



DEPARTMENT OF BUILDING AND ZONING SERVICES

COUNCIL VARIANCE APPLICATION

Department of Building & Zoning Services

Scott Messer, Director
757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov

CV16-026

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.

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 requested as detailed below:

See Exhibit "B"

Signature of Applicant

Donald Plank

Date

3/31/16

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 B

Statement of Hardship

CV16-026

3833 W Broad Street

The 5.25 +/- acre site is located on the south side of W. Broad Street at the southwest corner of W Broad Street and Viotis Drive. The site is zoned C-4, Commercial and is developed with a 41,000 +/- SF building most recently used for an automobile sales and repair business. Applicant proposes to use the building as a retail auto parts store (AutoZone) and inventory distribution center for other central Ohio retail auto parts stores (AutoZone). The Greater Hilltop Plan Amendment (2010) ("Plan") recommends Mixed Use – Regional land use. The existing C-4 zoning and the large existing building size (41,000 +/- SF) is consistent with the Plan recommendation.

While retail use of the property is presently permitted, as is the retail component of the proposed use, the retail parts inventory, other than for on-premise sales, and distribution of inventory to other retail stores , requires a variance in the C-4 district. The building is large for a single retail use other than auto related uses requiring large areas for display or repair. The proposed use is consistent with the design of the building. Applicant anticipates employing approximately 40 people at this location with both the retail and distribution functions.

Applicant has a hardship and practical difficulty with complying with the C-4 district use provisions to permit an automotive parts distribution center in conjunction with on-premise retail sale of automotive parts. The existing building was designed for auto related uses. The proposed use includes both retail and distribution uses appropriate for the location, the arterial corridor and close proximity to I-270.

Applicant requests the following variances:

- 1). 3356.03, C-4, Permitted Uses, to permit use of up 36,700 SF of the existing building for storage and distribution of automotive parts and accessory uses, in conjunction with an on-premise retail automotive parts store (min. 4,000 SF).
- 2). 3312.21(D)(1), Landscaping and Screening, to reduce the required width of landscaped area for headlight screening from four (4) feet to two (2) feet, due to W. Broad Street right of way dedication.
- 3). 3312.27, Parking Setback Line, to reduce the required parking setback from ten (10) feet to two (2) feet due to W. Broad Street right of way dedication.

Applicant requests the following conditions to be included in the variance ordinance:

1). In conjunction with the final Site Compliance Plan, applicant shall deed 60 feet of right of way from the centerline of West Broad Street to the City of Columbus.

2). Headlight screening meeting the standards of Section 3312.21(D), Landscaping and Screening, as modified by variance to permit the width of the headlight screening landscaped area to be two (2) feet wide rather than four (4) feet wide, shall be shown along the West Broad Street frontage of the site on the final Site Compliance Plan and shall be installed at the site prior to the Certificate of Occupancy being issued for alterations to the building for use as a distribution facility for automotive parts.

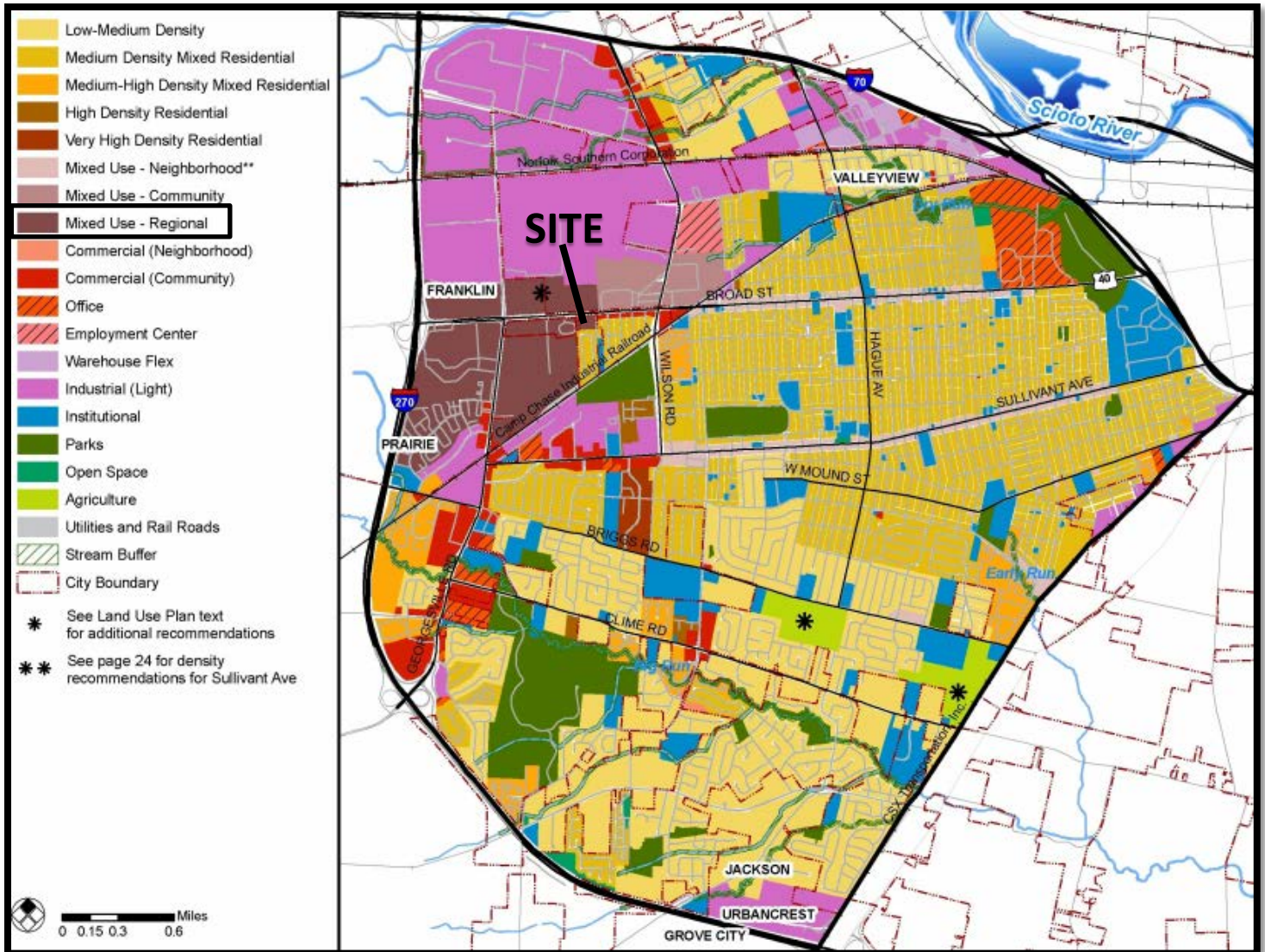
3). Parking lot screening along the south property line shall meet the screening standard of Section 3312.21(D), Landscaping and Screening. The existing plant material and fence, augmented as needed, may be used to meet the screening standard.

4). A minimum of 4,000 SF of the building shall be used for a retail automotive parts store. Applicant shall document the retail store SF and automotive parts distribution use on the final Site Compliance Plan.

06-20-2016



CV16-026
3833 West Broad Street
Approximately 5.25 Acres



CV16-026
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Approximately 5.25 Acres



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3833 West Broad Street
Approximately 5.25 Acres

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DEPARTMENT OF BUILDING
AND ZONING SERVICES

FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW

Case Number CV16-026
Address 3833 WEST BROAD ST 43228
Group Name GENERAL HILTOP AREA COMMISSION
Meeting Date 6/7/2016

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

- Recommendation
(Check only one)
- Approval
 - Disapproval

NOTES: _____

Vote FOR = 11 AGAINST = 0 ABSTAIN = 0
Signature of Authorized Representative [Signature]
SIGNATURE
ZONING COMMITTEE CHAIR
RECOMMENDING GROUP TITLE
614-653-7653
DAYTIME PHONE NUMBER

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

APPLICATION # CV16-026

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald Plank, Plank Law Firm
of (COMPLETE ADDRESS) 145 East Rich Street, 3rd Floor, 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
Business or individual's address
Address of corporate headquarters
City, State, Zip
Number of Columbus based employees
Contact name and number

<p>1. Autozone, Inc. 123 S. Front Street Memphis, TN 38103 # of Columbus Based Employees: 150 Contact: Phillip Pecord (901) 495-8706</p>	<p>2. David P. & Kendal L. Frayer, Tr. 11315 Waters Welling Way Edmond, OK 73013-0456 # of Columbus Based Employees: 0 Contact: David P. Frayer (405) 526-7000</p>
<p>3. _____</p>	<p>4. _____</p>

Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT Donald Plank

Sworn to before me and signed in my presence this 31st day of MARCH, in the year 2016

Stacey L. Danza
SIGNATURE OF NOTARY PUBLIC

11-5-2018
My Commission Expires

Notary Seal Here

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Please make checks payable to the Columbus City Treasurer.



Rev 12/15 slp
Stacey L. Danza
Notary Public, State of Ohio
My Commission Expires 11-05-2018