

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

OFFICE USE ONLY

Application Number: CV16-030 Date Received: 4/26/16

Application Accepted by: JB + TD Fee: \$1,920

Comments: Assigned to James Burdin; JEBurdin@columbus.gov; 614-645-1341
Shannon Pine; spine@columbus.gov; 614-645-2208

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 61 N. Brice Rd. Columbus, Ohio Zip: 43213

Is this application being annexed into the City of Columbus? Select one: ☐ YES ☒ NO

If the site is currently pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.

Parcel Number for Certified Address: 520-239681-00

☐ Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s): Z73-185, Manufacturing, M-2 Height District H-35

Area Commission or Civic Association: Far East Area Commission

Proposed Use or reason for Council Variance request:
Tire Retreading

Acreage: 2.9

APPLICANT:

Name: Capital Tire Inc. Attn: Robert Kuhr Phone Number: 419-241-5111 Ext.: 129

Address: 1001 Cherry St. City/State: Toledo, Ohio Zip: 43608

Email Address: rkuhr@capitaltire.net Fax Number: 419-241-7902

PROPERTY OWNER(S) ☐ Check here if listing additional property owners on a separate page

Name: Pro Tire Service Inc. Attn: Thomas B. Geiger, Jr. Phone Number: 614-864-8662 Ext.:

Address: 61 N. Brice Rd. City/State: Columbus, Ohio Zip: 43213

Email Address: tbgr54@gmail.com Fax Number: 614-864-7833

ATTORNEY / AGENT (Check one if applicable): ☒ Attorney ☐ Agent

Name: John D. (Jack) Gillespie Phone Number: 614-628-4472 Ext.:

Address: 41 S. High St. Suite 2400 City/State: Columbus, Ohio Zip: 43215

Email Address: jgillespie@slk-law.com Fax Number: 614-463-1108

SIGNATURES (All signatures must be provided and signed in blue ink)

APPLICANT SIGNATURE Robert P. Kuhr

PROPERTY OWNER SIGNATURE Thomas B. Geiger

ATTORNEY / AGENT SIGNATURE John D. Gillespie

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that the City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc. may delay the review of this application.

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

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

CV16-030

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:

please see attached Statement of Hardship

Signature of Applicant

Robert J. Kuehn

Date 4-25-16

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

CV16-030

Capital Tire Inc., ("Applicant") is requesting a variance to Section 3367.01, M-2 Manufacturing District. This will allow for tire re-treading, which is categorized as a more objectionable use that is only allowed in the M and M-1 Manufacturing Districts.

Pro Tire Service Inc. ("Property Owner"), an Ohio Corporation, purchased the property located at 61 N. Brice Road in August 1997 and subsequently built and occupied a 14,400 square foot building. At the time of purchase, it was indicated that the property was zoned as an M-1 Zoning District.

Pro Tire Service Inc., is a wholly owned subsidiary of Capital Tire Inc., an Ohio Corporation. In the later months of 2002 the Property Owner leased land to the Applicant to build an additional 19,200 square foot building on the property identified by mailing address, 71 N. Brice Road. The building was used for Capital Tire Inc.'s Wholesale Tire operation until August 2014 when the warehousing moved to Lockbourne, Ohio. The building at mailing address, 71 N. Brice Road has remained vacant since August 2014.

We are seeking a variance so that the Applicant can relocate a re-tread plant in Dover, Ohio to the building located at mailing address, 71 N. Brice Road. Through re-location, Capital Tire Inc. and Pro Tire Service Inc. will be able to fill a vacant building, and with expanded capacity, will create 10 to 12 jobs in the City of Columbus. This re-treading use would have been allowed in the M-1 district that we believed to have applied to the property at purchase date. However, since that time, a mapping error was discovered and the zoning was subsequently updated to an M-2 Zoning District.

Re-treading, sometimes referred to as "Recaps," is a re-manufacturing process for tires that replaces worn tread with a new tread. New treads are applied to the tire casing after the casing has been inspected and repaired. The method to be used is referred to as "pre-cured" where a previously prepared tread strip is vulcanized to the original casing. This process preserves 90% of the original product and allows the original casing to remain in service for many additional years.

Tires awaiting processing and completed tires are stored inside the building. Scrap is immediately transferred to a sealed trailer. Tires will visible on only a minimal basis and never in the overnight period.

The pre-cure process does not create any emissions. There is no smoke or odors emitted in the process. Noise is completely contained within the building. Therefore, nearby residents will not be affected by noise, vibrations, smoke or odors. The granting of the variance will not endanger public safety, unreasonably diminish or impair public health, comfort, morals, or welfare of the inhabitants of the City of Columbus.

Signature of Applicant Robert J. Kuehn

Date 4-25-16

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

AFFIDAVIT (See instruction sheet)

Application Number: CV16-030

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn **(1) NAME** Robert Kuhr

of **(1) MAILING ADDRESS** Capital Tire Inc., 1001 Cherry St., Toledo, Ohio 43608

deposes and states that (he/she) is the applicant, agent, or duly authorized attorney for same and the following is a list of the name(s) and mailing address(es) of all the owners of record of the property located at

(2) per ADDRESS CARD FOR PROPERTY 61 N. Brice Rd., Columbus, Ohio 43213

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on **(3)** April 26, 2016

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME

AND MAILING ADDRESS

(4) Pro Tire Service Inc.

Attn : Thomas B. Geiger, Jr.

61 N. Brice Rd.

Columbus, Ohio 43213

APPLICANT'S NAME AND PHONE #

(same as listed on front application)

Robert Kuhr

419-241-5111 ext. 129

AREA COMMISSION OR CIVIC GROUP

AREA COMMISSION ZONING CHAIR

OR CONTACT PERSON AND ADDRESS

(5) Far East Area Commission

2500 Park Crescent Dr., Columbus, Ohio 43232

Attn : Larry Marshall Phone : 614-619-3278

and that the attached document (6) is a list of the **names** and **complete mailing addresses**, including **zip codes**, as shown on the **County Auditor's Current Tax List** or the **County Treasurer's Mailing List**, of all the **owners of record of property within 125 feet** of the exterior boundaries of the property for which the application was filed, **and** all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property (7)

☐ **(7)** Check here if listing additional property owners on a separate page.

(8) SIGNATURE OF AFFIANT

Robert I Kuhr

Sworn to before me and signed in my presence this 25 day of April, in the year 2016

Rev

Mario Ann Truckor

2-2-2021

(8) SIGNATURE OF NOTARY PUBLIC

My Commission Expires

Notary Seal Here



This Affidavit expires six (6) months after the date of notarization.

MARIE ANN TRUCKOR
NOTARY PUBLIC - OHIO
MY COMMISSION EXPIRES 02-02-2021

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

Capital Tire Inc.
Attn: Robert Kuhr
1001 Cherry St.
Toledo, Ohio 43608

Pro Tire Service Inc.
Attn: Tom Geiger Jr.
61 N. Brice Rd.
Columbus, Ohio 43213

John D. Gillespie
Huntington Center
41 South High St. Suite 2400
Columbus, Ohio 43215

Far East Area Commission
c/o Chair, Larry Marshall
2500 Park Crescent Dr.
Columbus, Ohio 43232

Pentagon Real Estate LLC
7287 Sawmill Rd.
Suite 100
Dublin, Ohio 43016-9609

Damascus Co Ltd.
6520 E. Broad St.
Columbus, Ohio 43213

Satya & Prem LLC
70 Chris Perry Ln.
Columbus, Ohio 43213

Jog Learning LLC
1209 Hill Rd. N #200
Pickerington, Ohio 43147

City of Columbus
Real Estate Management
90 W. Broad St., Rm 425
Columbus, Ohio 43215

Leslie Development Co Inc.
Attention: John Vlahos
10085 Wellington Blvd.
Powell, Ohio 43065

CV16-030

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

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 # _____

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Robert Kuhr

of (COMPLETE ADDRESS) Capital Tire Inc., 1001 Cherry St., Toledo, Ohio 43608

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. Pro Tire Service, Inc. 61 N. Brice Rd. Columbus, Ohio 43213 Employees : 10 Thomas B. Geiger, Jr. 419-724-9135	2. Capital Tire, Inc. 1001 Cherry St. Toledo, Ohio 43608 Employees : 18 Thomas B. Geiger, Jr. 419-724-9135
3.	4.

☐ Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT

Robert J. Kuhr

Sworn to before me and signed in my presence this 25 day of April, in the year 2016

Marie Ann Truckor

SIGNATURE OF NOTARY PUBLIC

2-2-2021
My Commission Expires

Notary Seal Here



MARIE ANN TRUCKOR
NOTARY PUBLIC - OHIO
MY COMMISSION EXPIRES 02-02-2021

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



City of Columbus Zoning Plat

CV16-030



ZONING NUMBER

The Zoning Number Contained on This Form
is Herein Certified to Obtain Zoning, Rezoning,
and Variances, and is NOT to be Used for
the Securing of Building & Utility Permits

Parcel ID: 520239681

Zoning Number: 61

Street Name: N BRICE RD

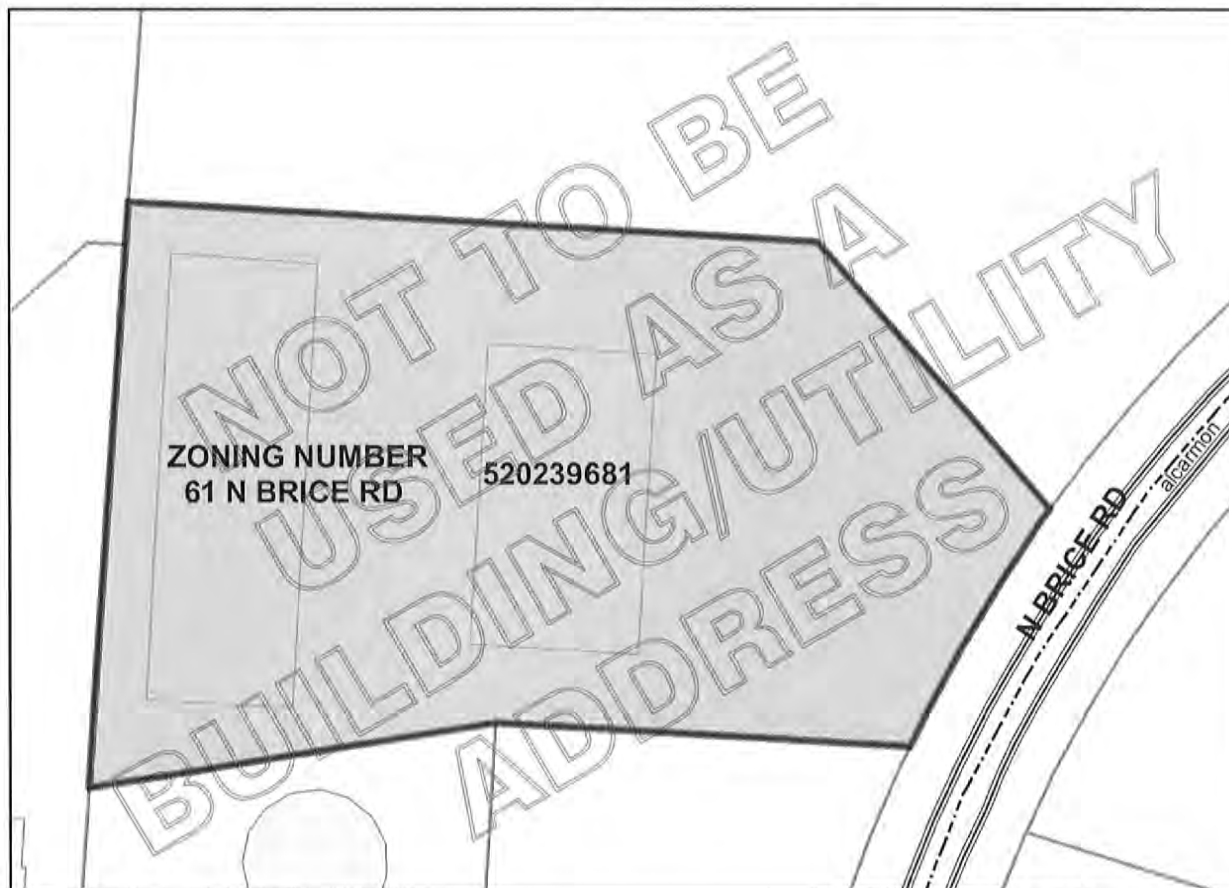
Lot Number: N/A

Subdivision: N/A

Requested By: CAPITAL TIRE, INC. (ROBERT KUHR)

Issued By: *Adyana Amarican*

Date: 4/21/2016



ZONING NUMBER

61 N BRICE RD

520239681

SCALE: 1 inch = 100 feet

GIS FILE NUMBER: 62517



JAMES D. YOUNG, P.E., ADMINISTRATOR
DIVISION OF INFRASTRUCTURE MANAGEMENT
COLUMBUS, OHIO

Legal Description of the Subject Property

CV16-030

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 3, Township 1, Range 16, United States Military Lands, being 2.947 acres of land located in Lot 2, as delineated on the plat "Columbus Industrial Park", of record in Plat Book 48, Page 79, and described in a deed to Columbus Office Associates, of record in Deed Book 3477, Page 518 (all reference to records being on file in the Recorder's Office, Franklin County, Ohio), and being more particularly described as follows:

Beginning, for reference, at intersection of the centerline of Brice Road and the present centerline of East Broad Street, as delineated on said plat "Columbus Industrial Park";

Thence North 08 12' 00" West, along centerline of Brice Road 80' wide right of way, a distance of 200.00 feet, to a point of curvature;

Thence along the arc of a curve to the right, having a radius of 800.00 feet, a central angle of 33 15' 39", the chord of which bears North 08 25' 47" East 457.91 feet to a point;

Thence North 64 56' 24" West 40.00 feet to an iron pin found capped "Hockaden", on the westerly right-of-way line of said Brice Road, the True Point of Beginning;

Thence North 86 41' 30" West 220.40 feet, across said Lot 2, along the northerly line of a 2.964 acre tract, to an iron pin found capped "Hockaden" at the northeasterly corner of that 0.943 acre tract described in a deed to the City of Columbus of record in Deed Book 3114, Page 119;

Thence South 81 48' 00" West 225.90 feet, along the northerly line of said 0.943 acre tract and its westerly extension to a 5/8" rebar set on the westerly line of said Lot 2;

Thence North 03 37' 15" East 315.07 feet, along said westerly line, to a 5/8" rebar set;

Thence South 86 41' 30" East 375.00 feet, crossing said Lot 2 with a new division line, to a 5/8" rebar set;

Thence South 40 58' 38" East 190.26 feet, continuing across said Lot 2 with a new division line, to a 5/8" rebar set on the westerly right-of-way line of said Brice Road;

Thence southwesterly along said right-of-way line, being the arc of a curve to the left, having a radius of 840.00 feet, a central angle of 10 14' 42", the chord of which bears South 30 10' 57" West 150.00 feet, to the True Point of Beginning, containing 2.947 acres of land, more or less, subject to any easements, restrictions or right-of-way of records.

NOTE: Bearings are used for the determination of angles only. For the purpose of this description a bearing of South 81 48' 00" West was used on the present centerline of East Broad Street as delineated on said plat of "Columbus Industrial Park" of record in Plat Book 48, Page 79. The 5/8" rebars set are 30" long with plastic caps stamped "SITE ENG INC."

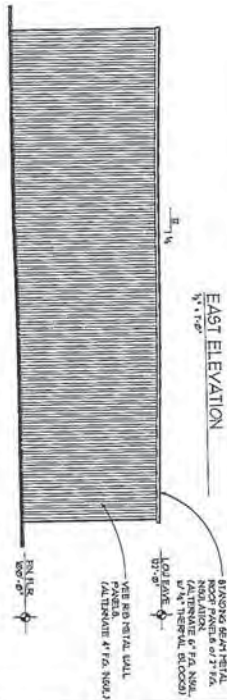
The above description was prepared from an actual field survey during July, 1997 by Site Engineering Inc.



NOTES:
 1. ALL WORK TO BE IN
 ACCORDANCE WITH THE
 LATEST EDITION OF THE
 BUILDING CODE.
 2. ALL REGULAR CONCRETE
 SHALL BE 3000 PSI.
 3. ALL TIE-BARS TO MATCH
 REBAR COLOR.



NORTH ELEVATION



EAST ELEVATION

SOUTH ELEVATION

WEST ELEVATION

COPYRIGHTS 2002 DUBLIN BUILDING SYSTEMS. ALL RIGHTS RESERVED.

REVISIONS
1
2
3
4
5
6
7
8
9
10


BUILDING ELEVATIONS

NEW WAREHOUSE FOR:
CAPITAL TIRE, INC.
 61 BRICE ROAD COLUMBUS, OHIO 43223

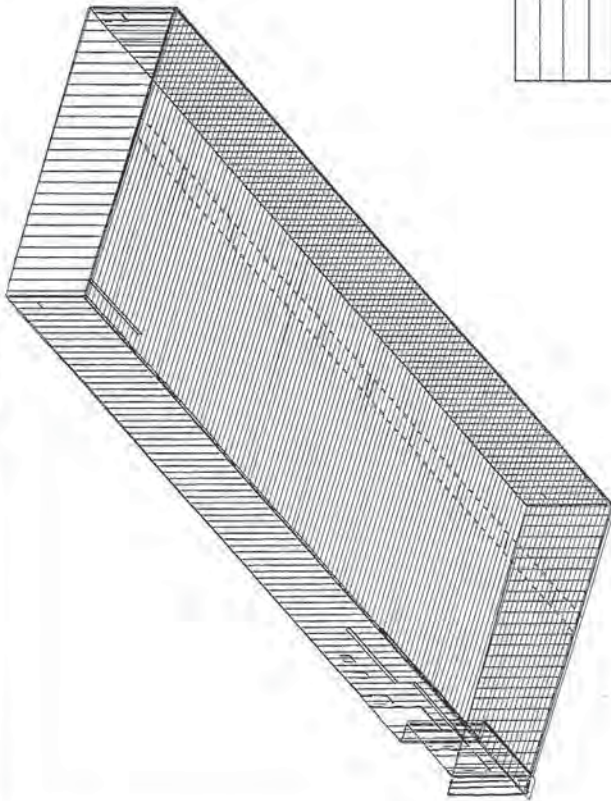
Dublin Building Systems

Design Build Contractors and Engineers
 6223 Avery Road
 Box 370
 Dublin, Ohio 43017
 (614) 889-1445





VP BUILDINGS
VARCO-PRUDEN



Building Code: 0010C	
Relative Load: (Deadweight)	20.00 psf
Seismic: Load: 5.00, Uplift: 0.00 psf	
Wind Speed: 90.00 mph	
Wind Exposure: C	
Heat Flow: 17.50 psf	
Snow Exposure Category: 3	
Seismic Hazard / Use Group: Group 1	
Building Use: Standard Occupancy Structures	



VP BUILDINGS, INC.
AISC CATG. MB CERTIF.

COVER SHEET	PROJECT	publ'n Building Systems
	CLIENT	Pro Tire
	LOCATION	Columbus, Ohio
	PROJECT	Pro Tire
	DATE	3/21

DATE	9/13/2007
BY	STANLEY BIRD
NO.	3.0
COVER	

STRUCTURAL STEEL PLATE
COLD FORMED LIGHT GAGE SHAPES
BRACE RODS
STRUCTURAL CABLES
HOT ROLLED MILL SHAPES
HOLLOW STRUCTURAL SECTION (HSS)
ROOF AND WALL SHEETS
BOLTS

ASTM DESIGNATION	
A529 OR A512 OR A510 OR A667	GRADE 50
A530 OR A667	GRADE 55
A572	GRADE 60, UNLESS NOTED
A415	GRADE 65
A16 OR A512	GRADE 68
A580	GRADE 68S
A563 OR A572	TYPE 36 TENSILE OR GRADE 50
A567 AND A575	GRADE 50
	GRADE 50
	A201, UNLESS NOTED

SHOW PRIMER/PART IS A RUST INHIBITIVE PRIMER AND IS YELLOW COLOR. BRONZE TINT PART IS NOT INTENDED FOR LONG TERM EXPOSURE TO THE ELEMENTS.

ALL HIGH STRENGTH CONCRETE MIXES EXCEPT AS NOTED OTHERWISE ON THE DRAWINGS AND DETAILS ARE SUBJECT TO KACHI TENSION AND TO STEEL CRACKS. AS SUCH, THE MIXTURES MUST BE FULLY PRESTRESSED AND INSPECTED BY THE CONTRACTOR WITH THE LATEST EDITION OF THE AISC STEEL SPECIFICATIONS FOR STRUCTURAL BOLTS AND BOLTED CONNECTIONS, AND THE AISC CRACK BUILDING CODE. VIBRATIONS ARE NOT REQUIRED FOR THE USE OF HOT OR TIGHTENING AND TIGHTENING BY SPIN. IF OTHER, HOT TIGHTENING PROCEDURES ARE USED, THE TIGHTENING AND TIGHTENING PROCEDURES MUST BE APPROVED BY THE ENGINEER. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO INSURE PROPER HOT TIGHTENING.

BY BUILDING PLANS SHALL GOVERN.

ICRO APPROVALS							
LOCATION	CA	NC	AL	WI	MO	OH	AR
APPROVAL #	PA-310	PA-376	PA-377	PA-378	PA-388	PA-394	PA-401

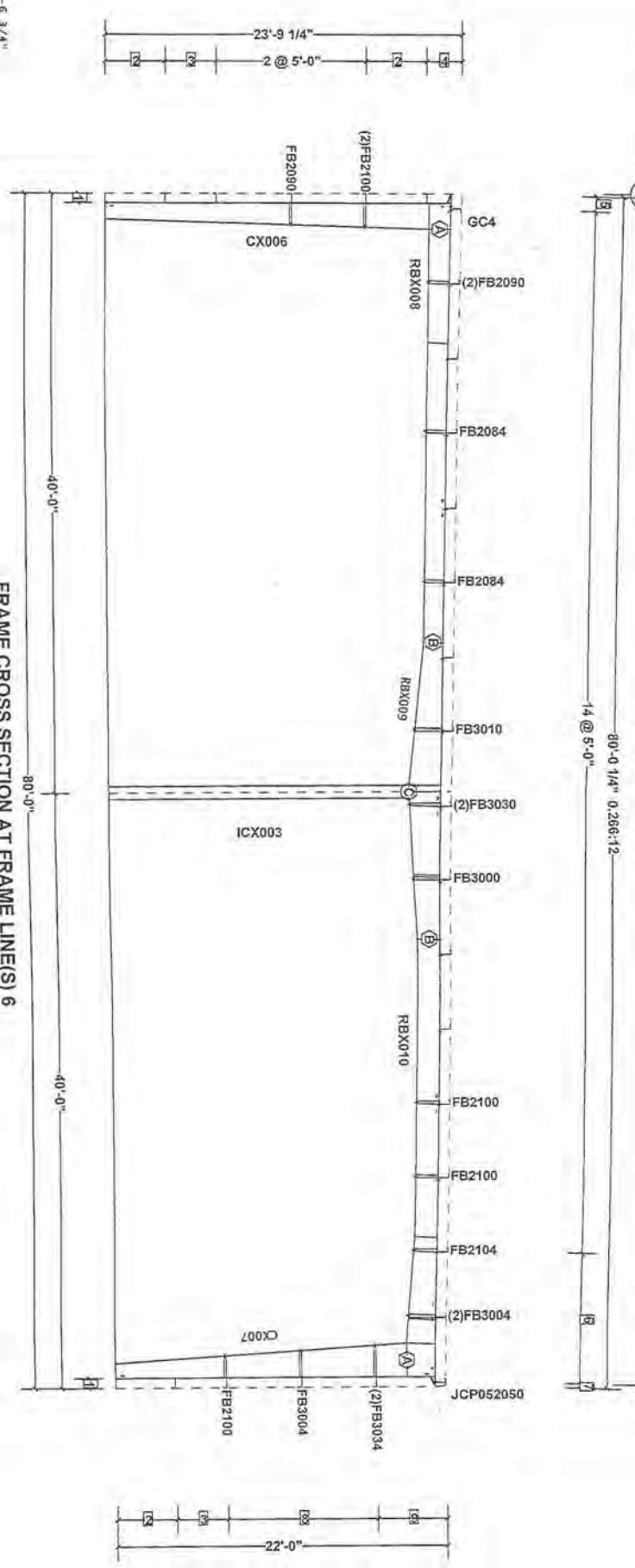
ISO 9001 CERTIFIED
CITY OF LOS ANGELES TYPE 1 FABRICATOR
CITY OF SEATTLE
CANADIAN WELDING BUREAU DIVISION 1 CERTIFICATION

ICRO APPROVALS							
LOCATION	CA	NC	AL	WI	MO	OH	AR
APPROVAL #	PA-310	PA-376	PA-377	PA-378	PA-388	PA-394	PA-401

Part	Mem. Width	Thick.	Webth.	Depth	Depth2	Approx. Lath
CX006	1 5"	.1875	.1345	1'-0"	1'-4"	23'-0 9/16"
RBX008	2 5"	.1875	.1345	1'-5"	1'-4"	27'-7 5/8"
RBX008	3 5"	.2500	.1345	1'-4"	1'-4"	20'-0"
RBX008	4 5"	.3125	.1345	1'-4"	1'-4"	
RBX010	5 5"	.3125	.1345	2'-2"	1'-6"	29'-11 7/8"
RBX010	6 5"	.2500	.1345	1'-6"	1'-6"	19'-5 1/4"
CX007	7 5"	.1875	.1345	1'-6"	1'-11"	20'-0 1/4"
ICX003	8 5"	.1875	.1345	1'-0"	2'-3"	
ICX003	9 7"	.2500	.1644	10"	10"	

A325 Bolt Connection & Plate Schedule									
Id	Qty	Bolt	Bolt	Plate	Rows	Rows	Tension	Washer	
		Dia.	Length	Thick.	Out	In	Bolt		
A	8	3/4"	2"	1/2"	2	2			
B	8	3/4"	2"	3/8"	3	1			
C	4	1/2"	1 1/2"	3/8"	1	1			

Frame Clearances
 Horiz. Clearance between members 1(CX006) and 8(CX007): 74'-8"
 Vert. Clearance at member 1(CX006): 21'-7 1/8"
 Vert. Clearance at member 8(CX007): 19'-5 1/4"
 Vert. Clearance at member 9(ICX003): 20'-0 1/4"
 Finished Floor Elevation = 100'-0" (Unless Noted Otherwise)



FRAME CROSS SECTION AT FRAME LINE(S) 6

1. USE 1/2" DIA. A325 BOLTS FOR MATH TO FRAME, GIRT TO FRAME, AND GIRTS TO CLIP CONNECTIONS UNLESS NOTED OTHERWISE.
 2. SEE JOIST DETAILS FOR JOIST LENGTHS. NOTED OTHERWISE, SIDE OF THE WEB AS THE HILLSIDE WASHER.

VP Ref: Shape Name = Pro Tite Wall 4, Frame 5

VP Building, Inc.

13200 Royce Circle, Memphis, TN 38115

DATE: 9/19/2002

BY: HTS

13:09:14

PRO TITE, VFC

FRAME CROSS SECTION AT FRAME LINE(S) 6

DOUBLE ENDING SYSTEMS

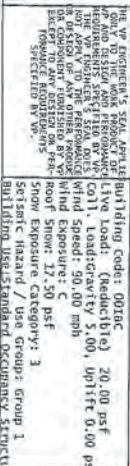
PRO TITE


COLOMBUS, OHIO

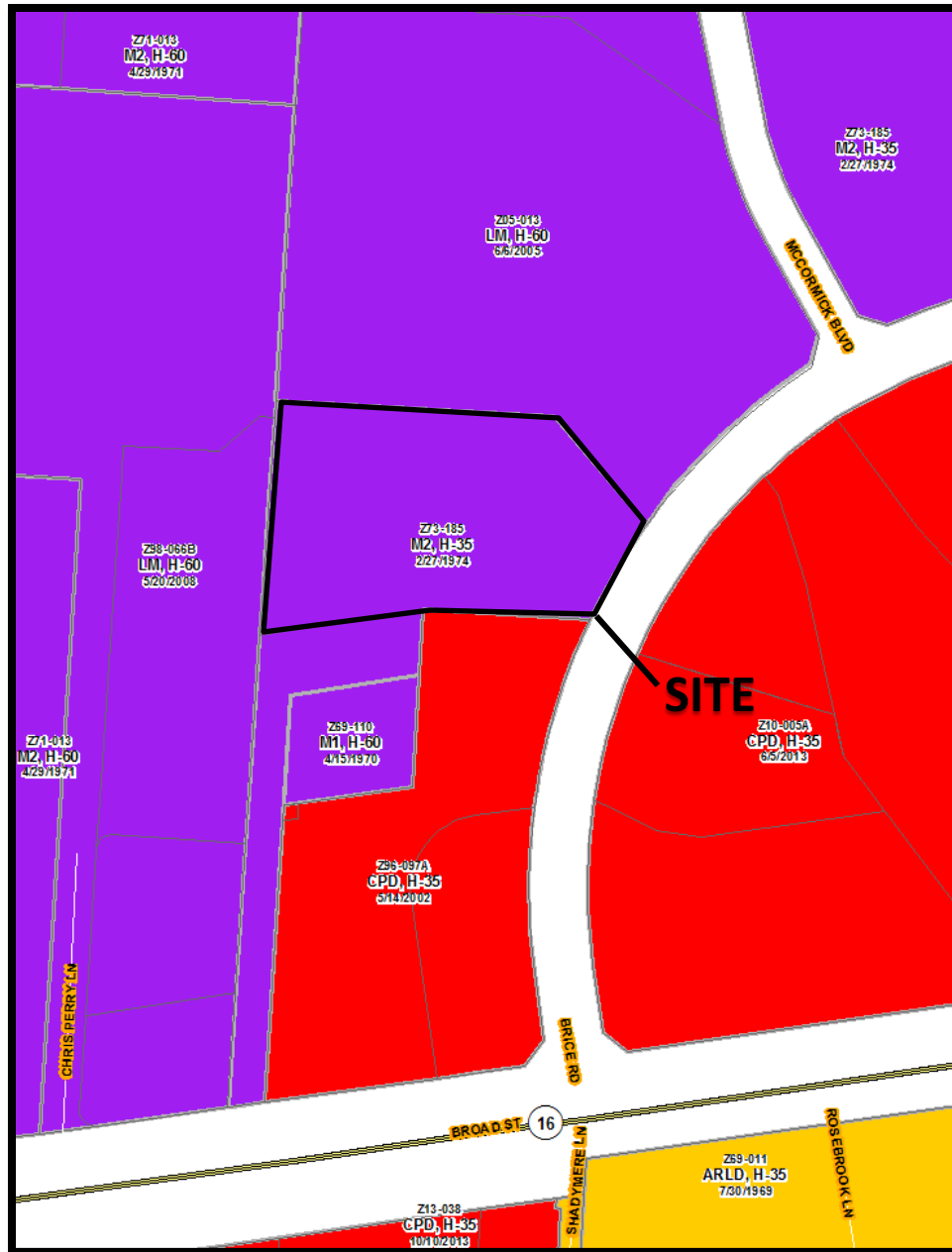
3111

3.0

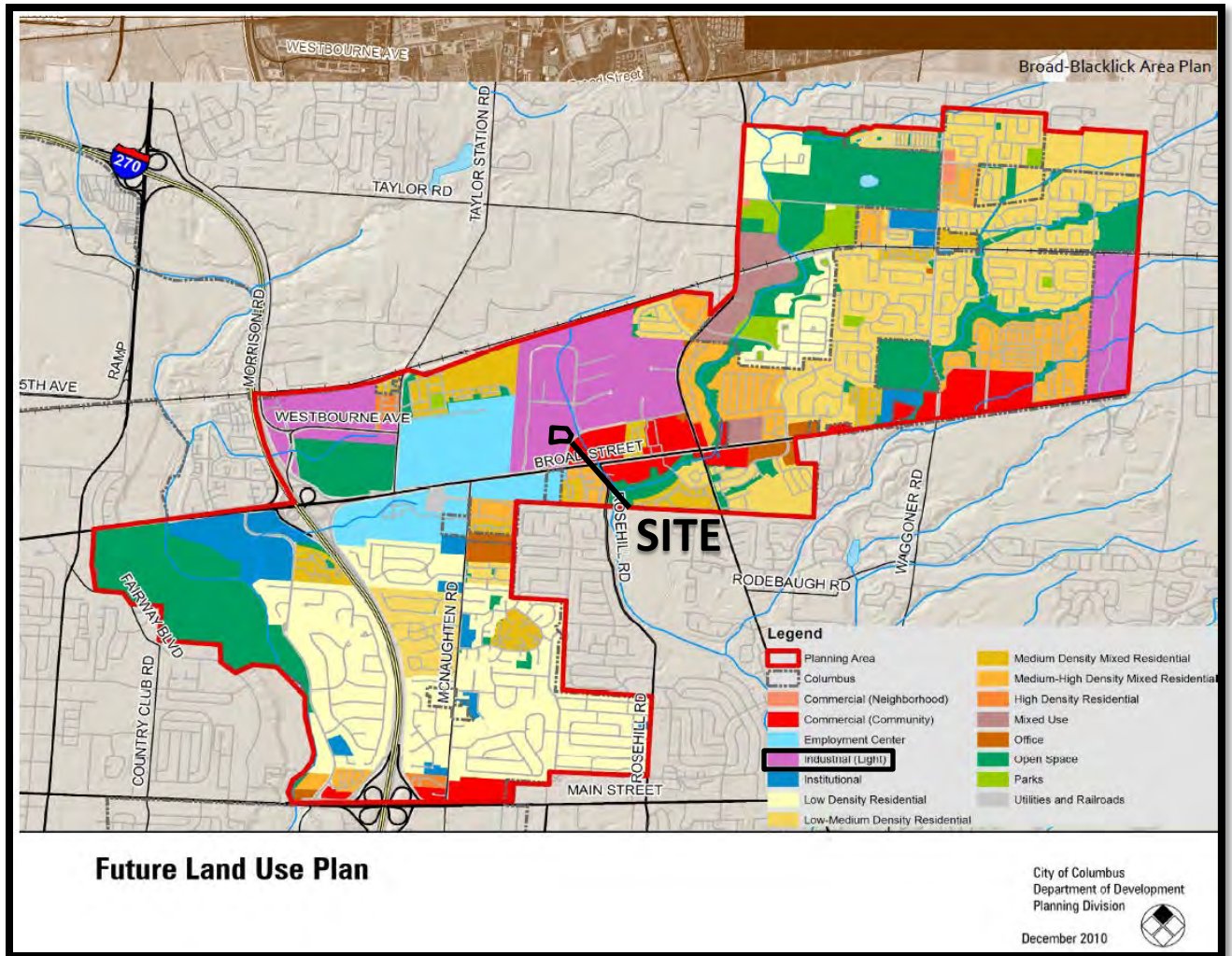
9/13/2002

[illegible]

VP BUILD, Inc.		2001	
3500 Bryant Blvd. Suite Memphis, TN 38125		Est. 6/13/2002	
REV	DATE	DESCRIPTION	REVISIONS
		add in building systems	
		change Pro Title	
		delete Columbus, Ohio	
		add Pro Title	
		delete 3121	
NTS			
 VP BUILDING MEMPHIS, TN		TOTAL 3.0	



CV16-030
61 North Brice Road
Approximately 2.9 acres



CV16-030
61 North Brice Road
Approximately 2.9 acres



CV16-030
61 North Brice Road
Approximately 2.9 acres