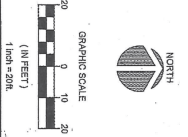


PLANNED BY:  
**ABOVE GRADE LLC**  
 808 COLONY COURT  
 COLUMBUS, OH 43235  
 Contact: Bryan Dougherty  
 (614) 385-0575  
 bryan@abovegradellc.com



- PROPOSED LEGEND**
- PROPOSED CONCRETE PAVEMENT/WALK
  - PROPOSED BUILDING AREA
  - SIGHT TRIANGLE AREA

The Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data adjustments to the Site Plan shall be noted and engineering plans are prepared. Any right Building and Zoning Services Department of the designee upon submission of the appropriate and reporting the proposed adjustments.

David B. Perry, Agent  
*David B. Perry, Agent*  
 David B. Perry, Attorney  
 Date: **6/8/2017**

- Ⓢ SITE PLAN CODED NOTES:**
1. PROPOSED 4+1,100 SQ.FT. CONDOMINIUM BUILDING.
  2. PROPOSED COVERED DRIVE ENTRANCE
  3. PROPOSED COURTYARD AREA.
  4. PROPOSED OPEN PORCH.
  5. PROPOSED 8" WALL SCREENING WALL. MATERIALS TO MATCH BUILDING.
  6. PROPOSED GARAGE (TPV)
  7. PROPOSED CONCRETE PAVEMENT.
  8. PROPOSED BIKE RACK (ILLUSTRATIVE LOCATION).
  9. EXISTING STREET TREE TO REMAIN.

**SITE & BUILDING INFORMATION**

Address: 1080 Bryden Road  
 Tax Parcel No.: 010-028450  
 Site Area: 0.822 Ac.  
 Zoning: Residential, R3 (Z33-023A, 5/28/1993), CV17-022  
 Height District: H-35  
 Proposed Bldg. Height: 34 Feet +/-  
 Rear Yard: 85'  
 Existing Development: Vacant residential property  
 Proposed Development: 14 Condominiums (rms)  
 Lot Coverage: 45%  
 Parking: 14 D.U. @ 2 Spaces/D.U. = 28 parking spaces (28 garage spaces (rm)) provided  
 Street Trees: 5 (To be planted in Right-of-Way with City permission or otherwise on site), 8 Existing Street Trees to Remain  
 Flood Plain: Zone X, Map 3804800328K, 06/17/2008  
 Relief: 09'-Cut of City of Columbus service, future collection and 80ft. Man. removed to be provided by private owner

PROJECT TITLE:  
**ZONING SITE PLAN**  
 1080 BRYDEN ROAD  
 COLUMBUS, OH 43205

DATE: **JUNE 08, 2017**

**DEVELOPER**  
 GALLUS ZOSHI DEVELOPMENT, LLC  
 206 E. FIRST AVENUE  
 COLUMBUS, OH 43219  
 CONTACT: GREGO GALLUS  
 EMAIL: ggallus@zoshi.com

APPROVED FOR ONLY		CONTRACTOR		OWNER	
DESIGNER	DATE	INSPECTOR	DATE	APPROVER	DATE
ADJUDICATOR	DATE	DATE	DATE	DATE	DATE
DATE	DATE	DATE	DATE	DATE	DATE

RECORD PLAN NO.: **CV17-022**



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):

See Exhibit 'B'

Multiple horizontal lines for providing details of the variance request.

Signature of Applicant [Handwritten Signature]

Date 3/27/17

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

CV17-022

## **Exhibit B**

### **Statement of Hardship**

#### **CV17-022, 1080 Bryden Road, Columbus, OH 43205**

The 0.622 +/- acre undeveloped site is located at the northwest corner of Bryden Road and S. Ohio Avenue. The site is zoned R-3, Residential. Residential uses in the area include a broad range of uses including single-family, two-family, multi-family uses. A 51 dwelling unit apartment building was previously located on the site. Applicant proposes a fifteen (15) dwelling unit condominium building with unit sizes of 1,300 square feet to 2,100 square feet. All units will be market rate units for sale. The building is designed to provide a two (2) car garage for every unit and all parking is designed to be accessed from internal court yards or East Chapel Street (16'), the alley to the north of the site. Applicant's site plan and building renderings are submitted with this application. The proposed use is compatible with the area and will provide homeownership choices for the community.

The site is located in the Near East Area Commission and is part of the Near East Area Plan ("Plan") area. The Plan encourages a mix of land uses, development of new housing that is architecturally compatible, and increased home ownership. The proposed development addresses all three (3) recommendations. The site is also in the Bryden Road Historic District. The proposed development will also be reviewed by the Historic Resources Commission (HRC), including architectural review.

Applicant has a hardship in that there is no zoning district to which the property could be rezoned for the proposed development and not also need variances. Applicant has a practical difficulty with compliance to develop the property in a comprehensive, coordinated way, as proposed.

Applicant requests variances from the following sections of the Columbus Zoning Code:

- 1). Section 3332.035, R-3 Residential District, to permit development of the site with a maximum of fourteen (14) dwelling units (condominiums), as depicted on the Site Plan.
- 2). Section 3332.21(C)(D), Building Lines, to reduce the Bryden Road and S. Ohio Avenue building setback lines from 30 feet and 18 feet to 24 feet and 13 feet, respectively.
- 3). Section 3332.27, Rear Yard, to reduce the rear yard from 25% to 6% as the area north of the north façade, adjacent to East Chapel Street (16'), while the site design has large internal courtyards that will function as rear yard area for the residents.



CV17-022  
1080 Bryden Road  
Approximately 0.62 acres



CV17-022  
1080 Bryden Road  
Approximately 0.62 acres

**From:** [Kathleen Bailey](#)  
**To:** [Dietrich, Timothy E.](#)  
**Cc:** [dave\\_perry](#); [margcool@gmail.com](mailto:margcool@gmail.com); [Don Plank](#)  
**Subject:** CV17-022 - 1080 Bryden Rd.  
**Date:** Monday, June 12, 2017 11:15:29 PM  
**Importance:** High

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At the June 2017 General Business Meeting of the Near East Area Commission (NEAC) the commissioners voted unanimously 11-0-0 to support CV17-022 for the construction of 14 for sale Condo units at the southeast corner of Bryden and Ohio Avenue. The Commission felt that the applicant completed a detailed, well thought out elevation that well incorporates existing architectural elements on the Near East Side. An added bonus is that the parking requirement will be contained on the property.

This location has lain fallow for at least 30 years and we are glad that it will now be home to such a quality project.

Please feel free to contact me with any questions.

Thank you.

# HISTORIC DISTRICT COMMISSION RECOMMENDATION

## HISTORIC RESOURCES COMMISSION

*This is a recommendation to the appropriate regulatory body as identified per City Code. It is not a zoning clearance or a building permit. This document does not relieve the applicant from the responsibility of filing for and obtaining any required zoning clearance and/or building permit from the City of Columbus Department of Building & Zoning Services (645-6090 / 757 Carolyn Avenue) and following all other applicable codes and ordinances of the City of Columbus.*

**PROPERTY ADDRESS:** 1080 Bryden Road Bryden Road Historic District  
**APPLICANT'S NAME:** Gallas-Zadeh Development, LLC/Attn.: Dave Perry Company, Inc (Applicant)  
Tersus Terra Energy, LLC/(Owner)

**APPLICATION NO.:** 17-4-28 **COMMISSION HEARING DATE:** April 20, 2017

The Historic Resources Commission hereby certifies that the application for the above referenced property and a copy of this Recommendation are on file with the city's Historic Preservation Office. The Commission has reviewed the application and taken the following action(s) in accordance with Columbus City Code 3116 & 3117 and the architectural guidelines:

**Variance or Zoning Change Request**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Rezoning         | <input type="checkbox"/> Special permit      |
| <input checked="" type="checkbox"/> Parking Variance | <input checked="" type="checkbox"/> Setbacks |
| <input checked="" type="checkbox"/> Change of Use    | <input type="checkbox"/> Other               |
| <input type="checkbox"/> Lot Split                   |  |

**TYPE(S) OF ACTION(S) REQUESTED:**  
Variance Recommendation

**RECOMMENDATION:**  
Variance Identified

Section 3307.10

A. Permit a variation 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 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.

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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.



Construct 15-Unit Condominium Building

- New condominium building based on the 878 Franklin Avenue home of Kenyon Hayden Rector, first licensed female architect in the state of Ohio.

Recommend approval of Application #17-4-28, 1080 Bryden Road, Bryden Road Historic District, for the necessary variances identified and general support and conditional approval of the construction of the new, 15-unit Condominium building per the submitted elevations and site plan submitted. Final review of all construction drawings and finish details to be placed on a future Historic Resources Commission upon receipt of a new application for final review.

MOTION: Clark/Henry (5-0-0) RECOMMEND APPROVAL OF VARIANCES  
 CONDITIONAL APPROVAL OF THE PROPOSED INFILL PROJECT

RECOMMEND APPROVAL       RECOMMEND DENIAL       NO ACTION TAKEN

THIS RECOMMENDATION IS FOR CONSIDERATION BY THE DESIGNATED REGULATORY AUTHORITY FOR THE ACTION(S) REQUESTED AS INDICATED.



Randy F. Black  
 Historic Preservation Officer



THE CITY OF  
**COLUMBUS**  
ANDREW J. GINTHER, MAYOR

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

**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 # CV17-022

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald Plank (Plank Law Firm)  
of (COMPLETE ADDRESS) 411 East Town Street, 2nd Floor, Columbus, Ohio 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 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

<p>1. Tersus Terra Energy, LLC 3686 County Road 60 Ada, Ohio 45810-9702 # of Columbus Based Employees: 0 Contact: Ronald D. Wyss (419) 235-4566</p>	<p>2. Gallas-Zadeh Development, LLC 245 East First Avenue, Columbus, OH 43215 # of Columbus Based Employees: 0 Contacts: Jason Zadeh (614) 545-3676 Gregg Gallas (614) 545-3679</p>
<p>3. _____</p>	<p>4. _____</p>

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

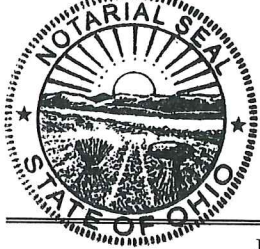
SIGNATURE OF AFFIANT Donald Plank

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

Stacey L. Danza  
SIGNATURE OF NOTARY PUBLIC

11-5-2018  
My Commission Expires

Notary Seal Here



**Stacey L. Danza**  
Notary Public, State of Ohio  
My Commission Expires 11-05-2018

**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