

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: CV17-085 Date Received: 12/27/17

Application Accepted by: TD Fee: \$1,280

Assigned Planner: Tim Dietrich; 614-645-6665; tedietrich@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address or Zoning Number: 4900 Sinclair Road, Columbus, Ohio Zip: 43229

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: 010-182523

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

Current Zoning District(s): L-M (Pending Z17-059)

Area Commission or Civic Association: Northland Community Council

Proposed Use or reason for Council Variance request:

Companion variance request with Z17-059. See Exhibit 'B'

Acreage: 6.865 +/- Ac

APPLICANT:

Name: U-Haul Company of Ohio, Inc. c/o Dave Perry Phone Number: 614-228-1727 Ext.: -----

David Perry Company, Inc.

Address: 411 East Town Street, 1st Floor City/State: Columbus, Ohio Zip: 43215

Email Address: dave@daveperryco.net Fax Number: -----

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

Name: AMERCO Real Estate Company c/o David Perry Phone Number: 614-228-1727 Ext.: -----

Address: David Perry Company, Inc. 411 E Town Street, 1st FL City/State: Columbus, OH Zip: 43215

Email Address: dave@daveperryco.net Fax Number: -----

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

Name: Donald Plank (Plank Law Firm) Phone Number: 614-947-8600 Ext.: -----

Address: 411 East Town Street, 2nd FL City/State: Columbus, OH Zip: 43215

Email Address: dplank@planklaw.com Fax Number: -----

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

APPLICANT SIGNATURE U-Haul Company of Ohio, Inc. c/o Dave Perry; Agent

PROPERTY OWNER SIGNATURE Amerco Real Estate Company c/o David Perry; Agent

ATTORNEY / AGENT SIGNATURE Donald Plank

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: CV17-085

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 Exhibit 'B'

Signature of Applicant

Donald Plank

Date

12/26/17

Attorney:

(Donald Plank, Plank Law Firm)

Date

Consultant:

Dave D. Perry

(Dave Perry, David Perry Company, Inc.)

Date 12-26-17

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Exhibit B

Statement of Hardship

CV17- 085, 4900 Sinclair Road, Columbus, OH 43229

The 6.865 +/- acre site is located at the southeast corner of Sinclair Road and Freeway Drive South. The site is zoned L-M, Limited Manufacturing (pending rezoning Z17- 059). The site is developed with a former hotel and related restaurant, both of which have been closed for several years and have been vandalized. Applicant proposes to change the use of the buildings for self-storage, accessory uses and related commercial uses. This variance application is submitted as a companion application to the pending rezoning application for applicable site standards variances to conform aspects of the existing site development to current code. A site plan ("Preliminary Site Plan"), dated _____, is submitted depicting the existing buildings and existing parking lot to depict existing conditions, as well as the proposed Sinclair Road and Freeway Drive South parking setbacks. There may be future development and/or use(s) of the site not depicted. Other use(s) and/or site development which is/are not depicted on the Preliminary Site Plan shall be permitted, subject to compliance with Z17- 059, this variance ordinance and applicable City Code.

Variances are cited to conform aspects of site development that occurred many years ago prior to current code standards to current code. Applicant has a practical difficulty and economic hardship for reasonable use of the site with full compliance with current code.

Applicant requests variances from the following sections of the Columbus Zoning Code:

- 1). Section 3312.09, Aisle, to reduce the current required aisle width from 20' to 18' for 14 existing parking spaces along the east property line.
- 2). Section 3312.21(A), Landscaping and Screening, to not provide interior parking lot trees within the existing parking lot.
- 3). 3312.27, Parking Setback Line, to reduce the parking setback line for Sinclair Road from 25 feet to 10 feet, for the west 365' of Freeway Drive South from 25' to 5', and no parking setback for the east 350' of Freeway Drive South frontage, I-71 and the I-71 exit ramp along the south side of the site.

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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: CV17-085

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Dave Perry (David Perry Company, Inc.)

of (1) MAILING ADDRESS 411 East Town Street, 1st Floor, Columbus, Ohio 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 CERTIFIED ADDRESS FOR ZONING PURPOSES 4900 Sinclair Road, Columbus, Ohio 43229

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 12/27/17

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) AMERCO Real Estate Company

c/o Dave Perry (David Perry Company, Inc.)

411 East Town Street, 1st Floor

Columbus, Ohio 43215

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

U-Haul Company of Ohio, Inc.

c/o Dave Perry (614) 228-1727

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

(5) Northland Community Council

c/o Dave Paul

PO Box 297 836 Columbus, OH 43229

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 27th day of December, in the year 2017

(8) SIGNATURE OF NOTARY PUBLIC

11-5-2018
My Commission Expires

Notary Seal Here



Stacey L. Danza

Notary Public, State of Ohio

This Affidavit expires 11 months after the date of notarization.
My Commission Expires 11-05-2018

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EXHIBIT A, Public Notice
4900 Sinclair Road
CV17- 085
December 26, 2017

APPLICANT

U-Haul Company of Ohio, Inc.
c/o David Perry
David Perry Company, Inc.
411 East Town Street, 2nd Floor
Columbus, Ohio 43215

PROPERTY OWNER

AMERCO Real Estate Company
c/o Dave Perry
David Perry Company, Inc.
411 East Town Street, 1st Floor
Columbus, Ohio 43215

ATTORNEY

Donald Plank
Plank Law Firm
411 East Town Street, 2nd Floor
Columbus, Ohio 43215

COMMUNITY GROUP:

Northland Community Council (NCC)
c/o Dave Paul
PO Box 297336
Columbus, Ohio 43229

Blackstone Enterprise, LLC
(*or current occupant*)
4880 Sinclair Road
Columbus, Ohio 43229-5406

Storage Equities Inc./PS Partners IV
Sinclair Road (*or current occupant*)
PO Box 25025
Glendale, CA 91221-5025

PROPERTY OWNERS WITHIN 125 FEET

Sinclair, LLC (*or current occupant*)
c/o Triangle Real Estate
Management, Inc.
470 Olde Worthington Rd., #100
Westerville, OH 43082-8985

Realty Income Corporation (*or current occupant*)
c/o Marvin F Poer & Company
PO Box 52427
Atlanta, GA 30355-0427

Robertson Morse Road Realty
Company (*or current occupant*)
PO Box 2448
Alliance, OH 44601-0448

Mathena-Sinclair, LLC (*or current occupant*)
9251 E Bajada Road
Scottsdale, AZ 85262-2566

Shihab Khan, Inc. (*or current occupant*)
4875 Sinclair Road
Columbus, Ohio 43229-5402

Columbus Southern Power Co. (*or current occupant*)
Tax Dept 27th FL
PO Box 16428
Columbus, OH 43216-6428

ALSO NOTIFY

U-Haul Company of Ohio, Inc.
c/o Dean Haske
2980 Morse Road
Columbus, Ohio 43231

AMERCO Real Estate Company
c/o Holly Reading Keilman
2727 N Central Avenue
Phoenix, AZ 85004

AMERCO Real Estate Company
c/o Parul Batula
2727 N Central Avenue
Phoenix, AZ 85004

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Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224

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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 Number: CV17-085

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald Plank (Plank Law Firm)
of (COMPLETE ADDRESS) 411 East Town Street, 2nd Floor, Columbus, Ohio 43215

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:

Columbus, Ohio 43215

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

<p>1. AMERCO Real Estate Company 2727 N Central Avenue Phoenix, AZ 85004 # of Columbus Based Employees: 0 Contact: Parul Batula (602) 287-7823</p>	<p>2. U-Haul Company of Ohio, Inc. 2980 Morse Road Columbus, Ohio 43231 # of Columbus Based Employees: 108 Contact: Dean Haske (614) 4789-6605</p>
<p>3.</p> <hr/>	<p>4.</p> <hr/>

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

SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 27th day of December, in the year 2017

SIGNATURE OF NOTARY PUBLIC

My Commission Expires

Notary Seal Here



Stacey L. Danza
Notary Public, State of Ohio
My Commission Expires 11-05-2018

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City of Columbus Zoning Plat



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: 010182523

Zoning Number: 4900

Street Name: SINCLAIR RD

Lot Number: N/A

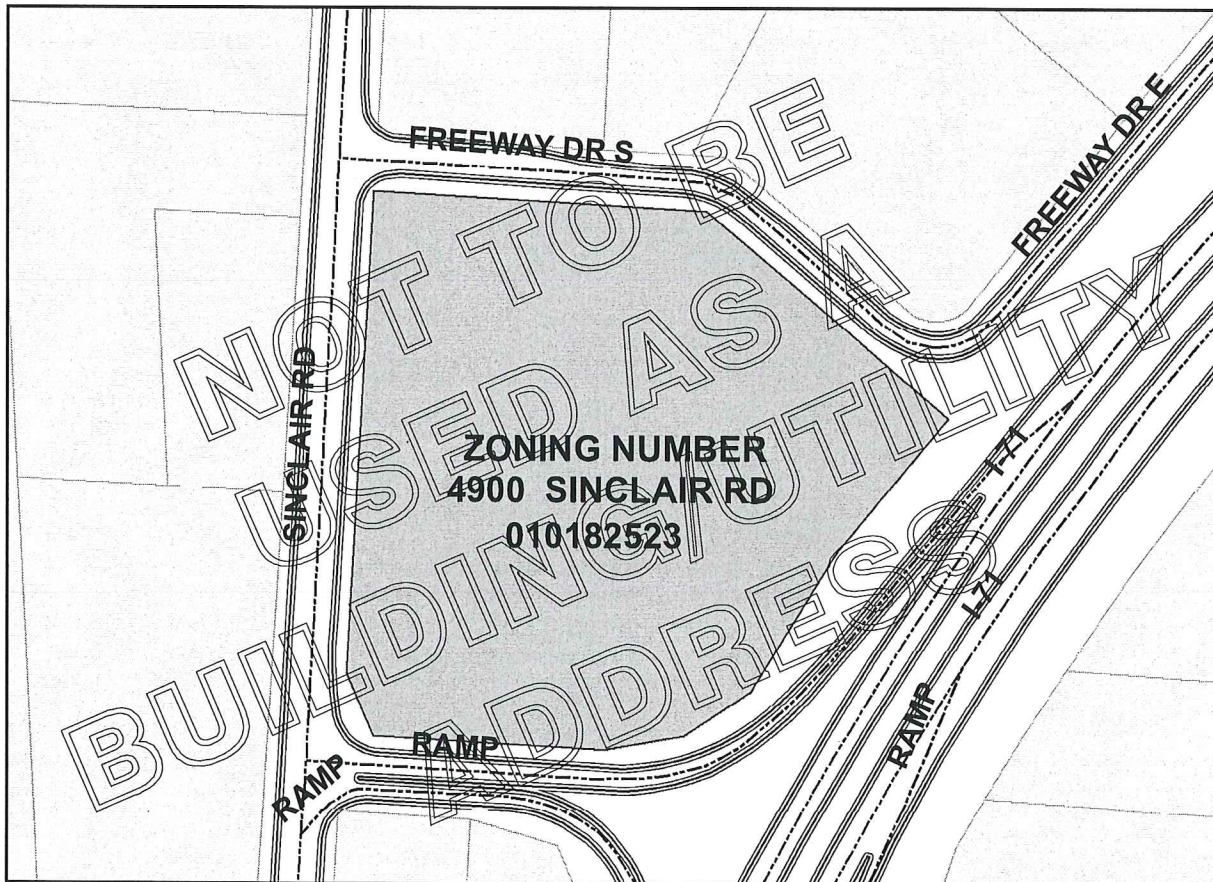
Subdivision: N/A

Requested By: DAVID PERRY COMPANY, INC (DAVE PERRY)

Issued By:

Adriana Amarian

Date: 11/1/2017



FRANK D. WILLIAMS, ADMINISTRATOR
DIVISION OF INFRASTRUCTURE MANAGEMENT
COLUMBUS, OHIO

SCALE: 1 inch = 200 feet

GIS FILE NUMBER: 106372

2017-085

1:4,270

0 87.5 175 287.5 575 1,150

ft m

Franklin County Auditors Office
Copyright 2015

CV17-088

Franklin County

Council Variance Application CV17- 085

4900 Sinclair Road, Columbus, OH 43229

Legal Description

Situated in the State of Ohio, County of Franklin, City of Columbus, and being a part of Quarter Township 4, Township 2, Range 18, United States Military Lands, and being a part of Lot 2 of Blackmore Subdivision shown of record in Plat Book 40, Page 29, Recorder's office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at an iron pin at the intersection of the southerly line of Freeway Drive South (60 feet wide) as dedicated in Plat Book 40, Page 66, with the easterly line of Sinclair Road as dedicated in Plat Book 40, Page 29, said point begin at the northwesterly corner of said Lot 2;

Thence, South $86^{\circ} 04' 00''$ East, along the southerly line of said Freeway Drive south, and along the northerly line of said Lot 2, a distance of 365.17 feet to an iron pin at the angle point in said line;

Thence, South $49^{\circ} 24' 32''$ East, continuing along the southerly line of said Freeway Drive South, and along the northerly line of said Lot 2, a distance of 349.82 feet to an iron pin on the westerly Limited Access Right-of-way line of Interstate #71, at the northeasterly corner of said Lot 2;

Thence, South $40^{\circ} 35' 28''$ West, along the westerly Limited Access Right-of-way line of said Interstate #71, and along the easterly line of said Lot 2, a distance of 189.00 feet to an iron pin at an angle point of said line;

Thence, South $33^{\circ} 17' 00''$ West, continuing along the westerly Limited Access Right-of-way line of said Interstate #71, and along the easterly line of said Lot 2, a distance of 182.16 feet to an iron pin at the northeasterly corner of a 1.027 acre tract conveyed to the City of Columbus shown on record in Deed Book 3707, Page 715, and known as Morse Road Loop Ramp Limited Access Right-of-way;

Thence, South $57^{\circ} 28' 40''$ West, across said Lot 2, and along the northerly line of said 1.027 acre tract, and along the northerly Limited Access Right-of-way Line of said Morse Road Loop Ramp, a distance of 87.47 feet to an iron pin at an angle point in said line;

Thence, South $80^{\circ} 43' 32''$ West, continuing across Lot 2, and along the northerly line of said 1.027 acre tract, and along the northerly Limited Access Right-of-way line of said Morse Road Loop Ramp, a distance of 85.60 feet to an iron point at an angle point in said line;

Thence, North $86^{\circ} 04' 00''$ West, continuing across said Lot 2, along the northerly line of said 1.027 acre tract, and along the northerly Limited Access Right-of-way line of said Morse Road Loop Ramp, a distance of 255.00 feet to an iron pin at an angle point in said line;

Thence, North $24^{\circ} 22' 03''$ West, continuing across Lot 2, along the northerly line of said 1.027 acre tract, and along the northerly Limited Access Right-of-way line of said Morse Road Loop Ramp, a

distance of 73.82 feet to an iron pin on the easterly line of said Sinclair Road, and on the westerly line of said Lot 2, said point being at the northwesterly corner of said 1.027 acre tract;

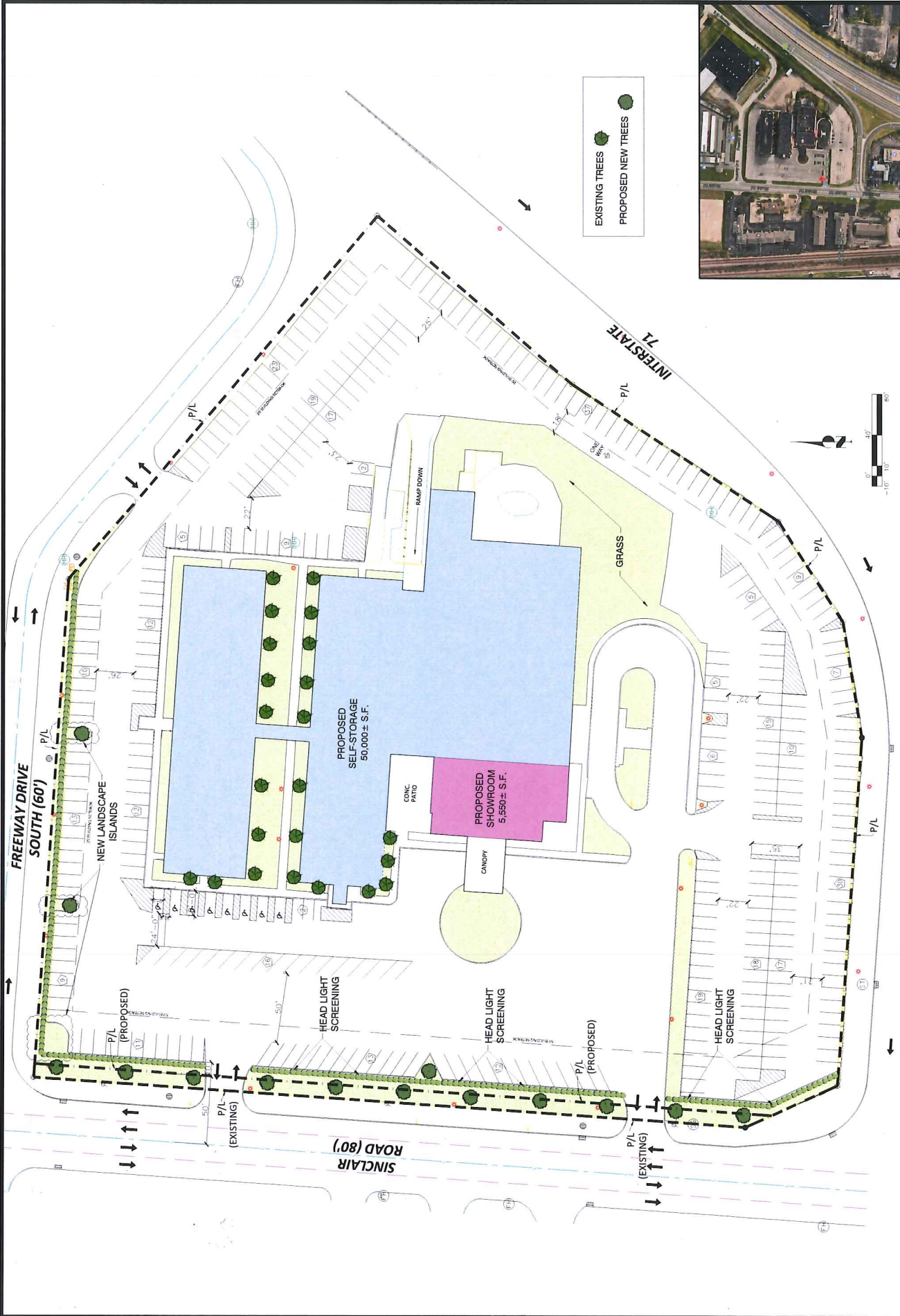
Thence North 03 ° 56' 00" East, along the easterly line of said Sinclair Road, and along the westerly line of said Lot 2, a distance of 525.78 feet to a place of beginning, containing 6.865 acres, more or less.

Parcel Number: 010-182523

12/19/2017

CV17-085

SHEET NOTES:		REVISIONS:		PROFESSIONAL SEAL:		ARCHITECT LOGO:		AMERCO REAL ESTATE COMPANY 11000 N. 11TH AVE., SUITE 100 PHOENIX, ARIZONA 85024 P: (602) 263-4502 F: (602) 263-4502 E: info@amerco.com W: www.amerco.com		SITE ADDRESS: 11000 N. 11TH AVE. PHOENIX, ARIZONA 85024 COLUMBIUS, CH 43229		SHEET CONTENTS: PRELIMINARY PLAN 769073 DRAWN: JRS CHECKED: JRS DATE: 12/20/17 COUNCIL/CLASH/ONE	
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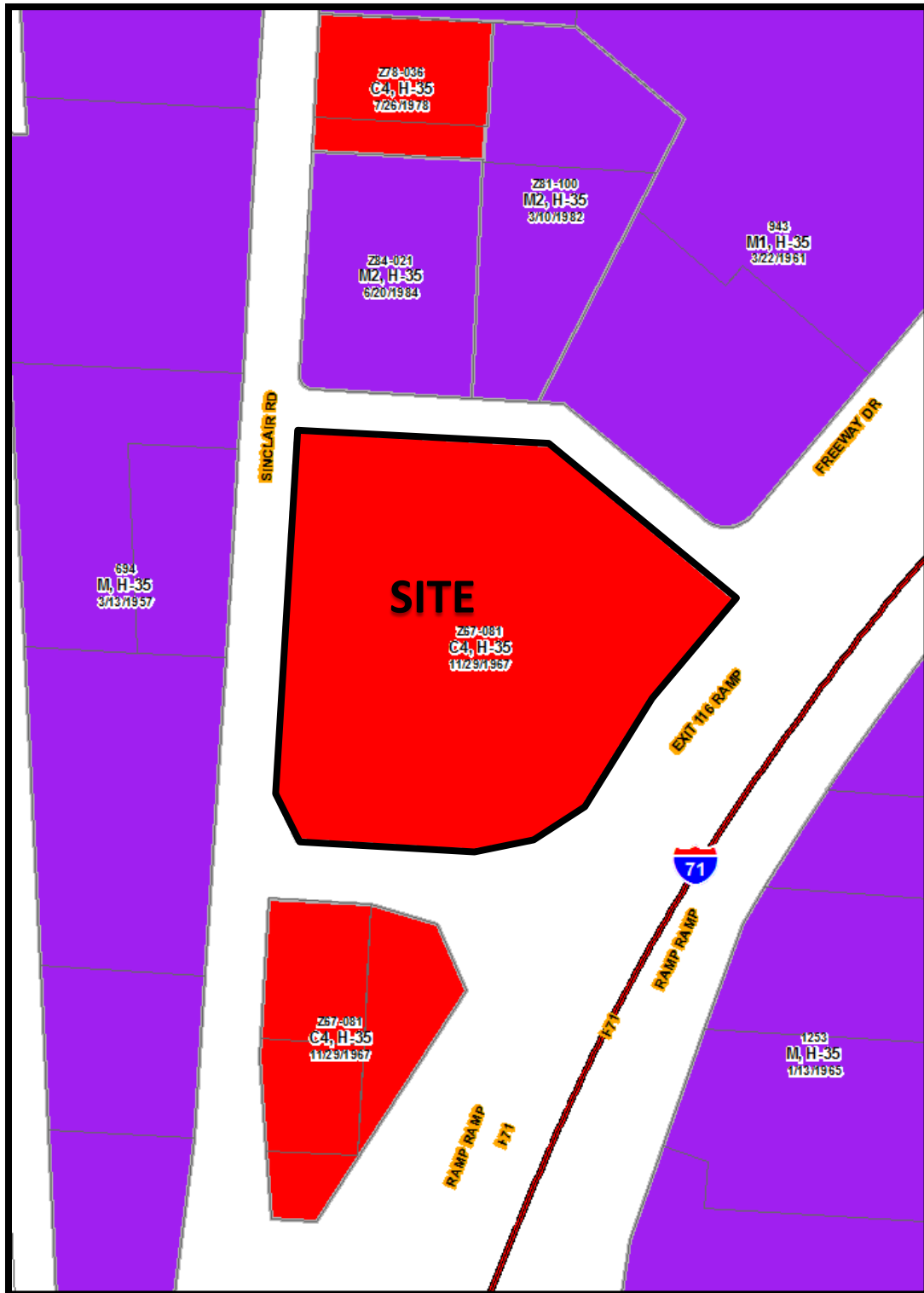
PRELIMINARY SITE PLAN

SCALE 1"=40'

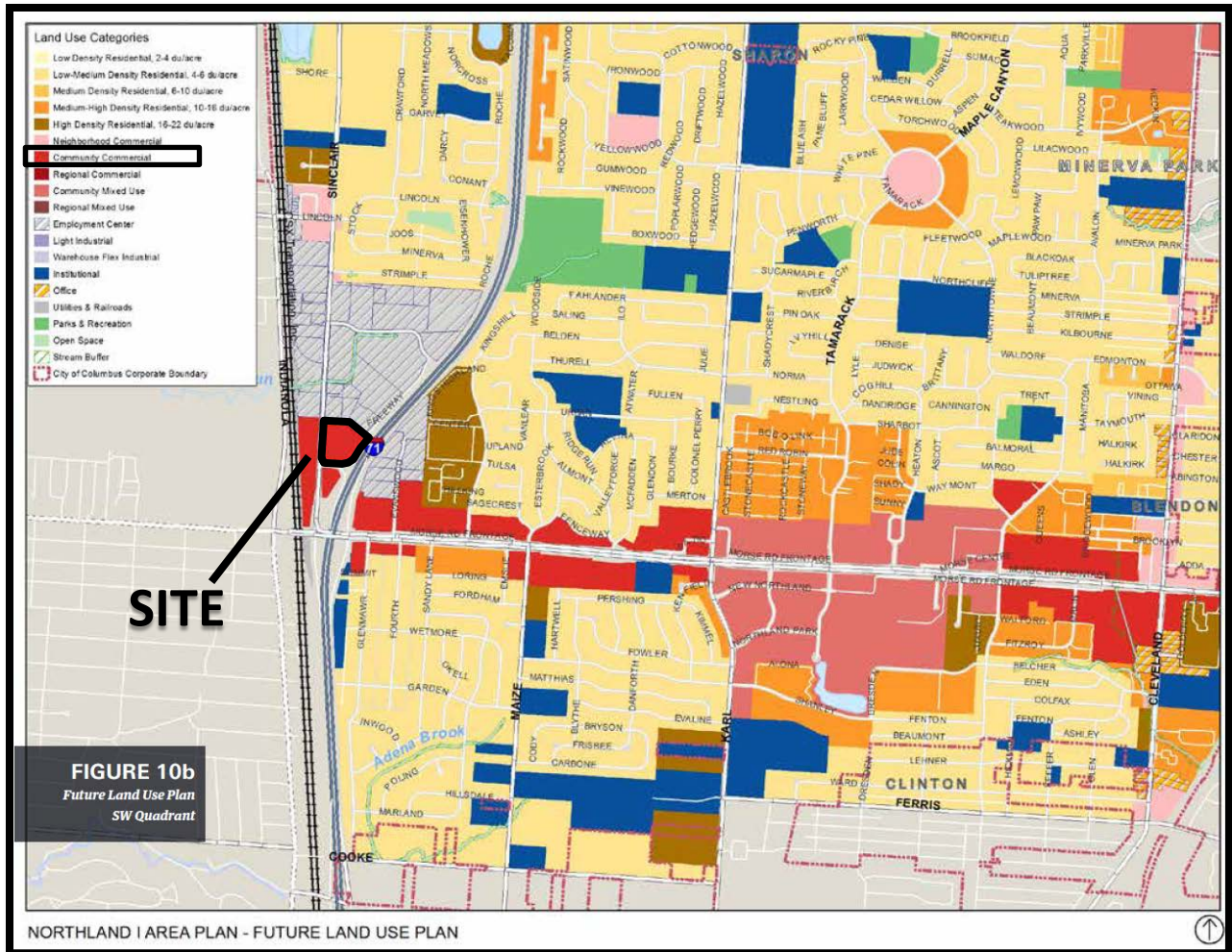
AERIAL

NTS

C17-085



CV17-085
4900 Sinclair Road
Approximately 6.87 acres



CV17-085
4900 Sinclair Road
Approximately 6.87 acres



CV17-085
4900 Sinclair Road
Approximately 6.87 acres