



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

OFFICE USE ONLY

Application Number: 11310-0-00588
Date Received: 10/11/11
Commission/Group: Italian Village
Existing Zoning: C-4 Application Accepted by: D. Reiss Fee: \$1,900.00
Comments: Hearing date: 12/20/11

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.

Requesting a parking variance from Code Section 3342.28: minimum number of parking spaces 3312.49 *(14 to add.)*

LOCATION

1. Certified Address Number and Street Name 972 North High Street (972/982 High Street Condominium Unit C-972)
City Columbus State Ohio Zip 43201
Parcel Number (only one required) 010-274691

APPLICANT: (IF DIFFERENT FROM OWNER)

Name Jim W. Clarke Clarke Architects, Inc
Address 2433 Shillingham Ct. City/State Powell, OH Zip 43065
Phone # 614-791-1200 *614-271-0420* Fax # 614-791-1200 Email jclarke@clarkearchitects.com

PROPERTY OWNER(S):

Name Sebram, Inc.
Address 303 Green Meadows Drive South City/State Westerville, OH Zip 43081
Phone # _____ Fax # _____ Email _____
 Check here if listing additional property owners on a separate page.

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

Attorney Agent
Name Jim W. Clarke - Clarke Architects, Inc.
Address 2433 Shillingham Ct. City/State Powell, OH Zip 43065
Phone # 614-791-1200 Fax # 614-791-1200 Email: jclarke@clarkearchitects.com

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

APPLICANT SIGNATURE _____
PROPERTY OWNER SIGNATURE [Signature] PRESIDENT - SEBRAM INC.
ATTORNEY / AGENT SIGNATURE N/A

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



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AFFIDAVIT

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Jim W. Clarke
of (1) MAILING ADDRESS 2433 Shillingham Court, Powell, OH 43065
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 (4) Sebram, Inc. c/o Sean Allen
AND MAILING ADDRESS 303 Green Meadows Drive South
Westerville, OH 43081

APPLICANT'S NAME AND PHONE # (same as listed on front of application) Jim W. Clarke
614-791-1200 (office); 614-271-8420 (cell)

AREA COMMISSION OR CIVIC GROUP (5) Italian Village Commission
AREA COMMISSION ZONING CHAIR OR Connie Torbeck
CONTACT PERSON AND ADDRESS 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 attached list and mailing labels

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

SIGNATURE OF AFFIANT (8) [Signature]
Subscribed to me in my presence and before me this 10 day of October, in the year 2011

SIGNATURE OF NOTARY PUBLIC (8) [Signature]
My Commission Expires: 10/10/12

Notary Seal Here

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Daniel DeSalvatore
970 N. High Street
Columbus, OH 43201

White Castle Systems Inc.
P.O. Box 1498
Columbus, OH 43216-1498

JRL Enterprises, Inc.
4244 Colerain Avenue
Columbus, OH 43214

Dan Frye
729 South Third Street
Columbus, OH 43206

BBR Holding, Inc.
54 W. Second Avenue
Columbus, OH 43201

Tatina Oberyszyn
967 Mt. Pleasant Avenue
Columbus, OH 43201

Carlind Capital LLC
255 Thornbury Lane
Powell, OH 43065

Scott A. Sammons
963 Mt. Pleasant Avenue
Columbus, OH 43201

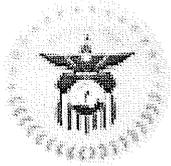
Silk Road International, Inc.
982 N. High Street
Columbus, OH 43201

Michelle L. Pokorny
959 Mt. Pleasant Avenue
Columbus, OH 43201

Woods High Street LTD
930 N. High Street
Columbus, OH 43201

Peter K. Markiewicz
955 Mt. Pleasant Avenue
Columbus, OH 43201

Anthony McCleery
6253 Post Road
Dublin, OH 43017



CITY OF COLUMBUS

DEPARTMENT OF BUILDING AND ZONING SERVICES

11310-00588

972 N. High St.

One Stop Shop Zoning Report Date: Wed Oct 12 2011

General Zoning Inquiries: 614-645-8637

SITE INFORMATION

Address: 972 N HIGH ST COLUMBUS OH 43201

Mailing Address: 255 THORNBURY LN
POWELL OH 43065

Owner: CARLIND CAPITAL LLC

Parcel Number: 010274693

ZONING INFORMATION

Zoning: ORIG, Commercial, C4
effective 2/27/1928, Height Distrt H-35

Board of Zoning Adjustment (BZA): N/A

Commercial Overlay: N/A

Graphic Commission: N/A

Area Commission: Italian Village Commission

Planning Overlay: I-670 Graphics Control

Historic District: Italian Village

Historic Site: No

Council Variance: N/A

Flood Zone: OUT

Airport Overlay Environs: N/A

PENDING ZONING ACTION

Zoning: N/A

Board of Zoning Adjustment (BZA): N/A

Council Variance: N/A

Graphic Commission: N/A





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STATEMENT OF HARDSHIP

11310-00588
972 N. High St.

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 does 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:

Mr. Christopher Perry, a third party, is in contract to purchase 972 N. High Street from owner Sebram, Inc. for the purpose of expanding he & his wife Nida's restaurant business located in the adjacent space at 976 N. High St. The restaurant is named "Nida's Thai on High". Purchase of 972 N. High and expansion of the restaurant into it is contingent on obtaining this parking variance. 972 N. High is now a 1500 ft2 retail space so present required parking is 6 spaces, however existing parking is zero spaces. City Code 3312.03(c) requires 20 spaces for 1550 ft2 restaurant. The difference between required retail and restaurant spaces is 14. We therefore seek a variance to reduce required parking from 14 to 0, which is the existing condition. Mr. & Mrs. Perry have a long term parking agreement with the owners of Fireproof Storage for use of up to 20 spaces in their lot at N. High & E.2nd Ave. There is also a 40 space public parking lot located across High Street from Thai on High. Mr. & Mrs. Perry have resided in and owned businesses in the Short North for over 25 years. As a long standing members of this community, they has been very active in the on-going development of their neighborhood. Chris and Nida Perry wish to continue contributing to the success and appeal of the Short North by gaining approval of this variance allowing expansion their business.

Signature of Applicant _____

Date _____

10/11/11

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These Drawings and Specifications are prepared by Clarke Architects Inc. and are the property of Clarke Architects Inc. All rights reserved. No part of these drawings shall be reproduced or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Clarke Architects Inc. The Architect's design shall not be used by the Tenant or others on other projects, for additions or alterations to existing buildings, or for the Project by others.

DATE: OCTOBER 11, 2011

REVISION DATES:

PROJECT:

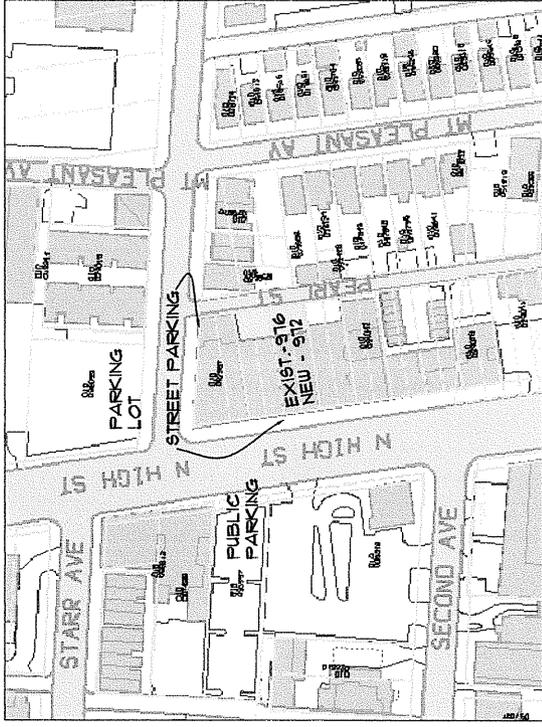
**NDA SUSHI RESTAURANT
 EXPANSION**
 972 HIGH ST.
 COLUMBUS, OHIO 43215

PROJECT NUMBER: CAD004

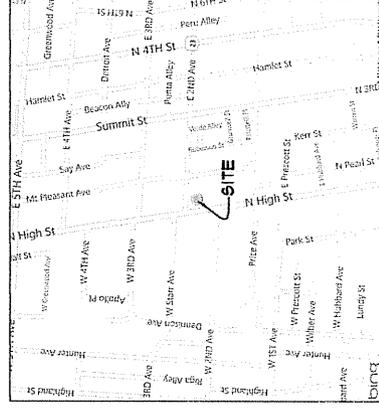
SHEET TITLE:

PLANS/ELEVATION

SHEET NUMBER: A1



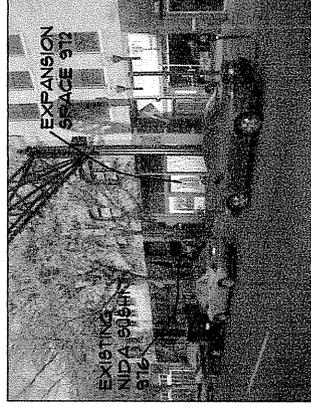
SITE PLAN
 N.T.S.



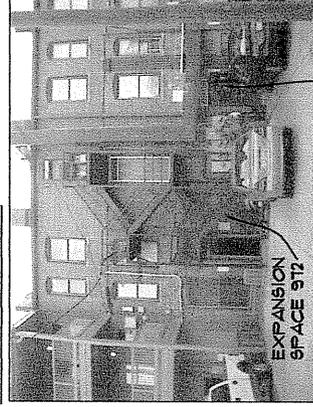
LOCATION MAP
 N.T.S.

NOTES:

- THE EXISTING NDA SUSHI RESTAURANT IS 916 NORTH HIGH ST. CONSISTING OF 1400 SF IS WANTING TO EXPAND INTO THE SPACE TO THE SOUTH.
- THE EXPANSION SPACE FOR THE RESTAURANT IS 912 NORTH HIGH ST. CONSISTING OF 1400 SF. THE EXPANSION SPACE IS TO BE ADJACENT TO A RETAIL SPACE ON THE STREET LEVEL. UP 3 STOREYS OF RESIDENTIAL ABOVE.
- THE RESIDENTIAL ABOVE WILL HAVE 2 SMALL RAMP ADDITIONAL SEATING FOR 1700.

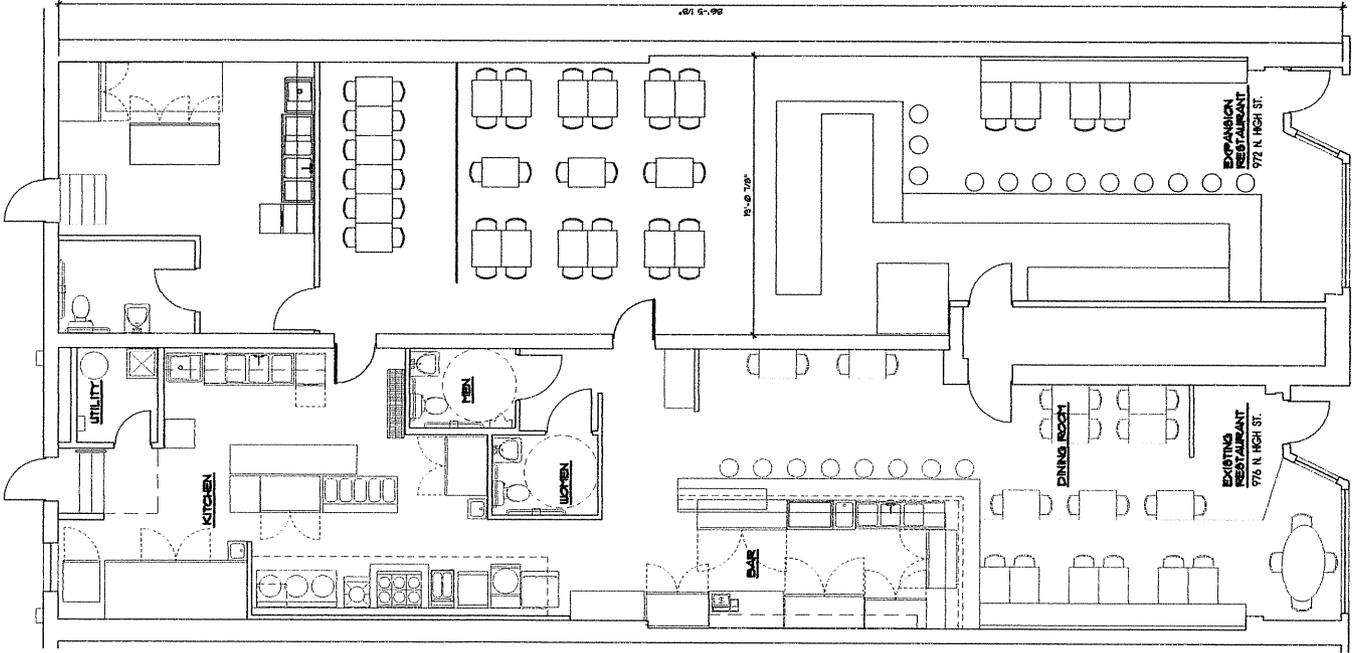


STREET FRONT VIEW



REAR VIEW
 EXISTING
 NDA SUSHI
 916

RESTAURANT PLAN
 1/4" = 1'-0"



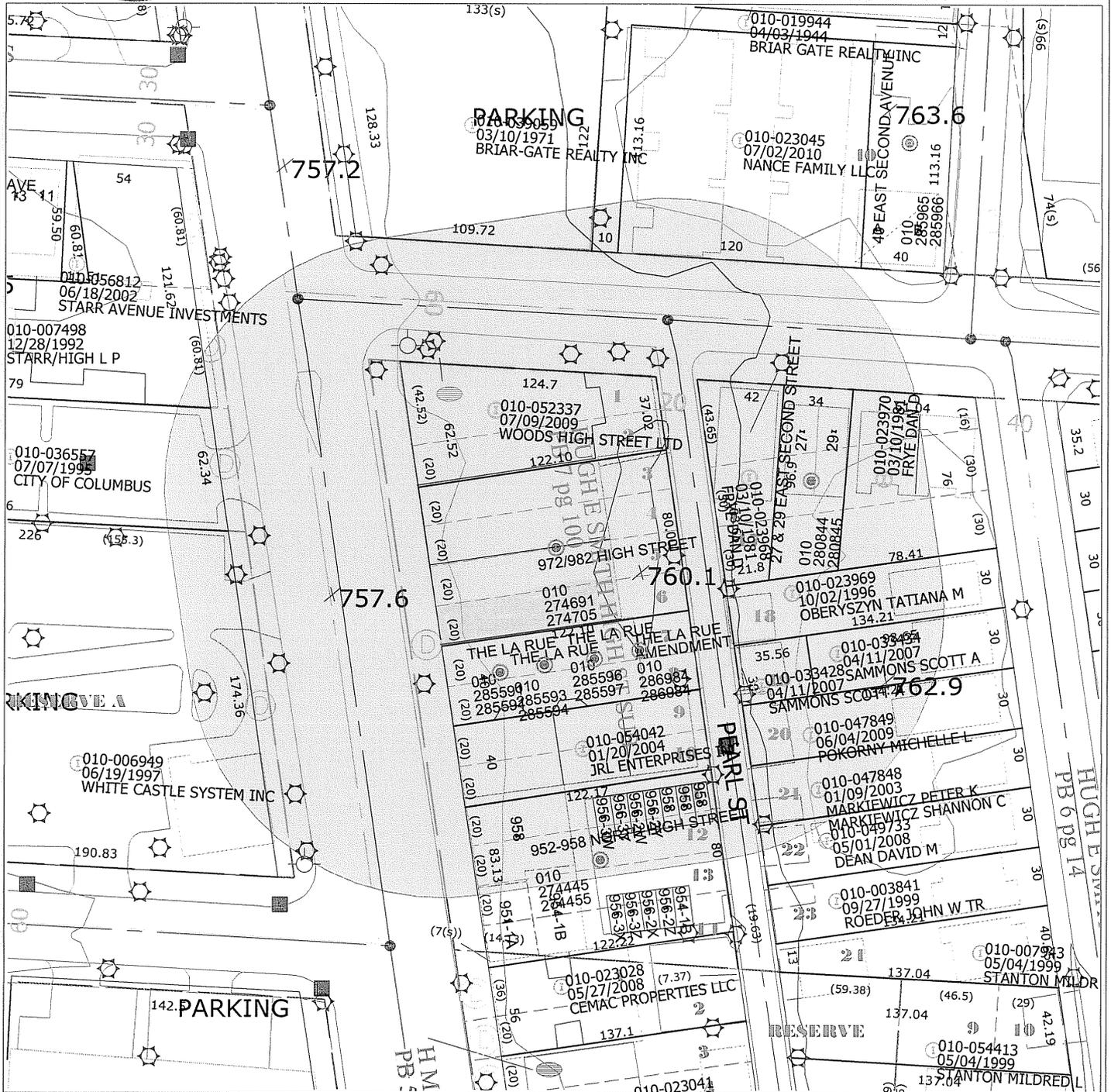
11310-00588
 972 N. High St.



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: s

DATE: 10/11/11



Disclaimer

Scale = 73'



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 # **11310-00588**
972 N. High St.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Jim W. Clarke
of (COMPLETE ADDRESS) 2433 Shillingham Court, Powell, OH 43065

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
Sebram, Inc.	303 Green Meadows Drive South, Westerville, OH 43081
Christopher J. Perry	846 Neil Avenue, Columbus, OH 43215
Nida's Thai on High	976 N. High Street, Columbus, OH 43201

SIGNATURE OF AFFIANT

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

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

10/10/12

Notary Seal Here

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