

Date:

Application # ~~11310-00000-00084~~

City of Columbus | Department of Building and Zoning Services | 757 Carolyn Avenue, Columbus, Ohio 43224

If you have questions about this form call 645-4522



Comments: \_\_\_\_\_ Commission/Group: \_\_\_\_\_  
 \_\_\_\_\_ Date Received: 14 Feb 2011 Planning Area: \_\_\_\_\_  
 \_\_\_\_\_ Date of Hearing: 26 APR 2011 Acreage: \_\_\_\_\_  
 \_\_\_\_\_ Zoning Fee: \$1900 Address Fee \_\_\_\_\_  
 \_\_\_\_\_ Existing Zoning: C-4 Accepted by \_\_\_\_\_

### BOARD OF ZONING ADJUSTMENT APPLICATION

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.

PARKING VARIANCE FOR 32 SPACES

SERVICE GARAGE to HOOKAH BAR

#### LOCATION

1. Certified Address Number and Street Name 11601 MOUNT PLEASANT AVE  
 City COLUMBUS State OHIO Zip 43201  
 Parcel Number (only one required.) 

|   |   |   |   |   |   |   |   |   |   |
|---|---|---|---|---|---|---|---|---|---|
| 0 | 1 | 0 | - | 0 | 2 | 4 | 2 | 2 | 9 |
|---|---|---|---|---|---|---|---|---|---|

#### APPLICANT (IF DIFFERENT FROM OWNER)

2. Name Romeo Issa  
 3. Address 662 mawyer dr City Worthington Zip 43085  
 4. Phone# 614-596-7272 Fax # \_\_\_\_\_  
 5. Email Address Romeo @ midnight Hookah .com

#### PROPERTY OWNER(S)

and  
 6. Name Roman and Deborah Czech  
 7. Address 735 HIGHLAND DR City COLUMBUS Zip 43201  
 8. Phone# 614-459-3171 Fax # cell - 614-378-4731  
 9. Email Address deborah.czech@swcs.us

Check here if listing additional property owners on a separate page

#### ATTORNEY / AGENT (CIRCLE ONE)

10. Name \_\_\_\_\_  
 11. Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_  
 12. Phone# \_\_\_\_\_ Fax # \_\_\_\_\_  
 13. Email Address \_\_\_\_\_

#### SIGNATURES

14. Applicant Signature Roman Czech Deborah Czech  
 15. Property Owner Signature Deborah Czech Roman Czech  
 16. Attorney/Agent Signature \_\_\_\_\_

# One Stop Shop Zoning Report

**Building Services Division**  
**Department of Development**  
 Report date: 3/2/2011 1:30:42 PM

## Parcel Report

| Parcel ID | Owner                     | Address                                |
|-----------|---------------------------|--|
| 010024229 | CZECH ROMAN F & DEBORAH J | 1167 MT PLEASANT AVE COLUMBUS OH 43201 |

## Base Zoning Report

| Case Number | <u>Classification</u> | Height District | Map Number | General Zoning Category | Limitation Text                 |
|-------------|-----------------------|-----------------|------------|-------------------------|---------------------------------|
| ORIG        | C4                    | H-35            | 28         | Commercial              | <a href="#">(View Document)</a> |

## Historic District

District Name  
 Italian Village

## Zoning Overlay District

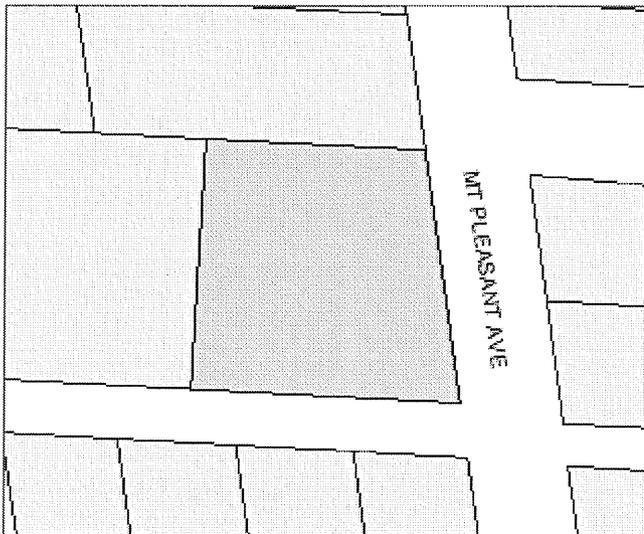
| Overlay Name        | District Name      | Planning Overlay |
|---------------------|--------------------|------------------|
| N/A                 | PLANNING OVERLAY   | P                |
| ITALIAN VILLAGE UCO | COMMERCIAL OVERLAY | P                |
| N/A                 | PLANNING OVERLAY   | P                |

## Flood Zone

| Firm Panel | Flood Zone | SFHA | Panel Type | FZONE |
|------------|------------|------|------------|-------|
| TBD        | X          | OUT  | CURRENT    | X     |

## Area Commissions

| Area Name                  | INFObase URL                  |
|----------------------------|-------------------------------|
| Italian Village Commission | <a href="#">INFObase Page</a> |



This map is intended to locate the property in question, and provide information about the land use categories governing the use of this parcel. Please consult with zoning staff before making binding decisions based on this information. The property address is not a certified address for building purposes. No warranty is expressed or implied.

**11310-00000-00084**  
**1167 MT. VERNON AVE.**

**AFFIDAVIT**



(See next page for instructions.)

**11310-00000-00084**  
**1167 MT. VERNON AVE.**

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Roman F. & Deborah J. Czech of  
(1) MAILING ADDRESS 735 Highland Drive, Columbus, OH 43214  
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 1167 Mt. Pleasant Ave., Columbus, OH 43201  
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) David Reiss, Jamie Freise & Richard Makley  
(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNER'S NAME

(4) Roman F. & Deborah J. Czech

AND MAILING ADDRESS

735 Highland Drive

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

Columbus, OH 43214

Romeo Issa (614) 596-7272

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

(5) Italian Village Architectural Review Commission  
109 N. Front Street  
Columbus, OH 43215  
% Randy Black (614) 645-6821

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 list

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

SIGNATURE OF AFFIANT

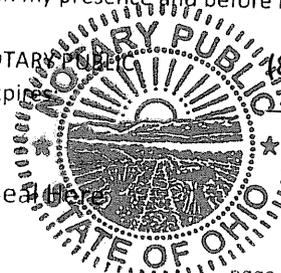
(8) Roman F. Czech Deborah J. Czech

Subscribed to me in my presence and before me this 8<sup>th</sup> day of Feb, in the year 2011

SIGNATURE OF NOTARY PUBLIC  
My Commission Expires

(18) Ronnie A. Bastin  
Attorney At Law

Notary Public, State of Ohio  
My Commission Has No Expiration Date  
Section 147.03 R.C.



Notary Seal



## STATEMENT OF HARDSHIP

**11310-00000-00084**  
**1167 MT. VERNON AVE.**

APPLICATION # 10345-562

### 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. That special circumstances or conditions apply to the subject property that do not apply generally to other properties in the same zoning district.
  2. That the special circumstances or conditions are not the result of the actions of the property owner or applicant.
  3. That 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. That 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 the 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:

THE conditions of subject SITE which makes it different than other properties in same zoning district are as follows; the subject property currently has room for one parking space, property and building are same size. These conditions were existing when current tenant leased space. Because of the LIMITED SPACE 32 PARKING SPACES ARE IMPOSSIBLE, the only way any business could be put in existing space would be by way of parking variance. Owner currently has agreement with neighbors for Rented parking for use after their business closes. So our belief is that the neighbors will benefit from our business.





City of Columbus  
Mayor Michael B. Coleman

# Department of Development

Boyce Safford III, Director

## Certificate of Appropriateness ITALIAN VILLAGE COMMISSION

*This Certificate of Appropriateness is not a zoning clearance nor a building permit. This document does not relieve the applicant from the responsibility of filing for and obtaining any required zoning clearance (645-7314) and/or building permit (645-7433) from the City of Columbus Building & Development Services Division (757 Carolyn Ave.) and following all other applicable codes and ordinances of the City of Columbus.*

**PROPERTY ADDRESS:** 1167 Mount Pleasant Avenue

**APPLICANT'S NAME:** Romeo Issa (Applicant)/Roman Czech (Owner)

**APPLICATION NO.:** 10-12-3b

**STAFF APPROVAL:** 12/10/10

**EXPIRATION:** 12/10/11

The Italian Village Commission hereby certifies that the application for the above referenced property and a copy of this Certificate of Appropriateness are on file with the city's Historic Preservation Office. The Commission has reviewed the application and taken the following action(s) in accordance with Columbus City Code 3116 & 3327 and the architectural guidelines:

**Approved:** Exterior alterations per APPROVED SPECIFICATIONS

**Recommendation for Approval:** Requested re-zoning/special permit/variance per APPROVED SPECIFICATIONS

### APPROVED SPECIFICATIONS:

Approve Application #10-12-3b, 1167 Mount Pleasant Avenue with all clarifications as indicated.

- Paint exterior beige and black.

#### Exterior Painting

- Repair and/or replace all damaged, deteriorated, and missing wood trim elements, as necessary. All replacement wood to be of exact same dimension and profile as the original wood trim; like-for-like, according to industry standards.
- Prepare all exterior, wooden surfaces on the main house for repainting using the appropriate hand tools.
- Glaze and caulk as necessary.
- Prime all new and bare wood surfaces with the appropriate exterior primer according to manufacturer's specifications. Paint color chips for finish coat are to be submitted to Historic Preservation Office staff for final review and approval, prior to application of the paint.
- **Any previously unpainted, masonry (i.e., brick/stone/concrete sills, lintels, porch columns, etc.) is to remain unpainted.**
- **Any previously painted masonry is to be left as is, or be painted to match the original color of the unpainted masonry as closely as possible.**
- Paint color chips for any previously painted masonry are to be submitted to Historic Preservation Office staff for final review and approval, prior to application of paint.

**Drawings Required**

This Certificate of Appropriateness is only valid for work performed in accordance with the motion so passed and approved by the Commission, and shall accompany plans submitted for zoning clearance and/or building permits.

  
\_\_\_\_\_  
Randy F. Black  
Historic Preservation Officer

**11310-00000-00084**  
**1167 MT. VERNON AVE.**

**PARKING LOT USE AGREEMENT TERMS AND CONDITIONS**

3 East 4th Avenue, Columbus, Ohio

**RESPONSIBILITY**

Romeo Issa (Tenant) hereby acknowledges that **r design & printing co.** (Landlord) shall not be responsible for any liability, for any loss or damage to any person, unit or property, including, but not limited to, automobiles, tools, accessories, electronics, or personal belongings, which loss or damage is occasioned by theft, fire, flood, windstorm, rain, snow, act of God or any reason whatsoever, and shall indemnify Landlord from all costs of any claim brought by or through Tenant or its users and hold **r design & printing co.** harmless from any and all damages and claims arising out of loss or any injury to the tenant/owner/operator, his family, employees, guests, or invitees, however caused.

**INSURANCE**

Tenant/Owner/operator certifies that they are covered by adequate liability insurance covering use and/or damage of the parking lot and/or building located at 30 East 4th Avenue. Tenant/Owner/operator agrees to provide proof of said insurance to **r design & printing co.** and list **r design & printing co.** as an Additional Insured.

**EFFECT OF CONTRACT**

Tenant/Owner/operator agrees that this contract and any grant of parking space shall constitute a rental of space only.

**ON PREMISES WORK**

None. Tenant shall be responsible for daily cleaning of debris in the parking lot.

**ACCESS**

Landlord grants access to marked parking spaces not in use by **r design & printing** at 30 East 4th Avenue, Columbus, Ohio 43201 after 7:00 p.m. and until 3:00 a.m. daily. No parking is permitted along the East side of the parking lot against the **r design and printing** building. No parking is permitted which will in any way block access to the warehouse door, side entrance or dumpster. Tenant does not have the right to tow vehicles from the parking lot. Landlord retains the right to suspend Tenant's access for Special Events. Landlord retains right to parking spaces for their own use at any time without prior notice.

**TERM**

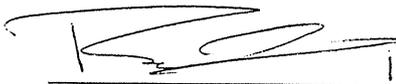
Beginning on December 1, 2010 and terminating at anytime upon 10 days written notice, by email from Landlord, to Tenant at Tenants email address as given in this document. This document is the whole agreement as to this issue and no modifications to its terms are enforceable unless in writing signed by both parties.

**RENT**

Rent of \$100.00 per month is due and payable by the first (1st) of each month. Check should be made out to **r design & printing co.**, 30 East 4th Avenue, Columbus, Ohio 43201. All rent received by Landlord after the 5th day of any month must be accompanied by a late fee of \$100.00 regardless of postmarked date. Tenant to pay January 2011 rent with execution of this agreement.

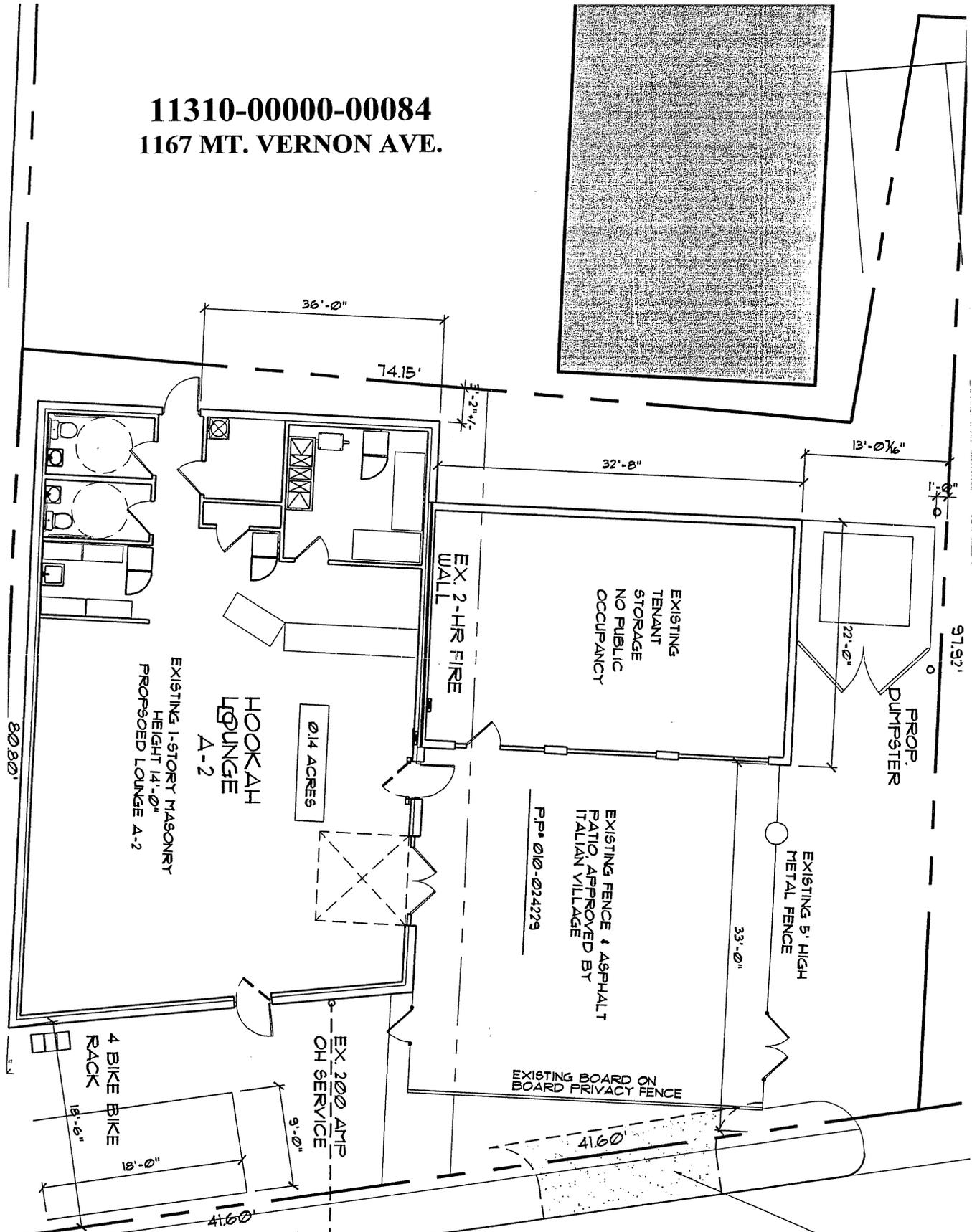
**TENANT** Romeo Issa  
Midnight Hookah  
TAX ID: 261-412664  
  
1167 Mt. Pleasant Ave.  
Columbus Ohio 43201  
Work Phone: (614) 299-0000  
Cell Phone: (614) 406-6666  
E-mail: Romeo@MidnighTHOOKAH.COM

**LANDLORD** **r design & printing co.**  
30 East 4th Avenue  
Columbus, Ohio 43201  
Work Phone: (614) 299-1420  
Cell Phone: (614) 554-3043  
E-mail: r\_Dave@sbcglobal.net

  
\_\_\_\_\_  
Romeo Issa, TENANT / DATE 12/3/2010

  
\_\_\_\_\_  
LANDLORD SIGNATURE / DATE 12/3/10

11310-00000-00084  
1167 MT. VERNON AVE.



**MOUNT PLEASANT AVE 30' R/W**

REMOVE EXISTING CONCRETE CURB CUT, INSTALL NEW SID TO ALIGN WITH EXISTING SIDEWALK

EXISTING 25K POWER PO



Signature of Applicant Deborah Czech

Date 2/5/11

### 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.

STATE OF OHIO  
COUNTY OF FRANKLIN

APPLICATION #

**11310-00000-00084**  
**1167 MT. VERNON AVE.**

Being first duly cautioned and sworn (NAME)  
of (COMPLETE ADDRESS)

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

Roman F. and Deborah J. Czech      735 Highland Drive, Columbus, OH  
43214

SIGNATURE OF AFFIANT

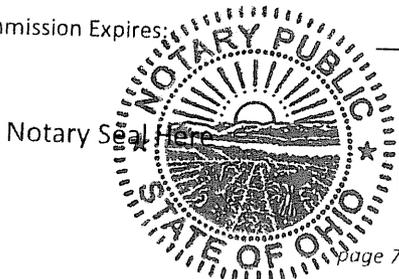
Roman Czech      Deborah Czech

Subscribed to me in my presence and before me this 8<sup>th</sup> day of February in the year 2011

SIGNATURE OF NOTARY PUBLIC

Ronnie Rasul  
Never

My Commission Expires:



**RONNIE A. RASUL**  
**Attorney At Law**  
Notary Public, State of Ohio  
My Commission Has No Expiration Date  
Section 147.03 R.C.