

### **Zoning Report**

#### **Site Information**

Address

3265 E BROAD ST

Mailing Address

447 JAMES PKWY

NEWARK OH 43056-1030

Owner

BROAD + JAMES DUCHESS LLC

Parcel Number

010090069

In Columbus?

Yes

County

**FRANKLIN** 

### **Zoning Information**

Zoning

ORIG, Commercial, C4, 2/27/1928, H-35

Historic District

None

Short North Special Parking Area

Out

Council Variance

None

Board of Zoning Adjustment

(BZA) Variance

None

Commercial Overlay

EAST BROAD STREET CCO

Planning Overlay

None

Graphics Variance

None

Area Commission

None

Historic Site

Νo

Flood Zone

Out

Airport Overlay Environs

None

### **Pending Zoning Action**

Zoning

None

Board of Zoning Adjustment

None

(BZA) Variance Council Variance

None

Graphics Variance

None

# THE COTY OF COLUMBUS

# **Board of Zoning Adjustment Application**

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

	Application Number: 52417	Date Received:	16 NO. 201
N.C.	Application Accepted by:	# Fee: \$19	
OFFICE USE ONLY	Commission/Civic:	e v	
135	Existing Zoning:		
FFI	Comments:		
C			
TYPE(S	S) OF ACTION REQUESTED (Check all that apply):		
<b>✓</b> Var	riance Special Permit		
Reques 15.48' a James James		704 Part D: Reduce parking setback from	<u>25' to 12.95' along</u>
LOCAT	0065 P. D. 10:	gr. Columbus	12200
		City: Columbus	zip: 43209
Parcel N	umber (only one required): 010-090069-00		<del></del>
	CANT (If different from Owner):	<b>=0.4.0</b> = 4.0 = 4	
Applicat	nt Name: Primax Properties, LLC	Phone Number: 704-954-7216	Ext.:
Address:	1100 E. Morehead Street	City/State: Charlotte, NC	zip:_28204
		City/State: Charlotte, NC Fax Number: 704-344-828	
Email Ad	ddress: cneill@primaxproperties.com	Fax Number: 704-344-828	
Email Ad	ddress: cneill@primaxproperties.com  CRTY OWNER(S)	Fax Number: 704-344-828	
Email Ad PROPE Name: <u>F</u>	ddress: cneill@primaxproperties.com  ERTY OWNER(S)	Fax Number: 704-344-828	38
Email Ad PROPI Name: <u>F</u> Address:	ddress: cneill@primaxproperties.com  ERTY OWNER(S)	Fax Number: <u>704-344-828</u> al property owners on a separate page Phone Number:	Ext.: Zip: <u>43056</u>
Email Ad PROPI Name: <u>F</u> Address: Email Ad	ddress: cneill@primaxproperties.com  ERTY OWNER(S)	Fax Number: 704-344-828 al property owners on a separate page Phone Number: City/State: Newark, OH Fax Number:	Ext.: Zip: <u>43056</u>
Email Ad PROPE Name: <u>E</u> Address: Email Ad	ddress: cneill@primaxproperties.com  ERTY OWNER(S)	Fax Number: 704-344-828 al property owners on a separate page Phone Number: City/State: Newark, OH Fax Number:	Ext.: Zip: <u>43056</u>
Email Ad PROPE Name: <u>E</u> Address: Email Ad ATTORI Name: <u>C</u>	ddress: cneill@primaxproperties.com  ERTY OWNER(S)	Fax Number: 704-344-828 al property owners on a separate page Phone Number: City/State: Newark, OH Fax Number: Agent	Ext.: Zip: <u>43056</u>
Email Ad PROPI Name: <u>F</u> Address: Email Ad ATTOR Name: <u>C</u>	Address: cneill@primaxproperties.com  CRTY OWNER(S)	Fax Number: 704-344-828 al property owners on a separate page Phone Number: City/State: Newark, OH  Fax Number: Agent Phone Number: 614-942-3016	Ext.:Zip: <u>43056</u>
Email Adress:  Email Adress:  Email Adress:  Address:  Address:  Email Adress:	Address: cneill@primaxproperties.com  CRTY OWNER(S)	Fax Number: 704-344-828  al property owners on a separate page Phone Number: City/State: Newark, OH  Fax Number: Phone Number: 614-942-3016 City/State: Columbus, OH  Fax Number:	Ext.:Zip: <u>43056</u>
Email Address: Email Address: ATTOR Name: C Address: Email Address: Email Address:	Address: cneill@primaxproperties.com  CRTY OWNER(S)	Fax Number: 704-344-828  al property owners on a separate page Phone Number: City/State: Newark, OH  Fax Number: Phone Number: 614-942-3016 City/State: Columbus, OH  Fax Number:	Ext.:Zip: <u>43056</u>

PLEASE NOTE incomplete information will result in the rejection of this submittal.

Applications must be submitted by appointment. Call 614-645-4522 to schedule.



# **Board of Zoning Adjustment Application**

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

	Application Number: 82417	Date Recei	ived: 16 Nov. 22 1
NES	Application Accepted by:	Fee: 4	1900
SE O	Application Accepted by:  Commission/Civic:  MACC	, 1	
n a	Existing Zoning:		
OFFICE USE ONLY	Comments:		
0;			
TYPE(	(S) OF ACTION REQUESTED (Check all that app	ply):	
Va	ariance Special Permit		
Reque 15.48' James James		king from 12 to 19 spaces. 3372.704 Pa d. 3372.704 Part D: Reduce parking set	tback from 25' to 12.95' along
	ATION ed Address: 3265 E. Broad Street	city: Columbus	zin: 43209
	<del>''</del>	Oity, <u></u>	Дір. <u>10 до</u> з
	Number (only one required): <u>010-090069-00</u>		· · · · · · · · · · · · · · · · · · ·
	ICANT (If different from Owner): ant Name:	Phone Number	Ryt :
Addres	35:	City/State:	Zip:
Email .	Address:	Fax Number:	
	PERTY OWNER(S) Check here if listing of Broad & James Duchess, LLC		
Addres	ss: 447 James Pkwy.	City/State: Newark, OH	Zip: <u>43056</u>
Email.	Address:	Fax Number:	
ATTO	RNEY / AGENT (Check one if applicable):	attorney Agent	
Name:		Phone Number:	Ext.:
Addres	ss;	City/State:	Zip:
Email.	Address:	Fax Number:	
SIGN/	ATURES (All signatures must be provided and sign	ned in <b>blue</b> ink)	
APPLI	CANT SIGNATURE	2 1	
PROP	ERTY OWNER SIGNATURE		

# COLUMBUS

# **Board of Zoning Adjustment Application**

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

AFFIDAVIT		
STATE OF OHIO		
COUNTY OF FRANKLIN	- 00	MILLS and a
being hist duty cautioned and sworm (1) NAME		A. Tibbitts, CESO, Inc.
of (1) MAILING ADDRESS 2800 Corporate E		
-	_	duly authorized attorney for same and the following is a list of the
name(s) and mailing address(es) of all the owners		
(2) per ADDRESS CARD FOR PROPERTY 3265		
	ial perm	it or graphics plan was filed with the Department of Building and
Zoning Services, on (3)(THIS	S LINE TO	BE FILLED OUT BY CITY STAFF)
SUBJECT PROPERTY OWNERS NAME	(4)	Broad & James Duchess, LLC
AND MAILING ADDRESS	(4)	447 James Pkwy.
AND MAILING ADDICESS		Newark, OH 43056
		Duimour Duamouties, LLC
APPLICANT'S NAME AND PHONE #		Primax Properties, LLC 704-954-7216
(same as listed on front application)		
AREA COMMISSION OR CIVIC GROUP	(5)	N/A
AREA COMMISSION ON CIVIC GROOT AREA COMMISSION ZONING CHAIR	(3)	
OR CONTACT PERSON AND ADDRESS		
		and complete mailing addresses, including zip codes, as shown on
-		y Treasurer's Mailing List, of all the owners of record of property
-		for which the application was filed, <b>and</b> all of the owners of any property event the applicant or the property owner owns the property contiguous to
the subject property	rty III tile	event the applicant or the property owner owns the property configuous to
the subject property	//	
	12	
(7) SIGNATURE OF AFFIANT	X	
(// SIGNATORE OF THE FIRST		
Sworn to before me and signed in my presence thi	s_/ <u>/</u>	day of November, in the year 2017
KINGSO -		Notary Seal Here
Justin Allender	<u></u>	2/25/2019
(7) SIGNATURY OF NOTARY PUBLIC		My Commission Expires
		KIMBERLY A. SHAPIRO
		Notary Public, State of Ohio
		My Commission Expires
		02-25-2019
		The second second

TRIPLE R ASSOCIATES 2500 N HIGH STREET COLUMBUS OHIO 43215 TRIPLE R ASSOCIATES 2500 N HIGH STREET COLUMBUS OHIO 43215

MATHENA-BROADSTREET LLC 9251 BAJAEA RD SCOTTSDALE AZ 85262 MATHENA-BROADSTREET LLC 9251 BAJAEA RD SCOTTSDALE AZ 85262

I & O AND Y INC Z M & F INC. STE 170 29425 NORTHWESTERN HWY SOUTHFIELD MI 48034 I & O AND Y INC Z M & F INC. STE 170 29425 NORTHWESTERN HWY SOUTHFIELD MI 48034

FOLD REAL ESTATE HOLDINGS LLC 3016 MARYLAND AVE COLUMBUS OHIO 43209 FOLD REAL ESTATE HOLDINGS LLC 3016 MARYLAND AVE COLUMBUS OHIO 43209

SCHILLING ROBERT & LINDA 815 N HIGH ST STE R COLUMBUS OH 43215 SCHILLING ROBERT & LINDA 815 N HIGH ST STE R COLUMBUS OH 43215

FOUR WINNERS 33 S JAMES RD COLUMBUS OHIO 43213 FOUR WINNERS 33 S JAMES RD COLUMBUS OHIO 43213

NATIONAL PROPERTIES INC ATTN: CASTO 250 CIVIC CENTER DR STE 500 COLUMBUS OHIO 43215 NATIONAL PROPERTIES INC ATTN: CASTO 250 CIVIC CENTER DR STE 500 COLUMBUS OHIO 43215

# COLUMBUS

## **Board of Zoning Adjustment Application**

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

### STATEMENT IN SUPPORT OF VARIANCE(S)

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). The board shall take into account all of the following facts and conditions when considering variances:
  - Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the
    property without a variance.
  - 2. Whether the variance is substantial.
  - 3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.
  - 4. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse service).
  - 5. Whether the property owner purchased the property with knowledge of the zoning restriction.
  - 6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.
  - Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.
- **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.

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 not included, a new application (and applicable fees) will be required.

I have read the foregoing and believe my application for relief from the requirements of the Zoning Code demonstrates practical difficulty as contemplated by that section, in the following ways (use separate page if needed or desired):

Section 3312.49: Requested relief to allow for parking spaces in excess of the maximum permitted by code. Requested increase from 12 max parking spaces permitted by code to 19. The end user for this site has over 300 locations in 12 states and has built a business model off of parking demands of 25 parking spaces in order to provide convenience and safe on site circulation to its customers.

Section 3372.704 - Part A: Relief requested from setback requirement to allow for building to be placed closer to Broad St. and James Rd. Requested relief is from 25'+/-2' to 15.48' along E. Broad St. and 15.06' along James Rd. Variance is necessary to allow for circulation and parking behind the building as required in the overlay district.

Signature of Applicant\_

Date //./6 · 17



## **Board of Zoning Adjustment Application**

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

### STATEMENT IN SUPPORT OF VARIANCE(S)

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  - Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the
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  - 4. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse service).
  - 5. Whether the property owner purchased the property with knowledge of the zoning restriction.
  - 6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.
  - 7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.
- 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.

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 not included, a new application (and applicable fees) will be required.

I have read the foregoing and believe my application for relief from the requirements of the Zoning Code demonstrates practical difficulty as contemplated by that section, in the following ways (use separate page if needed or desired):

Section 3372.704 - Part D: Relief requested from requirement that parking be located 25' from Right-of-Way line. Relief requested to allow setback to be reduced from 25' to 12.95'. Reduction is requested to allow for the number of parking spaces being requested in this variance package. Overall site improvements reduce the impervious area on site and will include landscaping improvements surrounding the parking lot and will improve the lot from its current condition to closer meet the CCO.

Section 3372.705 - Part B: Relief requested for building to be 60% of lot width. Proposed principal building width is approximately 40.2% of the lot width along E. Broad St. and 37.8% along James Rd. The building proposed is a prototypical building utilized by the end user at various locations around the country. In addition, the lot size and configuration does not allow for this to be met while maintaining safe on site parking and circulation as shown on the site plan.

Signature of Applicant

Date\_\_//./6·17

#### **BZA17-135** 3265 EAST BROAD STREET SEED 2012/8- RELIEF REDUESTED TO ALLOW BLOREASE FROM 12 MANIMAN PARKING SPACES TO 19 2 ECO. NOTO THE ARTHUR CORP. THE SPACES TO 19 2 ECO. NOTO THE ARTHUR CORP. THE SPACES THE S REQUIRED VARIANCES: DPOSED ACCESS SEMENT OWNIER/DEVELOPER: PRIMAX PROPERTIES, LLC 1100 E. MORENDEAD STREET CHARLOTTE, NC 2820428 IS COMPACT D. CHARLS WILL PROME (PO) 94-1218 EAUL, CMEIL, EMPRIMAX PROPERTIES COM EAUL, CMEIL, CMEIL, CMEIL, EMPRIMAX PROPERTIES COM EAUL, CMEIL, EMPRIMAX PROPERTIES COM EAUL, CMEIL, CMEI Let 413 180 0000 0 A CONTRACTOR OF THE PARTY OF TH E Broad Street (varying width-public) ENGINEER: CBSO, INC. 280 CCHPORATE EXCHANGE DR. 280 CCHPORATE EXCHANGE DR. 2811E 180 COLUMBUS, CHIO 42311 CONTACT. 15FF 1881T19 PROME (84) 3734 INC. EMAIL: TRENTERCESCHIC.COM For Herma, Inc. 0 public alley 0 ACCORDING TO FLAM, NO, 3904CD31K, BEMING AN EFFECTIVE DATE OF A 1720A. THE SUBJECT PROPERTY IS LOCATED IN A ZONE OF ANNUAL PLANCE OF THE BLAKA DETERINATED TO BE CUTBING THE BLAKA ANNUAL PLOOD PLANCE. FLOODPLAIN DESIGNATION: ĵ) SURVEY PROVIDED BY: GESOING: 395 SPRINGSIDE DRIVE STE 202 AKRON, CH 44333 PHONE (340) 985-6860 COMNOT, STEND CLUTTER DATED: 328,2017 1 TOTAL SITE AREA: TOTAL DISTURBED AREA: PRE-DEVELOPMENT IMPERVIOUS: POST-DEVELOPED IMPERVIOUS: CODED NOTES: 10. PROPOSED RIGHT IN / RIGHT OUT DRIVEWAY 8. PROPOSED ASPHALT PAVEMENT 6. PROPOSED CONCRETE CURB 5. PROPOSED PAVEMENT MARKINGS 4. PROPOSED ADA RAMP PARCEL ID: PROPERTY DATA: SITE DATA TABLE: PARCEL OWNER: EXISTING PROPERTY AREA: PROPOSED PROPERTY AREA PROPOSED CONCRETE WALK PROPOSED TREE PROPOSED BIKE RACK (2 SPACES) PROPOSEO ADA ACCESSIBLE PARKING SPACE WITH SIGNAGE PROPOSED DUMPSTER ENCLOSURE PROPOSED 2,500 SQ. FT. PLS FINANCIAL BUILDING A HYDRANT WATER VALVE ♦ POWER/TELEPHONE POLE BENCHMARK DATUM: MAYOSS BENCHMARK DATUM: BLOCK DAT LINDERGOLINE LINDERGOLINE BLEG. UNE LINDERGOLINE CLUE LINDERGOLINE EXISTING 20.733 SO.FT. (0.475 ACRES) 16,772 SO.FT. (0.385 ACRES) COLUMBUS, OH 43209 3285 E. BROAD STREET PIN: 010-090069-00 BROAD & JAMES DUCHESS, LLC PROPERTY LINE PROPERTY LINE PROPERTY LINE PROPERTY LINE ROADWAY CENTERLINE DOMESTIC WATER SERVICE LINE SANITARY SEWER GAS SERVICE LINE OHIO Utilities Protection SHV/CE LEGEND PARKING: REQUIRED PARKING: BUILDING SETBACKS FRONTAGE ALONG BROAD ST: FRONTAGE ALONG JAMES ST: WEST SIDE: BUILDING AREA: BUILDING COVERAGE: BUILDING HEIGHT: ADJACENT ZONING: NORTH: SOUTH: EAST: WEST: CURRENT ZONING CATEGORY: CLASSIFICATION: SPECIAL DISTRICT: HEIGHT DISTRICT: BUILDING % OF LOT WIDTH BROAD ST: JAMES RD; PARKING SETBACKS BROAD ST: JAMES RD: GREEN SPACE COVERAGE: ZONING INFORMATION: ARCEL GREEN SPACE: DRIVE AISLE WIOTH PARKING STALLS: PROPOSED 1 ₺ ⊚ ESMI REQUIRED 25' ± 2' 25' ± 2' 50' wwx 2,500 ± SQ FT. 14,9% REQUIRED PROPOSED <35° COMMERCIAL C-4 BROAD STREET CCO H-35 EXISTING 9,77% 18 SPACES + 1 ADA, TOTAL, 19 SPACES 2 SPACES 1 SPACE PER 250 SO.FT. OF BUILDING AREA MIN 1 SPACE PER 250 SO.FT. OF BUILDING AREA MAX BUILDING AREA = 2500 SO.FT. 2 500 / 250 = 10 = 10 SPACES MIN. REQUIRED 2,500 / 250 = 12.5 = 12 SPACES MAX PROPOSED 24.28% PROPOSED RIGHT-OF-WAY PROPERTY LINE EASEMENT PROPOSED CONCRETE WALK / PAVEMENT PAVEMENTWALK CONCRETE BUMPER BLOC SETBACK CONCRETE CURB BUILDING PARKING SPACE COUNT CONSTRUCTION VARIANCE SITE PLAN ESO

WWW.CESOINC.COM

PL\$ FINANCIAL SERVICES



## **Board of Zoning Adjustment Application**

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) of (COMPLETE ADDRESS) deposes and states that (he/she) is the APPLICANT, AC is a list of all persons, other partnerships, corporations this application and their mailing addresses:	GENT, OR DULY AUTHORIZED ATTORNEY FOR SAME and the following or entities having a 5% or more interest in the project which is the subject of
NAME	COMPLETE MAILING ADDRESS
William G. Seymour	1100 E. Morehead Street Charlotte, NC 28204
Emma C. Seymour	1100 E. Morehead Street Charlotte, NC 28204
SIGNATURE OF AFFIANT	
Sworn to before me and signed in my presence this 10	th day of Muchher, in the year 2017
Musicah a Origina	My Commission Expires 7/15/2020 Notary Seal Here
SIGNATURE OF NOTHER PUBLIC	My Commission Expires  My Commission Expires