

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 15-018 Date Received: 17 FEB. 2015
Application Accepted by: [Signature] Fee: \$1900-
Commission/Civic: _____
Existing Zoning: M-2
Comments: _____

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

☒ Variance ☐ Special Permit

Indicate what the proposal is and list applicable code sections:

Owner plans to use the lot for contractor equipment and vehicle storage to supplement the lot to the west where his equipment renting and towing business is located. Variances are requested to Section 3367.15 and 3367.29 to decrease front, side and rear yards for parking, storage and construction of an 8 foot fence.

LOCATION

Certified Address: 4677 Groves Road City: Columbus Zip: 43232

Parcel Number (only one required): 010-016468

APPLICANT (If different from Owner):

Applicant Name: _____ 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: Marshall Acquisitions LLC Phone Number: Atty 614 947-8600 Ext.: _____

Address: 2910 Berwick Place City/State: Columbus OH Zip: 43209

Email Address: Atty: akuhn@planklaw.com Fax Number: _____

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

Name: Amy K. Kuhn, of counsel, Plank Law Firm LPA Phone Number: 614 947 8600 Ext.: _____

Address: 145 E Rich St, 3rd floor City/State: Columbus OH Zip: 43215

Email Address: akuhn@planklaw.com Fax Number: _____

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

APPLICANT SIGNATURE [Signature] Applicant

PROPERTY OWNER SIGNATURE [Signature] Owner

ATTORNEY / AGENT SIGNATURE [Signature] Attorney

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

BZA15-018
4677 Groves Rd.

760
3/24/1968
M1, H-35

010215637
Z89-167
3/13/1990
M1, H-35

010214849

Z73-131
1/9/1974
M2, H-35

010230545

0101

Content

1284
3/16/1966
M1, H-35
010119807

010211497

010016468
Z87-1807
3/28/1968
M2, H-35

010216934

Z89-042
7/6/1969
M1, H-35

BAYNES DR

CATALPA DR

COLT RD

010118743
760
3/24/1968
R2, H-35
010118748

010118776
760
3/24/1968
R2, H-35
010118777 010118780 010118781
010118778 010118779

010118849
010118848 010118845 010118844
010118847 **760** 010118843
3/24/1968
010118811 R2, H-35 010118817
010118812 010118815
010118813 010118816

010118742 010118739 010118737
010118741 010118738
010118740 **760** 010118736
3/24/1968
010118718 R2, H-35 010118723
010118719 010118724 010118725
010118720 010118721 010118722
010118723 010118724 010118725
010118726 010118727 010118728

1284
3/16/1966
M1, H-35

Base Zoning
CASE_NUMBER: Z87-1807
ORDINANCE:
EFFECTIVE_DATE: 3/28/1988
CLASSIFICATION: M2
GENERAL_ZONING_CATEGORY: Manufacturing
HEIGHT_DISTRICT: H-35

Parcels
PARCEL_ID: 010016468
OWNER_NAME: MARSHALL ACQUISITIONS LLC



Identify

Clear



EASTLAND COMMERCE CENTER DR

GROVES RD

010219212

010120745

010241133

010242999

010118514
760
3/24/1968
R2, H-35

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AFFIDAVIT

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Amy K. Kuhn, of counsel, Plank Law Firm LPA
of (1) MAILING ADDRESS 145 E Rich Street, 3rd floor, Columbus, OH 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 ADDRESS CARD FOR PROPERTY 4677 Groves Road, Columbus, OH
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 (4) Marshall Acquisitions LLC
AND MAILING ADDRESS 2910 Berwick Place
Columbus, OH 43209

APPLICANT'S NAME AND PHONE # Marshall Acquisitions LLC
(same as listed on front application) 2910 Berwick Place, Columbus, Ohio Atty 614 947-8600

AREA COMMISSION OR CIVIC GROUP (5) None
AREA COMMISSION ZONING CHAIR _____
OR CONTACT PERSON AND ADDRESS _____

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 NAME	(6a) PROPERTY ADDRESS	(6b) PROPERTY OWNER MAILING ADDRESS
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

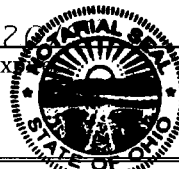
(8) SIGNATURE OF AFFIANT *Amy K. Kuhn*

Sworn to before me and signed in my presence this 17th day of February, in the year 2015

(8) SIGNATURE OF NOTARY PUBLIC

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

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LABEL SET

ADDRESS: 4677 Groves Road

SUBMITTAL: 2/17/15

APPLICANT:

Robert M. Marshall
Eastland Crane and Towing
2190 South Hamilton Road
Columbus, OH 43232

PROPERTY OWNERS:

Robert M. Marshall
Eastland Crane and Towing
2190 South Hamilton Road
Columbus, OH 43232

ATTORNEY FOR APPLICANT:

Amy K. Kuhn, Esq.
Plank Law Firm
145 E. Rich Street, FL 3
Columbus, OH 43215-5240

COMMUNITY GROUP/COALITION:

N/A

SURROUNDING PROPERTY
OWNERS (125 FEET):

Frank One LLC
4670 Groves Rd.
Columbus, OH 43232

Groves Road Associates LP
11766 Willshire Blvd. 325
Los Angeles, CA 90025

Groves Road Associates LP
c/o Jack L. Butlee
155 E. Broad St.
Columbus, OH 43215

Hartford on the Lake LLC
195 Locust St.
Hartford, Ct. 06114

Liberty Capital Partners III LLC
PO Box 10302
Zephyr Cove, NV 89448

Marshall Acquisitions LLC
4645 Groves
Columbus, OH 43232

Marshall Acquisitions LLC
2910 Berwick Blvd.
Columbus, OH 43209

Gurgun Muharrem &
Semahat & Hasan
4706 Sibel Ct.
Powell, OH 43065

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STATEMENT OF HARDSHIP

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. Special circumstances or conditions apply to the subject property that do not apply, generally, to other properties in the same zoning district.
 2. The special circumstances or conditions are not the result of the actions of the property owner or applicant.
 3. 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. 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 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:

Please see attached.

Signature of Applicant _____ Date February 17, 2015

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The property is a vacant lot located just east of the the owner's towing and equipment rental business. The property will be used for storage of the towing equipment, cranes and other construction business equipment and vehicles. The property is zoned M-2 and storage of contractor's equipment is permitted.

The owner of the property is requesting variances that will enable him to install composite paving and an eight foot fence surrounding the perimeter of the property to accommodate heavy equipment storage and security. The owner does not plan to build any additional structures at this time.

There is a road that separates the two parcels and therefore, each parcel is zoned and treated separately. There are residential properties in the area but the structures are located more than 100 feet from the property. The apartment complex to the south of the subject is screened with trees and the properties are not visible from each other. The properties to either side of the property are zoned M-1 to the west and M-2 to the east.

Groves Road is zoned commercial at the intersection with Hamilton Road and is then predominately manufacturing zoned sites. There is a small, older residential subdivision where Groves Road terminates at I-270 east of the property. The apartment complex to the south was built in 1973 and is surrounded by commercial and manufacturing property. The variances requested will not be detrimental to the area and will enable the owner to use the site in the most productive manner.

The following variances are requested:

Section 3367.15(a). M-2 manufacturing district special provisions. Variance to permit 10 foot set back for the portion of the property that fronts Groves Road instead of 50 feet.

Section 3367.15(b). M-2 manufacturing district special provisions. Variance to permit a 10 foot landscaped area along the Groves Road right of way instead of 50 feet.

Section 3367.15 (d). M-2 manufacturing district special provisions Variance to permit parking within 0 feet of the property lines in the side and rear yards.

Section 3367.29 (B) (2) Storage. Variance to permit storage for equipment within 10 feet of the Groves Road and right of way and within 0 feet of Eastland Commerce Center Parkway.

Section 3367.29 (B) (3) Storage. Variance to permit storage within 100 feet of a residential district.



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: C DATE: 2/13/15



Disclaimer

Scale = 150



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



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: 010016468

Zoning Number: 4677

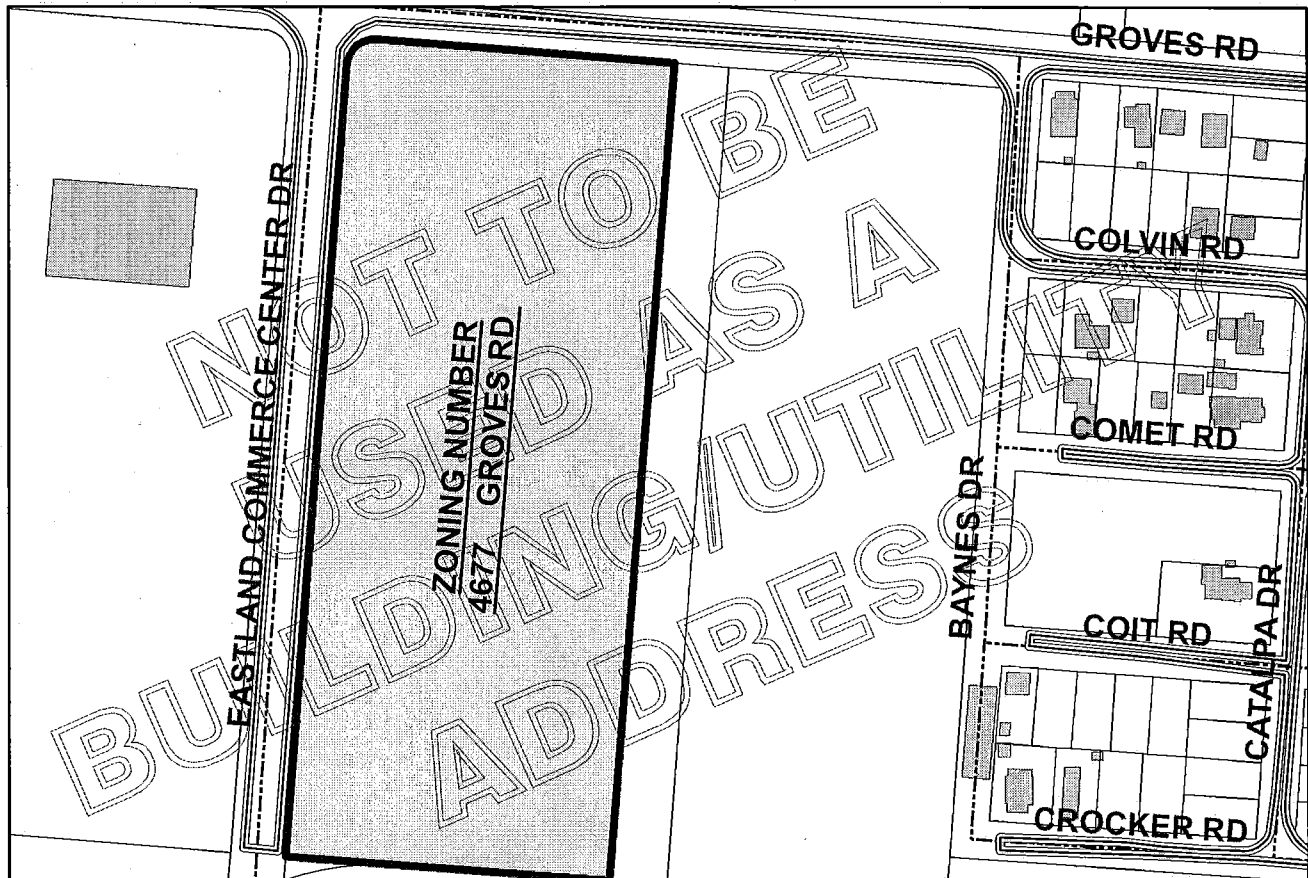
Street Name: GROVES RD

Lot Number :N/A

Subdivision: N/A

Requested By: PLANK LAW FIRM LPA (AMY K KUHN)

Issued By: *Adyana Amarian* Date: 1/28/2015



SCALE: 1 inch = 200 feet

JAMES D. YOUNG, P.E., ADMINISTRATOR
DIVISION OF INFRASTRUCTURE MANAGEMENT
COLUMBUS, OHIO

GIS FILE NUMBER: 26339



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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 # _____

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Amy K. Kuhn, of counsel, Plank Law Firm LPA
of (COMPLETE ADDRESS) 145 E Rich Street, 3rd floor, Columbus, OH 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 and their mailing addresses:

NAME

COMPLETE MAILING ADDRESS

Marshall Acquisitions, LLC

2910 Berwick Place, Columbus, OH 43209

Bob Marshall and Brenda Marshall

SIGNATURE OF AFFIANT

Amy K. Kuhn

Sworn to before me and signed in my presence this 17th day of February, in the year 2015

Barbara A. Painter
SIGNATURE OF NOTARY PUBLIC

AUGUST 3, 2015
My Commission Expires

Notary Seal Here



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

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