

STATEMENT OF HARDSHIP - Council Variance Application Number CV08-015
Companion to Rezoning Application number Z06-081 - Originally filed November 22, 2006

Proposed Use or Reason for Council Variance Request:

The subject properties consist of three (3) parcels totaling 3.8587+/- acres on the north side of the 2800 block of Morse Road ("site"). The Site was annexed into the City of Columbus on June 7, 1999. Prior to its annexation, the property was primarily used for commercial, manufacturing, and warehousing uses. Based on consultations with the City of Columbus, the applicant made no request for zoning at the time of annexation. As a result, the subject properties were classified with base zoning of R pursuant to Columbus City Ordinance.

On approximately July 25, 2006, Columbus City Council adopted Ordinance No. 1146-2006 granting a council variance to the Owner/Applicant to allow the Site to be used for a child day care center with the condition that the property be rezoned to accommodate all the uses on the Site, which include the day care center and other commercial, manufacturing and warehousing uses.

Application proposes to rezone the Site to LM, Limited Manufacturing, to accommodate the existing manufacturing, warehousing and general commercial uses on the Site, in accordance with appropriate development standards. Developed in the township prior to annexation, the Site does not conform to the City's requirements for distance and parking and as a result the Applicant seeks the following Council Variances.

Code § 3363.19 (C) Location Requirements

- Applicant requests a Council Variance from the current objectionable use restriction. The property is located within 600 feet from the boundaries of a residential or apartment district.

Code § 3342.23 Striping and Marking

Code § 3342.24 Surface

- Applicant requests a Council Variance from the above required code sections. Due to the nature of the Applicant's business and use of the property, any pavement (cement, concrete or other hard surface) improvement on the property will be extremely costly and cumbersome to maintain. Applicant's business and use of the property requires delivery trucks to enter the property on a regular basis. The Northland Community Council has requested a partial pavement, to which Applicant has agreed. Specifically, Applicant agrees to pave the existing gravel and dirt side driveway to the rear building line immediately adjacent to the drive. Said pavement shall end at the north west corner of the westernmost section of the building. The hatch crossed portions of the site plan demonstrate the area to be paved by Applicant during early 2009, attached hereto as Exhibit "A".

Code § 3342.28 Minimum number of parking spaces required

- Applicant requests a Council Variance from the above required code sections. Specifically, as set forth below, Applicant requests Council Variance relief from the 172 additional required paved parking spaces.

Total Building Square Feet: 71,223
 Office Space – Anderson Glass: 2,200
 Banquet Hall – Kayla's: 4,543 square feet
 Day Care – Kid's World: 10,500 square feet; 3 classrooms
 Manufacturing – Anderson Glass: 53,980 square feet

Code §3342.28 (B)(11) – General Office

- One parking space for each three hundred square feet of gross floor area.
 Office Space – Anderson Glass: 2,200
 $2,200 \text{ square feet} / 300 = 7.333$, say **7 parking spaces needed.**

Code §3342.28 (B)(2) – Auditorium, stadium, conference center or large place of assembly

- One parking space for each thirty square feet of gross floor area.
 Banquet Facility – Kayla's: 4,543 square feet
 $4,543 \text{ square feet} / 30 \text{ feet} = 151.433$, say **152 parking spaces needed.**

Code §3342.28 (C)(2) – Child day care center, kindergarten or nursery school

- Two spaces per classroom, but in no case shall less than six parking spaces be required.
 Day Care – Kid's World: 3 classrooms
 $3 \text{ classrooms} \times 2 = \mathbf{6 \text{ parking spaces needed.}}$

Code §3342.28 (D)(2) – Manufacturing or other industrial use

- 1st 20,000 sq. ft. = 26.7 spaces (1 space for every 750 sq. ft.)
 20,000 to 53,980 sq. ft. = 22.65 spaces (1 space for every 1,500 sq. ft.)

Plus, one space per each motor vehicle used in the business = 1

So,

$$\begin{array}{r}
 26.7 \\
 + \quad 22.65 \\
 + \quad 1.00 \\
 \hline
 50.35, \text{ say } \mathbf{51 \text{ needed parking spaces.}}
 \end{array}$$


Pursuant to City of Columbus Zoning Code §3342.28(D)(2), the minimum number of paved parking spaces required for the subject property is 216. The subject property has 44 paved lined parking spaces in the front. Anderson Properties Limited Partnership requests a Council Variance from the additional 172 parking space requirement. The subject property contains a large gravel area in the building rear which holds approximately 100 cars for additional parking. Due to the nature of the businesses occupying the space, the daycare tenant and the party house tenant have opposing business hours and thus do not require use of parking spaces at the same time. Below is an explanation of the peak hours of operation and number of parking spaces associated with each business:

Tenant Kayla is a banquet facility for weddings and business meetings. Weekdays between 6:00 a.m. to 4:00 p.m., Kayla utilizes 2 spots. Weekdays between 4:00 p.m. to 6:00 p.m., Kayla utilizes 2 spaces. Weekday evenings, after 6:00 p.m., Kayla is occasionally open Thursday-Sunday evenings (6:00 p.m. to 12:00 a.m.).

Tenant Kids World is a child day care. Weekdays between 6:00 a.m. to 4:00 p.m., Kids World utilizes 8 spaces. Weekdays between 4:00 p.m. to 6:00 p.m., Kids World utilizes 8 spaces. Weekday evenings, after 6:00 p.m., Kids World is closed.

Owner/Occupier Anderson. Weekdays between 6:00 a.m. to 4:00 p.m., Anderson utilizes 6 spaces. Weekdays from 4:00 p.m. to 6:00 a.m., Anderson is closed.

On weekdays from 6:00 a.m. to 4:00 p.m. there are 28 parking spaces available. On weekdays from 4:00 to 6:00 p.m. there are 34 parking spaces available. Approximately 100 unpaved parking spaces are available during all hours of operation behind the building.

Counsel for Applicant: 

Date: 3/16/09

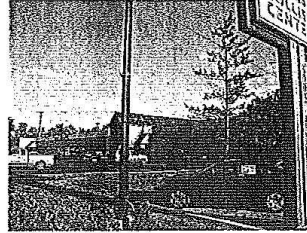
515-08

REZONING SITE SURVEY

TITLE COMPANY: CORNERSTONE TITLE AGENCY AND
ANDERSON PROPERTIES, LLC
DATE: 06/23/08
ORDER NO.: 515-08

LEGAL DESCRIPTION: BEING 3.8587 ACRES (PART OF
QUARTER TOWNSHIP 3, TOWNSHIP 2, RANGE 17 WEST,
UNITED STATES MILITARY LANDS), CITY OF COLUMBUS,
COUNTY OF FRANKLIN, STATE OF OHIO.

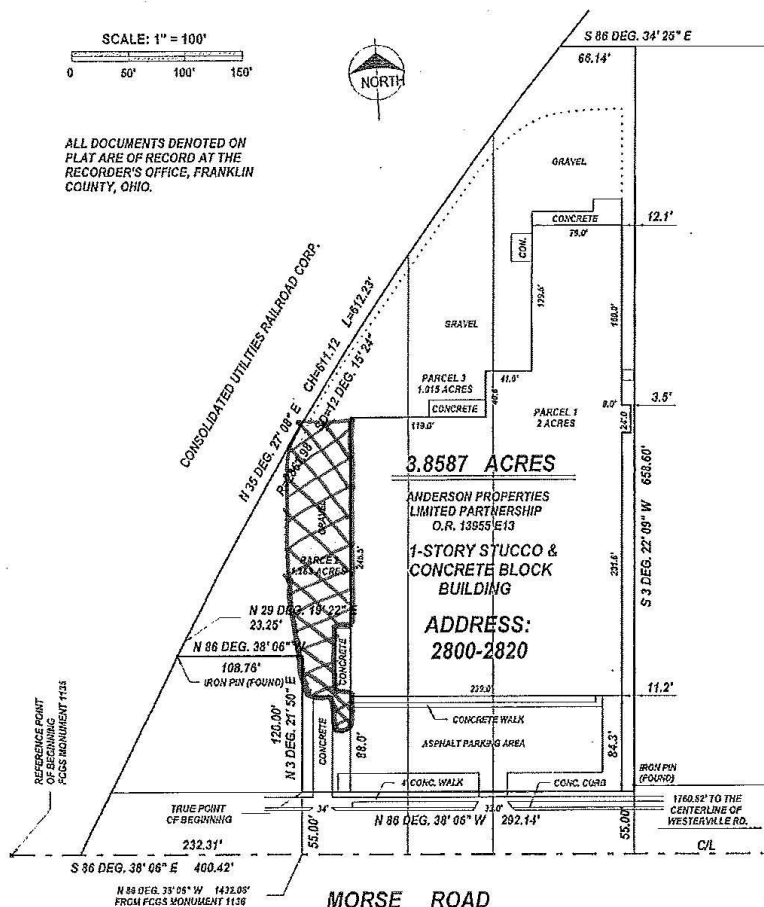
PARCEL NOS.: PARCEL 1: 010-252898-00, PARCEL 2: 010-252899-00,
PARCEL 3: 010-252900-00



SCALE: 1" = 100'
0 50' 100' 150'



ALL DOCUMENTS DENOTED ON
PLAT ARE OF RECORD AT THE
RECORDER'S OFFICE, FRANKLIN
COUNTY, OHIO.



Agent for Applicant

By: Jackie L. Hager
Jackie L. Hager

Date: Jan. 7, 2009



ERLENBACH
LAND
SURVEYING

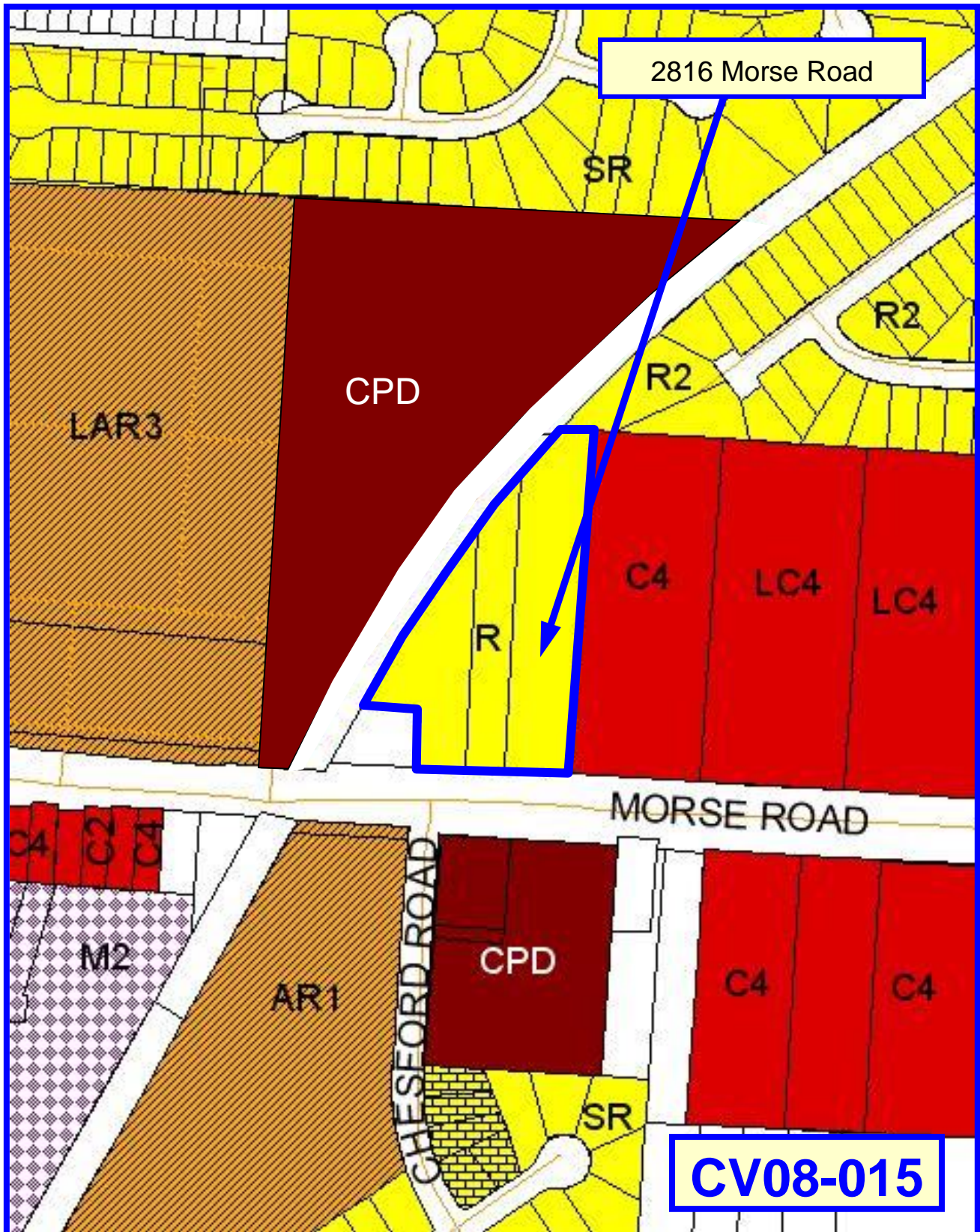
635 Park Meadow Road, Suite 203
Westerville, Ohio 43081
Phone: (614)891-5888
Fax: (614)891-5889
ErlenbachSurveying@sbcglobal.net

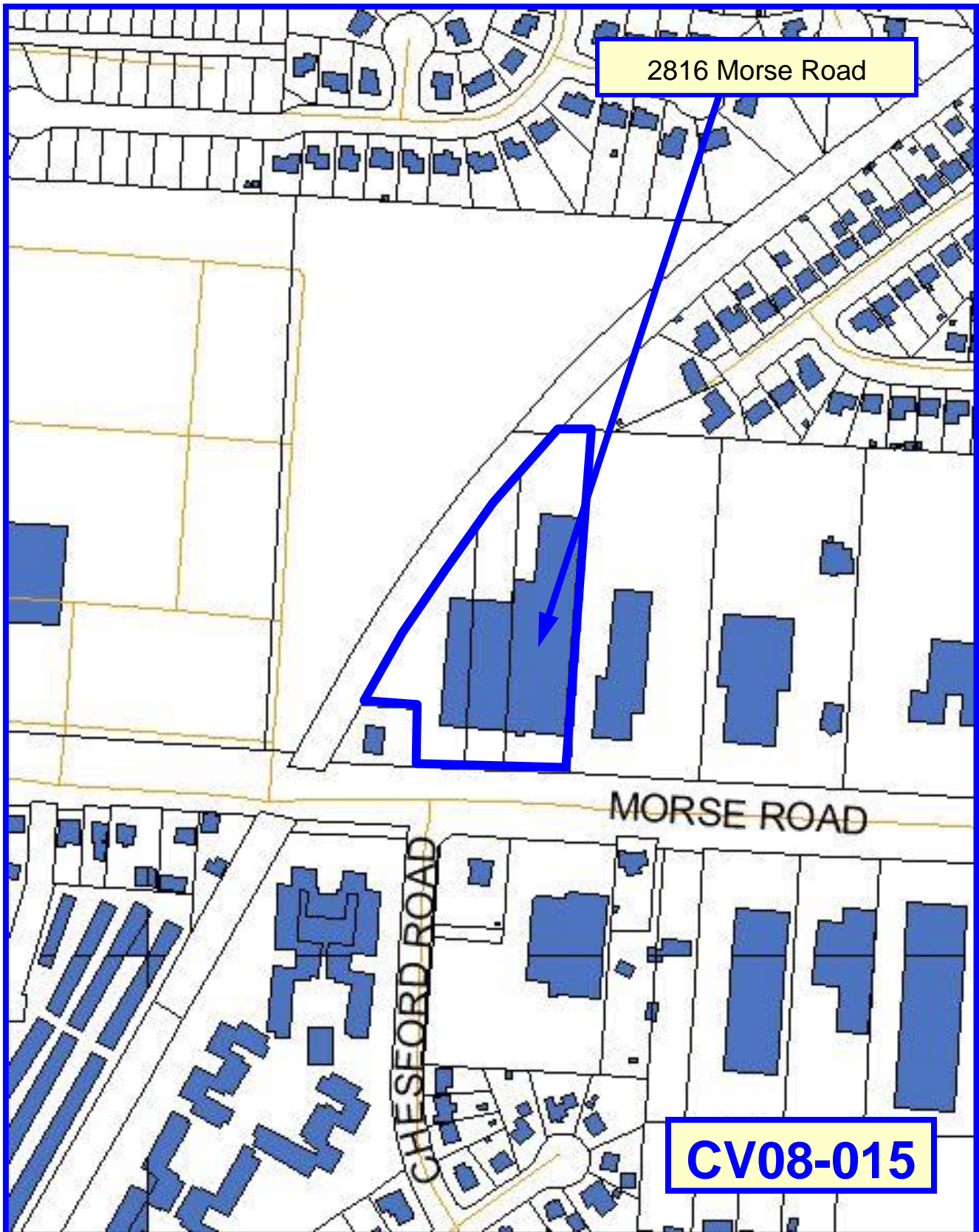
We hereby certify that the foregoing REZONING SITE SURVEY was prepared in accordance with
Chapter 4733-38, Ohio Administrative Code and is not a boundary survey pursuant to Chapter 4733-37
Ohio Administrative Code.

By

G. Dean Erlenbach
Ohio Registered Surveyor No. 7272







Mr. Jeff S. Murray – Chairperson FAX 614-818-4399

**NORTHLAND
COMMUNITY
COUNCIL
DEVELOPMENT COMMITTEE**

Fax

To:	Jackie Hager Carlile, Patchen & Murphy	From:	Jeff Murray
Fax:	614-221-0216	Pages:	1
Phone:	614-228-6135 Z06-081	Date:	8/1/08
Re:	2861 Morse Rd.	Email:	jih@cpmlaw.com

Ms. Hager,

Our committee voted to support your application with the following conditions and understandings:

1. Pave the side drive to the rear building line adjacent to the drive.
2. Allowed uses to be only those that currently exist.

If you have any questions please contact me at:

Work, 614-882-8558, ext. 207

Fax, 614-818-4399

Email, jeffmurray@wideopenwest.com.

Best regards,

Jeff S. Murray
Chairperson, Development Committee
Northland Community Council

City of Columbus | Department of Development | Building Services Division | 757 Gayden 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 # CV 08-015

Being first duly cautioned and sworn (NAME) Jackie Lynn Hager
of (COMPLETE ADDRESS) 366 East Broad Street, 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
in the following formats

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

Anderson Properties Limited Partnership 2812 Morse Road Columbus, OH 43231 45 employees Helena Anderson - (614) 476-4877	Anderson Properties Limited Partnership 2812 Morse Road Columbus, Ohio 43231 Bradley D. Anderson - (614) 476-4877
Anderson Properties Limited Partnership 2812 Morse Road Columbus, Ohio 43231 Bradley D. Anderson, Custodian for Robert Anderson - (614) 476-4877	Anderson Properties Limited Partnership 2812 Morse Road Columbus, Ohio 43231 Bradley D. Anderson, Custodian for Taylor Anderson - (614) 476-4877

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

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 17 day
of March, in the year 2009

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

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

Notary Seal Here



DONNA D. PEART
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES APRIL 8,