Mayor Michael B. Coleman

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

OFFICE USE ONLY

Application Number: CV12-060
Date Received: 12/4/12
Application Accepted By: D. Hitt Fee:
Comments: 12315-00000-00734 Case Planner: Dana Hitt, 645-2395, dahitt@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 732 N 4th Street 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: 010-291434
■ Check here if listing additional parcel numbers on a separate page.
Current Zoning District(s): M, Manufacturing
Recognized Civic Association or Area Commission: Italian Village Commission
Proposed use or reason for Council Variance request: See Statement of Hardship
Acreage: 36.439 +/-

APPLICANT: Name Jeffrey New Day LLC c/o Donald Plank, Plank Law Firm
Address 145 E 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 Jeffrey New Day LLC c/o Donald Plank, Plank Law Firm
Address 145 E 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 Attorney for Jeffrey New Day LLC
Name Donald Plank, Plank Law Firm
Address 145 E 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 Donald Plank, attorney for Jeffrey New Day LLC
PROPERTY OWNER SIGNATURE Donald Plank, attorney for Jeffrey New Day LLC
ATTORNEY/AGENT SIGNATURE Donald Plank
Attorney for Jeffrey New Day LLC

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

Revised 05/9/12

SUPPLEMENTAL LIST OF PARCEL NUMBERS

CV12- 080

732 N 4th Street

010-291434	010-270665	010-210573	010-291435	010-280359	010-280360
010-280361	010-280362	010-280363	010-280364	010-280365	010-280366
010-280367	010-280368	010-280369	010-280370	010-280371	010-280372
010-280373	010-280374	010-280375	010-280376	010-280377	010-280378
010-280379	010-280380	010-280381	010-280382	010-280383	010-280384
010-280385	010-280385	010-280386	010-280387	010-280388	010-280389
010-280390	010-280391	010-280392	010-280393	010-280394	010-280395
010-280396	010-280397	010-280398	010-280399	010-280400	010-280401
010-280402	010-280403	010-283125	010-283126	010-283127	010-283128
010-283129	010-283130	010-283131	010-283132	010-283133	010-283134
010-283135					

SUPPLEMENTAL LIST OF PROPERTY OWNERS

CV12-060
732 N 4th Street

Jeffrey New Day LLC
c/o Donald Plank
Plank Law Firm
145 East Rich Street, FL 3
Columbus, OH 43215

Buckeye Community Bank
105 Sheffield Center
Lorain, OH 44055

Jeffrey Loft 1 LLC
1105 Schrock Road, Suite 602
Columbus, OH 43229

Michael J. Gorman
Anne L. Gorman
360 Edgington Drive
Plain City, OH 43064

Julie A. Wood
Terry D. Chute
794 North 4th Street
Columbus, OH 43215

Michael P. Farrell
5265 Lambert Road
Grove City, OH 43123

Judy Doll
802 North 4th Street
Columbus, OH 43215

Jeffrey T. Darbee
Nancy A. Recchie
393 Library Park S
Columbus, OH 43215

810 North Fourth Street LLC
360 Edgington Drive
Plain City, OH 43064

Schmidt-Sinns UDO
814 North 4th Street
Columbus, OH 43215

Charles D. Goodlad
17 W 3rd Avenue, Apt. 201
Columbus, OH 43201

Brian Warner
822 North 4th Street
Columbus, OH 43215

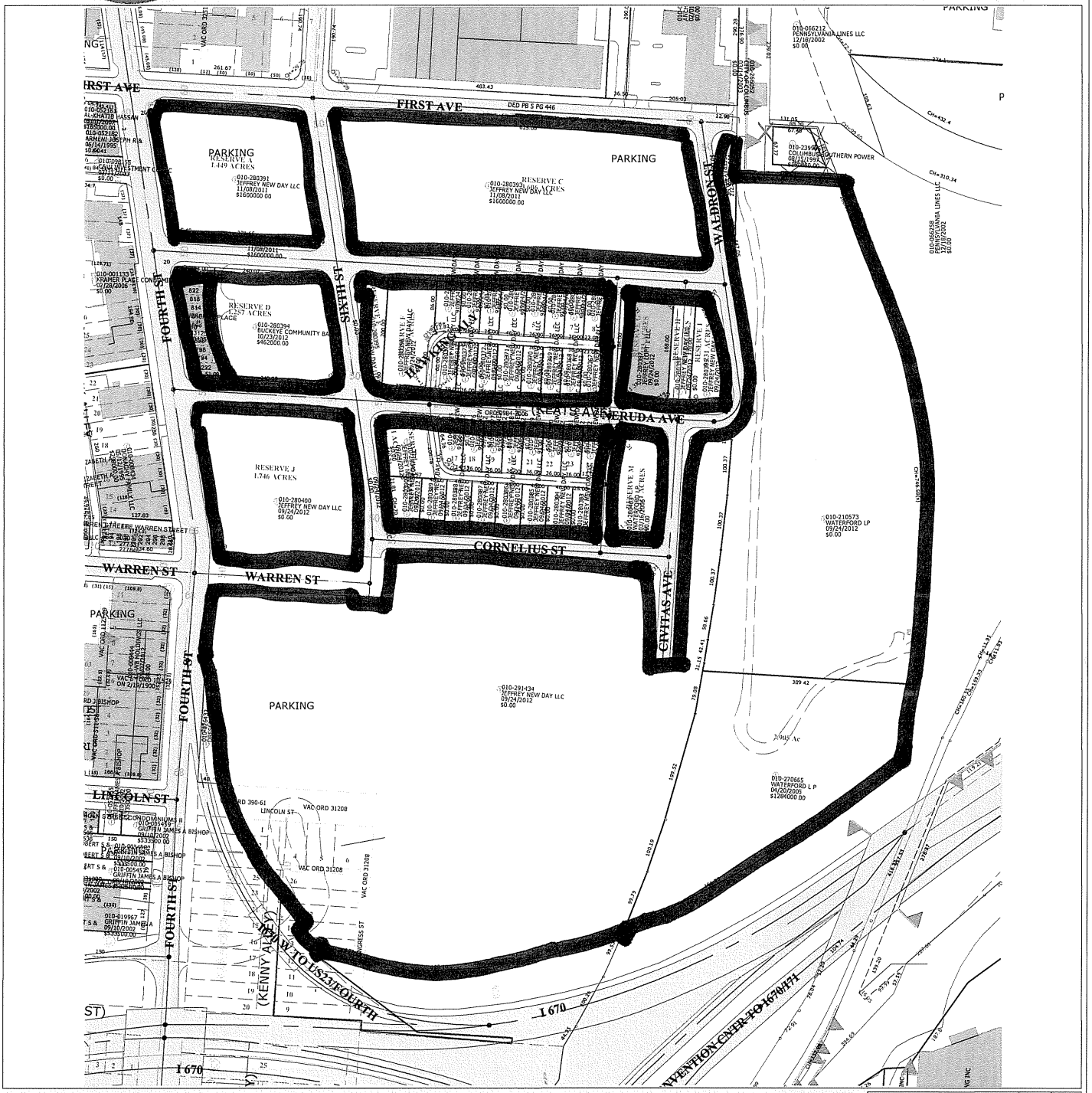
Dahlia S. Shtayeh
826 North 4th Street
Columbus, OH 43215

Ioanios P. Caruso
Evangelos P. Caruso
221 Auden Street
Columbus, OH 43215

Waterford LP
PO Box 10660
Columbus, OH 43201

CLARENCE E MINGO II
FRANKLIN COUNTY AUDITOR

MAP ID: dbp **DATE: 11/27/12**



Scale = 267

Grid North

Disclaimer

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

N

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

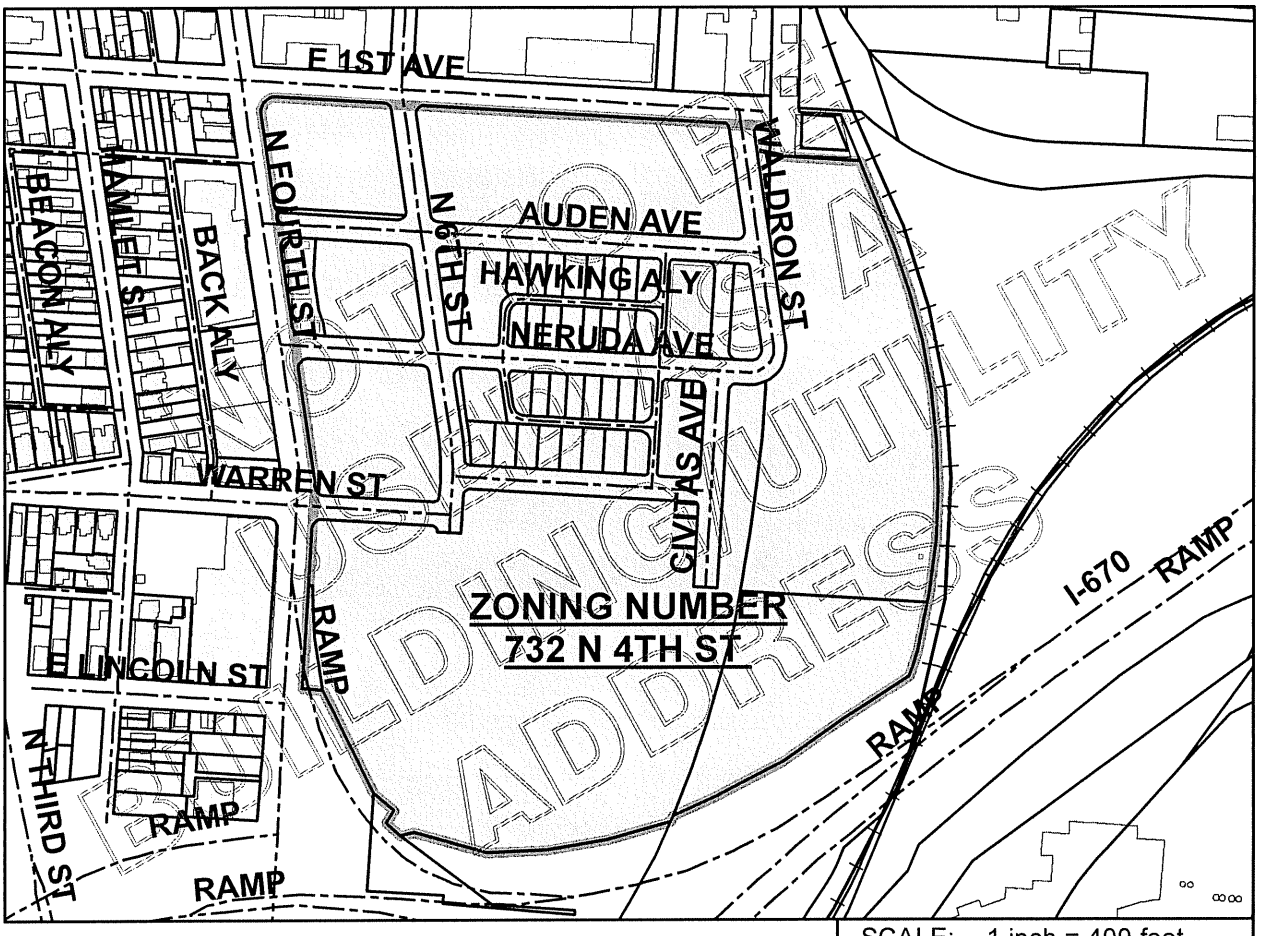
Parcel ID: 010291434 + 59 OTHERS

Zoning Number: 732 **Street Name: N 4TH ST**

Lot Number: N/A **SUBDIVISION: N/A**

Requested By: DAVE PERRY CO., Inc (DAVE PERRY)

Issued By: Adyana Ansarian **Date: 11/27/2012**



SCALE: 1 inch = 400 feet

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

GIS FILE NUMBER: 11786

Mayor Michael B. Coleman

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

AFFIDAVIT

(See next page for instructions)

APPLICATION # CV12-060

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 732 N 4th Street
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)** 12/4/12
(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME AND MAILING ADDRESS

(4) Jeffrey New Day LLC c/o Donald Plank
Plank Law Firm
145 E. Rich Street, Fl 3
Columbus, OH 43215

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

Jeffrey New Day LLC c/o Donald Plank
(614) 947-8600

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

(5) Italian Village Commission c/o Randy Black
Historic Preservation Office, City of Columbus
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 30th day of NOVEMBER, in the year 2012

SIGNATURE OF NOTARY PUBLIC **(8)** Barbara A. Painter

My Commission Expires: AUGUST 3, 2015

Notary Seal Here

NOTARIAL SEAL STATE OF OHIO

BARBARA A. PAINTER
Notary Public, State of Ohio
My Commission Expires AUGUST 3, 2015

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Please make all checks payable to the Columbus City Treasurer

SUPPLEMENTAL LIST OF PROPERTY OWNERS

CV12-060
732 N 4th Street

Jeffrey New Day LLC
c/o Donald Plank
Plank Law Firm
145 East Rich Street, FL 3
Columbus, OH 43215

Buckeye Community Bank
105 Sheffield Center
Lorain, OH 44055

Jeffrey Loft 1 LLC
1105 Schrock Road, Suite 602
Columbus, OH 43229

Michael J. Gorman
Anne L. Gorman
360 Edgington Drive
Plain City, OH 43064

Julie A. Wood
Terry D. Chute
794 North 4th Street
Columbus, OH 43215

Michael P. Farrell
5265 Lambert Road
Grove City, OH 43123

Judy Doll
802 North 4th Street
Columbus, OH 43215

Jeffrey T. Darbee
Nancy A. Recchie
393 Library Park S
Columbus, OH 43215

810 North Fourth Street LLC
360 Edgington Drive
Plain City, OH 43064

Schmidt-Sinns UDO
814 North 4th Street
Columbus, OH 43215

Charles D. Goodlad
17 W 3rd Avenue, Apt. 201
Columbus, OH 43201

Brian Warner
822 North 4th Street
Columbus, OH 43215

Dahlia S. Shtayeh
826 North 4th Street
Columbus, OH 43215

Ioanios P. Caruso
Evangelos P. Caruso
221 Auden Street
Columbus, OH 43215

Waterford LP
PO Box 10660
Columbus, OH 43201

EXHIBIT A, Public Notice
732 N. 4th Street
CV12- 060
November 30, 2012

APPLICANT

Jeffrey New Day LLC
c/o Donald Plank, Plank Law Firm
145 East Rich Street, 3rd Floor
Columbus, OH 43215

PROPERTY OWNER

Jeffrey New Day LLC
c/o Donald Plank, Plank Law Firm
145 East Rich Street, 3rd Floor
Columbus, OH 43215

ATTORNEY

Donald Plank, Plank Law Firm
145 East Rich Street, 3rd Floor
Columbus, OH 43215

ADDITIONAL PROPERTY OWNERS

Buckeye Community Bank
105 Sheffield Center
Lorain, OH 44055

Jeffrey Loft 1 LLC
1105 Schrock Road, Suite 602
Columbus, OH 43229

Michael J. Gorman
Anne L. Gorman
360 Edgington Drive
Plain City, Ohio 43064

Charles D. Goodlad
17 West 3rd Avenue, Apt 201
Columbus, Ohio 43201

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Evangelos P. Caruso
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Columbus, OH 43215

Schmidt-Sinns UDO
814 North 4th Street
Columbus, OH 43215

Dahlia S. Shtayyeh
826 North Fourth Street
Columbus, Ohio 43215

COMMUNITY GROUP

Italian Village Commission
c/o Mr. Randy Black
Historic Preservation Office
109 North Front Street
Columbus, OH 43205

Italian Village Commission
c/o Ms. Connie Torbeck
Historic Preservation Office
109 North Front Street
Columbus, OH 43207 15

PROPERTY OWNERS WITHIN 125 FEET

Joseph E. Blankenship
Alice M. Blankenship
5113 Country Place Lane
Plain City, Ohio 43064

Joseph R. Armeni
Amelia A. Salerno
C/o New Victorians Inc
455 West 3rd Avenue
Columbus, Ohio 43201

C&W Investment Co LLC
92 West 5th Avenue
Columbus, Ohio 43201

Pennsylvania Lines LLC
C/o Norfolk Southern Railway
Tax Department
110 Franklin Road SE
Roanoke, VA 24042

Anchor Government Properties III LLC
150 East Broad Street, Suite 310
Columbus, Ohio 43215

Columbus Southern Power Co.
Tax Dept. 27th Floor
PO Bo 16428
Columbus, Ohio 43216-6428

Columbus & Ohio River Railroad Co.
47849 Papermill Road, Suite 300
Coshocton, Ohio 43812

Anchor Government Properties I LLC
150 East Broad Street, Suite 310
Columbus, Ohio 43215

City of Columbus
Real Estate Management
90 West Broad Street, Room 425
Columbus, Ohio 43215

Amanda J Leuenberger
202 Warren Street
Columbus, Ohio 43215

David M. Dilks
204 Warren Street
Columbus, Ohio 43215

Ryan J. Seeling
206 Warren Street
Columbus, Ohio 43215

Brandon J. Salamone
208 Warren Street
Columbus, Ohio 43215

Adam E. Yates
210 Warren Street
Columbus, Ohio 42215

Donaghy Family LLC
C/o Columbus Electrical Works
777 North 4th Street
Columbus, Ohio 43215

Kramer Place Condominiums LLC
720 East Broad Street, Suite 200
Columbus, Ohio 43215

LS-WB Holding LLC
1020 Dennison Avenue, Suite 102
Columbus, Ohio 43201

Hassan Al-Khatib
851 North Fourth Street
Columbus, Ohio 43215

Dresser Industries Inc.
C/o Abbott Laboratories
Tax Div D367-AP6AD
100 Abbott Park Road
Abbott Park, IL 60064

ALSO NOTIFY

David B. Perry
David Perry Co., Inc.
145 East Rich Street, 3rd Floor
Columbus, OH 43215

Mark Wagenbrenner
Wagenbrenner Co.
575 West First Avenue, Suite 100
Columbus, OH 43215

Eric Wagenbrenner
Wagenbrenner Co.
575 West First Avenue, Suite 100
Columbus, OH 43215

Rob Harris
Wagenbrenner Co.
575 West First Avenue, Suite 100
Columbus, OH 43215

Joe Williams
Wagenbrenner Co.
575 West First Avenue, Suite 100
Columbus, OH 43215

Brian Barrett
Wagenbrenner Co.
575 West First Avenue, Suite 100
Columbus, OH 43215

Jeffrey New Day LLC
575 West First Avenue, Suite 100
Columbus, OH 43215

Mayor Michael B. Coleman

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

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 # CV12-060

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] Donald Plank

Of [COMPLETE ADDRESS] Plank Law Firm, 145 East Rich Street, Fl 3, 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 in the following formats

Name of business or individual
Business or individual's address
Address of corporate headquarters
City, Sate, Zip
Number of Columbus based employees
Contact name and number

1. Jeffrey New Day LLC 575 West First Avenue, Suite 100 Columbus, OH 43215 # of Columbus based employees: 0 Contact: Mark Wagenbrenner, (614) 545-9247	2. Buckeye Community Bank 105 Sheffield Center Lorain, OH 44055 # of Columbus based employees: 0 Contact: (440) 233-8800
3. Jeffrey Loft 1 LLC 1105 Schrock Road, Suite 602 Columbus, OH 43229 # of Columbus based employees: 0 Contact: Danny Schmidt, (614) 306-3505	4. ---

☐ *Check here if listing additional parties on a separate page.*

SIGNATURE OF AFFIANT Donald Plank

Subscribed to me in my presence and before me this 30th day of NOVEMBER, in the year 2012

SIGNATURE OF NOTARY PUBLIC Barbara A. Painter

My Commission Expires: AUGUST 3, 2015

Notary Seal Here

NOTARIAL SEAL STATE OF OHIO

BARBARA A. PAINTER
Notary Public, State of Ohio
My Commission Expires AUGUST 3, 2015

This Project Disclosure Statement expires six months after date of notarization.

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

Revised 05/9/12

Legal Description
CV12-060
732 N 4th Street
12/4/12

Situated in the City of Columbus, County of Franklin and State of Ohio, and known as being Reserves A, B, C, D, E, F, G, H, I, J, K, L, M and Lots 1 – 32, all inclusive in Jeffrey Place, Section 1, as the same is numbered and delineated upon the recorded plat of said Section 1, of record in Plat Book 109, Pages 3 and 4, in the Recorder's Office of Franklin County, Ohio,

AND THE FOLLOWING:

ZONING DESCRIPTION
0.178 ACRE

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 4, Township 5, Range 22, United States Military Lands, being all of Hawking Alley, as depicted in that subdivision entitled "Jeffrey Place Section 1", of record in Plat Book 109, Page 3, as vacated in Ordinance Number _____ (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

BEGINNING in the northerly right-of-way line of Neruda Avenue (formerly Keats Avenue), of record in Plat Book 109, Page 3, at the southeasterly terminus of said Hawking Alley;

thence North 86°35'08" West, with the northerly right-of-way line of said Neruda Avenue, the southerly terminus of said Hawking Alley, a distance of 34.00 feet to a point on the arc of a curve;

thence with the perimeter of said vacated Hawking Alley, the following courses and distances:

with the arc of a curve to the left, having a radius of 8.00 feet, a central angle of 90°00'00", an arc length of 12.57 feet and a chord bearing and distance of North 48°24'52" East, 11.31 feet to a point;

North 03°24'52" East, a distance of 74.00 feet to a point of curvature;

with the arc of a curve to the right, having a radius of 27.00 feet, a central angle of 90°00'00", an arc length of 42.41 feet and a chord bearing and distance of North 48°24'52" East, 38.18 feet to a point;

South 86°35'08" East, a distance of 277.00 feet to a point of curvature;

with the arc of a curve to the left, having a radius of 23.00 feet, a central angle of 90°00'00", an arc length of 36.13 feet and a chord bearing and distance of North 48°24'52" East, 32.53 feet to a point in the westerly right-of-way line of Dyson Alley, of record in Plat Book 109, Page 3;

thence South 03°24'52" West, with the westerly right-of-way line of said Dyson Alley, the easterly terminus of said vacated Hawking Alley, a distance of 64.00 feet to a point;

thence with the perimeter of said vacated Hawking Alley, the following courses and distances:

with the arc of a curve to the left, having a radius of 23.00 feet, a central angle of 90°00'00", an arc length of 36.13 feet and a chord bearing and distance of North 41°35'08" West, 32.53 feet to a point;

North 86°35'08" West, a distance of 263.00 feet to a point of curvature;

with the arc of a curve to the left, having a radius of 23.00 feet, a central angle of 90°00'00", an arc length of 36.13 feet and a chord bearing and distance of South 48°24'52" West, 32.53 feet to a point;

thence South 03°24'52" West, a distance of 60.00 feet to a point of curvature;

with the arc of a curve to the left, having a radius of 8.00 feet, a central angle of 90°00'00", an arc length of 12.57 feet and a chord bearing and distance of South 41°35'08" East, 11.31 feet to the POINT OF BEGINNING, containing 0.178 acre of land, more or less.

The above description was prepared from record documents and is to be used only for zoning purposes.

AND THE FOLLOWING:

ZONING DESCRIPTION
0.170 ACRE

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 4, Township 5, Range 22, United States Military Lands, being all of Rialto Alley, as depicted in that subdivision entitled "Jeffrey Place Section 1", of record in Plat Book 109, Page 3, as vacated in Ordinance Number _____ (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

BEGINNING in the southerly right-of-way line of Neruda Avenue (formerly Keats Avenue), of record in Plat Book 109, Page 3, at the southeasterly terminus of said Rialto Alley;

thence South 86°35'08" East, with the southerly right-of-way line of said Neruda Avenue, the northerly terminus of said vacated Rialto Alley, a distance of 34.72 feet to a point;

thence with the perimeter of said vacated Rialto Avenue, the following courses and distances:

with the arc of a curve to the left, having a radius of 8.00 feet, a central angle of 101°39'51", an arc length of 14.19 feet and a chord bearing and distance of South 42°34'56" West, 12.40 feet to a point;

South 08°14'59" East, a distance of 64.36 feet to a point of curvature;

with the arc of a curve to the left, having a radius of 23.00 feet, a central angle of 78°20'09", an arc length of 31.45 feet and a chord bearing and distance of South 47°25'04" East, 29.05 feet to a point;

South 86°35'08" East, a distance of 243.13 feet to a point of curvature;

with the arc of a curve to the left, having a radius of 23.00 feet, a central angle of 90°00'00", an arc length of 36.13 feet and a chord bearing and distance of North 48°24'52" East, 32.53 feet to a point in the westerly right-of-way line of Dyson Alley, of record in Plat Book 109, Page 3;

thence South 03°24'52" West, with the westerly right-of-way line of said Dyson Alley, the easterly terminus of said Rialto Alley, a distance of 64.00 feet to a point;

thence with the perimeter of said vacated Rialto Alley, the following courses and distances:

with the arc of a curve to the left, having a radius of 23.00 feet, a central angle of 90°00'00", an arc length of 36.13 feet and a chord bearing and distance of North 41°35'08" West, 32.53 feet to a point;

North 86°35'08" West, a distance of 276.53 feet to a point;

North 08°14'59" West, a distance of 104.78 feet to a point of curvature;

with the arc of a curve to the left, having a radius of 8.00 feet, a central angle of 78°20'09", an arc length of 10.94 feet and a chord bearing and distance of North 47°25'04" West, 10.11 feet to the POINT OF BEGINNING, containing 0.170 acre of land, more or less.

The above description was prepared from record documents and is to be used only for zoning purposes.

AND THE FOLLOWING:

ZONING DESCRIPTION
0.340 ACRE

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 4, Township 5, Range 22, United States Military Lands, being part of Waldron Street, as depicted in that subdivision entitled "Jeffrey Place Section 1", of record in Plat Book 109, Page 3, as vacated in Ordinance Number _____ (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

BEGINNING at the intersection of the westerly line of Waldron Street with the extension of the southerly right-of-way line of Auden Avenue, of record in Plat Book 109, Page 3;

thence with the westerly and southerly right-of-way line of said Waldron Street, the following courses and distances:

South 08°18'05" East, a distance of 166.86 feet to a point of curvature;

with the arc of a curve to the right, having a radius of 72.00 feet, a central angle of 101°42'57", an arc length of 127.82 feet and a chord bearing and distance of South 42°33'23" West, 111.68 feet to a point;

North 86°35'08" West, a distance of 27.10 feet to a point of curvature; and

with the arc of a curve to the left, having a radius of 13.00 feet, a central angle of 90°00'00", an arc length of 20.42 feet and a chord bearing and distance of South 48°24'52" West, 18.38 feet to a point in the westerly right-of-way line of Civitas Avenue, of record in Plat Book 109, Page 3;

thence North 03°24'52" East, with the easterly right-of-way line of said Civitas Avenue extended, the westerly terminus of said vacated Waldron Street, a distance of 63.00 feet to a point in the southerly line of Reserve "H", of record in said "Jeffrey Place Section 1";

thence South 86°35'08" East, partly with the southerly line of said Reserve "H" and with the southerly line of Reserve "I" of said "Jeffrey Place Section 1", a distance of 40.10 feet to a point of curvature;

thence continuing with the southerly line of said Reserve "I", with the arc of a curve to the left, having a radius of 22.00 feet, a central angle of 101°42'57", an arc length of 39.06 feet and a chord bearing and distance of North 42°33'23" East, 34.13 feet to a point;

thence North 08°18'05" West, with the easterly line of said Reserve "I", the westerly right-of-way line of said vacated Waldron Street, a distance of 172.34 feet to a point of curvature;

thence continuing with the easterly line of said Reserve "I", the westerly right-of-way line of said vacated Waldron Street, with the arc of a curve to the left, having a radius of 6.00 feet, a central angle of 78°17'03", an arc length of 8.20 feet and a chord that bearing and distance of North 47°26'37" West, 7.57 feet to a point in the southerly right-of-way line of said Auden Avenue;

thence South 86°35'08" East, with the southerly right-of-way line of said Auden Avenue extended, the northerly terminus of said vacated Waldron Street, a distance of 55.95 feet to the POINT OF BEGINNING, containing 0.340 acre of land, more or less.

The above description was prepared from record documents and is to be used only for zoning purposes.

AND THE FOLLOWING:

Situated in the State of Ohio, County of Franklin, City of Columbus, Sections 4 and 9, Township 5, Range 22, Refugee Lands, being part of that tract of land conveyed to Waterford Limited Partnership by deed of record in Instrument Number 200011020222452 and part of that tract of land conveyed to Pennsylvania Railroad Holding Company by deed of record in Official Record 33954D19 (all references being to the records of the Recorder's Office, Franklin County, Ohio) and more particularly bounded and described as follows:

Beginning, for reference, at the northwesterly corner of that tract conveyed to the City of Columbus, Ohio by deed of record in Deed Book 2256, Page 474 in the southerly right-of-way line of East First Avenue;

thence South 08° 14' 59" East, with the easterly right-of-way line of North Fourth Street, a distance of 558.84 feet to the True Point of Beginning for this description;

thence crossing said Pennsylvania Railroad Holding Company and said Waterford Limited Partnership tracts, the following courses and distances:

South 86° 17' 08" East, a distance of 271.12 feet to a point;

South 08° 19' 52" East, a distance of 113.87 feet to a point;

South 86° 17' 08" East, a distance of 465.89 feet to a point;

South 03° 28' 09" West, a distance of 40.00 feet to a point;

South 86° 17' 08" East, a distance of 140.09 feet to a point;

North 03° 25' 49" East, a distance of 151.37 feet to a point; and

South 86° 17' 08" East, a distance of 428.08 feet to a point in the westerly line of that tract conveyed to Consolidated Rail Corporation by deed of record in Deed Book 3714, Page 1;

thence, with said westerly line, and with the arc of a curve to the right, (Delta = 22° 28' 04, Radius = 1390.00 feet) a chord bearing and distance of South 04° 06' 57" West, 541.58 feet to a point;;

thence South 19° 04' 52" West, with said westerly line, a distance of 29.87 feet to a point in the northerly right-of-way line of I-670;

thence with said northerly right-of-way line the following courses and distances:

South 57° 05' 47" West, a distance of 162.07 feet to a point;

South 54° 57' 08" West, a distance of 155.00 feet to a point;

South 62° 04' 39" West, a distance of 161.25 feet to a point;

South 24° 16' 43" West, a distance of 9.37 feet to a point;

South 74° 27' 12" West, a distance of 132.73 feet to a point;

South 80° 13' 39" West, a distance of 127.71 feet to a point;

South 87° 23' 14" West, a distance of 125.10 feet to a point;

North 74° 13' 31" West, a distance of 157.09 feet to a point;

South 77° 16' 27" West, a distance of 34.91 feet to a point;

North 48° 28' 27" West, a distance of 34.45 feet to a point;

North 28° 07' 31" East, a distance of 33.32 feet to a point;

North 54° 07' 01" West, a distance of 54.60 feet to a point;

North 26° 22' 45" West, a distance of 238.61 feet to a point;

North 10° 01' 02" West, a distance of 110.69 feet to a point;

North 03° 53' 03" West, a distance of 107.89 feet to a point; and

North 86° 30' 37" West, a distance of 8.00 feet to a point in the easterly right-of-way line of Fourth Street;

thence North 03° 34' 09" East, with said easterly right-of-way line, a distance of 217.55 feet to a point;

thence North 08° 14' 59" West, with said easterly right-of-way line, a distance of 251.52 feet to the True Point of Beginning, containing 23.3 acres of land, more or less.

12/3/12

Mayor Michael B. Coleman

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

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 Plank Date 11/30/2012

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

732 NORTH FOURTH STREET

CV12- 060

The site for this variance is 36.5 ± acres generally located in the southeast quadrant of East First Avenue and North Fourth Street and abutting Interstate 670 on the south. Existing zoning on all of the property is M, Manufacturing. Current zoning permits all uses of the C-1, Commercial - C-5, Commercial districts, except residential use aspects of the commercial districts, and all manufacturing district uses. All buildings have been removed from the site by previous property owners. This site is located immediately north of Downtown Columbus and is part of the Italian Village neighborhood (Italian Village Commission). Exciting urban development opportunities exist with this premier site. By Ordinance 0284-01, passed February 26, 2001 (CV00-058) and Ordinance 1023-02, passed July 8, 2002 (CV02-035), variances were passed for the then 42 +/- acre site to permit residential uses. A plat (Jeffrey Place, Section 1, PB 109, PG 3-4) was recorded 3/16/2006, thereby dedicating the public streets and alleys that are present today. Small areas of the site have been developed, but most of the site remains undeveloped.

By this application, applicant proposes to consolidate the two (2) previous variance ordinances and modify certain development standards to proceed as soon as possible with certain residential components of the development. Applicant anticipates a multi-year build-out of the site, with residential components to be under construction in 2013 to stabilize and anchor the site.

A hardship exists in that there is no single zoning district or action with the present tools of the Columbus Zoning Code, that will permit this development. There is no zoning district that can permit the mixed-use development proposed for this site, nor can rezoning, given the multi-year build-out and outstanding issue with relocation of the I-670 ramp, address in a timely manner the zoning needs of this highly desirable development and investment in the City of Columbus.

By this variance application, applicant proposes the following variances, all of which are presently permitted by the two (2) existing ordinances. Applicant proposes to increase the total number of dwelling units permitted, modify the required lot area for townhouse for sale developments and to permit dwelling units without public street frontage, as there will be some use of private streets. The plan titled: "Jeffrey Park Master Plan – Development Area Plan" dated _____ is submitted with this application to depict the general street/development plan for the site.

1) 3363.01, M, Manufacturing Districts, which Section does not permit residential use other than a night watchman's quarters nor public or private parkland/open space, while applicant proposes up to 1,500 dwelling units in Jeffrey Park, which dwelling units may consist of various styles and forms of residential use, including detached and attached single- family dwellings, two-family, three-family, four- family, multi-family, condominium and fee simple townhouse development, with multiple attached dwelling units with property lines corresponding to common party walls, all of which may include residential uses on the ground level, above commercial uses and exclusive residential use, in any combination, separately or together, on separate parcels or mixed with one or more forms of residential use on the same parcel and permit public and/or private parkland/open space.

2) 3363.24, Building Lines in an M, Manufacturing District, to reduce the required building setback line on East First Avenue from 25 feet to a minimum of 5 feet, to reduce the required setback on all existing public streets to 5 feet, to reduce the required building setback line from Interstate 670 from 25 feet to 5 feet and to reduce the minimum building setback on future streets (public or private) from 25 feet to 5 feet.

3) 3312.27, Parking Setback line, which Section requires a minimum ten (10) foot parking setback from public streets, while a 5 foot parking setback is proposed for all street frontages (public and private).

4) 3312.09, Aisle, which Section requires various dimensional standards for that must individually be met on each property/parcel, thereby encouraging greater pavement coverage, while applicant proposes applicable variances from aisle standards to permit the sharing of aisles, subject to the total aisle meeting minimum required dimensions.

5) 3312.13, Driveway, which Section requires various dimensional standards for driveways that must individually be met on each property/parcel, thereby encouraging greater pavement coverage, while applicant proposes applicable variances from driveway standards to permit the sharing of driveways, subject to the total driveway width meeting minimum required dimensions.

6) 3312.25, Maneuvering, which Section requires various dimensional standards for maneuvering area related to parking spaces and loading spaces that must individually be met on each property/parcel, thereby encouraging greater pavement coverage, while applicant proposes applicable variances from maneuvering dimensional standards to permit the sharing of maneuvering area subject to the total maneuvering area meeting minimum required dimensions.

7) 3312.29, Minimum Number of Parking Spaces Required, which Section requires parking at designated rates and ratios which reflect suburban design standards, assume that all uses function independently for parking purposes and fail to incorporate on-street parking and parking structures off-site of a given use, while applicant proposes a 50% reduction in code required on-site parking for every use.

8) 3312.51, Loading Space, which Section requires loading spaces to occur on the same lot as the use they are intended to serve and establishes various dimensional requirements, while applicant proposes loading spaces, if applicable, to be shared and thereby not occur on the same lot as they use they are intended to serve and to vary all dimensional requirements, subject to the approval of a proposed loading space by the Public Service Department/Transportation Division.

9) 3321.05, Vision Clearance, to reduce the required vision clearance triangle in all applicable instances to 5 feet.

A. PERMITTED USES:

1) Permitted uses shall be up to 1,500 dwelling units in Jeffrey Park, which dwelling units may consist of various styles and forms of residential use, including detached and attached single- family dwellings, two-family, three-family, four- family, multi-family, condominium and fee simple townhouse development, with multiple attached dwelling units with property lines corresponding to common party walls, all of which may include residential uses on the ground level, above commercial uses and exclusive residential use, in any combination, separately or together, on separate parcels or mixed with one or more forms of residential use on the same parcel, public and/or private parkland/open space and all uses of Chapter 3355, Community Scale Commercial Development, Section 3355.02, C-4, Commercial District, except the following:

automobile/truck sales, new or used, leasing, repair and/or maintenance
billboards
bus or truck terminal, other than public or mass transit terminal facilities
cabaret
funeral home
night club
off-premise graphics, except for off-premise graphics which are approved as part of a graphics plan or Special Permit by the Graphics Commission
pool hall
private club

2) Any communication, telecommunications, fiber optic, wire or wireless signal receiving and/or transmitting facility (s), manned or unmanned, that may be classified as a use of the M, Manufacturing District by virtue of size, method of sales or distribution or other operating characteristics, including storage and other incidental and related operating characteristics.

B. C-5, COMMERCIAL DISTRICT USES:

While the uses of the C-5, Commercial District are not permitted by the permitted uses section (A. Permitted Uses), applicant wishes to further state that no use of the C-5, Commercial District is permitted.

C. PROHIBITED ACCESSORY USE:

No permitted use shall include any pick-up window, drive-thru lane or other design element intended or designed to provide services or products to customers in a motor vehicle.

D. DEVELOPMENT STANDARDS: Except as specified in Section 3 of this ordinance, the applicable development standards shall be as specified in the C-4, Commercial District.

1. Density, Height, Lot and/or Setback Commitments.

a. Density: A maximum of 1,500 dwelling units shall be permitted within the 36.5 +/- acre site. See 8. Residential Yard and Area Requirements.

b. Building Setback:

1. Buildings within the area of the site that is within the Italian Village Urban Commercial Overlay (UCO) shall comply with setbacks established by the UCO, unless specifically modified by the Italian Village Commission (IVC), in which case the approval of the IVC shall govern.
2. East First Avenue and all other public streets: Buildings shall be setback a minimum of five (5) feet for residential use buildings and zero (0) feet for commercial and mixed use buildings and a maximum of fifteen (15) feet

3. Where pedestrian plazas or public or private open space are proposed, the maximum building setback established in **D. 1. c**.1. and **D.1. c**.2. above shall not apply, to permit the creation of plaza and open space areas. Private open space shall include areas for outside seating associated with a restaurant.

c. Parking Setback:

1. The minimum parking and pavement setback, other than driveways from curb cuts, shall be five (5) feet from all public streets. Driveways shall be designed to cross the parking setback as directly as possible to minimize pavement in the parking setback.

2. There shall be a minimum pavement setback of two (2) feet from interior property lines other than public streets. Property lines that are internal to a parking lot crossing all or part of two (2) or more parcels shall not be subject to internal property line parking setback nor shall there be any required parking setback from property lines abutting an alley.

3. All parking lots shall be located to the side or rear of a building and, if located to the side, shall not be in advance of the front wall of any adjacent building(s) on either side of the parking lot existing at the time of construction of the parking lot.

    a. Exception to parking lot location: All parking for uses/buildings fronting North Fourth Street and East First Avenue shall be located to the rear of the primary rear wall of the building on the parcel. The primary rear wall shall be that wall which principally and primarily provides closure to the building envelope. There shall be no parking located to the side of any building or in advance of the primary rear wall of any building that fronts on North Fourth Street or East First Avenue.

2. Access, Loading, Parking and/or other Traffic Related Commitments.

a. The plan titled "Jeffrey Park Master Plan – Development Area Plan" is illustrative of proposed site vehicular access points. While this plan is not specifically binding, it illustrates proposed vehicular access points and circulation. The final design and location of all vehicular access points are subject to the approval of Division of Traffic Engineering and Parking staff.

b. There shall be no required loading spaces, as identified in Sections 3312.51, Loading Space and 3312.53, Minimum Number of Loading Spaces Required, Columbus Zoning Code. To the extent that future loading spaces are provided, their design, location, and maneuvering area (which may include maneuvering off-site and in the public right of way), shall be as specified by the City of Columbus Division of Traffic Engineering and Parking staff, with approval of maneuvering off-site and in the public right of way also requiring the approval of the Italian Village Commission. No maneuvering shall be permitted in the North Fourth Street or East First Avenue right of way.

c. Parking:

1) To provide the most efficient design and layout of parking lots serving multiple buildings and thereby minimizing unnecessary paving to meet code requirements for each driveway, aisle, parking space, number of code required spaces and each parcel to independently meet all design criteria and number of parking spaces within each parcel, parking lots may be designed without regard to property lines internal to the parking lot. Property lines may divide aisles, driveways or parking spaces, as well as loading areas. Overall driveway, aisle and parking space dimensions shall meet minimum code requirements. Easements shall be provided as applicable to insure the function and maintenance of driveways, aisles, parking spaces and loading areas.

2) For purposes of calculating code required parking, all on-site code required parking is reduced by 50% of calculated code required parking. Additional parking shall be provided off-site of individual uses through the design and use of on-street parking and/or parking structures.

3. Buffering, Landscaping, Open Space and/or Screening Commitments.

a. The parking setback areas of all public streets shall be maintained in live vegetation, other than driveway crossings, and shall include tree planting at the rate of one (1) ornamental or deciduous tree per 15 lineal feet of parking setback. The trees shall be approximately evenly spaced. These trees are in addition to the street trees required in 3.e. - below.

b. Within the parking setback, a uniform treatment to define and aesthetically treat the parking setback with architectural features and/or live plant material shall be established.

c. Parking lots shall be screened to a minimum 36 inches high, as measured from the elevation of the nearest section of the adjacent parking area, and 75% opacity along all street frontages unless otherwise screened by buildings. Screening shall be accomplished with any combination of architectural features and/or live plant material.

d. The two (2) foot interior property line pavement setback for parking lots shall be maintained in live plant material. Where the parking lot abuts property used with abutting ground floor residential uses, headlight screening consisting of live plant material or architectural features shall be provided. Headlight screening shall consist of live plant material, walls or fencing to a minimum height of 36 inches and 75% opacity. No other parking lot screening shall be required.

e. A street tree row shall be established along all public streets. The street tree row shall contain one (1) tree for every 30 feet of lineal frontage. The City Forester shall approve street trees. The trees shall be approximately evenly spaced, shall be planted within the street right of way, with

applicable City of Columbus approval, and shall be planted as close as possible to a uniform setback.

f. Tree planting shall be required within the site parking area and service areas. Tree planting shall be provided internal to parking lots at the rate of one (1) tree per ten (10) parking spaces in landscaping islands that are a minimum of five (5) feet wide.

g. The landscaping/screening requirements, as itemized in 3.a. b. c. and d. shall be in lieu of requirements of Chapter 3342, Columbus Zoning Code.

h. All trees and landscaping shall be well maintained. Weather permitting, dead plant material shall be replaced within six months.

i. The minimum size of trees at the time of planting shall be as follows: Deciduous - 2 ½ inches caliper, Ornamental - 1 ½ inches caliper, Evergreen - 6 feet.

j. All loading areas shall be screened from view from public streets, as viewed at the property line of the right of way line of an abutting public street to a minimum height of six (6) feet by either landscaping, fencing, walls or buildings used individually or in combination. There shall be no loading area screening requirement applicable to any portion of I-670 or any elevated portion of the I-670/North Fourth Street Ramp.

4. Building Design and/or Interior-Exterior Treatment Commitments.

a. Any mechanical equipment or utility hardware on the roof of a building shall be screened from view from ground level at the building by the same material utilized on the building roof or exterior. Color shall also match the building exterior or roof. Ground mounted mechanical or utility equipment shall be fully screened from view from ground level by landscaping or any fence or wall utilizing comparable and compatible materials as the building materials.

b. Building illumination shall be permitted provided such light source is concealed. No colored light other than in approved graphics shall be used to light the exterior of any building.

c. Building(s) shall be finished on all sides/elevations with the same level and quality of finish.

d. All buildings adjacent to North Fourth Street and East First Avenue shall have an entrance door and detailed facade, including windows and architectural detailing, facing these street frontages.

5. Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments.

a. All parking lot lighting shall be cut-off fixtures (down lighting), unless otherwise approved by the Italian Village Commission. There may be accent lighting (up lighting) on landscaping, in public or private plaza or park and open space areas, at building entrances and for ground signs, provided the light fixtures are screened to prevent glare. Except for decorative lighting, all parking lot light poles on a site shall be the same color. Light poles in the parking lots shall not exceed a maximum of 18 feet in height.

b. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturer's type to insure aesthetic compatibility and to insure a uniform design theme.

c. Building mounted lighting shall utilize cut-off style fixtures, unless otherwise approved by the Italian Village Commission, and be designed in such a way to minimize any light spillage offsite and to prevent glare.

d. All new or relocated utility lines shall be installed underground, unless underground location or relocation is not permitted by the applicable public utility.

6. Graphics and Signage Commitments.

a. All graphics shall conform to Article 15 of the Columbus City Code, as it applies to the C-4, Commercial District. Any variance to the applicable requirements of the C-4 district shall be submitted to the Columbus Graphics Commission.

7. Miscellaneous.

a. A concept, illustrative plan titled "Jeffrey Park Master Plan – Development Area Plan" is provided to illustrate proposed site vehicular access points and site circulation.

b. The potential exists for conflicts between the Italian Village Urban Commercial Overlay (UCO), standards contained in this ordinance and the architectural review of the Italian Village Commission, so if a conflict in development standards between the standards of the UCO and the standards contained in this ordinance, the standards of this ordinance shall take precedence and if a conflict arises between the architectural standards contained in the UCO and architectural approval (Certificate of Appropriateness) by the Italian Village Commission, approval by the Italian Village Commission and issuance of a Certificate of Appropriateness for any proposed construction will take precedence over the architectural standards contained in the UCO and the issuance of a Certificate of Appropriateness shall constitute approval under the UCO; and ;

8. Residential Yard and Area Requirements.

The following yard and area standards shall apply only to sites developed with exclusively residential uses. All standards are minimum standards.

a. Yard and Area Standards:

	Lot Area (sq. ft.)	Lot Width (feet)	Sideyard (feet)	Total Sideyard (feet)
Single Family Detached Attached (common party wall)	2,500 1,200	30' 20'/lot	3' 0' on party wall	6' 3' per lot end units
Two Family	3,000	40'	3'	6'
Multiple (>2) Fee Simple Attached Units with common party wall	1,200	20'/lot	0' on party wall	3' per lot end units
Multi-family (3 or 4 dwelling units with single building on separate lot	4,000	40'	3'	6'
Multi-family (5 or more dwelling units with separate building on separate lot)	450/dwelling unit	50'	3'	6'
Multi-family (multiple buildings on same parcel)	450/dwelling unit	50'	3' (Total of 6' between buildings)	6'

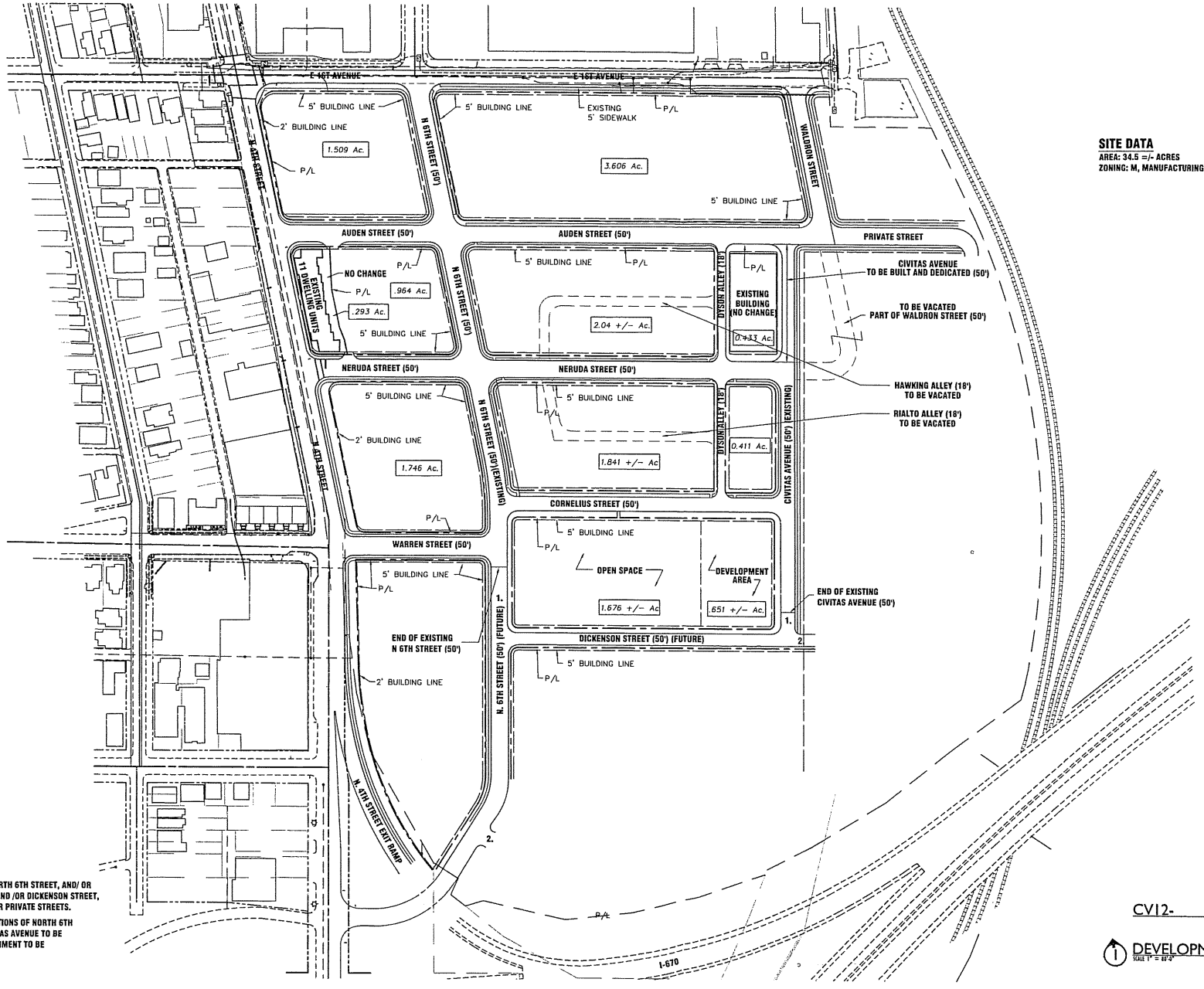
b.Rear Yard:

1.Single residential building on separate parcel – 25% of lot area behind any rear-facing plane of the building, provided a detached garage may occupy up to 60% of this minimum required rear yard area devoted to rear yard.

2.Multiple buildings on same parcel – no rear yard or perimeter yard.

c.Lot Coverage: The maximum lot coverage (building footprint only) shall be 80% of the lot area.

9.The purpose of this ordinance/text is to establish uses, use restrictions and development standards contained herein on contiguous property anticipated for development by applicant. The property will be subdivided with the dedication of public rights of way, platting of lots and other subdivision of the property that will cause parcels to be created that are a part of the area described herein. Applications for rezoning or variance may be made for any parcel or portion of the property described herein at all times in the future without restriction by this ordinance.



SITE DATA
AREA: 34.5 =/- ACRES
ZONING: M, MANUFACTURING

OF NORTH 6TH STREET, AND/ OR
NUE AND /OR DICKENSON STREET,
LIC OR PRIVATE STREETS.

NNECTIONS OF NORTH 6TH
CIVITAS AVENUE TO BE
ALIGNMENT TO BE
).

CV12-

1 DEVELOPMENT PLAN
SCALE 1" = 80'-0"

JEFFREY PARK
MASTER SITE

Seal

Drawings
Development 12.04.12

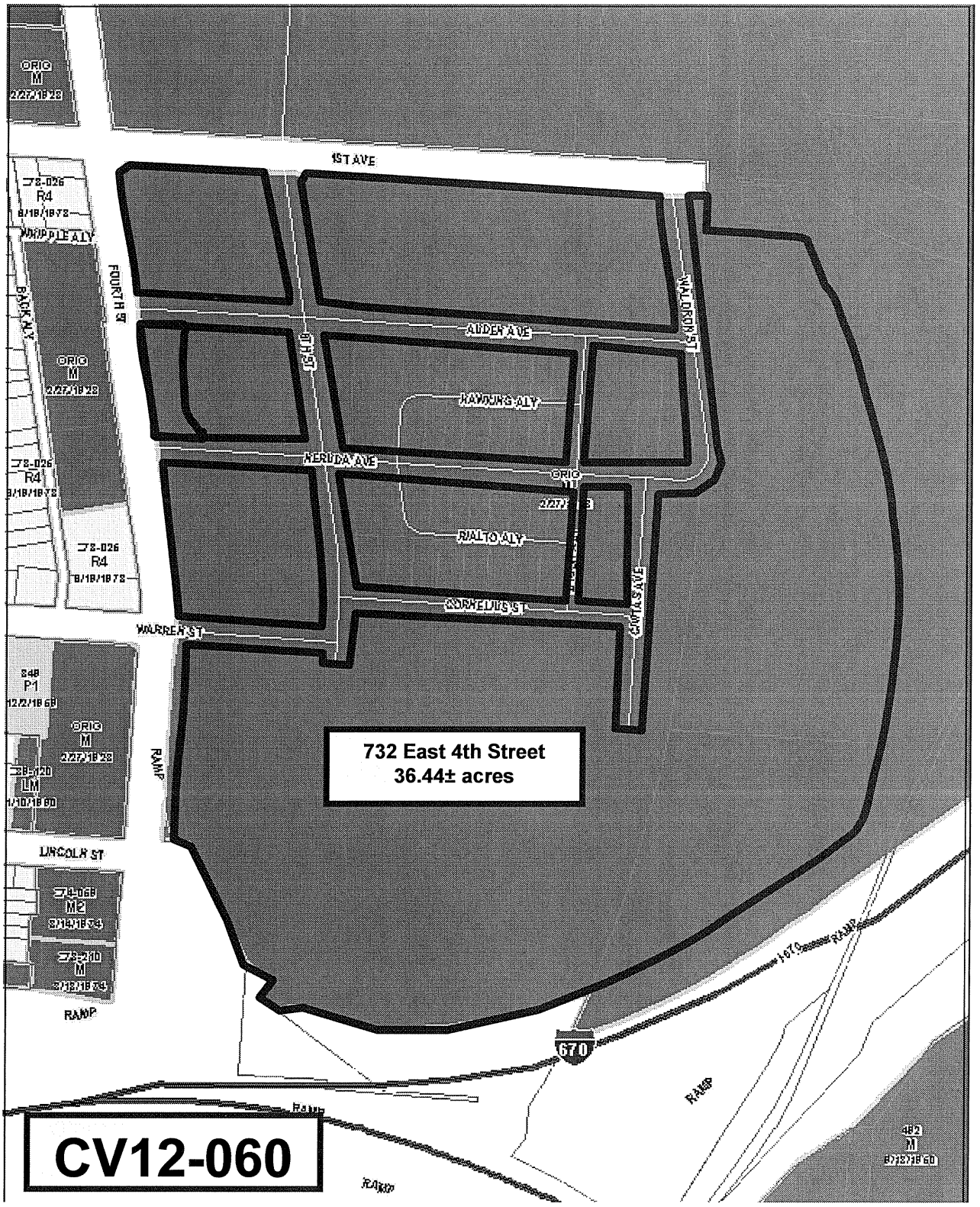
Revisions

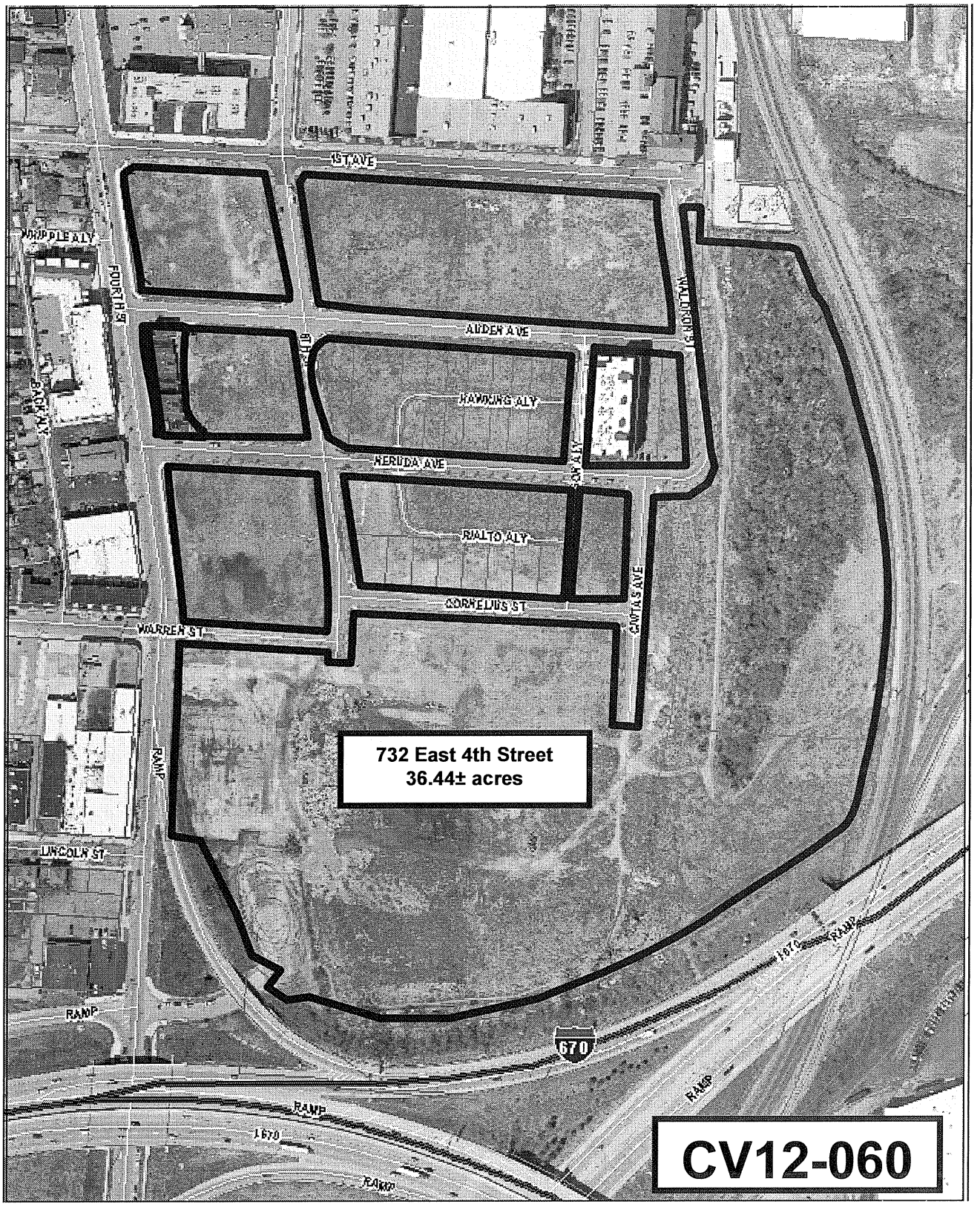
ARCHITECTURAL ALLIANCE

Project Number
A12_081

Sheet Title
SITE PLAN

Sheet Number
1.01


1ST AVE
FOURTH ST
BACK ALY
WARREN ST
ALDER AVE
MERIDA AVE
RALTO ALY
CORNELIUS ST
WALDRON ST
LINCOLN ST
RAMP
67 0
732 East 4th Street
36.44± acres
CV12-060


1ST AVE
WHIPPLE ALY
FOURTH ST
ALDEN AVE
WALDORF ST
HAWKINS ALY
KERLIN AVE
RALTO ALY
CORNELIUS ST
WARREN ST
732 East 4th Street
36.44± acres
RAMP
LINCOLN ST
670
CV12-060