





## COUNCIL VARIANCE 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)

### 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 Exhibit B

Signature of Applicant

*Donald Rank*

Date

*11/30/2012*

**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 all checks payable to the Columbus City Treasurer**

**EXHIBIT B**

**STATEMENT OF HARDSHIP**

**732 NORTH FOURTH STREET**

**CV12- 060**

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The site for this variance is 36.5 ± acres generally located in the southeast quadrant of East First Avenue and North Fourth Street and abutting Interstate 670 on the south. Existing zoning on all of the property is M, Manufacturing. Current zoning permits all uses of the C-1, Commercial - C-5, Commercial districts, except residential use aspects of the commercial districts, and all manufacturing district uses. All buildings have been removed from the site by previous property owners. This site is located immediately north of Downtown Columbus and is part of the Italian Village neighborhood (Italian Village Commission). Exciting urban development opportunities exist with this premier site. By Ordinance 0284-01, passed February 26, 2001 (CV00-058) and Ordinance 1023-02, passed July 8, 2002 (CV02-035), variances were passed for the then 42 +/- acre site to permit residential uses. A plat (Jeffrey Place, Section 1, PB 109, PG 3-4) was recorded 3/16/2006, thereby dedicating the public streets and alleys that are present today. Small areas of the site have been developed, but most of the site remains undeveloped.

By this application, applicant proposes to consolidate the two (2) previous variance ordinances and modify certain development standards to proceed as soon as possible with certain residential components of the development. Applicant anticipates a multi-year build-out of the site, with residential components to be under construction in 2013 to stabilize and anchor the site.

A hardship exists in that there is no single zoning district or action with the present tools of the Columbus Zoning Code, that will permit this development. There is no zoning district that can permit the mixed-use development proposed for this site, nor can rezoning, given the multi-year build-out and outstanding issue with relocation of the I-670 ramp, address in a timely manner the zoning needs of this highly desirable development and investment in the City of Columbus.

By this variance application, applicant proposes the following variances, all of which are presently permitted by the two (2) existing ordinances. Applicant proposes to increase the total number of dwelling units permitted, modify the required lot area for townhouse for sale developments and to permit dwelling units without public street frontage, as there will be some use of private streets. The plan titled: "Jeffrey Park Master Plan – Development Area Plan" dated \_\_\_\_\_ is submitted with this application to depict the general street/development plan for the site.

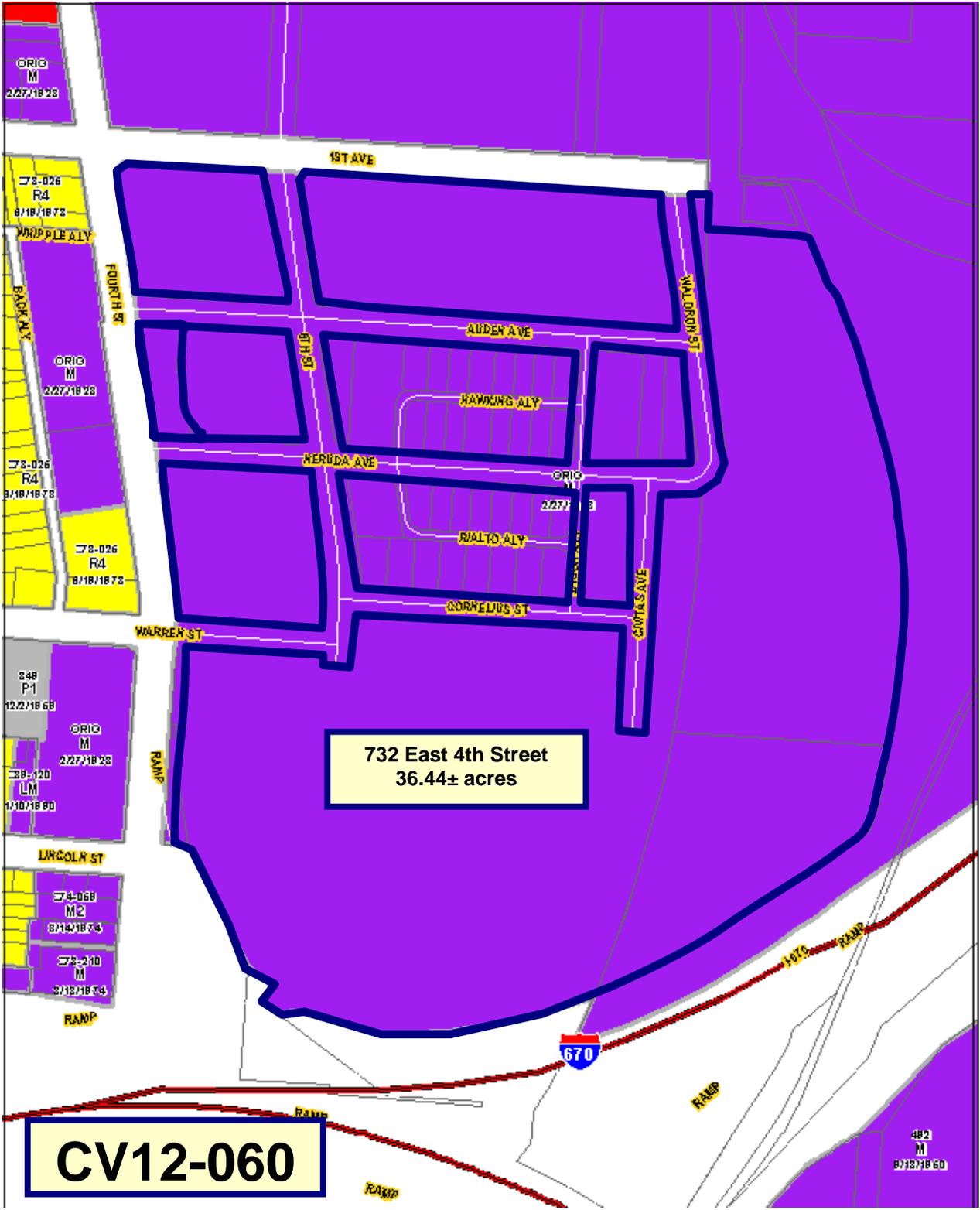
- 1) 3363.01, M, Manufacturing Districts, which Section does not permit residential use other than a night watchman's quarters nor public or private parkland/open space, while applicant proposes up to 1,500 dwelling units in Jeffrey Park, which dwelling units may consist of various styles and forms of residential use, including detached and attached single-family dwellings, two-family, three-family, four-family, multi-family, condominium and fee simple townhouse development, with multiple attached dwelling units with property lines corresponding to common party walls, all of which may include residential uses on the ground level, above commercial uses and exclusive residential use, in any combination, separately or together, on separate parcels or mixed with one or more forms of residential use on the same parcel and permit public and/or private parkland/open space.
- 2) 3363.24, Building Lines in an M, Manufacturing District, to reduce the required building setback line on East First Avenue from 25 feet to a minimum of 5 feet, to reduce the required setback on all existing public streets to 5 feet, to reduce the required building setback line from Interstate 670 from 25 feet to 5 feet and to reduce the minimum building setback on future streets (public or private) from 25 feet to 5 feet.
- 3) 3312.27, Parking Setback line, which Section requires a minimum ten (10) foot parking setback from public streets, while a 5 foot parking setback is proposed for all street frontages (public and private).
- 4) 3312.09, Aisle, which Section requires various dimensional standards for that must individually be met on each property/parcel, thereby encouraging greater pavement coverage, while applicant proposes applicable variances from aisle standards to permit the sharing of aisles, subject to the total aisle meeting minimum required dimensions.
- 5) 3312.13, Driveway, which Section requires various dimensional standards for driveways that must individually be met on each property/parcel, thereby encouraging greater pavement coverage, while applicant proposes applicable variances from driveway standards to permit the sharing of driveways, subject to the total driveway width meeting minimum required dimensions.
- 6) 3312.25, Maneuvering, which Section requires various dimensional standards for maneuvering area related to parking spaces and loading spaces that must individually be met on each property/parcel, thereby encouraging greater pavement coverage, while applicant proposes applicable variances from maneuvering dimensional standards to permit the sharing of maneuvering area subject to the total maneuvering area meeting minimum required dimensions.

- 7) 3312.29, Minimum Number of Parking Spaces Required, which Section requires parking at designated rates and ratios which reflect suburban design standards, assume that all uses function independently for parking purposes and fail to incorporate on-street parking and parking structures off-site of a given use, while applicant proposes a 50% reduction in code required on-site parking for every use.
- 8) 3312.51, Loading Space, which Section requires loading spaces to occur on the same lot as the use they are intended to serve and establishes various dimensional requirements, while applicant proposes loading spaces, if applicable, to be shared and thereby not occur on the same lot as they use they are intended to serve and to vary all dimensional requirements, subject to the approval of a proposed loading space by the Public Service Department/Transportation Division.
- 9) 3321.05, Vision Clearance, to reduce the required vision clearance triangle in all applicable instances to 5 feet.

**A. PERMITTED USES:**

- 1) Permitted uses shall be up to 1,500 dwelling units in Jeffrey Park, which dwelling units may consist of various styles and forms of residential use, including detached and attached single-family dwellings, two-family, three-family, four-family, multi-family, condominium and fee simple townhouse development, with multiple attached dwelling units with property lines corresponding to common party walls, all of which may include residential uses on the ground level, above commercial uses and exclusive residential use, in any combination, separately or together, on separate parcels or mixed with one or more forms of residential use on the same parcel, public and/or private parkland/open space and all uses of Chapter 3355, Community Scale Commercial Development, Section 3355.02, C-4, Commercial District, except the following:

- automobile/truck sales, new or used, leasing, repair and/or maintenance
- billboards
- bus or truck terminal, other than public or mass transit terminal facilities
- cabaret
- funeral home
- night club
- off-premise graphics, except for off-premise graphics which are approved as part of a graphics plan or Special Permit by the Graphics Commission
- pool hall
- private club





732 East 4th Street  
36.44± acres

CV12-060

STEVEN R. SCHOENY  
Director

July 18, 2013

Robert Harris  
Wagenbrenner Development  
575 West First Avenue, Suite 100  
Columbus OH 43215

Office of the Director  
50 West Gay Street  
Columbus, OH 43215-9040  
(614) 645-8591  
(614) 645-6295 [FAX]

Re: Application No.: 13-6-10  
732 North Fourth Street

Robert Harris:

Code Enforcement Division  
757 Carolyn Avenue  
Columbus, OH 43224-3218  
(614) 645-2202  
(614) 645-2462 [FAX]

I am writing on behalf of the Italian Village Commission (IVC) regarding the above-named application, which was placed on the July 16, 2013 IVC hearing agenda for review. The following information is for your reference and is taken from the unapproved minutes of the July 16, 2013 IVC hearing.

Economic Development  
Division  
150 South Front Street Suite 220  
Columbus, OH 43215-4118  
(614) 645-8616  
(614) 645-2486 [FAX]

*Following the motion for Application # 13-7-18, the Applicant requested to open discussion regarding modifications to variance language that was recommended for approval by the Italian Village Commission (IVC) at the June 18, 2013 IVC hearing (Application # 13-6-10). The Applicant submitted the attached table regarding Residential Yard and Area Requirements for the Commission's review. Following the presentation by the Applicant, and ensuing discussion and review, the Commission had no objections to the modified language, as submitted. The Commission's recommendation for approval of the variances listed in Application # 13-6-10 remains in place, with the modifications listed in the attached table.*

Housing Division  
50 West Gay Street  
Columbus, OH 43215-9040  
(614) 645-7795  
(614) 645-6675 [FAX]

**NO FURTHER ACTION REQUIRED**

Planning Division  
109 North Front Street  
Columbus, OH 43215-9030  
(614) 645-8664  
(614) 645-1483 [FAX]

If you have any questions, or need further assistance please contact me at 645-0664.

Land Redevelopment Office  
109 North Front Street  
Columbus, OH 43215-9030  
(614) 645-5263  
(614) 645-3092 [FAX]

Sincerely,  
  
Connie Torbeck  
Assistant Historic Preservation Officer

cc: David Perry

**Residential Yard and Area Requirements.**

The following yard and area standards shall apply only to sites developed exclusively with residential uses. All standards are minimum standards.

Yard and Area Standards: *(Table submitted to IVC by Applicant at the July 16, 2013 IVC hearing).*

	Lot Area (sq. ft.)	Lot Width (feet)	Side yard, Minimum (feet)	Total side yard (feet)
Single Unit (detached) Corner Lot (1) (2) Interior Lot	735 735	21' 21'	2', along non-fronting street (3) 3'	5' 6'
Two Unit	2,000	40'	3'	6'
Multiple ( $\geq 2$ ) Fee Simple Attached Units with common party wall on property line	800	20'/lot	0' (minimum and total)	3' per lot on end units
Multi-unit (3 or 4 dwelling units with single building on separate lot)	1,000/ dwelling unit	40'	3'	6'
Multi-unit (5 or more dwelling units with separate buildings on separate lot)	500/ dwelling unit	50'	3'	6'
Multi-unit (multiple buildings on same parcel)	500/ dwelling unit	50'	3' (Total of 6' between buildings)	6'

(1) Corner Lot means a lot located at the intersection of two (2) public streets.

(2) "Lot" and "Parcel" are used interchangeably.

(3) "Non-fronting" street for single family dwelling on a corner lot shall mean the street that the dwelling is not addressed on.

**HISTORIC DISTRICT COMMISSION  
RECOMMENDATION  
ITALIAN VILLAGE 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:** 732 North Fourth Street (Jeffrey Manufacturing Site)

**APPLICANT'S NAME:** Jeffrey New Day, LLC (Applicant/Owner)

**APPLICATION NO.:** 13-6-10

**COMMISSION HEARING DATE:** 6-18-2013

The Italian Village 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 & 3119 and the architectural guidelines:

**Variance or Zoning Change Request**

Rezoning

Parking Variance

Change of Use

Lot Split

Special permit

Setbacks

Other

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

Recommend approval of Application 13-6-10, 732 North Fourth Street, with all clarifications, as noted:  
Recommendation for Parking Variance for northwest corner of Jeffrey Park site:

- 1) Reduction from eighty-nine (89) parking spaces to sixty-nine (69) parking spaces. Section 3312.49, Minimum Number of Parking Spaces Required, which Section requires 89 parking spaces for the Jeffrey Park Community Center with the types of uses and areas of uses noted below, while applicant will provide 69 on-site parking spaces.
- 2) Reduction from one (1) loading space to zero (0) loading space. Section 3312.53, Minimum Number of Loading Spaces Required, which Section requires one (1) loading space, as defined in 3312.51, Loading Space, being a 12'x50' area with on-site maneuvering, while such a loading space isn't conducive to urban development and applicant proposes no (0) loading space.
- 3) Maneuvering. Section 3312.25, Maneuvering, which Section requires maneuvering for parking spaces and other vehicular activities to occur on-site, while refuse service is proposed for a dumpster box to be serviced directly from Auden Avenue, as approved by the Transportation Division.

**NOTE: Variance #1:** The Commission recommends a reduction from eighty-nine (89) parking spaces to sixty-five (65) parking spaces rather than the originally submitted sixty-nine (69) parking spaces, in order to accommodate potential changes to the site plan in regard to the garbage enclosure (see note for Variance #3, below).

**NOTE: Variance #3:** The Commission's recommendation for approval for maneuverability in the right-of-way does not give explicit or tacit approval of the site plan, as submitted, in regard to access to the trash enclosure. The Commission will be working with the Applicant at subsequent Italian Village Commission hearings to determine the appropriate site plan in regard to access to the trash enclosure.



**General Note:** The Commission's recommendation for approval of reduction in parking spaces is based on the view that the reduction will not have a negative impact on parking considerations on the west side of Fourth Street due to the large-scale approach to parking in this newly developing site.  
MOTION: Sudy/Clark (6-0-0) RECOMMENDED

**RECOMMENDATION:**

RECOMMEND APPROVAL

RECOMMEND DENIAL

NO ACTION TAKEN

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

 Ct

Randy F. Black  
Historic Preservation Officer

STEVEN R. SCHOENY  
Director

THE CITY OF  
**COLUMBUS**  
MICHAEL B. COLEMAN, MAYOR  
DEPARTMENT OF  
DEVELOPMENT

## HISTORIC DISTRICT COMMISSION RECOMMENDATION

### ITALIAN VILLAGE COMMISSION

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**PROPERTY ADDRESS:** 732 North Fourth Street (Jeffrey Manufacturing Site)

**APPLICANT'S NAME:** Jeffrey New Day, LLC (Applicant/Owner)

**APPLICATION NO.:** 13-5-12 a

**COMMISSION HEARING DATE:** 5-21-2013

The Italian Village 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 & 3119 and the architectural guidelines:

**Variance or Zoning Change Request**

Rezoning

Parking Variance

Change of Use

Lot Split

Special permit

Setbacks

Other

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

Request Variance Recommendation for a Temporary, Gravel Parking Area

Recommend approval of Application 13-5-12a, East First Avenue & North Fourth Street (Jeffrey Manufacturing Site), as submitted, with all clarifications, as noted:

- Install a temporary gravel parking area at the northeast corner of the site, per the submitted site plan, which is to be in use for a period not to exceed thirty-six (36 months). Within the thirty-six (36) month period, applicant is to submit a plan for a permanent parking solution to the Italian Village Commission for review and approval.
- Temporary gravel parking area is not to be used as a valet lot.
- A green belt area, including mounding and tree installation, is to be installed along the west and south sides to screen the temporary gravel parking area. Site plan for green belt to be submitted to Historic Preservation Office staff for final review and approval, in consultation with the Italian Village Commission, prior to installation.

Reasons for recommendation: 1) The current plan provides for the required minimum one parking space per unit ratio, and does not preclude the future development of the temporary gravel lot site as a parking garage; 2) Based on the remote location of the temporary gravel lot along the railroad tracks, the gravel lot would not cause negative environmental conditions, such as dust, to residential areas of the village.

Note: The Commission encourages the applicant to provide for bicycle and scooter parking.

**MOTION: Sudy/Cooke (6-0-0) RECOMMENDED**

**RECOMMENDATION:**

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



COPY

## HISTORIC DISTRICT COMMISSION RECOMMENDATION

### ITALIAN VILLAGE COMMISSION

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**PROPERTY ADDRESS:** 732 North Fourth Street (Jeffrey Manufacturing Site)

**APPLICANT'S NAME:** Jeffrey New Day, LLC c/o Donald Plank/Plank Law Firm (A) Jeffrey New Day, LLC (O)

**APPLICATION NO.:** 13-1-6

**COMMISSION HEARING DATE:** 1-15-2013

The Italian Village 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 & 3119 and the architectural guidelines:

**Variance or Zoning Change Request**

- Rezoning
- Parking Variance
- Change of Use
- Lot Split

- Special permit
- Setbacks
- Other

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

Recommend approval for Application #13-1-6, 732 North Fourth Street (Jeffrey Manufacturing Site), as submitted, with all clarifications as indicated:

Request Recommendation for Nine Variances

- 1) 3363.01, M, Manufacturing Districts, which Section does not permit residential use other than a night watchman's quarters nor public or private parkland/open space, while applicant proposes up to 1,500 dwelling units in Jeffrey Park, which dwelling units may consist of various styles and forms of residential use, including detached and attached single-family dwellings, two-family, three-family, four-family, multi-family, condominium and fee simple townhouse development, with multiple attached dwelling units with property lines corresponding to common party walls, all of which may include residential uses on the ground level, above commercial uses and exclusive residential use, in any combination, separately or together, on separate parcels or mixed with one or more forms of residential use on the same parcel and permit public and/or private parkland/open space.
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- 7) 3312.29, Minimum Number of Parking Spaces Required, which Section requires parking at designated rates and ratios which reflect suburban design standards, assume that all uses function independently for parking purposes and fail to incorporate on-street parking and parking structures off-site of a given use, while applicant proposes a 50% reduction in code required on-site parking for every use.
- 8) 3312.51, Loading Space, which Section requires loading spaces to occur on the same lot as the use they are intended to serve and establishes various dimensional requirements, while applicant proposes loading spaces, if applicable, to be shared and thereby not occur on the same lot as they use they are intended to serve and to vary all dimensional requirements, subject to the approval of a proposed loading space by the Public Service Department/Transportation Division.
- 9) 3321.05, Vision Clearance, to reduce the required vision clearance triangle in all applicable instances to 5 feet.

Note: The Italian Village Commission anticipates applying the 2011 Short North Design Guidelines signage component (3.37 - 3.41) to the majority of the site; 2) The Permitted Uses Section, Paragraph #2 should be clarified to NOT permit cell towers; 3) Due consideration has been given to the typical reduction standards in the parking code for overlays and parking districts.

MOTION: Sudy/Goodman (5-0-0) RECOMMENDED

**RECOMMENDATION:**

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* *Alt.*

Randy F. Black  
Historic Preservation Officer



# COUNCIL VARIANCE 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)

## 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 # EV12-060

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] Donald Plank

Of [COMPLETE ADDRESS] Plank Law Firm, 145 East Rich Street, Fl 3, 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 in the following formats

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. Jeffrey New Day LLC 575 West First Avenue, Suite 100 Columbus, OH 43215 # of Columbus based employees: 0 Contact: Mark Wagenbrenner, (614) 545-9247</p>	<p>2. Buckeye Community Bank 105 Sheffield Center Lorain, OH 44055 # of Columbus based employees: 0 Contact: (440) 233-8800</p>
<p>3. Jeffrey Loft 1 LLC 1105 Schrock Road, Suite 602 Columbus, OH 43229 # of Columbus based employees: 0 Contact: Danny Schmidt, (614) 306-3505</p>	<p>4. -----</p>

Check here if listing additional parties on a separate page.

**SIGNATURE OF AFFIANT**

*Donald Plank*

Subscribed to me in my presence and before me this 30th day of NOVEMBER, in the year 2012

**SIGNATURE OF NOTARY PUBLIC**

*Barbara A. Painter*

My Commission Expires:

AUGUST 3, 2015

Notary Seal Here



**BARBARA A. PAINTER**  
Notary Public, State of Ohio  
My Commission Expires AUGUST 3, 2015

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

**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 all checks payable to the Columbus City Treasurer**