



## 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: CV12-049  
Date Received: 10/1/12  
Application Accepted By: DH Fee: \$1600  
Comments: 12315-00000-00581

Assigned to Shannon Fine, 645-2208, spine@columbus.gov

### LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 785 Dennison Avenue Zip 43215

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: 010-278270, 010-008395

☐ Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s): R-4

Recognized Civic Association or Area Commission: Victorian Village Commission

Proposed use or reason for Council Variance request: See Exhibit B

Acreage: 0.493 +/- acres (21,469.3 +/- sq. ft.)

**PAID**  
OCT 01 2012  
BUILDING & ZONING SERVICES

**APPLICANT:** Name Historic Dennison Hotel LLC c/o Donald Plank, Plank Law Firm

Address 145 East Rich Street, Fl 3 City/State Columbus, OH Zip 43215

Phone # (614) 947-8600 Fax # (614) 228-1790 Email: dplank@planklaw.com

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

Address 145 East Rich Street, Fl 3 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

Address 145 East Rich Street, Fl 3 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

PROPERTY OWNER SIGNATURE

**ATTORNEY** AGENT SIGNATURE

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



## 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)

C12-049

### 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 Plunk*

Date

*9/27/12*

**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

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

**785 Dennison Avenue, Columbus, OH 43215**

**Council Variance # CV12-049**

---

The site is located on the west side of Dennison Avenue between East Hubbard Avenue and Buttles Avenue and includes the properties know as 779 and 789 Dennison Avenue. Total site area is 0.4973 +/- acres (21,666.6 +/- sq. ft.). 779 Dennison Avenue is developed with a two (2) story, six (6) dwelling unit apartment building built in the 1970's. 789 Dennison Avenue is developed with a four (4) story, 42 foot tall apartment building in the R-4, Residential District and H-35 Height District. Both sites were rezoned from the AR-2, Apartment Residential District to the R-4, Residential District in in 1978 as part of an area rezoning of Victorian Village initiated by the City of Columbus. 789 Dennison Avenue was originally built as a six (6) story hotel prior to the City of Columbus establishing zoning (1923). By variance CV12-004, (Ordinance 0746-2012, passed April 30, 2012), applicants development plans to convert the existing building to 26 dwelling units was approved by reducing the number of dwelling units from 39 to 26. The number of dwelling units was subsequently reduced to 23. Variance CV12-004 also included variances to permit existing site development where not in conformance with R-4 district standards and permitted an addition of a roofed structure to the roof of the building, referred to as "Rooftop Pavilion" in CV12-004, by permitting an increase in height to 54 feet. A major renovation of the historic structure at 789 Dennison Avenue is currently underway.

By this variance application, applicant proposes to raze the non-historic, 1970's structure at 779 Dennison Avenue and build a four (4) story addition to the south side of 789 Dennison Avenue. The addition will consist of two (2) levels of enclosed parking totaling 32 parking spaces and two (2) levels for residential use totaling 12 dwelling units. The combined building will be thirty-five (35) dwelling units with thirty-two (32) off-street parking spaces. Applicant reduced the number of dwelling units in 789 Dennison from 39 to 23, a reduction of 16 dwelling units with six (6) parking spaces. Applicant proposes the removal of a non-historic structure and a total of 35 dwelling units with 32 parking spaces.

Applicant believes a hardship exists in that there is no zoning district to which the property could be rezoned to conform the parcel and building to applicable current zoning regulations. Applicant has a practical difficulty in complying with applicable development standards applied to a historic district of Columbus where many properties don't comply with current standards of the R-4 district. Applicant believes the proposed variances meet the criteria contained in City of Columbus form, "Statement of Hardship", which form is hereby incorporated by reference.

Applicant requests the following variances:

- 1) 3332.039, R-4, Residential District, which Section prohibits more than four (4) dwelling units per building, while applicant proposes to permit a 12 dwelling unit addition to a 23 dwelling unit building, thereby permitting a 35 dwelling unit building in the R-4, Residential District.
- 2) 3332.15, R-4 Area District Standards, which Section establishes lot area standards for single family, two-family, three-family and four-family dwellings, with a four family dwelling required to have 2,500 square feet of lot area per dwelling unit, while applicant proposes a total of 35 dwelling units on 23,435.6 square feet, including permitted alley area, or 669.5 square feet of lot area/dwelling unit.
- 3) 3332.21, Building Lines, which Section requires a 25 foot setback from Dennison Avenue, while the existing building (789 Dennison Avenue) setback is 23.5 feet.
- 4) 3332.25, Maximum Side Yard Required, which Section requires 20 percent of the lot width to be provided in the sum of the side yards, subject to a maximum of 16 feet, while the sum of the side yards will be 8.1 feet.
- 5) 3332.26, Minimum Side Yard Permitted, which Section requires a minimum side yard of five (5) feet, while the north side yard is 1.76 feet.
- 6) 3332.27, Rear Yard, which Section requires 25% of total lot area to be provided in rear yard, while 3.4 % of lot area will be provided in rear yard.
- 7) 3309.14(A), Height Districts, which Section prohibits building or structures exceeding 35 feet in height, measured as defined, while the existing building (789 Dennison Avenue) is permitted a height of 54 feet (existing building plus "Rooftop Pavilion" and stairwell and elevator shafts, as permitted by Ordinance 0746-2012, and the proposed four (4) story addition will be 42 feet tall.
- 8) 3312.49, Minimum Number of Parking Spaces Required, which Section requires 53 parking spaces for 35 dwelling units at 1.5 parking spaces per dwelling unit, while applicant proposes to provide 32 parking spaces in a fully enclosed two (2) level parking structure.



## 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)

### AFFIDAVIT

(See next page for instructions)

APPLICATION # CV12-049

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, Fl 3, 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 785 Dennison Avenue

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) 10/1/12

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME  
AND MAILING ADDRESS

(4) Historic Dennison Hotel LLC c/o Donald Plank

Plank Law Firm

145 East Rich Street, Fl 3

Columbus, OH 43215

See Supplemental Property

Owner List

APPLICANT'S NAME AND PHONE #

(same as listed on front of application)

Historic Dennison Hotel LLC c/o Donald Plank

(614) 947-8600

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

(5) Victorian Village Commission c/o Randy Black

Historic Preservation Office

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)

☐ (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 27th day of SEPTEMBER, 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

**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

**Exhibit A Public Notice**  
**785 Dennison Avenue**  
**CV12- , 9/28/12**

**APPLICANT:**

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

**PROPERTY OWNERS:**

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

Richard J Bruggeman  
Christina T. Bruggeman  
c/o Donald Plank, Attorney  
145 East Rich Street, Flr. 3  
Columbus, OH 43215

**ATTORNEY FOR APPLICANT AND  
PROPERTY OWNERS:**

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

**COMMUNITY GROUP  
/COALITION:**

Victorian Village Commission  
c/o Randy Black  
Historic Preservation Office  
109 North Front Street  
Columbus, OH 43215

**SURROUNDING PROPERTY  
OWNERS (125 Feet)**

Christopher J Perry  
846 Neil Avenue  
Columbus, OH 43215

Michael A. Oram  
354 W 6<sup>th</sup> Avenue  
Columbus, OH 43201

Robert S Schilling  
815 North High Street, Suite R  
Columbus, OH 43215

Jeffrey J. Smith  
773 Dennison Avenue  
Columbus, OH 43215

Richard A and Linda S Grosh  
225 Buttles Avenue  
Columbus, OH 43215-1303

Gregory R. Krobot  
231 Buttles Avenue  
Columbus, OH 43215

Wood Real Estate LLC  
21 West Hubbard Avenue, Suite D  
Columbus, OH 43215

Rebecca Rostofer  
225 West Hubbard Avenue  
Columbus, OH 43215

**SHEET 1 of 2**  
**CV12-049 , 9/28/12**  
**785 Dennison Avenue**

Dino V. Rossi  
Scott C. Kirschman  
201 West Hubbard Avenue  
Columbus, OH 43215

Eric R Anderson, Tr.  
Kimberly J Anderson, Tr.  
797 Dennison Avenue  
Columbus, OH 43215

Beverly A Radcliffe, SU TR  
1177 Westwood Avenue  
Columbus, OH 43212

Fritz W. Harding  
Karina Harding  
755 Dennison Avenue  
Columbus, OH 43215

Charles R Santer  
221 West Hubbard Avenue  
Columbus, OH 43215

House of Hope for Alcoholics  
177 West Hubbard Avenue  
Columbus, OH 43215

C & W Investment Co LLC  
92 West 5<sup>th</sup> Avenue  
Columbus, OH 43201

City of Columbus  
Real Estate Management  
90 West Broad Street, RM 425  
Columbus, OH 43215

Fritz W. Hardin et. al. 2  
217 Buttles Avenue  
Columbus, OH 43215

**ALSO NOTIFY:**

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

Richard J Bruggeman  
Christina T. Bruggeman  
1761 Hardin Lane  
Powell, OH 43065

Dave Vottero  
Schooley Caldwell Associates  
300 Marconi Boulevard  
Columbus, OH 43215

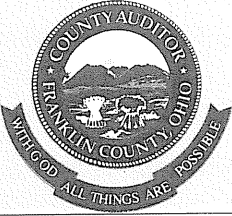
Historic Dennison Hotel LLC  
c/o Mark Wood  
21 West Hubbard Avenue, Suite D  
Columbus, OH 43215

Historic Dennison Hotel LLC  
c/o Joe Mitchell  
21 West Hubbard Avenue, Suite D  
Columbus, OH 43215

Steve Munger  
Schooley Caldwell Associates  
300 Marconi Boulevard  
Columbus, OH 43215







# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: dbp

DATE: 9/21/12



Disclaimer

Scale = 100

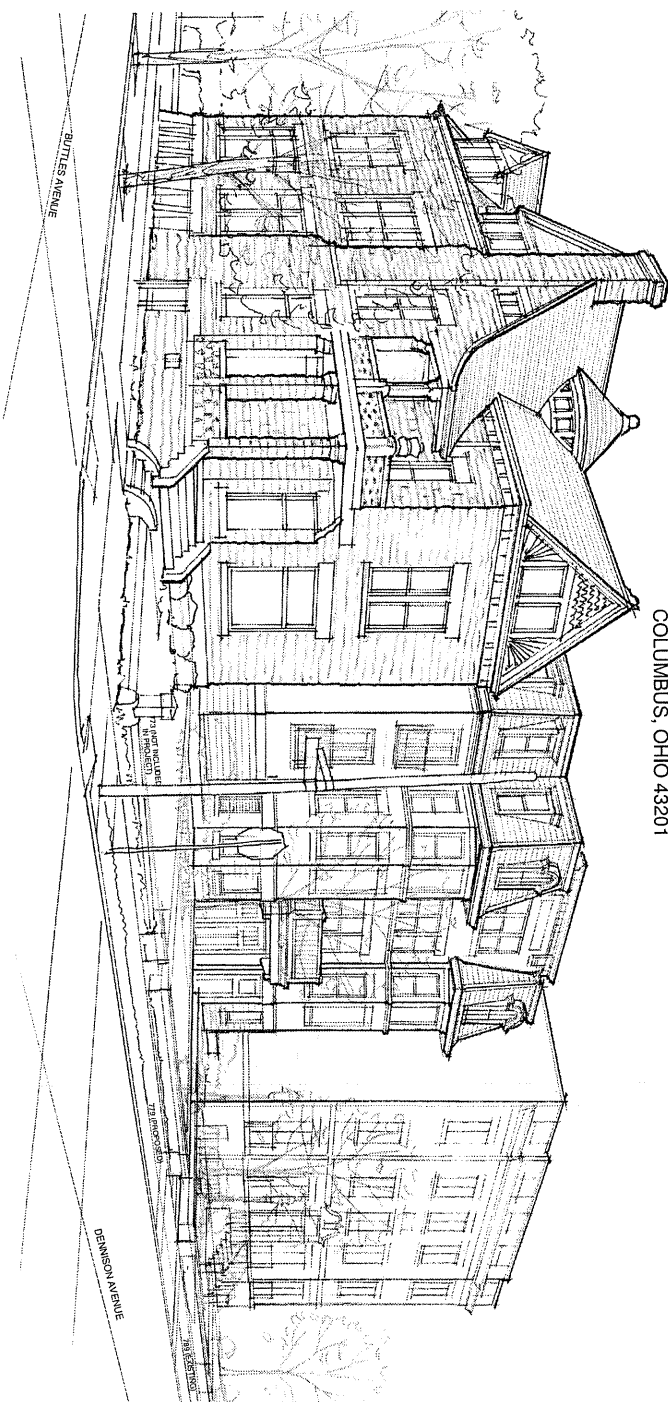
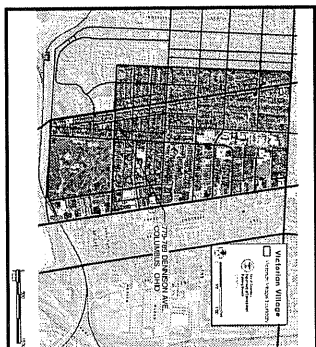


This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on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

012-049

## THE WOOD COMPANIES



# THE "SANBORN" BUILDING

779 DENNISON AVENUE  
COLUMBUS, OHIO 43201

for

*SchooleyColdwell Associates*

300 Marconi Boulevard  
Columbus OH 43215  
schodleycaldwell.com

CONSULTING.  
STRUCTURAL  
JACK D. WALTERS & ASSOC.  
1144 E. 420TH AVE  
ST. LOUIS, MO 63117  
(314) 733-1100

**SANDS DECKER CPS**  
1001 OLD BRIDGE ROAD  
TOMLINSON, OH 44788  
(216) 338-4222

**ZOMING DEVELOPMENT**  
**DAVE PERRY CO. INC.**  
165 WEST HARTZ STREET, SUITE 200  
ALBANY, OH 44604  
(419) 338-4222

Drawing Issue Dates

ADDITION TO  
THE HISTORIC  
DENNISON  
HOTEL

779 Dennison Avenue  
Columbus, Ohio 43215

NOT FOR CONSTRUCTION

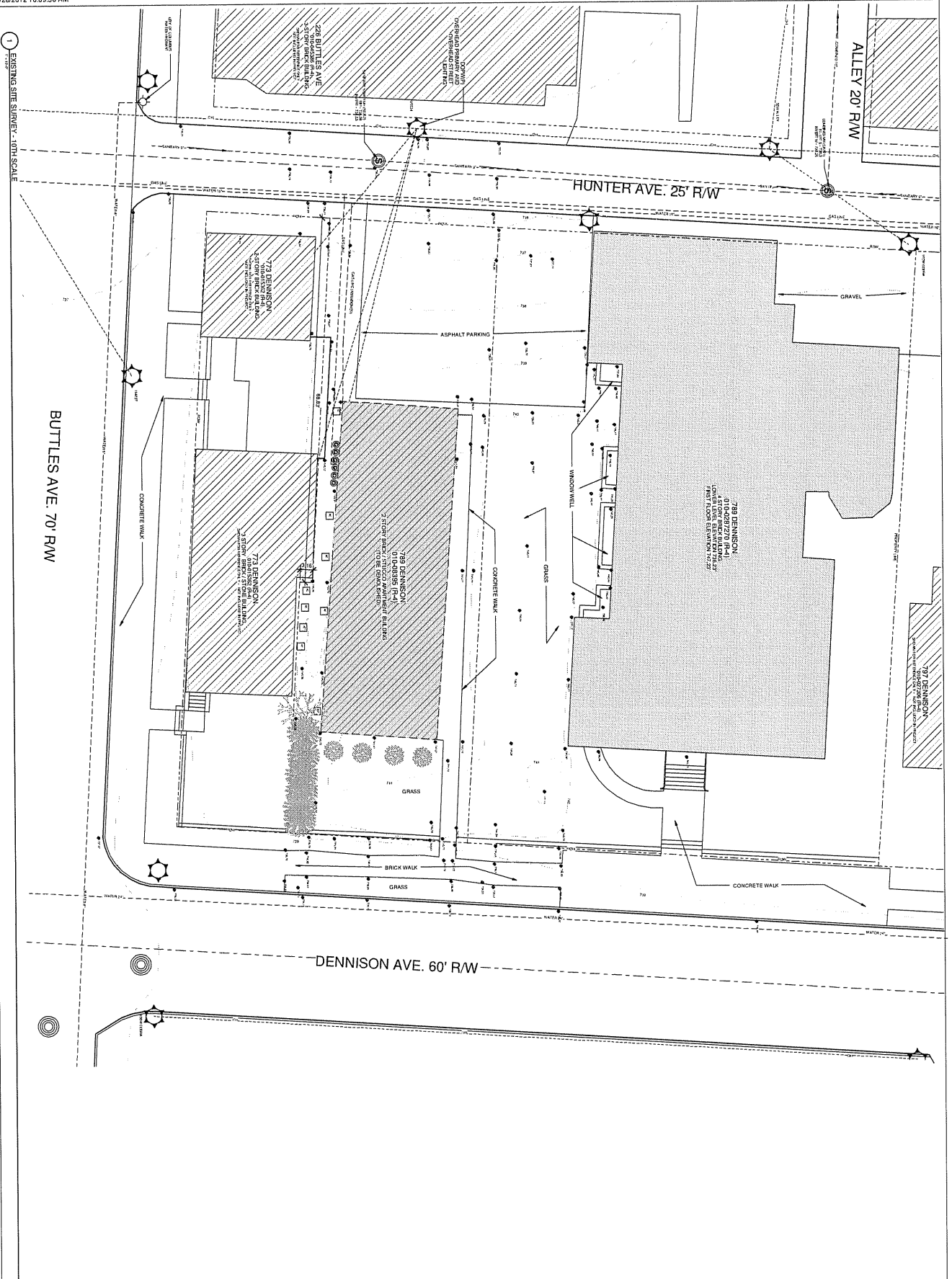
Cover Sheet &  
Drawing Index

GOOO

SCA |

10-01-2012	12070.20
------------	----------

### Drawing Issue Dates



1 EXISTING SITE SURVEY - 10TH SCALE

Cv12-049



Schneider/Coffwell Associates

208 Main Street, Suite 200  
Columbus, Ohio 43215  
Tel: 614.292.0370  
Fax: 614.292.0371  
schneider@scacoll.com

Consultants:

JACK O. WALTERS & ASSOC.

ONE & A HALF FLOORS  
300 N. HIGHWAY 101  
COLUMBUS, OHIO 43215

2200 E. LONGVIEW  
COLUMBUS, OHIO 43215

Drawing Date Dates

ADDITION TO  
THE HISTORIC  
DENNISON  
HOTEL

779 Dennison Avenue  
Columbus, Ohio 43215

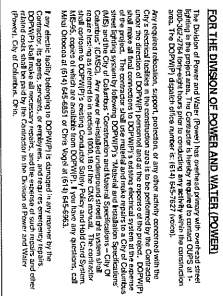
NOT FOR CONSTRUCTION

Existing Site Survey

SITE DEVELOPMENT / LANDSCAPE  
L100

Author: J OF

10-01-2012 12:07:20



KEYNOTE LEGEND	
2000 L1	SHADE TREE
2000 L2	SHRUB
2000 P1	CONCRETE PAVING
2000 P2	STONE COBBLE PAVING
2000 P3	BRICK PAVING
2000 S2	BRICK SIDEWALK
2000 E	ELECTRICAL UTILITY
2000 G	GAS UTILITY
2000 S	SEWER UTILITY
2000 W	WATER UTILITY

Site Development -  
New Work Plan

---

SITE DEVELOPMENT / LANDSCAPE

---

L101

---

SCA | OF

---

10-01-2012 | 12070.20

NOT FOR CONSTRUCTION

ADDITION TO  
THE HISTORIC  
DENNISON  
HOTEL

Drawing Issue Dates

**Consultants:**  
**STRUCTURAL**  
**JACK D. WALTERS & ASSOC.**  
204 E. 10TH ST., SUITE 100  
DALLAS, TEXAS 75201  
(214) 763-1011

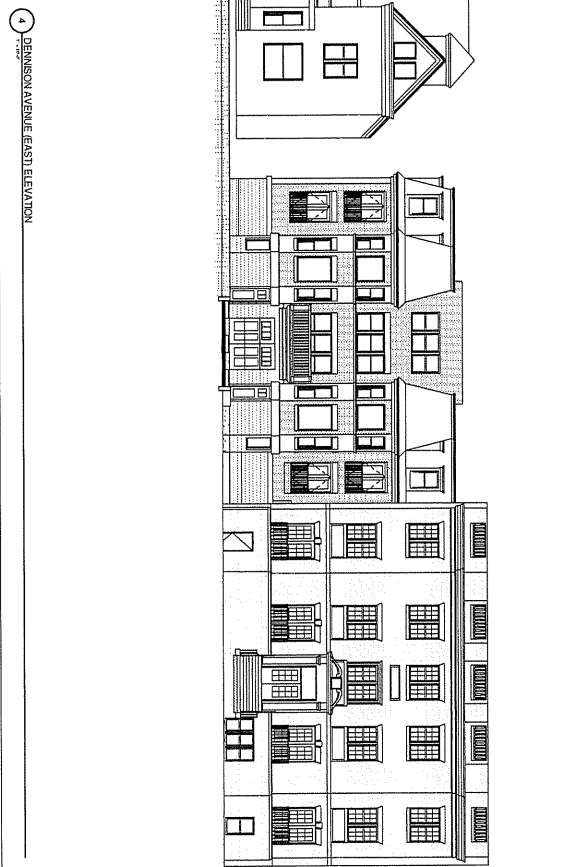
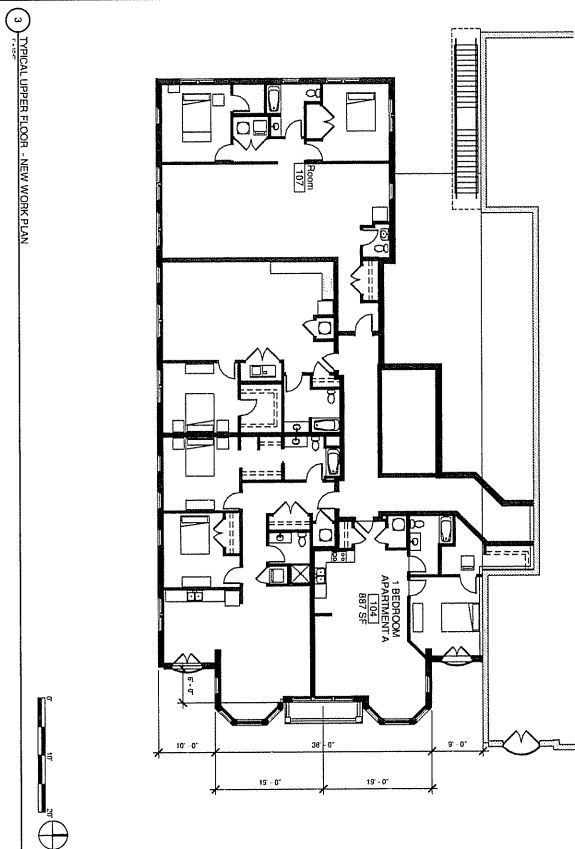
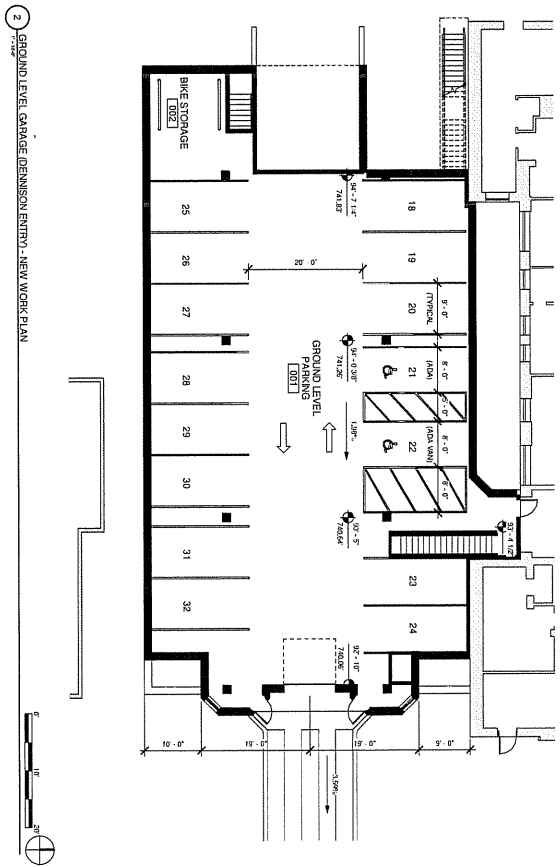
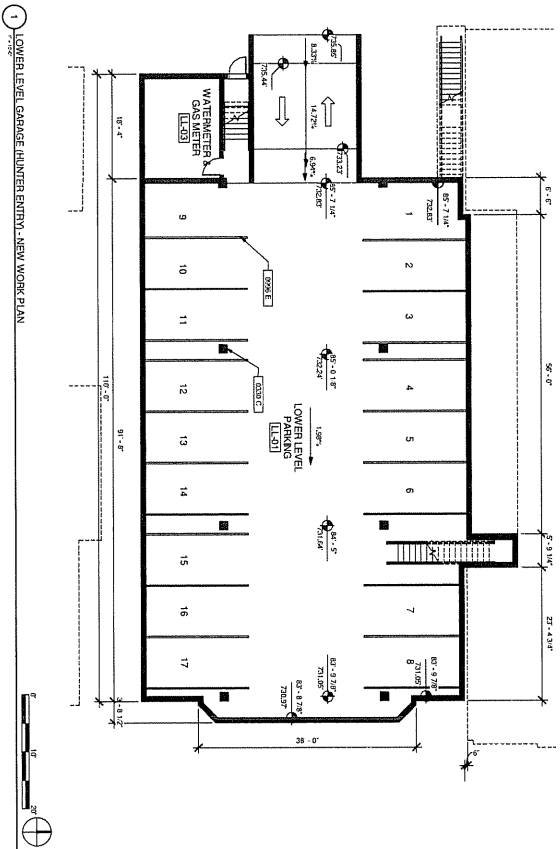
**CIVIL & SURVEYING**  
**SANDS DECKER CPS**  
116 E. D. McDONOUGH DR.  
IRVING, TEXAS 75039  
(214) 636-1222

**ZONING DEVELOPMENT**  
**DAVE PERRY CO. INC.**  
1000 W. 14TH ST., SUITE 200  
DALLAS, TEXAS 75202  
(214) 763-1212

**SchooleyCaldwell Associates**  
4771 North + Avenue 3, Pleasant Grove, UT 84068  
200 Marconi Boulevard  
Columbus, OH 43215  
schooley@scdwells.com

T	614-428-0200
F	614-628-0311

Ja



SCA

Structural/Architectural ASSOCIATES

300 Laurel Road  
Plymouth, MA 01960  
Tel: 508-833-2000  
Fax: 508-833-2001  
www.sca-architect.com

Consultants:

STRUCTURAL  
ARCHITECTURAL  
MECHANICAL, ELECTRICAL & PLUMBING  
PAVIL & SHAW  
SAV'S DESIGN GROUP  
DAVE PERRY CO. INC.  
DAVE PERRY CO. INC.  
1000 N. 10th St., Suite 100  
Plymouth, MA 01960

Drawing Issue Dates

ADDITION TO  
THE HISTORIC  
DENNISON  
HOTEL  
779 Dennison Avenue  
Cohasset, MA 02543

NOT FOR CONSTRUCTION

Site Development  
Plans & Elevations  
L103  
SCA 1 OF  
10-01-2012 12070-20

Cv12-049

Z78-033  
R4  
8/16/1978

Z78-033  
R4  
8/16/1978

WHUBBARD AVE

Z78-033  
R4  
8/16/1978

Z78-033  
R4  
8/16/1978

785 Dennison Avenue

LUNDY ST

Z78-033  
R4  
8/16/1978

785 Dennison

Z78-033  
R4  
8/16/1978

Z78-033  
R4  
8/16/1978

BUTTLESAVE

Z78-033  
R4  
8/16/1978

Z78-033  
R4  
8/16/1978

Z78-033  
R4  
8/16/1978

**CV12-049**

**CV12-049**





785 Dennison Avenue

CV12-049