

SIGNATURE - FRED HUTCHISON, ARCHITECT
1. NOV. 2016

1485 OAK STREET BUILDING
CV16-046

CV16-046

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

MMDf

Date

7/5/16

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

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Statement of Hardship and Variances Requested for 1485 Oak Street

The subject property is currently zoned ARLD. Pursuant to utility records, the building has been vacant for at least 25 years. The structure was constructed as drug store with two apartments on the second floor. The building has a gross floor area of about 1,584 square feet per floor. The building is brick with a storefront facing Oak Street. The building occupies all of its land area excepting a 10 foot side yard along the west side of the lot.

The applicant is requesting this Council Variance to allow for the entire first floor of the building to be used for the operation of a restaurant or restaurant with a bar, onsite kitchen, onsite consumption of food and beverages including alcohol, and the retail sale of good and products, including the sale of food and beverages (not including alcohol) for offsite consumption and the second floor to be used for office, while allowing for the potential reversion of the office use to residential use. The revitalization of this historic commercial node on Oak Street is consistent with the Near East Area Plan and enhances the vibrancy of the neighborhood.

In order to fulfill the intended use of the property by the applicant, the applicant requests the following variances:

Variance 1: Section 3333.02 Allowable Uses. A variance is requested to allow for the entire first floor of the building to be used for the operation of a restaurant or restaurant with a bar, onsite kitchen, onsite consumption of food and beverages including alcohol, and the retail sale of good and products, including the sale of food and beverages (not including alcohol) for offsite consumption and the second floor to be used for office, while allowing for the potential reversion of the office use to residential use.

Variance 2: Section 3312.49 Parking Requirements. The existing site is almost wholly occupied by the building and therefore does not meet the parking requirements for commercial use. This is a pedestrian oriented neighborhood and most customers are expected to walk to the restaurant. On street parking is available throughout the area. Churches with off street parking occupy two of the other corners of the intersection. Numerous unimproved and vacant properties dominate along Oak Street, meaning that the street parking is very lightly utilized.

Estimated parking required for 1485 Oak:

Level	Use	Sq ft	Required Parking
First Floor	Restaurant	1,584 sq ft	22 (1:75sqft)
	Patio	360 sq ft	4 (1:150)
Second Floor	Office	1,584 sq ft	4 (1:450 sq ft)

A variance is requested to reduce the required off-street parking for 1485 Oak Street to 0 spaces.

CV16-046

Variance 3: Section 3321.01 Dumpster area. The proposed dumpster location does not meet placement requirements. A variance is requested to permit the dumpster to be located in the required front setback and side yard as shown on the site plan.

Variance 4. Section 3321.05(B)(2) Vision clearance at intersections. The existing building does not meet the vision clearance triangle requirement as the building occupies the entire corner of the lot. A variance is requested to eliminate the vision clearance triangle.

Variance 5: Section 3333.09 Area Requirements. The existing lot width does not meet the area requirements for the ARLD district. A variance is requested to eliminate the minimum area requirement and allow a lot width of less than 50 feet.

Variance 6: Section 3333.11 ARLD area district requirements. The existing lot size does not meet the lot area requirements for square feet per unit for two apartment units. A variance is requested to permit two second-story apartment units on a 2,093 sq ft lot (1,046.5 sq ft per dwelling).

Variance 7: Section 3333.15(c) Basis of computing area. The existing building does not meet the lot coverage requirements for no more than 50 % lot coverage. A variance is requested to permit the existing lot coverage of 75.7 %.

Variance 8. Section 3333.18(D) Building Setbacks. The existing building does not meet the setback requirements for the ARLD district. A variance is requested to reduce the building setback requirements to the existing building footprint, and to permit a dumpster within the required setback area.

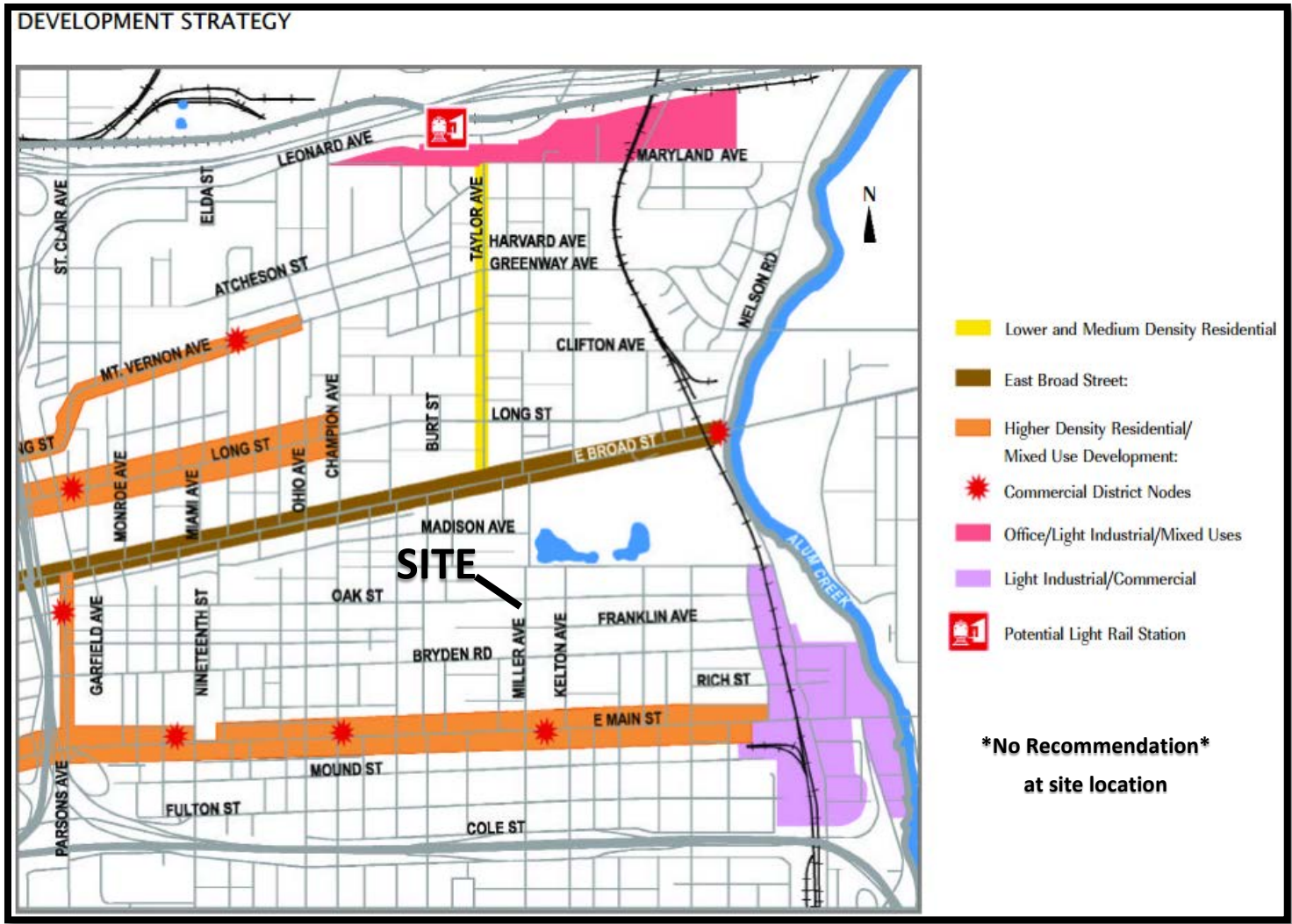
Variance 9: Section 3333.23 Side Yard. The existing building does not meet the requirements for minimum side yard setback. A request is made to permit an outdoor dining patio and dumpster within an enclosure to be located in the side yard as shown in the site plan.

Variance 10: Section 3333.24 Rear yard. The existing building does not meet the 25% rear yard requirement. A variance is requested to permit the existing 0% rear yard.

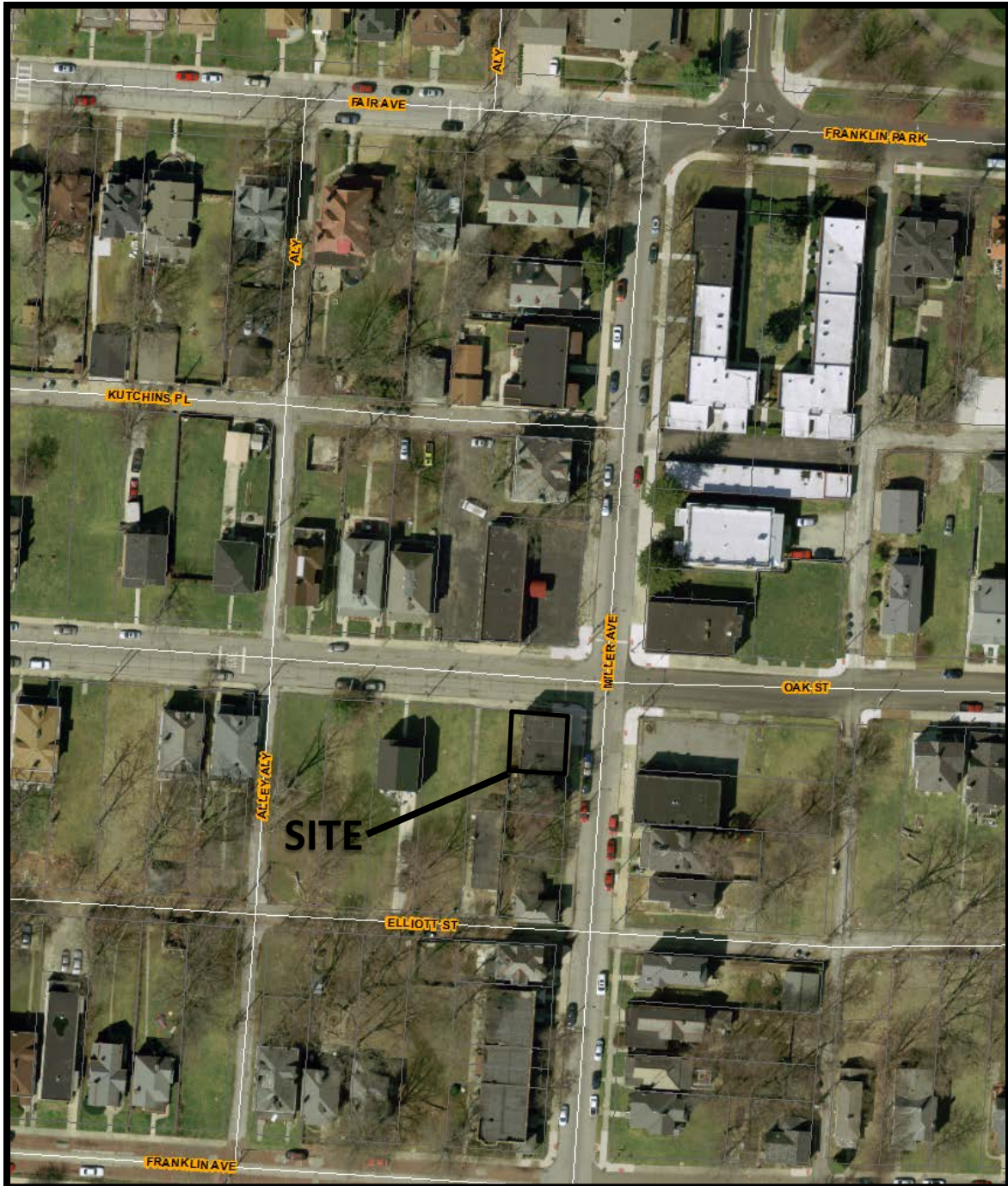
The proposed variances will not have any significant impact on the existing conditions of the site. The proposed variances will not be injurious to the neighboring properties or contrary to public interest or the intent and purpose of the City of Columbus Zoning Code, nor will the proposed variances impair the supply of light, endanger the public safety, or unreasonably diminish or impair public health, safety, comfort or welfare of City of Columbus residents.



CV16-046
1485 Oak Street
Approximately 0.04 Acres



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Approximately 0.04 Acres



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1485 Oak Street
Approximately 0.04 Acres

Standardized Recommendation Form

DEPARTMENT OF BUILDING
AND ZONING SERVICES

757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov

FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW

Case Number

CV16-046

Address

1485 OAK STREET 43205

Group Name

NEAR EAST AREA COMMISSION

Meeting Date

10/13/16

Specify Case Type

- ☐ BZA Variance / Special Permit
☒ Council Variance
☐ Rezoning
☐ Graphics Variance / Plan / Special Permit

Recommendation
(Check only one)

- ☒ Approval
☐ Disapproval

NOTES:

APPLICANTS PRESENT DENNIE ALBERT AND
MATTHEW LUTZ / BRET NUTCHENSON

Vote

10-1-2

Signature of Authorized Representative

Kathleen D. Bailey

Recommending Group Title

CHAIR NEAC

Daytime Phone Number

614-582-3053

Please FAX this form to ZONING at (614) 645-2463 within 48 hours of meeting day; OR MAIL to: Zoning, City of Columbus, Department of Building & Zoning Services, 757 Carolyn Avenue, Columbus, Ohio 43224.

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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 # CV16-046

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Matthew D. Lutz
of (COMPLETE ADDRESS) 139 Franklin Park West 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 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

1. <u>1485 Oak Street LLC</u> <u>139 Franklin Park West</u> <u>Columbus Ohio 43205</u> <u>☐</u> <u>Mat Lutz 614-286-4315</u>	2.
3.	4.

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

SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 29th day of June, in the year 2016

SIGNATURE OF NOTARY PUBLIC

My Commission Expires

Notary Seal Here



COLETTA A. BLACK
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
August 25, 2018
Recorded in
Franklin County

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