



CITY OF COLUMBUS

DEPARTMENT OF BUILDING AND ZONING SERVICES

13311-00000-00103
894 FRANK ROAD

One Stop Shop Zoning Report Date: Wed Oct 22 2014

General Zoning Inquiries: 614-645-8637

SITE INFORMATION

Address: 1145 HART RD COLUMBUS, OH
Mailing Address: PO BOX 2228
COLUMBUS OH 43216

Owner: INLAND PRODUCTS INC
Parcel Number: 570145444

ZONING INFORMATION

Zoning: Z75-049, Manufacturing, M1
effective 3/3/1976, Height District H-35
Board of Zoning Adjustment (BZA): N/A
Commercial Overlay: N/A
Graphic Commission: N/A
Area Commission: Southwest 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





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

13311-00000-00103
894 FRANK ROAD

AFFIDAVIT

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Donald Plank, Attorney
of (1) MAILING ADDRESS Plank Law Firm, 145 East Rich Street, FL 3, Columbus, OH 43215-5240
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 894 Frank Road
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	(4) <u>Inland Products, Inc. / 800 Frank Road, LLC</u>
AND MAILING ADDRESS	<u>c/o Dan Minor, Attorney</u>
	<u>Vorys, Sater, Seymour and Pease LLP</u>
	<u>52 E. Gay Street, Columbus, OH 43215</u>
APPLICANT'S NAME AND PHONE # (same as listed on front of application)	<u>Roof To Road LLC</u>
	<u>c/o Donald Plank, (614) 947-8600</u>
AREA COMMISSION OR CIVIC GROUP	(5) <u>Southwest Area Commission</u>
AREA COMMISSION ZONING CHAIR OR	<u>c/o Stefanie Coe</u>
CONTACT PERSON AND ADDRESS	<u>1397 Gorham Drive, Columbus, OH 43223-6202</u>

and that the following 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:

(6) PROPERTY OWNER(S) NAME (6A) ADDRESS OF PROPERTY (6B) PROPERTY OWNER(S) MAILING ADDRESS

See Exhibit A

(7) Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT

(8) Donald Plank

Subscribed to me in my presence and before me this 10th day of APRIL, in the year 2014

SIGNATURE OF NOTARY PUBLIC

(8) Barbara A. Painter
AUGUST 3, 2015

My Commission Expires:

Notary Seal Here



BARBARA A. PAINTER
Notary Public, State of Ohio
My Commission Expires AUGUST 3, 2015

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

Statement of Hardship

894 Frank Road, Columbus, OH 43223

BZA: 13311-00103

The 4.521 acre leased site is zoned M-1, Manufacturing. A variance (Ordinance 1604-2014, passed July 21, 2014, CV13-031) permits salvage of roofing shingles in the M-1 District. The 4.521 acre lease area is portions of three (3) tax parcels (PID's: 570-145444, 570-145445, 570-145446). The north, south, east and west setbacks of the lease area are +/- 1,510', 675', 529' and 1,299' to a perimeter property line. All of the property of which the lease area is part of is zoned M-1. The site and surround area is characterized by large tracts of property located in both the City of Columbus and Franklin Township that are zoned City of Columbus: M, Manufacturing and M-1, Manufacturing and Franklin Township (Franklin County Zoning): GI, General Industrial and LI, Limited Industrial. Frank Road, SR 104 and I-71 provide major arterial, state route and interstate highway access to the area. The area is characterized by heavy and light industrial uses, demolition land fills, closed demolition land fills being redeveloped for new industrial purposes, truck terminals, quarries and manufacturing and processing uses. Housing located in Franklin Township exists to the north of the site on Hart Road and to the west of the site on streets developed east of Brown Road. However, the distance of the lease area of the recycling (salvage) business from township housing far exceeds code separation requirements with 1,510 feet from the north line of the lease area to township residential property to the north and 1,299 feet from the west line of the lease area to township residential property to the west. The requested Special Permit and variances shall apply only to the 4.521 acre lease area. A survey and legal description of the lease area is submitted with this application.

By this application to the Board of Zoning Adjustment (BZA), applicant requests Special Permits, 1) as required for salvage uses (Section 3389.07, Impound Lot, Junk Yard or Salvage Yard) to permit the collection and processing of roofing shingles and for portable buildings (Section 3389.12, Portable Building) to permit two (2) portable buildings consisting of an office trailer and storage trailer for tools and equipment and 2) itemized variances related to the site for the collection and processing of roofing shingles. A Special Permit for all salvage uses is mandatory. Salvage uses frequently also include portable buildings and variances to site development standards.

Special Permit

Section 3307.06, Special Permits, empowers the Board of Zoning Adjustment (BZA) to grant Special Permits where it is shown that the special use can be granted without substantial detriment to the public good, without substantial impairment of the general purpose and intent of the zoning district in which the use is proposed to be located, and without significant incompatibility with the general character of the neighborhood.

The collection and processing of roofing shingles on the 4.521 acre lease site is located +/- 1,510 feet south and +/- 1,299 feet east of residential districts. All of the parcel areas of which the lease site is part of is zoned M-1, including directly abutting the residential zoning to the north and west. The lease area is part of hundreds of acres zoned for industrial uses. The lease area has large setbacks from all perimeter property lines. Applicant believes that the proposed use can be operated without detriment to the public good, without substantial impairment of the general purpose and intent of the zoning district in which the use is proposed to be located and without incompatibility with the general character of the area and meets the requirements for granting a Special Permit. No hardship is required for approval of the Special Permit.

Variances

The proposed use is an industrial use involving areas of materials storage and processing and the use of heavy equipment. The stockpile of collected materials will shift within the site (4.521 +/- acres) over time as material is processed and new material for processing is delivered. The site (lease area) is located large distances from perimeter property lines where adjacent to property owners other than 800 Frank Road LLC and Inland Products, the current property owners, and is in the interior of a very large tract of property zoned for industrial uses. Pavement is impractical for the site. The lease area site is located more than two or more times the required distance from residential zoning, and this application is specific to the 4.521 acre lease area only, but the Zoning Code requires measurement of separation from property lines rather than lease lines so a variance to reduce separation from residential zoning is included. Other than the code definition of where the 600 foot separation of a salvage use and a residential zoning district is measured from, the site complies with and substantially exceeds the required separation. The actual distance of the salvage use exceeds, by more than 2 times, the code required separation. Applicant has a practical difficulty with code compliance give large actual setbacks vs. how measurement of setback is prescribed by the Zoning Code, it is impractical to pave parking on an industrial site with a collection area for materials that shifts over time as materials are used and collected and on which heavy equipment is used, the code limited pile height (10') feet is impractical, has been varied many times and compliance causes inefficient use of property, and given the distances involved, natural buffers and being surrounded by land zoned for manufacturing/industrial uses, the six (6) foot screen fence is unnecessary.

Applicant requests the following variances related to the proposed salvage use for collection and processing of roofing shingles:

- 1) 3312.43, Required Surface for Parking, to permit a gravel and/or dirt parking/maneuvering/aisle/driveway surface rather than asphalt or concrete surface.
- 2) 3312.39, Striping and Marking, to not provide pavement striping for parking spaces.
- 3) 3312.25, Maneuvering, to permit maneuvering across parcel lines within the 4.521 acre lease area, as needed.
- 4) 3363.41, Storage, to reduce the required distance of salvage storage from 600 feet to zero (0) feet from a residential district due to the required measurement from the parcel property line, while the salvage use is on 4.521 +/- leased acres and actual distance of the salvage storage to the residential districts to the north and west from the lease area are 1,510 +/- feet and 1,299 +/- feet, respectively, and to reduce from 20

feet to 0 feet the required storage setback from a property line, solely related to existing parcel lines of Inland Products and 800 Frank Road LLC crossing the lease area of the salvage site.

- 5) 3392.10, Performance Standards, to not provide a six (6) foot opaque fence around the perimeter of the lease area, to increase the permitted maximum materials pile height from ten (10) feet to thirty (30) feet and to permit driveways, access corridors and customer and employee parking to have a gravel and/or dirt surface rather than asphalt or concrete surface.

Conditions

Applicant requests the following conditions be placed on this application:

- 1) The salvage use shall be exclusively for the salvage, collection and processing of roofing shingles.
- 2) The Board Order shall be valid until August 21, 2024, ten (10) years from the effective date of Ordinance 1604-2014, passed July 21, 2014, (CV13-031), effective August 20, 2014, as conditioned by Columbus City Council, however, the time duration of the shingle salvage use may be extended subject to the following conditions:
 - a) All applicable City of Columbus permits, including a Salvage Yard License, renewed annually or as the City Code may specify in the future, are applied for and received from the City of Columbus;
 - b) There has been full compliance with all requirements of the permit(s) issued by the City of Columbus at all times;
 - c) Shingles continue to be tested for asbestos by an independent lab with no positive asbestos test results and the test results are shared with the EPA and City of Columbus;
 - d) Compliance with other conditions of SWAC approval, as stated in items #2 – #4, inclusive, as follows;
 - e) All trash is removed from the property in general and, specifically, the trash presently piled at the northwest corner of the leased property shall be removed. All trash (scrap wood, plastic, paper) shall be contained and disposed of on-site in appropriate containers which are covered to prevent debris from blowing into the community. The on-site trash containers shall be emptied on a regular basis.
 - f) The maximum height of any pile or piles of shingles shall be 30 feet.
 - g) Although the specific parking areas will move as a result of the shifting of the pile on the leased property – management will provide designated parking for employees and customers.
 - h) The shingle salvage use shall occur only on the 4.521 +/- acres described in the legal description submitted with this application and as also contained in City of Columbus Ordinance 1604-2014, passed July 21, 2014 (CV13-031).

- i) There shall be no other salvage use on any of the Franklin County Auditor's parcels on which the shingle salvage use is located. These parcels are specifically: 570-145444, 570-145445, and 570-145446.

- 3) The 4.521 +/- acres includes portions of three (3) tax parcels (PID's: 570-145444, 570-145445, 570-145446). For all purposes with the review and approval of a Site Compliance Plan for the salvage use, the parcel lines within the 4.521 +/- acres shall be disregarded and the 4.521 +/- acres shall be treated as a single lease area without parcel lines of these three (3) parcels.

September 30, 2014

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894 FRANK ROAD



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: 570145446

Zoning Number: 894

Street Name: FRANK RD

13311-00000-00103

Lot Number: N/A

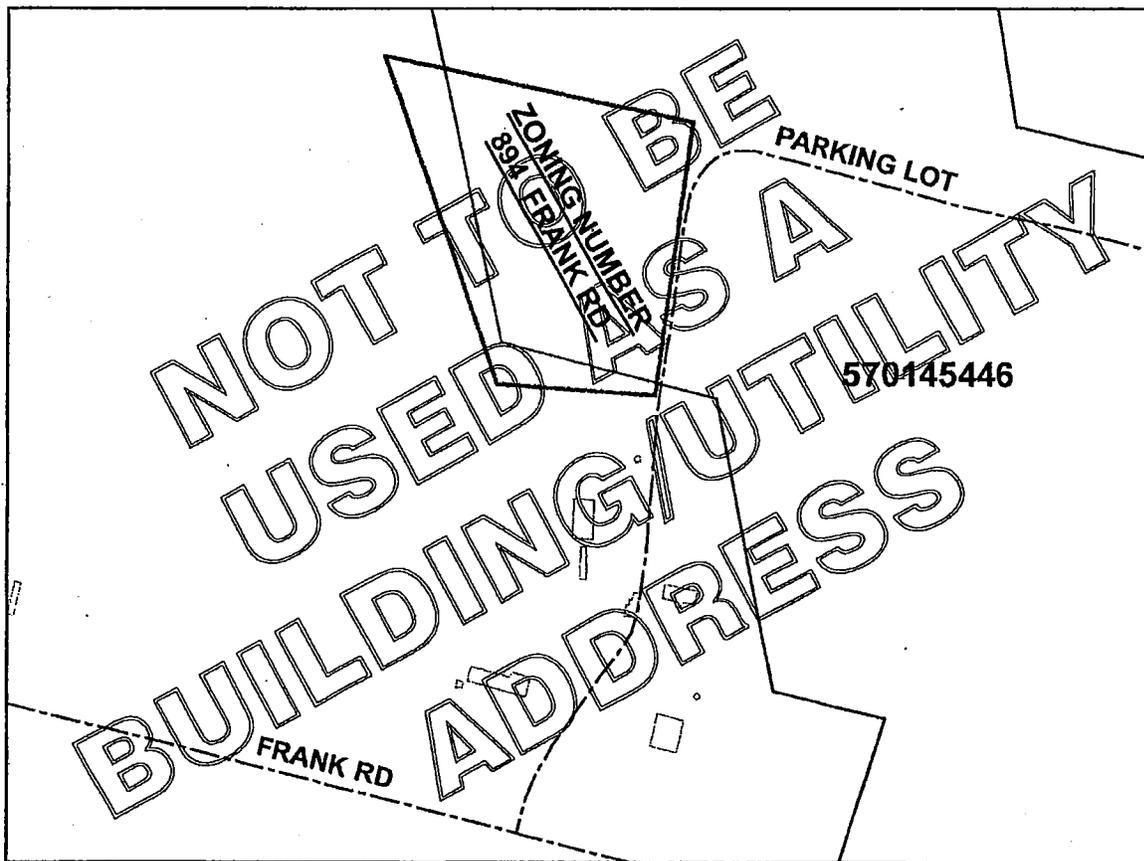
SUBDIVISION: N/A

894 FRANK ROAD

Requested By: DAVE PERRY CO., Inc (DAVE PERRY)

Issued By: *Patricia Austin*

Date: 10/31/2012



SCALE: 1 inch = 300 feet

GIS FILE NUMBER: 11782



PATRICIA A. AUSTIN, P.E., ADMINISTRATOR
DIVISION OF PLANNING AND OPERATIONS
COLUMBUS, OHIO



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: dbp

DATE: 12/12/13

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894 FRANK ROAD



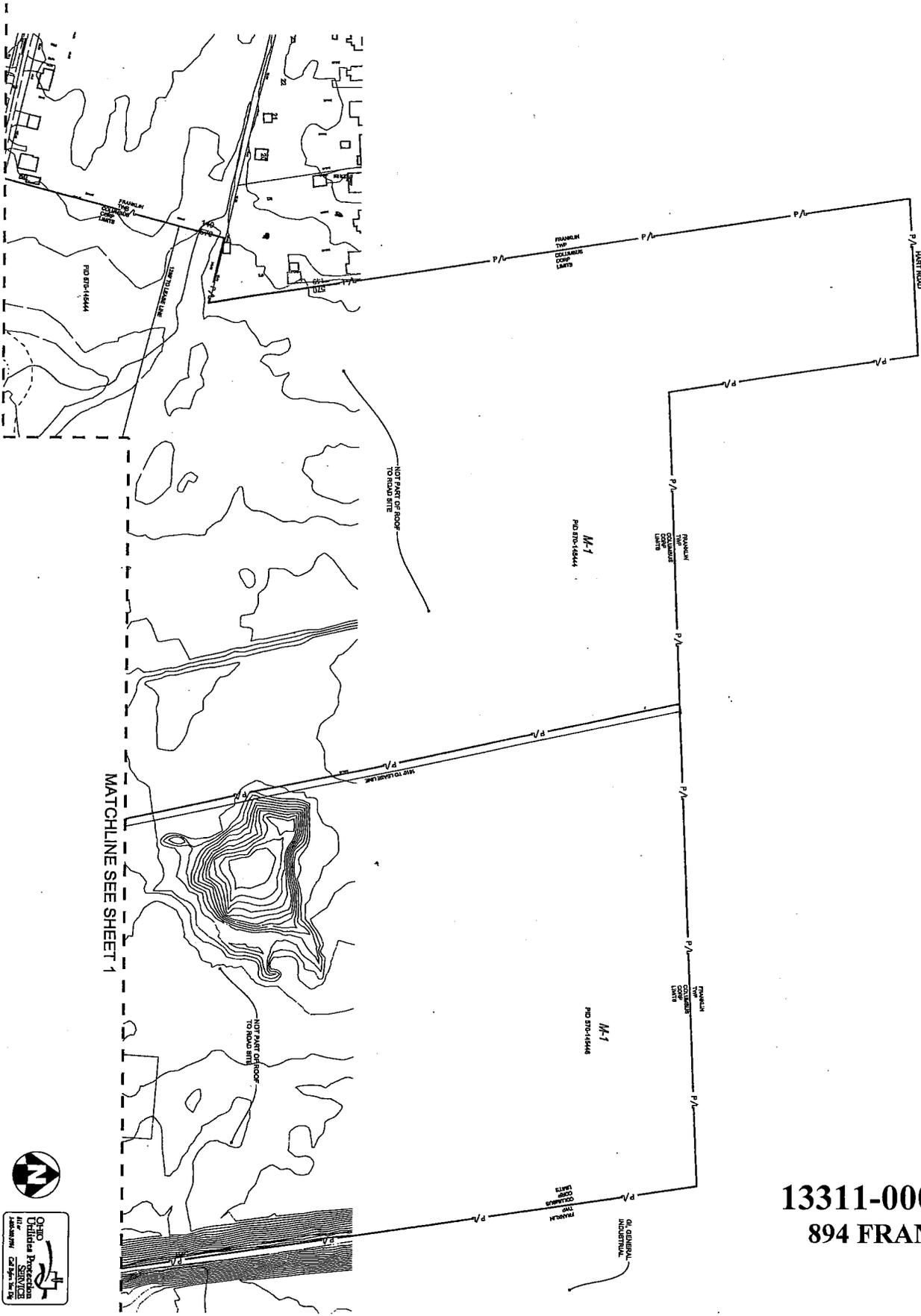
Disclaimer

Scale = 1180



This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

Real Estate / GIS Department



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	<p>THE KLEINGERS GROUP</p> <p>PLANNING AND DESIGN SERVICES</p> <p>11110 W. 12th St. Columbus, OH 43240 614-291-1111</p>
	<p>RD TO ROAD</p> <p>RD TO ROAD ZONING PLAN</p> <p>FRANKLIN COUNTY, OHIO</p>
<p>PROJECT: RD TO ROAD ZONING PLAN</p> <p>DATE: 11/11/11</p> <p>SCALE: 1" = 100'</p>	<p>NO. SHEET: 258-00000</p>
<p>SHEET: 2/2</p>	<p>DATE:</p>



BOARD OF ZONING ADJUSTMENT APPLICATION

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757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.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 spaces provided.

APPLICATION # **13311-00000-00103**
894 FRANK ROAD

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald Plank, Attorney
of (COMPLETE ADDRESS) Plank Law Firm, 145 East Rich Street, FL 3, Columbus, OH 43215-5240

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
Roof To Road LLC c/o Steve Johnson	27910 Chillicothe Pike, Williamsport, OH 43164
Inland Products, Inc. c/o Gary Baas	PO Box 2228, Columbus, OH 43216
800 Frank Road, LLC c/o Gary Baas	PO Box 2228, Columbus, OH 43216

SIGNATURE OF AFFIANT Donald Plank

Subscribed to me in my presence and before me this 30th day of SEPTEMBER, in the year 2014

SIGNATURE OF NOTARY PUBLIC Barbara A. Painter

My Commission Expires: AUGUST 3, 2015



BARBARA A. PAINTER
Notary Public, State of Ohio
My Commission Expires AUGUST 3, 2015

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Please make all checks payable to the Columbus City Treasurer