

BOARD OF ZONING ADJUSTMENT APPLICATIONCity of Columbus, Ohio • Department of Building & Zoning Services
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.columbus.gov

	Application Number: 13310,-0-00059
ONE	Date Received:
E USE	Commission/Civic: Breneny District
	Existing Zoning: Application Accepted by: D. Ress Fee: \$1,900 00
9	Comments: $4/23/12$
	TYPE(S) OF ACTION REQUESTED (Check all that apply)
	✓ Variance ☐ Special Permit
i	Indicate what the proposal is and list applicable code sections. (IDL SICTION: 3312.49-MINIMUM NUMBER OF PARKING SPACES YEAWYED FOR LATING AND DEVINE OF THE PROPOSAL IS TO CHANGE TO A DAY LISTALYMANT FROM NEADSTONE UNGRAVING MANUFACTURING (IMPANY. Provided Spaces: 10. PLAWYLASPACES: 50; Vanance is for 40 parking Spaces. LOCATION 1. Certified Address Number and Street Name 940 S. Front St.
	City CILUMBUS State OH Zip 43206
	Parcel Number (only one required) 10-013162
	. area, . amos, (am) =
	APPLICANT: (IF DIFFERENT FROM OWNER) Name Khaled Ballouz
	Name Francisco Ballouz Address 4210 E. Broad St. City/State Whitehall Offin 4321.
	Phone # 6/4/36686666 Email Email
	Name Kipling Investments, LLC
	Address 366 East Broad Street City/State Columbus OH Zip 43215
	Phone # 614-228-6135 Fax # 614-221-0216 Email diadon@com(atturney)
	Check here if listing additional property owners on a separate page.
	ATTORNEY / AGENT (CHECK ONE IF APPLICABLE) Attorney Agent
	Name VICTORIA Proch
	Address 30/Group, Inc. 244N.44St, Sult 200 City/State Columbus, OH zip 43215
	Phone # (014-464-3600 Fax # Email: VICTINAP @ 3dgroup. Com
	SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)
	APPLICANT SIGNATURE
	ATTORNEY / AGENT SIGNATURE MANAGER



BOARD OF ZONING ADJUSTMENT APPLICATION

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AFFIDAVIT

13310-00059 STATE OF OHIO 940 S. Front St. **COUNTY OF FRANKLIN** Being first duly cautioned and sworn (1) NAME VICTORIA PYOUN of (1) MAILING ADDRESS 244 N. 4th St., Suite 200 Columbus, of 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) (4) Kipling Invistments, UC SUBJECT PROPERTY OWNERS NAME AND MAILING ADDRESS 11Mbus. OH 43215 APPLICANT'S NAME AND PHONE # (same as listed on front of application) (5) Brewen District Commission AREA COMMISSION OR CIVIC GROUP AREA COMMISSION ZONING CHAIR OR CONTACT PERSON AND ADDRESS and that the following is a list of the names and complete mailing addresses, including zip codes, as shown on the County Auditor's Current Tax List or the County Treasurer's Mailing List, of all the owners of record of property within 125 feet of the exterior boundaries of the property for which the application was filed, and all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property: (6) PROPERTY OWNER(S) NAME (6A) ADDRESS OF PROPERTY (6B) PROPERTY OWNER(S) MAILING ADDRESS See attached. (7) Check here if listing additional property owners on a separate page. SIGNATURE OF AFFIANT Subscribed to me in my presence and before me this SIGNATURE OF NOT My Commission Ex Notary Public, State of Ohio My Commission Expires 07-25-2016 Commission # 2011-RE-381336

Applications must be submitted by appointment. Call 614-645-4522 to schedule.

Please make all checks payable to the Columbus City Treasurer

Priscilla K. Reis 55 Park Dr. Hebron, OH 43025 Monty V Baus 930 S. Front St. Columbus, OH 43206 Donald K. Blowers Jr. et al 00045 – 51 Frederick St. Columbus, OH 43206

Anne M. Cute 37 – 41 Frederick St. Columbus, OH 43206 Jeffrey M. Davis 1037 Ridge St. Columbus, OH 43215 Peggy S. Edwards 924 S. Front St. Columbus, OH 43206

Alan D. Hampton & Sanaei E. Mehdi 919 S. Wall St. Columbus, OH 43206 JLK Real Estate LLC 29 Frederick St. Columbus, OH 43206 Ronald and Howard Laufersweiler 918 S. Front St. Columbus, OH 43206

Patrick & Constance McGreevy 1925 Edgemont Rd. Columbus, OH 43212 Glen Robbins 939 S. High St. Columbus, OH 43206 Philip & Julan Sheridan 915 S. High St. Columbus, OH 43206

William Thompson 4151 Oldetime Ct. Columbus, OH 43207 Angelina M. Weimer 1128 Black Gold Pl. Columbus, OH 43230 White O. Morn LLC 941 S. Front St. Columbus, OH 43206

Kipling Investments LLC 366 E. Broad St. Columbus, OH 43215 Raj Hospitality LLC Ronik Patel 919 S. High St. Columbus, OH 43206

Triple J Enterprises LTD 155 W. Main St., Ste 200 Columbus, OH 43215

Clear Channel Outdoor Inc. 770 Harrison Dr. Columbus, OH 43204 Mike Ferris Properties 533 S. 3rd St. Columbus, OH 43215 South Front Street LLC 115 Darby Lakes Dr. Plain City, OH 43064

Village Investment Properties Corp. P.O. Box 141366 Columbus, OH 43214 Brewery District Commission City of Columbus Historic Preservation Office 109 N. Front St. – Ground Floor Columbus, OH 43215 – 9031

PROPERTY OWNER: Kipling Investments, LLC 366 E. Broad St. Columbus, OH 43215

AGENT:

3D/Group, INC ATTN: Victoria Proehl 266 N. 4th St., Ste 200 Columbus, OH 43215 APPLICANT: Khaled Ballouz 4210 E. Broad St. Whitehall, OH 43213



CITY OF COLUMBUS

DEPARTMENT OF BUILDING AND ZONING SERVICES

One Stop Shop Zoning Report Date: Wed Jan 30 2013

General Zoning Inquiries: 614-645-8637

SITE INFORMATION

Address: 940 S FRONT ST COLUMBUS, OH

Mailing Address: 301 N HAGUE AVE

COLUMBUS OH 43204

Owner: WEST & DELLLC
Parcel Number: 010043646

ZONING INFORMATION

Zoning: ORIG, Manufacturing, M

effective 2/27/1928, Height District H-60

Board of Zoning Adjustment (BZA): N/A

Commercial Overlay: SOUTH HIGH ST/ SOUTH FRONT ST UCO

Graphic Commission: N/A

Area Commission: Brewery District Commission

Planning Overlay: N/A

Historic District: Brewery District

Historic Site: No

Council Variance: N/A

Flood Zone: OUT

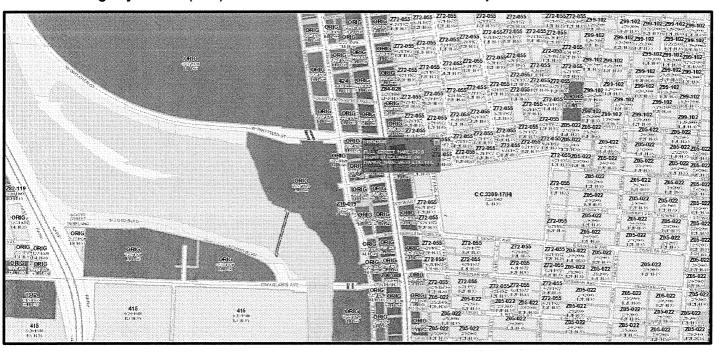
Airport Overlay Environs: N/A

PENDING ZONING ACTION

Zoning: N/A

Board of Zoning Adjustment (BZA): N/A

Council Variance: N/A
Graphic Commission: N/A



Statement of Hardship

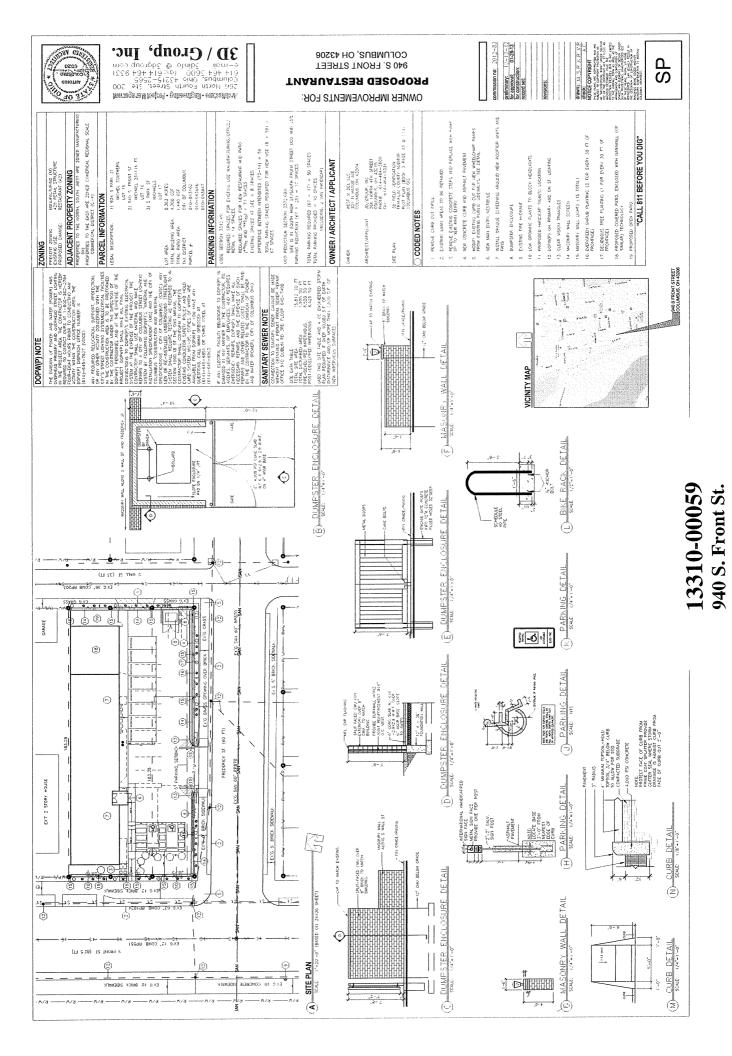
940 S. Front St.

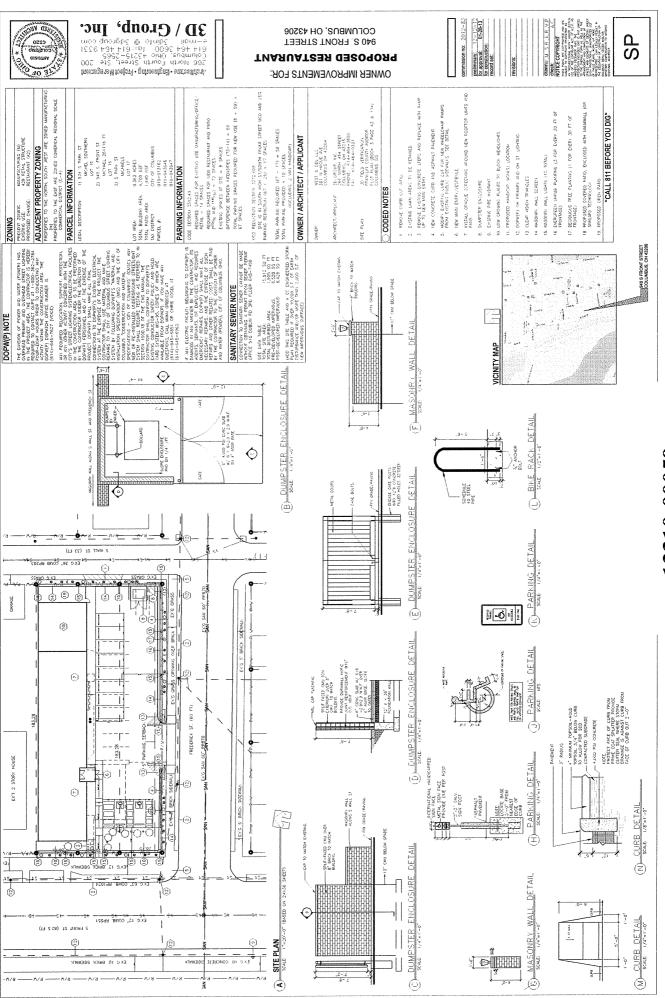
I have read Section 3307.09, Variances by Board, and believe my application for relief from the requirements of the Zoning Code satisfies the four criteria for a variance in the following ways:

- 1. The proposed project at 940 S. Front Street contains special circumstances or conditions that do not generally apply to other properties in the same zoning district, Manufacturing District (M). These conditions include the size of the building and the narrowness of the lot. In an effort to keep the impact and cost down, the client is proposing to only renovate the building and demolish a small portion of the existing entrance. The existing building covers a large portion of the site, which makes it difficult to provide adequate parking on the site. Also, the parcels and building are very long and narrow, making it difficult to solve the parking problem creatively. With the current location and size of the building, we believe the proposed site layout (including parking) is the best available option.
- 2. Second, the special circumstances and conditions are not the result of the actions of the property owner or applicant. The building is existing and neither the property owner nor the applicant took any action to result in the special circumstances and conditions.
- 3. Also, the special circumstances and conditions make it necessary that a variance, specifically a parking 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, Manufacturing District. By granting the parking variance, the client will be able to preserve his property rights, just as other residents do in similar situations. Without the variance, the client would find it difficult to provide any improvement to the site. The expectation of adequate parking on site is unrealistic and the denial of the variance would inhibit the rights of the property owner. The variance would not allow the client to have special privileges or rights, but to rather keep most of the existing building and to provide as much on-site parking as possible.
- 4. Finally, the granting of the parking variance will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of the City of Columbus Zoning Code. Currently, the building sits empty, and previously housed a tombstone manufacturing company. However, with the proposed changes the client is helping to revive the area by providing a restaurant and bar for residents and visitors. This proposal is not contrary to the public interest because it is providing a new eating and drinking establishment and eliminating an empty building along Front Street. The proposal is also not contrary to the intent or purpose of the City of Columbus Zoning Code as the client has already made an agreement with an outsourced valet parking company to provide an option for visitors since parking on site is slim (See attached parking agreement). The intent of the Zoning Code is to provide accurate

numbers of parking spaces for each particular Use and District. Because of the size of our existing building and narrowness of the parcels, the client has no option but to apply for a parking variance. Since there is no plausible way the required parking could fit on this site, the client is providing as much parking as possible on site, and providing the rest off-site. We believe this solution is best for the client, as well as the future users of the site.

Signature of Applicant: Maled Ballous Date: 1/23/13





13310-00059 940 S. Front St.



City of Columbus Zoning Plat



ZONING NUMBER

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

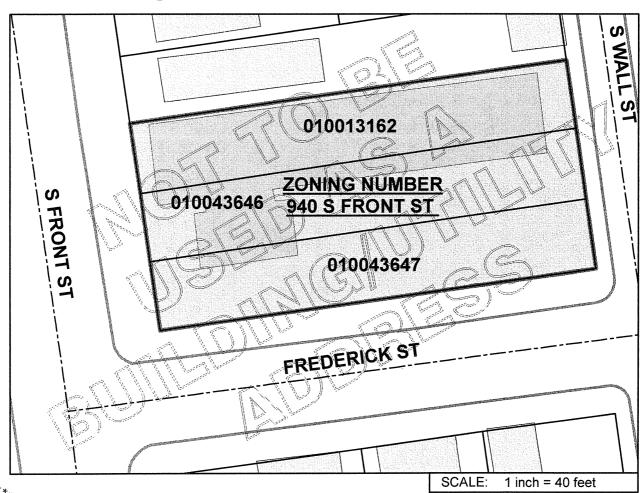
Parcel ID: 010013162, 010043646, 010043647

Zoning Number: 940 Street Name: S FRONT ST

Lot Number: 15-17 SUBDIVISION: MICHEL SOUTHERN

Requested By: 3D/GROUP, Inc (VICTORIA PROEHL)

Issued By: Johnson Umariam Date: 1/22/2013



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

GIS FILE NUMBER: 12111



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: S

DATE: 1/24/13



This map is prepared for the real property inventory within this county. survey plats, and other public records and data. Users of this map are not information sources should be consulted for verification of the informatic county and the mapping companies assume no legal responsibilities for 1 Please notify the Franklin County GIS Division of any discrepancies.

13310-00059 940 S. Front St.

DURABLE LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that Maia Briggs, duly appointed Manager of Kipling Investments, LLC, an Ohio limited liability company ("Property Owner"), acting on behalf of Property Owner, does hereby appoint KHALED BALLOUZ or THE BREWERY PUB, LLC (designee), as true and lawful attorney-in-fact with full power of substitution, to act in the name, place and stead of Property Owner, giving and granting unto said attorney-in-fact full power and authority to do and perform only the following:

To complete and submit a Board of Zoning Adjustment Application for the property located at 940 S. Front Street, Columbus, Ohio 43206, Parcel No's.: 010-013162, 010-043646 and 010-043647 (collectively, the "**Property**"), together with a Combination Request of Tax Parcels and all other accompanying documentation or materials supporting said Board of Zoning Adjustment Application for said Property.

GIVING AND GRANTING unto my said attorney-in-fact full power and authority to do and perform every act necessary, requisite or proper to be done as fully as Property Owner might or could do if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that Property Owner's said attorney-in-fact shall lawfully do or cause to be done by virtue hereof.

This Limited Power of Attorney shall be effective from the date this instrument is signed, executed and acknowledged.

EXECUTED this <u>74</u> day of January, 2013.

KIPLING INVESTMENTS, LLC

Maia Cibbs, Manager

Briggs

STATE OF OHIO

COUNTY OF FRANKLIN, ss:

BE IT REMEMBERED, that on this 24 day of January, 2013, before me, the subscriber, a notary public in and for said County, personally came Maia Gibbs, Manager of Kipling Investments, LLC, an Ohio limited liability company, who acknowledged the signing of the foregoing instrument and that the same is a voluntary act and deed on behalf of said limited liability company.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my

official seal on the day and year last aforesaid.

JUSTINE E. THOMPSON
Notary Public
In and for the State of Ohio
My Commission Expires
May 5, 2014

13310-00059 940 S. Front St.

Maia Briga

ACCEPTANCE

I, Khaled Ballouz, hereby accept the appointment as attorney-in-fact for Kipling Investments, LLC, an Ohio limited liability company, pursuant to the terms contained in this instrument.

Halo Pallous

Khaled Ballous



100 East Broad Street, Suite 1301 Columbus, Ohio 43215 (614)499-2899

To Whom it May Concern:

The Brew Pub LLC has contracted Premier Valet Parking to handle the valet parking for their newest location at 940 South Front Street. Premier will staff valet attendants at their location at the request of the Brew Pub LLC. Premier has secured a private parking lot that will be used for a reservoir to valet park the customer cars in. The lot currently holds 47 cars. The lot is located at 1036 South Front Street Columbus, OH 43206.

This should satisfy any parking needs that the new location would require.

Ryan Gale President



BOARD OF ZONING ADJUSTMENT APPLICATION

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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 # 13310-00059 STATE OF OHIO 940 S. Front St. **COUNTY OF FRANKLIN** Being first duly cautioned and sworn (NAME) VICTOR & YYOUN of (COMPLETE ADDRESS) 2016 N. 45 St. Suite 200 Columbus of 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 and their mailing addresses: NAME COMPLETE MAILING ADDRESS 30 Group, Inc. 244 N. 4th St. Suite 200 Columbus, 0H 43215 Lipling Investments, UC 366 F. Broad St. Columbus, 0H 43215 Tony Selimi Khaled Ballouz 4210 E. Bradst. SIGNATURE OF AFFIANT Subscribed to me in my presence and before me this 23rd day of 4NUNAY, in the year 2013 SIGNATURE OF NOTARY PUBLIC My Commission Expires: Notary Seal Here MARGARET FELDMAIER Notary Public, State of Ohlo

