

~~6/16/2023~~



- 2) EXISTING PROPERTY 36.046 FT<sup>2</sup>.
- 3) EXISTING BUILDING 4,000 FT<sup>2</sup>.
- 4) PROPOSED CARPORT 1,500 FT<sup>2</sup>.
- 5) PROPOSED FENCED IN AREA 3,000 FT<sup>2</sup>.
- 6) EXISTING PARKING 1-HANDICAP, WITH 4 SPACES(S).
- 7) PROPOSED 4-QTY NEW PARKING SPACES.

THIS SITE PLAN HAS BEEN PREPARED BASED ON INFORMATION FROM FRANKLIN COUNTY AUDITORS GEOGRAPHIC INFORMATION SYSTEM (GIS). THESE MEASUREMENTS ARE APPROXIMATES AND FOR SHOWING EXISTING AND PROPOSED SITE ELEMENTS AND THEIR GIVEN LOCATIONS.

EX-2

EX-2

**Exhibit A****Council Use Variance – 2910 Scioto Darby Executive Court****Background**

Applicant is in contract to purchase the 1.00 +/- acre parcel of real property and improvements located at 2910 Scioto Darby Executive Court, Hilliard, Ohio 43026, known as Franklin County Auditor Tax Parcel Id. No. 560-239363 (the “Property”). The Property is improved with a 4,000 square foot flex warehouse/commercial building constructed in 1998, parking, and landscaping. The Property is zoned M-2, Manufacturing District, under the City of Columbus Zoning Code (the “Zoning Code”). The Property is surrounded by railroad tracks to the east and other M-2 zoned properties to the south, west, and north. Columbus Humane, which provides pet shelter, training, and other services, is located across the street from the Property.

Applicant desires to use the Property for pet daycare, grooming, boarding, and outdoor run uses. Applicant owns and operates Puptown Lounge, which currently offers daycare, boarding, and grooming services at two (2) locations in Upper Arlington and Columbus, respectively. Applicant filed this Council Variance Application in conjunction with a Special Permit Application requesting to permit an outdoor run area. A site plan dated April 18, 2023, (the “Site Plan”) depicting the Property, its existing improvements, and the proposed improvements is included with this application. Applicant is proposing to install four (4) additional parking spaces, a canopy, and an outdoor run area surrounded by a 6’ tall chain link fence with vinyl slats.

The Trabue/Roberts Area Plan recommends light industrial land uses on the Property. Typical light industrial uses include light assembly, fabrication, and related uses.

**Use Variance Request**

1. Zoning Code Section 3367.01 provides certain permitted uses in the M-2, Manufacturing, District. Applicant is requesting a variance to permit pet daycare, grooming, overnight boarding, and outdoor run uses on the Property.
2. Zoning Code Section 3389.032 provides that an animal kennel or animal shelter with outdoor runs, cages, or structures for open air confinement require a Special Permit and shall be located only in an M or M-1 District. Applicant is requesting a variance to permit an outdoor run on a property in the M-2, Manufacturing, District.

**Statement of Hardship**

A council variance may be granted if the proposed 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. The proposed uses will not adversely affect the surrounding property or neighborhood. The proposed uses are less intense than the uses permitted in the M-2 District and the uses recommended under the Trabue/Roberts Area Plan. Further, the proposed uses are compatible with the surrounding properties, which consist of similar job-oriented uses utilizing

flex warehouse buildings. In fact, Columbus Humane, which includes similar uses, is across the street from the Property. The Property is 171' feet from the closest residential building and is screened by railroad tracks and trees.

Granting the variances will alleviate the hardship of having "commercial" uses that are ideally situated for light industrial buildings. Granting the variances also alleviates the hardship of utilizing a flex office/warehouse building on an industrially zoned property. The proposed mix of uses is common for this type of facility and will offer needed services to the local residential community. The M-2, Manufacturing, District permits general office, medical office, and sports training uses, but prohibits the proposed uses.

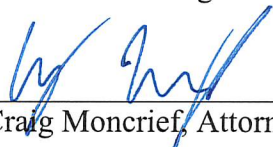
### **Area Variance Requests**

1. Section 3367.15(c) of the Zoning Code provides that the portion of the lot or parcel abutting the street line and to a depth of 50' and extending from one side property line to the other, except for the areas used for driveways and sidewalks, shall be planted with suitable ground cover and shrubbery and maintained in a neat and orderly fashion. Applicant is requesting a variance to provide two (2) parking spaces and a paved maneuverability area no less than 27' from Scioto Darby Executive Court, as depicted on the Site Plan.
2. Section 3367.15(d) of the Zoning Code provides that no portion of the required 50' off-street parking buffer shall be used for either off-street parking or loading spaces. Applicant is requesting a variance to provide two (2) parking spaces and paved maneuverability area no less than 27' from Scioto Darby Executive Court, as depicted on the Site Plan.

### **Statement in Support**

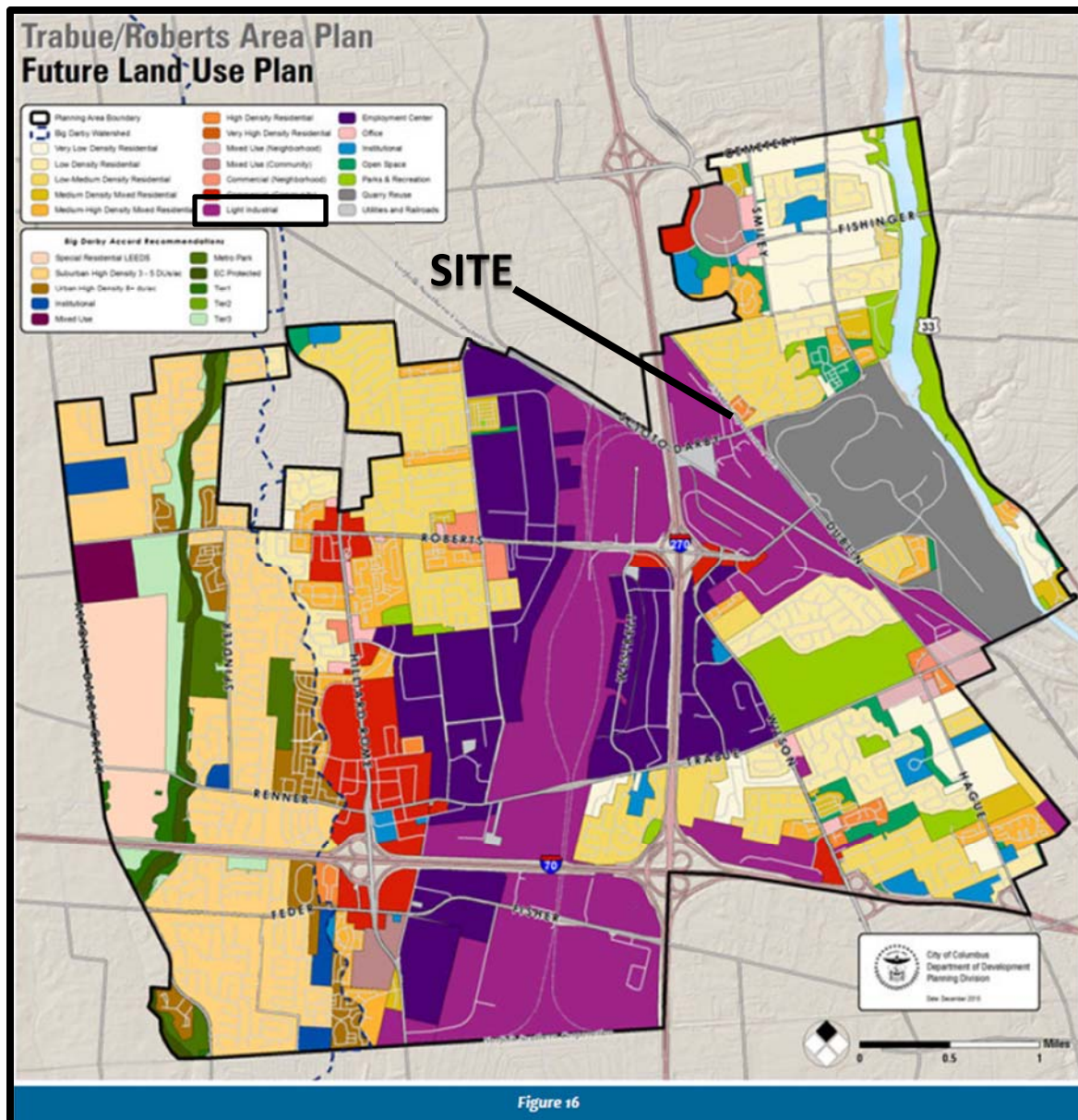
Applicant has the practical difficulty of providing code required parking on a uniquely shaped property that has an existing building. Applicant is required to provide eight (8) parking spaces to use the existing building as desired. The Property currently has three (3) parking spaces and one (1) handicapped parking space. To add the required four (4) parking spaces, Applicant must request a variance. The requested variances reasonably extend the existing parking lot and will not infringe on the enjoyment of adjacent property owners. The requested variances are reasonable requests in consideration of the unique shape of the Property (ranging from 20' to 185' of depth) and the existing buildings interaction with the Property.

The variances are not substantial and match the character of the other parking lots in the neighborhood. The variances will not adversely affect the delivery of governmental services and the Applicant's predicament can not feasibly be obviated through some method other than variance. The spirit and intent of the Zoning Code will be followed since the Applicant will provide code required parking that is adequately screened and does not change the essential character of the neighborhood.

  
 Craig Moncrief, Attorney 6/16/2023

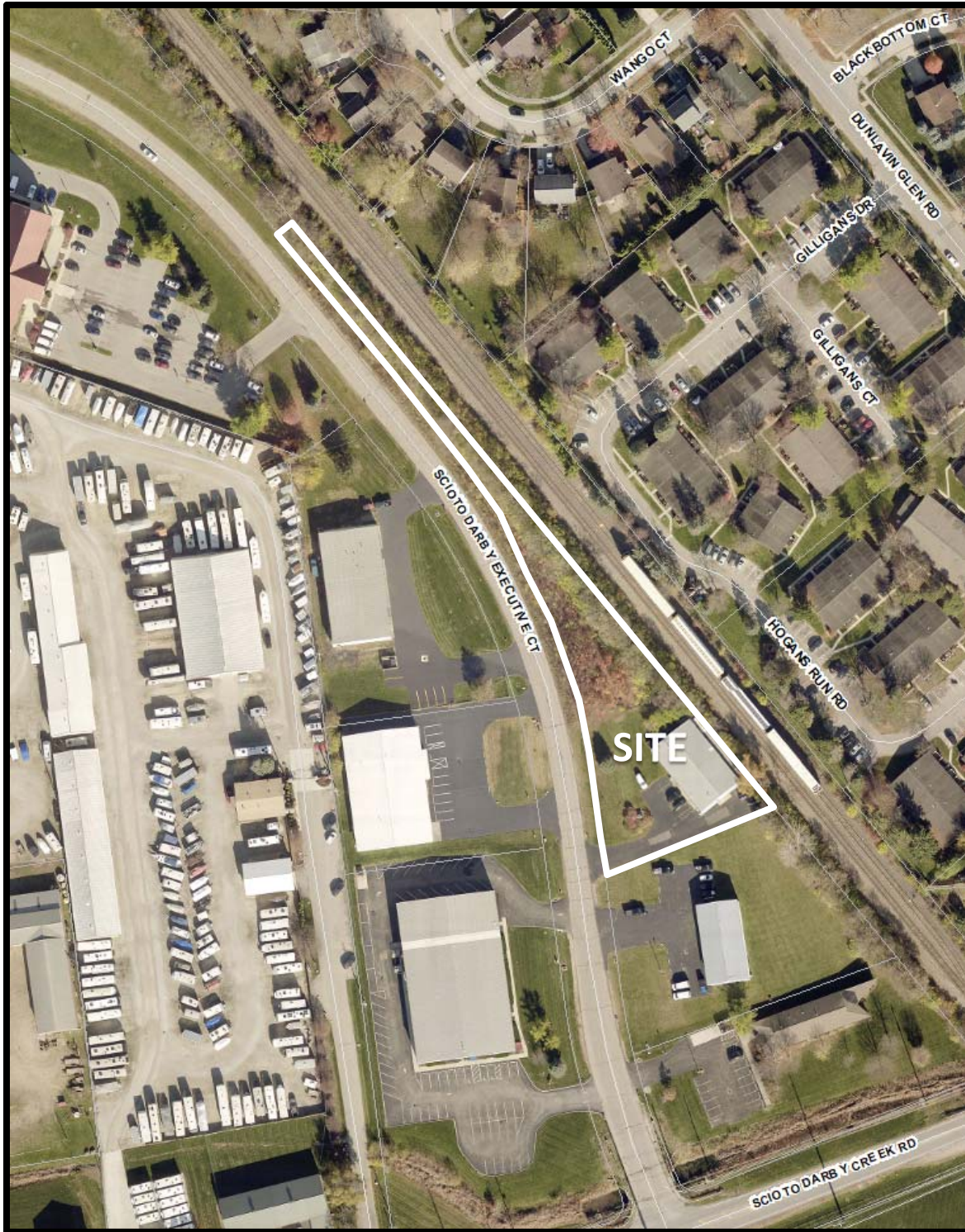


CV23-043  
2910 Scioto Darby Executive Ct.  
Approximately 1.00 acre



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Approximately 1.00 acre





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2910 Scioto Darby Executive Ct.  
Approximately 1.00 acre

**FOR USE BY: AREA COMMISSION / NEIGHBORHOOD GROUP**  
(PLEASE PRINT)

Case Number	<u>CV23-043</u>
Address	<u>2910 SCIOTO DARBY EXECUTIVE COURT</u>
Group Name	<u>WEST SCIOTO AREA COMMISSION</u>
Meeting Date	<u>June 15, 2023</u>
Specify Case Type	<input type="checkbox"/> BZA Variance / Special Permit <input checked="" type="checkbox"/> Council Variance <input type="checkbox"/> Rezoning <input type="checkbox"/> Graphics Variance / Plan / Special Permit
Recommendation (Check only one)	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Disapproval

**LIST BASIS FOR RECOMMENDATION:**

WSAC unanimously approved this application

Vote	<u>8-0</u>
Signature of Authorized Representative	<u>Kristen E. McKinley</u> <small>Digitally signed by Kristen E. McKinley Date: 2023.06.16 17:35:53 -04'00'</small>
Recommending Group Title	<u>WSAC</u>
Daytime Phone Number	<u>614-404-9220</u>

Please **e-mail** this form to **the assigned planner within 48 hours of meeting day**; OR **FAX** to Zoning at (614) 645-2463; OR **MAIL** to: Zoning, City of Columbus, Department of Building & Zoning Services, 111 N Front Street, Columbus, Ohio 43215.



## Council Variance Application

111 N Front Street, Columbus, Ohio 43215  
Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

### PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV23-043

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

Being first duly cautioned and sworn (NAME) Craig Moncrief  
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 (including 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. DBT Group LLC 2919 Clifton Road, Columbus, Ohio 43221 57	2. Clifford Boyden (50% owner of DBT Group LLC) 2919 Clifton Road Columbus, Ohio 43221
3. Sarah Himelstein (50% owner of DBT Group LLC) 4567 Crompton Road Columbus, Ohio 43220	4.

☐ Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 25<sup>th</sup> day of April, in the year 2023

Lynette Mapes  
SIGNATURE OF NOTARY PUBLIC



8/10/24  
My Commission Expires  
**Lynette Mapes**  
Notary Public, State of Ohio  
My Commission Expires 08-10-24

Notary Seal Here

***This Project Disclosure Statement expires six (6) months after date of notarization.***