

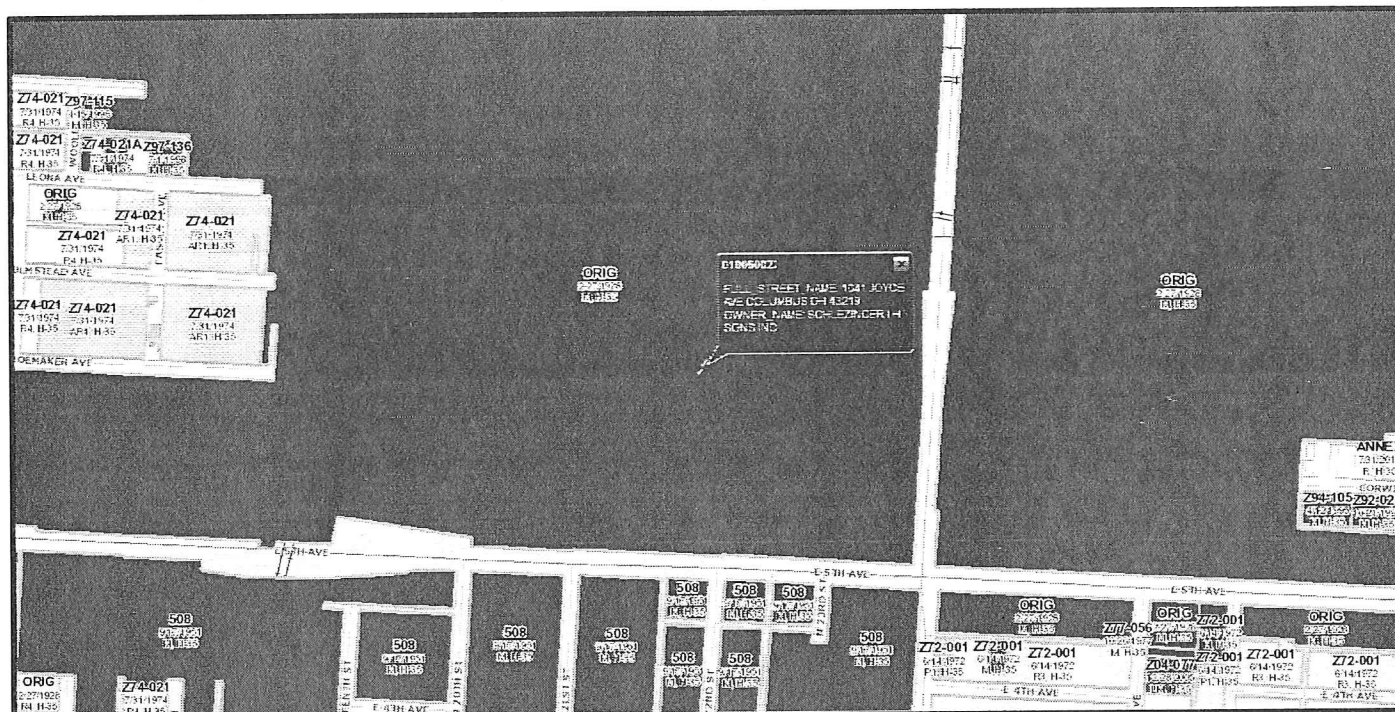
DEPARTMENT OF BUILDING AND ZONING SERVICES

General Zoning Inquiries: 614-645-8637

Parcel Number: 010060022

Airport Overlay Environs: N/A

Graphic Commission: N/A



Board of Zoning Adjustment Application

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

BZA96-094

1041 Joyce Avenue

OFFICE USE ONLY

Application Number: BZA16-094 Date Received: 6/28/16
Application Accepted by: D. Keiss Fee: \$1,900.00
Commission/Civic: North Central
Existing Zoning: M
Comments: 9/27/16

TYPE(S) OF ACTION REQUESTED (Check all that apply):

☒ Variance ☒ Special Permit

Indicate what the proposal is and list applicable code sections:

3389.07
Special permit to operate recycling scrapyard / Variance for distance from apartment parcel #671-S Section 3363.19c

LOCATION

Certified Address: 1041 Joyce Avenue City: Columbus Zip: 43219

Parcel Number (only one required): 010060022

APPLICANT (If different from Owner):

Applicant Name: John Miller Phone Number: 614-252-1188 Ext.: 203

Address: 1041 Joyce Avenue City/State: Columbus, OH Zip: 43219

Email Address: John.Miller@ihschlezing.com Fax Number: 614-252-1180

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

Name: I H Schlezing Sons, Inc. Phone Number: 614-252-1188 Ext.: 203

Address: 1041 Joyce Avenue City/State: Columbus, OH Zip: 43219

Email Address: John.Miller@ihschlezing.com Fax Number: 614-252-1180

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

Name: Scott North Phone Number: 614-227-2087 Ext.:

Address: Porter Wright, 41 S. High Street City/State: Columbus, OH Zip: 43215

Email Address: snorth@porterwright.com Fax Number: 614-227-2100

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

APPLICANT SIGNATURE [Signature]

PROPERTY OWNER SIGNATURE [Signature]

ATTORNEY / AGENT SIGNATURE [Signature]

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.

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AFFIDAVIT

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME John Miller
of (1) MAILING ADDRESS 1041 Joyce Ave., Columbus, Ohio 43219,

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 ADDRESS CARD FOR PROPERTY 1041 Joyce Ave.

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) I H Schlezinger Sons, Inc.
1041 Joyce Ave.
Columbus, Ohio 43219

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

John Miller
614-252-1180, ext. 203

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

(5) North Central Area Commission
Carlton Fraley, Zoning Chair
2107 Bancroft St., Columbus, Ohio 43219

and that the following 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:

(6) PROPERTY OWNER NAME	(6a) PROPERTY ADDRESS	(6b) PROPERTY OWNER MAILING ADDRESS
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

☒ (7) Check here if listing additional property owners on a separate page.

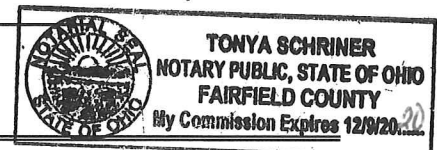
(8) SIGNATURE OF AFFIANT [Signature]

Sworn to before me and signed in my presence this 20th day of June, in the year 2016

(8) SIGNATURE OF NOTARY PUBLIC [Signature]

My Commission Expires 12-9-2020

Notary Seal Here



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1041 Joyce Avenue

Scott North, Esq.
Porter, Wright, Morris & Arthur
41 S. High Street
Suite 3100
Columbus, OH 43215

Schlezingher I H & Sons Inc.
PO Box 83624
Columbus, OH 43203

Scott North, Esq.
Porter, Wright, Morris & Arthur
41 S. High Street
Suite 3100
Columbus, OH 43215

North Central Area Commission
Carlton Fraley, Zoning Chair
2107 Bancroft Street
Columbus, OH 43219

Whirlwind Car Wash Inc
1370 Le Anne Marie Circle
Columbus, OH 43235

AREC 13 LLC
C/O U-Haul International
Arec 3 4 8 13 RW MS LLC
PO Box 29046
Phoenix, AZ 85038

Norfolk & Western Ry Co.
110 Franklin Rd SE
Roanoke, VA 24042

RDT Williams Asset
Management LLC
200 Mink St SW
Pataskala, OH 43062

Pennsylvania Lines, LLC
C/O Norfolk Southern Railway
Tax Department
110 Franklin Rd SE
Roanoke, VA 24042

C&J Real Estate & Equipment
Investment LLC
345 Arthur St
Zanesville, OH 43701

1000 Joyce Avenue LLC
1000 Joyce Ave
Columbus, OH 43219

Jupiter Property Management LLC
11401 Roosevelt Blvd
Philadelphia, PA 19154

East Fifth Partners LLC
C/O Bill Jacob
53 N. High Street, Ste A
Dublin, OH 43017

Fleetpark LLC
C/O Lone Mountain
200 Owen Parkway Circle
Carter Lake IA 51510-1527

Board of Zoning Adjustment Application

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STATEMENT OF HARDSHIP

APPLICATION #

3307.09 Variances by Board.

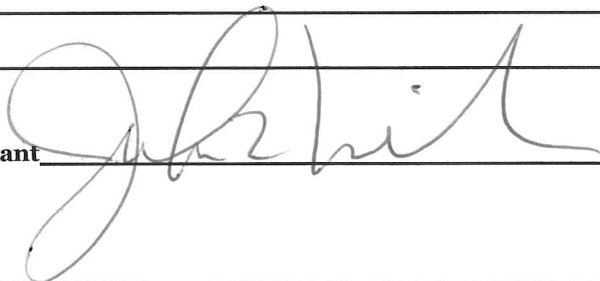
- A. The Board of Zoning Adjustment shall have the power, upon application, to grant variances from the provisions and requirements of this Zoning Code (except for those under the jurisdiction of the Graphics Commission and except for use variances under the jurisdiction of the Council). No variance shall be granted unless the Board finds that all of the following facts and conditions exist:
1. Special circumstances or conditions apply to the subject property that do not apply, generally, to other properties in the same zoning district.
 2. The special circumstances or conditions are not the result of the actions of the property owner or applicant.
 3. The special circumstances or conditions make it necessary that a variance be granted to preserve a substantial property right of the applicant which is possessed by owners of other property in the same zoning district.
 4. The grant of a variance will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of this Zoning Code.
- B. In granting a variance, the Board may impose such requirements and conditions regarding the location, character, and other features of the proposed uses or structures as the Board deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard public safety and welfare.
- C. Nothing in this section shall be construed as authorizing the Board to affect changes in the Zoning Map or to add to the uses permitted in any district.

I have read Section 3307.09, Variances by Board, and believe my application for relief from the requirements of the Zoning Code satisfies the four criteria for a variance in the following ways:

Applicant seeks a variance from code section 3363.19c. Applicant's recycling facility has operated continually at its location since 1962. Apartments have been within 600 feet, separated by railroad

tracks, during the entire time Applicant has been operating. The siting of Applicant's facility pre-dates zoning regulations. A variance is necessary to preserve the status quo that has existed for over 50 years, is consistent with the area, and does not harm the apartment property.

Signature of Applicant



Date

6/24/16

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Please make checks payable to the Columbus City Treasurer

Page Three of Three
Date: June 23, 2015
Case Number: BZA15-047

THIS DECISION WAS APPROVED BY A QUORUM OF THE BOARD

Approved By:

By:  James Harbeck, ChairmanBy:  John BoralBy:  Elmer PalmerBy:  Elmer Palmer

Board of Zoning Adjustment
City of Columbus, Ohio

Design No. _____
Date _____
Approved By _____
Elmer Palmer

Page Two of Three
Date: June 23, 2015
Case Number: BZA15-047

FINDING OF FACTS

Upon the evidence presented at the hearing, each witness testifying under oath, the Board makes the following findings of fact:

No violation found. Pre-existing condition and pre-Cook. Operating since 1952 as a parking lot. Denial of accessory building. Parties agreed to terms and conditions.

ORDER

Based upon all the evidence presented, the board, upon motion duly made and seconded, makes the following order:

Obtain demolition permit by end of July 2015. Demolish accessory building within 90 days of today's date.

CITY OF COLUMBUS
BOARD OF ZONING ADJUSTMENT

Appellant: I. H. Schleizinger, Inc.
Case Number: BZA15-047
Property: 1041 JOYCE AVENUE
Decision, Order and Entry

Appellant:

This matter came before the Board of Zoning Adjustments pursuant to the City of Columbus Zoning Code Chapter 3307.07 for hearing on the appeal of applicant I. H. Schleizinger, Inc. The Board of Zoning Adjustments heard the appeal, in which the applicant requested that violations at this property located at 1041 JOYCE AVENUE be corrected.

The applicant filed a written request for a hearing. Said hearing was held JUNE 23, 2015 at 6:00 P.M. in the conference room at 757 Cayuga Avenue, Columbus, Ohio.

Board Members Attendance: _____ Present _____ Absent _____
James Harbeck _____
John Boral _____
Elmer Palmer _____

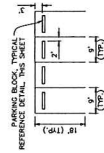
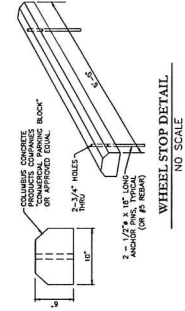
Also Present were:
Rebecca Mett, Partner Wright Morris & Arthur
John Joseph, I.H. Schleizinger, Inc.
John Joseph, I.H. Schleizinger, Inc.

CITY OF COLUMBUS, OHIO
FINAL SITE COMPLIANCE PLAN
FOR
I.H. SCHLEIZINGER, INC.

PLM PROVIDED BY:
ADVANCED
CIVIL DESIGN
ENGINEERS

422 RECORDS
COLUMBUS, OHIO
BY: BJA15-047
DATE: 06/23/2015

SCALE: NONE
DATE: 06/23/2015
SHEET 2 / 3

PARKING BLOCK LOCATION DETAIL
NO SCALEWHEEL STOP DETAIL
NO SCALE



City of Columbus Zoning Plat



ZONING NUMBER

The Zoning Number Contained on This Form
is Herein Certified to Obtain Zoning, Rezoning,
and Variances, and is NOT to be Used for
the Securing of Building & Utility Permits

Parcel ID: 010060022

Zoning Number: 1041

Street Name: JOYCE AVE

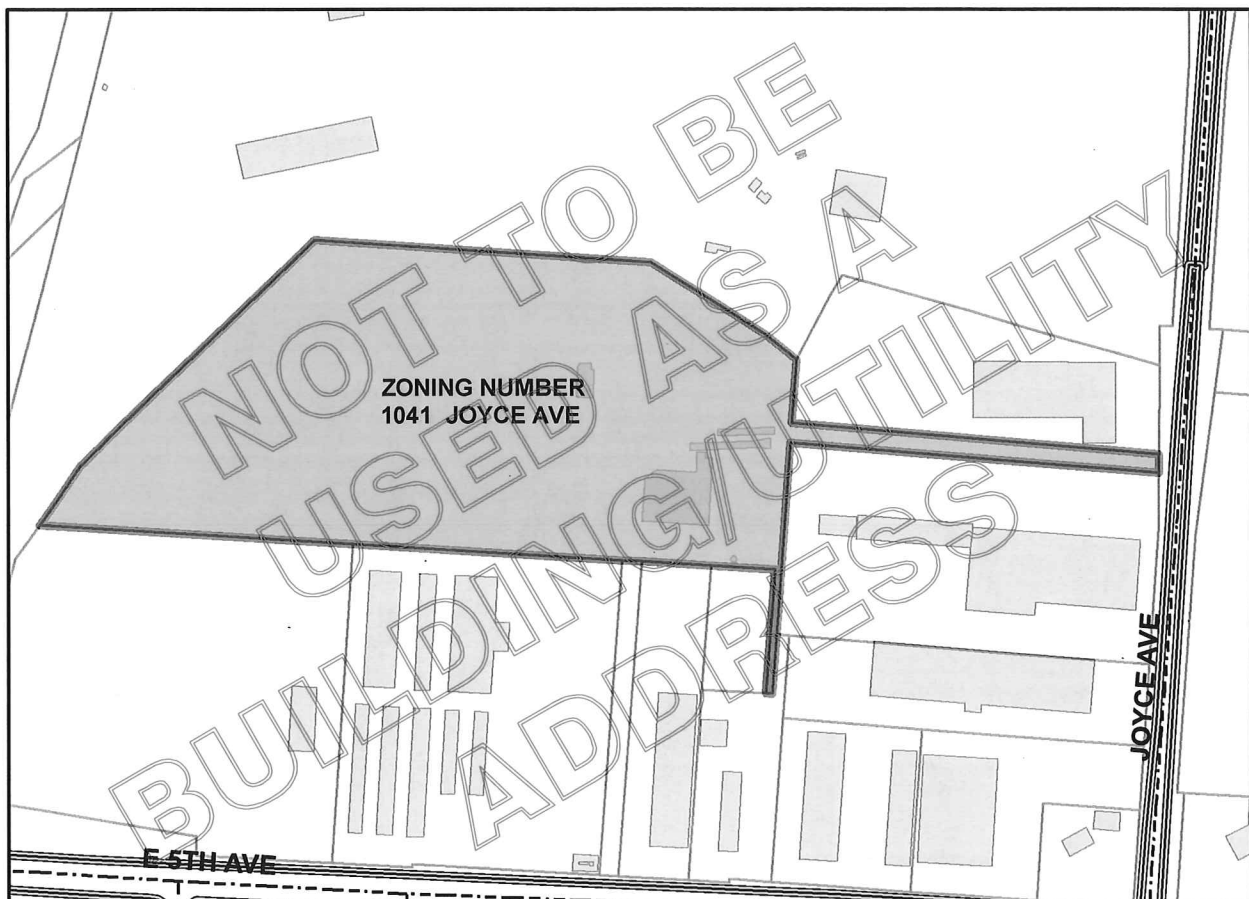
Lot Number: N/A

Subdivision: N/A

Requested By: PORTER, RIGHT, MORRIS & ARTHUR LLP, (SCOTT NORTH)

Issued By: *Adyana Amarian*

Date: 5/27/2016



JAMES D. YOUNG, P.E., ADMINISTRATOR
DIVISION OF INFRASTRUCTURE MANAGEMENT
COLUMBUS, OHIO

SCALE: 1 inch = 300 feet

GIS FILE NUMBER: 65405



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: s

DATE: 6/10/16



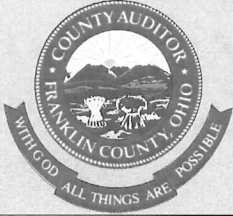
Disclaimer

Scale = 300



This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

Real Estate / GIS Department



CLARENCE E MINGO II
FRANKLIN COUNTY AUDITOR
MAP ID: s **DATE: 6/10/16**



Disclaimer

Scale = 386'



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Real Estate / GIS Department

Board of Zoning Adjustment Application

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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 # _____

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) John Miller
of (COMPLETE ADDRESS) 1041 Joyce Ave., Columbus, Ohio 43219

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 and their mailing addresses:

NAME

COMPLETE MAILING ADDRESS

I H Schlezinger Sons, Inc.

1041 Joyce Ave.

Columbus, Ohio 43219

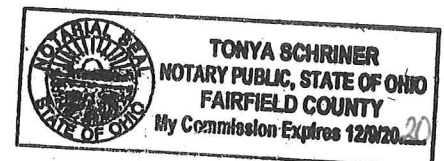
SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 20th day of June, in the year 2016

SIGNATURE OF NOTARY PUBLIC

My Commission Expires

Notary Seal Here



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