



Mayor Michael B. Coleman

BOARD OF ZONING ADJUSTMENT APPLICATION

City of Columbus, Ohio Department of Building & Zoning Services
757 Carolyn Avenue, Columbus, Ohio 43224 Phone: 614-645-7433 www.columbus.gov

OFFICE USE ONLY

Application Number: # 14311-00000-00393
Date Received: 4 JUNE 2014
Commission/Civic: SOUTH SIDE
Existing Zoning: M Application Accepted by: JH Fee: \$1900
Comments: _____

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

- Variance Special Permit

Indicate what the proposal is and list applicable code sections.

Applicant is requesting to amend Ordinance No. 28-96 which granted a council variance for a recycling facility within 125 feet of residentially zoned property in order to permit open storage within 300 feet of the centerline of Marion Road, to reduce the perimeter fence opacity, and to allow pile height to be sixteen feet. Variances are from 3392.10; 3392.12; 3363.19; 3363.41

LOCATION:

Certified Address Number and Street Name: 1015 Marion Road
City: Columbus State: Ohio Zip: 43207
Parcel Number (only one required): 010-112377

APPLICANT: (IF DIFFERENT FROM OWNER)

Name Jefferson Smurfit Corp. c/o Rock Tenn
Address PO Box 4098 City/State Norcross, Georgia Zip 30091
Phone # c/o Jill Tangeman, Esq. #464-5608 Fax # 719-4638 Email jstangeman@vorys.com

PROPERTY OWNER(S):

Name Jefferson Smurfit Corp. c/o Rock Tenn
Address PO Box 4098 City/State Norcross, Georgia 30091
Phone # c/o Jill Tangeman, Esq. #464-5608 Fax # 719-4638 Email jstangeman@vorys.com
Check here if listing additional property owners on a separate page.

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE) Attorney Agent

Name Jill S. Tangeman, Sq.
Address 52 East Gay Street City/State Columbus, Ohio Zip 43216
Phone # 614-464-5608 Fax # 614-719-4638 Email: jstangeman@vorys.com

SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE Jill Tangeman, Esq. Attorney for Applicant
PROPERTY OWNER SIGNATURE Jill Tangeman, Esq.
ATTORNEY / AGENT SIGNATURE Jill Tangeman, Esq.

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 all checks payable to the Columbus City Treasurer

14311-00000-00393
1015 MARION ROAD



CITY OF COLUMBUS

DEPARTMENT OF BUILDING AND ZONING SERVICES

One Stop Shop Zoning Report Date: Wed Jul 2 2014

General Zoning Inquiries: 614-645-8637

SITE INFORMATION

Address: 1015 MARION RD COLUMBUS, OH
Mailing Address: PO BOX 4098
NORCROSS GA 30091

Owner: JEFFERSON SMURFIT CORP
Parcel Number: 010112377

ZONING INFORMATION

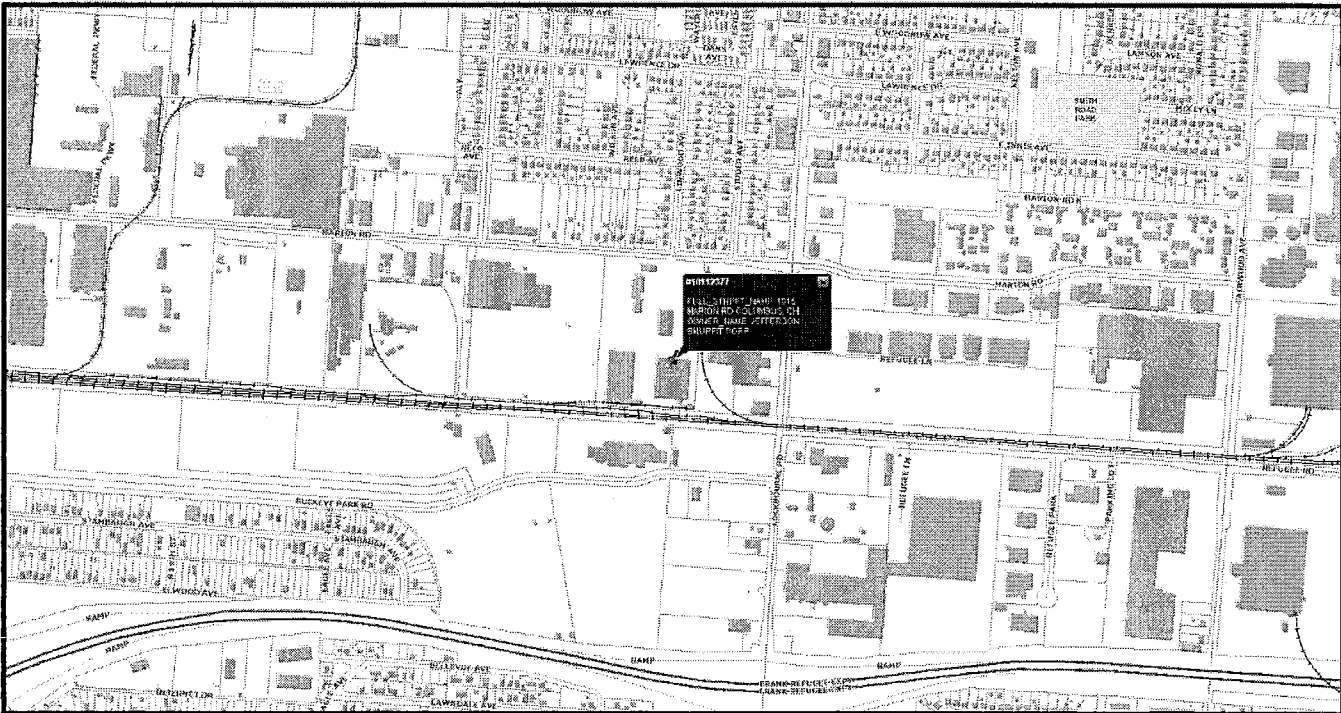
Zoning: 650, Manufacturing, M
effective 7/9/1956, Height District H-35
Board of Zoning Adjustment (BZA): N/A
Commercial Overlay: N/A
Graphic Commission: N/A
Area Commission: Columbus Southside Area Commission
Planning Overlay: N/A

Historic District: N/A
Historic Site: No
Council Variance: N/A
Flood Zone: OUT
Airport Overlay Environs: N/A

PENDING ZONING ACTION

Zoning: N/A
Board of Zoning Adjustment (BZA): N/A

Council Variance: N/A
Graphic Commission: N/A





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AFFIDAVIT

14311-00000-00393
1015 MARION ROAD

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Jill S. Tangeman, Esq.
of (1) MAILING ADDRESS 894 Frank Road
deposed 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
for which the 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) Jefferson Smurfit Corp. c/o Rock Tenn
PO BOX 4098
Norcross, Georgia 30091

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

(5) Jefferson Smurfit Corp. c/o Rock Tenn
c/o Jill Tangeman, Esq. #614-464-5608

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

(6) Columbus Southside Area Commission
c/o Curtis Davis, Zoning Chair
PO Box 7846
Columbus, OH 43207

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 continuous to the subject property: (7)

SIGNATURE OF AFFIANT

(8) Jill Tangeman
Subscribed to me in my presence and before me this 4th day of July, in the year 2014

SIGNATURE OF NOTARY PUBLIC

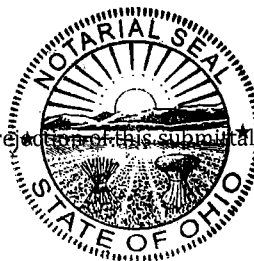
Michelle L. Parmenter

My Commission Expires:

This Affidavit expires six months after date of notarization.

Notary Seal Here

PLEASE NOTE: incomplete information will result in the rejection of this submission



MICHELLE L. PARMENTER
Notary Public, State of Ohio
My Commission Expires
10-16-2017



Mayor Michael S. Coleman

BOARD OF ZONING ADJUSTMENT APPLICATION

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

STATEMENT OF HARDSHIP

14311-00000-00393

1015 MARION ROAD

APPLICATION #

3307.09 Variances by Board.

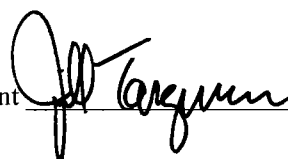
A. The Board of Zoning Adjustment shall have the power, upon application, to grant variances from the provisions and requirements of this Zoning Code (except for those under the jurisdiction of the Graphics Commission and except for use variances under the jurisdiction of the Council). No variance shall be granted unless the Board finds that all of the following facts and conditions exist:

1. That special circumstances or conditions apply to the subject property that does not apply generally to other properties in the same zoning district.
2. That the special circumstances or conditions are not the result of the actions of the property owner or applicant.
3. That the special circumstances or conditions make it necessary that a variance be granted to preserve a substantial property right of the applicant which is possessed by owners of other property in the same zoning district.
4. That the grant of a variance will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of this Zoning Code.

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 the 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.

I have read Section 3307.09, Variances by Board, and believe my application for relief from the requirements of the Zoning Code satisfies the four criteria for a variance in the following ways: See attached Appendix 1

Signature of Applicant 

Date 6/4/14

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Statement of Hardship - 1015 Marion Road

The subject site was granted a council variance to allow a recycling facility within 125 feet of residentially zoned property pursuant to Ordinance No.28-96 (CV95-060).

The existing council variance conditioned approval upon requiring all processing of materials within 600 feet of the centerline of Marion Road to occur within buildings or be contained in dumpsters.

The applicant is seeking to modify the council variance as approved in order to allow open storage of recyclables within 300 feet of the centerline of Marion Road. All storage 300 feet or closer to Marion Road shall be enclosed, meaning it shall be in bins, containers, trailers, vehicles, or bales. Applicant is also requesting a variance to allow pile height to exceed ten feet to a maximum height of 16 feet.

The existing facility collects non-ferrous metals, aluminum cans, paper, glass and plastic and has a special use permit for salvage facilities as required by the city code. This property was zoned M – Manufacturing in 1965 and has been used as a salvage facility since 1980. A site plan showing the subject site and the proposed use is attached hereto.

The applicant requests the following specific variances.

3392.12 and 3363.19 – Prohibited Location – In accordance with the existing council variance, the applicant seeks to maintain the existing facility within 125 feet of residentially zoned property.

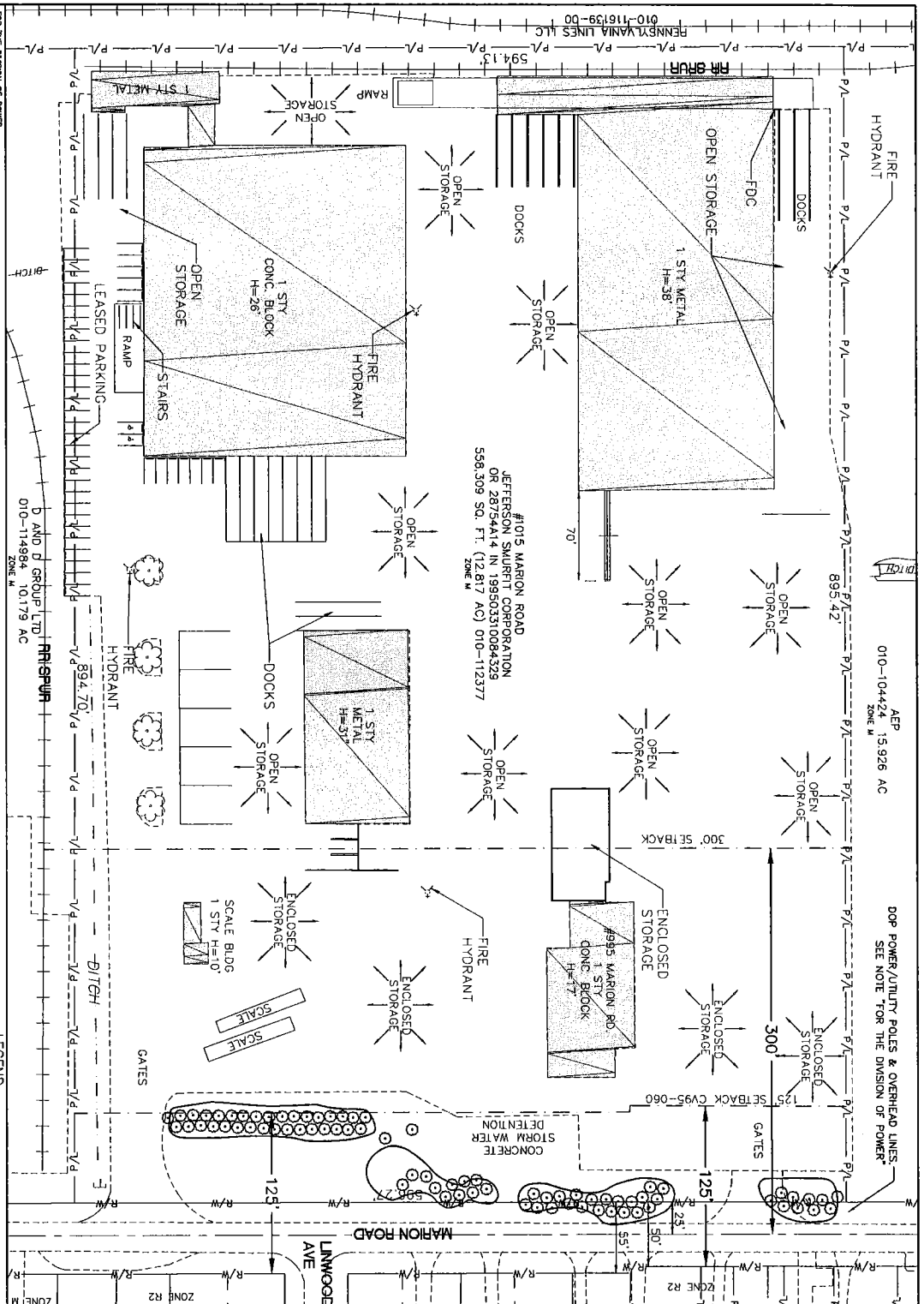
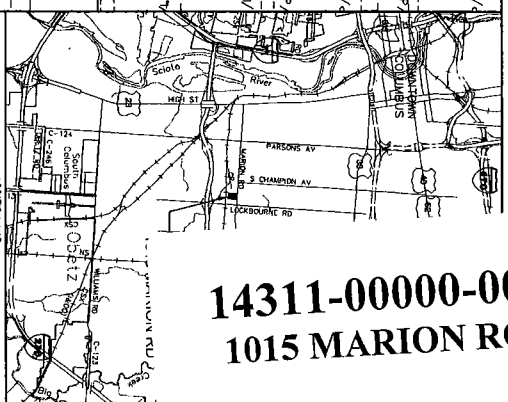
3392.10 – Nontransparent fence – In accordance with the existing council variance, the applicant seeks a variance from the requirement for installation of a nontransparent fence not less than six feet in height. Applicant intends to utilize the existing six-foot chain link fence with a 90% opacity on the north property line along Marion Road; the existing chain link fence on the east and west property line with a 50% opacity; and the existing chain link fence on the south property line with no required opacity.

3392.10(b) – Material shall not be piled higher than ten feet – Applicant seeks a variance to increase the allowable pile height to sixteen (16) feet. Despite the increased pile height, open storage will not occur on the property located within 300 feet of the centerline of Marion Road. Visibility of such open storage is minimal and will allow the applicant to process recyclables in a more efficient manner.

3363.41 – Open Storage – Applicant seeks a variance to allow open storage of materials within 300 feet of the centerline of Marion Road. The existing chain link fence with 90% opacity will limit visibility of such materials. There is also an existing combination of mounding and landscaping along Marion Road which will be maintained in order to provide additional screening.

As mentioned above, the subject property has been used for salvage processing since 1980. The proposed use and corresponding variances are harmonious with the surrounding industrial businesses along Marion Road and will have minimal impact upon neighboring properties.

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1015 MARION ROAD



FOR THE DIVISION OF POWER:
THE DESIGN OF POWER USE OVERHEAD PRIMARY OR UNDER POLE THE CONTRACTOR IS HEREBY REQUESTED TO CONTACT ONE'S AT 1-800-362-2744 DENT-5817 HOURS PRIOR TO CONDUCTING ANY ACTIVITY WITHIN THE CONSTRUCTION AREA. THE DOP OVERHEAD OFFICE NUMBER IS (614) 645-7427 (VOICED).

THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN OF ALL ELECTRICAL FACILITIES IN THE CONSTRUCTION AREA TO BE PERFORMED BY THE CONTRACTOR UNDER THE DIRECTION OF DOP PERSONNEL AND AT THE EXPENSE OF THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN OF ALL ELECTRICAL FACILITIES IN THE CONSTRUCTION AREA TO BE PERFORMED BY THE CONTRACTOR UNDER THE DIRECTION OF DOP PERSONNEL AND AT THE EXPENSE OF THE CONTRACTOR.

GENERAL NOTES:

1. THE PLAN WILL CONFORM TO ALL CONDITIONS OF THE DOP AND ALL ORDINANCES.
2. EXCEPT FOR REVISIONS, PROPERTIES LOCATED WITHIN THE CONSTRUCTION AREA SHALL REMAIN AS SHOWN.
3. ALL EXISTING UTILITIES SHALL BE MAINTAINED AND PROTECTED. ANY CHANGES TO EXISTING UTILITIES SHALL BE APPROVED BY THE DOP AND THE CITY OF COLUMBUS.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN OF ALL ELECTRICAL FACILITIES IN THE CONSTRUCTION AREA TO BE PERFORMED BY THE CONTRACTOR UNDER THE DIRECTION OF DOP PERSONNEL AND AT THE EXPENSE OF THE CONTRACTOR.

LEGEND:
POWER/UTILITY POLE
BUSH
TREE
LANDSCAPE BOUNDARY
ENCLOSED UTILITY LINES
OPENED UTILITY LINES
ELECTRIC

NOTES:

- SITE IS OUTSIDE OF 100 YEAR FLOOD PLANE. FEMA FIRM PANEL 13X OF 463. WW NUMBER 5886000000. WW REVISION DATE 11/1/2008.
- CONDUIT WAREHOUSE (CW) SHALL BE ALLOWED TO REMAIN OPERATIONAL FROM SECOND 15' OF 12' STREET-TO-STREET RESERVATION.
- PROPOSED WAREHOUSE TO ALLOW UNDER-UNDERGROUND TO BE STORED IN UNDERGROUND SHALL BE MAINTAINED AT ALL TIMES.
- EXACT FUTURE STORAGE CONDITIONS ARE SUBJECT TO CHANGE.
- 8' PASSAGES AND 15' FINE LINES WILL BE MAINTAINED AT ALL TIMES.
- PROPOSED UNDER-UNDERGROUND SHALL BE MAINTAINED AT ALL TIMES.
- PROPOSED UNDER-UNDERGROUND SHALL BE MAINTAINED AT ALL TIMES.
- PROPOSED UNDER-UNDERGROUND SHALL BE MAINTAINED AT ALL TIMES.

ENGINEERS SEAL:
DAVID W. JONES
REGISTERED PROFESSIONAL ENGINEER
STATE OF OHIO
No. 481839
EXPIRES 12/31/2014

OWNER:
JEFFERSON SMURFIT CORPORATION
OR 28764A14 IN 199503310084329
558,309 SQ. FT. (12,817 AC) 010-112377
ZONE M

CONTRACTOR:
JEFFERSON SMURFIT CORPORATION
OR 28764A14 IN 199503310084329
558,309 SQ. FT. (12,817 AC) 010-112377
ZONE M

DATE: MAY 28, 2014

PROJECT: ROCK-TENN RECYCLE #1015 MARION ROAD



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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 #

14311-00000-00393
1015 MARION ROAD

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Jill Tangeman, Esq.
of (COMPLETE ADDRESS) 52 East Gay Street, Columbus, OH 43216

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:

1. Jefferson Smurfit Corp. c/o Rock Tenn PO Box 4098, Norcross, Georgia 30091 c/o Jill Tangeman, Esq. #464-5608 __ Employees	2.
3.	4.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

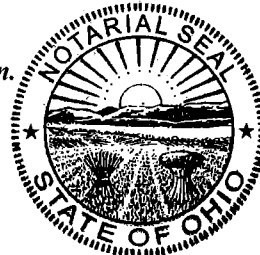
Subscribed to me in my presence and before me this 4th day of June, in the year 2014.

SIGNATURE OF NOTARY PUBLIC Michelle L. Parmenter

My Commission Expires: _____

This Project Disclosure Statement expires six months after date of notarization.

Notary Seal Here



MICHELLE L. PARMENTER
Notary Public, State of Ohio
My Commission Expires
10-16-2017

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