

Council Variance Application

111 North Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • www.columbus.gov/bzs • zoninginfo@columbus.gov

STATEMENT OF HARDSHIP

Chapter 3307 of the Columbus Zoning Code

Section 3307.10 Variances by City Council

- A. Permit a variance in the yard, height, or parking requirements of any district only in conjunction with a change in zoning or a use variance and only where there are unusual and practical difficulties or unusual hardships in the carrying out of the zoning district provisions due to an irregular shape of lot, topography, or other conditions, providing such variance will not seriously affect any adjoining property or the general welfare.
- B. Permit a use of the property not permitted by the Zoning District established on the property if such use will not adversely affect the surrounding property or surrounding neighborhood and if Council is satisfied that the granting of such variance will alleviate some hardship or difficulty which warrants a variance from the Comprehensive Plan.

Before authorizing any variance from the Zoning Code in a specific case, City Council shall first determine that such variance will 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 inhabitants of the City of Columbus.

In granting a variance pursuant to this section, Council may impose such requirements and conditions regarding the location, character, duration, and other features of the variance proposal as Council deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare

List all sections of Code to be varied and explain your reasoning as to why this request should be granted.

PLEASE NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are discovered after your application is approved, a new application will be required.

I have read the foregoing and believe my application for relief from the requirements of the Zoning Code contains the necessary hardship, will not adversely affect surrounding property owners and will comply with the variance(s) requested as detailed below (use separate page if needed or desired):

See Exhibit A.

Signature of Applicant

Donald Plank

Date

4/27/21

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

Exhibit A

4645 Groves Road

Background

The 7.007 acre site is located at 4645 Groves Road, Columbus, Ohio 43232, Franklin County Auditor Tax Parcel Id. No. 010-211497 (the “Property”). The Property has been owned by Marshall Acquisitions LLC (the “Applicant”) or an affiliated individual(s) since 1990. The Property owner installed a 15,000 square foot warehouse on the Property in 2000 and currently operates a tow truck and truck/trailer storage facility. The Property is further improved with landscaping, fencing, a telecommunication pole, and gravel surface. Applicant was granted a hard surface waiver by the City of Columbus Department of Trade and Development on June 2, 2000, a copy of which is attached to this Application (the “Hard Surface Waiver”).

The Applicant filed this Council Variance Application and complementary Special Permit Application in order to use a portion of the Property as an impound lot, permit a portable building, and to request certain area variances. Applicant proposes to use the Property for impounding and to continue to use the Property for tow truck and truck/trailer storage, and open storage of equipment, as depicted on the site plan included with this application (the “Site Plan”).

Use Variance

1. Chapter 3365 of the City of Columbus Zoning Code (the “Zoning Code”) permits certain industrial uses in the M-1, Manufacturing District, but does not include the impound use. Applicant is requesting a variance to permit an impound lot over a portion of the Property, as depicted on the Site Plan.

Statement in Support of Use Variance

A council variance may be granted if the proposed use will not adversely affect the surrounding properties or neighborhood and if Council is satisfied that the granting of such variance will alleviate some hardship or difficulty which warrants a variance from the Comprehensive Plan.

Granting the requested use variance will not adversely affect the adjacent properties or the neighborhood. The Hamilton Road Corridor / Eastland Area Revitalization Plan recommends industrial/warehouse uses on the Property. The vast majority of properties in the neighborhood are used for industrial purposes and match the characteristics of the Property. In fact, Applicant owns the adjacent property across Eastland Commerce Center Drive and recently rezoned 15.48 +/- acres to expand their truck and trailer storage facility. The adjacent properties to the east, west, north, and southeast of the Property are used for industrial purposes and are buffered from the Property by right of way and landscaping. The adjacent property to the west is screened from the proposed impound lot by trees and fencing. The adjacent property to the

south, which contains a multi-family residential development, is 385 feet from the proposed impound use and is buffered from the impound lot by trees, fencing, elevation changes, and truck and trailer storage.

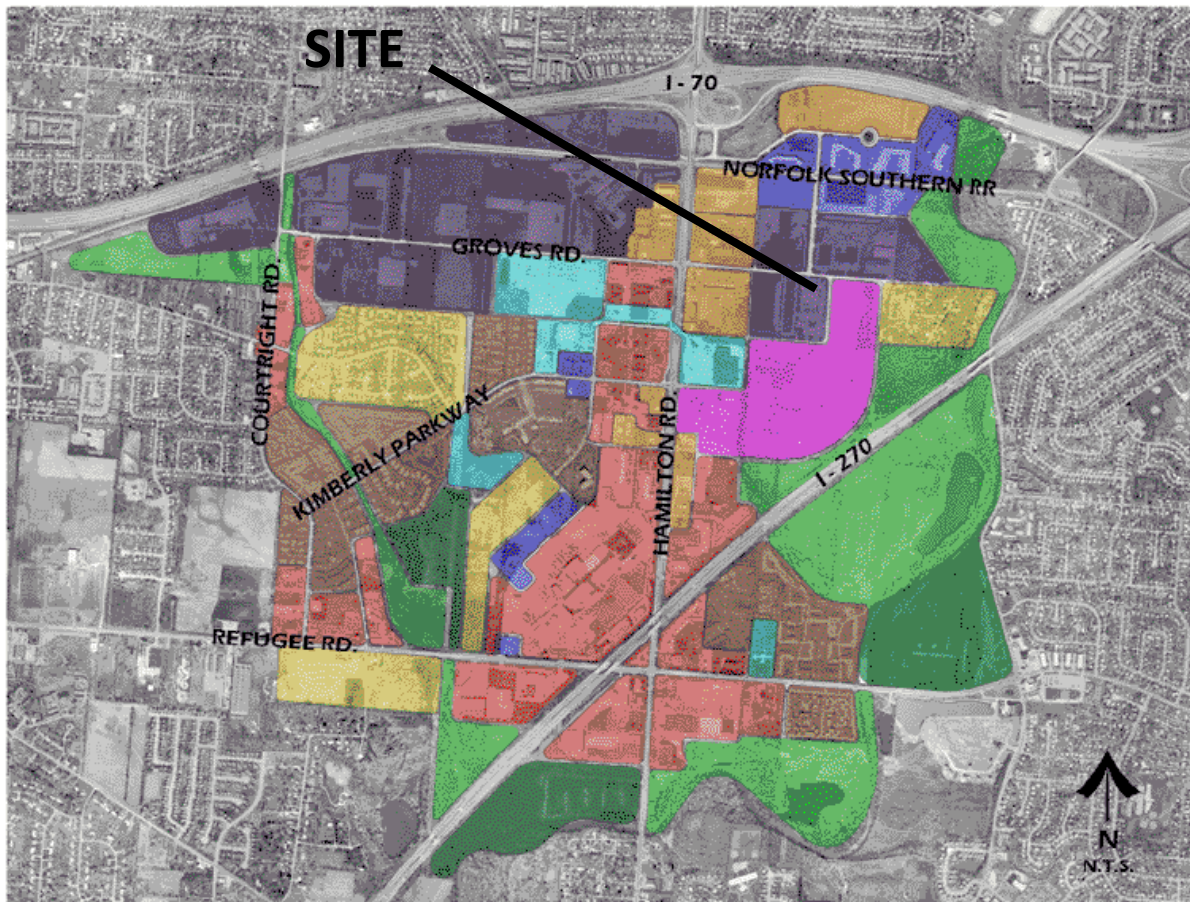
Granting the council variance will alleviate the hardship of owning a property that permits all industrial uses except the few objectionable uses permitted only in properties zoned M, Manufacturing District. Applicant is permitted to conduct the more objectionable uses detailed in Sections 3365.09 through 3365.15 of the Zoning Code; however, certain additional procedures are required for the impound lot use. The negative consequences of the proposed impound lot are mitigated by the size and location restrictions and the fact that the impound lot is secondary to the other permitted uses on the Property.











Granting this variance will not impair, or alter in any way, the adequate supply of light and air to the adjacent properties or unreasonably increase the congestion of public streets; increase the danger of fires; endanger the public safety; or unreasonably diminish or impair the public health, safety, comfort, morals or welfare of the inhabitants of the City of Columbus.



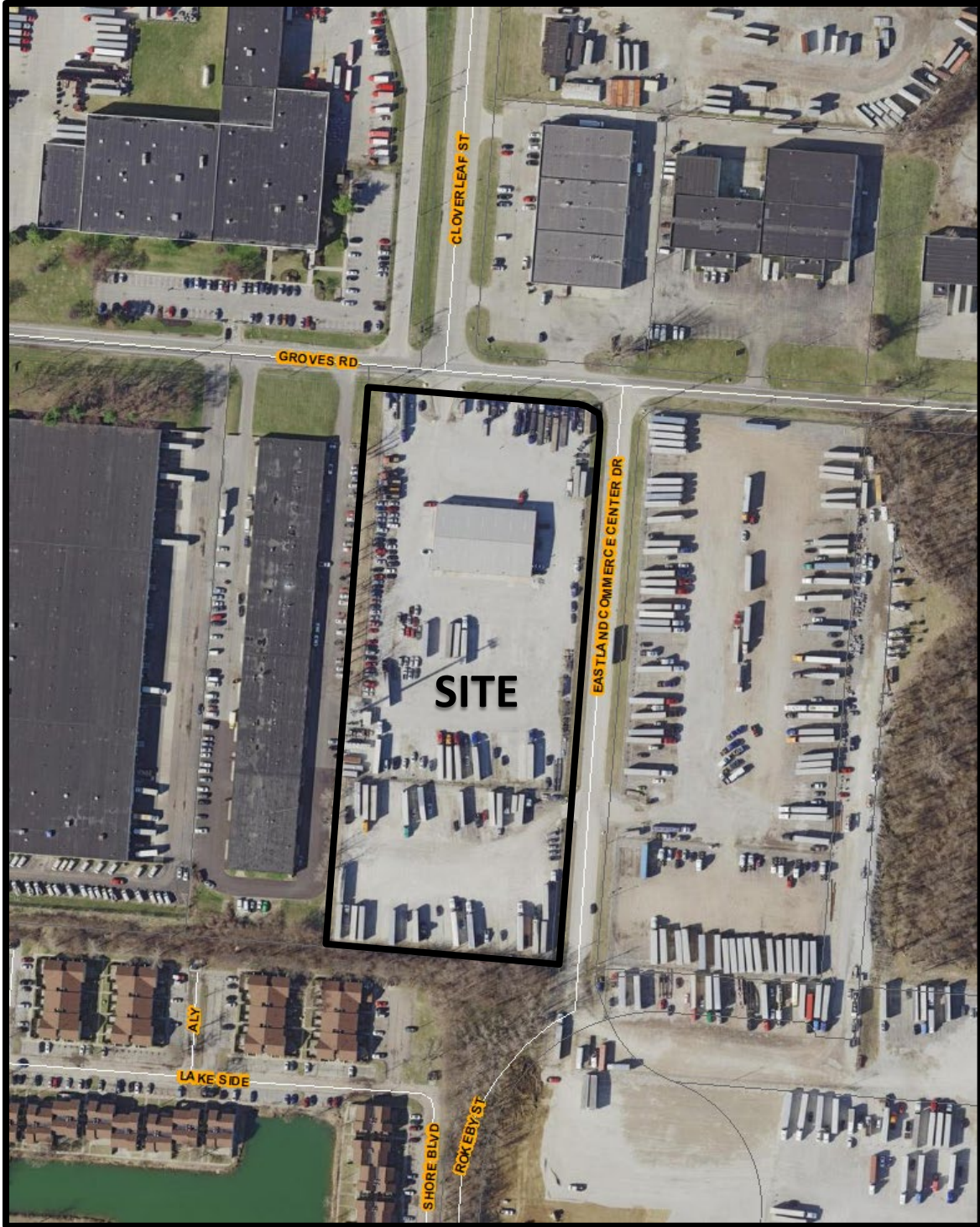
CV21-053
4645 Groves Rd.
Approximately 7.01 acres

Map 5.1: Hamilton Road Corridor/Eastland Area Future Land Use



- | | | |
|---|--|--|
|  OFFICE / RESEARCH |  INSTITUTION |  HOSPITALITY / ATTRACTION |
|  COMMERCIAL / PERSONAL BUSINESS SERVICES |  SINGLE FAMILY / TWO FAMILY RESIDENTIAL |  CONSERVATION |
|  INDUSTRIAL / WAREHOUSE |  MULTI-FAMILY RESIDENTIAL |  PARKS |
|  MIXED USE | | |

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FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW
(PLEASE PRINT)

Case Number: CV21-053

Address: 4645 GROVES RD

Group Name: GREATER SOUTH EAST AREA COMMISSION

Meeting Date: JUNE 22, 2021

- Specify Case Type:
- BZA Variance / Special Permit
 - Council Variance
 - Rezoning
 - Graphics Variance / Plan / Special Permit

- Recommendation:
(Check only one and list basis for recommendation below)
- Approval
 - Disapproval

NOTES:

Vote: APPROVAL - 9 DISAPPROVAL - 0

Signature of Authorized Representative: *A. B. K.*
SIGNATURE

COMMISSION CHAIR / ZONING CO-CHAIR
RECOMMENDING GROUP TITLE

614-378-3953
DAYTIME PHONE NUMBER

Please e-mail this form to the assigned planner within 48 hours of your meeting day; or MAIL to: Assigned Planner, City of
MAIL to: Columbus, Department of Building & Zoning Services, 111 N. Front St, Columbus, OH 43215.

Council Variance Application

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PROJECT DISCLOSURE STATEMENT

All parties having a 5% or more interest in the project that is the subject of this application should be listed.
THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION #: CV21-053

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald Plank
of (COMPLETE ADDRESS) Plank Law Firm, LPA, 411 East Town Street, Floor 2, 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 format:

Name of business or individual (include contact name and number)
Business or individual's address; City, State Zip Code
Number of Columbus based employees
(Limited to 3 lines per box)

1. Marshall Acquisitions LLC 4645 Groves Road, Columbus, Ohio 43232 0	2.
3.	4.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Donald Plank

Subscribed to me in my presence and before me this 27th day of April, in the year 2021

SIGNATURE OF NOTARY PUBLIC

[Signature]
Never

My Commission Expires:

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



Craig J. Moncrief, Attorney At Law
NOTARY PUBLIC-STATE OF OHIO
My Commission has no expiration date
Sec 147.03 R.C.

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