



# 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](http://www.columbus.gov)

OFFICE USE ONLY

Application Number: # 13310-00000-00183

Date Received: 18 MAR. 2013

Commission/Civic: Brewery District

Existing Zoning: C-4 Application Accepted by: JF

Fee: \$1900

Comments: 5/28/13

## TYPE(S) OF ACTION REQUESTED

(Check all that apply)

☒ Variance

☐ Special Permit

Indicate what the proposal is and list applicable code sections.

SEE STATEMENT OF HARDSHIP, Exhibit B

## LOCATION

I. Certified Address Number and Street Name 550 S High Street

City Columbus

State OH

Zip 43215

Parcel Number (only one required) 010-066592

## APPLICANT: (IF DIFFERENT FROM OWNER)

Name Two Caterers 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 Murphy Company c/o Richard J. Murphy

Address 455 W Broad Street City/State Columbus, OH Zip 43215

Phone # 614-221-7731 Fax # 614-221-6991 Email rmurphy@murphycompany.com

☐ Check here if listing additional property owners on a separate page.

## ATTORNEY/AGENT (CHECK ONE IF APPLICABLE)

☒ Attorney ☐ Agent

See Attached Supplemental Attorney List

Name 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

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

APPLICANT SIGNATURE Donald Plank

PROPERTY OWNER SIGNATURE The Murphy Company, By Richard J. Murphy, Treasurer

ATTORNEY/AGENT SIGNATURE Donald Plank

For Applicant

**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



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## AFFIDAVIT

13310-00183

550 S. High St.

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME DONALD PLANK  
of (1) MAILING ADDRESS Plank Law Firm, 145 E 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 for applicant  
(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) Murphy Company c/o Richard J. Murphy  
455 West Broad Street  
Columbus, OH 43215

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

Two Caterers c/o Donald Plank  
Plank Law Firm, 614-947-8600

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

(5) Brewery District Commission  
c/o James Goodman  
Historic Preservation Office  
109 North Front Street  
Columbus, OH 43215

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 EXHIBIT A

☐ (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 18th day of MARCH, in the year 2013

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

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550 South High Street  
V13- \_\_\_\_\_

**ATTORNEYS**

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**Attorney for Applicant:**

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

(614) 947-8600  
[dplank@planklaw.com](mailto:dplank@planklaw.com)

**Attorney for Property Owner:**

Joseph E. Ryan, Jr., Esq.  
Ryan Law Office  
2610 Andover Rd.  
Columbus, OH 43221  
614-488-4880

[jryan486@wowway.com](mailto:jryan486@wowway.com)

**13310-00183**  
**550 S. High St.**

**EXHIBIT A, Public Notice**  
**550 South High Street**  
**V13-\_\_\_\_\_**

**March 14, 2013**

**APPLICANT**

Two Caterers c/o Donald Plank  
Plank Law Firm  
145 E Rich Street, FL 3  
Columbus, OH 43216

**PROPERTY OWNER**

Murphy Company  
c/o Richard J. Murphy  
455 West Broad Street  
Columbus, OH 43215

**ATTORNEY FOR APPLICANT**

Donald Plank, Plank law Firm  
145 East Rich Street, FL 3  
Columbus, OH 43215

**COMMUNITY GROUP**

Brewery District Commission  
c/o Mr. James Goodman  
Historic Preservation Office  
109 North Front Street  
Columbus, OH 43215

**ATTORNEY FOR PROPERTY OWNER**

Joseph E. Ryan, Jr., Esq.  
Ryan Law Office  
2610 Andover Road  
Columbus, OH 43221

**PROPERTY OWNERS WITHIN 125 FEET**

Samantha J. King  
Emery Michael King  
31 E Beck Street  
Columbus, Ohio 43215

Carla Johnson  
38 E Beck Street  
Columbus, Ohio 43215

Kyle H Dehlendorf  
32 E Beck Street  
Columbus, Ohio 43215

Virginia J Welch, TR  
39 E Hoster Street  
Columbus, Ohio 43215

DK 547 LLC  
1129 Black Gold Place  
Columbus, Ohio 43230

Andrew P. Holt  
35 E. Hoster Street  
Columbus, Ohio 43215

Shawnda I. Hodgson  
31 E Hoster Street  
Columbus, Ohio 43215

David E Randall  
Alison Randall  
39 E Beck Street  
Columbus, Ohio 43215

High Wall Ltd  
536 S Wall Street, Suite 300  
Columbus, Ohio 43215

Raymo Corporation  
10380 Woodburn Drive  
Powell, Ohio 43065

Historical Homes I LLC  
12998 Bevelhemier Road  
Westerville, Ohio 43081

560 South High Street Inc  
Richard Hess  
560 South High Street  
Columbus, Ohio 43206

Pearl Street Development Co. Ltd  
297 S Cassady Avenue  
Columbus, Ohio 43209

High Street Development Co Ltd.  
297 S Cassady Avenue  
Columbus, Ohio 43209

**13310-00183**  
**550 S. High St.**

Village Legal Center  
536 S High Street  
Columbus, Ohio 43215

Brunello IT LLC  
16 West Beck Street  
Columbus, Ohio 43215

Olde World Limited Inc  
555 City Park Avenue  
Columbus, Ohio 43215

Geraldine E Dye  
555 South 3<sup>rd</sup> Street  
Columbus, Ohio 43215

Gary S. Shroyer  
Melissa Shroyer  
2259 Haverford Road  
Columbus, Ohio 43220

580 South High Co Ltd  
580 South High Street  
Columbus, Ohio 43215

Lori Kelley  
Kelly McClellan  
8045 Pickerington Road  
Canal Winchester, Ohio 43110

**ALSO NOTIFY**

Two Caterers  
c/o Angela Petro  
231 E Sycamore Street  
Columbus, OH 43206

Dave Perry  
David Perry Co., Inc.  
145 East Rich Street, FL 3  
Columbus, OH 43215

David C. Hughes  
DCH Architects, LLC  
4625 Tremont Club Drive  
Hilliard, OH 43026

**13310-00183**  
**550 S. High St.**



**EXHIBIT B**

**Statement of Hardship**

**550 South High Street**

**BZA: \_\_\_\_\_**

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The site is located at the southeast corner of South High Street and East Hoster Avenue and is zoned C-4, Commercial. The property is located in the Brewery District Commission area. The building was last used as a restaurant/bar, but is now vacant and requires substantial repair and interior improvement to be useable. Applicant is in contract to purchase the property. Applicant intends to use the building for its catering business, "Two Caterers"; event space for wedding receptions and similar events; as well as the future retail sale of baked goods. The nature of the event use is off-peak of week day parking demand in the area. Applicant is making arrangements with Standard Parking for use of the Brewery Parking Garage for its event parking. The garage is located on Blenkner Street, between High and Front Streets, approximately one block from 550 South High Street. (See 3/14/13 letter from Standard Parking). In addition to the Brewery Parking Garage, numerous parking meters on South High Street and other streets in the area will also be available for parking. Applicant proposes the construction of a partial second floor within the existing building for offices and a small building addition to the existing one story addition on the south side of the original building, so a small parking variance (10 spaces) is required for the additional square footage. The site is also located in the South High Street Urban Commercial Overlay (UCO). The project is subject to Sections 3372.605 and 3372.607 of the UCO by application of Section 3372.603(C) as an expansion of gross floor area of up to 50%. Therefore, certain variances from the South High Street Urban Commercial Overlay are requested. Applicant has a hardship with the retroactive application of UCO standards to existing conditions.

Applicant requests the following variances:

- 1) 3312.49, Minimum Numbers of Parking Spaces Required, which Section, based on requirements of Section 3312.03, Administrative Requirements, requires 10 additional parking spaces for the proposed square footage expansion, as outlined on the Site Plan submitted with the application. Applicant will provide 36 spaces on-site and requests a variance to reduce the additional 10 spaces to zero (0).

- 2) 3312.53, Minimum Number of Loading Spaces Required, which Section requires a loading space for uses over 10,000 sq. ft., while the existing restaurant use is over 10,000 sq. ft., applicant proposes to develop additional interior space with a partial second floor for administrative offices, a small building addition for retail sale of baked goods and other spaces as itemized on the site plan without providing an on-site loading space. A loading space, as defined by the Zoning Code, is intrusive for this urban environment, is rarely provided and, given the nature of the proposed business, deliveries will be accommodated on-site when events aren't underway.
- 3) 3372.605(B), Building Design Standards, which Section requires the width of the principal building to be a minimum of 60% of the lot width, while the existing principal building is 27% of the lot width and applicant proposes no change to the width of the principal building.
- 4) 3372.605(D), Building Design Standards, which Section requires a minimum of 60% of the primary building frontage between 2 feet and 10 feet above grade to be glass, while the primary building frontage is existing, no change is planned and the existing glass is 44 % of the wall area between 2 feet and 10 feet above the sidewalk grade.
- 5) 3372.607(A), Landscaping and Screening, which Section requires parking lot enclosure/fencing, while the parking lot is existing and no wall or enclosure along South High Street is planned.

03/14/13







**Standard Parking®**

41 South High Street  
Columbus, OH 43215

March 14, 2013

Attention: Ms. Angela Petro/Two Caterers

This letter is to inform Two Caterers that Standard/Central Parking currently has immediate parking spaces available at the Brewery Parking Garage, which is located on Blenkner Street, between High and Front Streets, attached to the 500 South Front Street Building. This parking facility has a total of 762 spaces. The Brewery Garage is open Monday through Sunday, 24/7.

It is the intent of Standard/Central Parking to offer a parking package to Two Caterers for parking spaces, for their events, held at the building located at 550 South Front Street. The Brewery Garage is located less than one block from the 550 South Front Street building. The proposed parking package will provide Two Caterers with more than ample, convenient parking, for their customers.

Standard/Central Parking is excited about the opportunity to work with Two Caterers, to provide them with our proposed parking package. Standard/Central Parking is also excited to see additional business, being brought back to the Brewery District, with the addition of Two Caterers to the area.

Sincerely,

Todd Irwin  
Senior Manager  
Standard/Central Parking Corporation

**13310-00183**  
**550 S. High St.**



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## PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application.

**THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED.** Do not indicate 'NONE' in the space provided.

APPLICATION #

**13310-00183**

**550 S. High St.**

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 ONLY 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: for applicant

NAME

COMPLETE MAILING ADDRESS

Murphy Company c/o Richard J. Murphy, 455 W Broad Street, Columbus, OH 43215

Two Caterers c/o Angela Stoll Petro

231 E Sycamore Street, Columbus, OH 43206

SIGNATURE OF AFFIANT

Donald Plank

Subscribed to me in my presence and before me this 18th day of MARCH, in the year 2013

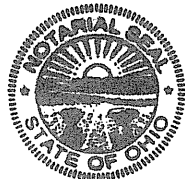
SIGNATURE OF NOTARY PUBLIC

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

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