



OFFICE USE ONLY

Comments: _____ Application Number: 10310-0-00057 Commission/Group: Italian Village
 Date Received: 3/15/10 Planning Area: _____
 Date of Hearing: 5/25/10 Acreage: _____
 Zoning Fee: \$1,900⁰⁰ Address Fee _____
 Existing Zoning: C-4 Accepted by: A. Reiss

BOARD OF ZONING ADJUSTMENT APPLICATION

TYPE(S) OF ACTION REQUESTED

(Check all that apply)

- Variance
- Special Permit

Indicate what the proposal is and list applicable code sections. State what it is you are requesting.

To permit a 1,200 +/- sq ft outside patio for a restaurant. The Describe: patio will be setup and taken down each night. Variances to Sections 3342.28, 3342.06, 3356.11, 3342.18(d). See Statement of Hardship.

LOCATION

1. Certified Address Number and Street Name 772 North High Street
 City Columbus State OH Zip 43201
 Parcel Number (only one required.) 010-057234 and 010-011527

APPLICANT (IF DIFFERENT FROM OWNER)

2. Name chef Concepts LLC DBA L'Antibes classic French cuisine restaurant
 3. Address c/o Donald Plank 145 East Rich Street City Columbus Zip 43215
 4. Phone# (614) 947-8600 Fax # (614) 228-1790
 5. Email Address dplank@planklaw.com

PROPERTY OWNER(S)

6. Name Woods High Street Ltd. c/o Donald Plank, Plank law firm
 7. Address 145 East Rich Street, 3rd fl City Columbus Zip 43215
 8. Phone# (614) 947-8600 Fax # (614) 228-1790
 9. Email Address dplank@planklaw.com

Check here if listing additional property owners on a separate page

ATTORNEY / AGENT (CIRCLE ONE)

10. Name Donald Plank, Plank Law Firm
 11. Address 145 East Rich Street 3rd fl City Columbus Zip 43215
 12. Phone# (614) 947-8600 Fax # (614) 228-1790
 13. Email Address dplank@planklaw.com

SIGNATURES

14. Applicant Signature Donald Plank, attorney
 15. Property Owner Signature Donald Plank, attorney
 16. Attorney/Agent Signature Donald Plank



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: 010057234

Zoning Number: 772

Street Name: N HIGH ST

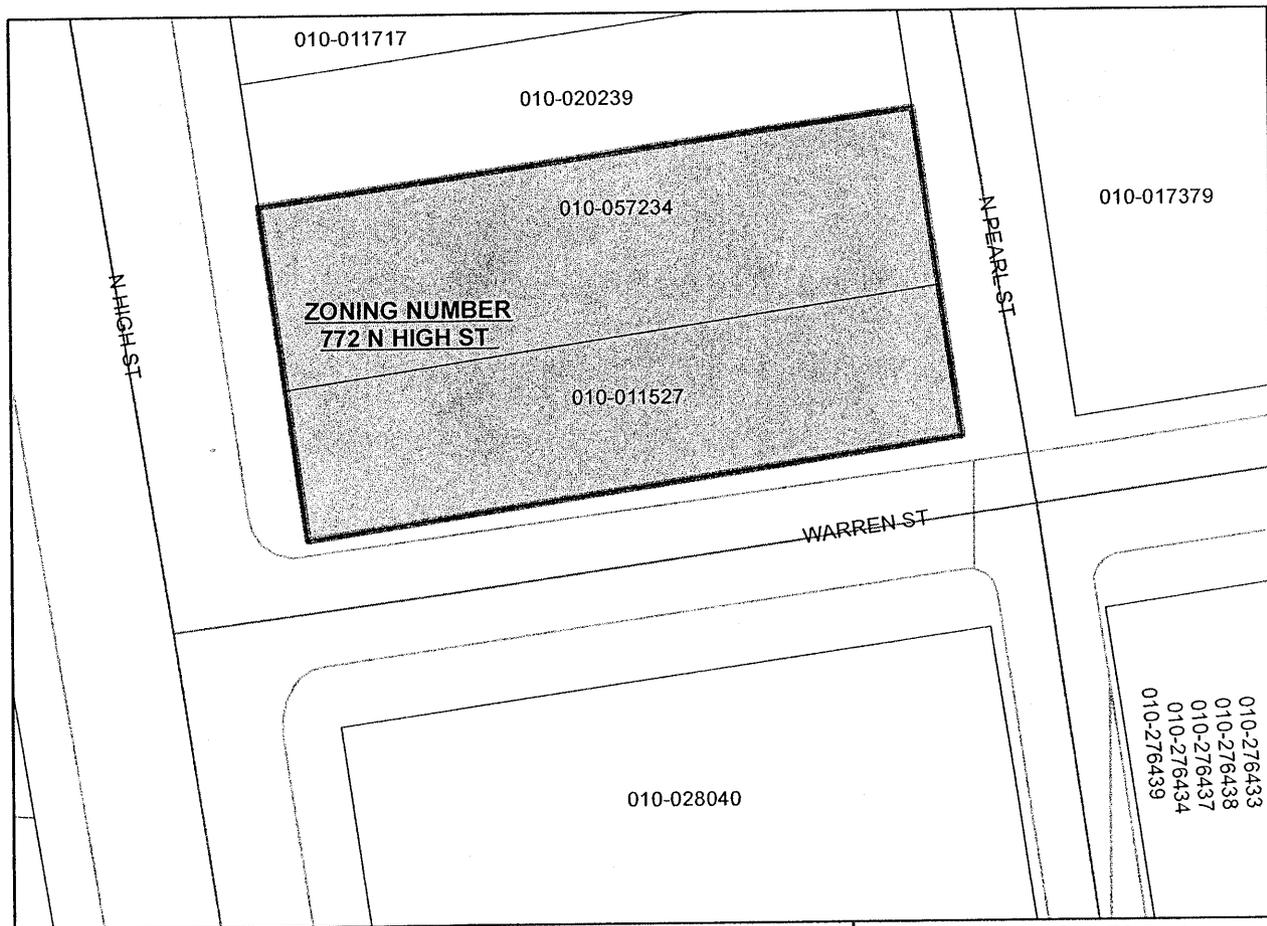
Lot Number: 41-43

Subdivision: W A GILL

Requested By: THE DAVE PERRY CO.

Issued By: *Patricia A. Austin*

Date: 2/12/2010



SCALE: 1 inch = 50 feet

GIS NOS FILE NUMBER: 2881



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

Date

Application #

City of Columbus | Department of Development | Building Services Division | 757 Cardyn Avenue Columbus, Ohio 43224



AFFIDAVIT

(See next page for instructions.)

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Donald Plank, Plank Law Firm of (1) MAILING ADDRESS 145 East Rich Street, 3rd Floor, 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 772 North High Street for which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Development, Building Services Division on (3) _____

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNER'S NAME AND MAILING ADDRESS

(4) Woods High Street Ltd.
c/o Donald Plank, Plank Law Firm
145 East Rich Street 3rd Floor
Columbus, OH 43215

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

Chef Concents LLC DBA L'Antibes Classic
French Cuisine
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 Block, Historic Preservation offices
City of Columbus, Development Department
109 N. 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 9th day of February, in the year 2010

SIGNATURE OF NOTARY PUBLIC

(8) [Signature]

My Commission Expires:

N/A

Notary Seal Here



David Watkins
Attorney At Law

Notary Public - State of Ohio
My Commission Has No Expiration Date
Adjustment Packet
Ohio Revised Code Section 147.03

Exhibit A
772 North High Street
Columbus, OH 43201
BZA: _____
February 19, 2010

APPLICANT:

Chef Concepts LLC
DBA L'Antibes Classic French Cuisine
c/o Donald Plank, Plank Law Firm
145 East Rich Street, 3rd Flr.
Columbus, OH 43201

PROPERTY OWNERS:

Woods High Street LLC
c/o Donald Plank, Plank Law Firm
145 East Rich Street, 3rd Flr.
Columbus, OH 43215

ATTORNEY:

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

COMMUNITY GROUP/COALITION:

Italian Village Commission
c/o Randy Black
Historic Preservation Office
City of Columbus
109 North Front Street
Columbus, OH 43215

SURROUNDING PROPERTY OWNERS:

Columbus Metropolitan Housing
Authority
880 East 11th Avenue
Columbus, OH 43211-3066

Casa Di Citta LLC
PO BOX 20858
Columbus, OH 43220

High & Hubbard LLC
11 West Hubbard Avenue, Suite D
Columbus, OH 43215

Theodore W Hill
39 Warren Street
Columbus, Ohio 43215

Lahoti Properties LTD
861 North High Street
Columbus, OH 43215

RMRW LTD
27 East Russell Street
Columbus, Ohio 43215

Short North Real Estate Co
Peter Avradopoulos
760 N Wall Street
Columbus, Ohio 43215

SEE SHEET 2

SHEET 1 OF 2
February 19, 2010
BZA: _____
772 North High Street
Columbus, OH 43201

Silvery Century Holdings
PTY Limited
780 North High St
Columbus OH 43215-1428

Marjan Vafaie
742 North Pearl Street
Columbus OH 43215

White Cross Properties LTD
11 Buttles Avenue
Columbus, OH 43215

Silver Century Holdings/PTY Limited
c/o Sorrell and Company Realtors
1286 West Lane Avenue
Columbus, OH 43221

ALSO NOTIFY:

David B. Perry
David Perry Company, Inc.
145 East Rich Street, 3rd Flr.
Columbus, OH 43215

Mark Wood
Woods High Street LLC
21 West Hubbard Avenue, Suite D
Columbus, OH 43215

Dan Litzinger
Circle Building Services, Inc.
603 East Town Street
Columbus, OH 43215

Steve Hurtt
Urban Order Architecture
797 Summit Street
Columbus, OH 43215

Matthew Litzinger
L'Antibes Classic French Cuisine
772 North High Street, Suite 106
Columbus, OH 43215

SHEET 2 OF 2
February 19, 2010

BZA: _____
772 North High Street

Legal

772 N. High Street

EXHIBIT "B"

PARCEL 1:

Situated in the County of Franklin, in the State of Ohio and in the City of Columbus, and bounded and described as follows:

Being Lot Number Forty-one (41) in WILLIAM A. GILL'S THIRD NORTH ADDITION to said City, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 1, page 303, Recorder's Office, Franklin County, Ohio; EXCEPTING THEREFROM 10 feet off the west end of said premises, which said 10 feet were conveyed to the City of Columbus, Ohio, April 27, 1916, for the purpose of widening and improving North High Street in said City.

H-003
ALL OF
(010)
011527

Tax Parcel No: 010-011527
Property Address: 772 North High Street Columbus OH 43215
Prior Instrument(s): Official Record Volume 6443, Page A13

PARCEL 2:

Situated in the County of Franklin, in the State of Ohio and in the City of Columbus, and bounded and described as follows:

Being Lots Numbered Forty-two (42) and Forty-three (43) in WILLIAM A. GILL'S THIRD NORTH ADDITION to said City, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 1, page 303, Recorder's Office, Franklin County, Ohio; EXCEPTING THEREFROM 33.5 feet off the north side of said Lot No. 43, and EXCEPTING 10 feet off the west end of said premises, which said 10 feet were conveyed to the City of Columbus, Ohio, April 27, 1916, for the purpose of widening and improving North High Street in said City, as shown in Deed recorded in Deed Book 594, Page 329, Recorder's Office, Franklin County, Ohio.

H-003
ALL OF
(010)
057234

Tax Parcel No: 010-057234
Property Address: 772 North High Street Columbus OH 43215
Prior Instrument(s): Official Record Volume 6443, Page A13



[Auditor Home](#) [Real Estate Home](#) [Search](#) [Specialty Maps](#) [Auditor Services](#) [Contact Us](#) [On-Line Tools](#)

MAP(GIS)

Parcel Info

Parcel ID	Map Routing Number	Owner	Location
010-011527-00	010-H003 -118-00	WOODS HIGH STREET LTD	768 N HIGH ST

- Summary
- Property Profile
- Land
- Building
- Improvements
- MAP(GIS)
- Sketch
- Photo
- Transfer History
- Area Sales Activity
- Area Rentals
- Tax Information
- Levy Info
- Tax Distribution
- Rental Contact
- Tax Estimator
- Property Reports

- Area Maps ▶
- Select Items
- Proximity Report
- Theme Maps
- Print ▶



Using the Site

County Location »

Legend »

Zoom

IN



Current Map:
227 x 167'

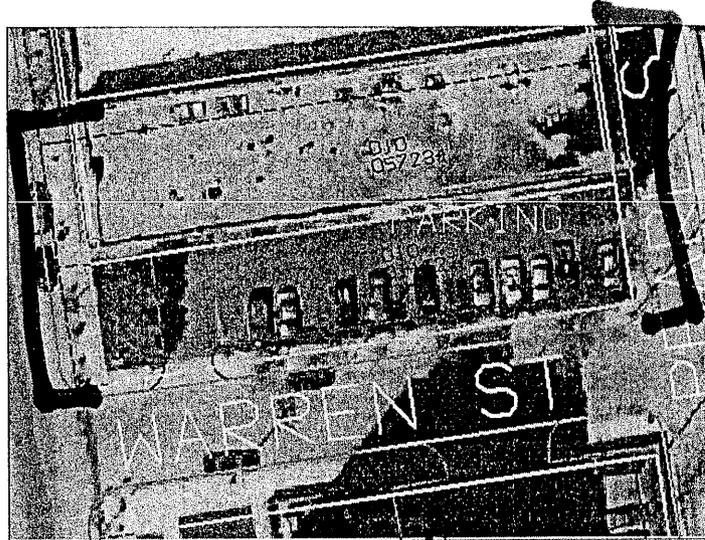
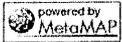


Image Date: Mon Aug 3 15:30:35 2009

Ortho Photographs taken in 2007



The closest fire station from the center of this map is 3742 feet away. See [below](#) for more details.
Measurements are over straight-line distances.

Link to:

- County Recorder Documents
- City of Columbus Zoning Maps

Data updated on:
2009-08-03 07:09:39

Closest Fire Departments	
Columbus Station 1 & 9	3742 feet
Columbus Station 7	4967 feet
Columbus Station 25	1.2 miles



[Auditor Home](#)
[Real Estate Home](#)
[Search Specialty Maps](#)
[Auditor Services](#)
[Contact Us](#)
[On-Line Tools](#)

Photo

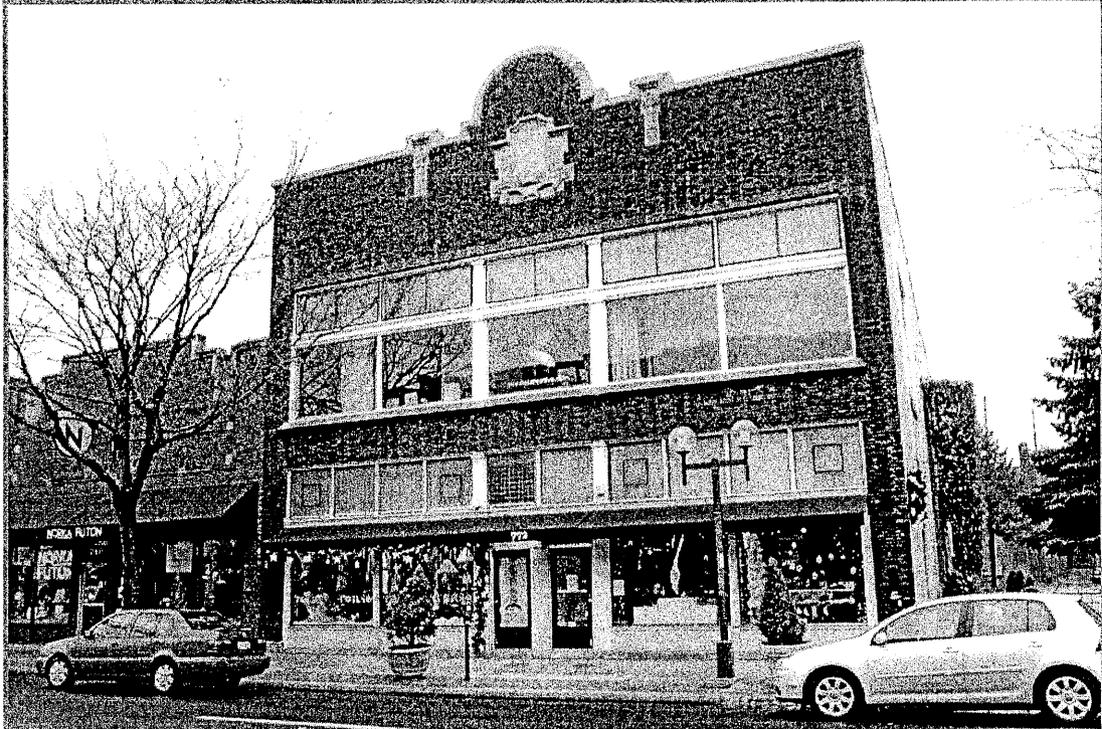
Parcel Info

	Parcel ID	Map Routing Number	Owner	Location
Summary	010-057234-00	010-H003 - 117-00	WOODS HIGH STREET LTD	772 N HIGH ST
Property Profile				
Land				
Building				
Improvements				
MAP(GIS)				
Sketch				
Photo				

- Transfer History
- Area Sales Activity
- Area Rentals
- Tax/Payment Info
- Levy Info
- Tax Distribution
- Rental Contact
- Tax Estimator
- Property Reports
- Area Sex Offender Inquiry

Property Photograph for 010-057234-00

Clarence E. Mingo II, Franklin County Auditor



010-057234-00 12/09/2007

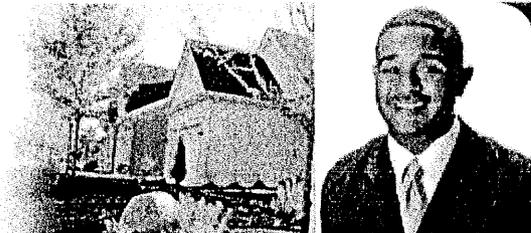
Image Date: 2007-12-09 10:41:41

Disclaimer

The information on this web site is prepared for the real property inventory within this county. Users of this data are notified that the public primary information source should be consulted for verification of the information contained on this site. The county and vendors assume no legal responsibilities for the information contained on this site. Please notify the Franklin County Auditor's Real Estate Division of any discrepancies.



Data updated on:



[Auditor Home](#)
[Real Estate Home](#)
[Search Specialty Maps](#)
[Auditor Services](#)
[Contact Us](#)
[On-Line Tools](#)

Photo

Parcel Info

	Parcel ID	Map Routing Number	Owner	Location
Summary	010-011527-00	010-H003 - 118-00	WOODS HIGH STREET LTD	768 N HIGH ST
Property Profile				
Land				
Building				
Improvements				
MAP(GIS)				
Sketch				
Photo				

Property Photograph for 010-011527-00

Clarence E. Mingo II, Franklin County Auditor



010-011527-00 12/09/2007

Image Date: 2007-12-09 10:42:42

Transfer History

Area Sales Activity

Area Rentals

Tax/Payment Info

Levy Info

Tax Distribution

Rental Contact

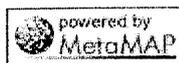
Tax Estimator

Property Reports

Area Sex Offender Inquiry

Pay Real Estate Taxes Here

Tax Estimator by School/District



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Data updated on:



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: D

DATE: 2/12/10



Disclaimer

Scale = 120



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.

One Stop Shop Zoning Report

Building Services Division
 Department of Development
 Report date: 3/17/2010 12:11:21 PM

Parcel Report

Parcel ID	Owner	Address
010057234	772 NORTH HIGH L P	772 N HIGH ST COLUMBUS OH 43215

Base Zoning Report

Case Number	Classification	Height District	Map Number	General Zoning Category	Limitation Text
1276	C4	H-35	28	Commercial	(View Document)

Historic District

District Name
Italian Village

Zoning Overlay District

Overlay Name	District Name	Planning Overlay
I-670 GRAPHICS CONTROL	REVIEW PLANNING OVERLAY	G
I-670 GRAPHICS CONTROL	PLANNING OVERLAY	G

Flood Zone

Firm Panel	Flood Zone	SFHA	Panel Type	FZONE
TBD	X	OUT	CURRENT	X

Area Commissions

Area Name	INFObase URL
Italian Village Commission	INFObase Page



This map is intended to locate the property in question and provide information about the land use categories governing the use of this parcel. Please consult with zoning staff before making binding decisions based on this information. The property address is not a certified address for building purposes. No warranty is expressed or implied.

10310-00057
772 N. High St.

EXHIBIT B

Statement of Hardship

772 North High Street, Columbus, OH 43215

BZA: 10310-00057
772 N. High St.

The site is located at the northeast corner of North High Street and Warren Street, and abuts North Pearl Street (30') to the east. The site is developed with a two (2) story commercial (1st floor) and residential (2nd floor) mixed use building in the C-4, Commercial District. The site has fourteen (14) existing on-site parking spaces.

A commercial tenant (L'Antibes Classic French Cuisine), located at the east end of the first floor, adjacent to North Pearl Street, proposes to use approximately 1,200 sq ft of the existing parking lot, as depicted on the site plan, for outside dining from 5:50 PM to 11 PM each evening, as weather and temperature permits. L'Antibes will setup and break down and remove all tables, food serving equipment and tent-like temporary cover every evening, so the full parking lot and existing access points on Warren Street and North Pearl Street will be fully available for use outside of the proposed operating hours of the patio. The evening patio (1,200 +/- sq. ft.) use requires 16 parking spaces at 1:75 gross sq. ft.. Applicant and property owner also proposed to restripe the existing parking lot to provide an ADA Van Accessible parking space. Under the provisions of 3342.23, Striping and Marking, no variance is needed to reduce parking in an existing parking lot when the purpose of the reduction is to comply with the American Disabilities Act (ADA).

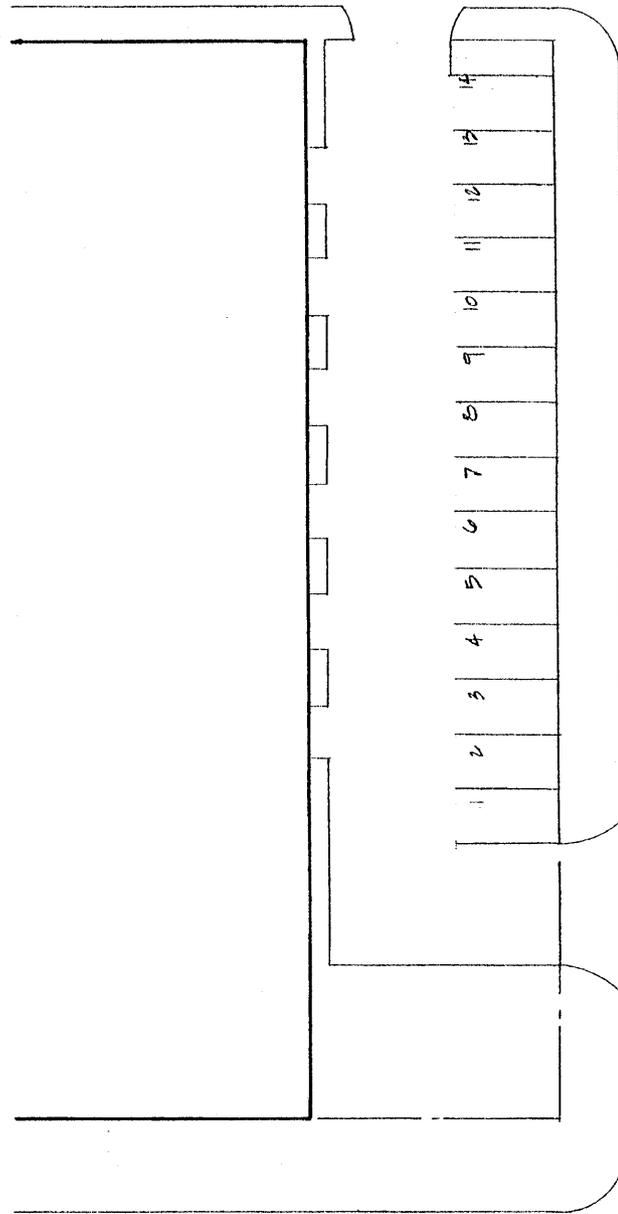
The environment is an urban neighborhood subject by city code to full code required parking, while the environment itself calls for reduced parking and mixed use development. Parking on North High Street in Victorian Village/Italian Village is calculated at the full code required rates vs. the downtown parking exempt area (south of I-670 Cap) where no parking is required. The Urban Commercial Overlay (UCO) areas, for example, the University Area Commission area, starting at and north of 5th Avenue, permit a 50% reduction in required parking. Many projects in the Short North and other urban areas have included variances to reduce parking. All of the following variances are typical of existing conditions and numerous variances previously granted in this urban neighborhood.

Applicant requests the following variances:

- 1) 3342.28, Minimum Number of Parking Spaces Required, which Section requires

16 new parking spaces for the proposed 1,200 +/- sq. ft. seasonal patio and a reduction in one (1) existing required parking space to provide an ADA compliant van accessible parking space, by reducing existing parking from 14 spaces to 13 spaces, thereby requesting a variance of 17 parking spaces to 0, subject to providing 13 on-site parking spaces, including one (1) ADA van accessible parking space.

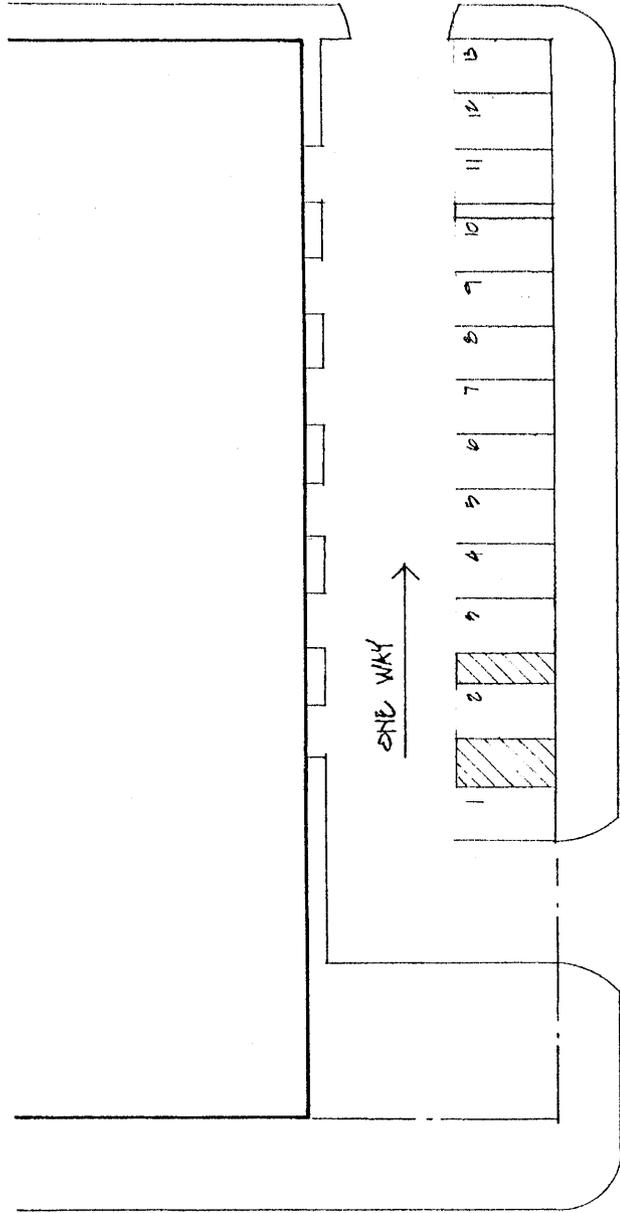
- 2) 3342.06, Aisle, which Section requires a minimum aisle width of 20 feet for 90 degree parking with 2-way travel, while applicant requests a variance to reduce the required aisle width to 18 feet to reflect existing site conditions.
- 3) 3356.11, C-4 District Setback Lines, which section requires a minimum 25 foot building setback along Warren Street, while applicant proposes a tent-like temporary cover placed and removed each evening that outside dining is provided, which temporary cover will be supported structures exceeding six (6) feet in height and located at the Warren Street property line (0'), in the Warren Street building setback.
- 4) Section 3342.18(d), which Section requires a minimum parking setback line of ten (10) feet, while applicant requests a parking setback line of zero (0) feet to reflect the existing layout of the parking lot.



EXISTING SITE PLAN
 1" = 20'-0"

PANNING LAYOUT
 772 NORTH HIGH
 THE WOOD COMPANIES
 UNBROOKER ARCHITECTURE
 8/20/09

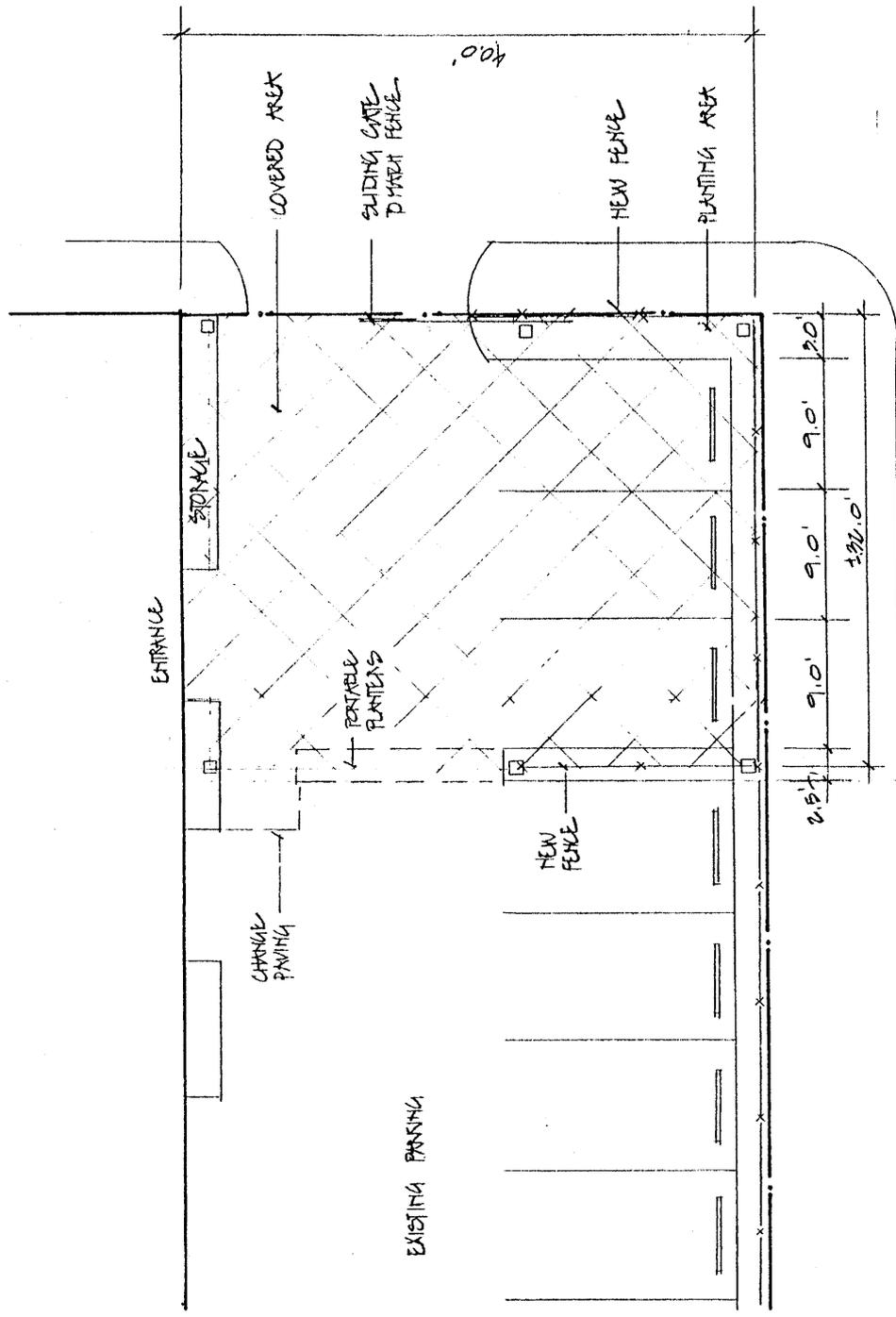
10310-00057
 772 N. High St.



PROPOSED SITE PLAN 'A'
 1" = 20' @

PARKING PROPOSAL
 770 NORTH HIGH
 THE WOOD COMPANIES
 URBANORDER ARCHITECTURE
 8.14.09

10310-00057
 772 N. High St.



ATTENTIONS TO:
 772 NORTH HIGH STREET
 THE WOOD COMPANIES
 URBANORDER ARCHITECTURE
 8-11-09

PARTIAL SITE PLAN
 1/8" = 1'-0"



Signature of Applicant _____ Date _____

PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this
THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate

10310-00057
772 N. High St.

STATE OF OHIO
COUNTY OF FRANKLIN

APPLICATION #

Being first duly cautioned and sworn (NAME) Donald Plank, Plank Law Firm
of (COMPLETE ADDRESS) 145 East Rich Street 3rd Flr. 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 and their mailing addresses:

NAME COMPLETE MAILING ADDRESS

Chef Concepts LLC 772 North High Street
DBA L'Antibes Classic Columbus, OH 43201
French Cuisine
c/o Matthew Litzinger

Woods High Street Ltd. 21 West Hubbard Avenue
c/o Mark Wood suite D
Columbus, OH 43215

SIGNATURE OF AFFIANT

Donald Plank

Subscribed to me in my presence and before me this 19th day of February, in the year 2010

SIGNATURE OF NOTARY PUBLIC

David Watkins

My Commission Expires:



David Watkins
Attorney At Law
Notary Public - State of Ohio
My commission Has no Expiration Date
Ohio Revised Code Section 149.02
— Attachment Packet