

# Board of Zoning Adjustment Application

DEPARTMENT OF BUILDING  
AND ZONING SERVICES

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

Application Number: BZA15-039 Date Received: 3/18/15  
Application Accepted by: L. O. Reina Fee: \$1,900<sup>00</sup>  
Commission/Civic: Fifth by Northwest  
Existing Zoning: CA  
Comments: 5/26/15

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

Variance  Special Permit

Indicate what the proposal is and list applicable code sections:

3312.49 - TO REDUCE ADDITIONAL # PARKING  
FROM 14 TO 0 (9 storage, cooler, etc.) (5 units)

**LOCATION**

Certified Address: 1505 W 5th Ave City: Columbus Zip: 43217

Parcel Number (only one required): 010 - 006308 - 00

**APPLICANT** (if different from Owner):

Applicant Name: 5 X NW Capital, LTD 614-365-1096 Ext.: \_\_\_\_\_  
Address: Binoy Mathews Zip: \_\_\_\_\_  
1505 W 5th Ave  
Email Address: Columbus, OH 43212  
e: mgmt@pressgrill.net

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

Name: mid-stakes development Corp Phone Number: (614) 889-1143 Ext.: 14  
John Hopfinger  
Address: 5695 Arroyo Rd City/State: Dublin OH Zip: 43016  
Email Address: Jhopfinger@NorthwestCapitalCorp.com Fax Number: \_\_\_\_\_

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

Name: Laura A. Gunzelman Phone Number: 614-203-5252 Ext.: \_\_\_\_\_  
Address: 80 N 5th Street #202 City/State: Columbus OH Zip: 43215  
Email Address: lgunzelman@gunzelmanai.com Fax Number: \_\_\_\_\_

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

APPLICANT SIGNATURE: [Signature] BINOY A. MATHWU MEMBER 5XNW CAPITAL LTD  
PROPERTY OWNER SIGNATURE: [Signature] John M. Hopfinger, Vice President  
Midstrokes Dev. Corp.  
ATTORNEY / AGENT SIGNATURE: \_\_\_\_\_

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.  
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Please make checks payable to the Columbus City Treasurer

# Board of Zoning Adjustment Application

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AND ZONING SERVICES

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**AFFIDAVIT**

STATE OF OHIO  
COUNTY OF FRANKLIN

**BZA15-039**  
**1505 W. 5th Ave.**

Being first duly cautioned and sworn (1) NAME \_\_\_\_\_

of (1) MAILING ADDRESS \_\_\_\_\_

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 \_\_\_\_\_

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) MID-STATES Development, Corp  
Attn John Hopfinger  
5695 Avery Rd  
Dublin OH 43016

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

5XNW Capitol LTD / Binoy Mathews  
1505 W 5th Ave Col 43212

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

(5) 5th by Northwest  
REBECCA Obester  
1802 Kings Ct Unit C COL 43212

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

*[Handwritten Signature]*

Sworn to before me and signed in my presence this 16th day of March, in the year 2015

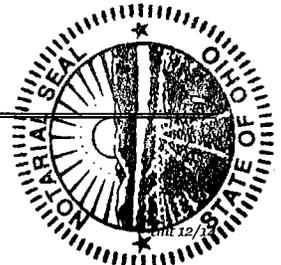
(8) SIGNATURE OF NOTARY PUBLIC

*[Handwritten Signature: Catrina Taylor]*

My Commission Expires May 10, 2017

Notary Seal Here  
 Catrina E. Taylor  
 NOTARY PUBLIC - OHIO  
 MY COMMISSION EXPIRES  
 MAY 10, 2017

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**BZA15-039**  
**1505 W. 5th Ave.**

**GUNZELMAN**

architecture + interiors

**Applicant**

5 X NW Capitol LTD  
Attn Binoy Mathews  
1505 W 5th Ave  
Columbus, OH 43215

**PROPERTY OWNER**

Mid-States Development Corporation  
c/o John Hopfinger  
5695 Avery Road  
Dublin, OH 43016

**AGENT**

GUNZELMAN architecture + interiors  
Laurie A. Gunzelman  
88 N. Fifth Street, Suite 202  
Columbus, OH 43215

**AREA COMMISSION OR NEIGHBORHOOD GROUP**

5th by Northwest  
Rebekka Obster  
1802 Kings Ct Unit C  
Columbus OH 43212

**SURROUNDING PROPERTY OWNERS**

Robert and Sandra Babione, Trustees  
(1500 W. Fifth Avenue)  
JP Morgan Chase  
P O BOX 8562  
Wichita Falls, TX 76307

**BZA15-039**  
**1505 W. 5th Ave.**

Mandell Systems West 5<sup>th</sup> LLC  
c/o Ryan Mandell  
9441 Timberbank Circle  
Pickerington, OH 43147

Mid-States Development Corp.  
5695 Avery Road  
Dublin, OH 43016

1521 West Fifth Avenue LLC  
1440 Harlton Court  
Columbus, OH 43221  
Myer J. Bornstein  
2589 Stanbery Drive  
Columbus, OH 43209

Fifth/Grand LLC  
c/o Giant Eagle Real Estate  
101 Kappa Drive  
Pittsburgh, PA 15238

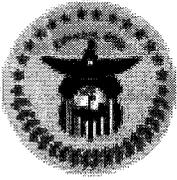
1521 West Fifth Avenue LLC  
1521 W. Fifth Avenue  
Columbus, OH 43212

Edward L. Bowers  
1514 Fairview Avenue  
Columbus, OH 43212

Vanelli Properties  
1CVS Drive  
Woonsocket, RI 02895

1434 West Fifth Avenue, Ltd.  
c/o Kohr Royer Griffith  
1480 Dublin Road  
Columbus, OH 43215

John W. Messmore, Trustee  
3540 La Rochelle Drive  
Columbus, OH 43221



**BZA15-039**  
1505 W. 5th Ave.

# CITY OF COLUMBUS

## DEPARTMENT OF BUILDING AND ZONING SERVICES

**One Stop Shop Zoning Report** Date: Thu Mar 19 2015

General Zoning Inquiries: 614-645-8637

### SITE INFORMATION

**Address:** 1505 W 5TH AVE COLUMBUS, OH

**Mailing Address:** 5695 AVERY RD

DUBLIN, OH 43016

**Owner:** MID-STATES DEVELOPMENT CORP

**Parcel Number:** 010006308

### ZONING INFORMATION

**Zoning:** Z74-140, Commercial, C4

effective 1/19/1975, Height District H-35

**Board of Zoning Adjustment (BZA):** N/A

**Commercial Overlay:** WEST FIFTH AVENUE UCO

**Graphic Commission:** N/A

**Area Commission:** 5th by Northwest Area Commission

**Planning Overlay:** N/A

**Historic District:** N/A

**Historic Site:** No

**Council Variance:** N/A

**Flood Zone:** OUT

**Airport Overlay Environs:** N/A

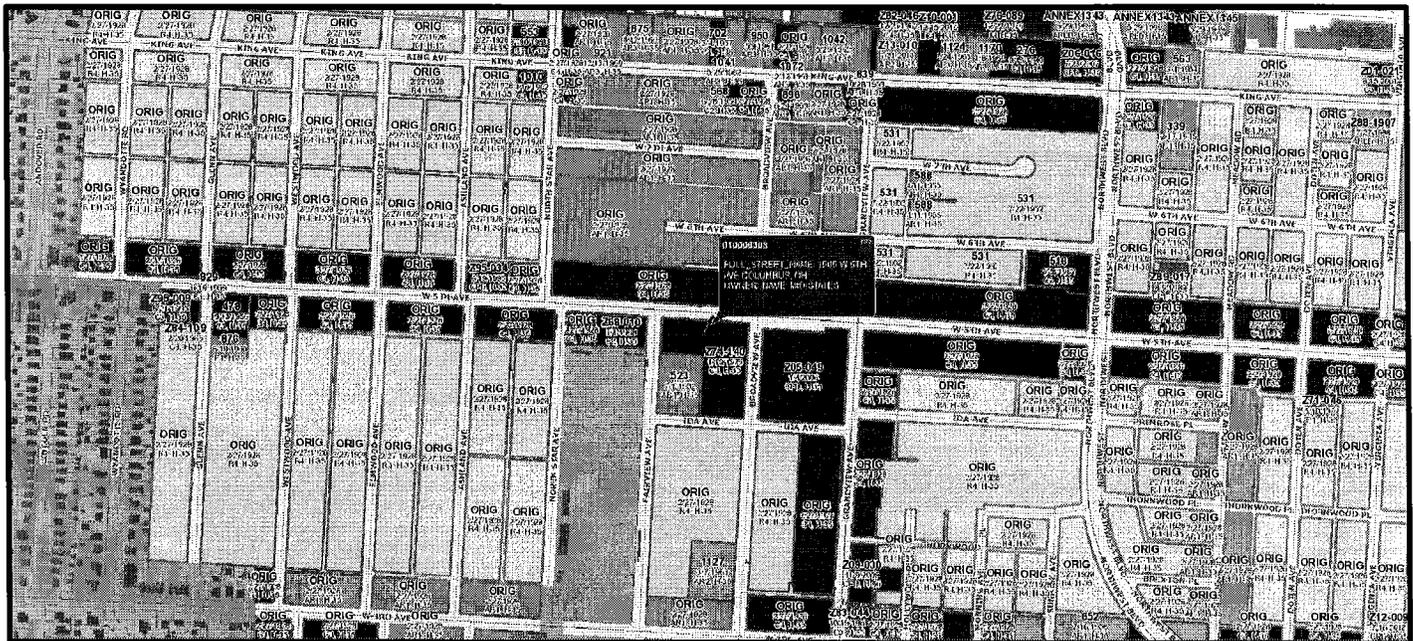
### PENDING ZONING ACTION

**Zoning:** N/A

**Board of Zoning Adjustment (BZA):** N/A

**Council Variance:** N/A

**Graphic Commission:** N/A



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## STATEMENT OF HARDSHIP

APPLICATION #

**BZA15-039**  
**1505 W. 5th Ave.**

### 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:

~~We are requesting a relief from Section 3312.49 to reduce additional parking required due to additional square footage being added to the building from 14 to 0 - required (10 spaces for addition that contains Cooler Storage, Kitchen and seating) and 4 spaces for Outdoor Seating.~~

~~Our request for a reduction is due to the (1) use of the added square footage, (2) proximately to residential neighborhood and bus lines and the (3) addition of bicycle parking.~~

~~(1) The project use is the same use as a restaurant. The project's additional square footage is to allow for a larger kitchen for equipment and to allow for additional Cooler Storage and is not expected to increase seating and thereby parking requirements. The previous restaurant's patio is being enclosed with additional seating of 222sf. In addition, the patio will only be used seasonally and will not impact parking 40-50% of the year.~~

~~(2) The project is adjacent to residential neighborhoods and campus and is expected to see much of the patrons as pedestrians walking to this location or using the bus-lines for transportation.~~

~~(3) Although required, we expect a greater amount of Bicycle Traffic for this location and will have convenient Bike Parking.~~

~~The grant of this variance will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of the zoning code.~~

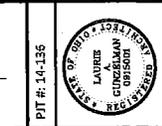
Signature of Applicant



Date

3-16-15

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**PRESS GRILL - GRANDVIEW**  
1505 W 5th Avenue  
Columbus, OH

ARCHITECTURAL SITE PLAN  
PHASE: PERMIT  
DATE: 01.15.2015  
A-0.0

**LEGEND**

1/4" = 1'-0"	Property Line
1/8" = 1'-0"	Right-of-Way
1/16" = 1'-0"	Setback Line
1/32" = 1'-0"	Utility Line
1/64" = 1'-0"	Other Line
1/128" = 1'-0"	Other Line
1/256" = 1'-0"	Other Line
1/512" = 1'-0"	Other Line
1/1024" = 1'-0"	Other Line
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1/1028441362914608389688888832" = 1'-0"	Other Line
1/205688272582921679137777664" = 1'-0"	Other Line
1/4113765451658433582755555528" = 1'-0"	Other Line
1/8227530903316867165511111104" = 1'-0"	Other Line
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1/2894805629614222129179288888832" = 1'-0"	Other Line
1	



# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: C

DATE: 3/11/15



Disclaimer

Scale = 84'



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.



# 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: 010006308

Zoning Number: 1505

Street Name: W 5TH AVE

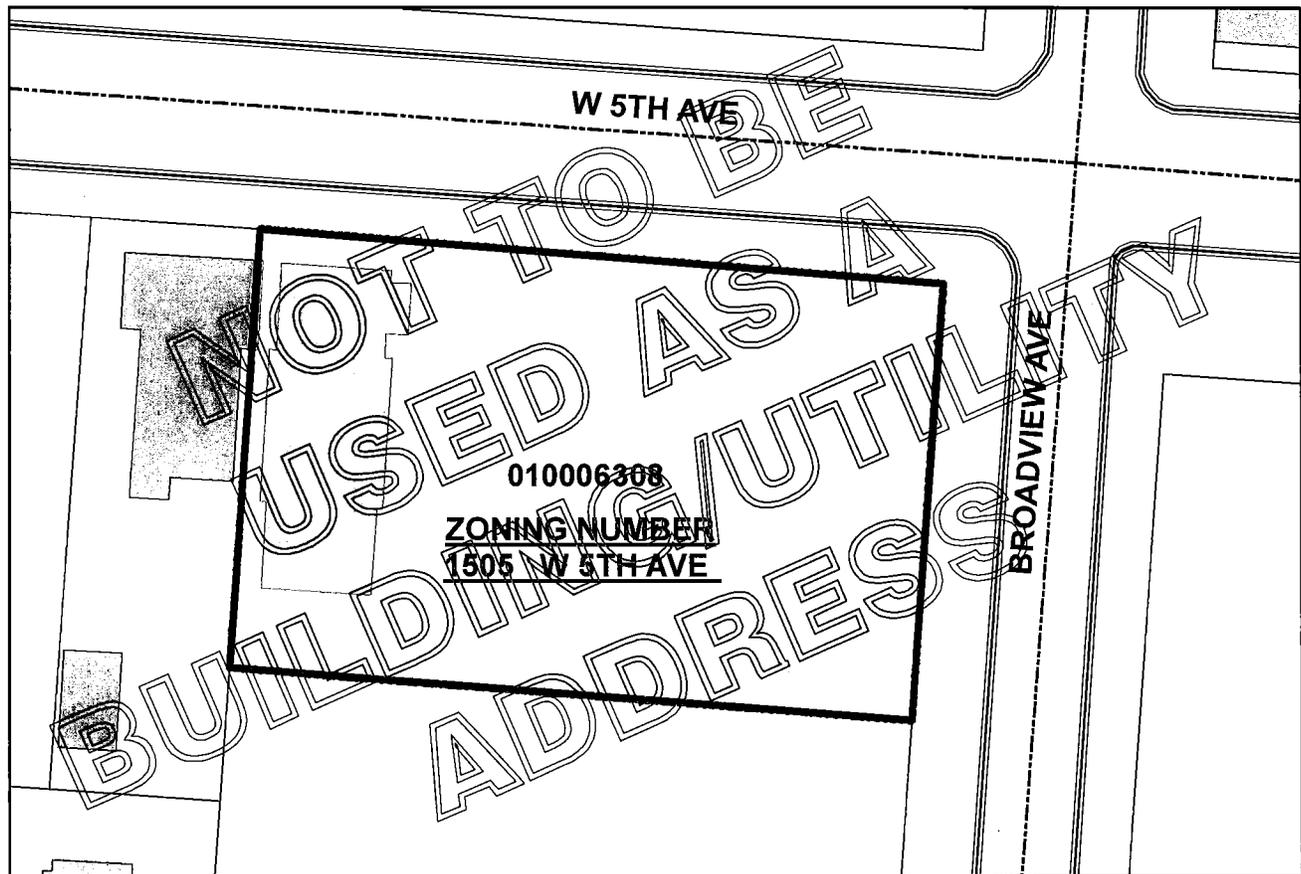
Lot Number : 3

Subdivision: GRANDVIEW CRAUGHTON

Requested By: GUNZELMAN ARCHITECT & DESIGN (LAURI GUNZELMAN)

Issued By: *Laura Gunzelman*

Date: 3/16/2015



SCALE: 1 inch = 50 feet

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

GIS FILE NUMBER: 29859



# Board of Zoning Adjustment Application

DEPARTMENT OF BUILDING  
AND ZONING SERVICES

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 #

**BZA15-039**  
1505 W. 5th Ave.

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) BINOY A. MATHAN  
of (COMPLETE ADDRESS) 2066 PARK RUN DRIVE APT. D COLUMBUS OH 43220  
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
<u>SCOTT F. KAY</u>	<u>1287 E. KENNEDY ROAD COLUMBUS OH 43224</u>
<u>JOHN SIDERSKI</u>	<u>16 W. CALIFORNIA AVE COLUMBUS OH 43202</u>

SIGNATURE OF AFFIANT [Signature]

Sworn to before me and signed in my presence this 16<sup>th</sup> day of MARCH, in the year 2015

[Signature]  
SIGNATURE OF NOTARY PUBLIC

7-20-15  
My Commission Expires

Notary Seal Here

My Comm. Expires July 20, 2015  
Notary Public, State of Ohio  
CHARLES HILL



**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