

Date

Application # 11310-00000-00413

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



Comments: \_\_\_\_\_ Application Number: \_\_\_\_\_ Commission/Group: \_\_\_\_\_  
 \_\_\_\_\_ Date Received: 27 July 2011 Planning Area: \_\_\_\_\_  
 \_\_\_\_\_ Date of Hearing: 21 SEP 2011 Acreage: \_\_\_\_\_  
 \_\_\_\_\_ Zoning Fee: \$1900 Address Fee \_\_\_\_\_  
 \_\_\_\_\_ Existing Zoning \_\_\_\_\_ Accepted by JF

### 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: 3372.604A - Building Setback Variance TO INCREASE FROM 10' TO 21.9'

#### LOCATION

1. Certified Address Number and Street Name 910 W. Fifth Avenue  
 City Columbus State Ohio Zip 43212-2657

Parcel Number (only one required.)

0 1 0 - 1 8 0 8 1 1

#### APPLICANT (IF DIFFERENT FROM OWNER)

2. Name Ellen Baumann of Glaus, Pyle, Schomer, Burns, & Dehaven, Inc. dba GPD Group  
 3. Address 5595 Transportation Blvd City Cleveland Zip 44125  
 4. Phone# 216-927-8650 Fax # 216-518-5545  
 5. Email Address ebaumann@gpdgroup.com

#### PROPERTY OWNER(S)

6. Name McDonald's USA, LLC  
 7. Address 2 Easton Oval, Suite 200 City Columbus Zip 43219  
 8. Phone# 614-418-3300 Fax # \_\_\_\_\_  
 9. Email Address david.warren@us.mcd.com

Check here if listing additional property owners on a separate page

#### ATTORNEY / AGENT (CIRCLE ONE)

10. Name Ellen Baumann of GPD Group  
 11. Address 5595 Transportation Blvd City Cleveland Zip 44125  
 12. Phone# 216-927-8650 Fax # 216-518-5545  
 13. Email Address ebaumann@gpdgroup.com

#### SIGNATURES

14. Applicant Signature Lynsey Ondacker  
 15. Property Owner Signature David Warren  
 16. Attorney/Agent Signature Lynsey Ondacker





AFFIDAVIT

11310-00000-00413
910 W. FIFTH AVENUE

(See next page for instructions.)

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Lynsey Orndorfer of
(1) MAILING ADDRESS GPD GROUP 5595 Transportation Blvd., Suite 100 Cleveland, OH 44125
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 910 W. 5th Ave.
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) McDonalds USA LLC
2 Easton Oval, suite 200
Columbus, OH 43219

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

Ellen Baumann of GPD Group
216-927-8650

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

(5) 5th BV NORTHWEST
BRUCE SHALTER 614-488-1110
1635 B GRANDVIEW AVE, COLUMBUS, OH 43212

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

Blank lines for listing property owners and addresses.

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

SIGNATURE OF AFFIANT(8) Lynsey Orndorfer
Subscribed to me in my presence and before me this 27 day of July, in the year 2011

SIGNATURE OF NOTARY PUBLIC(8) Mary M Dolby
My Commission Expires: June 18, 2013

Notary Seal Here



Mary M. Dolby
Notary Public
In & for the State of Ohio
My Commission Expires
June 18, 2013



# STATEMENT OF HARDSHIP

**11310-00000-00413**  
**910 W. FIFTH AVENUE**

APPLICATION # \_\_\_\_\_

### 3307.09 Variances by Board.

A. The Board of Zoning Adjustment shall have the power, upon application, to grant variances from the provisions and requirements of this Zoning Code (except for those under the jurisdiction of the Graphics Commission and except for use variances under the jurisdiction of the Council). No variance shall be granted unless the Board finds that all of the following facts and conditions exist:

1. That special circumstances or conditions apply to the subject property that do not apply generally to other properties in the same zoning district.
2. That the special circumstances or conditions are not the result of the actions of the property owner or applicant.
3. That the special circumstances or conditions make it necessary that a 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.
4. That the grant of a variance will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of this Zoning Code.

B. In granting a variance, the Board may impose such requirements and conditions regarding the location, character, and other features of the proposed uses or structures as the Board deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.

C. Nothing in this section shall be construed as authorizing the Board to affect changes in the Zoning Map or to add to the uses permitted in any district.

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:

SEE ATTACHED SHEET.

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**GPD GROUP®**  
Glaus, Pyle, Schomer, Burns & DeHaven, Inc.

**Columbus Office**

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Suite 150  
Columbus, OH 43215

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fax 614.210.0752

[www.gpdgroup.com](http://www.gpdgroup.com)

July 2, 2011

201106.11

**RE: McDonald's Major Remodel**

**910 W. 5<sup>th</sup> Ave. Columbus, OH 43212-2657**

**Statement of Hardship**

McDonald's is requesting a front yard building setback variance of 75 feet, along the south side of the West 5<sup>th</sup> Avenue. In effort to preserve the existing building with updates, the existing restaurant is located behind the 75' setback. A hardship exists particular to this site because the existing was built to the previous requirements of a 75' building setback, not to the current commercial overlay district regulations reduced setback. Because the building is in good condition, a full rebuild is not necessary. The building will be updated both inside and out to freshen and modernize the look. These renovations will include a 10' building addition toward West 5<sup>th</sup> Avenue, but will not surpass the previously established 75' setback. The proposed addition will be approximately 85' from the right-of-way. Without the variance, the existing McDonalds would not be able to operate.

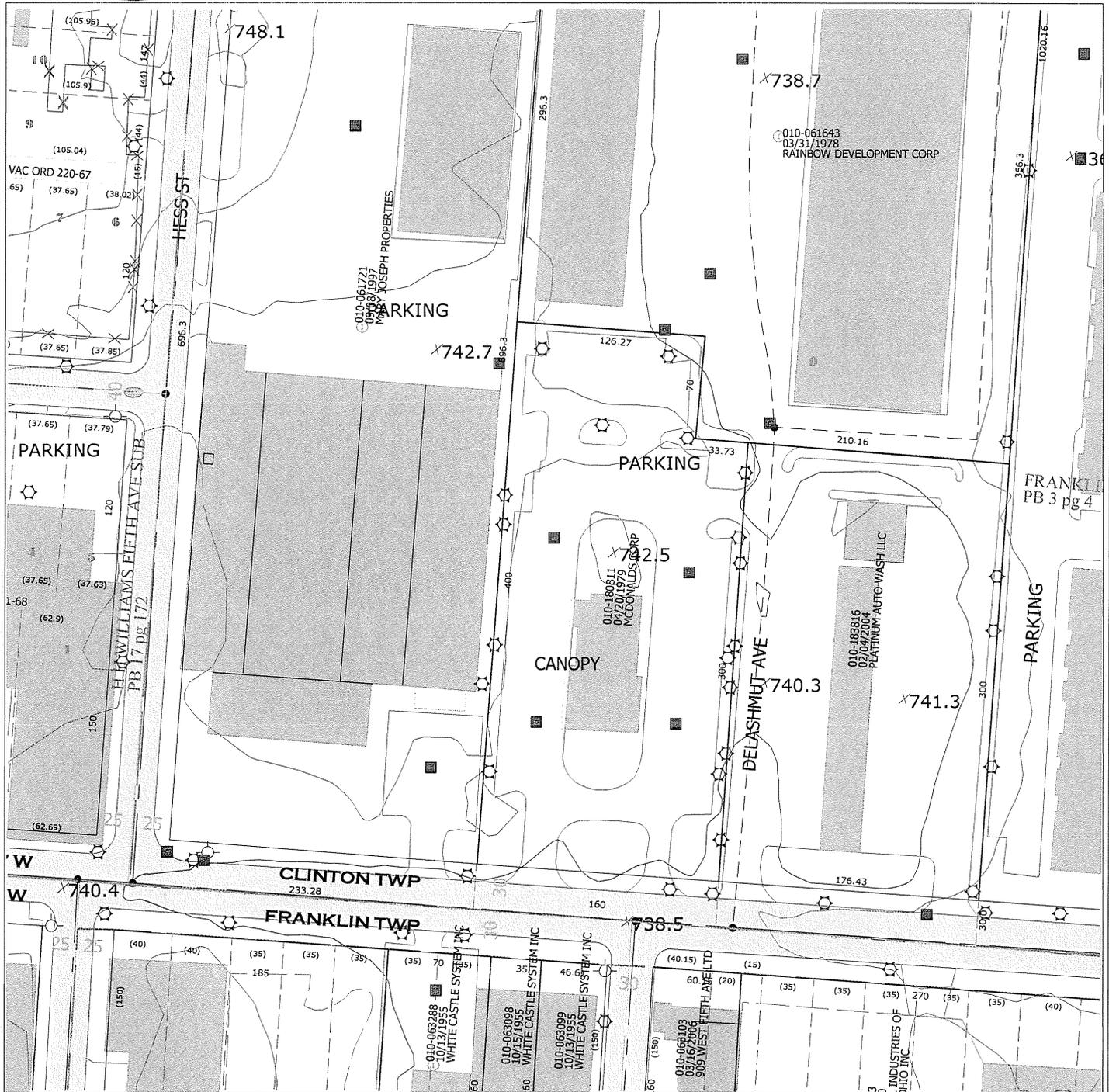
**11310-00000-00413**  
**910 W. FIFTH AVENUE**



# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: S

DATE: 7/26/11



Disclaimer

Scale = 100



This map is prepared for the real property inventory within the county and the mapping companies assume no legal responsibility for errors, omissions, or inaccuracies. Users of this information should be consulted for verification of the information sources. Please notify the Franklin County GIS Division of any discrepancies.

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**910 W. FIFTH AVENUE**

is map.



