

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

OFFICE USE ONLY

Application Number: BZA 15 - 091 Date Received: 8/3/15
 Application Accepted by: W. Reiss Fee: \$1,900⁰⁰
 Commission/Civic: North Central
 Existing Zoning: _____
 Comments: 10/27/15

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

Variance Special Permit

Indicate what the proposal is and list applicable code sections:

See Exhibit B

LOCATION

Certified Address: 1611 E 5th Avenue City: Columbus, OH Zip: 43219

Parcel Number (only one required): 010-094960

APPLICANT (If different from Owner):

Applicant Name: Willie Freeman Phone Number: 614-226-7152 Ext.: _____

Address: 1611 E 5th Avenue City/State: Columbus, OH Zip: 43219

Email Address: amopandamess@gmail.com Fax Number: _____

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

Name: Willie Freeman Phone Number: 614-226-7152 Ext.: _____

Address: 1611 E 5th Avenue City/State: Columbus, OH Zip: 43219

Email Address: amopandamess@gmail.com Fax Number: _____

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

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 Willie S. Freeman

PROPERTY OWNER SIGNATURE Willie S. Freeman

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

1611 E 5th Avenue
BZA15-_____

SUPPLEMENTAL PROPERTY OWNER LIST

- 1) Willie Freeman (Vendee – Land Contract)
1611 E 5th Avenue
Columbus, OH 43219

- 2) Harold R and Darlene J Deskins (Vendor – Land Contract)
874 N Stygler Road
Columbus, OH 43230

07-30-2015

Board of Zoning Adjustment Application

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AND ZONING SERVICES

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

BZA15-091
1611 E. 5th Ave.

AFFIDAVIT

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Willie Freeman
of (1) MAILING ADDRESS 1611 E 5th Avenue, Columbus, OH 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 1611 E 5th Avenue, Columbus, OH 43219

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) Willie Freeman

1611 E 5th Avenue
Columbus, OH 43219

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

Willie Freeman, 614-226-7152

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

(5) North Central Area Commission
c/o Carlton Fraley, Chair - Zoning Committee
2107 Bancroft Street
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

See Exhibit A

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

(8) SIGNATURE OF AFFIANT

Willie Freeman

Sworn to before me and signed in my presence this 30th day of JULY, in the year 2015

Barbara A. Painter

(8) SIGNATURE OF NOTARY PUBLIC

AUGUST 3
My Commission Expires



Notary Seal Here
BARBARA A. PAINTER
Notary Public, State of Ohio
My Commission Expires AUGUST 3, 2016

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EXHIBIT A, Public Notice
1611 E 5th Avenue
BZA15- _____
July 30, 2015

BZA15-091
1611 E. 5th Ave.

APPLICANT

Willie Freeman
1611 E 5th Avenue
Columbus, OH 432190

PROPERTY OWNER

Willie Freeman
1611 E 5th Avenue
Columbus, OH 432190

ATTORNEY

N/A

COMMUNITY GROUP

North Central Area Commission
c/o Tiffany White, President
1204 Woodnell Avenue
Columbus, OH 43219

North Central Area Commission
c/o Carlon Fraley, Zoning Chair
2107 Bancroft Street
Columbus, OH 43219

PROPERTY OWNERS WITHIN 125 FEET

Harold R and Darlene J Deskins
874 N Stygler Road
Columbus, OH 43230

Q and M LLC
1640 E 5th Avenue
Columbus, OH 43219

F W Englefield IV
B B Englefield
447 James Parkway
Heath, OH 43056

Wilbur N and Deborah E Robey
1593 E 5th Avenue
Columbus, OH 43219

Isaac A Snider
670 Juniper Lane
Gahanna, OH 43230

Yadira Hawkins
c/o Darlene Marshall
967 Hudson Avenue 43211

Pinkstone Dwellings LLC
605 N High Street
Columbus, OH 43215

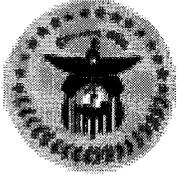
Eberts Contracting & Remodeling LLC
676 Mistletoe Street
Columbus, OH 43230

Thomas and Loretta Robinson
1600 E 4th Avenue
Columbus, OH 43219

Thurman Martin
1237 Franklin Avenue
Columbus, OH 43205

DRE Properties LLC
c/o Andre Kelley
1341 E 15th Avenue
Columbus, OH 43211

1611 E 5th Avenue
BZA15- _____
July 30, 2015, 2015
Page 1 of 1



CITY OF COLUMBUS

DEPARTMENT OF BUILDING AND ZONING SERVICES

BZA15-091
1611 E. 5th Ave.
BZA15-091
1611 E. 5th Ave.

One Stop Shop Zoning Report Date: Wed Aug 5 2015

General Zoning Inquiries: 614-645-8637

SITE INFORMATION

Address: 1611 E 5TH AVE COLUMBUS, OH

Mailing Address: Null
Null

Owner: DESKINS HAROLD R DESKINS DARLE

Parcel Number: 010094960

ZONING INFORMATION

Zoning: ORIG, Manufacturing, M
effective 2/27/1928, Height District H-35

Board of Zoning Adjustment (BZA): N/A

Commercial Overlay: N/A

Graphic Commission: N/A

Area Commission: North Central Area Commission

Planning Overlay: I-670 Graphics Control

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

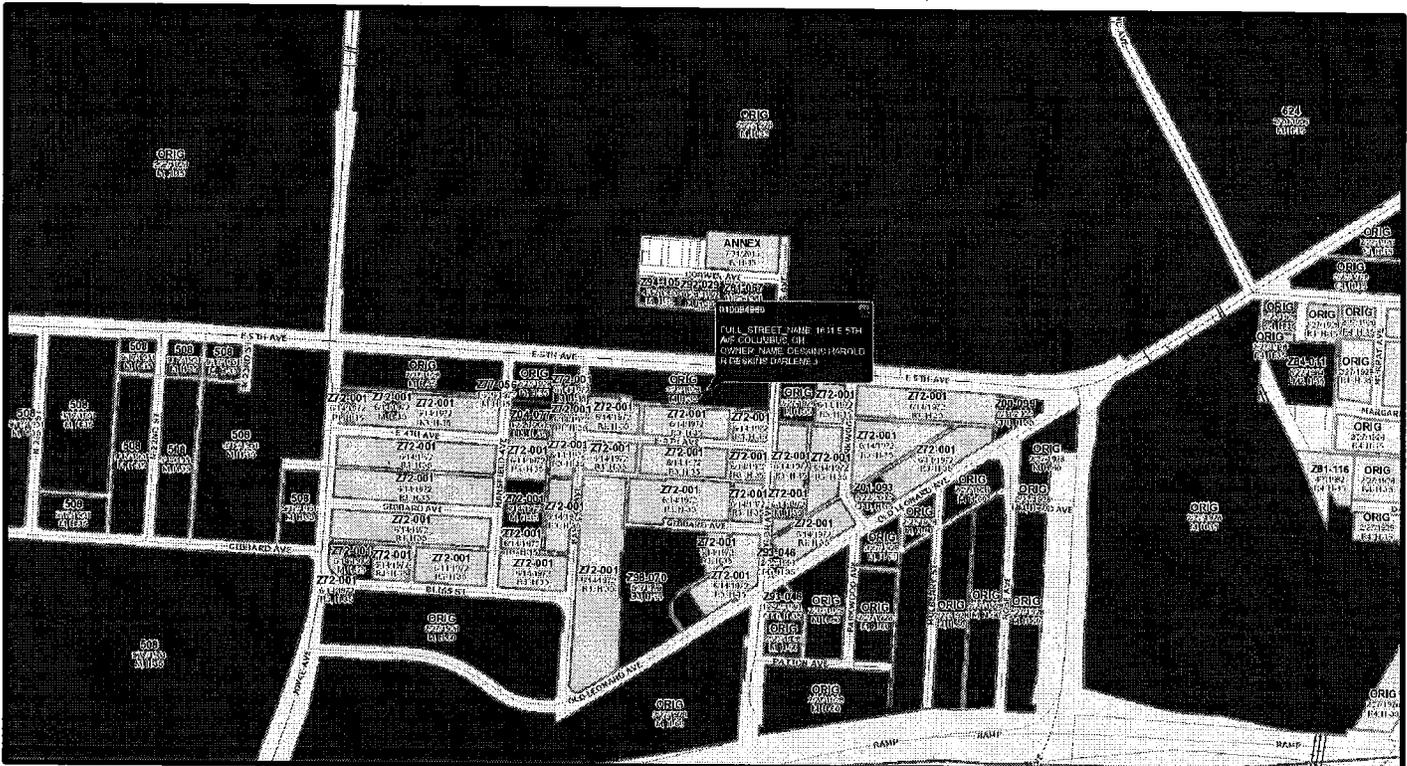


EXHIBIT B

Project Statement

1611 E 5th Avenue, Columbus, OH 43218

BZA15_____

BZA15-091
1611 E. 5th Ave.

The 0.356 acre site is located on the south side of E 5th Avenue, west of Taylor Avenue. The property is zoned M, Manufacturing (original zoning). The entire block face of the south side of E 5th Avenue between Bassett Avenue and Taylor Avenue, a distance of 750 +/- feet, of which the subject site is part, is zoned M, Manufacturing. There are large areas of M, Manufacturing zoning in the area of the property. All of the property on the south side of E 5th Avenue between Bassett Avenue and Taylor Avenue has the same relationship to residential zoning south of the alley south of E 5th Avenue as the subject property.

The site was developed with a warehouse building in 1950 and an office addition was added in 1956. Applicant purchased the property in 2010. The area that is presently fenced to the west and south of the building was fenced prior to applicant's purchase and in use for outside storage related to an auto repair business at the time of applicant's purchase. By all appearances, use of the property including outside storage, was permitted.

Applicant operates a demolition and cleaning business from the premises and uses the existing fenced outside storage area for equipment, vehicles, two (2) existing storage trailers and other outside storage. Applicant has been cited by Code Enforcement under 3305.01, Certificate of Zoning Clearance, for lack of zoning clearance to allow exterior storage. The outside storage area is less than 100 feet (15') from residential zoning to the south, separated by the public alley abutting the south side of the property. The proximity of this property and others zoned manufacturing in this area to residential zoning has existed for at least 43 years with the area rezoning in 1972 that established the R-3, Residential District to the south. The outside storage area, part of the driveway connection to the south alley and part of the front parking area has existing gravel surfaces, predating applicant's purchase of the property. There are two (2) storage trailers in the outside storage area that were present when applicant purchased the property. Applicant has continued to use them for storage. Applicant includes in this application a request for Special Permit for Portable Building to continue the use of the two (2) trailers for storage for period not to exceed two (2) years.

Special Permit

Section 3307.06, Special Permits, empowers the Board of Zoning Adjustment (BZA) to grant Special Permits where it is shown that the special use can be granted without substantial detriment to the public good, without substantial impairment of the general purpose and intent of the zoning district in which the use is proposed to be located, and without significant incompatibility with the general character of the neighborhood.

A Special Permit is required for Portable Buildings under 3389.12, Portable Building, and applicant requests a Special Permit from the Board of Zoning Adjustment to permit the two (2) trailers to remain and be used for storage for a period not to exceed two (2) years.

Variance

Applicant has a hardship and practical difficulty complying with the required setback from residential zoning. The fenced area and outside storage existed at the time of applicants purchase as did the gravel surface areas.

Applicant requests the following variances:

- 1) 3312.43, Required Surface for Parking, to permit existing gravel surfaces in the outside storage area that is also used for parking of vehicles and equipment used in applicant's business.
- 2) 3363.41, Storage (a), to permit open storage of materials less than 100 feet (15 feet) from residential zoning, less than 20 feet (0 feet) from the west and south property lines and 15 feet from the east property line, with all outside storage to be located in the existing fenced area as depicted on the Site Plan.

07-30-2015

ZONING VARIANCE

1611 EAST FIFTH AVENUE

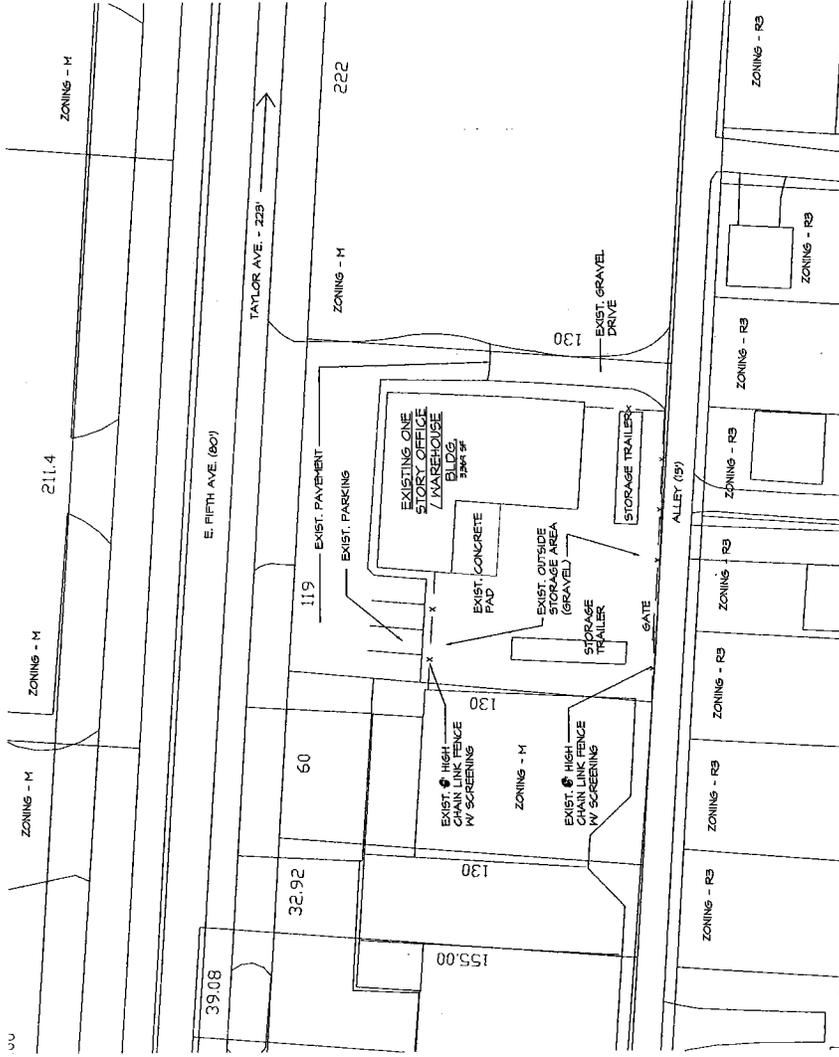
COLUMBUS, OHIO 43219



LOCATION MAP
1" = 300'

PROPERTY DATA	1611 EAST FIFTH AVENUE
PROPERTY ADDRESS	010-014650
PROPERTY ID	M-MANUFACTURING
ZONING CLASSIFICATION	H-25
HEIGHT DISTRICT	OFFICE / WAREHOUSE
EXISTING PROPERTY USE	OFFICE / WAREHOUSE AND OUTSIDE
PROPOSED PROPERTY USE	CONTRACTOR STORAGE & EQUIPMENT
PROPERTY AREA	256 ACRES (RESDIST 56 SF)
FLOOD PLAIN	ZONE X, PANEL 1, 6/17/2008
REQUIRED PARKING	4 SPACES
EXISTING PARKING	4 SPACES

BZA15-091
1611 E. 5th Ave.



SITE PLAN
1" = 30'

1611 East Fifth Avenue, Columbus, Ohio 43219

Issue Date: AUGUST 9, 2015
Revision Date: _____
Mark

General Notes

NOT FOR CONSTRUCTION

DCH
DCH ARCHITECTS, LLC
2570 TONTON CIRCLE
COLUMBUS, OHIO 43221
614.221.8535
CONTACT: 614.221.8535

Project: 2515
ZONING VARIANCE
1611 EAST FIFTH AVENUE
COLUMBUS, OHIO 43219

Sheet Title: ZONING VARIANCE PLANS

Sheet Number: A1 | of |

BZA15-091
1611 E. 5th Ave.



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: 010094960

Zoning Number: 1611

Street Name: E 5TH AVE

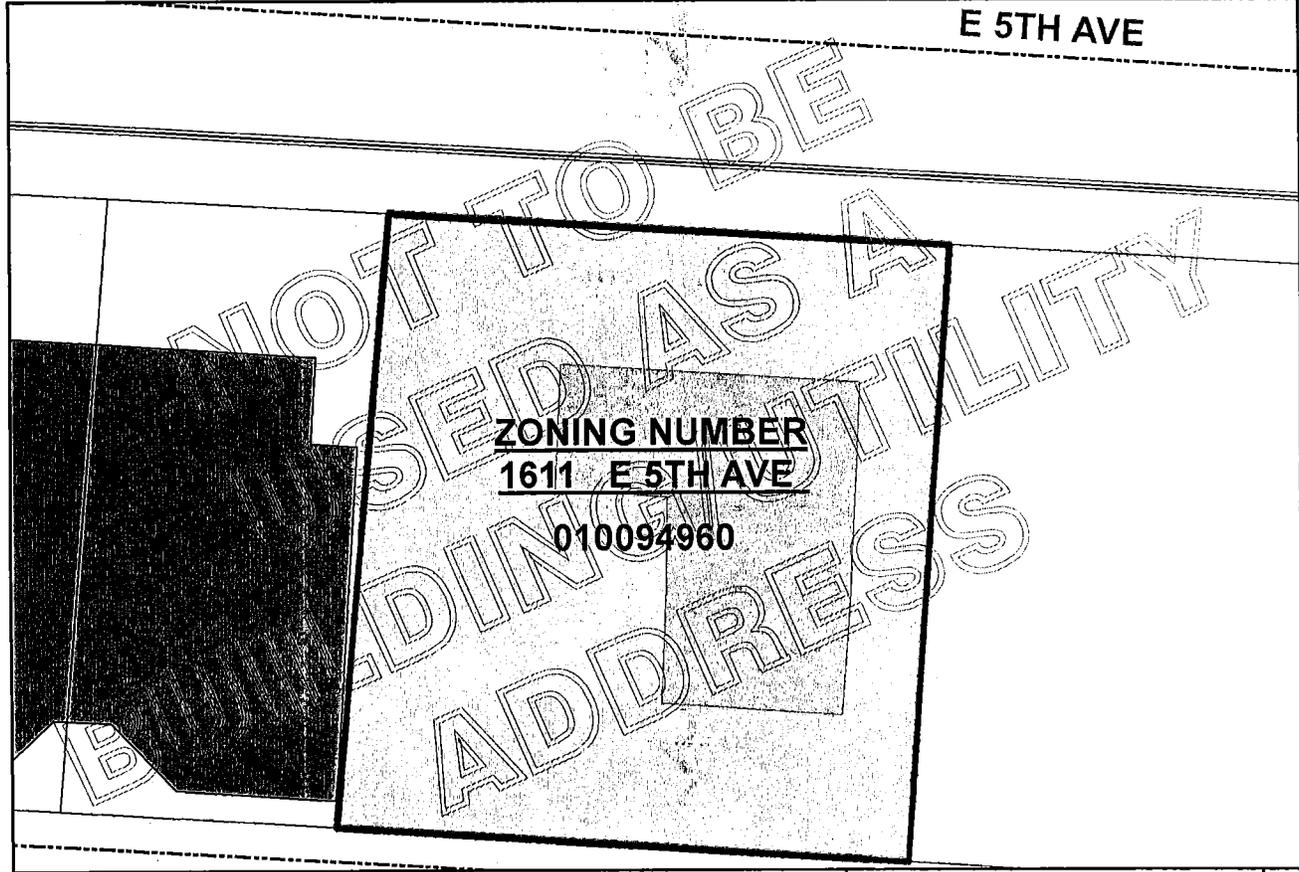
Lot Number: N/A

Subdivision: N/A

Requested By: DAVE PERRY COMPANY (DAVE PERRY)

Issued By: *Diana Whisman*

Date: 7/29/2015



SCALE: 1 inch = 40 feet

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

GIS FILE NUMBER: 39490



WILLIE S & SEEMA R FREEMAN
1611 E 5TH AVE
COLUMBUS, OH 43219

ZONING CODE VIOLATION ORDER

An inspection has been made at 1611 E 5TH AVE on March 11, 2015.

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 undersigned 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)

Lisa Doyle
Code Enforcement Officer
Phone: 614-645-0748
ledoyle@columbus.gov
757 Carolyn Avenue
Columbus, Ohio 43224

BZA15-091
1611 E. 5th Ave.

ITEM#	CODE SECTION	COMMENTS
Zoning Violations		
1	3305.01 Certificate of zoning clearance	LACK OF ZONING CLEARANCE TO CHANGE USE OF PARCEL TO ALLOW EXTERIOR STORAGE, INOPERABLE VEHICLE PARKING/STORAGE, COMMERCIAL VEHICLE PARKING/STORAGE, AND/OR TO OPERATE A JUNK/SALVAGE YARD.
2	3389.02 SPECIAL PERMIT REQUIRED	GET ALL REQUIRED PERMITS, VARIANCES, AND/OR ZONING CLEARANCES REQUIRED OR CEASE USE AND REMOVE ALL ITEMS FROM THE EXTERIOR. THE FOLLOWING USE IS NOTED AT THIS PROPERTY AND REQUIRES A SPECIAL PERMIT: OPERATING A JUNK/SALVAGE YARD AND/OR AN IMPOUND/STORAGE YARD.
3	3312.23 Maintenance	GET ALL REQUIRED PERMITS, VARIANCES, AND/OR ZONING CLEARANCES REQUIRED OR CEASE USE AND REMOVE ALL ITEMS FROM THE EXTERIOR. PARKING SURFACE NOT MAINTAINED PER CODE

BZA15-091
1611 E. 5th Ave.

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AND ZONING SERVICES

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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

BZA15-091
1611 E. 5th Ave.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Willie Freeman -----
of (COMPLETE ADDRESS) 1611 E 5th Avenue, Columbus, OH 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
Willie Freeman	1611 E 5th Avenue, Columbus, OH 43219
Harold R and Darlene J Deskins	874 N Stygler Road, Columbus, OH 43230-2028

SIGNATURE OF AFFIANT *Willie J. Freeman*

Sworn to before me and signed in my presence this 30th day of JULY, in the year 2015

Barbara A. Painter
SIGNATURE OF NOTARY PUBLIC

AUGUST 3, 2020
My Commission Expires

Notary Seal Here



BARBARA A. PAINTER
Notary Public, State of Ohio
My Commission Expires AUGUST 3, 2020

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