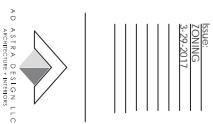




63 - 75 S 18TH STREET

COUNCIL VARIANCE

OAK AND S 18th STREET  
COLUMBUS, OHIO 43205



SITE PLAN

Sheet Number  
A0.1



DEPARTMENT OF BUILDING AND ZONING SERVICES

COUNCIL VARIANCE APPLICATION

Department of Building & Zoning Services

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224

Phone: 614-645-7433 • www.bzs.columbus.gov

STATEMENT OF HARDSHIP

Chapter 3307 of the Columbus Zoning Code

Section 3307.10 Variances by City Council

A. Permit a variance in the yard, height, or parking requirements of any district only in conjunction with a change in zoning or a use variance and only where there are unusual and practical difficulties or unusual hardships in the carrying out of the zoning district provisions due to an irregular shape of lot, topography, or other conditions, providing such variance will not seriously affect any adjoining property or the general welfare.

B. Permit a use of the property not permitted by the Zoning District established on the property if such use will not adversely affect the surrounding property or surrounding neighborhood and if Council is satisfied that the granting of such variance will alleviate some hardship or difficulty which warrants a variance from the Comprehensive Plan.

Before authorizing any variance from the Zoning Code in a specific case, City Council shall first determine that such variance will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus.

In granting a variance pursuant to this section, Council may impose such requirements and conditions regarding the location, character, duration, and other features of the variance proposal as Council deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare

List all sections of Code to be varied and explain your reasoning as to why this request should be granted.

PLEASE NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are discovered after your application is approved, a new application will be required.

I have read the foregoing and believe my application for relief from the requirements of the Zoning Code contains the necessary hardship, will not adversely affect surrounding property owners and will comply with the variance(s) requested as detailed below (use separate page if needed or desired):

Please see attached.

Multiple horizontal lines for listing variances.

Signature of Applicant

Handwritten signatures in blue ink.

Date

3/20/2017

3/27/2017

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

Applications must be submitted by appointment. Call 614-645-4522 to schedule.

Please make checks payable to the Columbus City Treasurer

CV17-024

## Statement of Hardship

### Foreword

CV13-014 will remain in effect for rest of parcels not listed in this new council variance. This CV has been amended CV13-014 to allow the first floor of 63-71 S Eighteenth Street to become an eating and drinking establishment and/ or retail business and/or fitness studio and/ or office and/ or to remain residential units and to apply for a variance to build a patio adjacent to this space in a private side yard that would be occupied by the first floor tenant. The side yard is shared by the neighboring building and thus has also been included in this council variance to allow the patio use within the side yard. CV13-014, granted the first floor of the property located at 63-71 S Eighteenth Street to be used for manufacturing and commercial use, specifically as a production bakery and retail space, but the language of CV13-014 is too specific and needs to be revised to allow for flexibility for potential future tenants.

### Hardships:

**The project is making use of existing buildings and conditions which creates a hardship for density, parking, driveway, lot area, setback, yard, and uses requirements. The projects intent is to keep the look of the neighborhood intact while developing the buildings to better suit the neighborhoods current needs residentially and commercially.**

### Item 1            3333.02, Allowable Uses

#### **63-71 S Eighteenth St.:**

The proposed use of the entire first floor as an eating and drinking establishment and/or an office; retail business; fitness studio while still allowing for the potential future use to return to residential units, while keeping two residential units on the 2<sup>nd</sup> floor. The following uses are not permitted in an ARLD district and require a variance: eating and drinking establishment, office, retail, fitness studio. The intended use of the building would consist of an eating and drinking establishment, a retail space and a fitness studio on the first floor and 2 residential units on the second floor. The proposed eating and drinking establishment, retail space and fitness studio would add to the neighborhood's business diversity while complimenting existing establishments making use of a building which has remained vacant for several years.

The proposed first floor tenant and attached 712 SF fenced in patio is not a permitted use in an ARLD district. A majority of the potential users would access the building by foot, so parking would not be greatly impacted. A restaurant with connected patio use is consistent with the Near East Area Plan. The additional patio is consistent with properties in the same zoning district and would replace an undeveloped lot side yard.

#### **73-75 S Eighteenth St.:**

The property at 73-75 S. Eighteenth St. is an existing 2-family dwelling. As stated in section 3333.02, a 2-family dwelling is a non-conforming use for an ARLD district if the property was not separately owned or of record on January 14, 1959. While the existing building meets this requirement, the request is to maintain the use in the event of catastrophic loss to the structure. In addition, the proposed patio for 63-71 S Eighteenth crosses the property line into this parcel at the side yard; the same variance request applies for this space.

**A variance is requested to allow commercial use on the first floor of 69-71 Eighteenth Street along with a commercial patio, and allow a commercial patio at 73-75 S. Eighteenth St.**

**Item 2** 3309.148 ARLD density requirement

Area district, requires a maximum density of 2,500 sq. feet per dwelling unit in the ARLD district or 17.4 units/acre. This application proposes a maximum density of 42.08 units/acre on Parcel 010-043734 and to maintain a maximum density of 25.67 units/ acre on Parcel 010-048063

**Item 3** 3312.49, Minimum number of parking spaces required

The existing site does not meet the parking requirement. To service this and adjacent developments, existing parking lease agreements are in place for additional parking spaces.

Proposed 4 dwelling units

73-75 S Eighteenth St. – 2 units @ 2 spaces/unit = 4 spaces

63-71 S Eighteenth St. – 2 units @ 2 spaces/unit = 4 spaces

**Required spaces = 8**

Proposed Eating/ Drinking establishment at 63-71 S Eighteenth (2,082 SF) (1space/75 SF)

**Required spaces = 28**

Proposed Restaurant patio at 63-71 S Eighteenth (712 SF) (1space/150 SF)

**Required spaces = 5**

Total required spaces = 41

Total parking spaces proposed = 0

**A variance is requested for the 40 spaces of required parking that are not being provided. All parking is included in CV13-014 which will not be changed by this council variance.**

**Item 4** 3333.15 (C), Basis of Computing Area

The proposed lot coverage of the site is: 58% for Parcel 010-048063 based of the 1,779 SF total building area + 201 SF Drive to Patio and 3,412 SF total lot area; 76% for Parcel 010-043734 based of the 2,082 SF total building area + 512 SF Drive to Patio and 3,398 SF total lot area.

The existing lot coverage of the site is unchanged since the patio is replacing the existing drive. The proposed patio will provide a much needed amenity providing outdoor space to a new commercial tenant for the surrounding residential units.

**A variance is requested to allow a building area denser than what is allowed.**

**Item 5** 3333.18, Setback requirements

The existing building line of 3.5 +/- feet do not meet the setback requirement. As stated in section 3333.18 the required building setback for ARLD district shall be 25 feet.

**A variance is requested to allow a setback less than 25 feet.**

**Item 6 3333.22 – 3333.255, Yard requirements**

The existing buildings do not meet the front, side, or rear yard requirements. As stated in sections 3333.20 – 3333.255 there are requirements for the size of front, side and rear yards for a building. These required sizes cannot be met due to the existing density of the site.

Maximum side yard: Parcel 010-048064 no yard setback; Parcel 010-048063 reduction to 3 +/- feet

Minimum side yard: Parcel 010-048064 no yard setback along north and south property lines; Parcel 010-048063 reduction to 3 +/- feet along south property line and zero along north property line.

Rear yard: Parcel 010-048064 maintain reduced rear yard of 18.3%; Parcel 010-048063 maintain reduced rear yard of 16%.

Perimeter yard: Maintain existing no perimeter yard if all the parcels are combined into one lot with the adjacent parcels subject to CV13-014.

**A variance is requested to allow the yard conditions as they exist.**

**Item 7 3321.05(B), Vision Clearance**

The existing conditions do not meet the vision clearance requirement. As stated in section 3321.05, a vision clearance of 10 feet is required at street intersections and 10 feet at vehicular access points. Neither the main streets nor the access point to the interior of the site meet this requirement.

**A variance is requested to allow a vision clearance less than what is allowed.**

**Item 8 3312.25, Maneuvering**

The existing conditions do not meet the requirement that maneuvering for parking spaces be provided on the same lot as the parking spaces.

**A variance is requested to allow maneuvering over property lines to access parking spaces.**



CV17-024  
63-75 South Eighteenth Street  
Approximately 0.89 acres



CV17-024  
63-75 South Eighteenth Street  
Approximately 0.89 acres

**Priebe, Kelsey R.**

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**From:** Kathleen Bailey <KathleenDBailey@hotmail.com>  
**Sent:** Monday, June 12, 2017 11:50 PM  
**To:** Priebe, Kelsey R.  
**Cc:** margcool@gmail.com  
**Subject:** CV17-024 63-71 S. 18th

At the June 2017 General Business Meeting of the Near East Area Commission (NEAC) the commissioners voted unanimously 11-0-0 to support CV17-024 to expand the usage to allow the first floor units for an eating/drinking establishment and/or retail business and/or office with a remaining residential component, and a new patio on adjacent space.

This is a well established business that wants to expand. A boon for the neighborhood.

Please let me know of any questions.

Thank you.





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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 # CV17-024

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Amanda Dunfield
of (COMPLETE ADDRESS) 3126 Darby Rd, Columbus, Ohio 43221

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 in the following format:

Name of business or individual
Business or individual's address
Address of corporate headquarters
City, State, Zip
Number of Columbus based employees
Contact name and number

Table with 2 columns and 2 rows for listing property owners. Row 1, Column 1 contains handwritten text: '1. LG Venture Ohio LLC, c/o Yhezkel Levi, 139 East Main Street, Unit 103, Columbus, OH 43215'. Other cells are empty.

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

SIGNATURE OF AFFIANT

Handwritten signature of Amanda Dunfield

Sworn to before me and signed in my presence this 27th day of March, in the year 2017

Handwritten signature of Notary Public
SIGNATURE OF NOTARY PUBLIC

5-01-2021
My Commission Expires

Notary Seal Here



KRISTIN D. BETTS
Notary Public, State of Ohio
My Commission Expires 05-01-2021

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