



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

Application #: CV19-009

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):

(See attachment A)

Signature of Applicant

Date

1/29/19

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

Attachment A
STATEMENT OF HARDSHIP CITY COUNCIL VARIANCE REQUEST

Subject Property: 2299 Performance Way, Columbus, Ohio 43207

Applicant: Brian Gibson

Property Owner: CCG Crane Holdings, LLC

Parcel No. 010-112491

Current Zoning: LM2, M1, and RRR

Rezoning Sought: M2

Overview

The variances are sought by the Applicant in order to implement rezoning of the Property from current LM2, M1 and RRR to a single classification of M2. The Applicant is applying for rezoning of the Property to provide a cohesive, single zoning classification, instead of the existing patchwork of three different and sometimes conflicting zonings.

Description of Property

The Property consists of a single parcel (Parcel No. 010-112491) of approximately 13.848 acres. The Property is improved by one (1) building, paved parking, and unpaved storage areas.

Current zoning of the Property is a mix of LM2, M1 and RRR. Adjacent properties are zoned as follows: to the west: LM2; to the southwest: M1; to the southeast: RRR; to the east: M2; and to the north (separated by the Frank Refugee Expressway): M.

Uses of Property

The Owner leases the entirety Property to Capital City Group, Inc., an affiliated entity, which conducts its business at the site. Capital City Group is engaged in the business of crane rental, heavy hauling, rigging, and heavy construction equipment sales to customers across the United States from the location (along with satellite facilities throughout Ohio, Michigan, and West Virginia) and the Property serves as the company's headquarters. The Property is improved by a building, including the company's offices, a maintenance facility, and storage facility. In addition, Capital City Group conducts maintenance and repair activities inside the maintenance building and stores its inventory of heavy construction equipment both inside the storage building and outside on the grounds of the property. Capital City Group has operated its business in the same manner since it commenced operations at the Property in 2008 and no changes to the current uses are planned or anticipated.

Variances Sought

Because M2 zoning requires different setbacks than those currently affecting the Property, and in order to continue the existing uses of the Property, the applicant requires and respectfully requests the following variances:

1. **Code Section 3312.43, Required surface for parking** - to permit parking, loading or stacking

space; circulation area; aisle or driveway shall be designed to control storm water runoff and be improved with Portland cement, asphaltic concrete or other approved hard surface other than gravel or loose fill.

2. **Code Section 3367.29(b), Storage** - to permit storage of materials 25', a variance from the 100' requirement, from adjoining residential (RRR) district at the southeast corner of the Property, and to permit storage of materials 10', a variance from the 25' requirement, from other lot lines, both as shown on the submitted site plan.
3. **Code Section 3311.28(a), Requirements, Less Objectionable Uses** – to permit an 8' high fence (deemed by code to be a "structure") on the property line adjacent to the adjoining RRR district, a variance from the 25' requirement.

Need for Variances; Statement of Hardship

The variances are necessary to allow Capital City Group to continue to use the property in the same manner it has since it acquired the property and began its business operations at the site. The storage and parking spaces are critical to the operation of the business of Capital City Group and, without the variances, it would face significant business hardship due to inadequate storage space. Capital City Group would have to use storage space at other locations, which would negatively impact the company's business. This would in turn result in reduced payroll and resultant taxes to the city. The current uses have not had, and the variance would have no, impact on the neighboring industrial properties, nor, on to the house on the east due to the extensive buffering, an 8' tall fence placed by the Applicant on the boundary line for its entire length, and approximately 425' or more from the property line to the closest house. There are minimal or no emissions of dust or other particulates, noise or light from the use of the subject Property.

Parcel 010-116017 is the parcel in question and has since been joined with 010-112491. Parcel 010-116017 was purchased in 2015 and originally had a residential home on it. The property Capital City Group is currently using on this parcel was modified to work with the existing parcel 010-112491 to add more storage with increased sales and employment in the Columbus facility. Before parcel 010-116017 was split and the residence was sold Capital City Group created an additional buffer of 116' to where the property line is consistent with the housing development. Capital City Group thought it was in the best interest to give that buffer to the residential property, so it was in control of the home-owner in the future. That buffer that was created and given to the home-owner if it was kept in the parcel CCG Crane Holdings owns currently the RRR buffer would be in place as long as the parcel in questions rezoning is approved.

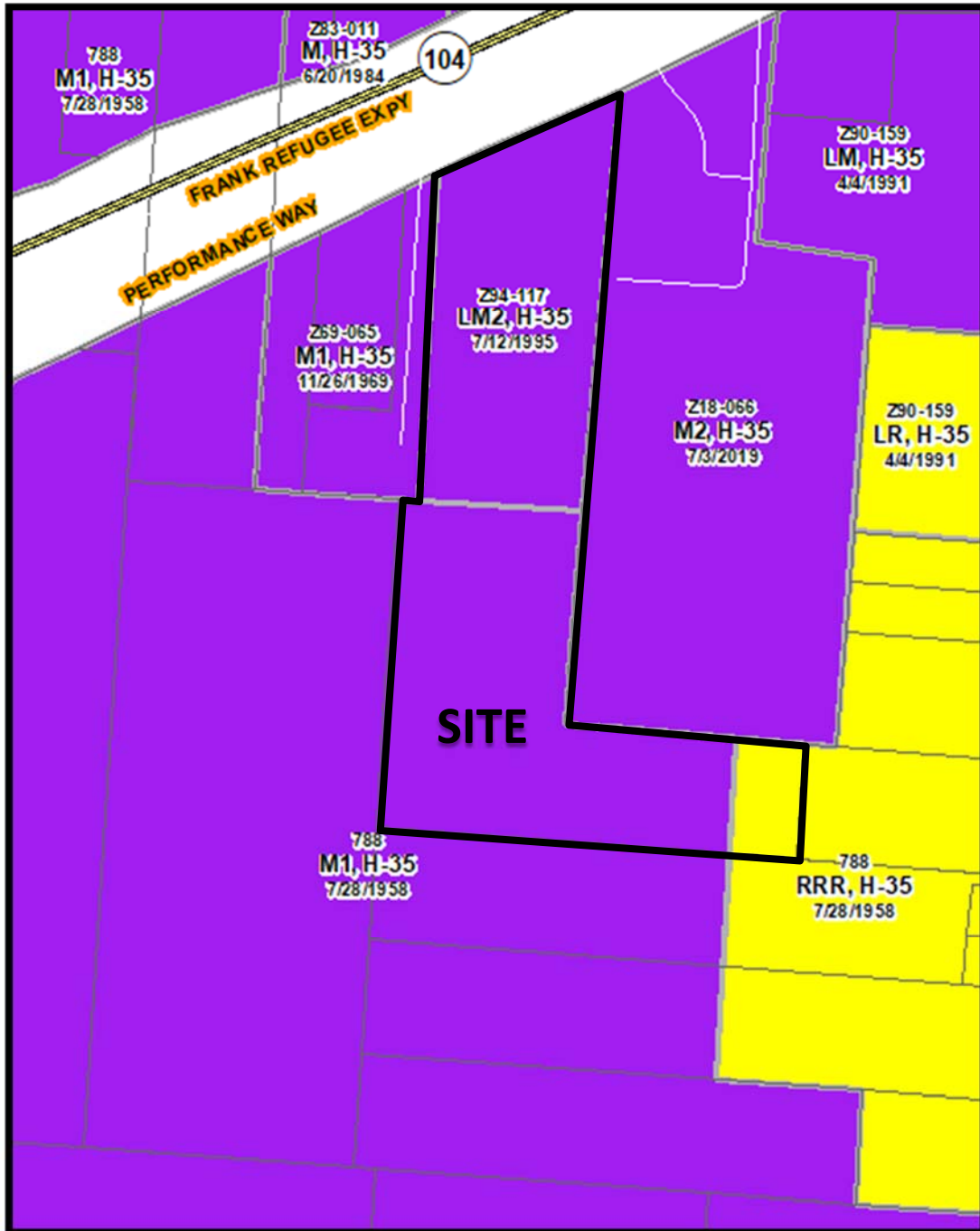
The granting of the variances will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of the Zoning Code. The requested variances will not result in any changes to the uses or improvement of the site. There will be no changes or increases in traffic patterns or congestion. There will be no emissions of light, noise, or particulates, nor any other impact upon any adjacent properties or the neighborhood. Finally, the uses are consistent both with the current and past use of the property, as well as those of the neighborhood, which are primarily manufacturing and industrial.

Additional Considerations

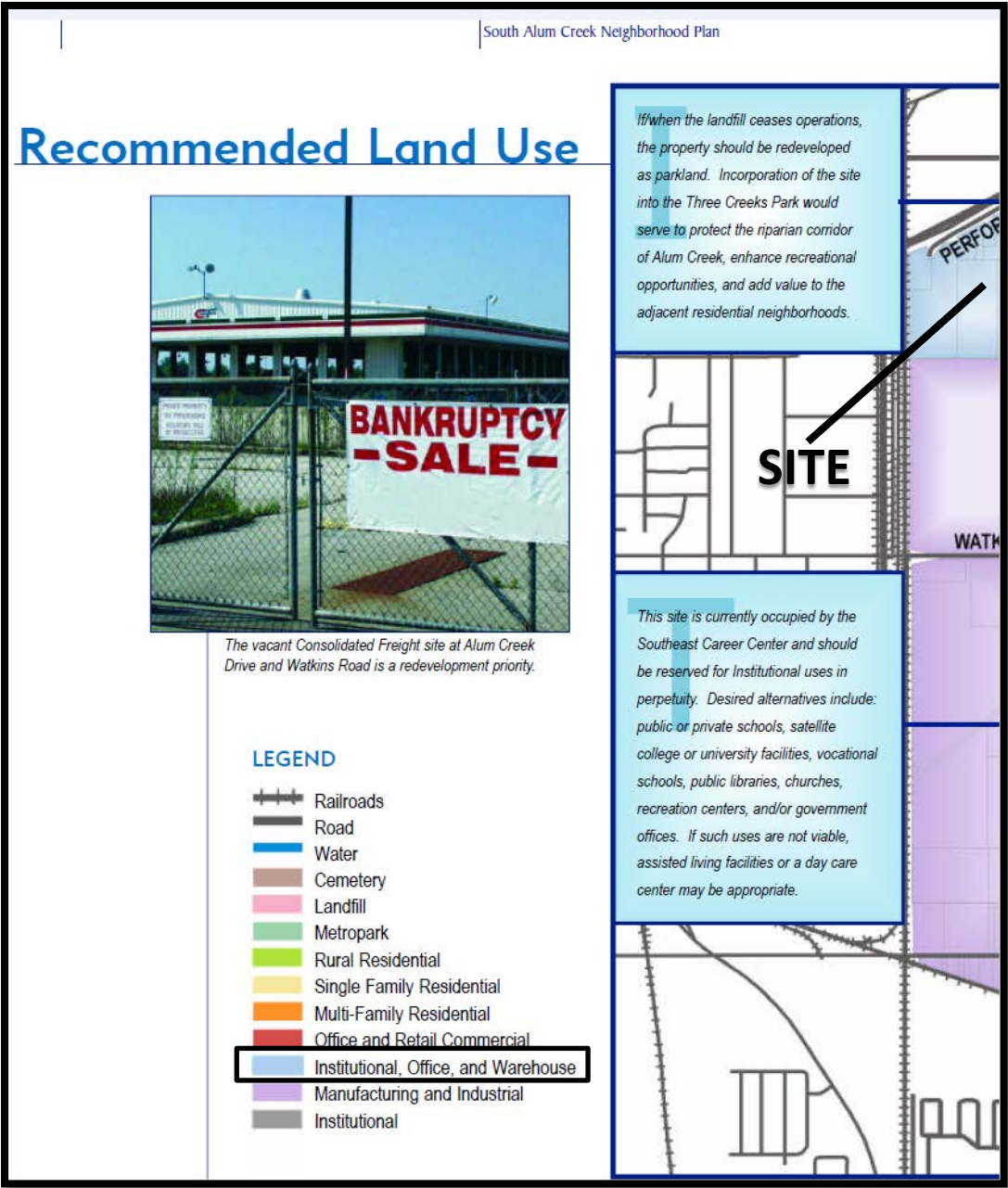
In 2007, Capital City Group was faced with the need to obtain new land to build its headquarters. After considering other cities, Capital City Group decided to work with the City of Columbus to make a long-term commitment to the City. Capital City Group has invested over \$4.1 million in the subject Property and added to its workforce. Capital City Group is a prominent employer and major economic contributor to the Columbus economy. The company presently employs 187 people company wide, 72 in its Columbus headquarters at the Property. Its total payroll is more than \$12.2 million which a portion is paid to the City of Columbus.

The Applicant has agreed to and implemented the request of the Alum Crest Civic Association and Far South Columbus Area Commission to build the 8' high fence on the boundary line of the single residential (RRR) parcel to the southeast. Applicant has been assured that the Association and Commission have agreed to withdraw their opposition in exchange for such fence.

Finally, the Applicant would like to bring attention to the fact that the rezoning sought in this matter is virtually identical to that granted to the Applicant's neighbor to the east in Z18-066 (with accompanying variance requests in CV18-090).



CV19-009
2299 Performance Way
Approximately 13.82 acres



CV19-009
2299 Performance Way
Approximately 13.82 acres



CV19-009
2299 Performance Way
Approximately 13.82 acres

THE CITY OF
COLUMBUS
ANDREW J. GINTHER, MAYOR

DEPARTMENT OF BUILDING
AND ZONING SERVICES

Standardized Recommendation Form

111 North Front Street, Columbus, Ohio 43215

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

FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW
(PLEASE PRINT)

Case Number:

219-011 / CV19-009

Address:

2299 Performance Way
FSCAC

Group Name:

Meeting Date:

June 6, 2019

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:

The FSCAC voted for Rezoning
219-011 and
Council Variance CV19-009

Vote:

219-011	Yes	No	CV19-009	Yes	No	Abstentions
	15	5		2	6	2

Signature of Authorized Representative:

SIGNATURE

RECOMMENDING GROUP TITLE

DAYTIME PHONE NUMBER

Becky Walcott

FSCAC

614-924-7040

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.

April 29, 2019

To: Tim Dietrich City Planner

City of Columbus- Far South Area Commission

Regarding Variance Request: 219-011- CCG Holdings LLC-2299 Performance Way

Variances Sought: Removal of Existing Zoning from (LM2-M1 and RRR) to (M2)

From: Eileen Neale - President Alum Crest Civic Association *E. Neale*

Subject: Alum Crest Position Statement

After receipt of the final proposal submitted by CCG Holdings LLC submitted on April 9, 2019 to the area commission, the civic association is not in agreement with the continued use of a (6ft fence enclosure.) In conversations with the representative Mr. Brian Gibson , we discussed an (8ft enclosures with sound barrier materials). He states that the (6ft fence enclosure) is the current zoning status, for this site.

At issue for our community is that the current (6ft fence enclosure has not and will not shield the the view of heavy equipment , noise and industrial dirt, impacting residents on Cassady Avenue, and the community at large. Cassady Avenue is the main corridor to the Alum Crest Park and feeds into the four streets going East to Alum Creek Drive. It is well traveled by the community.

1. We are requesting an additional variance to increase the height of the current (6ft fence enclosure) to (8ft). We consider this to be a fair solution to the existing fence dilemma.
2. The request for a variance set-back from (100 ft) separation to (25 ft) and the removal of the (RRR), to permit the storage of heavy-equipment makes a good case for the fence height to be at (8ft). You are literally bringing open storage closer to our homes, with no relief for residents. It is important to note, that the decision our community makes today will impact our community for decades to come.
3. We requested that CCG provide fencing with a sound -barrier material, his proposal indicates that it will be a tube /slat product inserted into and attached to the existing (6ft) chain-link fence. It is a privacy fence, and will not shield industrial noise from the community. Noise was one of the major issues addressed by the residents. This product also comes in (8ft) height.
4. Tree buffering- the height of the trees indicated on the proposal will be (6-8) ft.. Allowing for a growth period of 3-to 5 years for the trees . While the trees grow, we are still faced with the visual of heavy equipment open storage.

Closing Remarks:

1. Alum Crest Civic will not approve the request for pending variance approval for the removal of (RRR) or the set-back from 100 ft to 25Ft for the open storage of equipment on the east corner of Cassady Avenue.

Respectfully Submitted by : Eileen Neale -President Alum Crest Civic

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 #:

CV19-009

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Brian Gibsonof (COMPLETE ADDRESS) 2299 Performance Way, Columbus, OH 43207

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

1. CCG Crane Holdings, LLC Attn: Brian Gibson 2299 Performance Way Columbus, OH 43207	2.
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 17th day of September, in the year 2019

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

This Project Disclosure Statement expires 12 months after date of notarization.

Notary Seal Here



TIFFANY D. EKERS
 NOTARY PUBLIC
 STATE OF OHIO
 Recorded in
 Franklin County
 My Comm. Exp. 2/13/2023

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