Zoning Report

Site Information

Address	3065 WAKEFERN PL, COLUMBUS, OH
Mailing Address	PO BOX 182661 COLUMBUS OH 43218-2661
Owner	HAYES ROBERT W I PAULETTE M
Parcel Number	010161912
In Columbus?	Yes
County	FRANKLIN

Zoning Information

Zoning	Z72-069, Residential, R2, 8/18/1972, H-35
Historic District	None
Council Variance	None
Board of Zoning Adjustment (BZA) Variance	None
Commercial Overlay	None
Planning Overlay	None
Graphics Variance	None
Area Commission	Northeast Area Commission
Historic Site	No
Flood Zone	Out
Airport Overlay Environs	None

Pending Zoning Action

Zoning	None
Board of Zoning Adjustment (BZA) Variance	None
Council Variance	None
Graphics Variance	None

BZA16-156
3065 Wakefern Place

BZA16-156
3065 Wakefern Place

THE CITY OF
COLUMBUS
ANDREW J. GINTHER, MAYOR

DEPARTMENT OF BUILDING AND ZONING SERVICES

Board of Zoning Adjustment Application

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

OFFICE USE ONLY

Application Number: BZA16-156 Date Received: 12/8/16
Application Accepted by: D. Reiss Fee: $320.00
Commission/Civic: Northeast Area Commission
Existing Zoning: R-2
Comments: 2/28/17

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

☑ Variance ☐ Special Permit

Indicate what the proposal is and list applicable code sections:
To request a change of variances on the following code sections.
3312.27, Parking Setback line, 3321.07, Landscaping, and 3312.29, Parking Space
.

LOCATION
Certified Address: 3065 Wakefern Place City: Columbus Zip: 43224

Parcel Number (only one required): 010-161912-00

APPLICANT (If different from Owner):
Applicant Name: Phone Number: Ext.:

Address: City/State: Zip:

Email Address: Fax Number:

PROPERTY OWNER(S) ☑ *Check here if listing additional property owners on a separate page*
Name: Robert W. Hayes, I & Paulette M Hayes Phone Number: 614-795-6621 Ext.:

Address: 3065 Wakefern Place City/State: Columbus Zip: 43224

Email Address: Hayes.15@icloud.com Fax Number:

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 Robert W. Hayes I
PROPERTY OWNER SIGNATURE Robert W. Hayes I
ATTORNEY / AGENT SIGNATURE

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

tmt 12/15

BZA16-156
3065 Wakefern Place

THE CITY OF
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Board of Zoning Adjustment Application

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AFFIDAVIT

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn **(1)** NAME Robert W Hayes, I
of **(1)** MAILING ADDRESS 3065 Wakefern PLace Columbus Ohio 43224
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 3065 Wakefern PLace Columbus Ohio 43224
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) ROBERT W HAYES, I
3065 Wakefern PLace
Columbus Ohio 43224

APPLICANT'S NAME AND PHONE # (same as listed on front application)
Robert W. Hayes, I
614-795-6621

AREA COMMISSION OR CIVIC GROUP AREA COMMISSION ZONING CHAIR OR CONTACT PERSON AND ADDRESS
(5) Northeast Area Commission
Alice Porter
3130 McCutcheon Place, Columbus OH 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 Robert W Hayes I

Sworn to before me and signed in my presence this 1st day of Dec., in the year 2016

(8) SIGNATURE OF NOTARY PUBLIC

My Commission Expires 05-25-2020

Notary Seal Here

NOTARY PUBLIC STATE OF OHIO

REBETHA YARIAN
Notary Public, State of Ohio
My Comm. Expires 05-25-2020

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BZA16-156
3065 Wakefern Place

THE CITY OF
COLUMBUS

Board of Zoning Adjustment Application

757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.b7.5columbusgov

EXAMPLE LABEL SET

APPLICANT
Robert W. Hayes, I
3065 Wakefern Place
Columbus OH 43224

PROPERTY OWNER
Robert W Hayes, I & Paulette M
3065 Wakefern Place
Columbus OH 43224

ATTORNEY

AREA COMMISSION OR NEIGHBORHOOD GROUP
Northeast AC – Zoning
Alice Porter
3130 McCutcheon Place
Columbus OH 43219

SURROUNDING PROPERTY OWNERS

Herman & Patricia L Reese
3076 Wakefern Place
Columbus OH 43224

Sandra D Whitehead
3070 Wakefern Place
Columbus OH 43224

Bridgett N Jeffries
3060 Wakefern Place
Columbus OH 43224

Charles O & Tina L Moody
3057 Wakefern Place
Columbus OH 43224

Robert W I & Paulette Hayes
3065 Wakefern Place
Columbus OH 43224

Howard G & Eugenia L Newman
3073 Wakefern Place
Columbus OH 43224

Monic D Evans
3081 Wakefern Place
Columbus OH 43224

Jean E Delimond
3087 Wakefern Place
Columbus OH 43224

Amanda L Lawyer
3082 Cheaves Place
Columbus OH 43224

Tonia Lewis
3076 Cheaves Place
Columbus OH 43224

Karmene Jones
3068 Cheaves Place
Columbus OH 43224

Michael L & Dalline C
3060 Cheaves Place
Columbus OH 43224

Alice F Baker
3054 Wakefern Place
Columbus OH 43224

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3065 Wakefern Place

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ANDREW J. GINTHER, MAYOR

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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 br 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:

PLEASE THE ATTACHMENT

Signature of Applicant Matthew Mayer **Date** 12-8-16

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Please make checks payable to the Columbus City Treasurer

tmt 12/15

BZA16-156
3065 Wakefern Place

STATEMENT OF HARDSHIP

3307.09 Variances by Board.

1. **Special circumstances or conditions apply to the subject property that do not apply, generally, to other properties in the same zoning district.** The oil crisis of 1973 preceded the development in the mid 1970's of the Framingham community which saw a great deal of change including compact car, narrow streets and high costs of development. Subsequently our development is not in keeping with current vehicle sizes, and I realize my family and I have no control over the development but we tried to help in a small part by adding additional parking to relieve some congestion.

2. **The special circumstances or conditions are not the result of the actions of the property owner or applicant**. Framingham is an older community which is now, experiencing an unusual yet, rapid growth, with no relief in regards to the daily challenges of parking, within this small and congested cul de sac.

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**. Having watched an emergency vehicle twice before having to back all the way out of the Cul de Sac to turn around, was the strongest motive of why I attempted to resolve a serious parking issue. My attempted was solely, to help avoid and/or prevent someone from further medical complications or death by not receiving the necessary and immediate medical attention due to a car being an obstacle in a matter of life or death situation. This situation, with the emergency vehicles, was most noticeable and disturbing to me as I assist in the care of my aging Mother and a daughter that experiences seizures.

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.** The overall objective that I was trying to achieve was to effectively and safely provide appropriate spacing for parking within this populated cul de sac for all. The police have made rounds within this community and have spoken with the neighbors who were out, concerning the incorrectness of parking on this cul de sac and when the community tried to comply, some unforeseen and extremely realistic issues came to light, which is, blocking the emergency vehicles (fire and ambulatory).

Section: 3312.27 - Parking setback line.

A parking setback line establishes how close parking, loading or maneuvering may be located to a street right-of-way line. This line shall be located a minimum distance from a street right-of-way line and be related to a building line as follows:

1. On unimproved frontage the parking setback line shall coincide with the required building setback line.

2. Where a required building setback line is 25 feet or greater, the parking setback line shall be 25 feet from the street right-of-way line.

3. Where a required building setback line is less than 25 feet, the parking setback line shall follow the building setback line or the established parking setback, whichever is less, but in no case shall the parking setback line be less than ten feet from the street right-of-way line.

4. In C-1, C-2, C-3, C-4 and C-5 Commercial Districts and for commercial uses located in M-Manufacturing Districts the parking setback line shall be established ten feet from the street right-of-way line without respect to the building line.

5. Exception: Where a parking setback line is specifically established by Council ordinance, zoning district, overlay, or subdivision plat, the parking setback line shall conform to that requirement.

Variances Requested by the Applicant

3312.27, Parking setback line.

The owner is requesting a variance to reduce the required parking setback from 25 feet to 9.5 feet.

Section: 3312.29 - Parking space.

A parking space shall be a rectangular area of not less than nine feet by 18 feet, exclusive of any driveway or other circulation area; shall be accessible from a street, alley, or maneuvering area; and shall be designed for parking a motor vehicle. Exception: For single-family and two-family dwellings, and multi-family units with individual garage/driveway arrangements, one vehicle may be stacked behind each required off-street parking space and be located between the parking setback line and the street right-of-way line. For such dwellings, stacked parking shall be located in a driveway, and not in any other part of a required yard. These stacked parking spaces may not be counted as required parking spaces for units not served directly by the driveway/garage. Required vision clearance shall be maintained.

Variances Requested by the Applicant

3312.29, Parking space.
The owner is requesting a variance to reduce the required width of a parking space from 9 feet to 8 feet.

Section:3321.07 - Landscaping.

A. Front yard landscaping: The lot area between a required building line and a street line shall be landscaped and shall not be paved except for paved areas approved by the city.

B. Tree requirement on residential property: The purpose of the tree requirement is to reestablish plant cover over the built environment, reduce topsoil erosion and storm water runoff, mitigate the effects of sun and wind, offset carbon emissions, moderate temperatures, and conserve energy resources. On a residentially zoned lot, a minimum of one tree, subject to minimum size requirements in General Landscaping Standards, is required on-lot for every ten (10) dwelling units or fraction thereof. No other code-required trees may satisfy this requirement. A minimum of one tree is required on each lot containing one to ten dwelling units, a minimum of two trees are required on each lot containing 11 to 20 dwelling units, and so on.

Variances Requested by the Applicant

3321.07 – Landscaping

The applicant is requesting a variance to allow a portion of the lot area between a required building line and a street line to be paved.

Signature of Applicant: Matthew Hoyer **Date** 12-8-16

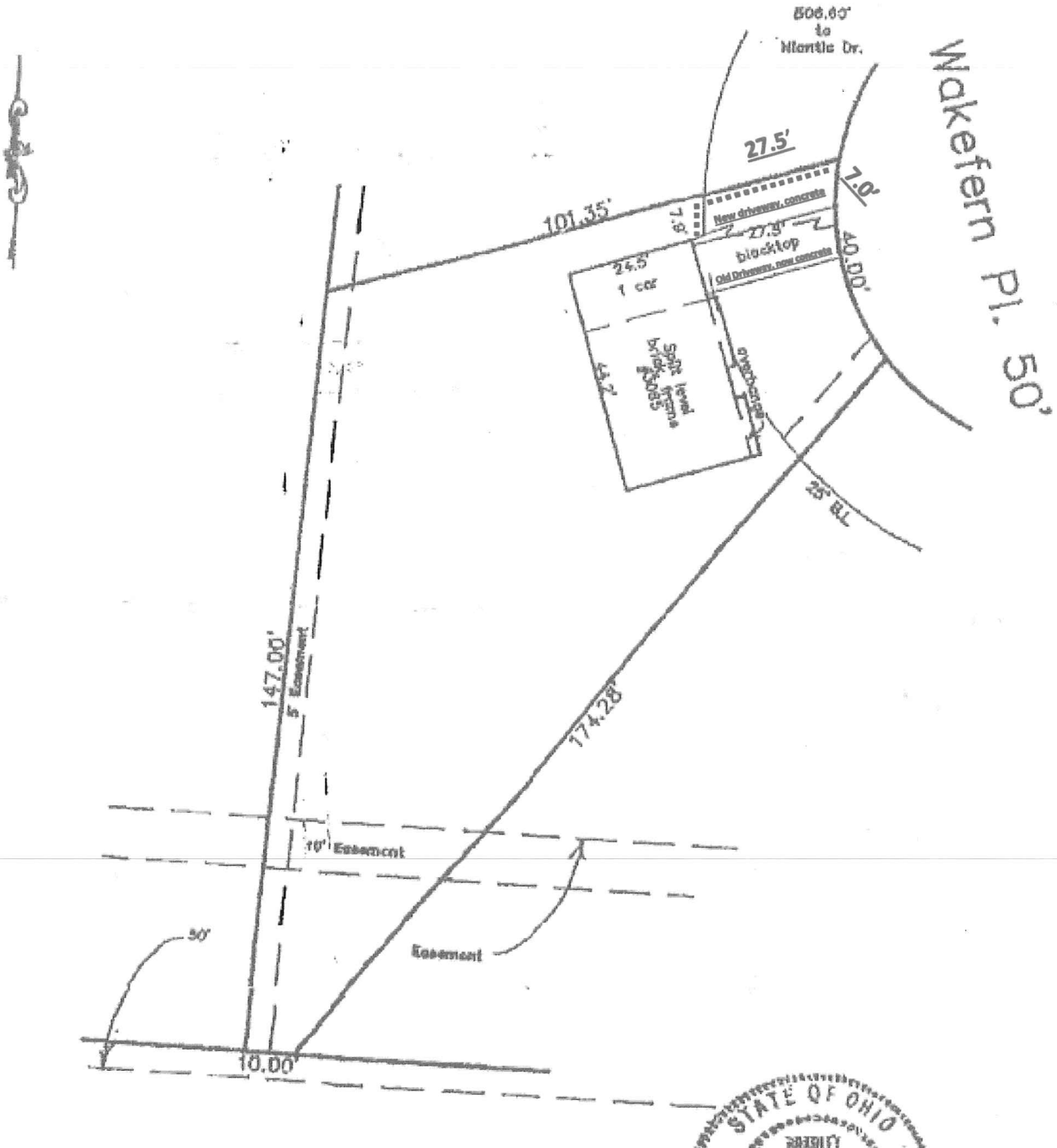
BZA16-156
3065 Wakefern Place

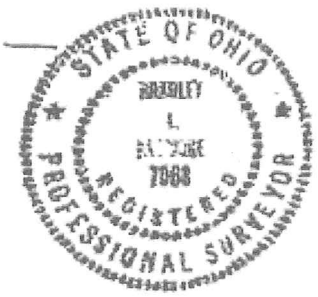
Capital Title Agency, Inc.
Martin & Associates Mortgage, Inc.

0 30 60

Scale 1" = 30'
January 16, 1995

Apparent Encroachments:
None





We hereby certify that the foregoing Mortgage Location Survey was prepared from actual field measurements in

BZA16-156
3065 Wakefern Place

Lot 86
Plat Book 46, Page 21

Framingham

Columbus, Ohio
Franklin Co. Recorder's Office

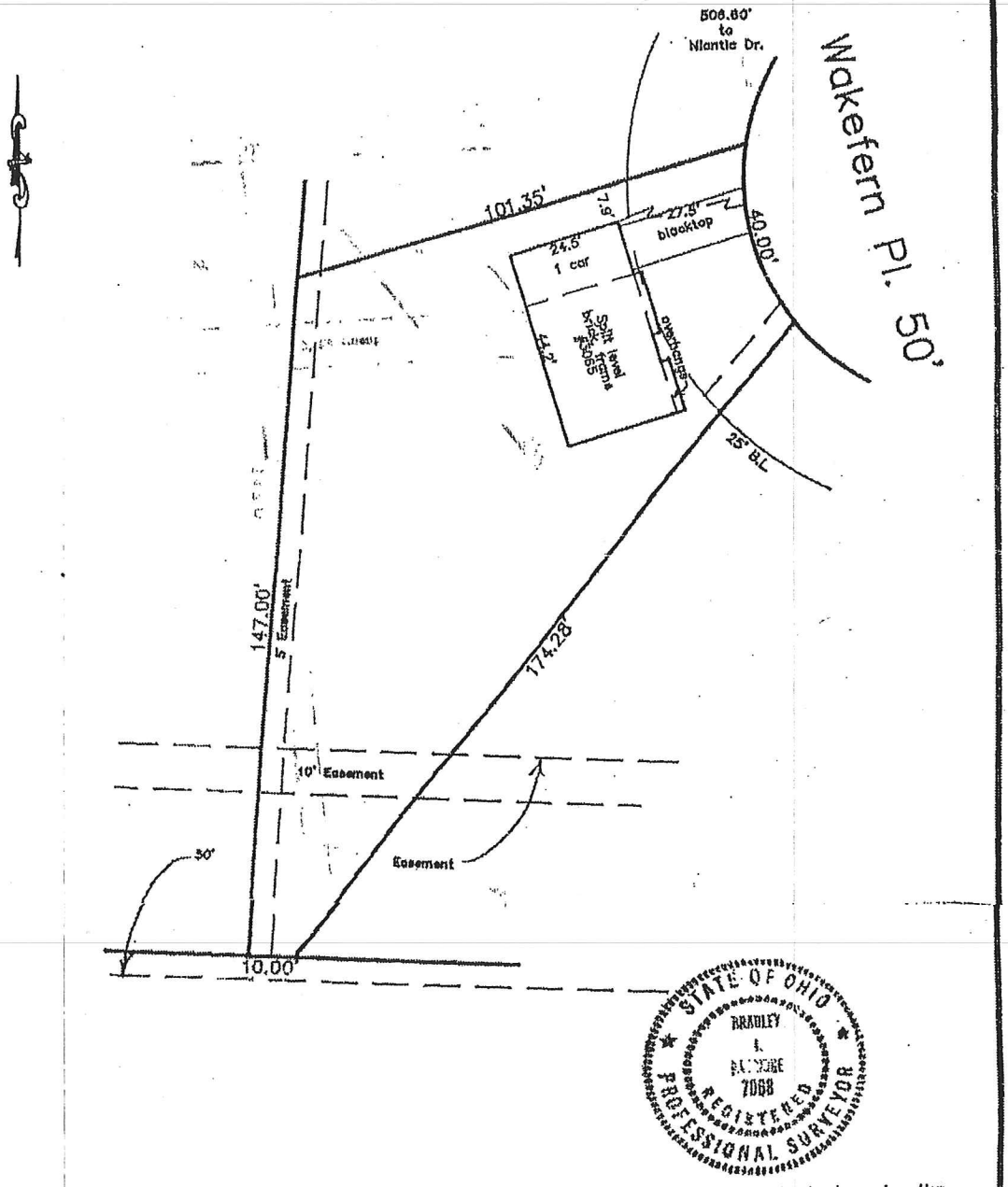
Capital Title Agency, Inc.
Martin & Associates Mortgage, Inc.

Area not in a flood hazard zone.

Apparent Encroachments:
None

0 30 60

Scale 1" = 30'
January 16, 1995



STATE OF OHIO
BRADLEY
J.
PATRIDGE
7068
REGISTERED
PROFESSIONAL SURVEYOR

We hereby certify that the foregoing Mortgage Location survey was prepared from actual field measurements in accordance with Chapter 4733-38, Ohio Administrative Code, and is not a boundary survey pursuant to Chapter 4733-37 of said code.
Not to be used to erect fences.

Professional Surveyor No. 7068

PREPARED BY
PATRIDGE AND ASSOCIATES
PROFESSIONAL SURVEYORS AND ENGINEERS
5460 DUBLIN ROAD
POWELL, OHIO 43065
FAX (614)-881-5038
TEL (614)-881-5575

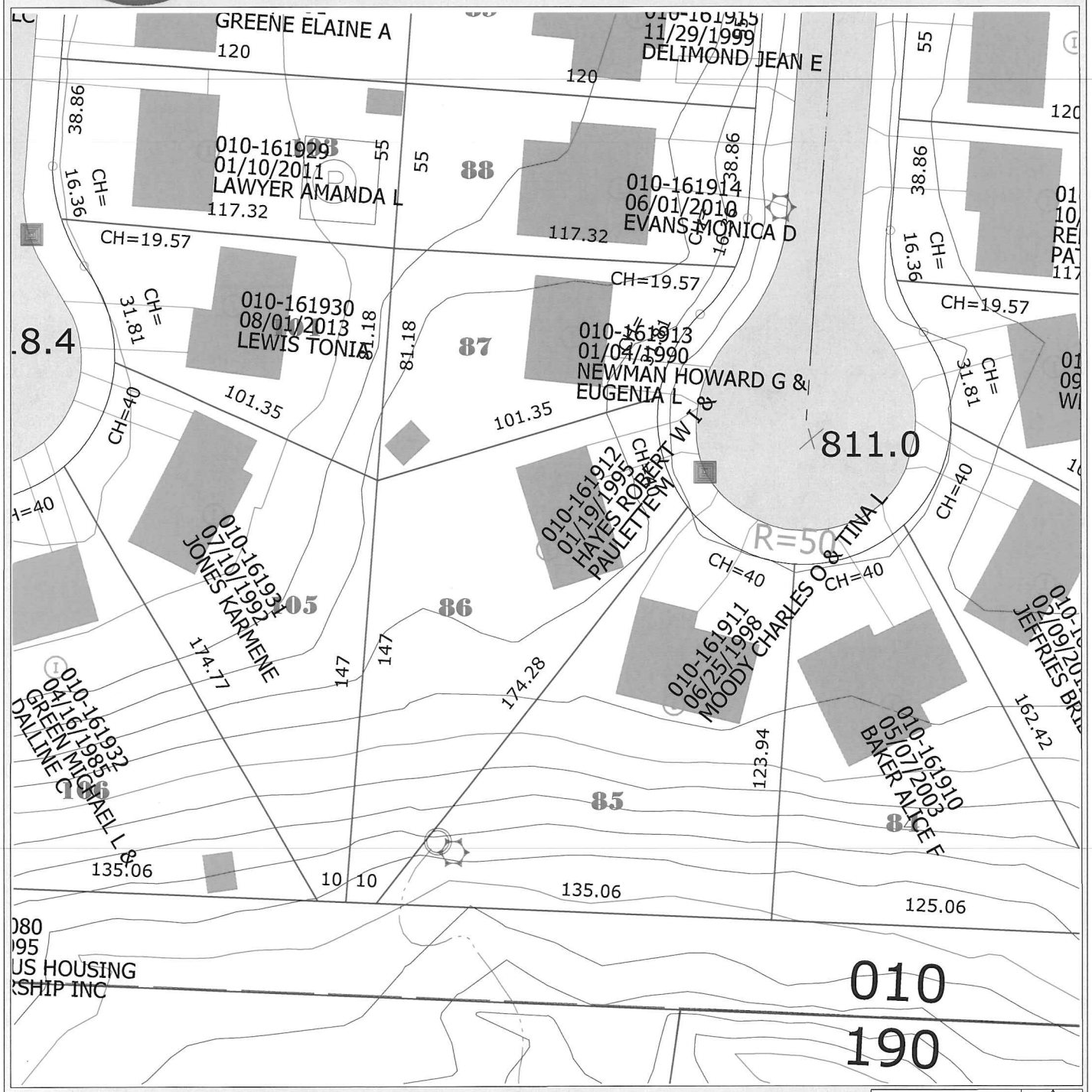
2661-95

Hayes - 3646

BZA16-156
3065 Wakefern Place

CLARENCE E MINGO II
FRANKLIN COUNTY AUDITOR

MAP ID: N **DATE: 10/28/16**



Scale = 50

Grid North

Disclaimer

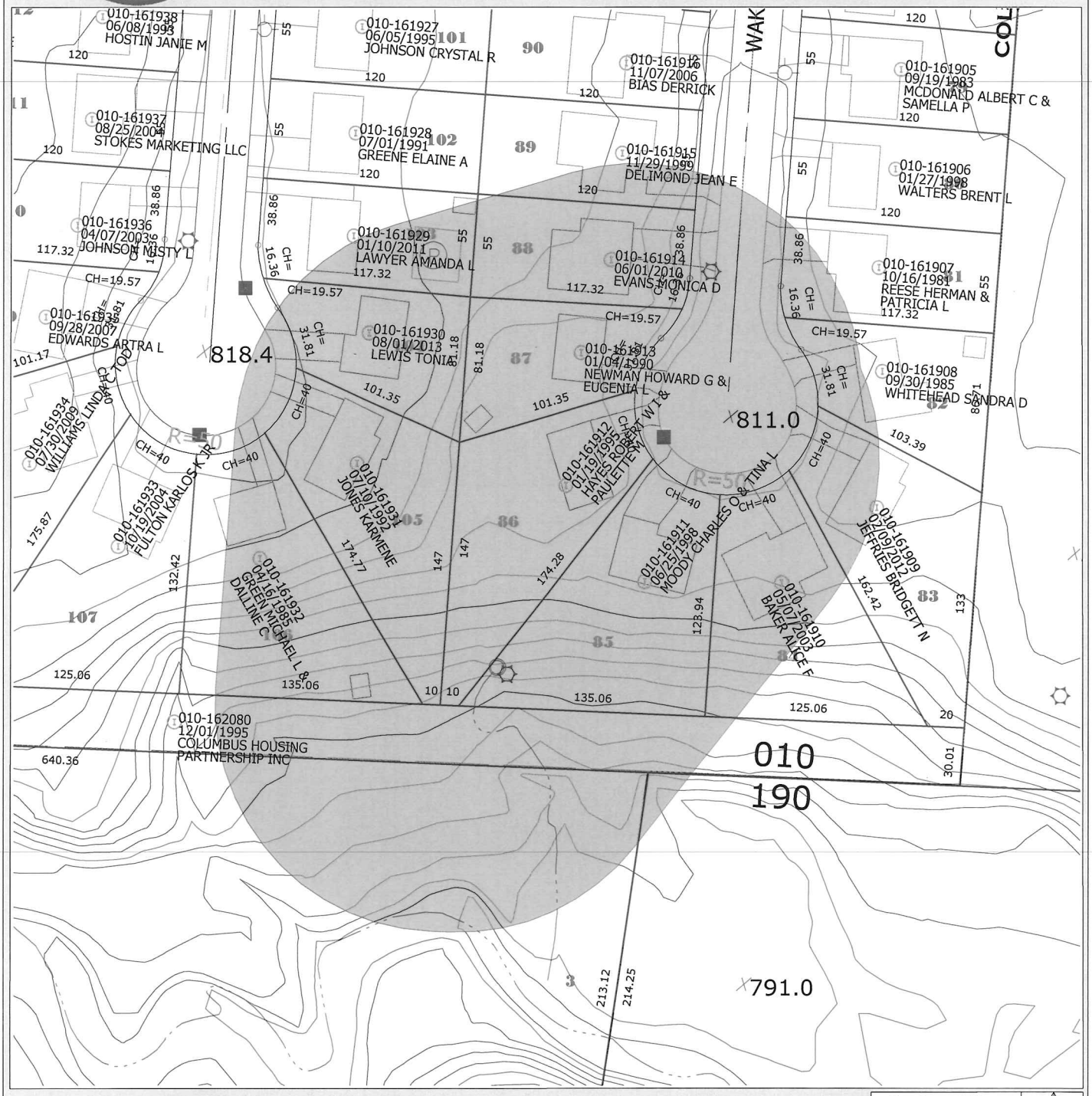
This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on 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

BZA16-156
3065 Wakefern Place

CLARENCE E MINGO II
FRANKLIN COUNTY AUDITOR

MAP ID: N DATE: 10/28/16



Scale = 81'

Grid North

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Real Estate / GIS Department

BZA16-156
3065 Wakefern Place

City of Columbus
Zoning Plat

N
W E
S

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

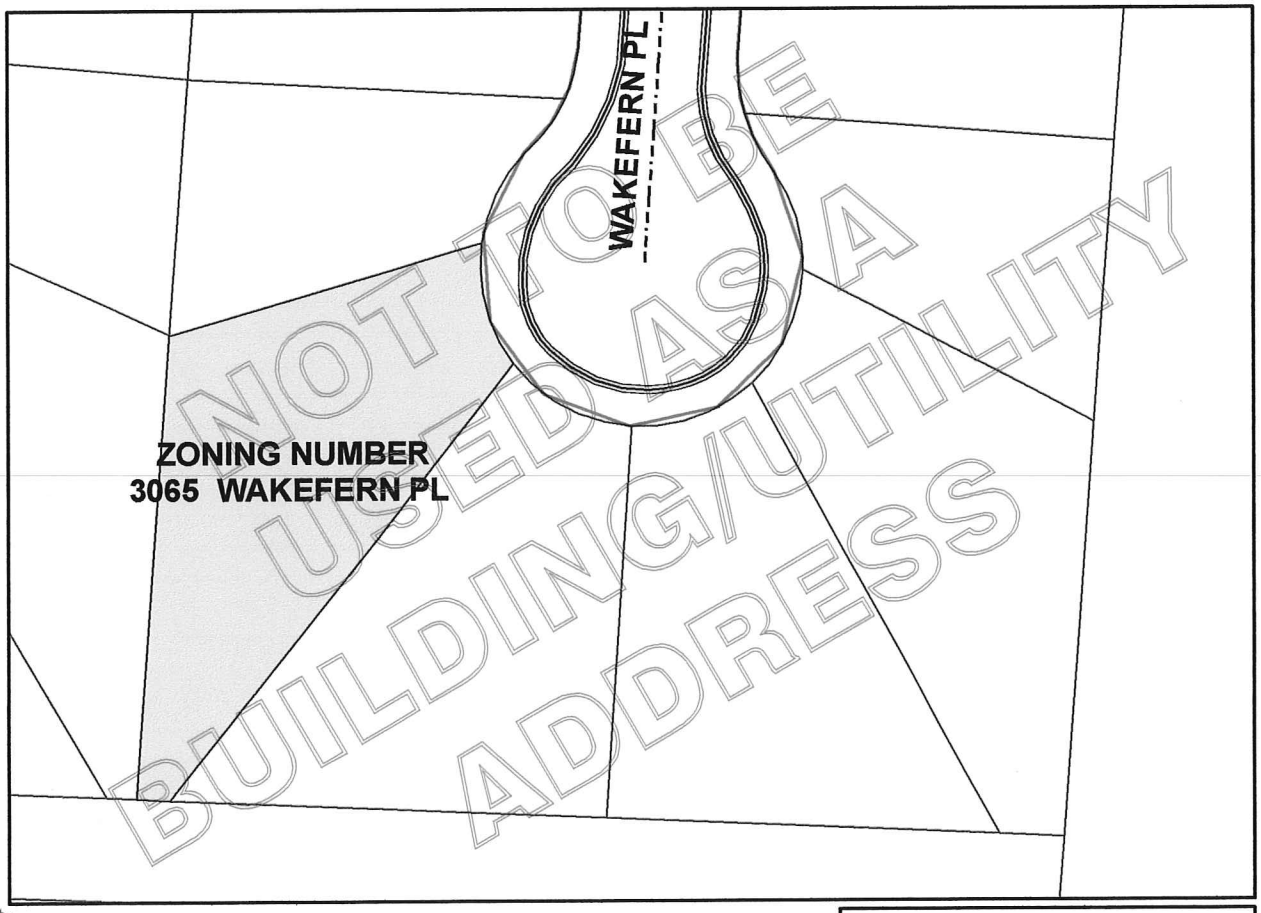
Parcel ID: 010161912

Zoning Number: 3065 **Street Name: WAKEFERN PL**

Lot Number: N/A **Subdivision: N/A**

Requested By: ROBERT W. HAYES (OWNER)

Issued By: Adyana Amariam **Date: 10/28/2016**



SCALE: 1 inch = 60 feet

GIS FILE NUMBER: 77877

FRANK D. WILLIAMS, ADMINISTRATOR
DIVISION OF INFRASTRUCTURE MANAGEMENT
COLUMBUS, OHIO

Printed: 10/28/2016 11:30:43 AM - U:\ZONING_NUMBER_GIS_10.mxd, amwoldemariam

BZA16-156
3065 Wakefern Place

Date of Service/Posting 10/13/16

THE CITY OF
COLUMBUS
CODE ENFORCEMENT

Dana M. Rose, Administrator

Order Number: 16470-06498
Parcel Number: 010161912

ROBERT & PAULETTE HAYES
3065 WAKEFERN PL
COLUMBUS, OH 43224

ZONING CODE VIOLATION ORDER

Re: 3065 WAKEFERN PL

An inspection has been made at the above address on **October 12, 2016**.

As provided by the Columbus City Code you are hereby given notice to correct the alleged violations listed below within **20** calendar days of the service of this notice unless otherwise noted in this notice, or an approval for a written request for extension is granted by this office.

Note: Failure to comply with this notice is a Misdemeanor of the First Degree and may be punishable by a $1000 fine and 180 days imprisonment.

If the facts represented here are incorrect, or if you believe the law is not being interpreted properly, you have the basis for an appeal. If you believe an appeal is in order, call the undersigned Property Maintenance Inspector. Pursuant to the Columbus City Code Section 3307.07: The Board of Zoning Adjustment shall not entertain any appeal applied for more than twenty (20) days after the date of this order. Also pursuant to Columbus City Code Section 3307.11: Said appeal shall be submitted on a form provided for that purpose and filed in the office of the Department of Building and Zoning Services.

For further information on this notice contact the Code Enforcement Officer.

To verify any permit requirements for the work being completed, please check with the Building and Zoning Services Department at 614-645-7433.

SEE LIST OF VIOLATIONS ON THE ATTACHED PAGE(S)

Cory James
Code Enforcement Officer
Phone: 614-645-6598
CAJames@Columbus.Gov
757 Carolyn Avenue
Columbus Ohio 43224

3065 WAKEFERN PL

Order Number: 16470-06498
Parcel Number: 010161912

ITEM#	CODE SECTION	COMMENTS

Zoning Violations

1 **3305.01 Certificate of zoning clearance**

This property requires a certificate of Zoning Clearance due to the following change:

Driveway expanded without obtaining permit and/or certificate of zoning clearance.

BZA16-156
3065 Wakefern Place

Mr. and Mrs. Robert W Hayes, I
3065 Wakefern Place
Columbus OH 43224
Phone: 614-795-6621
email: Hayes.15@icloud.com

City of Columbus
Department of Building & Zoning Services
724 Carolyn Avenue
Columbus OH 43224

Re: 3065 Wakefern Place

Dear Building and Zoning:

In addition to having space needed in the driveway for assisting my aging mother who is on a walker and helping our daughter, who experiences seizures and we need to assist her to and from the car before and after medical visits and other instances, such as not being able to get U.S. Mail due to mailbox being block, rather we are parked properly or improperly. The Columbus City Police has contacted us and our neighbors due to some one anonymously calling 311 with the city for parking improperly on a cul de sac.

Respectfully,

Robert W. Hayes, I

1600 Miltwood RD • Columbus, OH 43227-3554 | Riored72@yahoo.com

October 20, 2016

City of Columbus
Department of Buildings & Zoning Services
724 Carolyn AV
Columbus, OH 43224

RE: 3065 Wakefern PL

Dear Building & Zoning:

My brother Robert W. Hayes, I is a primary caretaker for our mother. Which means, that when I bring her to his home or he brings her, our mother uses a walker and sometimes a wheelchair. Therefore, his driveway improvements makes it much easier and safer for our mother to get in/out of vehicles.

If you need additional information, you may reach me at 614-944-3714 Monday – Friday, 8:30 AM-4:30 PM EST.

Sincerely,

Trina S. Becker

BZA16-156
3065 Wakefern Place

THE CITY OF
COLUMBUS
ANDREW J. GINTHER, MAYOR

DEPARTMENT OF BUILDING AND ZONING SERVICES

Board of Zoning Adjustment Application

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

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Robert W. Hayes, I
of (COMPLETE ADDRESS) 3065 Wakefern Place Columbus Ohio 43224
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
Robert W Hayes I	
Paulette M Hayes	

SIGNATURE OF AFFIANT Robert W Hayes I

Sworn to before me and signed in my presence this 1st day of Dec., in the year 2016

SIGNATURE OF NOTARY PUBLIC

My Commission Expires 05/25/2020

Notary Seal Here

NOTARY PUBLIC STATE OF OHIO

REBETHA YARIAN
Notary Public, State of Ohio
My Comm. Expires 05-25-2020

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tmt 12/15