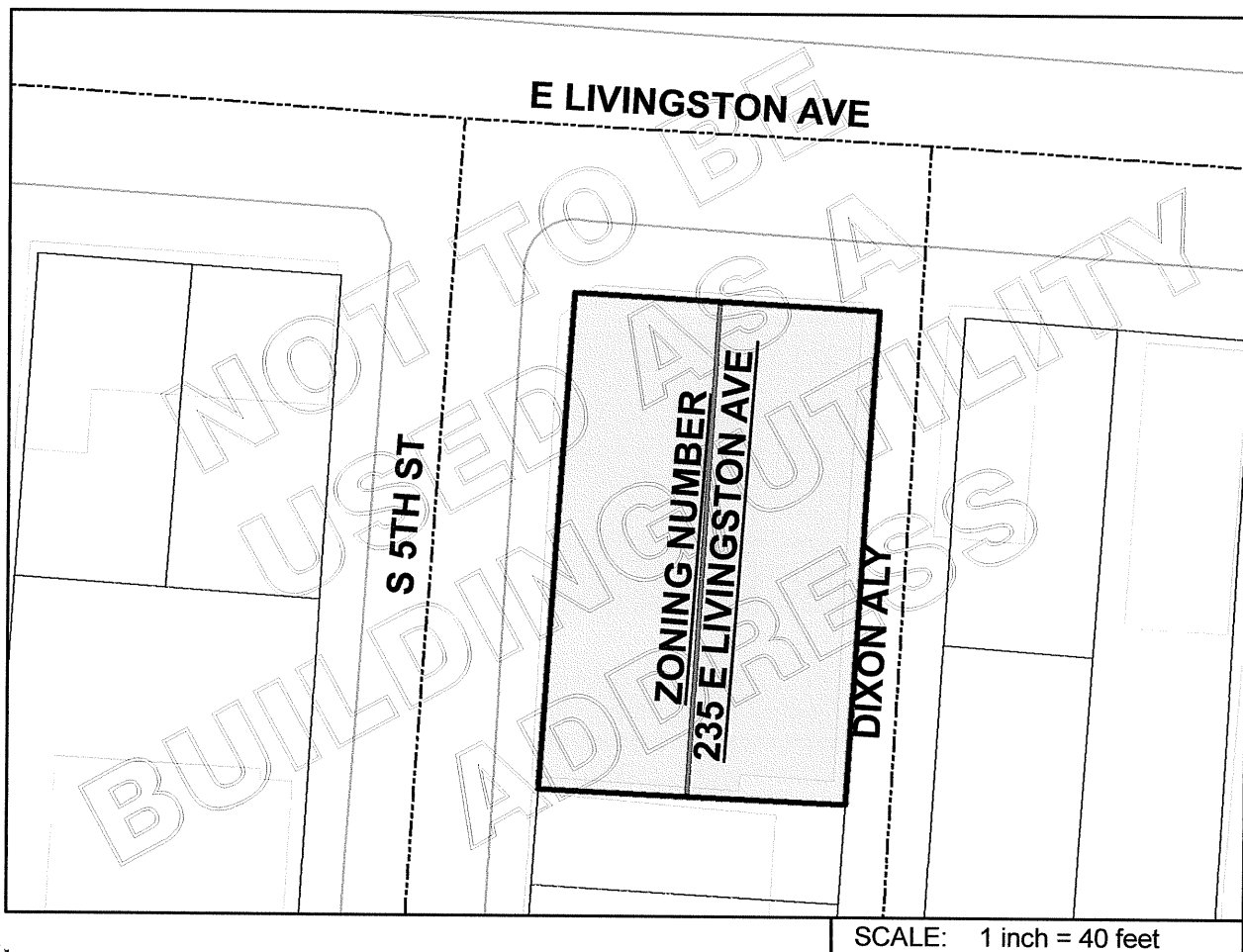
Street Name: E LIVINGSTON AVE

Lot Number: 17-18

Subdivision: SAMUEL PARSONS

Requested By: CONNIE KLEMA

Issued By: *Patricia A. Austin* **Date:** 5/8/2012



SCALE: 1 inch = 40 feet



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

GIS FILE NUMBER: 8405



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

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.
provided.

APPLICATION:

12310-00253

235 E. Livingston Ave.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) _____

of (COMPLETE ADDRESS) _____

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

"The Kitchen 231"

Anne Boninsegna

570 S. 6th Street, Columbus, Ohio 43206

SIGNATURE OF AFFIANT

Conni J. Klemm

Subscribed to me in my presence and before me this

10th

day of

May

, in the year

2012

SIGNATURE OF NOTARY PUBLIC

Gordon P. Shuler

GORDON P. SHULER, Attorney At Law

NOTARY PUBLIC - STATE OF OHIO

MY COMMISSION HAS NO EXPIRATION DATE

SECTION 147.03 R. C.

My Commission Expires:

Notary Seal Here

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