

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: # 12310-00000-00506
Date Received: 30 Aug. 2012
Commission/Group: U.A.C.
Existing Zoning: _____ Application Accepted by: [Signature] 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.

Applicant Requests Variance to 3312.49 to allow fewer on-site parking spaces.

LOCATION

1. Certified Address Number and Street Name 1435 North High Street
City Columbus State Ohio Zip 43201
Parcel Number (only one required) 010-044623

APPLICANT: (IF DIFFERENT FROM OWNER)

Name 180 Real Estate Holdings, LLC
Address 1439 North High Street City/State Columbus, OH Zip 43201
Phone # 614 582-1595 Fax # 419 710 6762 Email ONEEIGHTYCO@gmail.com

PROPERTY OWNER(S):

Name 180 Real Estate Holdings, LLC
Address 696 Treebead Ct. City/State Westerville, OH Zip 43082
Phone # 614 582-1595 Fax # _____ Email ONEEIGHTYCO@gmail.com
☐ Check here if listing additional property owners on a separate page.

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

☒ Attorney ☐ Agent

Name Sean Mastel
Address 88 E. Broad St., Suite 2000 City/State Columbus, OH Zip 43215
Phone # 614 227-6040 Fax # 614 227-6041 Email: sean@newtellegalgroup.com

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

APPLICANT SIGNATURE [Signature] 180 Real Estate Holdings, LLC
PROPERTY OWNER SIGNATURE [Signature] 180 Real Estate Holdings, LLC
ATTORNEY / AGENT SIGNATURE [Signature]

PLEASE NOTE: incomplete information will result in the rejection of this submittal.



12310-00000-00506
1435 NORTH HIGH ST.

CITY OF COLUMBUS

DEPARTMENT OF BUILDING AND ZONING SERVICES

One Stop Shop Zoning Report Date: Fri Oct 5 2012

General Zoning Inquiries: 614-645-8637

SITE INFORMATION

Address: 1437 N HIGH ST COLUMBUS, OH

Mailing Address: 696 TREE BEND CT
WESTERVILLE OH 43082

Owner: 180 REAL ESTATE HOLDING

Parcel Number: 010044623

ZONING INFORMATION

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

Board of Zoning Adjustment (BZA): N/A

Commercial Overlay: UNIVERSITY UCO

Graphic Commission: N/A

Area Commission: University Area Commission

Planning Overlay: University/Impact

Historic District: N/A

Historic Site: No

Council Variance: N/A

Flood Zone: OUT

Airport Overlay Environs: N/A

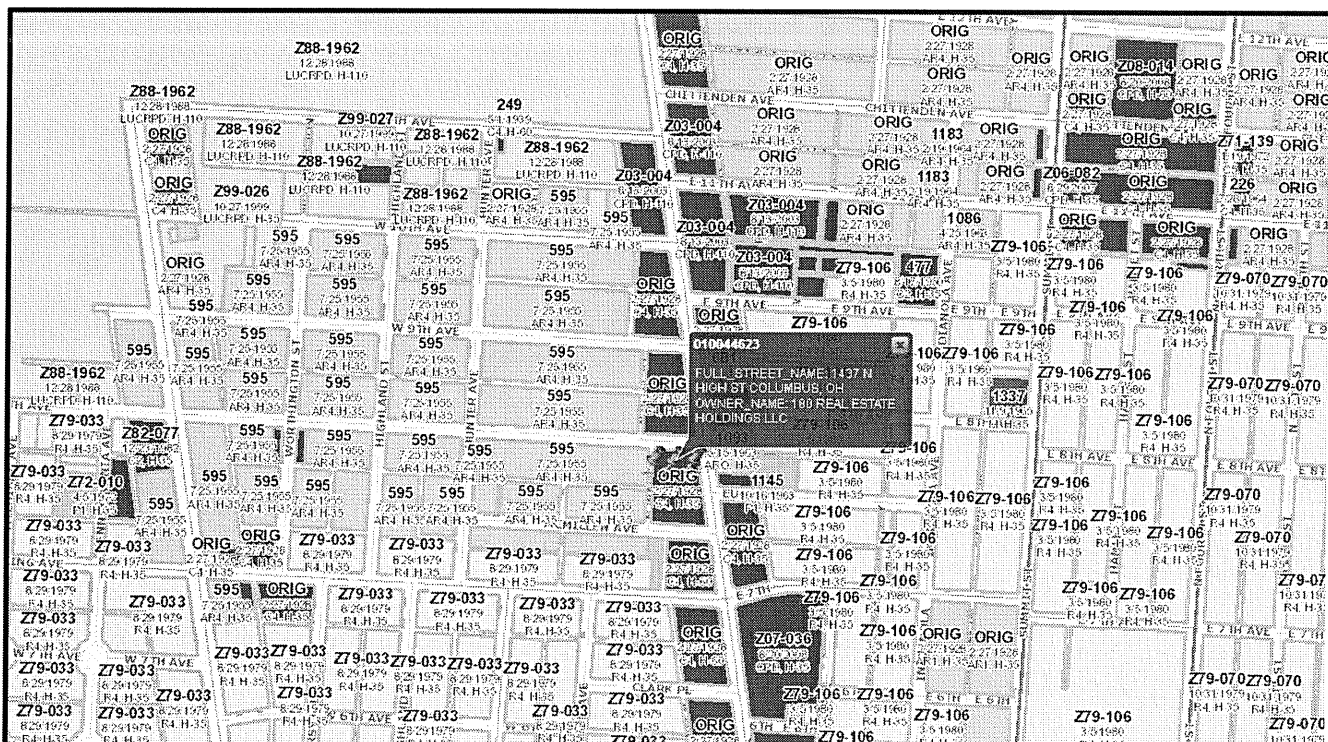
PENDING ZONING ACTION

Zoning: N/A

Board of Zoning Adjustment (BZA): N/A

Council Variance: N/A

Graphic Commission: N/A





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

12310-00000-00506
1435 NORTH HIGH ST.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Sean Mentel
of (1) MAILING ADDRESS 88 E. Broad St., Suite 2000 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) _____

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) 180 Real Estate Holdings, LLC
696 Treebend Ct.
Nesterville, OH 43082

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

180 Real Estate Holdings, LLC
614 582-1595

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

(5) University Area Commission
Susan Keeny • 937 479-0201
358 King Ave., Columbus, OH 43201

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 sheet]

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 6th day of August, in the year 2012

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

Notary Seal Here



WILLIAM W. PATMON III
ATTORNEY AT LAW
Notary Public, State of Ohio
My Commission Has No Expiration
Section 147.03 R.C.

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

STATEMENT OF HARDSHIP

12310-00000-00506

1435 NORTH HIGH ST.

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:

SEE ATTACHED

Signature of Applicant _____ Date _____

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

Revised 02/01/11

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 subject property is located in a densely developed area of the University District. The particular shape and size of the lot combined with frontage on High Street and with N. Wall St. in the rear of the lot, restricts the ability of the applicant to meet the parking requirements of the City Code with or without the addition of the patio. The size and shape of the property are not the result of any action by the owner.

Without a variance the property Owner would not enjoy the substantial property rights enjoyed by the surrounding property owners that have constructed patios. The granting of this variance will improve the visual appearance of the property from High Street and is consistent with all other patios constructed along High Street.

The neighboring property to the South has agreed to a parking sharing agreement that will help the applicant provide adequate parking during peak business hours.

The variance request is consistent with the development and use of neighboring property and the grant of this variance will not confer special privileges to this property. Therefore, the Applicant respectfully requests the approval of the parking variance requested.

12310-00000-00506
1435 NORTH HIGH ST.



Sean Mentel, Esq.
Mentel & Associates, LLC
88 E. Broad Street, Suite 2000
Columbus, Ohio 43215
P: 614.227.6040
sean@mentellegallgroup.com
Counsel for Applicant

Date: _____

8/5/12



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: S DATE: 8/6/12



Disclaimer

Scale = 100

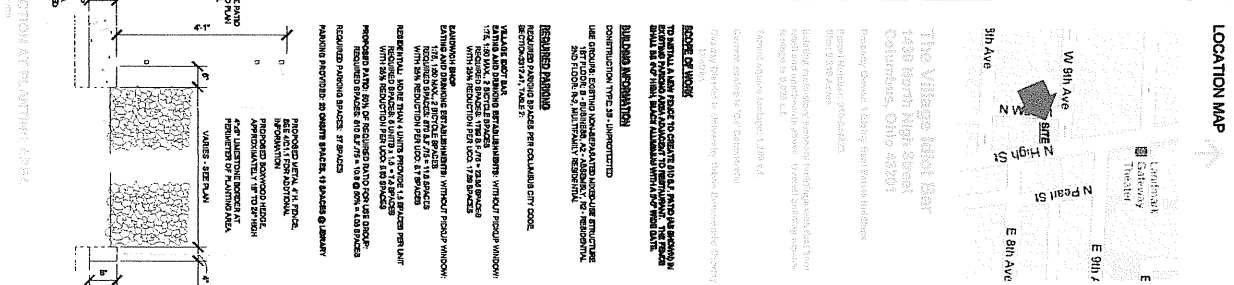
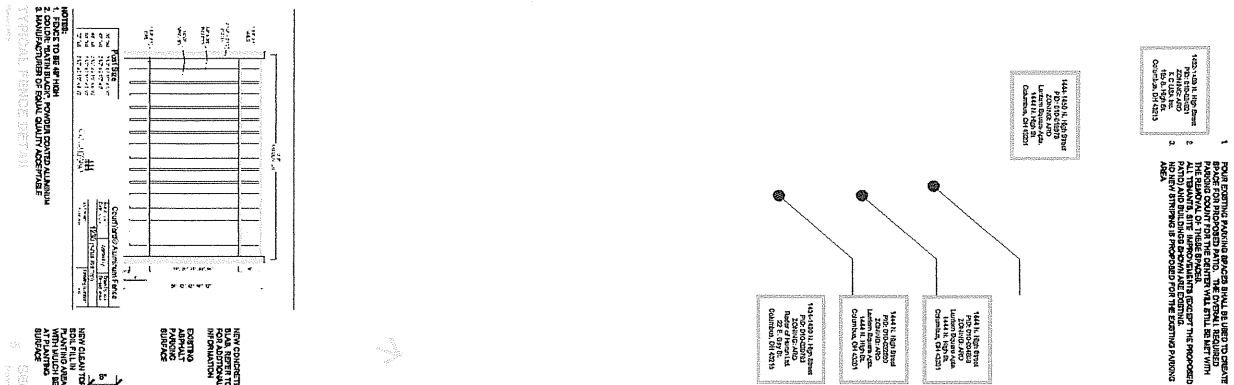
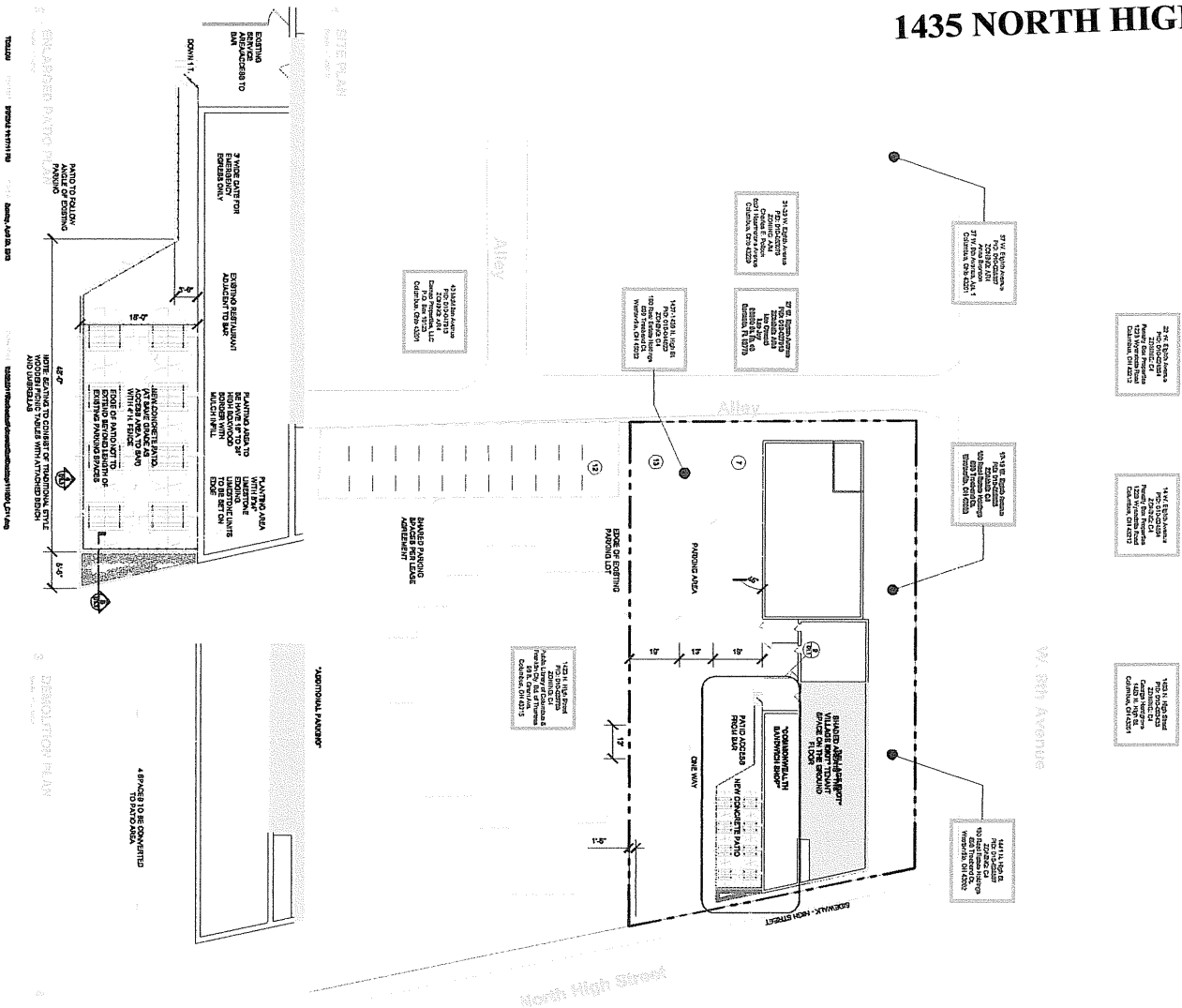


This map is prepared for the real property inventory within this county survey plats, and other public records and data. Users of this map information sources should be consulted for verification of the information. The mapping companies assume no legal responsibility. Please notify the Franklin County GIS Division of any discrepancies.

12310-00000-00506
1435 NORTH HIGH ST.

Real Estate / GIS Department

12310-00000-00506
1435 NORTH HIGH ST.



The Village Idiot Bar Patio Addition		TOWN: The Village Idiot Planning Dept. Columbus, Ohio 43201	REAL ESTATE DEVELOPMENT CONSULTING <small>ARCHITECTURE • ENVIRONMENTAL • CIVIL ENGINEERING DEVELOPMENT SERVICE</small>
1439 North High Street Columbus, Ohio 43201			
REQUIREMENTS NO. OF PLANS: _____ ZONING: _____ PERMIT FEE: _____ SUBMITTAL DATE: _____		JOB NUMBER: 11H801	
BRIEF TITLE: ZONING CLEARANCE PLAN		BRIEF NUMBER: C1.1	



City of Columbus
Mayor Michael B. Coleman

Department of Development

Boyce Safford III, Director

757 Carolyn Avenue, Columbus, OH 43224

Date of Service/Posting _____

Order Number: 11470-04039

Parcel Number:
010044623

180 REAL ESTATE HOLDINGS LLC
696 TREE BEND CT
WESTERVILLE OHIO 43082

12310-00000-00506
1435 NORTH HIGH ST.

ZONING CODE VIOLATION ORDER

An inspection has been made at 1437-1439 N HIGH ST on October 13, 2011.

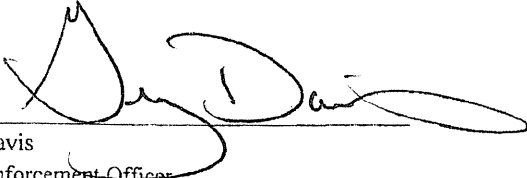
As provided by the Columbus City Code you are hereby given notice to correct the alleged violations listed below within **20** calendar days of the service of this notice unless otherwise noted in this notice, or an approval for a written request for extension is granted by this office.

Note: Failure to comply with this notice is a Misdemeanor of the Third Degree and may be punishable by a \$500 fine and sixty (60) days imprisonment.

If the facts represented here are incorrect, or if you believe the law is not being interpreted properly, you have the basis for an appeal. If you believe an appeal is in order, call the undersigned Property Maintenance Inspector. Pursuant to the Columbus City Code Section 3307.07: The Board of Zoning Adjustment shall not entertain any appeal applied for more than twenty (20) days after the date of this order. Also pursuant to Columbus City Code Section 3307.11: Said appeal shall be submitted on a form provided for that purpose and filed in the office of the Department of Building and Zoning Services.

For further information on this notice contact the undersigned Code Enforcement Officer.

SEE LIST OF VIOLATIONS ON THE ATTACHED PAGE(S)

by 
Greg Davis
Code Enforcement Officer
(614) 645-5996
gmdavis@columbus.gov
ZC-7
REV 09/09
10142011

ITEM#	CODE SECTION	COMMENTS
-------	--------------	----------

Zoning Violations

- | | | |
|---|----------|---|
| 1 | 3305.01 | Certificate of zoning clearance

This property requires a certificate of Zoning Clearance due to the following change: CONSTRUCTION OF EXTERIOR PATIO/OUTDOOR SEATING; EXPANSION OF USE OF THE BUILDING. NOT IN COMPLIANCE WITH HIGH STREET DESIGN GUIDELINES AND URBAN COMMERCIAL OVERLAY. PLEASE CALL JAMIE FREISE WITH BUILDING & ZONING SERVICES WITH QUESTIONS. HIS DIRECT NUMBER IS (614) 645-6350 |
| 2 | 3372.581 | APPLICATION

CERTIFICATE OF APPROVAL IS REQUIRED. SEE HANDOUT SHEET FOR DETAILS. CALL DAN FERDELMAN (URBAN DESIGN) WITH QUESTIONS. HIS DIRECT NUMBER IS (614) 645-6096 |
-

12310-00000-00506
1435 NORTH HIGH ST.



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. Do not indicate DISCLOSE provided.

APPLICATION # **12310-00000-00506**
1435 NORTH HIGH ST.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) JOHN PEDRO
of (COMPLETE ADDRESS) 696 TREEBEND CT. WESTERVILLE, OH 43082
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

NAME	COMPLETE MAILING ADDRESS
<u>180 REAL ESTATE HOLDINGS, LLC</u>	<u>696 TREEBEND CT.</u> <u>WESTERVILLE, OH 43082</u>

SIGNATURE OF AFFIANT

John J. Pedro, 180 Real Estate Holdings, LLC

Subscribed to me in my presence and before me this 5 day of AUGUST, in the year 2012

SIGNATURE OF NOTARY PUBLIC

[Signature]

My Commission Expires:



SEAN A. MENDEL
ATTORNEY AT LAW
Notary Public, State of Ohio
My Commission Has No Expiration Date
Section 147.03 ORC

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

Revised 02/01/11