

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

OFFICE USE ONLY

Application Number: _____ Date Received: _____

Application Accepted by: _____ Fee: _____

Assigned Planner: _____

LOCATION AND ZONING REQUEST:

Certified Address or Zoning Number: 1179 Jaeger Street Zip: 43206

Is this application being annexed into the City of Columbus? Select one: YES NO

If the site is currently pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.

Parcel Number for Certified Address: 010-024886

Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s): Z05-022, Residential, R2F, 2/9/2005, H-35

Area Commission or Civic Association: Southside Area Commission

Proposed Use or reason for Council Variance request:

Change of Use from Auto Repair to Restaurant w/Patio

Acreage: 0.125 Acres

APPLICANT:

Name: Mark Ours Phone Number: (614) 571-5817 Ext.: _____

Address: MODE Architects, 174 Thurman Avenue City/State: Columbus, Ohio Zip: 43206

Email Address: Marke.MODEarc.com Fax Number: N/A

PROPERTY OWNER(S) Check here if listing additional property owners on a separate page

Name: David L. Catter Phone Number: _____ Ext.: _____

Address: 506 E. Sycamore Street City/State: Columbus, Ohio Zip: 43206

Email Address: _____ Fax Number: N/A

ATTORNEY / AGENT (Check one if applicable): Attorney Agent

Name: _____ Phone Number: _____ Ext.: _____

Address: _____ City/State: _____ Zip: _____

Email Address: _____ Fax Number: _____

SIGNATURES (All signatures must be provided and signed in blue ink)

APPLICANT SIGNATURE [Signature]

PROPERTY OWNER SIGNATURE [Signature]

ATTORNEY / AGENT SIGNATURE _____

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that the City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc. may delay the review of this application.

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

APPLICATION CHECKLIST

The application package must consist of **TWO (2) COMPLETE SETS** of all items listed below, one of which must contain the original signed forms.

- The Application Form** *Need Property Owner's Phone/Email, then BOTH sign.*
- Statement of Hardship** *- to do*
- Notarized Affidavit Form and Label Sets** (see instructions on the form)
- Notarized Project Disclosure Statement** (see instructions on the form) *to do. Need Owner Phone, then sign & Notarize*
- Certified Address or "Zoning Number"**
A certified "Zoning Number" can be obtained at the Columbus Department of Public Service, Division of Infrastructure Management; 50 W. Gay Street, 1st floor, Columbus, Ohio 43215, Phone 614-645-5661.
- Legal Description of the Subject Property** *Sent to Columbus 8/22 @ 9:00AM.*
Current property survey to include acreage of the subject property and all metes and bounds, referencing the centerline intersection of two public streets. If more than one zoning district or multiple sub-areas are requested in this application, separate legal descriptions must be submitted for each district and/or sub-area. All legal descriptions must be submitted as an original on 8-1/2" x 11" paper and in digital format on a storage device or via e-mail to staff in advance of filing (MS Word document left justified, no indentations, in Times New Roman font, size 11).

- Site Plan** (required for CPD, PUD and Limited zoning districts committing to a plan)
The site plan must be drawn to Engineer's scale and provide applicable information as itemized on the Zoning Review Checklist Form or Site Plan Information Required for 1-2-and-3-unit Form available at <http://bzs.columbus.gov>. Each page shall be submitted as a 2' x 3' original scale plan and as an 8-1/2" x 11" reduction included in each set, and in digital format as a TIF or PDF file saved on a storage device or via e-mail to staff in advance of filing.

- N/A* **Approved Annexation petition from County**
A copy of the approved annexation petition is required for properties that are in annexation status at time of application.

Application Fees (Non-Refundable) Checks are to be made payable to: Columbus – City Treasurer.

Need

1-4 Dwelling Units	\$320.00
All Other Variances	\$1,600.00 per acre for the first acre or fraction thereof plus \$160.00 for each additional acre or fraction thereof
Concurrent with Rezoning	\$800.00 per acre for the first acre or fraction thereof plus \$80.00 for each additional acre or fraction thereof
Maximum Fee	\$7,000.00

Handwritten note in blue circle: $1600 \times 0.125 = 200.00$

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STATEMENT OF HARDSHIP

1179 Jaeger Street

The site is located on the east side of Jaeger between Nursery Lane and Mithoff Street. The site is zoned R2F - Single or Double Family as is most of the area surrounding this property. The existing non-conforming use of the subject property is a vehicle repair shop. The existing commercial building and this use pre-dates the down zoning of this area to R2F. Typical of the commercial mixed use nature of this neighborhood, there are many businesses with limited or no on-site parking. Parking for residents is readily available and accessed from the rear of their premises. This project proposed to remove large existing curb cuts and restore street parking where possible.

Our proposal is to change the non-conforming use of the vehicle repair / service garage into either restaurant, general business, or retail use. The vehicle repair / service garage has been operating continuously in this location for many years. The nature of the vehicle repair use was that many vehicle were stored on the premises, outside and in full visibility of residents. The proposed use change will allow the existing commercial structure to remain and be a viable corner business within Merion Village and contribute to the vibrant mixed use corridor happening just to the north of the subject site in German Village.

Variance's Required -

1. Chapter 3332.037 - R2F Residential District

A. In an R-2F residential district the following uses are permitted:

1. One single-family dwelling;
2. One, two-family dwelling;
3. An agricultural use, farm, field crops, garden, greenhouse, nursery and a truck garden;
4. A religious facility;
5. A school;
6. A public park, playground and recreation facility;
7. A public library;
8. A city approved soil conservation and watershed protection project, and water filter bed, reservoir and tower;
9. An adult and child day care center as an accessory use when located within a school or religious facility building.

Variance Requested

To allow a commercial use - either restaurant, office or retail use in an existing commercial structure.

2. Chapter 3332.21 - Building Lines

In the R-2F residential districts and the MHD manufactured home development district the building lines are established per the chart in this section.

Variance Requested

Request reduction of building line along Jaeger Street from 25' to 2' (to allow for Dumpster Enclosure and Future Patio).

3. Chapter 3312.49 - Minimum Parking Spaces Required

The number of off-street parking spaces required for various uses shall be no less than as set forth in the parking requirements tables.

Variance Requested

Request reduction of parking requirement from 33 spaces to 0 spaces.

4. Chapter 3332.27 - Rear Yard

Each dwelling, residence or principal building shall be erected so as to provide a rear yard totaling no less than 25 percent of the total lot area.

Variance Requested

Request reduction of the percentage of rear yard coverage from 25% to 0% (to allow for Dumpster Enclosure and Future Building Addition).

August 28, 2017

Mr. Tim Dietrich
City of Columbus
757 Carolyn Ave.
Columbus OH 43224

RE: Variance Request Summary for 1179 Jaeger Street

Dear Mr. Dietrich:

Please accept this letter and the attached drawing as a response to your request for a summary of requested variances for 1179 Jaeger Street.

Chapter 3332.037 - R2F Residential District

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Best Regards,

A handwritten signature in black ink, appearing to read "Mark Ours". The signature is fluid and cursive, with a long horizontal stroke at the end.

Mark Ours
Principal | Registered Architect

COUNCIL VARIANCE APPLICATION

Department of Building & Zoning Services

Scott Messer, Director
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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 Number: _____

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Mark Ours
of (COMPLETE ADDRESS) MODE Architects, 174 Thurman Avenue, Columbus, OH 43206

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. <u>David L. Catter</u> <u>506 E. Sycamore Street</u> <u>Columbus, OH 43206</u></p>	<p>2.</p>
<p>3.</p>	<p>4.</p>

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

SIGNATURE OF AFFIANT _____

Sworn to before me and signed in my presence this _____ day of _____, in the year _____

Notary Seal Here

SIGNATURE OF NOTARY PUBLIC

My Commission Expires

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Department of Building & Zoning Services

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AFFIDAVIT (See instruction sheet)

Application Number: _____

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Rickard Alan Sicker

of (1) MAILING ADDRESS RAS Civil Engineering, 4254 Tuller Road, Dublin, Ohio 43017

deposes and states that (he/she) is the applicant, agent, or duly authorized attorney for same and the following is a list of the name(s) and mailing address(es) of all the owners of record of the property located at

(2) per CERTIFIED ADDRESS FOR ZONING PURPOSES 1179 Jaeger Street (43206)

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) _____

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) David L. Cattee
506 E. Sycamore Street
Columbus, Ohio 43206

APPLICANT'S NAME AND PHONE #
(same as listed on front application)

Mark Ours, MODE Architects
(614) 571-5817

AREA COMMISSION OR CIVIC GROUP
AREA COMMISSION ZONING CHAIR
OR CONTACT PERSON AND ADDRESS

(5) Southside Area Commission
Curtis Davis
584 E. Moler Street, Cds, OH 43206

and that the attached document (6) is a list of the names and complete mailing addresses, including zip codes, as shown on the County Auditor's Current Tax List or the County Treasurer's Mailing List, of all the owners of record of property within 125 feet of the exterior boundaries of the property for which the application was filed, and all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property (7)

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

(8) SIGNATURE OF AFFIANT

Rickard Alan Sicker

Sworn to before me and signed in my presence this 23RD day of AUGUST, in the year 2017

(8) SIGNATURE OF NOTARY PUBLIC

[Signature]

12/25/2018
My Commission Expires

Notary Seal



Victor M. Lopez
Notary Public, State of Ohio
My Commission Expires 12-25-2018
This Affidavit expires six (6) months after the date of notarization.

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PROPERTY OWNERS WITHIN 125' OF 1179 JAEGER STREET

- 1) RICHARD T. KIRK & DAWN FALLACARA
169 E MITHOFF STREET, COLUMBUS, OHIO 43206
- 2) JONATHAN C WALLEY & JANE M GREENE
174 E MITHOFF STREET, COLUMBUS, OHIO 43206
- 3) ANTHONY N JUSTICE
202 E MITHOFF STREET, COLUMBUS, OHIO 43206
- 4) DAVID M & CHERYL SCHMITT
168 E MITHOFF STREET, COLUMBUS, OHIO 43206
- 5) NOOTSARA & MATTHEW MAIERS
2553 MOUNT HOLYOKE ROAD, COLUMBUS, OHIO 43221
- 6) CORY A SHAPE
1169 JAEGER STREET, COLUMBUS, OHIO 43206
- 7) RYAN GREGG
1157 JAEGER STREET, COLUMBUS, OHIO 43206
- 8) ERIN M ALTENBURGER & LUKE J FORSTER
179 E MITHOFF STREET, COLUMBUS, OHIO 43206
- 9) MAX E LAMMLEIN
177 E MITHOFF STREET, COLUMBUS, OHIO 43206
- 10) STACY B OBERMAN
185 E MITOFF STREET, COLUMBUS, OHIO 43206
- 11) GEZIM J VELIO
137 E MITHOFF STREET, COLUMBUS, OHIO 43206
- 12) DAVID X NOLTEMEYER
185 NURSERY LANE, COLUMBUS, OHIO 43206
- 13) JOSEPH R & LISA M DELOSS
181 E MITHOFF STREET, COLUMBUS, OHIO 43206
- 14) COLE & LAUREN MOFFATT
301 TAPPAN STREET, COLUMBUS, OHIO 43201
- 15) JULIE R JAVOREK
193 MITHOFF STREET, COLUMBUS, OHIO 43206
- 16) MICHAEL E SNYDER
183 E MITHOFF STREET, COLUMBUS, OHIO 43206

- 17) BRIAN T RUDZIK & ASHLEY M BARTELL
1161 JAEGER STREET, COLUMBUS, OHIO 43206
- 18) JASON ZAKKO
2610 NE 30TH AVENUE, FORT LAUDERDALE, FL 33306
- 19) JOHN CHAPMAN
1170 JAEGER STREET, COLUMBUS, OHIO 43206
- 20) RICHARD C LOPEZ
2287 EASTCLEFT DRIVE, COLUMBUS, OHIO 43221
- 21) TIMOTHY L SIMEONE & SIMONIDA Z BOTIC
174 NURSERY LANE, COLUMBUS, OHIO 43206
- 22) CHRISTOPHER MOORE
171 E MITHOFF STREET, COLUMBUS, OHIO 43206
- 23) AARON L GEIBEL
167 E MITHOFF STREET, COLUMBUS, OHIO 43206
- 24) ANDREW BRUSH
1180 JAEGER STREET, COLUMBUS, OHIO 43206
- 25) RYAN F SHARTLE
199 E MITHOFF STREET, COLUMBUS, OHIO 43206
- 26) GREGORY C VERT & BRITTANY J PRICE
195 E MITHOFF STREET, COLUMBUS, OHIO 43206

MARK OURS
MODE ARCHITECTS
174 THURMAN AVENUE
COLUMBUS, OHIO 43206

DAVID L CATTEE
106 EAST MITHOFF STREET
COLUMBUS, OHIO 43206

CURTIS DAVIS – ZONING CHAIR
SOUTHSIDE AREA COMMISSION
584 E MOLER STREET
COLUMBUS, OHIO 43206

KIRK /FALLACARA
Or Current Resident
169 E MITHOFF STREET
COLUMBUS, OHIO 43206

WALLEY/GREENE
Or Current Resident
174 E MITHOFF STREET
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COLUMBUS, OHIO 43206

VERT/PRICE
Or Current Resident
195 E MITHOFF STREET
COLUMBUS, OHIO 43206

RAS Civil Engineering, LLC

4254 Tuller Road ♦ Dublin ♦ Ohio ♦ 43017
614-581-8504 ♦ www.RASCivilEngineering.com

Legal Description

1179 Jaeger Street

Parcel #010-02486 - 0.125 acres:

Situated in the State of Ohio, County of Franklin, City of Columbus, and being a part of Lots 66 and 67 of E. T. Mithoff's Addition as is numbered and delineated on the recorded plat thereof, of record in Plat Book 3, Page 371, Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Beginning at a found drill hole at the southeast corner of said lot 67, also being the intersection of the west line of Jaeger Street, 50' feet wide, and the north line of East Mithoff Street, 55 feet wide;

Thence, along the north line of East Mithoff Street and the south lines of Lots 67 and 66, **WEST**, 68.00 feet to a found iron pin at the southwest corner of said Lot 66 and the southeast corner of Lot 65 of said subdivision;

Thence, along part of the west line of said Lot 66 and part of the east line of said Lot 65 parallel with the west line of Jaeger Street, North 00 degrees 14 minutes East, 80.00 feet to a found iron pin;

Thence, across said Lots 66 and 67, parallel with the north line of East Mithoff Street, **EAST**, 68.00 feet to a found P.K. nail in the east line of said Lot 67 and in the west line of Jaeger Street;

Thence, along part of the east line of said Lot 67 and the west line of Jaeger Street, South 00 degrees 14 minutes West, 80.00 feet to the Point of Beginning, **CONTAINING 0.125 ACRES**, subject however to all legal easements, restrictions, and rights-of-way of record and of records in the respective utility offices.

