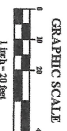
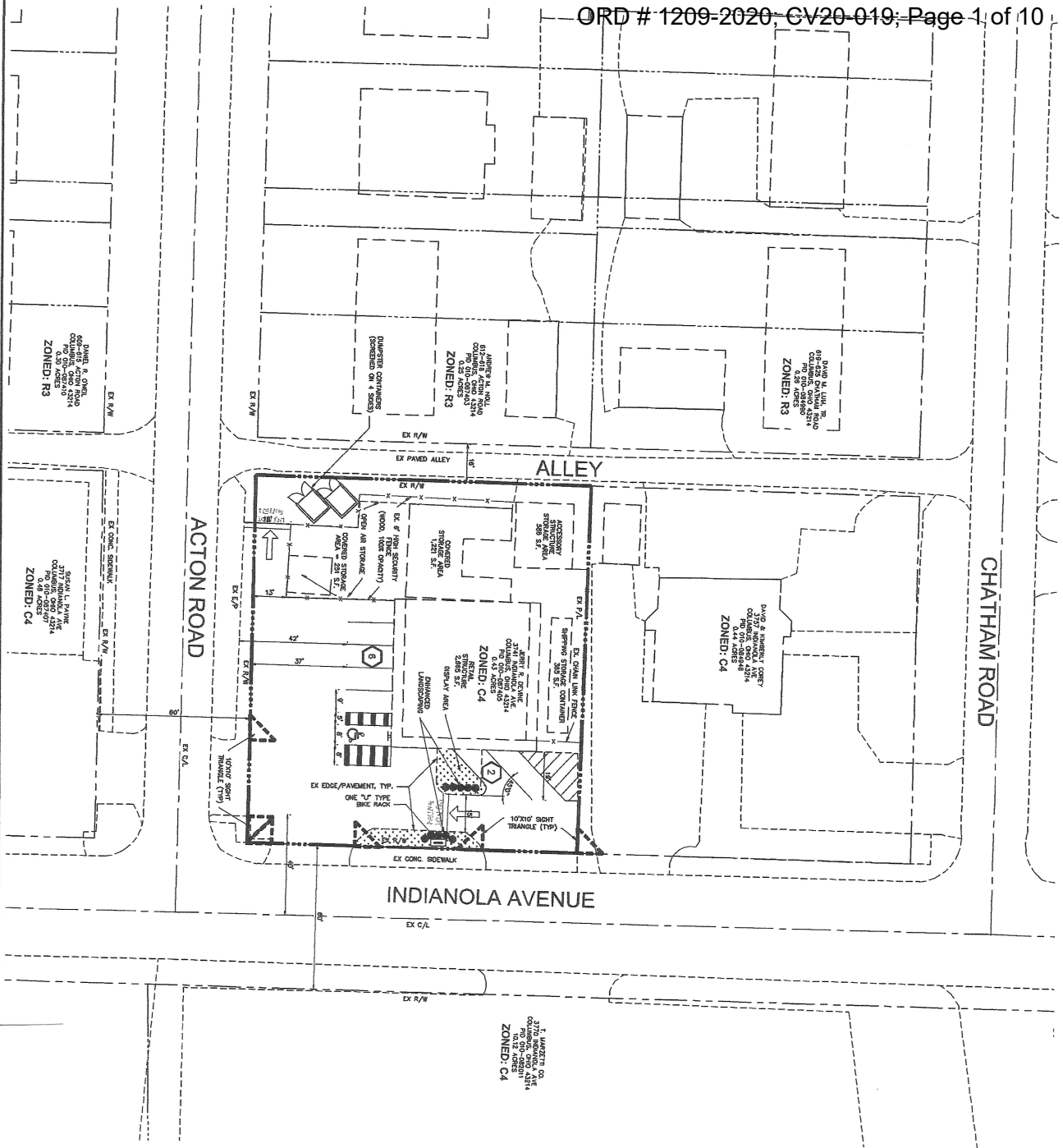


CV20-019; Final Received 5/13/20



SITE STATISTICS:

TOTAL PROPERTY AREA: 0.43 ACRES
CURRENT ZONING: C4, COMMERCIAL, DISTRICT

2024 INDIANOLA AVENUE


EXISTING IMPROVEMENTS:

- 1. DRIVE / 200 SF
- 2. 2000 SF X 1.5 DRIVE / 200 SF = 11 PARKING SPACES
- 3. 2000 SF X 1.5 DRIVE / 200 SF = 11 PARKING SPACES
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TOTAL SPACES REQUIRED: 16 SPACES PER 3312.48
TOTAL SPACES PROVIDED: 8 SPACES

5/13/2020

Michael J. Starnes

CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO		PLAN PREPARED BY:	
ZONING SITE PLAN FOR COMO MOWERS		 422 Beuther Road Columbus, Ohio 43230 ph 614-428-7790 fax 614-428-7799	
3741 INDIANOLA AVENUE			
Date: 04/27/2020	Issue Date:		
Drawn By: CHS	Checked By:		
Project Number: 20-0001-1085	Scale: 1" = 20'		
Drawing Number: 1/1			



DEPARTMENT OF BUILDING
AND ZONING SERVICES

Council Variance Application

111 North Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • www.columbus.gov/bzs • zoninginfo@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

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):

Please see attached.

Signature of Applicant

Michael J. Danner

Date

2/24/2020

CV20-019

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

STATEMENT OF HARDSHIP

Property Address: 3741 Indianola Avenue
Columbus, Ohio 43214

Parcel ID: 010-087405

Owners: Gerald Devine
529 Gordon Lane
Sparta, Tennessee 38583

Applicant: Como Mower Service & Sales LLC
3741 Indianola Avenue
Columbus, Ohio 43214

Attorney: Michael T. Shannon, Esq.
Underhill & Hodge LLC
8000 Walton Parkway, Suite 260
New Albany, Ohio 43054
mike@uhlfirm.com

Date: April 28, 2020

The Applicant submits this Statement of Hardship in support of the requested Council Variance to accommodate the existing business on-site. The Site is located on the west side of Indianola Avenue, immediately north of East North Broadway Road and south of East Cooke Road. It is in a C-4, Regional Scale Commercial Development District, and it is bordered on the north, south, and east by other C-4 properties. Across the alley to the west are properties in the R-4 Zoning District. A family-owned local business known as Como Mower Service and Sales has provided mower sale and repair services for more than 30 years at the premises. In August of 2019, the property was cited by Code Enforcement for several violations, including for not being in compliance with the 1979 site plan of record with the City. Now, the Applicant seeks a Council Variance to remedy the violations, bring the site plan up-to-date, and allow storage of mowers that are waiting to be picked up or serviced within a fenced area in the rear of the property. Additionally, the Applicant seeks several area variances, mostly to address existing non-conformities.

The Site is within the boundaries of the Clintonville Area Commission, and it is governed by the Clintonville Neighborhood Plan. The Plan identifies the area as “Indianola Avenue South District” and it recommends retail, office, light manufacturing and institutional uses for the Site. Principle 1 of the Plan provides, “Neighborhoods will have a vibrant mix of uses.... For neighborhoods to be sustainable over the long term, ensure stable property values, and provide for the needs of the residents for goods and services, it is critical that a vibrant mix of uses is provided. This means that all people can live or rent in a neighborhood, can find the goods and services they need within their neighborhood, and may even be employed in their neighborhood.” The proposed use is consistent with Principle 1 of the Plan because the locally owned and operated retail business at the premises serves the needs of the community and adds to the vibrancy of Clintonville.

Further, the Site is within the Community Commercial Overlay, and pursuant to Section 3372.709, the Site is permitted a 25% parking reduction.

Applicant respectfully requests the following use and area variances:

1. Section 3356.03 – C-4 Permitted Uses. Applicant requests a use variance to allow for exterior and covered storage of lawn mowers within the fenced area in the rear of the principal building and as shown on the site plan.
2. Section 3363.41(a) – Storage. This Section requires outside storage to be at least 100 feet away from any residentially zoned property. The properties across the alley to the west, northwest, and southwest of Acton Road are residentially zoned and less than 100 feet away. Applicant requests a variance to allow outdoor storage of lawn mowers within 100 feet of these residentially zoned properties.
3. Section 3372.707(F) – Landscaping and screening. This Section requires that dumpsters be located directly behind the principal building. Applicant requests a variance to allow dumpsters to be located in the southwestern area of the Site as shown on the site plan.
4. Section 3312.49 – Minimum number of parking spaces required. This section requires that retail and other commercial uses consisting of 10,000 square feet or less provide 1 parking space per 250 square feet of retail use. The retail structure consists of 2,665 square feet and the additional storage area consists of 2,425 square feet (5,090 square feet / 250 square feet = 21 parking spaces). Since the Site is within a community commercial overlay, a 25% parking reduction applies, reducing the number of required parking spaces to 16 parking spaces. Applicant proposes to provide 8 parking spaces in addition to the inclusion of new bicycle parking as shown on the site plan. The proposed parking space variance is consistent with the existing parking condition, and it would adequately serve the needs of the Site because customers intermittently stop by to pick up and drop off mowers, without spending a significant amount of time at the premises. Furthermore, customers do not have access to the storage areas, but only to the customer help desk in the lobby of the retail store.
5. Section 3372.704(D) – Setback requirements. This Section provides that the setback for a parking lot along a primary street shall be a minimum of 25'. Applicant requests the parking setback along Indianola Avenue be reduced to 20' to accommodate the parking spaces in front of the retail building.

The proposed use will not adversely affect the surrounding property or the surrounding neighborhood. With the exception of the residential properties across the alley to the west, the adjacent properties are all zoned C-4 for regional scale commercial use. The additional storage area in the rear is fenced in and screened from public view. Further, with the exception of the

parking lot layout and a few other details, the Applicant requests that the Site be permitted to continue as it exists today (and as it has existed for decades).

The Applicant respectfully requests the Columbus City Council weigh these factors in its consideration and find that denial of the requested use variance would result in an unnecessary hardship. The requested use variance will not impair 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 established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the city.

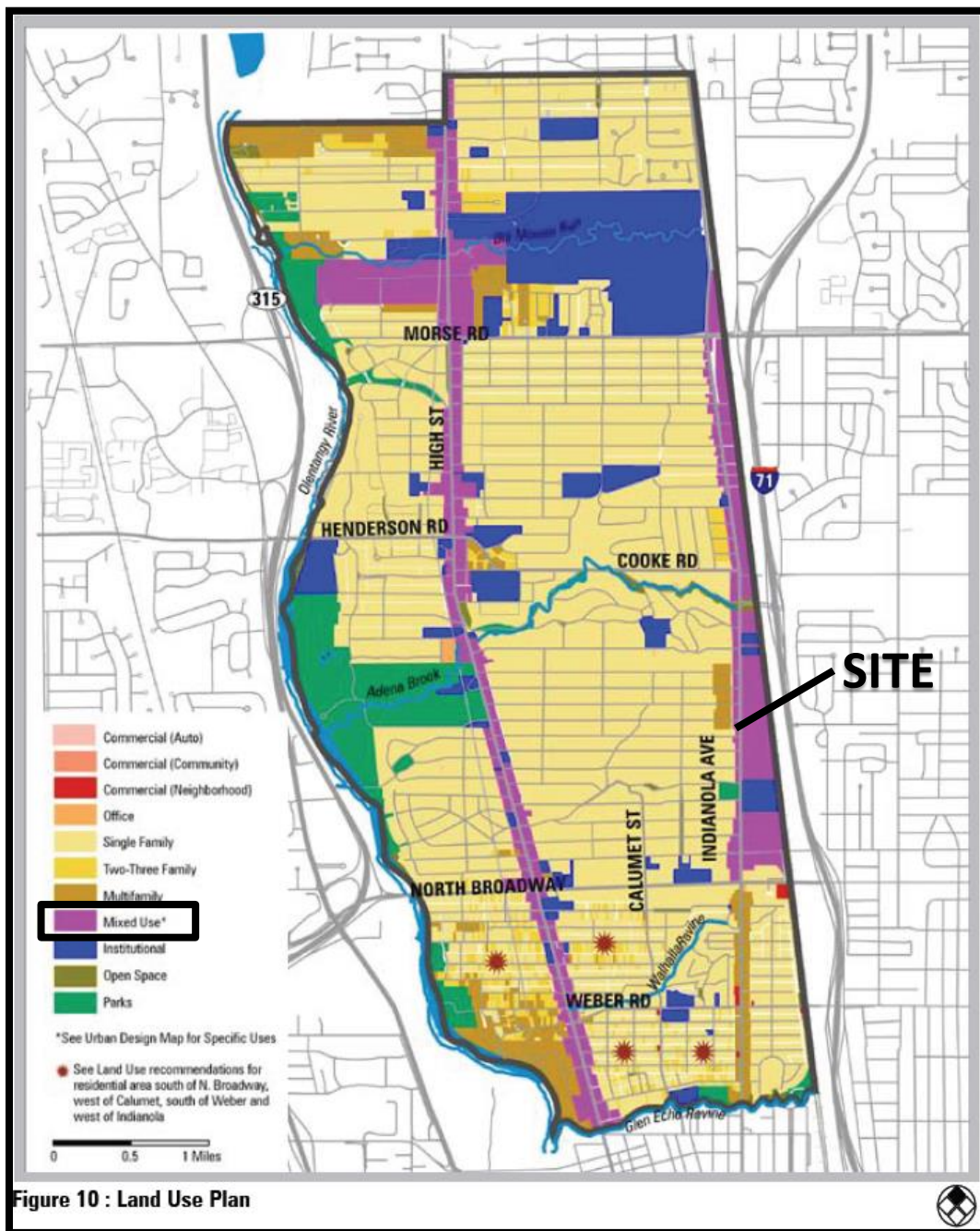
The proposed area variances are as a result of practical difficulties. The Site consists of less than half of an acre and is already developed, limiting the layout options. The requested area variances are not substantial and do not substantially alter the neighborhood. The variances would not adversely affect the delivery of governmental services. The Applicant submits that the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

Respectfully submitted,

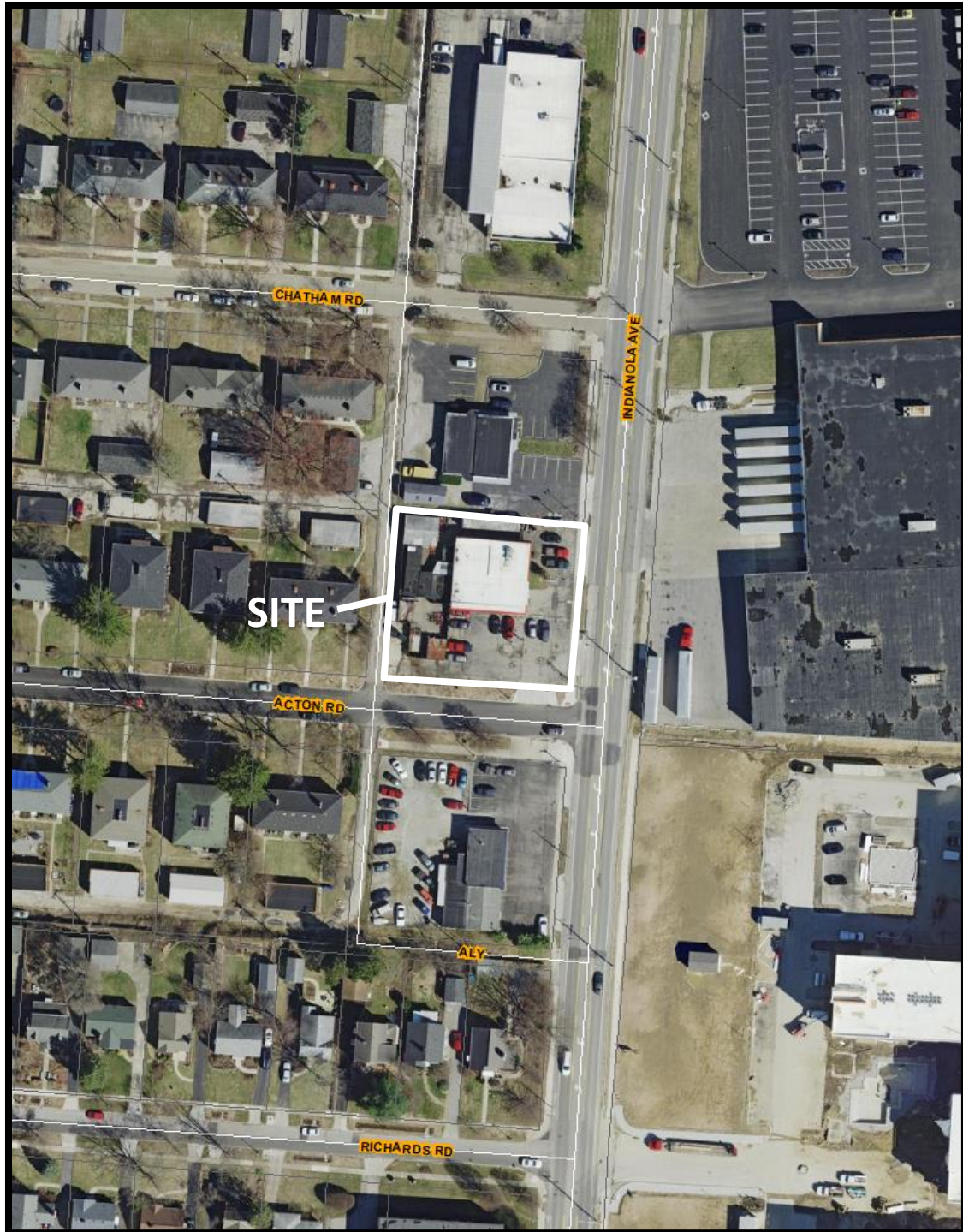
/s/ Michael T. Shannon

CV20-019
3741 Indianola Ave.
Approximately 0.43 acres

Clintonville Neighborhood Plan (2009)



CV20-019
3741 Indianola Ave.
Approximately 0.43 acres



CV20-019
3741 Indianola Ave.
Approximately 0.43 acres

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

(PLEASE PRINT)

Case Number: CV20-019

Address: 3741 Indianola Ave Columbus, OH 43214

Group Name: Clintonville Area Commission

Meeting Date: May 7th, 2020

Specify Case Type:

☐ BZA Variance / Special Permit

☒ Council Variance

☐ Rezoning

☐ Graphics Variance / Plan / Special Permit

Recommendation:
(Check only one and list basis
for recommendation below)

☒ Approval

☐ Disapproval

NOTES: Application; Staff review report. In order to bring the site into compliance, Como Mower Service & Sales seeks the following variances:

1. To permit exterior, covered storage of lawnmowers within the fenced area in the rear of the principal building as shown on the site plan, CC3356.03;

2. To allow outdoor storage of lawn mowers within 100 feet of residentially zoned properties. CC3363.41(a).

3. To allow dumpsters to be located in the southwestern area of the site as shown on the site plan instead of directly behind the principal building. CC3372.707(F);

4. Reduce the number of required parking spaces from 16 to 8, CC3312.49;

5. Reduce the setback for the parking lot from 25' to 20' to accommodate the parking spaces in front of the retail building, CC3372.704(D)..

Vote: 7-0, Approved

Signature of Authorized Representative:  

SIGNATURE

Clintonville Area Commission, Chair

RECOMMENDING GROUP TITLE

(614)560-9124

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: Assigned Planner, City of Columbus, Department of Building & Zoning Services, 111 N. Front St., Columbus, OH 43215.



DEPARTMENT OF BUILDING
AND ZONING SERVICES

Council Variance Application

111 North Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • www.columbus.gov • zoninginfo@columbus.gov

PROJECT DISCLOSURE STATEMENT

All parties having a 5% or more interest in the project that is the subject of this application should be listed.

THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION #: CV20-019

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Michael T. Shannon, Esq.

of (COMPLETE ADDRESS) 8000 Walton Parkway, Suite 260, New Albany, OH 43054

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 (include contact name and number)
Business or individual's address
City, State, Zip Code
Number of Columbus based employees
(Limited to 4 lines per box)

1. Como Mower Service & Sales LLC 3741 Indianola Avenue Columbus, OH 43214	2. Gerald Devine 529 Gordon Lane Sparta, TN 38583
3.	4.

☐ Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 12th day of February, in the year 2020

SIGNATURE OF NOTARY PUBLIC



KIMBERLY R. GRAYSON

Notary Public, State of Ohio

My Commission Expires
January 11, 2021

Variance Statement expires six months after date of notarization.

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