





### COUNCIL VARIANCE APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services  
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • [www.columbus.gov](http://www.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.

**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 January 17, 2014  
 WTOL LLC  
 By: Donald Plank, Attorney

**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 all checks payable to the Columbus City Treasurer

**EXHIBIT B**  
**Statement of Hardship**

**3469 South High Street, Columbus, OH 43207**

**Council Variance # CV13-040**

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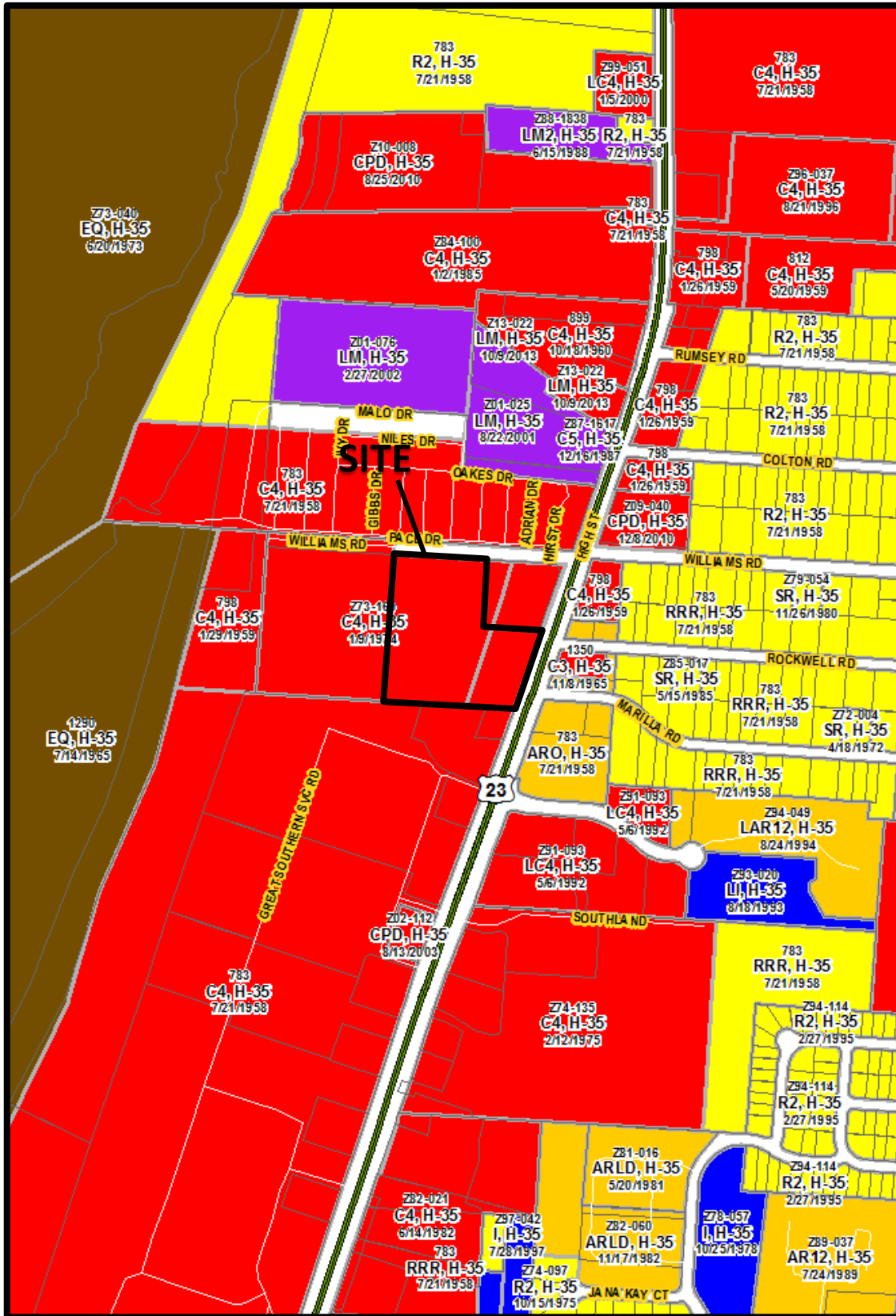
The 7.696 acre site is located on the west side of South High Street and south side of Williams Road. The site is zoned C-4, Commercial and is developed with a 94,500 sq. ft. building and large parking fields. The building was formerly a K-Mart, but the K-Mart has been closed. 24,150 sq. ft. of the building on the South High Street side is presently used for miscellaneous retail tenants. 70,350 sq. ft. or 75%, of the building is vacant. Applicant proposes to use the 70,350 sq. ft. of vacant space in the building for self storage and also proposes to use the existing north parking field for vehicle storage. The north parking field is paved, illuminated and was part of the on-site accessory parking for K-Mart. Vehicle storage will not include wrecked vehicles. The parking lot appearance will be no different than a parking lot with vehicles when the retail store was operating and viable. The east parking lot, fronting and accessed from South High Street, will remain for the retail uses. Applicant has a hardship in that the South High Street corridor is predominantly a retail corridor, but big box retail use of this property at this time isn't viable. At such time as a viable big box user is possible, the property could easily be converted back to retail use. Few alterations are being made to the exterior of the property other than to secure the vehicle storage area. The large interior open space of a big box use is easily adapted for self storage. South High Street right of way dedication in accordance with the Columbus Thoroughfare Plan will cause the existing South High Street parking setback and ground sign setback to become non-conforming. Variances are cited for the South High Street parking setback and ground sign setbacks to permit them at the setbacks noted after right of way dedication.

Applicant requests the following variances:

- 1) 3356.03, C-4, Permitted Uses, to permit storage as a primary use rather than an accessory use to permit a change of use of up to 70,350 sq. ft. of the existing building from retail to self-storage use and to permit outside vehicle storage in the north parking lot, as depicted on the Site Plan.
- 2) 3312.27, Parking Setback Line, to permit the existing ten (10) foot parking setback for the existing commercial parking lot along Williams Road, rather than a 25 foot parking setback for Manufacturing District uses, and to permit part of the existing South High Street parking setback, as depicted on the Site Plan referenced in the variance ordinance, to be zero (0) – ten (10) feet, as noted, due to South High Street right of way dedication in accordance with the Columbus Thoroughfare Plan (60 feet from centerline).

- 3) 3372.804, Setback Requirements, to permit part of the existing South High Street parking setback, as depicted on the Site Plan referenced in the variance ordinance, to be zero (0) – ten (10) feet, as noted, due to South High Street right of way dedication in accordance with the Columbus Thoroughfare Plan (60 feet from centerline).
- 4) 3377.05, Tables of Elements for On-premise Ground Signs, to permit the existing South High Street ground sign to be located at a nine (9) foot setback after right of way dedication in accordance with the Columbus Thoroughfare Plan totaling 60 feet from centerline.

01-17-14



CV13-040

3469 S. High Street

Approximately 7.696 acres

Request: Council Variance to permit self-storage and vehicle parking/storage





CV13-040  
3469 S. High Street  
Approximately 7.696 acres  
Request: Council Variance to permit self-storage and vehicle parking/storage

**Proehl, Victoria J.**

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**From:** Becky Walcott <bwalcott65@gmail.com>  
**Sent:** Tuesday, December 17, 2013 12:03 PM  
**To:** Proehl, Victoria J.  
**Cc:** robingetsreal@yahoo.com; bobpatterson45@yahoo.com  
**Subject:** Far South Cols Area Commission Zoning response for CV13-040 2

Tori,

The zoning variance was heard at the commission meeting Dec.5, 2013.

The vote to not allow this zoning was :

10 yes votes to deny and 2 abstentions.

We are not recommending the zoning variance to allow the C4 to allow indoor and outdoor storage.

Please let me know when this will go before City Council as we will be in attendance to speak.

Thank You,

Becky Walcott

Zoning Chair

Far South Cols. Area Commission

614-312-4593



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## 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 # CV13-040

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] Donald Plank

Of [COMPLETE ADDRESS] Plank Law Firm, LPA, 145 E. Rich Street, 3rd Floor, Columbus, OH 43215-5240

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

|                                                                                                                                      |            |
|--------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1.<br>WTOL, LLC<br>23219 W. 30th Street N<br>Haskell, OK 74436<br>Contact: Dennis Wood, (918) 482-3602<br># of Columbus Employees: 0 | 2.<br><br> |
| 3.<br><br>                                                                                                                           | 4.<br><br> |

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 17th day of JANUARY, in the year 2014

SIGNATURE OF NOTARY PUBLIC

*Barbara A. Painter*

My Commission Expires:

AUGUST 3, 2015

Notary Seal Here



**BARBARA A. PAINTER**  
Notary Public, State of Ohio  
My Commission Expires AUGUST 3, 2015

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

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