

THE CITY OF
COLUMBUS
ANDREW J. GINTHER, MAYOR

DEPARTMENT OF
DEVELOPMENT

Zoning Report

Site Information

Address	7000 TUSSING RD
Mailing Address	12100 TOLLGATE RD PICKERINGTON OH 43147-786
Owner	TUSSING REAL ESTATE INVESTORS LLC
Parcel Number	540164977
In Columbus?	Yes
County	FAIRFIELD FRANKLIN

Zoning Information

Zoning	Z95-130, Manufacturing, M2, 5/7/1996, H-35
Historic District	None
Short North Special Parking Area	Out
Council Variance	None
Board of Zoning Adjustment (BZA) Variance	None
Commercial Overlay	None
Planning Overlay	None
Graphics Variance	None
Area Commission	Far East Area Commission
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: BZA 17-140 Date Received: 12/15/17

Application Accepted by: _____ Fee: _____

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:

variance from section 3312.43; required surfaces for parking

variance from section 3367.15(e); open storage required to be in rear yard

variance from section 3367.29(a); 25' setback from lot line for storage

LOCATION

Certified Address: 7000 Tussing Road City: Reynoldsburg Zip: 43068

Parcel Number (only one required): 540-164977

APPLICANT (If different from Owner):

Applicant Name: Same as Owner 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: Tussing Real Estate Investors; Mike Boren Phone Number: 614-759-7033 Ext.: _____

Address: 7017 Americana Parkway City/State: Reynoldsburg, Ohio Zip: 43068

Email Address: mboren@mygrassgroomers.com Fax Number: _____

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

Name: DES Engineering, LLC ; Daniel Samiec P.E. Phone Number: 614-638-0071 Ext.: _____

Address: 121 Richland Road City/State: Xenia, Ohio Zip: 45385

Email Address: dsamiec@woh.rr.com Fax Number: 1-937-736-2409

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

APPLICANT SIGNATURE [Signature]

PROPERTY OWNER SIGNATURE [Signature]

ATTORNEY / AGENT SIGNATURE [Signature] Daniel E Samiec P.E.

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.
Applications must be submitted by appointment. Call 614-645-4522 to schedule.

THE CITY OF
COLUMBUS
CODE ENFORCEMENT

Dana M. Rose, Administrator

Date of Service/Posting 10/31/17

Order Number: 17470-02117
Parcel Number: 540164977

TUSSING ROAD REAL ESTATE INVESTORS LLC
12100 TOLLGATE RD.
PICKERINGTON, OH 43147

Non-Compliance Warning Letter

Warning Letter Issuance Date: 10/31/2017

Re: 7000 TUSSING RD

You have not complied with the above order. A copy of that order is enclosed. You are advised to immediately contact the undersigned Code Enforcement Officer within **15** days to arrange a satisfactory compliance schedule. Your prompt response may avoid legal action.

Continued Non-compliance may expose any person with responsibility for this property to civil or criminal prosecution or both.

7000 TUSSING RD

Order Number: 17470-02117

Parcel Number: 540164977

ITEM#	CODE SECTION	COMMENTS
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Zoning Violations

1 3312.43 Required surface for parking

Parking on grass, dirt, gravel, or otherwise unimproved surfaces is prohibited. Cease use. MANY VEHICLES PARKED, STORED ON GRAVEL SURFACES, NEWLY MADE GRAVEL AND DIRT ACCESS DRIVEWAYS AND PARKING AREAS.

2 3305.01 Certificate of zoning clearance

This property requires a certificate of Zoning Clearance due to the following change: ON FEBRUARY 8, 1996, THE FAR EAST COUNCIL GRANTED A REQUEST TO CHANGE THE ZONING OF PARCEL ID #540-164977 FROM RURAL TO LIGHT MANUFACTURING M2. THE APPROVAL PACKET INCLUDED A STANDARDIZED "SITE PLAN INFORMATION OUTLINE" DOC Z/16, EXPLAINING WHAT INFORMATION A SITE PLAN SHOULD COVER TO BE SUBMITTED FOR APPROVAL. TO DATE, NO SITE PLAN HAS BEEN SUBMITTED FOR CHANGE OF USE. THE EXISTING BUSINESS HAS MANUEVERING AND PARKING AREAS, GRAVEL PARKING SURFACES, INCLUDES RECENTLY FENCED IN PARKING AREA IN FRONT OF CURRENT BUILDING LINE WITH DIRT ACCESS DRIVEWAY INTO IT. OUTSIDE STORAGE OF LARGE COMMERCIAL EQUIPMENT OF ALL TYPES, INCLUDES BUT IS NOT LIMITED TO COMMERCIAL MOWERS, LANDSCAPE EQUIPMENT, GARBAGE TRUCKS, BOX TRUCKS, SEMI CABS, TRACTORS, BACKHOES, ETC. SOME SCRAP/JUNK EQUIPMENT NOT IN USE RUSTED/STORED OUTSIDE. OUTSIDE STORAGE OF LARGE, CYLINDRICAL STORAGE TANKS [PRIMARYLY USED TO STORE LIQUIDS] ON PREMISES. OUTSIDE STORAGE: NUMEROUS DUMPSTERS ALONG WEST PERIMETER FENCELINE AND THROUGHOUT GRAVEL AREAS. CEMENT BLOCKS, MASONRY BLOCKS, UNIDENTIFIED COMPOSIT MATERIALS RESEMBLING SAND PIPES AND PIPES, WOOD, METAL, AND CONSTRUCTION MATERIALS NOT IDENTIFIED FOR STORAGE. FABRIC/STEEL FRAMED STORAGE BUILDINGS IDENTIFIED FOR STORAGE OF CEMENT BLOCKS, BUILDING MATERIALS, AND COMPOSITE MATERIALS. REQUIRE A SITE PLAN DEFINING WHICH AREAS FOR PARKING AND WHERE EQUIPMENT WILL BE, WHERE TRUCKS WILL BE, WHERE BUILDINGS WILL BE, WHERE EQUIPMENT IS STORED. SITE PLAN INCLUDES STORM WATER PLAN, GRADING, ANY EXTERIOR LANDSCAPE OR FENCES IF REQUIRED. ALL REQUIRE

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

AFFIDAVIT

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME DES ENGINEERING, LLC; DANIEL E SAMIEC
of (1) MAILING ADDRESS 121 Richland Rd.; Xenia, Ohio 45385

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 7000 TUSSING RD

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) Tussing Real Estate Investors; Mike Boren
7017 Americana Parkway, Reynoldsburg, Ohio 43068

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

614-759-7033

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

(5) Far East Commission
Larry Marshall
2500 Park Crescent Drive, Columbus, Ohio 43232

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 Daniel E. Samiec P.E.

Sworn to before me and signed in my presence this 15 day of DECEMBER, in the year 2017

Mark Samiec
(7) SIGNATURE OF NOTARY PUBLIC

06-19-2017
My Commission Expires

Notary Seal Here



Mark Samiec
Notary Public, State of Ohio
My Commission Expires 06-19-2019

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**BZA17-140
7000 TUSSING ROAD**

Applicant

DES Engineering, LLC.
c/o Daniel Samiec, PE
121 Richland Rd.
Xenia, Ohio 43068

Owner

Grass Groomers Inc.
c/o Mike Boren
7017 Americana Parkway
Reynoldsburg, Ohio 43068

Area Commission

Far East Area Commission
c/o Larry Marshall, Zoning Chair
2500 Park Crescent Drive
Columbus, Ohio 43232

Surrounding Properties

Bennie Henson Jr.
or Current Occupant
2843 Ambarwent Road
Reynoldsburg, Ohio 43068

American Development Inc.
ATTN: Dolly Yang
7095 Americana Drive
Reynoldsburg, Ohio 43068

American Kenda Rubber
7095 Americana Parkway
Reynoldsburg, Ohio 43068

Andrea Ferguson
or Current Occupant
2840 Bannon Court
Reynoldsburg, Ohio 43068

GTG Properties LLC.
or Current Occupant
2836 Bannon Court
Reynoldsburg, Ohio 43068

Shawna Santurello
or Current Occupant
2832 Bannon Court
Reynoldsburg, Ohio 43068

William & Twila Aldo
or Current Occupant
2828 Bannon Court
Reynoldsburg, Ohio 43068

Bradley Brumage
or Current Occupant
2824 Bannon Court
Reynoldsburg, Ohio 43068

Plymouth Industrial REIT
or Current Occupant
7001 Americana Parkway
Reynoldsburg, Ohio 43068

Hurricane Systems Inc.
or Current Occupant
6980 Tussing Road
Reynoldsburg, Ohio 43068

Farber Development I LLC.
7052 Americana Parkway
Reynoldsburg, Ohio 43068

Holdings S&S LLC
5656 Somerset Avenue
Westerville, Ohio 43082

DES Engineering LLC

BZA Variance Statement in Support

Grass Groomers Inc. and Boren Brothers are family owned and operated service businesses that operate at 7000 Tussing Road and the adjacent lot of 7017 Americana Parkway. Grass Groomers Inc. has been in the landscaping business for 26 years and now offers services for snow removal and ice prevention. Boren Brothers is roll-off dumpster service that offers dumpster rental and waste disposal services. These two companies store and operate equipment out of 7000 Tussing Road, and as many of their services are seasonal, most of the site is used as multipurpose storage to accommodate the current needs of the business. The most common item stored on the perimeter areas of the property and within the fenced areas are empty trash dumpsters which have yet to be rented and vehicles used in business operations. Three open covered storage areas are used to stockpile various materials used in the business as well as park vehicles in a dry environment. At present one of the two 3,000 s.f. areas is devoted to the stockpiling of salt for winter use. Several months hence this same location could be used to stockpile mulch. Other items which might be stored within the open covered spaces include bobcats, front end loaders, dump trucks, hauling trailers for either small utility vehicles used in the landscaping business or landscape products being delivered to a site as well as various stone products and snow plow implements currently not being used. If a material is best kept dry the open covered storage is where it will be placed.

The proposed three variances would serve to maintain the current level of operations while addressing some outstanding surface issues.

Ordinance 3312.43 (surface requirements) would result in a large portion of the site to be paved. The contractor yard is currently a multi-purpose gravel yard in which company vehicles, heavy duty equipment, heavy dumpsters and non-flammable materials are stored in a non-specific special arrangement depending on the seasonal requirements of the company at any point in time. The front entry drives and employee parking areas which are currently gravel are to be paved up to the limits of the fence. This will continue to offer employee parking in front of the fence while providing an opportunity for gravel from hauling operations to and from the contractor's yard to not be tracked onto the public roadway. All equipment and operational vehicles are to be stored inside of the screened fence with additional planted materials offering greater screening from the public view. Paving the interior space would add no curb value to the site and would require constant repair due to damage from the constant up and off-loading of the heavy dumpsters and from the turning movements and traffic of heavy-duty machinery. Granting a variance would allow for continued operation of the site as it currently functions and would not adversely affect neighboring properties or the general aesthetics of the area given the screening.

Ordinance 3367.15(e) (open storage required to be in the rear yard); construction of permanent buildings on the property were well beyond the required 50 foot building setback along Tussing. Requiring storage in the rear yard only would limit the owner's available space by approximately 1/4. Owner has notified that all operational equipment and materials to be stored inside of the fenced areas. Further, this fenced area is to be screened by installation of shrubs along the frontage. In addition to the existing deciduous and coniferous trees and planted landscape elements across the front of the site the proposed paving of the current access drives will result in a significant improvement to the current condition. Granting a variance for storage outside of the rear yard will provide a significant amount of onsite storage and would neither decrease the curbside value nor adversely affect neighboring properties given the extent of the proposed screening.

Ordinance 3367.29(a) (required 25' setback from lot lines for storage); this setback would limit onsite storage by approximately 1/4. As the site is adjacent to manufacturing facilities and will have full screening, a variance to allow storage up to the lot line would not adversely affect neighboring sites or curbside value, and would greatly increase owner's utilized space and allow for operations to continue as they have. As all materials stored are of a nonflammable or noxious nature, proximity to a screened lot line represents no increased hazard to adjacent owners.

Granting of the proposed variances will allow two established businesses with long standing roots in the Columbus community to continue to offer services which have been developed over a number of years. Grass Groomers and Boren Brothers are growing businesses, having just completed construction of a 16,000 S.F. building on the lot to the north with future construction in the planning phase. The owner has not had extensive involvement in developing properties, having purchased both properties with existing structures. There was no knowledge of the existing zoning regulations regarding setbacks for storage when the properties were purchased. Sufficient areas to operate the growing business could only be accommodated by granting of the proposed BZA variances. There are no other means of resolving these operational requirements. Given the character of immediate adjacent properties, granting of the variances poses no negative impacts.



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: 540164977

Zoning Number: 7000

Street Name: TUSSING RD

Lot Number: N/A

Subdivision: N/A

Requested By: MARK SAMIEC

Issued By: *Alfred Carmon*

Date: 12/8/2017



SCALE: 1 inch = 200 feet

GIS FILE NUMBER: 109258



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

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) DES Engineering, LLC - Daniel Samiec, PE
of (COMPLETE ADDRESS) 121 Richland Road, Xenia, Ohio 43068

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
<u>Grass Groomers Inc.</u>	<u>7017 Americana Parkway, Reynoldsburg, Ohio 43068</u>
<u>Boren Brothers</u>	<u>7017 Americana Parkway, Reynoldsburg, Ohio 43068</u>

SIGNATURE OF AFFIANT *Daniel E. Samiec P.E.*

Sworn to before me and signed in my presence this 12 day of DECEMBER, in the year 2017

Mark Samiec
SIGNATURE OF NOTARY PUBLIC

06-19-2019
My Commission Expires

Notary Seal Here



Mark Samiec
Notary Public, State of Ohio
My Commission Expires 06-19-2019

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