



# 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](http://www.columbus.gov)

OFFICE USE ONLY

Application Number: 11310-06000-00207  
Date Received: 15 APRIL 2001  
Commission/Group: CLINTONVILLE  
Existing Zoning: \_\_\_\_\_ Application Accepted by: FF Fee: \$1,900  
Comments: \_\_\_\_\_

### 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.

2000 3312.27.4 parking set back line; to reduce from 10' to 3' for the area to be developed with a patio 2000 3312.41 Table 2 to reduce the number of required parking spaces from 35 (32 for bar and 3 for patio) to 19 with new ADA parking

### LOCATION

1. Certified Address Number and Street Name 395-97 CRESTVIEW RD  
City COLUMBUS State OH Zip 43214  
Parcel Number (only one required) 010-003816-00

### APPLICANT: (IF DIFFERENT FROM OWNER)

Name UPPER CREST LLC DBA CREST TAVERN  
Address 73 GARDEN ROAD City/State COLUMBUS/OH Zip 43214  
Phone # 614-261-7740 Fax # NA Email cdupler@columbus,rr.com

### PROPERTY OWNER(S):

Name CRESTVIEW REAL ESTATE VENTURE LLC  
Address 73 GARDEN ROAD City/State COLUMBUS/OH Zip 43214  
Phone # 614-261-7740 Fax # NA Email cdupler@columbus,rr.com  
 Check here if listing additional property owners on a separate page.

### ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

Attorney     Agent

Name \_\_\_\_\_  
Address \_\_\_\_\_ City/State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email: \_\_\_\_\_

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

APPLICANT SIGNATURE Christine L. Dupler  
PROPERTY OWNER SIGNATURE Christ L Dupler and Craig W Dupler  
ATTORNEY / AGENT SIGNATURE \_\_\_\_\_

**PLEASE NOTE:** incomplete information will result in the rejection of this submittal.

For all questions regarding this form and fees please call: 614-645-4522

Please make all checks payable to the Columbus City Treasurer

# One Stop Shop Zoning Report

## Building Services Division Department of Development

Report date: 4/14/2011 12:00:15 PM

### Parcel Report

Parcel ID	Owner	Address
010003816	CRESTVIEW REAL ESTATE VENTURE LLC	397 CRESTVIEW RD COLUMBUS OH 43202
010003816	CRESTVIEW REAL ESTATE VENTURE LLC	395 CRESTVIEW RD COLUMBUS OH 43202

### Base Zoning Report

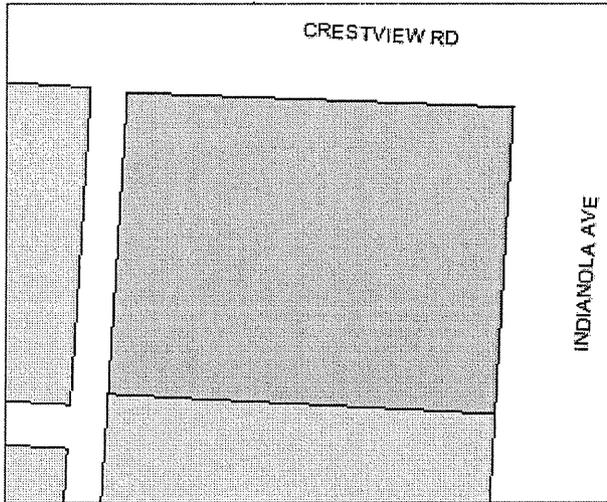
Case Number	<u>Classification</u>	Height District	Map Number	General Zoning Category	Limitation Text
ORIG	C4	H-35	20	Commercial	<i>(View Document)</i>

### Flood Zone

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

### Area Commissions

Area Name	INFObase URL
Clintonville Area Commission	<a href="#">INFObase Page</a>



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.

**11310-00000-00207**  
**395-97 CRESTVIEW ROAD**



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## AFFIDAVIT

**11310-00000-00207**  
**395-97 CRESTVIEW ROAD**

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME C. KRISTINE H. DUPLER  
of (1) MAILING ADDRESS 73 GARDEN ROAD COLUMBUS, OHIO 43214  
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) CRESTVIEW REAL ESTATE VENTURE LLC  
73 GARDEN ROAD  
COLUMBUS, OHIO 43214  
CRESTVIEW-1 UPPER CREST LLC  
73 GARDEN ROAD  
COLUMBUS, OH 43214 614-261-7740

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

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

(5) CLINTONVILLE AREA COMMISSION  
SANDY SIMBRO - CO-CHAIR  
65 ORCHARD LAKE 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 enclosed form

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

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 15<sup>th</sup> day of April, in the year 2011

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

(8) David J. Reiss

DAVID J. REISS  
NOTARY PUBLIC - STATE OF OHIO  
MY COMMISSION EXPIRES MAY 30, 2015

Notary Seal Here

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## Statement of Hardship

The Crest Tavern located at 395/397 Crestview Road in Columbus, Ohio also identified per address card as zoning number 399 Crestview Rd lot number 010003816, is a family owned and operated establishment for fifty years. The current 20 space parking lot has existed since the late 1970's. The Upper Crest LLC DBA Crest Tavern is applying for 2 variances. The first variance requested relates to CCC 3312.27.4 parking setback line. We request to reduce the setback line from 10 feet to 3 feet for the area to be developed with a patio. The second variance concerns CCC 3312.49 which describes parking requirements for eating and drinking establishments. We request to reduce the number of required parking spaces from a total of 35 spaces (32 for a restaurant/bar with an area of 2400 square feet and 3 spaces for the proposed patio addition) to 19 spaces with the addition of new ADA parking.

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 special circumstances or conditions of the property different from other properties in the same zoning district is that the existing commercial building has been there since 1925 and is limited to 2400 square feet or less than 17% of the entire property. Adequate space is available for an outdoor smoking and beverage patio. Our customer base includes a portion of pedestrian neighbors who do not use parking spaces.
2. The special circumstances or conditions that are not a result of the actions of the property owner or applicant are the Columbus Smoke free Indoor Air Act of 2004 (City Code Chapter 715) and the Ohio Revised Code Chapter 3794. The Columbus Act permits a patio if the ingress/egress is separate from the main entrance. Our proposal incorporates compliance with City Code Chapter 715. In addition, the Department of Liquor Control requires that for the transport of alcoholic beverages, the entire area be fenced such that no beverages are outside the fenced area. Our proposed ingress/egress satisfies that. Our employees will be aware and trained to leave the door closed to prevent migration of smoke into the building.
3. The special circumstances or conditions that make it necessary for a variance be granted to preserve a substantial property right of the applicant are that our areas' competitive establishments have outdoor patios. We have lost a significant amount of our customers to our competitors during the warm months and wish to retain these customers. The purpose of the patio is to maintain current customers. Our proposal preserves current parking.
4. The site chosen will not be injurious to neighboring (and many residential) properties because the location chosen is the least intrusive to neighbors. Any alternative location to the south or east will either be adjacent to a neighboring residence or remove existing parking spaces. Adjacent occupants of properties have given verbal approval. Our employees have been trained in noise control.

Signature of Applicant Cherish L. Dugan Date 4-15-11



# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: s

DATE: 4/6/11



Disclaimer

Scale = 60



This map is prepared for the real property inventory within this survey plan, and other public records and data. Users of this information should be consulted for verification of the county and the mapping companies assume no legal responsibility. Please notify the Franklin County GIS Division of any discrepancy.

**11310-00000-00207**  
**395-97 CRESTVIEW ROAD** map.





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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 # **11310-00000-00207**  
**395-97 CRESTVIEW ROAD**

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) CHRISTINE L DUPLER  
of (COMPLETE ADDRESS) 73 GARDEN ROAD COLUMBUS, OHIO 43214  
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

CHRISTINE L DUPLER

73 GARDEN ROAD

COLUMBUS OHIO 43214

BEVERLY CRIST

6405 FOX HILL DRIVE

CANAL WINCHESTER OH 43110

SIGNATURE OF AFFIANT

X Christine L. Dupler

Subscribed to me in my presence and before me this 15<sup>th</sup> day of April, in the year 2011

SIGNATURE OF NOTARY PUBLIC

David J. Reiss

DAVID J. REISS

NOTARY PUBLIC - STATE OF OHIO

My Commission Expires:

MY COMMISSION EXPIRES MAY 30, 2015

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