



# CITY OF COLUMBUS

## DEPARTMENT OF BUILDING AND ZONING SERVICES

**One Stop Shop Zoning Report** Date: Thu May 26 2016  
General Zoning Inquiries: 614-645-8637

### SITE INFORMATION

**Address:** 163 LIBERTY ST COLUMBUS OH 43215  
**Mailing Address:** 495 S HIGH ST STE 10  
COLUMBUS OH 43215-5689

**Owner:** TOW LTD  
**Parcel Number:** 010045028

### ZONING INFORMATION

**Zoning:** ORIG, Manufacturing, M  
effective 2/27/1928, Height District H-60  
**Board of Zoning Adjustment (BZA):** N/A  
**Commercial Overlay:** SOUTH HIGH ST/ SOUTH FRONT ST UCO  
**Graphic Commission:** N/A  
**Area Commission:** N/A  
**Planning Overlay:** N/A

**Historic District:** Brewery District  
**Historic Site:** No  
**Council Variance:** N/A  
**Flood Zone:** OUT  
**Airport Overlay Environs:** N/A

### PENDING ZONING ACTION

**Zoning:** N/A  
**Board of Zoning Adjustment (BZA):** N/A

**Council Variance:** N/A  
**Graphic Commission:** N/A





# Board of Zoning Adjustment Application

757 Carolyn Avenue, Columbus, Ohio 43224  
Phone: 614-645-7433 • www.bzs.columbus.gov

OFFICE USE ONLY

Application Number: BZA16-081 Date Received: 5/25/16  
 Application Accepted by: D. Reiss Fee: \_\_\_\_\_  
 Commission/Civic: Brewery District  
 Existing Zoning: M  
 Comments: \_\_\_\_\_

### TYPE(S) OF ACTION REQUESTED (Check all that apply):

- Variance  Special Permit

Indicate what the proposal is and list applicable code sections:

REQUESTING VARIANCE FOR: MANEUVERING 3312.25  
PARKING SPACE SIZE (MINOR) 3312.29  
3312.49 → PARKING SPACE COUNT: 11 REQ'D, 6 PROVIDED (Δ5)

### LOCATION

Certified Address: 163 LIBERTY STREET City: COLUMBUS Zip: 43215

Parcel Number (only one required): 010-045028

### APPLICANT (If different from Owner):

Applicant Name: MARK EDWARDS Phone Number: (614) 905-7715 Ext.: -

Address: % BREXTON 815 GRANDVIEW AVE, SUITE 300 City/State: COLUMBUS, OH Zip: 43215

Email Address: mark.edwards@brextonllc.com Fax Number: (866) 303-6171

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

Name: TOW LTD Phone Number: 614-463-9919 Ext.: \_\_\_\_\_

Address: 495 S. HIGH ST. City/State: COLUMBUS, OH Zip: 43215

Email Address: Kville@fairplaystatesale.com Fax Number: \_\_\_\_\_

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

Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_ Ext.: \_\_\_\_\_

Address: \_\_\_\_\_ City/State: \_\_\_\_\_ Zip: \_\_\_\_\_

Email Address: \_\_\_\_\_ Fax Number: \_\_\_\_\_

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

APPLICANT SIGNATURE: [Signature]

PROPERTY OWNER SIGNATURE: [Signature] Vice President

ATTORNEY / AGENT SIGNATURE: \_\_\_\_\_

**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

**AFFIDAVIT**

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME MARK EDWARDS  
of (1) MAILING ADDRESS % BREXTON B15 GRANDVIEW AVE, SUITE 300, COLUMBUS, OH 43215

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 163 LIBERTY ST. COLUMBUS, OH 43215

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

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME  
AND MAILING ADDRESS

(4) TOW LTD  
495 S. HIGH ST, SUITE 150  
COLUMBUS, OH 43215

APPLICANT'S NAME AND PHONE #  
(same as listed on front application)

MARK EDWARDS  
(614) 905-7715

AREA COMMISSION OR CIVIC GROUP  
AREA COMMISSION ZONING CHAIR  
OR CONTACT PERSON AND ADDRESS

(5) BREWERY DISTRICT COMMISSION  
JAMES GOODMAN / RANDY BLACK  
50 W. GAY ST., COLUMBUS, OH 43215

and that the following 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:

(6) PROPERTY OWNER NAME	(6a) PROPERTY ADDRESS	(6b) PROPERTY OWNER MAILING ADDRESS
<u>Elford Land Company</u>	<u>101 W. Liberty St Columbus, OH 43215</u>	<u>4425 Ponce De Leon Blvd Coral Gables, FL 33140</u>
<u>Kroger Co</u>	<u>150 Sycamore St. Columbus, OH 43215</u>	<u>1014 Vine St. Cincinnati, OH 45202</u>
<u>GMB Co</u>	<u>525 Short St. Columbus, OH 43215</u>	<u>PO Box 218444 Columbus, OH 43221</u>
<u>Liberty Place LLC</u>	<u>750 Liberty St Columbus, OH 43215</u>	<u>PO Box 27053 Houston, Tx 77227</u>
<u>Elford Land Co</u>	<u>111 W. Liberty St Columbus, OH 43216</u>	<u>555 S. Front St Columbus, OH 43215</u>

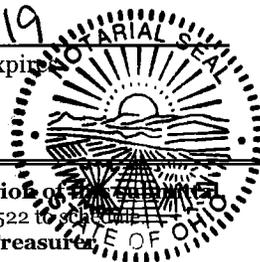
(7) Check here if listing additional property owners on a separate page.

(8) SIGNATURE OF AFFILIANT [Signature]

Sworn to before me and signed in my presence this 24 day of MAY, in the year 2016

(8) SIGNATURE OF NOTARY PUBLIC [Signature]

Notary Seal Here  
My Commission Expires 6-2-19



**LIANA M. DAUBNER**  
NOTARY PUBLIC  
STATE OF OHIO  
Recorded in  
Franklin County  
My Comm. Exp. 6/2/19

PLEASE NOTE: Incomplete information will result in the rejection of applications. Applications must be submitted by appointment. Call 614-645-4522 to schedule an appointment. Please make checks payable to the Columbus City Treasurer.

**Applicant**

Brexton, LLC  
c/o Mark Edwards  
815 Grandview Avenue Suite 300  
Columbus, OH 43215

**Property Owner**

TOW LTD  
495 S. High Street Suite 150  
Columbus, OH 43215

**Area Commission Or  
Neighborhood Group**

Brewery District Commission  
James Goodman/Randy Black  
50 W. Gay Street  
Columbus, OH 43215

**Surrounding Property Owners**

Elford Land Company  
4425 Ponce De Leon Blvd  
Coral Gables, FL 33146

Kroger Co  
1014 Vine St  
Cincinnati, OH 45202

GMB CO  
PO Box 218444  
Columbus, OH 43221

Tom & Judith Maish  
3629 Olde Cottage Ln  
Bonita Springs, FL 34134

City of Columbus Ohio  
90 W Broad St #425  
Columbus, OH 43215

Columbus & Southern Ohio Electric Co  
Columbus Southern Power  
Tax Dept. 27<sup>th</sup> FL  
PO Box 16428  
Columbus, OH 43216

Elford Land Co  
555 S Front St  
Columbus, OH 43215

Liberty Place LLC  
PO Box 27058  
Houston, TX 77227

**STATEMENT OF HARDSHIP**

APPLICATION #

**3307.09 Variances by Board.**

- A. The Board of Zoning Adjustment shall have the power, upon application, to grant variances from the provisions and requirements of this Zoning Code (except for those under the jurisdiction of the Graphics Commission and except for use variances under the jurisdiction of the Council). No variance shall be granted unless the Board finds that all of the following facts and conditions exist:
1. Special circumstances or conditions apply to the subject property that do not apply, generally, to other properties in the same zoning district.
  2. The special circumstances or conditions are not the result of the actions of the property owner or applicant.
  3. The special circumstances or conditions make it necessary that a variance be granted to preserve a substantial property right of the applicant which is possessed by owners of other property in the same zoning district.
  4. The grant of a variance will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of this Zoning Code.
- B. In granting a variance, the Board may impose such requirements and conditions regarding the location, character, and other features of the proposed uses or structures as the Board deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard public safety and welfare.
- C. Nothing in this section shall be construed as authorizing the Board to affect changes in the Zoning Map or to add to the uses permitted in any district.

I have read Section 3307.09, Variances by Board, and believe my application for relief from the requirements of the Zoning Code satisfies the four criteria for a variance in the following ways:

1. TWO SPECIAL CONDITIONS FOR THIS PARCEL EXIST: A) THE NEIGHBORING PARCEL TO THE EAST (010-022710) DOES NOT HAVE ACCESS TO THAT PARCEL OTHER THAN ACROSS THE CURB CUT & ASPHALT DRIVE ON THIS PARCEL; AND B) THE SITE IS OF AN UNUSUAL SHAPE AND EXTREMELY TIGHT.
2. THESE SPECIAL CONDITIONS ARE NOT THE RESULT OF THE APPLICANT AS THEY EXISTED PRIOR TO THIS APPLICATION.
3. THESE SPECIAL CONDITIONS MAKE IT NECESSARY THAT A VARIANCE BE GRANTED TO PRESERVE PROPERTY RIGHTS TO DEVELOPE AND USE THIS PARCEL AS IS POSSESSED BY OTHER PROPERTIES IN SAME DISTRICT.
4. THE GRANTING OF THESE VARIANCES IS NOT INJURIOUS TO NEIGHBORING PROPERTIES AS SHARED ACCESS HAS AND WILL CONTINUE TO BE GRANTED. IT WILL ALSO NOT BE CONTRARY TO THE PUBLIC INTEREST OR THE INTENT AND PURPOSE OF THIS ZONING CODE.

Signature of Applicant



Date

05-24-16





# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: M

DATE: 5/18/16



Disclaimer

Scale = 75



This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

# City of Columbus

## Address Plat



### CERTIFIED HOUSE NUMBERS

The House Numbers Contained on This Form  
are Herein Certified for Securing  
of Building & Utility Permits

Parcel ID: 010-045028

Project Name: TRI-VILLAGE SELF STORAGE

House Number: 163

Street Name: LIBERTY ST

Lot Number:

Subdivision:

Work Done: NEW

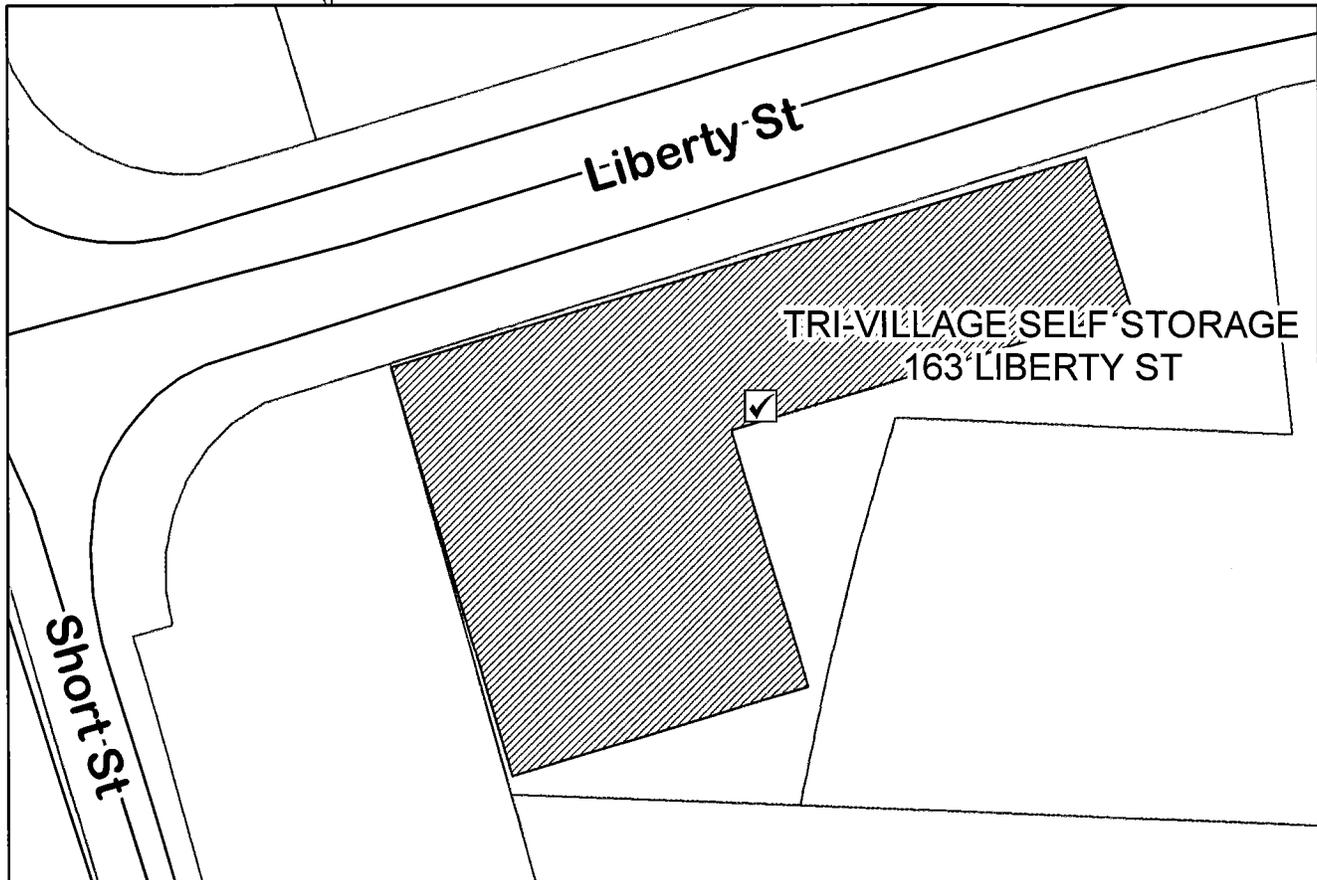
Complex:

Owner: TOW LTD

Requested By: BREXTON CONST/ MS CONSULTANTS INC

Printed By: *Alfcarmon*

Date: 4/29/2016



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

SCALE: 1 inch = 50 feet

GIS FILE NUMBER: 1636798

ACTIONS TAKEN IN WRITING  
BY THE MANAGER OF  
**TOW LTD.**  
as of MAY 26, 2016

The undersigned, being all of the Manager of **TOW Ltd.** (the "**Company**"), does take and adopt the following actions by this writing pursuant to the Company's Operating Agreement:

WHEREAS, the Company owns a .501 acre of land described as Short Street, Ohio Canal, Tax Parcel No. 010-045028-00 (the "**Property**");

WHEREAS, the Company is working with Mark Edwards of Brexton, LLC, 815 Grandview Avenue, Suite 300, Columbus, Ohio 43215 ("**Brexton**") to develop the Property;

WHEREAS, Brexton, on behalf of the Company, will be applying to the City of Columbus Board of Zoning for a variance for the Property;

NOW, THEREFORE, the Company, for and on behalf of itself, resolves the following:

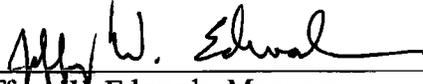
1. The Company hereby affirms and ratifies all actions taken on its behalf, for the development of the Property.

2. The Manager of the Company, Jeffrey W. Edwards, or any one of the following officers of the Company: Kimberly A. Ulle, Vice-President, John A. Leibold, Vice-President, Thomas Magers, Vice-President, and/or Dean Kissos, CFO, is hereby authorized, directed and empowered for and on behalf of the Company, and in its name; to execute any and all documents necessary to apply for the zoning variance on the Property.

3. The Company hereby appoints Brexton to act as its agent in the application for the zoning variance with the City of Columbus.

These minutes constitute a complete record of the actions taken by the Manager of the Company, effective on the date set forth above.

**MANAGER:**

  
\_\_\_\_\_  
Jeffrey W. Edwards, Manager

**Board of Zoning Adjustment Application**

DEPARTMENT OF BUILDING  
AND ZONING SERVICES

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) MARK EDWARDS  
of (COMPLETE ADDRESS) % BREXTON 815 GRANDVIEW AVE, SUITE 300, COLUMBUS 43215  
deposes and states that (he/she) is the APPLICANT AGENT, OR DULY AUTHORIZED ATTORNEY FOR SAME and the following 43215  
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 and their mailing addresses:

NAME	COMPLETE MAILING ADDRESS
<u>TOW LTD</u>	<u>495 S. HIGH ST., SUITE 150, COLUMBUS 43215</u>
<u>Edwards Tower, LLC</u>	<u>495 S. High Street, Suite 10 Columbus, OH 43215</u>
<u>Modern Family Storage II, LLC</u>	<u>815 Grandview Ave. Suite 300. Columbus, OH 43215</u>

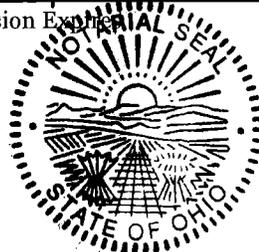
SIGNATURE OF AFFIANT *Mark Edwards*

Sworn to before me and signed in my presence this 24 day of May, in the year 2016

*Liana Daubner*  
SIGNATURE OF NOTARY PUBLIC

6-2-19  
My Commission Expires

Notary Seal Here



**LIANA M. DAUBNER**  
NOTARY PUBLIC  
STATE OF OHIO  
Recorded in  
Franklin County  
My Comm. Exp. 6/2/19

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