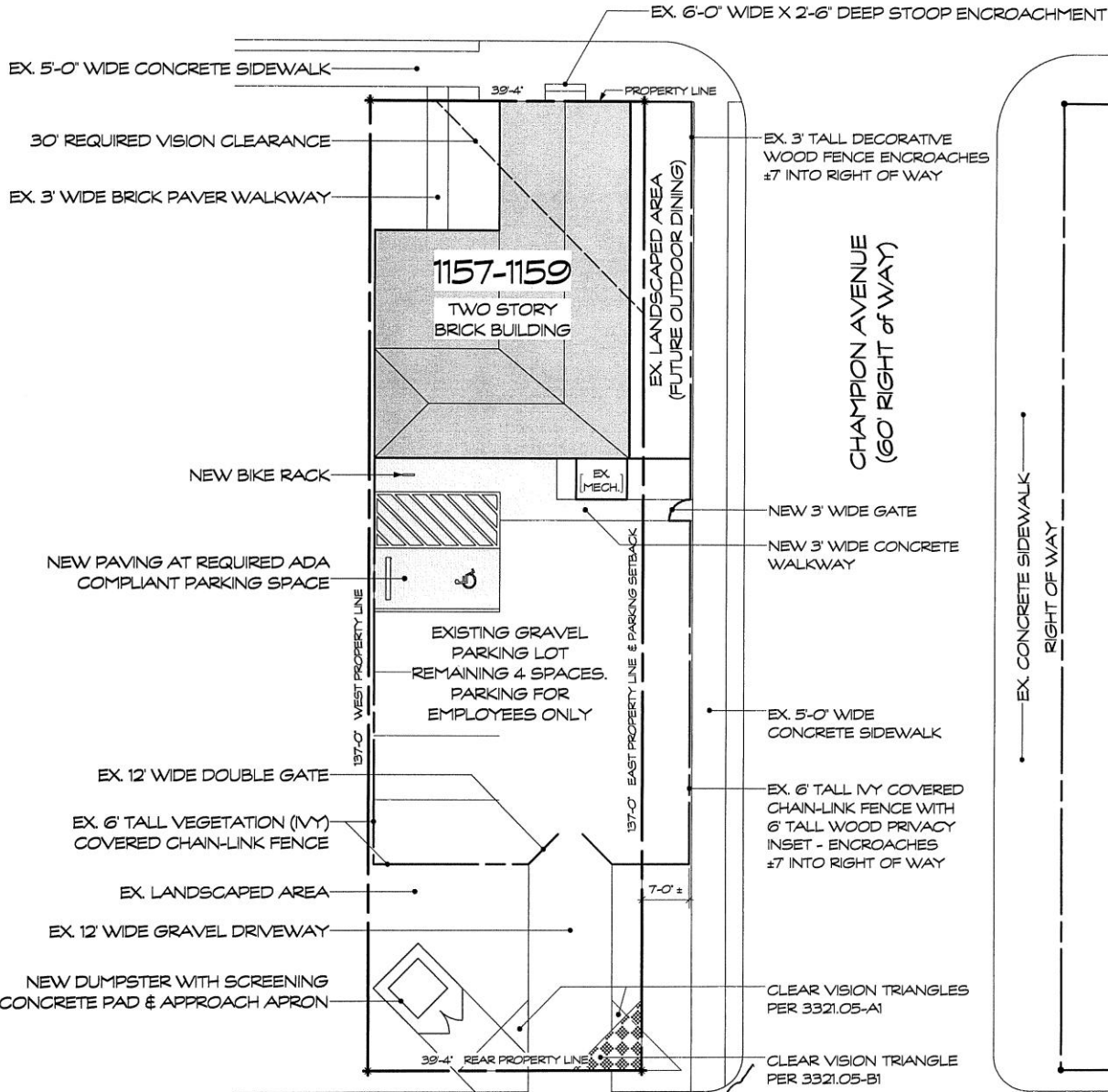


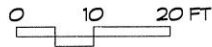
OAK STREET (50' RIGHT OF WAY)



ELLIOTT ALLEY (10' PAVED WIDTH)

1157 - 1159 OAK STREET SITE PLAN

ARLD DISTRICT
PARCEL # 010-017250
0.12 ACRES



Michael Seamon, Architect
870 Franklin Avenue • Columbus, Ohio 43207-1138
(614) 257-1731 (tel & fax)

1157-1159 Oak Street
Columbus, OH 43205

Site Plan

November 09, 2010

MSS10.104 • SD-1



STATEMENT OF HARDSHIP

Chapter 3307 of the Columbus Zoning Code
Section 3307.10 Variances by City Council

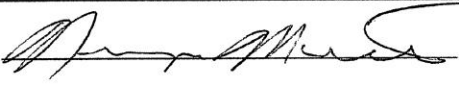
- A. Permit a variance in the yard, height, or parking requirements of any district only in conjunction with a change in zoning or a use variance and only where there are unusual and practical difficulties or unusual hardships in the carrying out of the zoning district provisions due to an irregular 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.

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 requested as detailed below:

SEE ATTACHED

Signature of Applicant  Date 9/15/10

1157-1159 Oak Street, Columbus Ohio 43205

Statement(s) of Hardship & Variances Requested – **REVISED 11/01/10**

Hardship Item 1: Section 3333.02 Allowable Uses:

The existing property contains a two-story non-conforming commercial structure currently used as a Real Estate office (a C-1 Neighborhood Commercial District Use). The building has a documented history of varied neighborhood scale commercial uses over the last 100 years. Research indicates that the building was constructed in the mid to late 1880s, and that the first occupant had a plumbing supply offices on the ground floor and maintained a residence on the second floor. Subsequent uses have included a confectionary store, a bar known as "Cooke's Grill", offices of the American Home Foundation, Starcher and Irwin Real Estate, Carriage Trade Realty and the Praise Deliverance Church.

The property is currently zoned ARLD, and the applicant is seeking to provide an additional use over and above the permitted activities in the ARLD District. The applicant requests approval to permit the establishment of a small Baked Goods Store (a C-1 Neighborhood Commercial District Use) with limited seating on the ground floor, while maintaining the real estate offices on the second floor of the building. The proposed use will serve the local neighborhood community, and will not adversely affect the surrounding properties. The hardship in this instance is that this is an existing building containing commercial use(s).

Variance 1:

A variance is requested to allow the C-1 Real Estate Office & Baked Goods Store use as conforming uses in the ARLD zoning district.

Hardship Item 2: Section 3312.49 Parking Requirements

The existing site does not meet the parking requirement. The property has an existing gravel lot that accommodates 5 vehicles. On-street parking is available immediately adjacent to this parcel.

Required spaces for real estate office = 5

Required spaces for baked goods store = 12

Required spaces for future outdoor dining = 3

The hardship in this instance is that this is an existing parcel.

Variance 2:

A variance is requested to reduce the required parking from 20 spaces to the 5 provided. The existing gravel lot shall only be used for employee parking.

Hardship Item 3:

The existing parking lot does not meet the following Parking Lot Design Standards:

Section 3312.13 Driveway – Minimum 20' width not provided

Section 3312.27 Parking Setback Line – Minimum setback not met

Section 3312.39 Striping & Marking – None provided
Section 3312.43 Required Surface for Parking – No hard surface provided
Section 3312.45 Wheel Stop Device – None provided

The hardship is that this is an existing lot.

Variance 3:

A variance is requested to allow for the existing parking lot to remain unchanged:

- A. Driveway shall remain 12' (twelve foot) in width.***
- B. Reduce parking setback to 0' (zero feet) along east side of parcel.***
- C. No striping & marking shall be required.***
- D. Existing gravel surface shall be permitted.***
- E. No wheel stop devices shall be required.***

Hardship Item 4: Section 3333.18 & 3333.19 Building Lines & Corner Lots
The existing building does not meet the requirements for minimum building setback, 10' in this instance. The hardship in this instance is that this is an existing building.

Variance 4:

A variance is requested to reduce the building setback to the existing building footprint along the principal frontage and a setback of ±2' (two feet) along the secondary frontage.

Hardship Item 5: Sections 3333.21 – 3333.23 Side Yard
The existing building does not meet the requirements for minimum side yard setback. The hardship in this instance is that this is an existing building.

Variance 5:

A variance is requested to reduce the side yard setbacks to the existing building footprint as shown.

Hardship Item 6: Section 3333.27(b) Vision Clearance at Intersections
The existing building does not meet the requirements for minimum clear vision triangle at intersections. The hardship in this instance is that this is an existing building.

Variance 6:

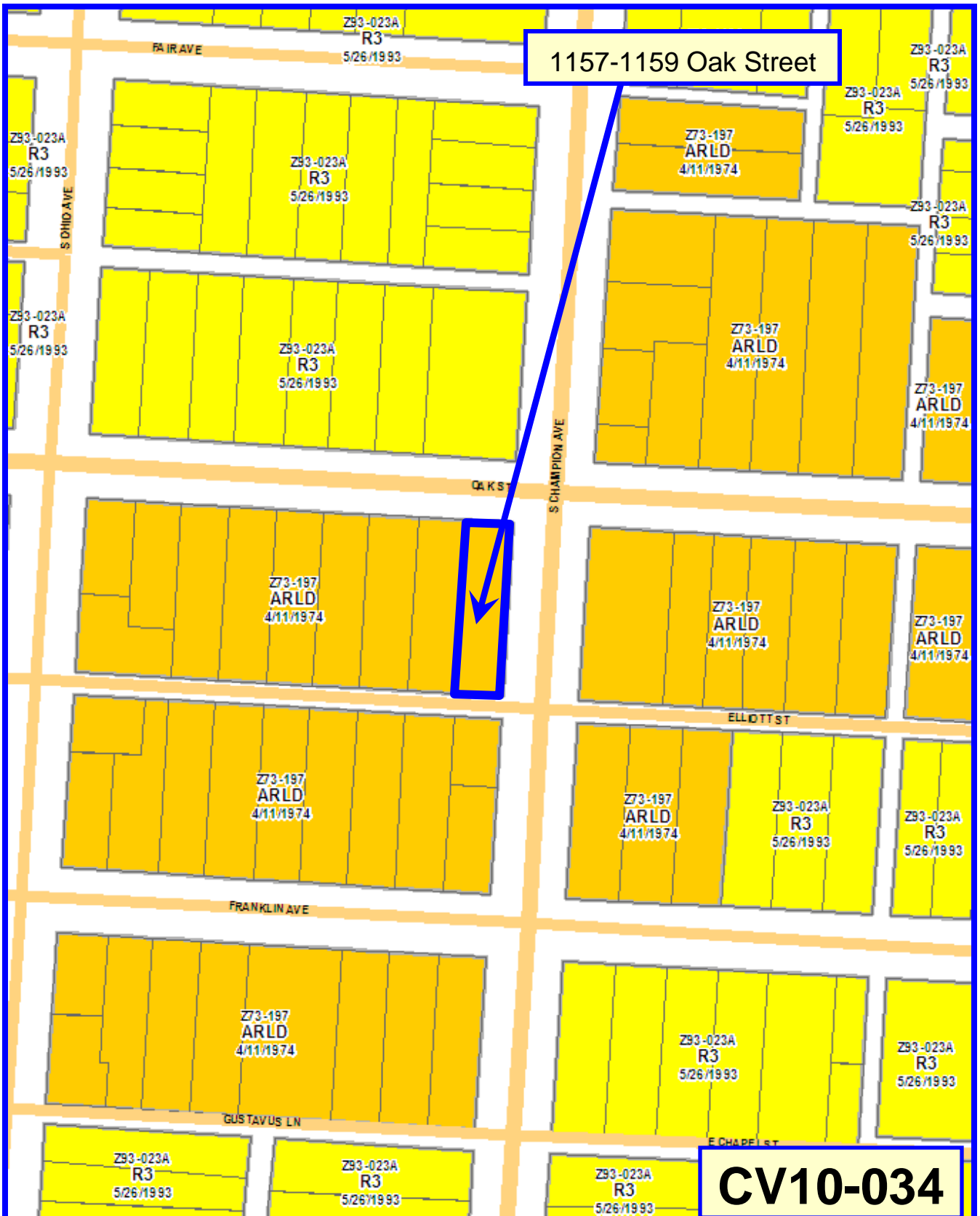
A variance is requested to eliminate the vision clearance triangle requirement at the intersection of Oak Street and Champion Avenue.

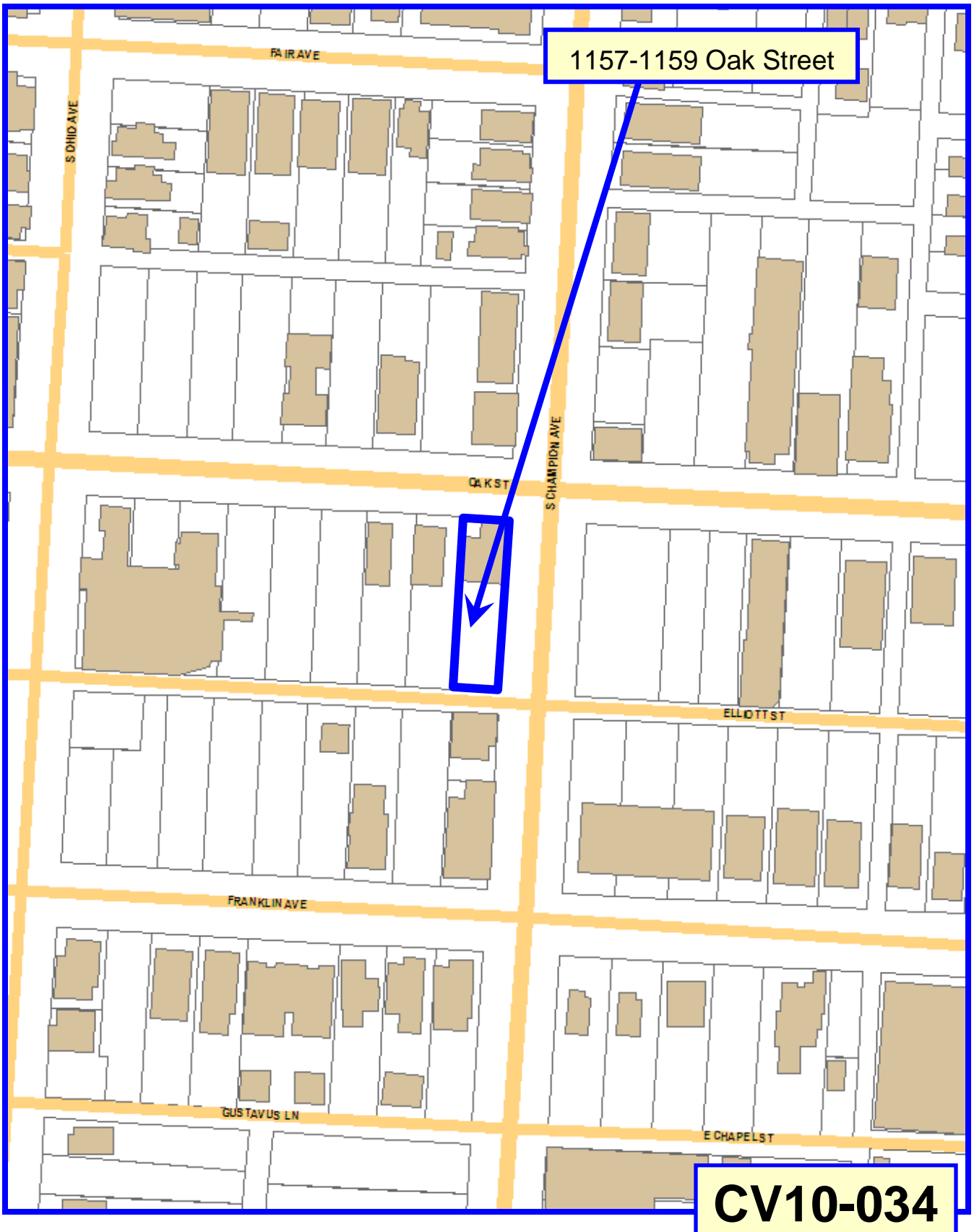
Hardship Item 7: Section 3321.01 Dumpster Area

Dumpster shall not be located in any required yard or setback.

Variance 7:

A variance is requested to permit a new dumpster, screening, concrete pad and approach apron in the required rear yard as shown on the site plan.





DEVELOPMENT STRATEGY

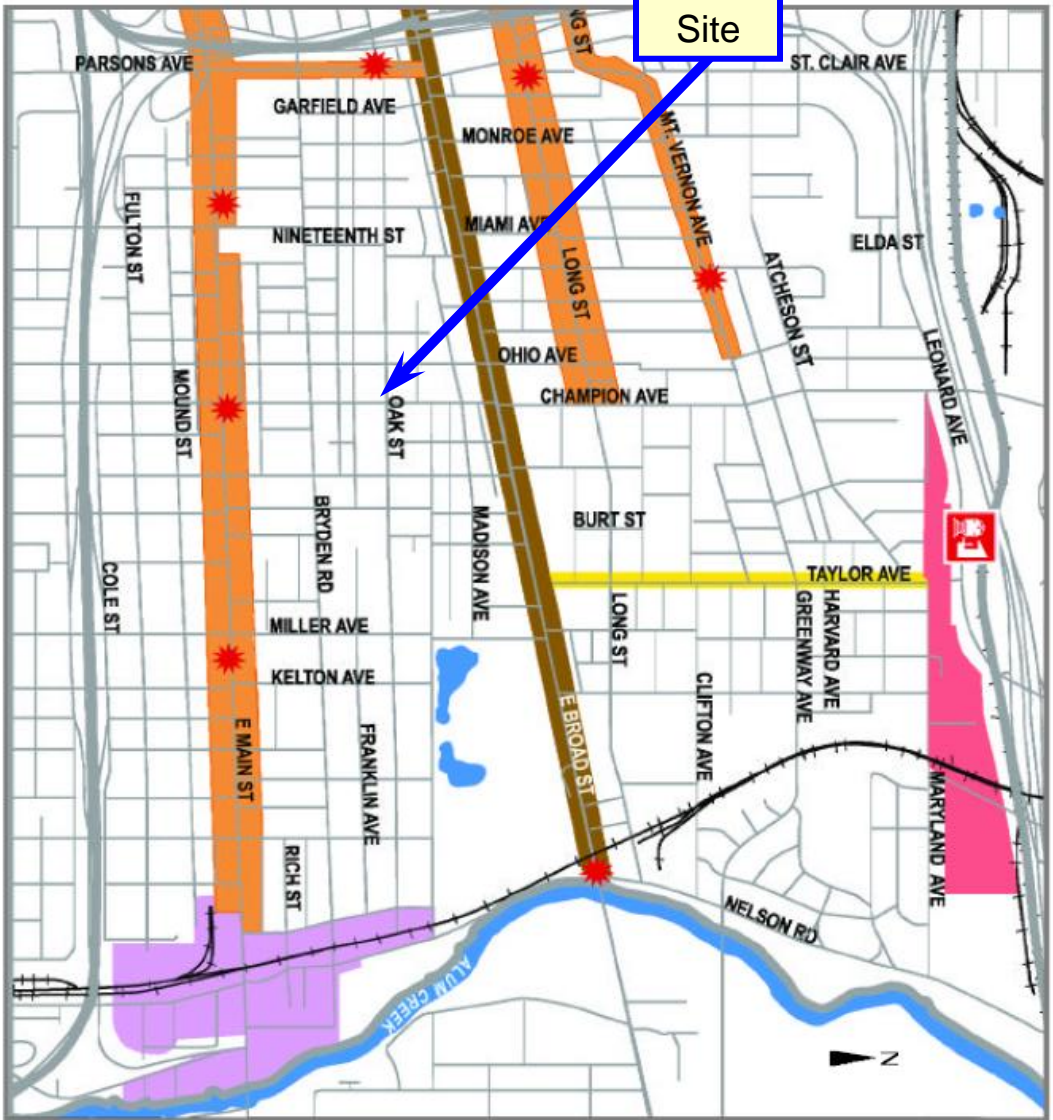


Figure 5

NEAR EAST AREA PLAN

» Light Industrial/Commercial: This area consists largely of light industrial development. Future development should reinforce this land use. Development standards should be utilized to ensure high quality development.

» Potential Light Rail Station: A site in this area should be reserved for a potential light rail station. COTA's Vision 2020 plan anticipates the development of light rail within this corridor and this area could provide a convenient rail station and spur/ accommodate commercial and higher density residential development.

- » Lower and Medium Density Residential
- » East Broad Street
- » Higher Density Residential/ Mixed Use Development
- » Commercial District Nodes
- » Office/Light Industrial/Mixed Uses
- » Light Industrial/Commercial
- » Potential Light Rail Station

CV10-034

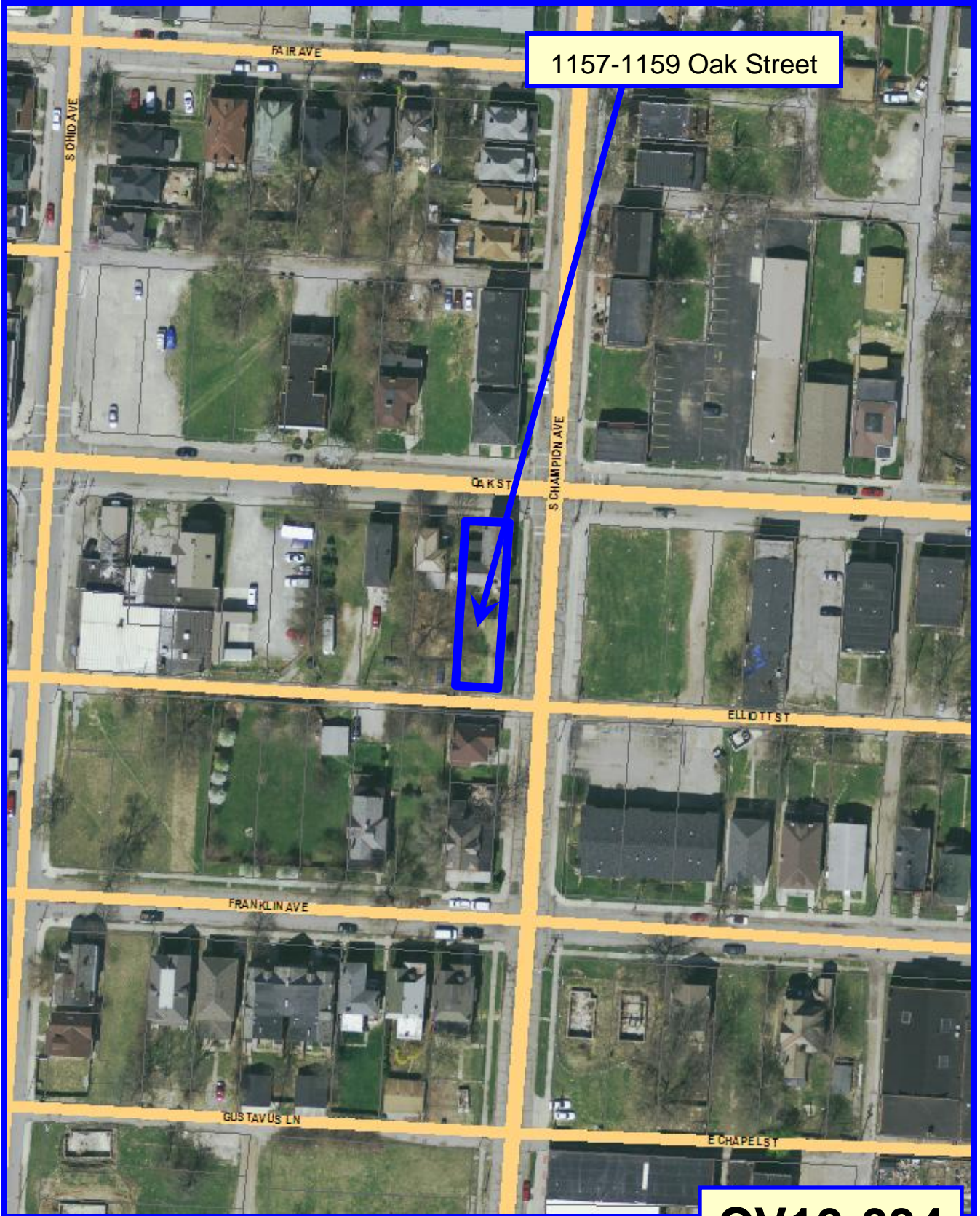
NEAR EAST AREA PLAN
LAND USE PLAN

ISSUE 4:
Encroachment of non-residential uses into residential areas

POLICY:
Recognizing that mixed land use is an inherent strength of the Near East Side, discourage the intrusion of new non-residential uses into residential areas.

STRATEGIES:

- » Maintain residential zoning districts.
- » Discourage inappropriate rezonings and variances in residential areas.
- » Steer new non-residential development to the commercial nodes identified on the Development Strategy map (page 27).
- » As previously stated, the intrusion of new non-residential uses into residential areas is discouraged. But it is recognized that neither the city nor neighborhood can stop proposals for new non-residential uses in residential areas. In these cases, the following criteria should be used to evaluate the proposal:
 - 1) Has the applicant considered the existing commercial districts for their project?
 - 2) Is the site adjacent to or near a commercial district?
 - 3) If so, can a shared parking situation be created?
 - 4) Does the proposed project result in the demolition of architecturally significant building(s) or, on the contrary, is the project proposed to fill a vacant lot or replace a building which is historically noncontributing?
 - 5) Is any proposed structure architecturally compatible with adjacent structures and consistent with the appropriate design guidelines from this plan?
 - 6) What is the proposed project's anticipated impact on parking and traffic?
 - 7) Is appropriate screening proposed to buffer the project, including its parking lot, on adjacent residential properties?
 - 8) Does the proposed project/land use offer benefits desired by the neighborhood (needed jobs or business?)



1157-1159 Oak Street

CV10-034

City of Columbus | Department of Development | Building Services Division | 757 Cardyn Avenue Columbus, Ohio 43224



STANDARDIZED RECOMMENDATION FORM

FOR USE BY: AREA COMMISSIONS / CIVIC ASSOCIATIONS / ACCORD PARTNERS

GROUP NAME NEAR EAST AREA Comm MEETING DATE 11/11/10
CASE NUMBER CV10-34 Case type Council Variance Rezoning
ZONING ADDRESS 1157-1159 OAK APPLICANT NINA MASSERIA
PERSON(S) REPRESENTING APPLICANT AT MEETING MICHAEL SEAMON

CONDITIONS REQUESTED BY GROUP (Add continuation sheet if needed)

Area commission see note at the bottom.

- 1. NONE
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____
- 7. _____
- 8. _____

Applicant Response

| Yes | No |
|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
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| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |

Recommendations

Approval Disapproval Conditional approval (list conditions and applicant response)

Explain the basis for the Approval, Disapproval or Conditional Approval below (Add continuation sheet if needed.)

Recommending Commission / Association / Accord Partner Vote: For 14 Against 0

Signature / Title of Authorized Representative Kathleen D. B.J.
Daytime phone number 252-3283

NOTE TO AREA COMMISSIONS; Ordinances sent Council will contain only recommendations for "Approval" or "Disapproval." Recommendations for "Conditional Approval" will be treated as a "Disapproval." If, at the time the ordinance is sent to Council, any condition that has checked "No" on the Standardized Recommendation Form has not been resolved as documented in writing by the recommending body or party.

City of Columbus | Department of Development | Building Services Division | 757 Cardyn Avenue, Columbus, Ohio 43224



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.

STATE OF OHIO
COUNTY OF FRANKLIN

APPLICATION # CV10-034

Being first duly cautioned and sworn (NAME) NINA MASSERIA
of (COMPLETE ADDRESS) 806 BRYDEN RD, COLUMBUS, OH 43205
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 formats

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

NINA MASSERIA
806 BRYDEN RD
COLUMBUS OH 43205
(614) 228-1939

If applicable, check here if listing additional parties on a separate page (required)

SIGNATURE OF AFFIANT [Signature]
Subscribed to me in my presence and before me this 15th day
of September, in the year 2010
SIGNATURE OF NOTARY PUBLIC [Signature]
My Commission Expires: 5-11-11

This Project Disclosure Statement expires six months after date of notarization.



SHANNON ESTEP
Notary Public, State of Ohio
My Commission Expires 5-11-2011