



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

Application Number: CV13-032 / 13315-00000-00552
Date Received: 7/30/13
Application Accepted By: S. Pine Fee: \$1600 -
Comments: Assigned to Shannon Pine, 645-2208, spine@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes): 889-891 Oak Street Zip 43205

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: 010-001755-00

☐ Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s): ARLD

Civic Association or Area Commission: Near East Area Commission

Proposed use or reason for Council Variance request: Change of use

Acreage: 0.127

APPLICANT: Name Victoria Hank

Address 742 Oak St City/State Columbus, OH Zip 43205

Phone # 614-946-0583 Fax # _____ Email: Theangybaker10@gmail.com

PROPERTY OWNER(S): Name W. on Main LLC / YH & H/LC LEVI

Address 139 E Main St Ste 103 City/State Columbus OH Zip 43215

Phone # 614 571 5003 Fax # _____ Email: ylevius@yahoo.com

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

ATTORNEY / AGENT

☐ Attorney ☐ Agent

Name _____

Address _____ City/State _____ Zip _____

Phone # _____ Fax # _____ Email: _____

SIGNATURES (ALL SIGNATURES MUST BE SIGNED IN BLUE INK)

APPLICANT SIGNATURE Victoria Hank

PROPERTY OWNER SIGNATURE X 8/1/13

ATTORNEY / AGENT SIGNATURE _____

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.
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CW13-032

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 attached

Signature of Applicant

Date

7/30/13

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CV13-032

Statement of Hardship & Variances Requested
889-891 Oak Street, Columbus Ohio 43205

The property contains two existing structures. In the rear of the site is a two story, four-unit residential building which is over 100 years old. The front of the site that faces Oak Street contains another 100 year old existing building which has two commercial storefronts on the ground floor and two residential spaces on the second floor. The commercial space at 891 Oak Street is currently occupied by The Angry Baker retail bakery. The other commercial space (889 Oak) was converted into an eating and drinking establishment with outdoor seating via CV11-024. The property is currently zoned ARLD, and the applicant requests approval to add an on-site consumption component to the retail bakery use which requires a small restroom addition (+/- 80 square feet). All other uses on the property approved by CV11-024 will remain the same. The proposed uses will serve the local neighborhood community, and will not adversely affect the surrounding properties. The hardship is that this is an existing commercial building built and used for commercial activities long before the ARLD zoning was imposed in 1974.

Variance 1, Section 3333.02, Allowable Uses: A variance is requested to allow eating and drinking establishments as a conforming use in the ARLD zoning district for both the existing bakery in 891 Oak Street and the existing tavern at 889 Oak Street. In addition, a variance is requested to allow the two existing buildings at the front and rear of the site to occupy the same parcel of land.

Variance 2, Section 3312.27(b), Vision Clearance at Intersections: The existing building does not meet the requirements for minimum clear vision triangle at intersections. A variance is requested to eliminate the vision clearance triangle requirement at the intersection of Oak Street and 18th Street.

Variance 3, Section 3312.49, Parking Requirements: The existing site does not meet the parking requirement. No parking is currently provided for any of the existing uses on the property. On-street parking is available throughout the streets surrounding the property, and a shared parking agreement exists with the Douglass Alternative School less than one block to the north. In addition, the property is in close proximity to public transportation, with four different bus lines within a quarter-mile, and COTA's Near East Transit Center less than a half mile away.

Address	Area	Ext'g Use	New Use	Req'd Parking
889 (2nd Floor)	1,387 SF	Residential	N/A	0
891 (1st Floor)	907 SF + 80 SF add	Retail	Restaurant	10
891 (2nd Floor)	907 SF	Residential	N/A	0
103-105 (Rear Bldg)	2,866 SF	Residential	N/A	0
889 (1st Floor)	1,387 SF	Restaurant	N/A	13
Patio	750 SF	Rest Seating	N/A	5
Total Requirement				28

A variance is requested to reduce the required parking of 28 spaces to 0.

Variance 4, Section 3333.09, Area Requirements: The existing parcel does not meet the requirements for the minimum lot width of 50 feet. A variance is requested to eliminate the minimum area requirement and allow a lot width of less than 50 feet.

Variance 5, Section 3333.11, ARLD Area District Requirements: The existing apartments do not meet the requirement for a minimum living area of not less than 1500 square feet. The existing apartments also do not meet the requirement that they be on a single lot of more than 20,000 square feet. A variance is requested to eliminate the area requirements for all the apartments which are all less than 1500 square feet, as well as eliminate the minimum 20,000 square foot lot size requirement.

Variance 6, Section 3333.15(c), Area Requirements: The existing building does not meet the requirement that it must not occupy more than 50% of the lot area. A variance is requested to eliminate the requirement that the buildings not occupy more than 50% of the lot area.

Variance 7, Section 3333.18-D & 3333.19-A(1) Building Lines & Corner Lot: The existing buildings do not meet the requirements for minimum building setback along Oak Street (no less than 10') or on S. 18th Street which must be 20% of the total property width. A variance is requested to reduce the building setback to the existing building footprint along the principal and secondary frontage of all buildings on the property.

Variance 8, Section 3333.22-3333.23, Side Yard: The existing building does not meet the requirements for minimum side yard setback which is a minimum of 20% of the total width of the property with a maximum of 16 feet. The existing residential building does not meet the requirement for a minimum side yard of 5 feet or more. A variance is requested to reduce the side yard setbacks to the existing building footprints as shown.

Variance 9, Section 3333.24, Rear Yard: The existing building does not meet the requirements for the minimum area of a rear yard, which should be no less than 25% of the total area of the lot. A variance is requested to eliminate the rear yard requirement for the property.



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AFFIDAVIT

(See next page for instructions)

APPLICATION # C13-032

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Victoria Hink

of (1) MAILING ADDRESS 891 Oak St Columbus OH 43205

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 891 Oak St Columbus OH 43205
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) 7/30/13

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) W on Main, LLC
139 E main st ste 103
Columbus, OH 43215

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

Victoria Hink 614 944 0583

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

(5) Near East Side Area Commission
Annie Ross Womack
847 Oakwood Ave Columbus OH 43206

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) Victoria Hink

Subscribed to me in my presence and before me this 30 day of July, in the year 2013

SIGNATURE OF NOTARY PUBLIC

(8) [Signature]

Commission Expires:



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Proximity Parcels To: The Angry Baker

901 Oak Street Partners
941 Robinwood Avenue
Columbus, OH 43205

Murray Bruce R
3232 Newark Drive
Columbus, OH 43205

Allegheny West Conference Et Al
1138 East Broad Street
Columbus, OH 43205

Seamon Michael S Horton Todd R
P.O. Box 182661
Columbus, OH 43205

Alliance One LTD

Taschek William W
2375 North Glenville Drive
Columbus, OH 43205

Consoliver, Kathy A
7007 Broadway Avenue
Columbus, OH 43203

W On Main LLC
139 East Main Street
Columbus, OH 43205

Cotner Jeffrey G Elazibe Guad
P.O. Box 46
Columbus, OH 43205

Weiss Christopher J
461 Beecher Road
Columbus, OH 43205

Estep Randee R Beer Daniel W
1 Corelogic Drive
Columbus, OH 43205

Williams Roger J & Ralph E
108 South 18th Street
Columbus, OH 43205

Harris Angela M Kelly James M
2375 N. Glenville Drive
Columbus, OH 43205

Kearley Julie A Et Al
3086 Wakeshire Drive
Columbus, OH 43205

LG Venture Ohio LLC
141 Stanberry Avenue
Columbus, OH 43205



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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 # CV13-032

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] Victoria Hink

OF [COMPLETE ADDRESS] 891 Oak St Columbus OH 43205

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, State, Zip
Number of Columbus based employees
Contact name and number

1. The Angry Baker 891 Oak St Columbus, OH 43205 5 employees Victoria Hink 614-440-0583	2. Brad & Krista Hobbs The Old Town Tavern 889 Oak St Columbus OH 43205 10 employees 614-252-2955
3. W on Main 139 E Main St Ste 103 Thezel Levi 614-571-5003 1 employee	4.

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

SIGNATURE OF AFFILIANT

Subscribed to me in my presence and before me this 30th day of July, in the year 2013

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:



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

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Revised 11/12 tmt

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889-891 Oak Street

CV13-032

