

T. Marzetti Company 1709 Frank Rd.

Council Variance Application

Statement of Hardship

The facility located at 1709 Frank Road (Allen Dairy) had been a processing/food manufacturing facility dating back to 1930 when it was a milk producer, and possibly even earlier. A warehouse was added in 1970. The facility was sold to Lancaster Colony in 1980. In 1987 a cooler was added, this was likely the project that triggered the 1986 rezoning of the site from residential to limited manufacturing (L-M; allowing all M-2 uses) likely linked to the current zoning documents that include limitation text regarding the setbacks. We have a separate rezoning application in progress to rezone the site to M-2.

The existing facility has many of the original 1930 (or earlier) portions of it located within the setbacks on both Frank and Gantz roads. We are currently seeking to perform a necessary utility system upgrade for the facilities boiler and HVAC systems which are located in this original portion of the facility, within the setbacks. Due to current code and clearance requirements, a small expansion and new equipment pad is required to accommodate the replacement equipment. To accommodate the new equipment pad, we are demolishing the portion of the facility that currently protrudes into the municipality-owned right-of-way. The new construction is not proposed to be built back within the right of way, however both the expansion and the equipment pad are proposed to be located within the M-2 setbacks, similar to the existing facility. We have evaluated other possible locations for this new work to try and avoid construction within the setbacks, but other locations would be cost prohibitive, requiring the relocation of the plant's main boiler system, and replacing the steam lines throughout the entire facility, which would require frequent long-term shutdowns and loss of production operations. Placing the air handling unit on the roof of the existing building would require a full structural replacement of that portion of the facility, which would require a long-term shutdown and loss of operations of that part of the facility. Moving the transportation loading zones to an alternative location is not economically or structurally feasible given the current points of ingress and egress for the trucks and movement of product throughout the facility. The additional costs and loss of production of this magnitude would no longer make this project improvement financially justifiable for the business.

We are seeking three variances to code section 3367.15 paragraph (a), regarding building setbacks established for M-2.

Request No. 1: Variance from Section 3367.15 (a). We are requesting the 50 foot setback along Frank Road be reduced to 23 feet from the right of way for the construction of the required boiler room expansion, this will also remove the other existing portions of the facility from within the setback.

Request No. 2: Variance from Section 3367.15 (a). We are requesting the 50 foot setback along Gantz road be reduced to 0 feet from the right of way for the construction of the

required equipment pad and screening, this will also remove the other existing portions of the facility from within the setback.

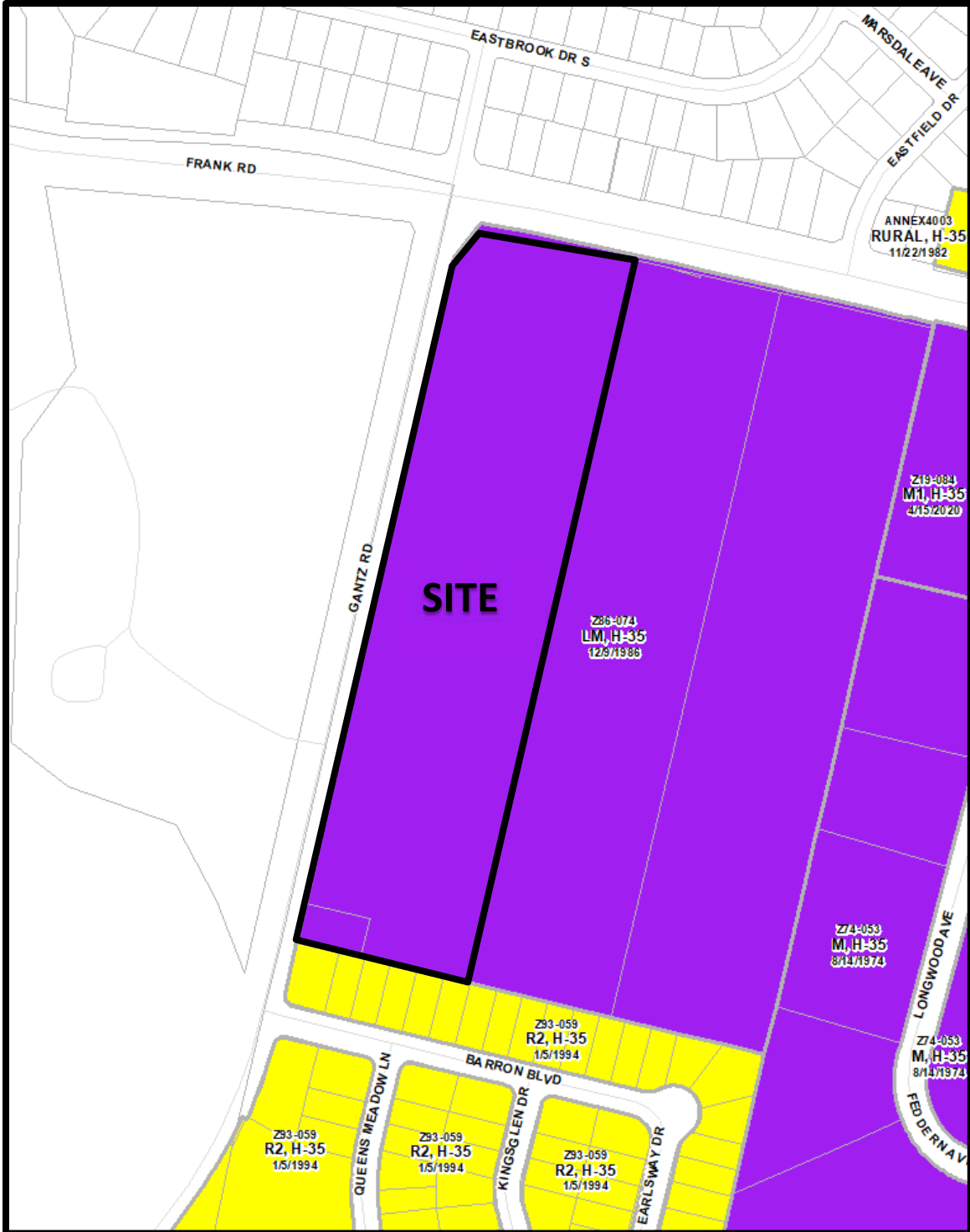
Request No. 3: Variance from Section 3367.15(d). We are requesting the 50 foot buffer along Gantz Road be reduced to 0 feet for the continued use of transportation loading docks.

It is our opinion that this proposed project will not alter the character of the neighborhood, and the neighboring properties will not suffer any detriment as a result of this variance. In fact, we believe they will enjoy the more aesthetically pleasing appearance of the facility along Frank Road. The building no longer being located within the right of way is an additional improvement. It is also our opinion that there is no other reasonable alternative way to make these very necessary utility upgrades without building some structures back within the setback as it is today, and that we are making every attempt to observe the spirit and intent of the zoning requirement. It is also our opinion that these variances are required in order to bring the existing facility out of the setbacks.

Signed:

A handwritten signature in black ink that reads "Holly F. Gross". The signature is written in a cursive, slightly slanted style.

Holly F. Gross
11/22/22



CV22-107
1709 Frank Rd.
Approximately 10.68 acres

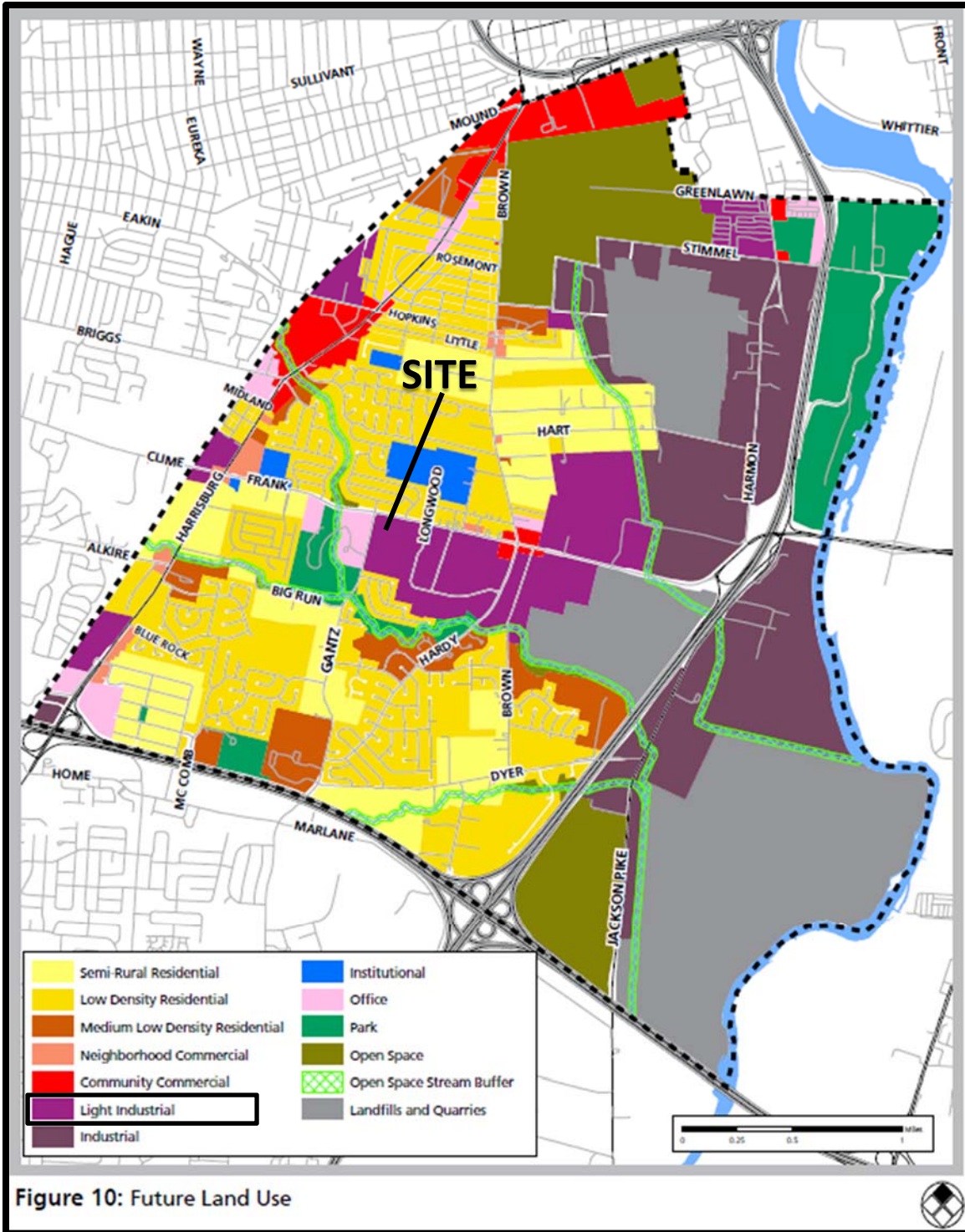


Figure 10: Future Land Use

CV22-107
1709 Frank Rd.
Approximately 10.68 acres



CV22-107
1709 Frank Rd.
Approximately 10.68 acres

Standardized Recommendation Form

DEPARTMENT OF BUILDING
 AND ZONING SERVICES

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

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

Case Number	Z22-080 & CV22-107
Address	1709 FRANK RD
Group Name	SOUTHWEST AREA COMMISSION
Meeting Date	10/18/22
Specify Case Type	<input type="checkbox"/> BZA Variance / Special Permit <input checked="" type="checkbox"/> Council Variance <input checked="" 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:

As they were in a hurry to get this project off the group I did a site visit the day prior to our Commission meeting - below are our meeting notes
 Marzetti, 1709 Frank Road Lisa Rathburn, VP of Engineering Ben Breyley, Project Manager with Hixson Holly Gross, Benesch Law Firm Facility is the Allen Dairy - history, was an operating dairy before bought by Marzetti Trying to sustain facility, maintenance upgrades, hot water boiler, cold water chiller, HVAC, not expanding the operations Make veggie and fruit dip and make Chic-fil-A dip cups Oldest part of the building that is there, zoned in the mid-80, limited manufacturing Want to rezone to M2 and do the construction that is in the area Get out of the right away for the municipality, improvement Two trees did have to go, open to replacement of the trees 165 people employed there Bike and walk to work, live in the surrounding area Motion to approve the re-zoning and the council variance with the recommendation to replace the two trees anywhere on the property - Olibisi Liz - second Result - Unanimous Approval

Vote	Approved
Signature of Authorized Representative	Signature on File
Recommending Group Title	Zoning Chair
Daytime Phone Number	614-214-5727

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.



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PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV22-107

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) Holly F Gross
of (COMPLETE ADDRESS) 415. HIGH ST STE 2600, COLUMBUS, OH 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. <u>T. MARZETTI COMPANY (MARZETTI MANUFACTURING) 380 POLAKIS PARKWAY, STE 400, WESTERVILLE, OH 43082 561 COLUMBUS-BASED EMPLOYEES</u>	2.
3.	4.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT [Signature]

Sworn to before me and signed in my presence this 4th day of October, in the year 2022

Leah Alford McCre Notary Seal Here
SIGNATURE OF NOTARY PUBLIC My Commission Expires 10/21/24



LEAH ALFORD McCre
Notary Public, State of Ohio
My Commission Expires 10/21/24

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