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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

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 conjuction 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

List all sections of Code to be varied and explain your reasoning as to why this request should be granted.

PLEASE NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are discovered after your application is approved, a new application will be required.

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(s) requested as detailed below (use separate page if needed or desired):

See attached statement of hardship for variances listed below:

Storage/Parking of food trailer
Take out service from the food trailer
Future outside seating
3332.033 - vary use in R-2 for uses above
900 sq ft. or less accessory eating 1:175 (4 spots)
3312.21 - Eliminate parking lot landscaping and screening
3312.27 - Reduce parking setback from 25' to 0' on Rankin Ave, and 20' on Mock Road
3312.49 - (C) Reduce parking to 4 on-site spaces (if needed outside seating is provided)
3332.21 (B) Reduce building setback from 25' to 20' along Rankin Ave and Mock Road
Signature of Applicant Malloom Date 5/22/17

CV17-040

Statement of Hardship

May 15, 2017

Re: 2058 Mock Road

Columbus, Ohio 43219

My name is Thallissa Bowman, owner and operator of Floyd's Southern Cooking, LLC. I currently have an operating food trailer. I have been in business since 2011. I previously rented 1420 E. 5th Avenue under the business name. That property is currently up for sale. During the time I rented that property I had a number of different issues with the bldg. I fulfilled my lease term and invested in a food trailer. I am a small business that would like to stay in this area. However with the cost of renting or buying a bldg. in the 43219 area right now it is not feasible. I am currently renting space(s) on a daily basis to operate. The space(s) that I have been renting is limited on parking and also very costly.

I have purchased a lot that is currently zoned R-2. When I purchased this lot, the previous seller and I were under the assumption that it was vacant commercial land. I was informed through City of Columbus/Zoning that this property was annexed over from the township and that the usage was R-2. This land has been used as a vacant commercial land since 1989 for a trucking company. And from speaking with the neighbors, they informed me that it was used as a beauty shop prior to 1989 for over 15 years. With finding out this information, I have since spoken with Shannon Pine and Michael Marit/City of Columbus in regards to having this lot rezoned, special use, or even having a variance.

My intention was to provide asphalt parking, and picnic tables or seating for my customers. I would also like to construct approx. a 900 sq. ft. or less bldg. that will be used to hold misc. items that I do not have adequate space for on my trailer, and to secure the my belongings at night. It is my intentions to transition from the trailer and to operate in the building at a later time.

I have taken the time to start a petition from some of the people that currently support my business that are requesting your consideration in this matter. I have also taken the time to speak to the neighbors that will be adversely affected by my trailer. The neighbor to East of the lot is requesting that I do not put a fence or tree line shrubbery that will obstruct their view. They are not opposed to the shrubbery they would prefer that shrubs are miniature in size or flower bed of some sort. The neighbor in the rear of the lot is requesting that I leave a chain link fence that is

currently there now verses putting in wood fence. I am required to install a wood fence to soften the appearance of the dumpsters and grease container. Because my dumpster in rather small, he is in agreeance with that to satisfy code requirements.

Due to financial cost to erect a building, I am asking that be broken into 2 phases. Phase 1 will consist of stripping the asphalt parking lot where required, installing fencing around the dumpster and grease container, planting shrubbery and flowers along the adjacent lot, landscaping the front entrance of Mock Road with pavers, flowers, shrubbery, seating, and directive post(s) with chain link connections to prevent direct access on to Mock Road.

Phase 2 will consist of architectural drawing approved by the city of Columbus Planning division, Building Codes. Applying for permits that would be required and finally obstructing the building, and inspections per each trade.

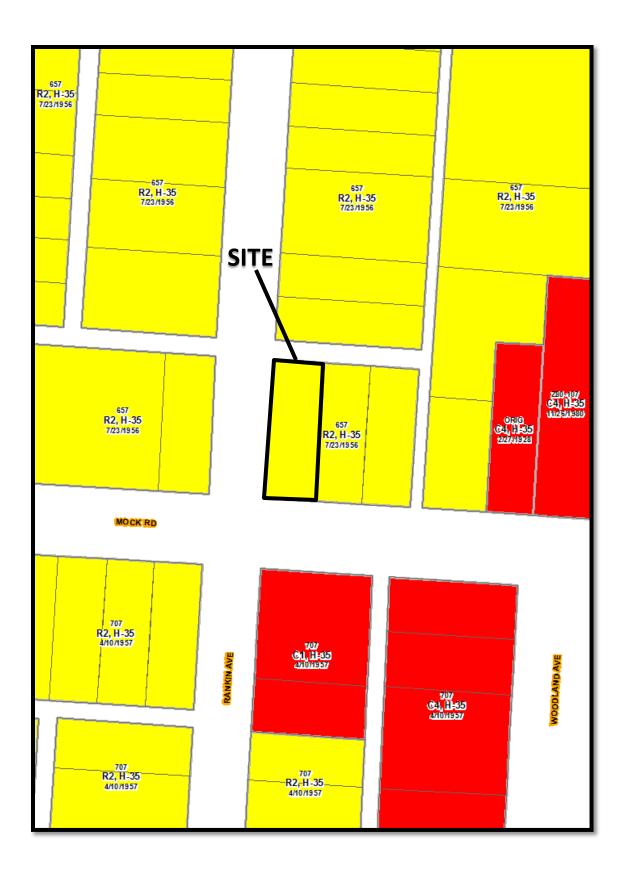
By breaking this project into phases this will allow me to continue to operate, generate income revenue that will help me fund this venture, and allow me to save money in the same process by eliminating the money that I am paying out to rent a space.

The response that I have received has been very welcoming. I have also taken the time to speak with Christopher Lohr/Department of Development – Planning Division City of Columbus in regards to the variance and explained to him what I was trying to achieve. He made suggestions and recommendations to me to speak with the surrounding neighbors, get feedback, and provide a buffer between the surrounding lots.

I am asking for time and consideration in this matter.

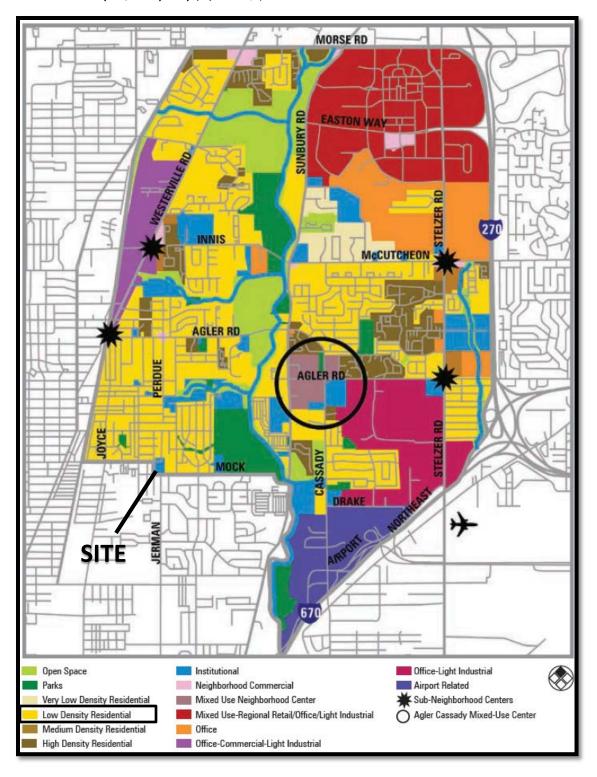
The following list of sections of zoning code to varied is attached.

Sincerely, Thallissa Bowman



CV17-040 2058 Mock Road Approximately 0.12 acres

Northeast Area Plan (2007)



CV17-040 2058 Mock Road Approximately 0.12 acres



CV17-040 2058 Mock Road Approximately 0.12 acres

"Together we can build a stronger community"

July 11, 2017

Ms. Shannon Pine
Department of Development
Building & development Services
757 Carolyn Ave
Columbus, OH 43224

Ms. Pine:

Subject: CV17-040, property known as 2058 Mock Road, Columbus, OH 43224. The North East Area Commission at public meeting on July 6, 2017, voted to approve both phases of this application with conditions.

- 1. Construct a 6ft fence to screen neighbors to the East of property in question
- 2. Proper screening on Mock Road of 3ft evergreen trees on a 3 or 4 ft mound.
- 3. No overnight parking of food truck with an exemption for two to three days during construction of permanent structure.
- 4. Sidewalk on Mock Road once construction begins.

Access points will be reviewed and approved by Public Service.

Sincerely

Commissioner Porter – Zoning Chair

Cc: Elwood Rayford – NEAC Chair Thallissa Bowman - Applicant



DEPARTMENT OF BUILDING AND ZONING SERVICES

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757 Carolyn Avenue, Columbus, Ohio 43224

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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 #CU[7-040	
this application in the following format:	, OIIIO 40224	
Rueben Bowman 2096 Mecca Road Columbus, Ohio 43224 614-804-6587 1- employee 3-	2. 4·	
☐ Check here if listing additional property owners on a separate page. SIGNATURE OF AFFIANT Shallwaah		
37	of, in the year	