

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: CV17-071 Date Received: 10/16/2017

Application Accepted by: MM Fee: \$1,600

Assigned Planner: Sharon Pine; 614-645-2208; spine@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address or Zoning Number: 2172 Cleveland Ave Zip: 43211

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: 010-060285-00

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

Current Zoning District(s): Z81-068 - C3, H-35

Area Commission or Civic Association: South Linden Area Commission

Proposed Use or reason for Council Variance request:

to allow auto sales, leasing, and rental see statement in support

Acreage: .19

APPLICANT:

Name: Tahani Alsaadi Phone Number: 6142093450 Ext.: _____

Address: 5937 North pine st. City/State: Columbus Ohio Zip: 43231

Email Address: _____ Fax Number: _____

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

Name: Tahani Alsaadi Phone Number: 6142093450 Ext.: _____

Address: 5937 North pine st. City/State: Columbus Ohio Zip: 43231

Email Address: _____ Fax Number: _____

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

Name: Omar Tarazi Phone Number: 6142262823 Ext.: _____

Address: 5635 Sandbrook Lane City/State: Hilliard Oh Zip: 43026

Email Address: Omar_Tarazi@hotmail.com Fax Number: 6143194242

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

APPLICANT SIGNATURE _____

PROPERTY OWNER SIGNATURE _____

ATTORNEY / AGENT SIGNATURE _____

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

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STATEMENT OF HARDSHIP

Application Number: CV17-071

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 attached statement of hardship

Signature of Applicant _____

Date _____

09-29-17

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Statement of Hardship

Code sections subject to variance request:

- 1- Section 3355.05 C3 permitted uses
- 2- Section 3372.601
- 3- Section 3372.604-3372.609

The property consists of a fenced in parking lot with a small building that is approximately 22ft X 14ft (308 square feet). The property has no road access from Cleveland Avenue. It is accessible via a small ally way in the back of the property. The property also has a small 22ft X 15 ft open metal carport structure. The current zoning is Z81-068, Commercial, C3, 10/27/1982, H-35. The property is .19 acres according to the Franklin County Auditor. The current owner purchased the property and has been using it as a used car lot since July 13, 2015. He purchased it from the previous owner who also used it as a used car lot since December 13, 2013. It is believed to have been used as a car lot prior to that as well.

Applicant is seeking a variance to allow automobile sales, leasing, and rental on the property, and allow him to continue these operations on the property as is, without modification, for the following reasons:

- 1- The configuration of the property is designed for a used car lot. The structure in the middle of the parking lot property is not economically useful at approximately 308 square feet except for very limited uses such as a dealership office.
- 2- The essential character of the neighborhood and adjoining properties will not suffer a substantial detriment.
- 3- This variance will not affect any government services.
- 4- The property owner purchased the property unaware of the zoning restriction because the previous owner operated it as a used car lot, and there are a number of other used car lots operating on Cleveland Avenue.
- 5- There is no other solution for this property other than a zoning variance. Without a zoning variance his investment in the property will be lost because it will take a complete demolition of the building structure on the property and building a new building for some other use to make the property economically viable. Applicant does not have the funds to make these changes which would impose an undue hardship. Therefore, if he is denied the variance, the property will likely become vacant and economically unusable.
- 6- Cleveland Avenue (and Westerville Rd which branches off Cleveland Ave) have many auto sales and service within a few miles of this property including:

A- 2548 CLEVELAND AVE, COLUMBUS, OH Global Used Cars

B- 1945 Cleveland Ave, Columbus, OH 43211 General Auto Service and Repair

C- 2608 Cleveland Ave, Columbus, Ohio 43211 Madina Auto Sale LLC

D- 2810 Cleveland Ave, Columbus, OH 43224 Via Roma Auto Sales

E- 3000 Westerville Rd, Columbus, OH 43224 Gibson's Auto Sales

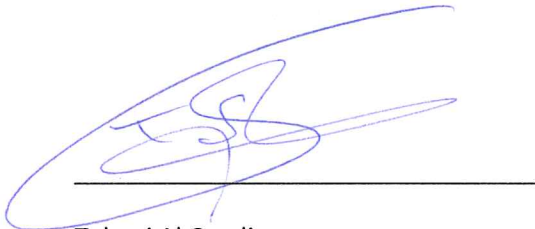
F- 3200 Westerville Rd, Columbus, OH 43224 Daily Auto Sales

G- 3129 Cleveland Ave, Columbus, OH 43224 Top Auto LLC

H- 3180 Cleveland Ave, Columbus, OH 43224 Memi Auto Sales

7- The variance requested 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, engager the public safety, unreasonably diminish or impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus.

Applicant operates the property in a clean and neat manner bringing much needed economic activity to this area of Cleveland Avenue. His immediate neighbors support him continuing his used car lot business as he operates it in a clean and neat manner.



Tahani Al-Saadi

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: 1017-071

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Tahani Alsaadi

of (1) MAILING ADDRESS 5937 Northern pine St Columbus Oh 43231

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 CERTIFIED ADDRESS FOR ZONING PURPOSES 2172 Cleveland Ave Columbus Oh 43211

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 10/16/17

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) Tahani Alsaadi
5937 Northern pine St
Columbus Oh 43231

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

Tahani Alsaadi
614 209 3450

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

(5) South Linden Area Commission
George Walker Jr, Chair
1378 E 23rd Ave, Columbus Oh 43211

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)

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

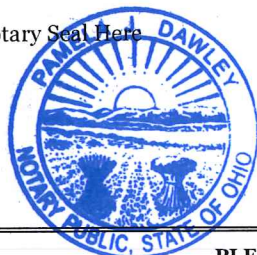
(8) SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 16 day of Oct, in the year 2017

(8) SIGNATURE OF NOTARY PUBLIC

My Commission Expires 4-28-19

Notary Seal Here



PAMELA J. DAWLEY

NOTARY PUBLIC

STATE OF OHIO

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

**RECORDED IN
FRANKLIN COUNTY**

**My Commission Expires
April 28, 2019**

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MOORE JOHN DAVID SR
MOORE FRANCINE ELAYNE,
MOORE JOHN JR
2153 CLEVELAND AVE
Columbus Ohio 43211

POSITIVE RESULTS PROPERTY
SERVICES LLC
118 GRACELAND BLVD
COLUMBUS OH 43214

AUTO TRADE ZONE INC
PO BOX 20571
COLUMBUS OH 43220

PERDUE FAUN MOSES
707 NORTHVIEW AVE
COLUMBUS OH 43219

AEKINS RENE
2152 N CLEVELAND AV
Columbus Ohio 43211

EVANS GRADY
447 HIGHGATE AVE
WORTHINGTON OH 43085

THOMAS MATTHEW A
6142 DOEWOOD ST
COLUMBUS OH 43229

ALSAADI TAHANI
5937 NORTHERN PINE ST
COLUMBUS OH 43231

Omar Tarazi
Attorney for Applicant
5635 Sandbrook Lane
Hilliard, Ohio 43026

AUTO TRADE ZONE INC
P O BOX 20571
COLUMBUS OH 43220

CITY OF COLUMBUS
109 N FRONT ST
COLUMBUS OH 43215

SWANSON JOSHUA
206E SOUTH ST UNIT 3031
ORLANDO FL 32801

ELEVATION CHURCH
2189 CLEVELAND AVE
COLUMBUS OH 43211

NEEDS LAURA M
11840 BRIGHT PSGE
COLUMBIS MD 21044

CITY OF COLUMBUS OHIO
845 PARSONS AVE
COLUMBUS OH 43206

SOUND THE ALARM MINISTRIES
2169 CLEVELAND AVE
COLUMBUS OH 43211

ALSAADI TAHANI
5937 NORTHERN PINE ST
COLUMBUS OH 43231

CALDWELL TACOMA O
196 N 20TH ST
COLUMBUS OH 43203

MICHAEL L JONES LTD
2816 KINGSGRAVE CT
COLUMBUS OH 43209

CITY OF COLUMBUS OHIO
50 W GAY ST 4TH FL
COLUMBUS OH 43215

OHAYO LLC
3213 WHALLEY PL W
SEATTLE WA 98199

MONTGOMERY TOMMIE LEE
39 EVERGREEN TERRACE
COLUMBUS OH 43228

WILLIAMS MILDRED
LISA D
1547 CORDELL AVE
COLUMBUS OH 43211-1617

THOMAS MATTHEW A
6142 DOEWOOD ST
COLUMBUS OH 43229

South Linden Area Commission
George Walker Jr. Chair
1378 E 23rd Ave., Columbus, Ohio
43211

CV17-071

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 Number: CV17-071

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Tahani Alsaadi

of (COMPLETE ADDRESS) 5937 North Pine St Columbus OH 43231

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. <u>Tahani Alsaadi</u> <u>5937 North Pine St.</u> <u>Columbus OH 43231</u>	2.
3.	4.

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

SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 16 day of Oct, in the year 2017

SIGNATURE OF NOTARY PUBLIC

My Commission Expires

Notary Seal Here



PAMELA J. DAWLEY
NOTARY PUBLIC
STATE OF OHIO

RECORDED IN
FRANKLIN COUNTY

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LEGAL DESCRIPTION

Located at: 2172 Cleveland Ave., City of Columbus, State of Ohio,

Situated in the State of Ohio, County of Franklin, and in the City of Columbus:

Being Lots Numbered Twenty-Six (26), in Inniscrest, as the same are numbered and delineated upon the recorder plate thereof, of record in Plate Book 8, Page 158, Recorder's office, Franklin County, Ohio.

CV17-071

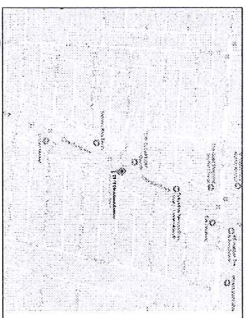
GENERAL NOTES

SCOPE OF PROPOSED WORK
NO CHANGE OF ZONING FROM C-COMMERCIAL
EXISTING BUILDING ON CORNERED LOTS NOT TO CHANGE
COMMERCIAL OFFICE SPACE FOR USED AUTO SALES

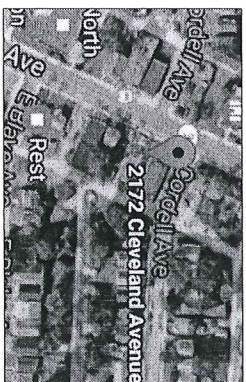


DIRECTIONAL NOTES

- ① EXIST. CONCRETE SIDEWALK
- ② EXIST. CONCRETE STAIRS
- ③ EXIST. CHAIN LINK FENCE
- ④ EXIST. CHAIN LINK DOOR
- ⑤ EXIST. CHAIN LINK GATE (OPEN)
- ⑥ EXIST. COVERED PARKING STRUCTURE
- ⑦ EXISTING BUILDING
- ⑧ DRIVE ACCESS ROAD
- ⑨ EXISTING ASPHALT PAVEMENT
- ⑩ EXISTING STEEL PIPE BOLLARDS (1" OF 2)
- ⑪ EXISTING DUMPSTER
- ⑫ EXISTING LIGHT POLE
- ⑬ EXISTING PROPERTY SOURCE ON FENCE



C SITE LOCATION MAP
SCALE: 1" = 100'

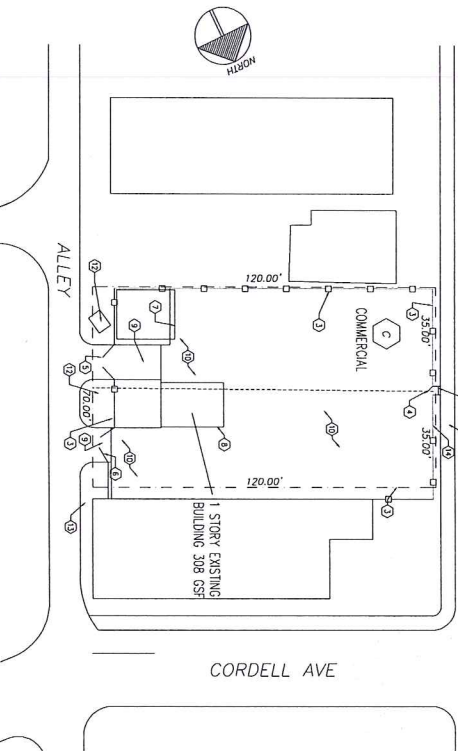


B SITE PHOTO
SCALE: 1" = 100'

SITE NOTE:
PARCEL ID. NO. 010.060285.00

PARCEL AREA 8,337.6 sf = 0.19 ACRES
LAND USE - 467 - USED AUTO SALES
CURRENT ZONING - C-COMMERCIAL
PROPOSED ZONING - C-COMMERCIAL (NO CHANGE)
FLOOD PLAIN INFORMATION: FIRM 35049C0188K
ENTIRE SITE IS NOT IN A FLOOD ZONE

PARKING REQUIREMENTS
CAR AND TRUCK SALES - 1,500 SF LOT AREA FOR DISPLAY
AND 1,300 SF OF BUILDING SPACE
LOT AREA - 5,000 SF = 1 SPACE
OFFICE AREA - 336 SF = 1 SPACE
1 VAN ACCESSIBLE SPACE REQUIRED - 1 PROVIDED
1 ADDITIONAL SPACE REQUIRED - 1 PROVIDED



A SITE PLAN
SCALE: 1" = 30'

NOTICE
THESE PLANS ARE INSTRUMENTS OF SERVICE AND MAY NOT BE ALTERED, REPRODUCED OR COPIES WITHOUT PRIOR WRITTEN AGREEMENT.
UNAUTHORIZED ALTERATION OF THESE PLANS IS A VIOLATION OF THE LAW. ALL DIMENSIONS AND MATERIALS SPECIFICATIONS ARE TO BE VERIFIED BY THE CONTRACTOR.

PROJECT INFORMATION:
OWNER NAME AND ADDRESS:
ALSHADI TARIK & ALCHIRAWI AMQAD
2171 CLEVELAND AVE
COLUMBUS, OH 43211
ARCHITECT NAME AND ADDRESS:
ANDREW M. VOGEL, AIA, LEED AP
ARCHITECTURAL DESIGN SERVICES
614 519-9820
614 519-9820

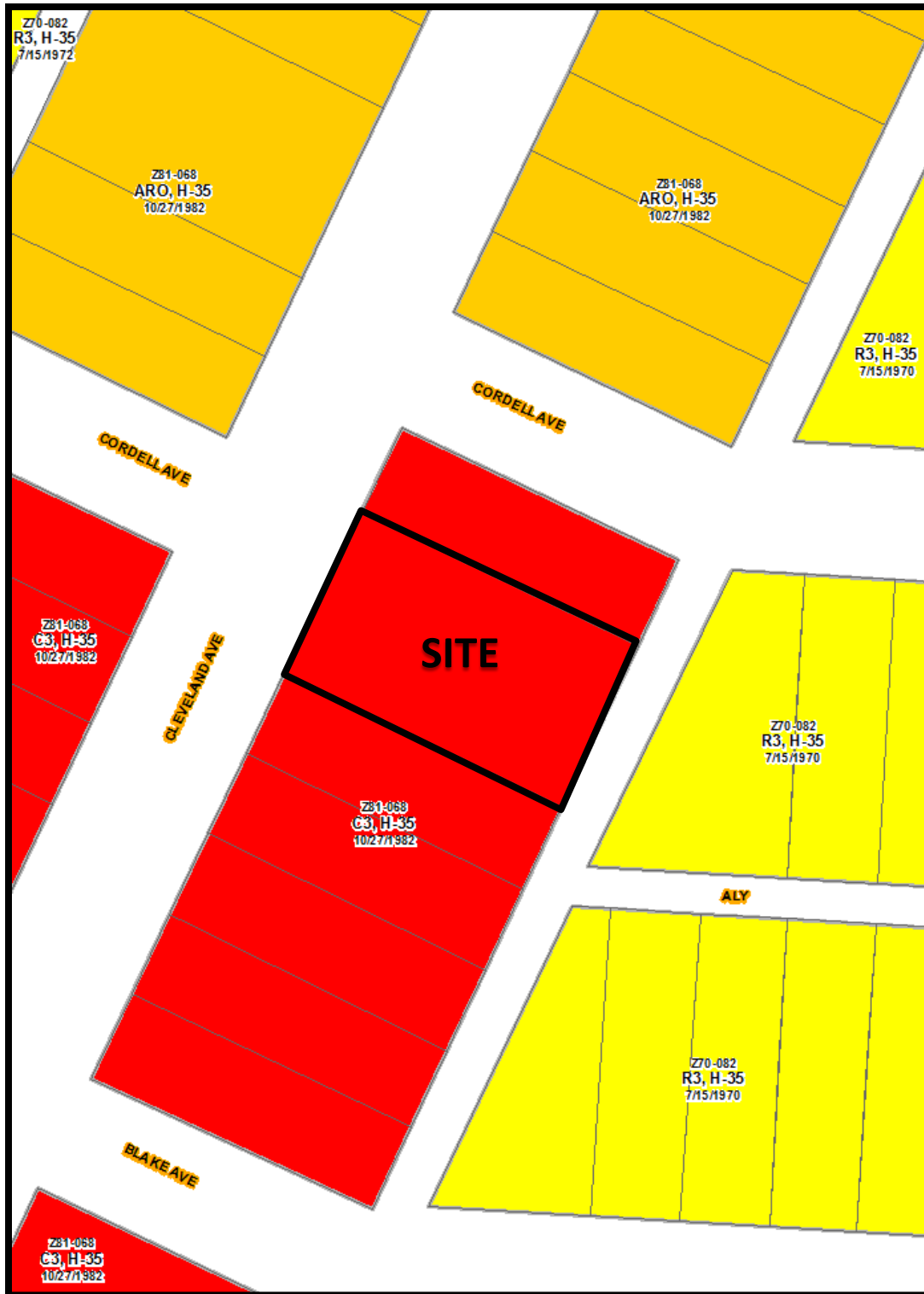
LEGEND
② COMMERCIAL PROPERTY ZONING OF ADJACENT PROPERTIES
6'-0" HIGH CHAIN LINK FENCE LINE
4" PAVEMENT MARKING
POWER POLE
CURB INLET

ZONING SITE PLAN

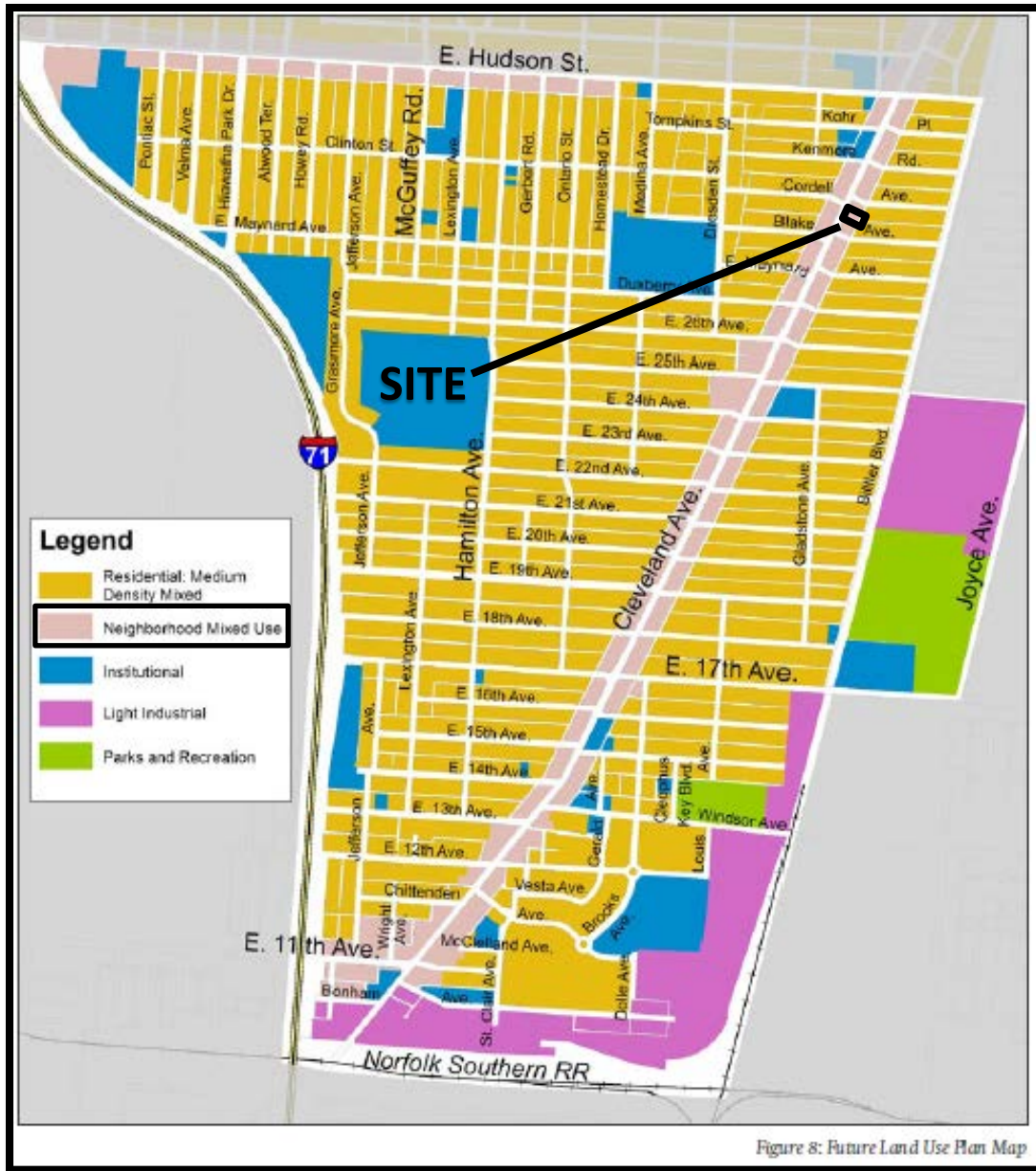
ANDREW M. VOGEL, AIA, LEED AP
ARCHITECTURAL DESIGN SERVICES
4567 MERRIMAN PLACE
COLUMBUS, OHIO 43235
AUTO SALES DEALERSHIP
2172 CLEVELAND AVENUE
COLUMBUS, OHIO 43211

DATE: JUNE 15, 2017
DRAWN BY: AMV
PROJECT NUMBER: 17-6-1
ST-1

CU17-071



CV17-071
2172 Cleveland Avenue
Approximately 0.19 acres



South Linden Neighborhood Plan Amendment (2012)

CV17-071
 2172 Cleveland Avenue
 Approximately 0.19 acres



CV17-071
2172 Cleveland Avenue
Approximately 0.19 acres