



BOARD OF ZONING ADJUSTMENT APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services

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

OFFICE USE ONLY

Application Number: 12310-0-00477
Date Received: 8/13/12
Commission/Group: Italian Village
Existing Zoning: C-4 Application Accepted by: D. Reiss Fee: \$1,900.00
Comments: 10/23/12

TYPE(S) OF ACTION REQUESTED

(Check all that apply)

☒ Variance ☐ Special Permit

Indicate what the proposal is and list applicable code sections. State what it is you are requesting.

Requesting a variance from Section 3312.03(C)(2)(c) for a new use of higher intensity without expansion of an existing building from 25 parking spaces to 11 parking spaces

LOCATION

1. Certified Address Number and Street Name 21 E. Fifth Avenue

City Columbus State Ohio Zip 43201

Parcel Number (only one required) 010-057642

APPLICANT: (IF DIFFERENT FROM OWNER)

Name Dirty Dishes, LLC dba "The Table"

Address 2627 Dayton Avenue City/State Columbus, Ohio Zip 43202

Phone # n/a Fax # n/a Email n/a

PROPERTY OWNER(S):

Name Stickmen Properties, Ltd.

Address 22 East Gay Street City/State Columbus, Ohio Zip 43215

Phone # n/a Fax # n/a Email n/a

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

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

☒ Attorney ☐ Agent

Name Connie J. Klema, Attorney

Address 145 E. Rich Street, 2nd Floor City/State Columbus, Ohio Zip 43215

Phone # (614) 469-9122 Fax # n/a Email: cklema@rroho.com

SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE [Signature]

PROPERTY OWNER SIGNATURE Connie J. Klema, Attorney, on behalf of owner

ATTORNEY / AGENT SIGNATURE Connie J. Klema

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 all checks payable to the Columbus City Treasurer



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AFFIDAVIT

12310-00477

21 E. 5th Ave.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Connie J. Klema, Attorney

of (1) MAILING ADDRESS 145 E. Rich Street, 2nd Floor, Columbus, Ohio 43215

deposed 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 the 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

(4) Stickmen Properties, Ltd.

AND MAILING ADDRESS

22 East Gay Street

Columbus, Ohio 43215

APPLICANT'S NAME AND PHONE #

(same as listed on front of application)

Dirty Dishes, LLC dba "The Table"

614-440-5909

AREA COMMISSION OR CIVIC GROUP

AREA COMMISSION ZONING CHAIR OR

CONTACT PERSON AND ADDRESS

(5) Italian Village Commission

Connie Torbeck

614-645-0664

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(S) NAME (6A) ADDRESS OF PROPERTY (6B) PROPERTY OWNER(S) MAILING ADDRESS
SEE ATTACHED

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

SIGNATURE OF AFFIANT

(8)

Connie J. Klema

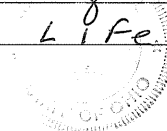
Subscribed to me in my presence and before me this 13th day of August, in the year 2012

SIGNATURE OF NOTARY PUBLIC

(8)

Angela R. Buehler

My Commission Expires:



ANGELA R. BUEHLER, ATTORNEY AT LAW
NOTARY PUBLIC, STATE OF OHIO
My Commission Expires Life Time
Section 147.03 (R.C.)

Notary Seal Here

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George Stefanidis
40 E. 5th Avenue
Columbus, Ohio 43201-2810

Thomas C. Smith & Shawnessey Smith
3262 Drake Avenue
Groveport, Ohio 43215

NJ Mt Pleasant Ltd
815 N. High Street
Columbus, Ohio 43215

Michael F. Maloof
2362 N. High Street
Columbus, Ohio 43202

Jonas V. Heineman
1182 Mount Pleasant Avenue
Columbus, Ohio 43201

Fourth & Mt. Pleasant LLC
P.O. Box 6235
Columbus, Ohio 43206

FK IV LP
2362 N. High Street
Columbus, Ohio 43202

Fifth Real Estate LLC
760 N. Wall St.
Columbus, Ohio 43215

Dashen Ltd
5342 Woodville Ct.
Columbus, Ohio 43230

Roman F. & Deborah J. Czech
735 Highland Dr.
Columbus, Ohio 43214

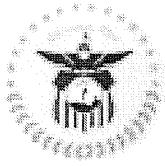
Community Housing Network Inc
1680 Watermark Dr.
Columbus, Ohio 43215

Joseph R. & Amelia A. Salerno
New Victorians Inc.
455 W. Third Avenue
Columbus, Ohio 43201

Aids Healthcare Foundation
6255 W. Sunset Blvd FL 21
Los Angeles, CA 90028

1188 N High LS LLC
1020 Dennison Avenue
Columbus, Ohio 43201

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21 E. 5th Ave.



12310-00477
21 E. 5th Ave.

CITY OF COLUMBUS

DEPARTMENT OF BUILDING AND ZONING SERVICES

One Stop Shop Zoning Report Date: Tue Aug 14 2012

General Zoning Inquiries: 614-645-8637

SITE INFORMATION

Address: 21 E 5TH AVE COLUMBUS OH 43201

Mailing Address: 22 E GAY ST STE 800
COLUMBUS OH 43215

Owner: STICKMEN PROPERTIES LTD

Parcel Number: 010057642

ZONING INFORMATION

Zoning: ORIG, Commercial, C4
effective 2/27/1928, Height District H-35

Board of Zoning Adjustment (BZA): N/A

Commercial Overlay: ITALIAN VILLAGE UCO

Graphic Commission: N/A

Area Commission: Italian Village Commission

Planning Overlay: N/A

Historic District: Italian Village

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



VARIANCE

To permit a variance from the number of parking spaces required under Section 3312.03(C)(2)(c) for a new use of higher intensity without expansion of an existing building from 26 parking spaces to eleven (11).

12310-00477
21 E. 5th Ave.

STATEMENT OF HARDSHIP

21 E. FIFTH AVENUE

1. The subject property fronts on east Fifth Avenue and is one-half block east of High Street. The existing building was built prior to 1920 and has a footprint of 5,298 square feet. The property is zoned C-4. In 2011 the BZA approved a parking variance from 14 spaces to 11 spaces for the mixed office-residential use of the building. The applicant wishes to use a portion of the building for a restaurant. The zoning code requires 26 spaces for the restaurant. The variance request is to permit the existing 11 spaces to serve the building, thereby reducing the required parking from 26 to 11. Special circumstances make the subject property different from other buildings and property in the same zoning district given the building was built more than 92 years ago before the existence of the parking requirements. The property is located in a commercial area where a large number of patrons walk and where there is on-street parking and numerous bus stops.
2. Neither the property owner nor the applicant caused the special circumstances applicable to this building and property.
3. The special circumstances of this building and property make it necessary that a variance be granted to preserve the substantial property right possessed by other property owners in the same district, which is the right to the commercial use of a building in a thriving commercial area that does not accommodate or provide excessive surface parking lots.
4. Granting the variance will not be injurious to neighboring properties and will not be contrary to the public interest or the intent of the zoning code.

12310-00477
21 E. 5th Ave.

REV.	DATE	DESCRIPTION
1	03/01/11	Initial Plan
2	03/01/11	Revised Plan
3	03/01/11	Revised Plan
4	03/01/11	Revised Plan
5	03/01/11	Revised Plan
6	03/01/11	Revised Plan
7	03/01/11	Revised Plan
8	03/01/11	Revised Plan
9	03/01/11	Revised Plan
10	03/01/11	Revised Plan
11	03/01/11	Revised Plan
12	03/01/11	Revised Plan
13	03/01/11	Revised Plan
14	03/01/11	Revised Plan
15	03/01/11	Revised Plan
16	03/01/11	Revised Plan
17	03/01/11	Revised Plan
18	03/01/11	Revised Plan
19	03/01/11	Revised Plan
20	03/01/11	Revised Plan

ZONING SITE PLAN

Scale 1" = 80'
March 1, 2011



Site Data

Owner: Siskin Properties Ltd., Contact: Rick Day (614) 227-0000
 Parcel Address: 12310-00477
 P.D.: 210-025842 & 210-023858
 Acre: 12.567 sq. ft. (0.288 Acres)
 Zoning: C-2 (Commercial District with Urban Commercial Overlay)
 Map: 12-3-3
 Plat: 12-3-3
 Survey: 12-3-3
 Storage: 12-3-3
 Proposed Use: Mixed Use-Office and Residential
 Proposed Construction: Yes
 Building Area: 4,008 sq. ft.
 Parking: 11 spaces, including 1 ADA space

Site will comply with the following City of Columbus Codes as applicable:

Compliance	331.01
Signage	331.02
Lighting	331.03
Grading & Erosion Control	331.04
Tree Preservation	331.05
Other	331.06

12310-00477
21 E. 5th Ave.

myerssurveying
2742 E. Main St., Dayton, Ohio 45424-3377
(937) 233-5877 • (937) 233-4587 fax
info@myerssurveying.com

Plan Prepared By: Joseph P. Myers, P.E.



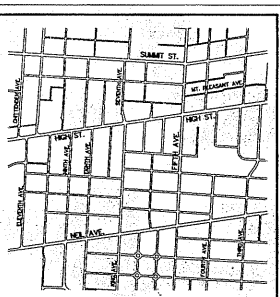
COURTLAND AVENUE 50'

E. FIFTH AVENUE 60'

MT. PLEASANT AVENUE 30'

N. HIGH STREET

N. PEARL STREET 12'



Vicinity Map

Notes

- Building Setback: 10 feet from all property lines.
- Building Height: Not to exceed 35 feet.
- Building Area: 4,008 sq. ft.
- Parking: 11 spaces, including 1 ADA space.
- Lot 1: 12.567 sq. ft. (0.288 Acres)
- Lot 2: 12.567 sq. ft. (0.288 Acres)
- Lot 3: 12.567 sq. ft. (0.288 Acres)
- Lot 4: 12.567 sq. ft. (0.288 Acres)
- Lot 5: 12.567 sq. ft. (0.288 Acres)
- Lot 6: 12.567 sq. ft. (0.288 Acres)
- Lot 7: 12.567 sq. ft. (0.288 Acres)
- Lot 8: 12.567 sq. ft. (0.288 Acres)
- Lot 9: 12.567 sq. ft. (0.288 Acres)
- Lot 10: 12.567 sq. ft. (0.288 Acres)
- Lot 11: 12.567 sq. ft. (0.288 Acres)
- Lot 12: 12.567 sq. ft. (0.288 Acres)
- Lot 13: 12.567 sq. ft. (0.288 Acres)
- Lot 14: 12.567 sq. ft. (0.288 Acres)
- Lot 15: 12.567 sq. ft. (0.288 Acres)
- Lot 16: 12.567 sq. ft. (0.288 Acres)
- Lot 17: 12.567 sq. ft. (0.288 Acres)
- Lot 18: 12.567 sq. ft. (0.288 Acres)
- Lot 19: 12.567 sq. ft. (0.288 Acres)
- Lot 20: 12.567 sq. ft. (0.288 Acres)

Legend

1	Proposed Building
2	Proposed Parking
3	Proposed Driveway
4	Proposed Alley
5	Proposed Street
6	Proposed Lot
7	Proposed Easement
8	Proposed Right-of-Way
9	Proposed Utility
10	Proposed Fencing
11	Proposed Signage
12	Proposed Landscaping
13	Proposed Stormwater Management
14	Proposed Traffic Calming
15	Proposed Pedestrian Pathway
16	Proposed Bicycle Lane
17	Proposed Green Space
18	Proposed Water Feature
19	Proposed Art Installation
20	Proposed Public Facility



City of Columbus Zoning Plat

12310-00477
21 E. 5th Ave.

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: 010057642

Zoning Number: 21

Street Name: E 5TH AVE

Lot Number: 7-10

Subdivision: MITCHELLS

Requested By: STICKMEN PROPERTIES LTD (RICKY DAY)

Issued By: James P Reagan **Date:** 03/09/11



PATRICIA A. AUSTIN, P.E., ADMINISTRATOR
DIVISION OF PLANNING AND OPERATIONS
COLUMBUS, OHIO

SCALE: 1 inch = 50 feet

12310-00477
21 E. 5th Ave.

**BOARD ORDER
BOARD OF ZONING ADJUSTMENT
CITY OF COLUMBUS, OHIO
MAY 24, 2011**

2. **Application No.:** **11310-00133**
 Location: **21 EAST FIFTH AVE. (43201)**, located on the southside of East
 5th Avenue, approximately 140 feet east of North High Street.

 Area Comm./Civic: Italian Village Area Commission
 Existing Zoning: C-4, Commercial District
 Request: Variance(s) to Section(s):
 3312.49, Minimum numbers of parking spaces required.
 To reduce the minimum number of automobile parking
 spaces from 14 to 11 and bicycle parking spaces from 1
 to 0.
 3312.21, Landscaping and screening.
 To provide no landscaping for a parking lot containing
 ten parking spaces or more.

 Proposal: To renovate a building resulting in mixed use residential and
 office space.
 Applicant(s): Bhakti Bania
 2276 Johnston Road
 Columbus, Ohio 43220
 Property Owner(s): Stickmen Properties, Ltd.
 22 East Gay Street
 Columbus, Ohio 43215
 Case Planner: Jamie Freise, 645-6350
 E-mail: JFFreise@Columbus.gov

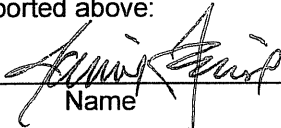

RESULTS: APPROVED (Note: The request for a reduction in the number of bicycle parking spaces has been withdrawn.)

VOTE: 4-0

MEMBER

James V. Maniace (Chair)	yes
John Behal	yes
Jim Bubutiev	yes
John Haytas	yes
Paul Love	absent

Signature of **STAFF MEMBER** in attendance, certifying that the outcome of this case was as reported above:

	
Name	Date

This ruling pertains to the above referenced section(s) of the Zoning Code. It does not modify any other obligation you may have under other existing City or State codes, nor does it nullify your responsibility to obtain all proper permits. Contact the Building Services Division plans examination staff at (614) 645-7816 or (614) 645-6079 for preliminary review of all applicable requirements.

12310-00477
21 E. 5th Ave.



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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 # **12310-00477**

21 E. 5th Ave.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Connie J. Klema, Attorney

of (COMPLETE ADDRESS) 145 E. Rich Street, 2nd Floor, Columbus, Ohio 43215

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

Dirty Dishes, LLC dba "The Table" (2627 Dayton Avenue, Columbus, Ohio 43202)

Christen Corey (614-440-5909)

Sang Lakhani

Jennifer Marlatt

SIGNATURE OF AFFIANT

Connie J. Klema

Subscribed to me in my presence and before me this 13th day of August, in the year 2012

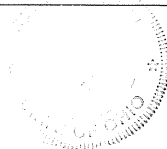
SIGNATURE OF NOTARY PUBLIC

Eugene R. Butler

My Commission Expires:

Life time

Notary Seal Here



EUGENE R. BUTLER, ATTORNEY AT LAW
NOTARY PUBLIC, STATE OF OHIO
My commission has no expiration date.
Section 147.03 A.C.

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