

**Statement of Hardship  
Council Variance Application  
1675 Georgesville Square Drive**

The subject site has been zoned and rezoned, as recently as February 2003 (Z02-034), to CPD, Commercial Planned Development, in a detailed effort to demonstrate compliance with the City of Columbus Zoning Code. Pending Code violations, which precipitated the 2003 amendments to the original zoning and site plan, are currently before the Environmental Court where all issues have been resolved, pending zoning clearance approval of an amended site plan.

That amended site plan contemplates previously-approved expansions of the outdoor retail display areas and the fenced storage area which is the subject of this application. The expansions are necessary in furtherance of remedying the prior Code violations, which resulted from merchandise being sold and/or stored outside of designated areas, due to the high-volume, bulk nature of this retail establishment.

Most recently, in order to correct certain site data so that zoning clearance approval could be appropriately issued, Applicant filed an amendment to the existing CPD (Z02-034) in February 2005. Through that pending amendment process, it was determined that the fenced outdoor storage area adjacent to the rear of the building technically remains a prohibited use. Although the outdoor storage use was permitted in a limited fashion for the sole purpose of alleviating then existing Code violations, the Building Services Division Staff has requested that Applicant file this council variance application to more permanently allow the use in this CPD district.

Therefore, Applicant requests a variance from C.C.C. §3361.02 (CPD, Permitted Uses), to allow "storage in bulk for a building materials sales facility," an otherwise less objectionable use permitted in the M, Manufacturing District (§3363.02).

The Applicant's practicable difficulty cannot be feasibly obviated by other means, as the use is established onsite and critical to the daily operations of Lowes. Especially during the summer months when gardening sales are at their peak, the storage area is necessary for the overflow of bulk merchandise. Again, the fenced storage area is a key component in alleviating concerns of Code compliance, as the site historically had problems with merchandise being stored on the lot pavement, in open view. By permitting the fenced storage area in the rear of the building to remain, those materials will be stored from view in an orderly, appropriate manner.

This request does not adversely effect the delivery of governmental services. The spirit and intent of the zoning requirements will be upheld and substantial justice done by granting this request. For all of the above-stated reasons, Applicant respectfully requests the necessary variance be granted.