

CV05-022

## STATEMENT OF HARDSHIP

We have been purchasing peddlers licenses from the City of Columbus for the subject site since 2000. The most recent peddlers license for this site was issued for this year beginning in 2005 thru 2006. Our site is zoned P-1 and was developed as a parking lot for a church, we set-up to sell general merchandise (reconditioned lawn mowers, vacuum cleaners, bicycles, etc.) for a number of years. We purchased this property from the church and wish to continue our limited general merchandise sales on the subject site until such time as we have determined a use for the site and are able to get it rezoned.

A hardship exists because Columbus City Code permitted uses on a lot zoned in the P-1 zoning district do not allow us to exercise our right to conduct general merchandise sales permitted by our peddlers license issued by the City of Columbus in section 523.01, Definitions of Chapter 523, Peddlers of the Columbus City Code.

Our sales activities are conducted on the existing paved surface of the parking lot three days a week (generally Thur, Fri. and Sat.).

At our sales our customers access the site from the alley and park on the existing paved parking lot.

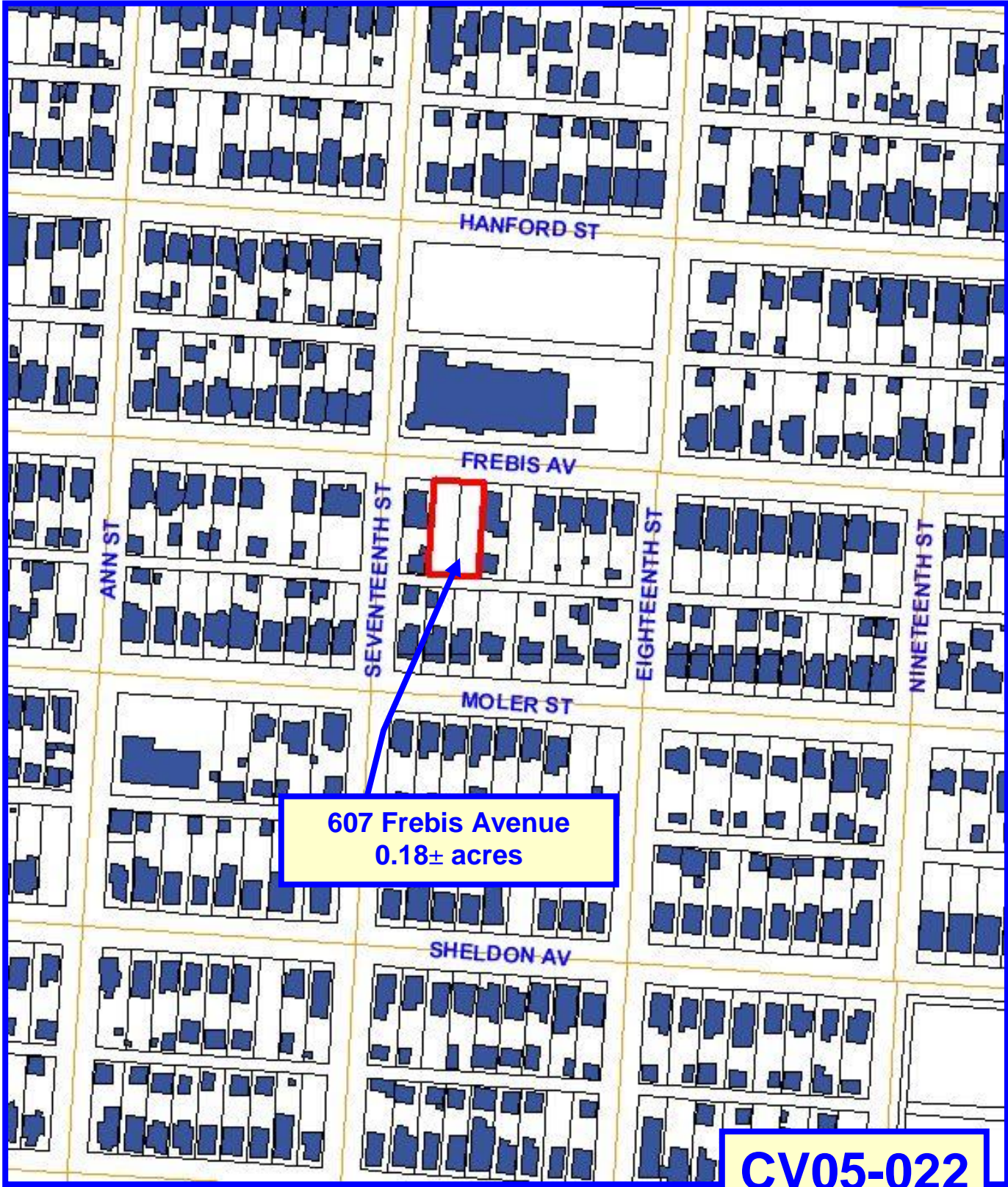
We do not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair the public health safety, comfort, morals, or welfare of the City of Columbus.

Signature *Lyndine Hunter* Date *May 2, 2005*

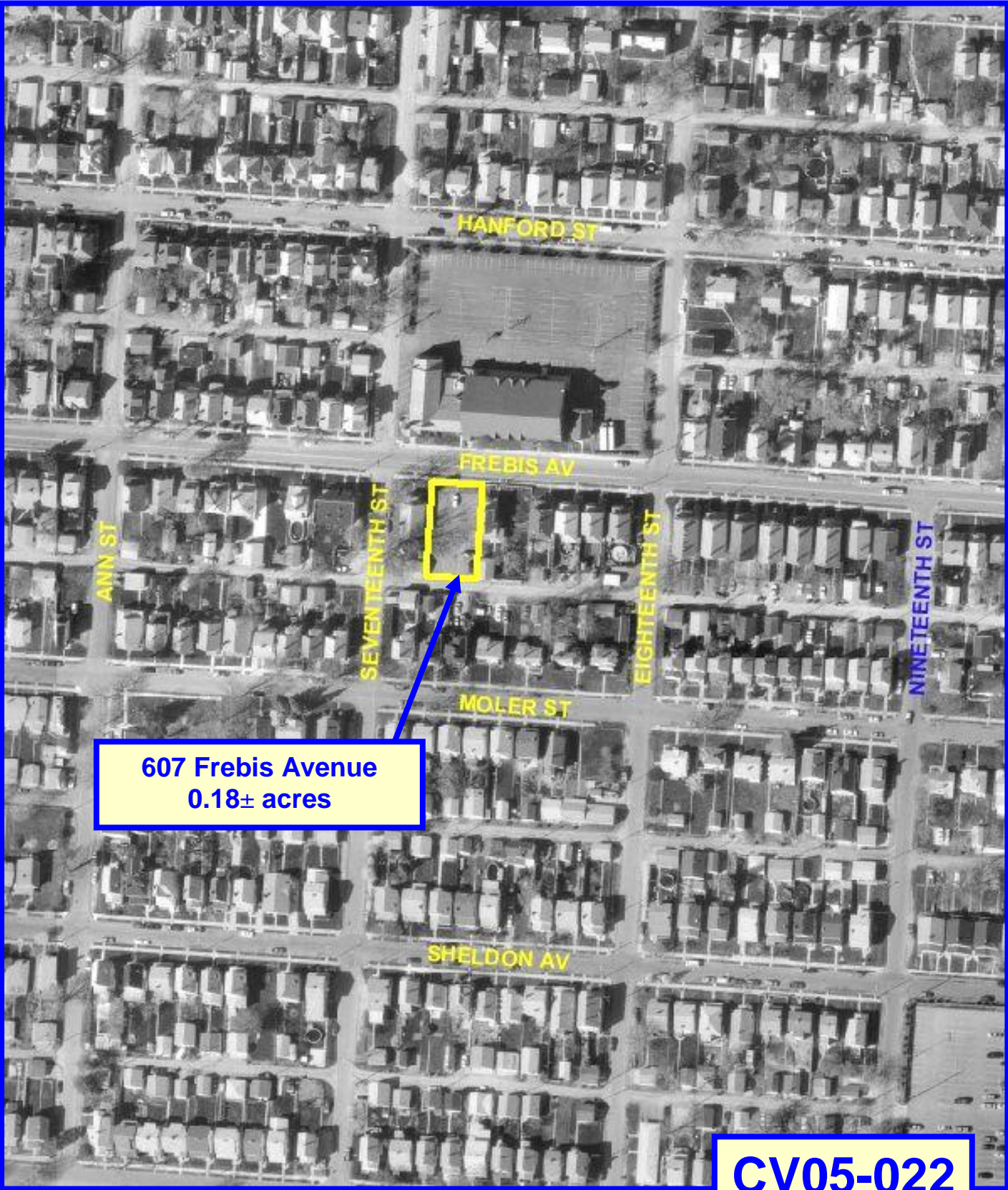












**607 Frebis Avenue  
0.18± acres**

**CV05-022**

**recommendations**

**Issue**

Inadequate public parking and insufficient turn lanes deter people from using businesses along Parsons Avenue.



**Issue**

A number of objectionable commercial uses have located along Frebis Avenue.

**Recommendations**

Supplement metered street parking with shared and city-owned parking lots.

**Recommendation**

Work with property owners to identify acceptable uses.

Add left turn lanes at major intersections along Parsons Avenue.

**Issue**

The planning area contains former industrial/manufacturing sites that are probable brownfields.

**Recommendation**

Work with city's Economic Development Division's Brownfields Taskforce to identify and seek out redevelopment opportunities for former industrial/manufacturing sites.



**COUNCIL OF  
SOUTH SIDE  
ORGANIZATIONS**

PO Box 77542  
Columbus, Ohio 43207

Council of South Side Organizations  
Post Office Box 77542  
Columbus, Ohio 43207  
August 9, 2005

City of Columbus  
Department of Development  
Building Services

Please allow this letter to serve as notification that the Council of South Side Organizations during their general monthly meeting did not vote to support the request for council variance case number CU05-022 for John and Gerlene Hunter. The address for the zoning is 605-609 Frebis Ave.

The Council of South Side Organizations did not vote in support of the zoning variance based on the information that was provided at the July monthly meeting.

If you or any interested parties have any questions, please feel free to contact the zoning chairperson. Mr. Robert L. Patterson is the contact person and his number is 491-0840.

Sincerely

Robert L. Patterson,  
CSSO Second Vice-President  
Zoning Chairperson

rlp/dld  
Cc: CSSO file

9/13/05

IRS NUMBER FOR  
NON PROFIT  
31-0977202

R-E-S-O-L-U-T-I-O-N



"OUR COMMUNITY - WE SERVE"

Jim Hildenbrand  
President  
1-614-443-9449

Ned McNamara  
V. President

"Every man owes a part of his time and money to the business or industry in which he is engaged. No man has a moral right to withhold his support from an organization that is striving to improve conditions within his sphere."

South Side Business & Industrial Association  
P. O. Box 07582  
Columbus, Ohio 43207

Hazel Messer  
Treasurer

Trustees

Joe Gartin  
Mike Haefs  
Mike Wiles  
Bill Farson  
Leo Thurn  
Henry Schiderer

WHEREAS: John and Gerlene Hunter are members of the SSBIA. They live on East Gates Street, the City of Columbus, Ohio.

WHEREAS: Their business is located at 605-609 Frebis Avenue, Columbus, Ohio. They open for business four days each week.

WHEREAS: The site of their business is zoned P-1.

WHEREAS: The Hunters have been using this site since 1999.

WHEREAS: The Hunters purchased this property from the Frebis Ave. Church of God in October 2001.

WHEREAS: The City of Columbus has cited for violation of the City Code without zoning (variance) the Hunters.

WHEREAS: The City of Columbus's Department of Development approved a Peddler's License on November 1, 2000.

WHEREAS: The Hunters are asking a variance for use of site for the purpose of continuing their business of selling general merchandise.

WHEREAS: A Peddler's License for the Hunters has been issued by the City of Columbus to sell their general merchandise using Chapter 523 of the City Code which states that the Hunters can sell their general merchandise on any vacant parking lot in the City of Columbus.

WHEREAS: The Hunters use this method of small business to "make a living" and if variance not approved, a hardship develops for them since they have no other skills for employment.

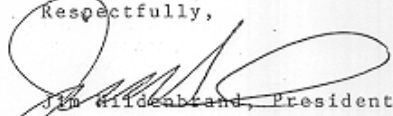
THEREFORE LET IT BE RESOLVED:

The SSBIA encourage City Council to approve the variance requested by the HUNTERS.

IT SHOULD BE NOTED A HARDSHIP EXISTS: THE HUNTERS HAVE NO MONEY FOR AN ATTORNEY TO REPRESENT THEM BEFORE CITY COUNCIL AS IS USUAL FOR THIS KIND OF CASE.

Respectfully,

APPROVED AT THE GENERAL MEETING THIS DATE, 9/13/05

  
Jim Hildenbrand, President

Rec 9/19/05 CV05-022



JUL-14-05 03:00 PM SMITH+GUY

614+445+8226

P. 02

July 7th, 2005 Don Bier, Jr.

Don Bier, Jr  
Building Services Division  
Department of Development  
737 Carolyn Ave.  
Columbus Ohio 43224

Subject: John &amp; Jerleen Hunter, Variance for Prebis Ave.

Dear Mr. Bier:

On July 6, 2005, Vassor Village Civic Association held their monthly meeting. Mr. & Mrs. Hunter were present as guest at our meeting. Mr. & Mrs. Hunter presented our membership with a proposal. This proposal is for a Variance on Prebis Ave. to change, residential to commercial.

After a long discussion from our membership, with each member asking questions, and allowing Mr. & Mrs. Hunter, to explain their position, our membership voted unanimously, not to allow the variance in our area, Vassor Village Civic Association.

We ask that you please advise City Council of our position, and ask that they not allow this variance. We already have problems with unlicensed yard sales, and this variance would just add to the problems were fighting here in our area.

Our membership made suggestions to the Hunter's, which they can go to Southland Mall, and rent a spot, for a minimal fee, and peddle their goods.

Respectfully submitted,  
Vassor Village Civic Association



Guy A. Smith, Secretary



## SouthSide Community Action Network



Helping Neighbors Help  
Each Other

PO Box 6490  
Columbus, Ohio 43206-0376  
Phone: 614-598-2237  
Email:  
mommadiggs@yahoo.com

**President**  
Debera Diggs

**Vice President**  
Mark Woodford

**Secretary**  
Patrick Justice

Debbie Knowles  
Donald Coulter

**Youth Group**  
Patrick Justice  
Renate Campbell  
Edward Jones

SouthSide Community Action Network  
Post Office Box 06490  
Columbus, Ohio 43206  
August 9, 2005

City of Columbus  
Department of Development  
757 Carolyn Ave.  
Columbus, Ohio 43224

To Zoning Representative:

Please allow this letter to serve as notification that SouthSide CAN during their July monthly meeting did vote to support the request for council variance Number CV05-022 for John and Gerlene Hunter. The address for the zoning is 605-609 Frebis Ave. However the property is not located within SouthSide CAN's boundaries. SouthSide CAN does not feel it is proper for us to dictate what happens in another civic association's area. The property is located in Vassor Village's area and the Hunters reside in SouthSide CAN's area.

If you or any interested parties have any questions, please feel free to contact the Debera Diggs, her number is 598-2237 or [mommadiggs@yahoo.com](mailto:mommadiggs@yahoo.com)

Sincerely

Debera L. Diggs  
SouthSide Community Action Network  
President

dld

Cc: SouthSide CAN file

South Side Pride Make It Known City Wide



City of Columbus  
Mayor Michael B. Coleman

Department of Development  
Building Services

757 Carolyn Avenue • Columbus, Ohio • 43224 • (614) 645-7314

FOR USE BY: AREA COMMISSIONS / CIVIC ASSOCIATIONS / ACCORD PARTNERS  
**STANDARDIZED RECOMMENDATION FORM**

Group Name: Southside United Neighbors Meeting Date: April 5, 2005

Case Number: 0005-022 Case Type:  Council Variance  Rezoning

Zoning Address: 605/609 Freelande Applicant: John + Gerlene Hunter  
43206

Person(s) Representing Applicant at Meeting: John + Gerlene Hunter

Conditions Requested by Group (Add continuation sheet if needed):  
Area Commissions see note at bottom.

Applicant Response  
Yes No

1.	<u>NONE</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
5.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
6.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
7.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
8.		<input checked="" type="checkbox"/>	<input type="checkbox"/>

Recommendation

Approval  Disapproval  Conditional Approval (list conditions and applicant response above)

Explain the basis for Approval, Disapproval or Conditional Approval below (Add continuation sheet if needed).

These people have been doing business for over 5 years + there is no problems + has been no problems brought to us - they keep their area clean + repaired.

Recommending Commission / Association / Accord Partner Vote: For 23 Against 0

Signature / Title of Authorized Representative: A. Skadford / President

Daytime Phone Number: 614-462-2526

Note to Area Commissions: Ordinances sent to Council will contain only recommendations for "approval" or "disapproval." Recommendations for "conditional approval" will be treated as a disapproval, if, at the time the ordinance is sent to Council, any condition that was checked "No" on the Standardized Recommendation Form has not been resolved as documented in writing by the recommending body or party.





# P.A.M.A.

827 Parsons Ave. • Columbus, Ohio 43206 • 614/444-2192

October 6, 2005

To: Mark Barbash, Director of Development  
Matt Habash, President of City Council  
Mike Mentel, President Pro Tem  
Kevin Boyce, Councilperson  
Mary Ellen O'Shaugnessy, Councilperson  
Mary Jo Hudson, Councilperson  
Charletta Tavares, Councilperson  
Patsy Thomas, Councilperson

In view of the facts that:

- A. The City of Columbus has permitted John and Gerlene Hunter to operate their lawnmower business at 605-609 Frebis Avenue for 6 years.
- B. The Hunters have operated within the laws of the City of Columbus.
- C. Forcing the Hunters to close their business on a lot they own would create a serious hardship for them.

The Board of Trustees and members of The Parsons Avenue Merchants Association have voted to support the efforts of John and Gerlene Hunter in continuing to do business at the aforementioned address.

Sincerely

Robert K. Vaughan  
President

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PARSONS AVENUE MERCHANTS ASSOCIATION

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City of Columbus | Department of Development | Building Services Division | 757 Carolyn Avenue, Columbus, Ohio 43224

### 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 # CU05-022

Being first duly cautioned and sworn (NAME) Gerlene Hunter  
of (COMPLETE ADDRESS) 670 East Gates Street Columbus OH 43206  
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 in the following format:

- Name of business or individual
- Business or individual's address
- Address of corporate headquarters
- City, State, Zip
- Number of Columbus based employees
- Contact name and number

If applicable, check here if listing additional parties on a separate page (REQUIRED)

1. <u>John and Gerlene Hunter</u> <u>670 East Gates Street</u> <u>Columbus OH 43206</u>	2.
3.	4.

SIGNATURE OF AFFIANT

Gerlene Hunter

Subscribed to me in my presence and before me this 2 day of May, in the year 2005

SIGNATURE OF NOTARY PUBLIC

[Signature]  
August 26 2005

My Commission Expires:

*This Project Disclosure Statement expires six months after date of notarization.*

Notary Seal Here

**LEON D. KESSEL**  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES 08-26-05