



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: 13310-0-00068
Date Received: 2/4/13
Commission/Civic: Clintonville
Existing Zoning: _____ Application Accepted by: H. Reiss Fee: \$1,900.00
Comments: 4/23/13

TYPE(S) OF ACTION REQUESTED

(Check all that apply)

☒ Variance ☐ Special Permit

Indicate what the proposal is and list applicable code sections.

Code Section: 3312.49 - minimum number of parking spaces required for eating and drinking establishments; the proposal is to expand the existing patio and add a single story masonry pizza oven. BZA variance - reduce parking requirements from 15 to 0.

LOCATION

1. Certified Address Number and Street Name 395-397 Cristview Ave. (2855 Indianola Ave)
City Columbus State OH Zip 43202
Parcel Number (only one required) 010-003816

APPLICANT: (IF DIFFERENT FROM OWNER)

Name _____
Address _____ City/State _____ Zip _____
Phone # _____ Fax # _____ Email _____

PROPERTY OWNER(S):

Name Ali Al Shahar ; 395 E. LLC
Address 4100 E. Wetherford Rd. City/State Powell, OH Zip 43065
Phone # 614-596-9728 Fax # _____ Email _____
☐ Check here if listing additional property owners on a separate page.

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

☐ Attorney

☒ Agent

Name Victoria Proehl, 3D/Group, Inc.
Address 266 N. 4th St., Suite 200 City/State Columbus, OH Zip 43215
Phone # 614-464-3600 Fax # 614-464-9331 Email: victoriap@3dgroup.com

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

APPLICANT SIGNATURE _____
PROPERTY OWNER SIGNATURE _____
ATTORNEY / AGENT SIGNATURE Victoria Proehl

PLEASE NOTE: incomplete information will result in the rejection of this submittal.
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Please make all checks payable to the Columbus City Treasurer



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AFFIDAVIT

13310-00068
395-397 Crestview Ave.
(2855 Indianola Ave.)

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Victoria Proehl
of (1) MAILING ADDRESS 2166 N. 4th St. Suite 200 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) 395 E LLC
4160 Rutherford Rd
Power Ohio 43065

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

Al: Al Shchel
614-596-9728

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

(5) Clintonville Area Commission
Dana Bagwell Zoning Chair
3982 N. High St. Columbus, OH 43214

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

(8) Victoria J. Proehl

Subscribed to me in my presence and before me this 31st day of January, in the year 2013

SIGNATURE OF NOTARY PUBLIC

(8) Margaret Feldmaier
7-25-16

My Commission Expires:



MARGARET FELDMAIER
Notary Public, State of Ohio

My Commission Expires 07-25-2016

Commission # 2011-RE-381336

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APPLICANT/PROPERTY OWNER

Ali Alshahal
395 E. LLC
4160 Rutherford Rd.
Powell, OH 43065

Diane M. Baker
2876 Indianola Ave.
Columbus, OH 43202

Yvette M. Gardner
380 E. Kelso Rd.
Columbus, OH 43202-2308

Carie & Nick Haugh
379 Crestview Rd.
Columbus, OH 43202

Jeri & Donald Klopfenstein
376 Kelso Rd.
Columbus, OH 43202

Stephen & Kim Montague
458 E. Torrence Rd.
Columbus, OH 43214

Marianne Perine
P.O. Box 1474
Buckeye Lake, OH 43008

Nikolay Shatalov
383 Crestview Rd.
Columbus, OH 43202

Wayne Zipperlen
334 Tallman St.
Groveport, OH 43215

AGENT

Victoria Proehl, 3D/Group, Inc.
266 N. 4th St. Suite 200
Columbus, OH 43215

Jacqueline Beebe
2839 Indianola Ave.
Columbus, OH 43202

Dennis & Carol Gates
120 Hickory Lane
Lancaster, OH 43130

John Kessel
386 Crestview Rd.
Columbus, OH 43202

Nathan Miller
845 Indianola Ave.
Columbus, OH 43202

Amy Morrison
372 E. Kelso Rd.
Columbus, OH 43202

Polar Real Estate LLC
1112 E. Cooke Rd.
Columbus, OH 43224

Michael & Carol Tomko
P.O. Box 141213
Columbus, OH 43214

AREA COMMISSION

Clintonville Area Commission
Dana Bagwell, Zoning Committee Chair
3982 N. High St.
Columbus, OH 43214

Catherine E. Elkins
392 Crestview Rd.
Columbus, OH 43202

Richard Grutsch
2804 Sandhurst Dr.
Lewis Center, OH 43035

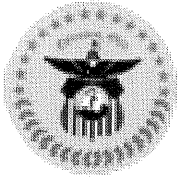
James & Elizabeth Kinney
382 Crestview Rd.
Columbus, OH 43202

James & Andrea Mocharski
389 Crestview Rd.
Columbus, OH 43202

Kwame & Ninfa Osei
2873 Indianola Ave.
Columbus, OH 43202-2215

Jeannine Schwab
229 Saint Antoine St.
Worthington, OH 43085

Stephanie Williamson
400 Crestview Rd.
Columbus, OH 43202



CITY OF COLUMBUS

DEPARTMENT OF BUILDING AND ZONING SERVICES

13310-00068
395-397 Crestview Ave.
(2855 Indianola Ave.)

One Stop Shop Zoning Report Date: Tue Feb 5 2013

General Zoning Inquiries: 614-645-8637

SITE INFORMATION

Address: 395 CRESTVIEW RD COLUMBUS, OH

Mailing Address: 73 GARDEN RD

COLUMBUS OH 43214

Owner: CRESTVIEW REAL ESTATE VENTURE

Parcel Number: 010003816

ZONING INFORMATION

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

Board of Zoning Adjustment (BZA): N/A

Commercial Overlay: N/A

Graphic Commission: N/A

Area Commission: Clintonville Area Commission

Planning Overlay: N/A

Historic District: N/A

Historic Site: No

Council Variance: N/A

Flood Zone: OUT

Airport Overlay Environs: N/A

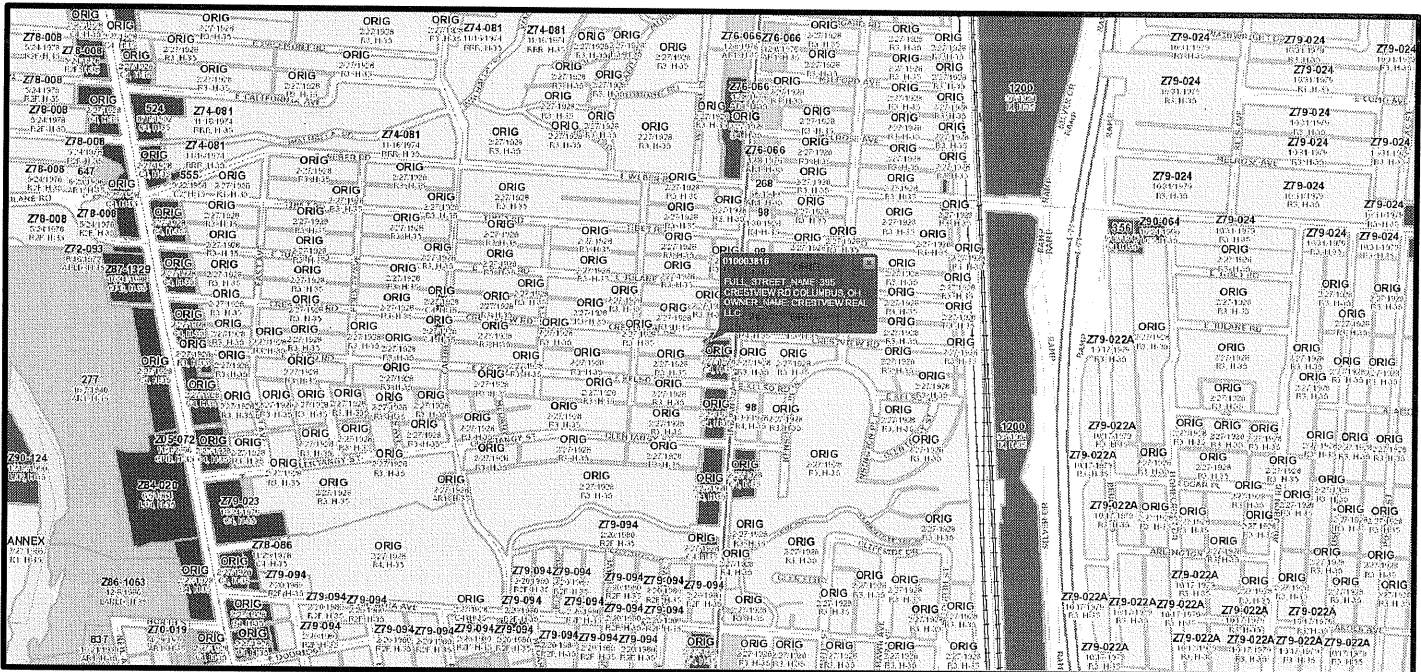
PENDING ZONING ACTION

Zoning: N/A

Board of Zoning Adjustment (BZA): 11310-00207

Council Variance: N/A

Graphic Commission: N/A



Statement of Hardship

2855 Indianola Ave.

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 2855 Indianola Avenue contains special circumstances or conditions that do not generally apply to other properties in the same zoning district, Regional Scale Commercial District (C-4). These conditions include the size of the building, the shape of the lot and the surrounding environment. In an effort to keep the impact and cost down, the client is proposing to renovate the interior of the building, expand the existing patio and add a pizza oven to the rear of the building (as opposed to tearing down the building and constructing a new one). The existing building, proposed patio and pizza oven cover a large portion of the site, which makes it difficult to provide adequate parking. Also, the parcels and building are very long and narrow, making it difficult to solve the parking problem creatively. Additionally, because the site is mainly surrounded by residential zoning districts, there is no option to lease neighboring lots or to provide off-street parking spaces. Also, since the current restaurant is so close to a neighborhood, most visitors use alternate means of transportation when visiting (i.e. walking or biking). Expanding the patio in a neighborhood setting and obtaining a parking variance would better relate to the current surroundings than providing all the required parking spaces. 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. Even though the patio is expanding, any site improvements or changes would result in needing a parking variance.
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, Regional Scale Commercial 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 the existing building, expand and enhance the existing patio and to provide as much on-site parking as possible.

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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. The use of the building is not changing; however, with the proposed changes the client is helping better the building and site for visitors. This proposal is not contrary to the public interest because it is providing an updated restaurant with a similar, but improved site layout including an expanded patio. The proposal is also not contrary to the intent or purpose of the City of Columbus Zoning Code. The intent of the Zoning Code is to provide accurate numbers of parking spaces for each particular Use and District. The client understands the reasoning for the parking requirements, but because of the expansion of the patio and layout of the existing building and site, the client has no option but to apply for a parking variance. We believe this solution is best for the client, as well as the future users of the site.

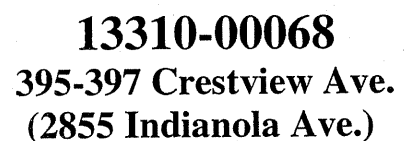
Signature of Applicant:

A handwritten signature in black ink, consisting of a large, stylized 'K' or 'J' shape with a horizontal line extending to the right.

Date: 2-1-3

13310-00068
395-397 Crestview Ave.
(2855 Indianola Ave.)

A SITE PLAN
SCALE: 1"=10'-0"





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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

13310-00068

STATE OF OHIO
COUNTY OF FRANKLIN

**395-397 Crestview Ave.
(2855 Indianola Ave.)**

Being first duly cautioned and sworn (NAME)

of (COMPLETE ADDRESS)

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

3D/Group, Inc.

206 N. 4th St., Suite 200 Columbus, OH 43215

Ali Alshahal, 395 E. LLC 4160 Rutherford Rd. Powell, OH 43065

SIGNATURE OF AFFIANT

Victoria J. Proehl

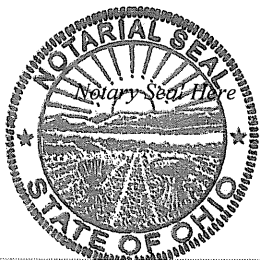
Subscribed to me in my presence and before me this 31st day of January, in the year 2013

SIGNATURE OF NOTARY PUBLIC

Margaret Feldmaier

My Commission Expires:

7-25-16



MARGARET FELDMAIER

Notary Public, State of Ohio

My Commission Expires 07-25-2016

Commission # 2011-RE-381336

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