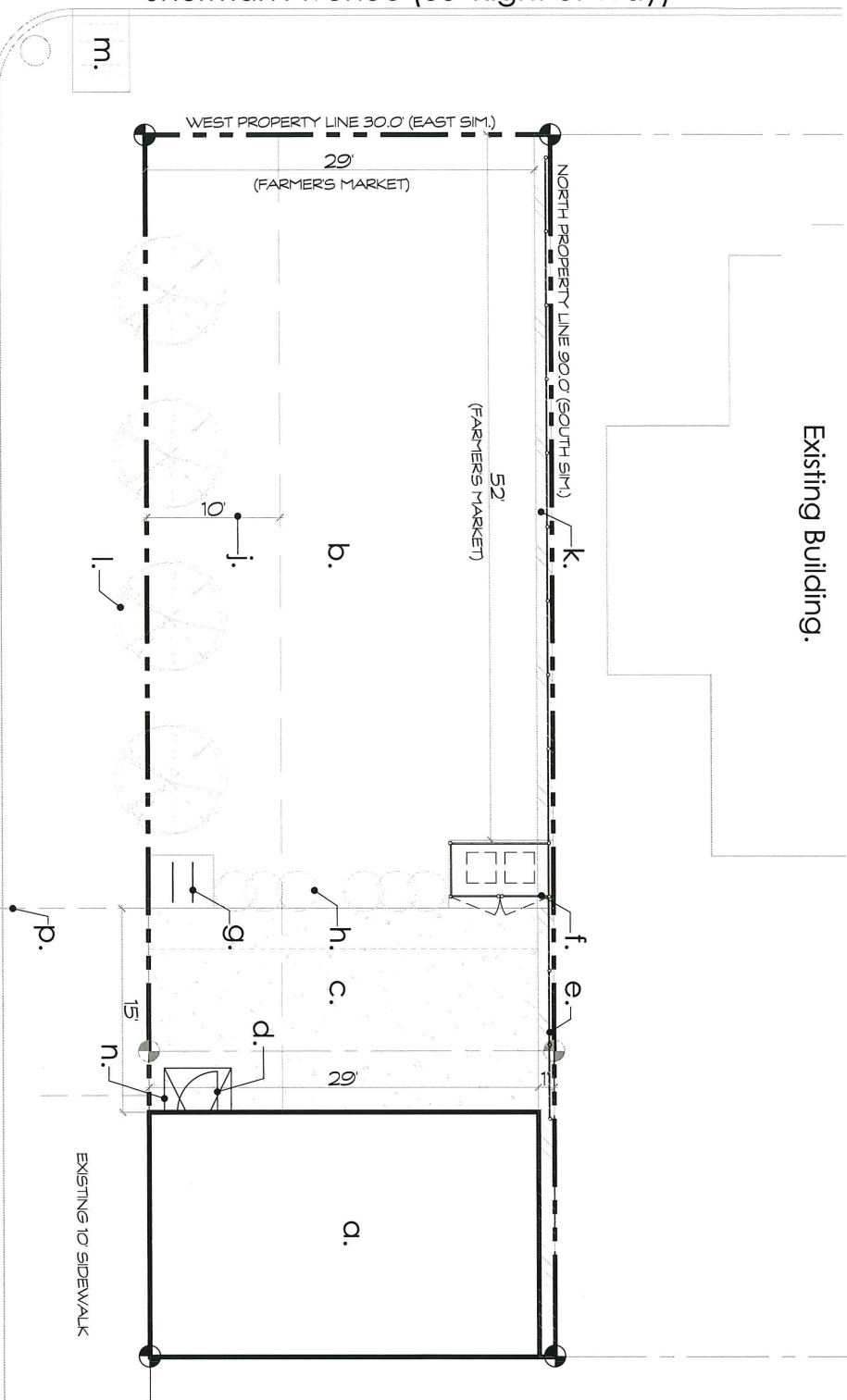


Existing Building.



Oak Street (60' Right of Way)

## Zoning Site Plan



SCALE: 1/8"=1'-0"

designnine studio

Council Variance

FINAL RECEIVED 10/17/2019 PAGE 1 OF 1

DATE: 10.10.19



Owners: Nasim Mullen, Billy Silva  
1697 Franklin Park South  
Columbus, Ohio 43203  
Zoning: Z7-3-197 ARD, AR-1, A/1/74, H-35

Zoning Certified Address: 1236 Oak Street  
Parcel ID: (010-016687-00)

### Site Requirements

Car Parking: 3312.49 (C) = 7 Spaces  
Eating/Drinking Est.: 522sq/775 = 3 Spaces  
Patio: 450sq/1150 = 7 Spaces  
Framer's Mkt: 1590sq/7250 = 17 Spaces

Bike Spaces: 12 Spaces/20 = 0 Racks  
2 Bike Racks Provided

Shade Trees: (2" caliper Min)  
4 Trees Provided

Building Lot Coverage:  
Existing Building: 522sq/72700sq = 19%

### Drawing Key Notes

- Proposed eating and drinking establishment in existing single-story building
- Future Farmer's Market/Flower & Vegetable Garden (1600sq' max.)
- Proposed Future Patio (450sq' max.)
- New 3' ADA access/service door
- Proposed 6' Decorative Fence w/3' section trash and recycling bins, conc pad
- (2) Bicycle Racks on conc pad
- Screening Potted Plants
- Front Yard Setback (Varied to 0)
- Rear Yard Setback (Varied to 4%)
- 2" Caliper Shade Trees (Typ. of 4)
- Existing ADA ramp
- New ADA wheelchair ramp
- Existing Access point to be removed under separate permit

pg.

### **Statement of Hardship**

The subject property is zoned ARLD. The parcel number is 010-016687. Parcel 010-016687 is the combination of two parcels. The tax parcels ("Parcels") that were combined are at the corner of Oak and Sherman: 152 Sherman and 1236 Oak Street. At the latter address, a 522 sq. ft. building constructed in 1920 remains. The Parcels were combined on March 18, 2019.

The applicant proposes to develop the property for commercial use as depicted on the "Site Plan, 1236 Oak Street", hereafter "Site Plan," dated October 3, 2019 and as cited in the variances.

The applicant is requesting this Council Variance on parcel number 010-016687 to utilize the existing building for an eating or drinking establishment or office, while still allowing for the potential use to return to residential. The interior of the building itself has most recently been used as storage for antiques. Prior to that, it had historically functioned as a retail store. On the undeveloped portion of the lot the applicant proposes a patio seating area for the eating and drinking establishment and also a space for a farmer's market.

As typical of a building in this neighborhood of this age, the subject property does not have full surface parking spaces. However, there is one paved parking space next to the building, which, instead, would be used as outdoor patio seating. The applicant seeks variances to conform existing conditions of the site below.

#### **Requested Variances:**

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

1. Variance from section [3333.02](#) - ARLD apartment residential district use – prohibits commercial uses on the site, while the applicant proposes potential office, eating and drinking establishment with patio, and farmers market uses on the subject property.
2. Variance from section [3312.49](#) – Minimum numbers of parking spaces required – requires off-street parking at various ratios depending on use, while the applicant proposes to reduce the required parking from 17 spaces to 0 onsite parking spaces.
3. Variance from section [3321.05 \(B\)\(2\)](#) Vision clearance - requires that a thirty-foot right angle clear vision triangle at the intersection of Oak Street and Sherman Avenue, applicant proposes to maintain no clear vision triangle at the intersection.

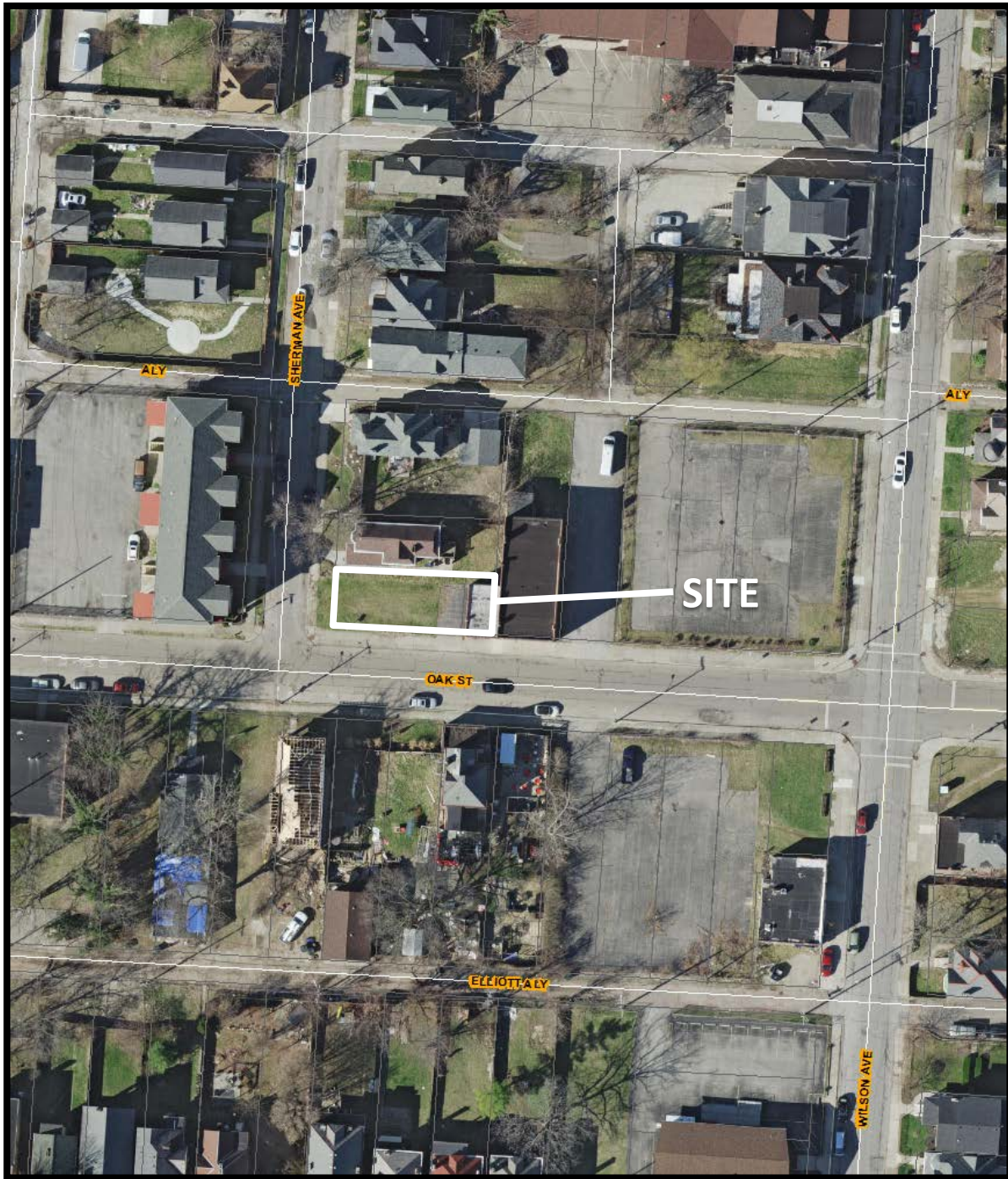
4. Variance from section [3333.18](#) Building Lines - the required building setback from Oak is 10'; the applicant request to conform the existing 0' setback from Oak
5. Variance from section [3333.23](#), Minimum Side Yard - the required minimum side yard is 5', whereas the applicant requests to conform the east side yard of 0'
6. Variance from section [3333.24](#) Rear Yard – requires the rear yard to account for 25% of the lot whereas the applicant requests 4%.

The proposed variances will not have any significant impact on the existing conditions of the site. The proposed variances will not be injurious to 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.



CV19-031  
1236 Oak Street  
Approximately 0.25 acres





CV19-031  
1236 Oak Street  
Approximately 0.25 acres



## Standardized Recommendation Form

111 N Front Street, Columbus, Ohio 43215  
Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.bzs.columbus.gov

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

Case Number

CV19-031

Address

1236 Oak Street

Group Name

William Silva + Wesim Mullen

Meeting Date

10/10/2019

Specify Case Type

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

Recommendation  
(Check only one)

- ☒ Approval  
☐ Disapproval

NOTES:

Coordinate exterior color scheme  
with 1236 Oak.

Vote 10-0-0

Signature of Authorized Representative

Nathan D. Budy

Recommending Group Title

CHAIR

Daytime Phone Number

614-582-3053

Please e-mail this form to the assigned planner within 48 hours of meeting day; OR FAX to Zoning at (614) 645-2463; OR  
MAIL to: Zoning, City of Columbus, Department of Building & Zoning Services, 111 N Front Street, Columbus, Ohio 43215.

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.  
Applications must be submitted by appointment. Call 614-645-4522 to schedule.

**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 Number: CV19-031

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) William A. Silva

of (COMPLETE ADDRESS) 1697 Franklin Park South

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. William A. Silva & Nasim A. Mullen 1697 Franklin Park South Columbus, OH 43205 1 Employee William Silva (415) 786-4660	2.
3.	4.

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

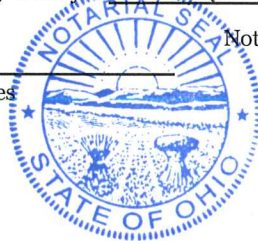
SIGNATURE OF AFFIANT

*William A. Silva*

Sworn to before me and signed in my presence this 18<sup>TH</sup> day of SEPTEMBER, in the year 2019

SIGNATURE OF NOTARY PUBLIC

*3/1/2022*  
My Commission Expires



Notary Seal Here

**CHRISTOPHER SPANN**  
Notary Public, State of Ohio  
My Commission Expires 03-07-2022

**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