

Date

Application #

City of Columbus | Development Department | Building Services Division | 757 Carolyn Ave , Columbus, Ohio 43224



Comments: 40 spaces additional Application Number: 10310-0-00167 Commission/Group: Italian Village
 Date Received: 5/18/10 Planning Area: _____
 Date of Hearing: 7/27/10 Acreage: _____
 Zoning Fee: \$1,900.00 Address Fee _____
 Existing Zoning _____ Accepted by: D. 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.

Describe: EXTENDING PATIO AREA FOR BAR-NIGHTCLUB USE
3342.28 PARKING

LOCATION

1. Certified Address Number and Street Name 893 N. 4TH STREET
City COLUMBUS State OH Zip 43201

Parcel Number (only one required.)

0	1	0	-	0	4	5	6	6	9
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APPLICANT (IF DIFFERENT FROM OWNER)

2. Name CONNIE J. KLEMA, ATTORNEY
3. Address P.O. Box 991 PATASKALA City PATASKALA Zip 43062
4. Phone# 614-469-9122 Fax# N/A
5. Email Address CKLEMA@VROHIO.COM

PROPERTY OWNER(S)

6. Name VICTOR INVESTMENTS, LTD
7. Address 929 NORTH 9TH ST. City COLUMBUS Zip 43201
8. Phone# N/A Fax# N/A
9. Email Address N/A

Check here if listing additional property owners on a separate page

ATTORNEY / AGENT (CIRCLE ONE)

10. Name CONNIE J. KLEMA, ATTORNEY
11. Address P.O. Box 991 City PATASKALA Zip 43062
12. Phone# 614-469-9122 Fax# N/A
13. Email Address CKLEMA@VROHIO.COM

SIGNATURES

14. Applicant Signature Connie J. Klema, ATTORNEY
15. Property Owner Signature Connie J. Klema, ATTORNEY, on behalf of Victor Investments, Ltd
16. Attorney/Agent Signature Connie J. Klema, ATTORNEY

BZA APPLICATION NO: 10310-00000-00167

893 N. 4TH STREET

LIST OF VARIANCES:

- 1. 3342.28: To permit a parking variance from 40 spaces to four spaces.**
- 2. 3372.607(C): To permit a six foot (6') high wood fence as delineated on the Site Plan dated 5/17/10.**

Date

Application #

City of Columbus | Development Department | Building Services Division | 757 Carolyn Ave , Columbus, Ohio 43224



AFFIDAVIT

(See next page for instructions.)

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Connie J. Klema, Attorney of
(1) MAILING ADDRESS P.O. Box 991 PATASKALA OH 43062
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) ADDRESS OF PROPERTY 893 N. 4TH ST Columbus OH 43201
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) VICTOR INVESTMENTS, LTD
929 N. 4TH ST
COLS OH 43201

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

CONNIE J. KLEMA, ATTORNEY
P.O. BOX 991, PATASKALA OH 43062

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

(5) ITALIAN VILLAGE COMMISSION
RANDY BLACK
109 N. FRONT ST, COLS. 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 ATTACHED

(7) Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT(8) Connie J. Klema
Subscribed to me in my presence and before me this 17 day of May, in the year 2010

SIGNATURE OF NOTARY PUBLIC(8) Gordon P. Shuler
My Commission Expires: _____

GORDON P. SHULER, Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
MY COMMISSION HAS NO EXPIRATION DATE
SECTION 147.03 R. C.

Notary Seal Here

Connie J. Klema, Attorney At Law
P O Box 991
Pataskala, OH 43062

Victor Investments LTD
929 N. Fourth St.
Columbus, OH 43201

Randy Black
Italian Village Commission
109 N. Front St.
Columbus, OH 43215

Joseph E. & Alice M. Blankenship
5113 County Place Ln.
Plain City, OH 43064

Andrew J. Coleman
924 Hamlet St.
Columbus, OH 43215

David F. Cooke
184 E. First Av.
Columbus, OH 43201

Christopher M. Hammer
904 Hamlet St.
Columbus, OH 43201

Eugene Hawkins
659 Kerr St.
Columbus, OH 43215

Sherwood Hill
178 E. First Ave.
Columbus, OH 43201

Randy Huff
894 Hamlet St.
Columbus, OH 43201

JDS Jeffrey LLC
515 E. Main St.
STE 500
Columbus, OH 43215

KN Investments LLC
908 N. Fourth St.
Columbus, OH 43201

Dawn M. Kurzynowski
186 E. First Av.
Columbus, OH 43201

Allan M. Hurtt
898 Hamlet St.
Columbus, OH 43201

Norman & Wendy Penn
P O Box 10569
Columbus, OH 43201

Mark E. Roth
902 Hamlet St.
Columbus, OH 43201

Michael S. Blue
979 High St.
Worthington, OH 43085

Helen D. Zapol
762 Park St. Apt A
Columbus, OH 43215

Helen D. Zapol
919 N. Fourth St.
Columbus, Ohio 43201

Ellen A. & Matthew C. Carraro
904 Hamlet St.
Columbus, Ohio 43201

One Stop Shop Zoning Report

Building Services Division
Department of Development
 Report date: 5/21/2010 1:05:38 PM

Parcel Report

Parcel ID	Owner	Address
010045669	VICTOR INVESTMENTS LTD	893 N 4TH ST COLUMBUS OH 43201

Base Zoning Report

Case Number	Classification	Height District	Map Number	General Zoning Category	Limitation Text
Z08-061	CPD	H-35	28	Commercial	(View Document)

Historic District

District Name
 Italian Village

Zoning Overlay District

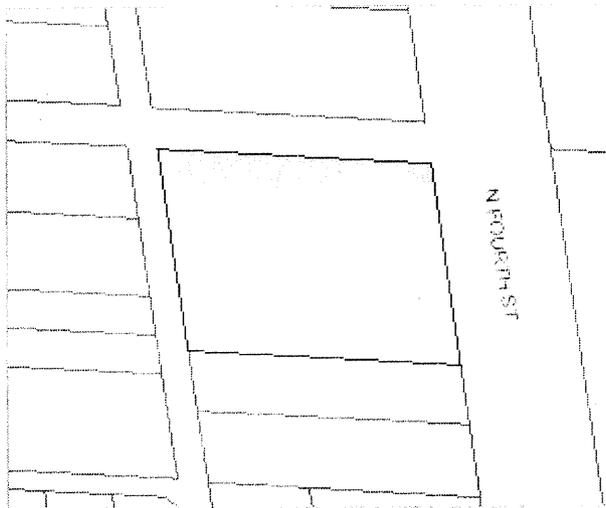
Overlay Name	District Name	Planning Overlay
ITALIAN VILLAGE UCO	URBAN COMMERCIAL OVERLAY	P
N/A	REVIEW URBAN COMMERCIAL OVERLAY	P
I-670 GRAPHICS CONTROL	REVIEW PLANNING OVERLAY	G
I-670 GRAPHICS CONTROL	PLANNING OVERLAY	G
N/A	URBAN COMMERCIAL OVERLAY	P

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.

10310-00167
893 N. 4th St.

STATEMENT OF HARDSHIP

BACKGROUND

893 N. 4th Street (the “property”) is located on N. 4th Street in Italian Village in the Urban Commercial Overlay (“UCO”). After being used as a commercial establishment throughout its history, which includes its present use as a bar-nightclub, the property was rezoned to “CPD” (Commercial Planned Development District) in 2009. The rezoning included approval of a parking variance from 23 to four parking spaces, and a variance to permit a six (6) foot high wood fence surrounding the patio area. The Property is located in the densely populated Italian Village where many commercially used properties have served the many patrons who live in the area. Residences and commercial establishments are integrated into the neighborhood. This mixture encourages an internal, local environment. This design concept, which was established over a century ago, supports a local functioning environment that weaves commercial establishments that provide services, goods, and entertainment into the residential neighborhood that needs them. As a result, walking traffic is the norm and numerous paved parking lots on each business lot are not needed. To accommodate commercial uses of the Property, including the existing bar-nightclub use, and to adopt the standards applicable in the UCO, specifically Sections 3372.602, 3372.603, 3372.604, 3372.607, 3372.608 and 3372.609, the property was rezoned to CPD in accordance with the development text.

VARIANCE REQUEST

After rezoning the property to CPD, the property owners improved the property with a patio, landscaping, etc. in accordance with the development plan. After more than one (1) year of business, the owners wish to expand the patio area and to provide landscaping and screening in accordance with the applicable UCO standards. While the CPD zoning permits the expanded use on the property, the development plan that was approved with the rezoning needs to be varied to expand the patio area and to permit fewer parking spaces than required with the patio expansion.

Unlike other properties that are occupied by and operate in a commercial district, the old neighborhoods with established commercial businesses were not designed to accommodate the existing zoning code. Lots are smaller, commercial uses are mixed in with residential areas, and parking lots are not required. Special circumstances apply to the property that require existing code requirements be varied to accommodate the historical community.

The established use of the subject lot has not adversely affected the surrounding property or neighborhood. The property is a combination of two platted lots that are surrounded on three sides by a street and alleys (the property fronts on N. 4th Street, borders an alley on the north and an alley on the west). These special circumstances have served to separate the property from neighboring lots and to better accommodate access and its business use. These variances will not impair an adequate supply of light and air to adjacent property, unreasonably increase the congestion of public streets, and will not increase the danger of fires, endanger the public safety, unreasonably diminish or impair public health, safety, comfort, morals, or welfare of the inhabitants of the City.

10310-00167
893 N. 4th St.



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: M

DATE: 5/18/10



Disclaimer

Scale = 80
Grid North

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

10310-00167
893 N. 4th St.



City of Columbus Zoning Plat

10310-00167
893 N. 4th St.

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: 010045669

Zoning Number: 893

Street Name: N 4TH ST

Lot Number: 16 & 44'NS LOT 17

Subdivision: SORINS

Requested By: CONNIE J. KLEMA, ATTORNEY

Issued By: *Adyana Ahmarian*

Date: 5/14/2010



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

SCALE: 1 inch = 50 feet

GIS NOS FILE NUMBER: 4164



Signature of Applicant _____ Date _____

PROJECT DISCLOSURE STATEMENT

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

10310-00167
893 N. 4th St.

STATE OF OHIO
COUNTY OF FRANKLIN

APPLICATION # _____

Being first duly cautioned and sworn (NAME) CONNIE J. KLEMA ATTORNEY
of (COMPLETE ADDRESS) P.O. BOX 991 PATHSKALA OH 43062
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

VICTOR INVESTMENTS, LTD
929 N. 4TH ST., COLUMBUS, OH 43201

ROBERT J. WAGNER, MEMBER
JOSEPH SCOTT KLEIN, MEMBER

SIGNATURE OF AFFIANT

Connie J. Klem

Subscribed to me in my presence and before me this 17 day of May, in the year 2010

SIGNATURE OF NOTARY PUBLIC

Gordon P. Shuler

My Commission Expires:

GORDON P. SHULER, Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
MY COMMISSION HAS NO EXPIRATION DATE
SECTION 147.03 R. C.

Notary Seal Here