

THE CITY OF
COLUMBUS
ANDREW J. GINTHER, MAYOR

DEPARTMENT OF
DEVELOPMENT

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	No
Flood Zone	Out
Airport Overlay Environs	None

Pending Zoning Action

Zoning	None
Board of Zoning Adjustment (BZA) Variance	None
Council Variance	None
Graphics Variance	None

Board of Zoning Adjustment Application

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

OFFICE USE ONLY

Application Number: BZA17-135 Date Received: 16 Nov. 2017
Application Accepted by: T.P.D. MACE FF Fee: \$1800
Commission/Civic: _____
Existing Zoning: _____
Comments: _____

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

☒ Variance ☐ Special Permit

Indicate what the proposal is and list applicable code sections:

Requested variances: 3312.49: Increase max parking from 12 to 19 spaces. 3372.704 Part A: Reduce 25' setback to 15.48' along E. Broad St. & 15.06' along James Rd. 3372.704 Part D: Reduce parking setback from 25' to 12.95' along James Rd. 3372.705 Part B: Reduce principal building width from 60% of lot width to 40.2% on E. Broad St. & 37.8% on James Rd.

LOCATION

Certified Address: 3265 E. Broad Street City: Columbus Zip: 43209

Parcel Number (only one required): 010-090069-00

APPLICANT (If different from Owner):

Applicant Name: Primax Properties, LLC Phone Number: 704-954-7216 Ext.: _____

Address: 1100 E. Morehead Street City/State: Charlotte, NC Zip: 28204

Email Address: cneill@primaxproperties.com Fax Number: 704-344-8288

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

Name: Broad & James Duchess, LLC Phone Number: _____ Ext.: _____

Address: 447 James Pkwy. City/State: Newark, OH Zip: 43056

Email Address: _____ Fax Number: _____

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

Name: CESO, Inc. Attn: Jeffrey Tibbitts Phone Number: 614-942-3016 Ext.: _____

Address: 2800 Corporate Exchange Dr., Suite 160 City/State: Columbus, OH Zip: 43231

Email Address: tibbitts@cesoinc.com Fax Number: _____

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

APPLICANT SIGNATURE D. Chris Neill

PROPERTY OWNER SIGNATURE _____

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.



Board of Zoning Adjustment Application

757 Carolyn Avenue, Columbus, Ohio 43224
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OFFICE USE ONLY

Application Number: BZA17-035 Date Received: 16 Nov. 2017
Application Accepted by: MAcc JP Fee: \$1900
Commission/Civic: _____
Existing Zoning: _____
Comments: _____

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

Variance Special Permit

Indicate what the proposal is and list applicable code sections:

Requested variances: 3312.49: Increase max parking from 12 to 19 spaces. 3372.704 Part A: Reduce 25' setback to 15.48' along E. Broad St. & 15.06' along James Rd. 3372.704 Part D: Reduce parking setback from 25' to 12.95' along James Rd. 3372.705 Part B: Reduce principal building width from 60% of lot width to 40.2% on E. Broad St. & 37.8% on James Rd.

LOCATION

Certified Address: 3265 E. Broad Street City: Columbus Zip: 43209

Parcel Number (only one required): 010-090069-00

APPLICANT (If different from Owner):

Applicant Name: _____ Phone Number: _____ Ext.: _____

Address: _____ City/State: _____ Zip: _____

Email Address: _____ Fax Number: _____

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

Name: Broad & James Duchess, LLC Phone Number: _____ Ext.: _____

Address: 447 James Pkwy. City/State: Newark, OH Zip: 43056

Email Address: _____ 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 _____

PROPERTY OWNER SIGNATURE _____

ATTORNEY / AGENT SIGNATURE _____

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THE CITY OF
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 FRANKLINBeing first duly cautioned and sworn **(1)** NAME Jeffrey A. Tibbitts, CESO, Inc.of **(1)** MAILING ADDRESS 2800 Corporate Exchange Drive, Suite 160, Columbus, OH 43231

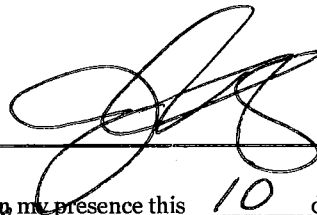
deposes and states that (he/she) is the applicant, agent, or duly authorized attorney for same and the following is a list of the name(s) and mailing address(es) of all the owners of record of the property located at

(2) per ADDRESS CARD FOR PROPERTY 3265 E. Broad Street, Columbus, OH 43209for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on **(3)** _____

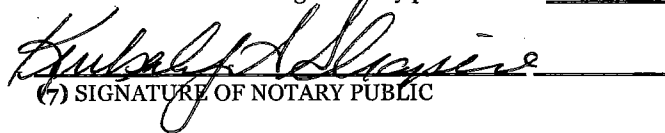
(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS**(4)** Broad & James Duchess, LLC447 James Pkwy.Newark, OH 43056APPLICANT'S NAME AND PHONE #
(same as listed on front application)Primax Properties, LLC704-954-7216AREA COMMISSION OR CIVIC GROUP
AREA COMMISSION ZONING CHAIR
OR CONTACT PERSON AND ADDRESS**(5)** N/A

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) SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 10 day of November, in the year 2017

Notary Seal Here

(7) SIGNATURE OF NOTARY PUBLIC


My Commission Expires

2/25/2019

KIMBERLY A. SHAPIRO
Notary Public, State of Ohio
My Commission Expires
02-25-2019

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BZA17-135
3265 EAST BROAD STREET

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

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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:
1. 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.
 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.

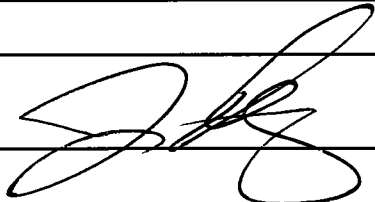
PLEASE NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are not included, a new application (and applicable fees) will be required.

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 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

11.16.17

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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.
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 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.
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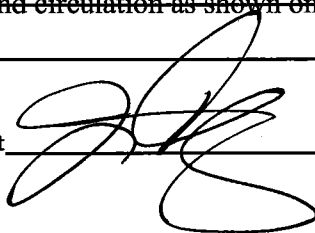
PLEASE NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are not included, a new application (and applicable fees) will be required.

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.

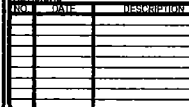
Signature of Applicant



Date

11.16.17

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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, 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 and their mailing addresses:

NAME

COMPLETE MAILING ADDRESS

William G. Sevmour

1100 E. Morehead Street Charlotte, NC 28204

Emma C. Sevmour

1100 E. Morehead Street Charlotte, NC 28204

SIGNATURE OF AFFIANT _____

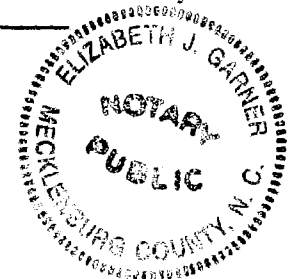
Sworn to before me and signed in my presence this 10th day of November, in the year 2017

Elizabeth J. Garner
SIGNATURE OF NOTARY PUBLIC

My Commission Expires 7/15/2020

My Commission Expires _____

Notary Seal Here



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