



# 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: 11310-00000-00496  
Date Received: 6 SEP. 2011  
Commission/Group: 5<sup>th</sup> / Northwest  
Existing Zoning: \_\_\_\_\_ Application Accepted by: [Signature] Fee: \$1900  
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.

The applicant seeks to redevelop this property by razing the existing Taco Bell and rebuilding with a new modernized Taco Bell. The applicant seeks a series of variances to facilitate this redevelopment: C.C. 3372.604 to permit parking next to the building, C.C. 3372.605 to permit the building to be less than 60% of the lot width, and C.C. 3312.11 to allow a drive-through window without a by-pass lane.

### LOCATION

1. Certified Address Number and Street Name 1312 West Fifth Avenue  
City Columbus State Ohio Zip 43212  
Parcel Number (only one required) 010-126700

### APPLICANT: (IF DIFFERENT FROM OWNER)

Name AJA Restaurant Group LLC  
Address 1029 Dublin Rd. City/State Columbus Zip 43215  
Phone # 485-2521 Fax # \_\_\_\_\_ Email \_\_\_\_\_

### PROPERTY OWNER(S)

Name First Regional Bank  
Address 28172 Via Del Cerro City/State San Juan Capistrano, CA Zip 92675  
Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email \_\_\_\_\_  
 Check here if listing additional property owners on a separate page.

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

Name Jeffrey L. Brown / David Hodge / Smith & Hale LLC  
Address 37 W. Broad St., Suite 725 City/State Columbus Zip 43215  
Phone # 221-4255 Fax # 221-4409 Email: \_\_\_\_\_

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

APPLICANT SIGNATURE AJA Restaurant Group LLC By: [Signature]  
PROPERTY OWNER SIGNATURE First Regional Bank By: [Signature]  
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

\$1900





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## AFFIDAVIT

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME David Hodge  
of (1) MAILING ADDRESS 37 W. Broad St., Suite 725, 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 1312 West Fifth Avenue 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 (4) First Regional Bank  
AND MAILING ADDRESS 28172 Via Del Cerro  
San Juan Capistrano, CA 92675

APPLICANT'S NAME AND PHONE # (5) AJA Restaurant Group LLC  
(same as listed on front of application) 485-2521

AREA COMMISSION OR CIVIC GROUP (5) 5th X Northwest Area Commission  
AREA COMMISSION ZONING CHAIR OR c/o Mr. Bruce Shalter  
CONTACT PERSON AND ADDRESS 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  
Please see attached list.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

SIGNATURE OF AFFIANT (8) David Hodge  
Subscribed to me in my presence and before me this 10th day of September, in the year 2011

SIGNATURE OF NOTARY PUBLIC  
  
Natalie C. Timmons  
Notary Public, State of Ohio  
My Commission Expires 09-04-2015

(8) Natalie C. Timmons  
9/4/15

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**Statement of Hardship**

**1312 West Fifth Avenue**

The applicant is planning to redevelop the subject property with a new, modernized Taco Bell restaurant. In furtherance of this redevelopment, a series of variances are necessary due to the narrowness of the property. The requested variances are:

C.C. 3312.11, Drive-up stacking area.

This section requires a by-pass lane to allow vehicles to bypass the stacking area, where the applicant is proposing to not provide one.

C.C. 3372.604, Setback requirements.

This section requires that parking lots be located behind the principal building, where the applicant is proposing to provide some parking to the east of the building.

C.C. 3372.605, Building design standards.

This section requires the width of a principal building to be a minimum 60% of the lot width, where the applicant is proposing a building that is approximately 30' on a lot that is 101' in width.

This section further requires 60% of the area between the height of two feet and ten feet be clear window glass, where the applicant is proposing the use of large windows on the primary façade that are 51.8% clear window glass.

Within this C-4 zoning district this type of drive-through restaurant is a permitted use. This is a narrow lot, making strict compliance with all of the zoning requirements practically difficult. The grant of these variances will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of the Zoning Code. The applicant respectfully requests the grant of these requested variances to facilitate the improvement of the property.

AJA Restaurant Group LLC

Signature of Applicant: By: David Hurd

Date: 9/16/2011



# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: dlh

DATE: 8/31/11



Disclaimer

Scale = 100



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.





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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 # \_\_\_\_\_

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) David Hodge  
of (COMPLETE ADDRESS) 37 W. Broad St., Suite 725, 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
AJA Restaurant Group LLC,	1029 Dublin Rd., Columbus, OH 43215

First Regional Bank, 28172 Via Del Cerro, San Juan Capistrano, CA 92675

SIGNATURE OF AFFIANT David Hodge

Subscribed to me in my presence and before me this 10th day of September, in the year 2011

SIGNATURE OF NOTARY PUBLIC Natalie C Timmons

My Commission Expires: 9/4/15



*Notarized Here*  
**Natalie C. Timmons**  
Notary Public, State of Ohio  
My Commission Expires 09-04-2015

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