# Zoning Report

## Site Information

<table>
<thead>
<tr>
<th>Field</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>5432 FISHER RD</td>
</tr>
<tr>
<td>Mailing Address</td>
<td>5017 PINE CREEK DR, WESTERVILLE OH 43081-4849</td>
</tr>
<tr>
<td>Owner</td>
<td>BRYNHAVEN DEVELOPMENT CORP</td>
</tr>
<tr>
<td>Parcel Number</td>
<td>010294026</td>
</tr>
<tr>
<td>In Columbus?</td>
<td>Yes</td>
</tr>
<tr>
<td>County</td>
<td>FRANKLIN</td>
</tr>
</tbody>
</table>

## Zoning Information

<table>
<thead>
<tr>
<th>Field</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Historic District</td>
<td>None</td>
</tr>
<tr>
<td>Short North Special Parking Area</td>
<td>Out</td>
</tr>
<tr>
<td>Council Variance</td>
<td>None</td>
</tr>
<tr>
<td>Board of Zoning Adjustment (BZA) Variance</td>
<td>None</td>
</tr>
<tr>
<td>Commercial Overlay</td>
<td>None</td>
</tr>
<tr>
<td>Planning Overlay</td>
<td>None</td>
</tr>
<tr>
<td>Graphics Variance</td>
<td>None</td>
</tr>
<tr>
<td>Area Commission</td>
<td>None</td>
</tr>
<tr>
<td>Historic Site</td>
<td>No</td>
</tr>
<tr>
<td>Flood Zone</td>
<td>Out</td>
</tr>
<tr>
<td>Airport Overlay Environs</td>
<td>None</td>
</tr>
</tbody>
</table>

## Pending Zoning Action

<table>
<thead>
<tr>
<th>Field</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning</td>
<td>None</td>
</tr>
<tr>
<td>Board of Zoning Adjustment (BZA) Variance</td>
<td>None</td>
</tr>
<tr>
<td>Council Variance</td>
<td>None</td>
</tr>
<tr>
<td>Graphics Variance</td>
<td>None</td>
</tr>
</tbody>
</table>
Graphics Commission Application

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

Application Number: GC18-006
Date Received: 16 Dec. 2018

Application Accepted by: N/A
Fee: $1900

Existing Zoning:

Comments:

TYPE(S) OF ACTION REQUESTED (Check all that apply):
☑ Variance ☐ Graphics Plan ☑ Special Permit ☐ Miscellaneous Graphic

Indicate what the proposal is and list applicable code sections. State what it is you are requesting.
See Columbus Graphics Commission Addendum I attached hereto and made a part hereof.

LOCATION
Certified Address: 5432 Fisher Road, Cols, OH 43228 City: Columbus Zip: 43228
 Parcel Number(s): 010-294026-00

APPLICANT
Applicant Name: Brynhaven Development Corp. Phone Number: (614) 898-5263 Ext:
Address: 5017 Pine Creek Drive City/State: Westerville, OH Zip: 43081
Email Address: rbeitzel@fourseasonslandco.com Fax Number: (614) 898-9514

PROPERTY OWNER(S) ☐ Check here if listing additional property owners on a separate page
Name: SAME AS APPLICANT Phone Number: Ext:
Address: City/State: Zip:

Email Address: Fax Number:

ATTORNEY / AGENT (Check one): ☐ Attorney ☑ Agent
Name: Danite Sign Company Phone Number: (614) 444-3333 Ext:
Address: 1640 Harmon Avenue City/State: Cols., OH Zip: 43223
Email Address: OHoltsberry @danitesign.com Fax Number:

SIGNATURES (All signatures must be provided and signed in blue ink)
APPLICANT SIGNATURE
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.
Please make checks payable to the Columbus City Treasurer
AFFIDAVIT
STATE OF OHIO
COUNTY OF FRANKLIN
Being first duly cautioned and sworn (1) NAME Ron Beitzel, Pres. of Brynhaven Dev. Corporation
of (1) MAILING ADDRESS 5017 Pine Creek Drive, Westerville, OH 43081
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 PROPERTY
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) Brynhaven Development Corporation
5017 Pine Creek Drive, Westerville, OH 43081

APPLICANT'S NAME AND PHONE #
(same as listed on front application)
Brynhaven Development Corp., Ron Beitzel
(614) 898-5263

AREA COMMISSION OR CIVIC GROUP
AREA COMMISSION ZONING CHAIR
OR CONTACT PERSON AND ADDRESS
(5) NA

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
__________________________
Dec. 12th in the year 2017

(7) SIGNATURE OF NOTARY PUBLIC
__________________________
My Commission Expires 08-18-2022

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
<table>
<thead>
<tr>
<th>APPLICANT</th>
<th>PROPERTY OWNER</th>
<th>ATTORNEY (NA)</th>
</tr>
</thead>
</table>
| Brynhaven Development Corporation  
Ron Beitzel, President  
5017 Pine Creek Drive  
Westerville, OH 43081 | Brynhaven Development Corporation  
Ron Beitzel, President  
5017 Pine Creek Drive  
Westerville, OH 43081 | NA |

**AREA NEIGHBORHOOD COMMISSION (NA)**

**SURROUNDING PROPERTY OWNERS**

<table>
<thead>
<tr>
<th>Property Owner</th>
<th>Address</th>
<th>City</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>ANDOVER PARK II LLC</td>
<td>300 PENN CENTER BLVD STE 303</td>
<td>PITTSBURGH</td>
<td>PA 15235</td>
</tr>
<tr>
<td>CAMPBELL OIL CO</td>
<td>7977 HILLS &amp; DALES RD NE</td>
<td>MASSILLON</td>
<td>OH 44646</td>
</tr>
<tr>
<td>THE MCGLAUGHLIN OIL COMPANY</td>
<td>FAS LUBE INC</td>
<td>COLUMBUS</td>
<td>OH 43227</td>
</tr>
</tbody>
</table>
| HUNTINGTON NATIONAL BANK | DONALD BARR TRUST  
GREG KLUCHER  
600 PUBLIC SQUARE, CM 24 | CLEVELAND, OHIO | 44114 |
| CITY OF COLUMBUS | 90 W BROAD ST #425 | COLUMBUS | OH 43215 |
| Sycamore House LLC | 750 COMMUNICATIONS PARKWAY STE 250 | COLUMBUS | OH 43214 |
| John R. Williams | Maria Zeolla Williams  
231 Hudson St | Pelham NY | 10803 |
| LJJK ROME HILLIARD LLC | ROY LEE HOFFMAN, RUTH ANN HOFFMAN  
4774 CLUBPARK DRIVE | HILLIARD | OH 43026 |
| NATIONAL RETAIL PROPERTIES LP | 450 S ORANGE AVE #900 | ORLANDO FL | 32801 |
| I 70 & ROME HILLIARD DUCHESS LLC | 447 JAMES PKWY | NEWARK | OH 43056 |
STATEMENT OF HARDSHIP

APPLICATION #

Any request for a Variance from this Graphics Code shall be heard and decided by the Graphics Commission as provided by the Graphics Code.

3382.05 Variance

A. The Graphics Commission shall have the power, upon application, to grant a Variance from one (1) or more provisions of this Graphics Code. No Variance shall be granted unless the Commission finds that a hardship exists, based upon special physical conditions which:
   1. Are due to exceptional shallowness, shape, topographic conditions or other extraordinary situations peculiar to the premises itself; or
   2. Differentiate the premises from other premises in the same zoning district and the general vicinity; or
   3. Prevent a reasonable return in service, use of income compared to other conforming premises in the same district; and
   4. Where the result of granting the Variance will not be injurious to neighboring properties and will not be contrary to the public interest or to the intent and purpose of the Graphics Code.

B. In granting a Variance, the Graphics Commission may impose such requirements and conditions regarding the location, character, and other features of the graphics as the Commission deems necessary to carry out the intent and purpose of this Graphics Code and to otherwise safeguard public safety and welfare.

C. Nothing in this Graphics Code shall be construed as authorizing the Commission 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 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 Columbus Graphics Commission Addendum I attached hereto and made a part hereof.

Signature of Applicant: [Signature]

Date: 12/12/2017

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.
Applications must be submitted by appointment. Call 614-645-4542 to schedule.
Please make checks payable to the Columbus City Treasurer.
Columbus Graphics Commission Addendum 1

TYPES OF ACTION REQUESTED SPECIAL USE PERMIT

Applicant/property owner desires the approval of a Special Permit to allow the installation of an off-premise directional monument sign to service the following tracts of land: Parcel 1- 2.060 acre (PID 010-243357-00) and Parcel 2- 2.542-acre (PID 010-297263-00) located on Fisher Road, Columbus. Sign shall be located on a 0.756-acre tract (PID 010-294026-00) hereinafter referenced as Parcel 3.

Applicable City of Columbus Code: Section 3378 – Part D "A special permit shall be required to allow installation of any permanent or temporary off-premises sign not specifically provided for in this Graphics Code."

STATEMENT OF HARDSHIP
 VARIANCE REQUEST FOR OFF-PREMISE DIRECTIONAL MONUMENT SIGN

The directional monument sign will service both a proposed micro-hospital/Emergency Room (Parcel 1) and a Hilton Home2 hotel (Parcel 2). Those parcels front Hilliard-Rome Road, a limited access highway, and Fisher Road. Additionally, the sign will provide monument signage for the eventual user of Parcel 3.

Vehicular access to these parcels is via a private common access drive. This common access drive has a right-in, right-out access to Fisher Road located approximately 300 feet east of the signalized intersection at Hilliard-Rome and Fisher Roads. The right-in, right-out access limitation was required by the City of Columbus Division of Traffic Management in 1997 as part of the annexation and zoning approval of the property. The LC4 zoning classification was approved on June 10, 1998, Case # Z97-135.

Eastbound access from the signalized intersection at Hilliard-Rome and Fisher Roads into the subject property is through the full movement access located approximately 171 feet east of the right-in, right-out access point. An off-site directional sign to aid the public in locating the facilities to be placed on these parcels is merited at the location identified on Parcel 3. Direct eastbound Fisher Road access to Parcels 1 and 2 can be obtained immediately off the road.

The hardship in this circumstance is the direct access limitation imposed by the city requiring the right-in, right-out access. Applicant/owner feels that the properties should have the same accessibility accommodations afforded other C4 zoned properties in the area that do not have the access limitations as the subject properties. The access limitation creates a practical difficulty and unnecessary hardship for the uses proposed on Parcels 1 and 2. It is generally reasonable for a business to want to advertise itself near the road from which it is accessed. If the parcels had a full movement access in the same location as the imposed right-in, right-out access, it would be obvious to the traveling public where access from Fisher Road would be obtained. The approval of the sign at the location identified will not be injurious to neighboring properties and will not be contrary to the public interest or to the intent and purpose of the Graphics Code. The proposed sign would meet the size and height requirement for the zoning district as if the sign were not off-premise.
Lot Split Description ~ 0.756 Acres,
North Side of Fisher Road, West of Hilliard-Rome Road East

Situated in the State of Ohio, County of Franklin, City of Columbus, Survey No. 7065 of the Virginia Military District and being part of the residuum of that 14.882 acre tract conveyed to Brynhaven Development Corporation of record in Official Record 34850G07 and described as follows:

*Beginning, for reference,* at a pk nail set marking the southeast corner of that 9.424 acre tract conveyed to Andover Park LLC of record in Instrument Number 201304110059703, the same being the northeast corner of Parcel 106WD as shown in the deed to State of Ohio of record in Deed Book 2905, Page 288, in the centerline of Hilliard-Rome Road East (fka Hilliard-Rome Road: C.R. 3) as established by Road Record 7, Page 332, said pk nail set being N 13° 57' 45" E, along said centerline, 50.80 feet from the southeast corner of said Parcel 106WD, the same being the centerline intersection of said Hilliard-Rome Road East with Fisher Road (C.R. 22);

Thence N 86° 14' 38" W, along the common line to said 9.424 acre tract and Parcel 106WD, the same being the north right-of-way line for said Fisher Road, 343.66 feet to an iron pin set marking a southwest corner of said 9.424 acre tract, the same being a current southeast corner of said 14.882 acre tract, the *True Point of Beginning*;

Thence N 86° 14' 38" W, along the common line to said 14.882 acre tract and Parcel 106WD, the same being the north right-of-way line for said Fisher Road, 171.36 feet to an iron pin set at an original corner of said 14.882 acre tract, the same being the southeast corner of that 0.100 acre tract conveyed to Franklin County Board of County Commissioners of record in Deed Book 3493, Page 290;

Thence N 03° 45' 22" E, along the common line to said 14.882 acre and 0.100 acre tracts, the same being the north right-of-way line for said Fisher Road, 10.00 feet to an iron pin set at a common corner thereof;

Thence N 86° 14' 38" W, along the common line to said 14.882 acre and 0.100 acre tracts, the same being the north right-of-way line for said Fisher Road, 26.84 feet to an iron pin set;

Thence N 01° 39' 25" W, across said 14.882 acre tract, 152.72 feet to an iron pin set in a current north line of said 14.882 acre tract, the same being a south line of said 9.424 acre tract;

Thence S 86° 14' 38" E, along said current 14.882 acre north line, the same being said 9.424 acre south line, 212.61 feet to an iron pin set at a common corner thereof;
Lot Split Description ~ 0.756 Acres,
North Side of Fisher Road, West of Hilliard-Rome Road East
Page 2 of 2

Thence S 03° 45' 22" W, along a current east line of said 14.882 acre tract, the same being a west line of said 9.424 acre tract, 162.04 feet to the True Point of Beginning. Containing 0.756 acre, more or less. Subject to all legal restrictions, easements and/or rights-of-way.

This description is based on existing recorded records, a survey by MS Consultants, Inc., dated 06/12/1998, and an actual field survey by Advanced Civil Design, Inc. in May 2012. A drawing of the above description is attached hereto and made a part thereof.

Iron pins set are 3/4" diameter iron pipe, 30" long and capped Advanced 7661.

Bearings are based on S 13° 57' 45" W for the centerline of Hilliard-Rome Road East, said centerline being the east line of the 14.882 acre tract noted in Official Record 34850G07.

All references used in this description can be found at the Recorder's Office, Franklin County, Ohio

ADVANCED CIVIL DESIGN, INC.
John C. Dodgion, P.S. 8069
CERTIFIED HOUSE NUMBERS

The House Numbers Contained on This Form are Herein Certified for Securing of Building & Utility Permits

Parcel ID: 010-294026  Project Name: MONUMENT SIGN
House Number: 5432  Street Name: FISHER RD
Lot Number: NA  Subdivision: N/A
Work Done: NEW  Complex: N/A

Owner: BRYNHAVEN DEVELOPMENT CORP
Requested By: ADVANCED CIVIL DESIGN INC (BRIAN VIRGIN)
Printed By:  Date: 10/17/2017

SCALE: 1 inch = 120 feet

Printed: 10/17/2017 10:24:07 AM - U:\CERTIFIED ADDRESS_10.3.1_new.mxd, amwoldemariam
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) Ron Beitzel, Pres. Brynhaven Development Corp.
of (COMPLETE ADDRESS) 5017 Pine Creek Dr., Westerville, OH 43081
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

Brynhaven Development Corporation 5017 Pine Creek Dr., Westerville, OH

43081

SIGNATURE OF AFFIANT

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

SIGNATURE OF NOTARY PUBLIC

JACQUELINE S. BAUMAN
Notary Public, State of Ohio
My Commission Expires 08-18-2022

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.
Applications must be submitted by appointment. Call 614-645-4322 to schedule.
Please make checks payable to the Columbus City Treasurer