

Council Variance Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

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

OFFICE USE ONLY

Application Number: CV15-067 Date Received: 11-3-15

Application Accepted by: MM, SP, TD, JB Fee: \$1,920

Comments: Assigned to Tim Dietrich; 645-6665; tedietch@cumulus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 2165 Morse Road Zip: 43229

Is this application being annexed into the City of Columbus? Select one: ☐ YES ☐ NO

If the site is currently pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.

Parcel Number for Certified Address: 010-104781

☐ Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s): C-3

Area Commission or Civic Association: Northland Community Council

Proposed Use or reason for Council Variance request:

To allow furniture resale and onsite furniture storage.

Acreage: 2.57

APPLICANT:

Name: Furniture Bank Phone Number: (614) 545-3838 Ext.: _____

Address: 118 South Yale Avenue City/State: Columbus, OH Zip: 43222

Email Address: _____ Fax Number: _____

PROPERTY OWNER(S) ☐ Check here if listing additional property owners on a separate page

Name: Commercial Net Lease Realty Inc. Phone Number: _____ Ext.: _____

Address: 450 South Orange Avenue City/State: Orlando, FL Zip: 32801

Email Address: _____ Fax Number: _____

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

Name: David Hodge Phone Number: (614) 221-4255 Ext.: _____

Address: 37 West Broad Street, Suite 460 City/State: Columbus, OH Zip: 43215

Email Address: dhodge@smithandhale.com Fax Number: (614) 221-4409

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

APPLICANT SIGNATURE Furniture Bank By:

PROPERTY OWNER SIGNATURE Commercial Net Lease Realty Inc. By:

ATTORNEY / AGENT SIGNATURE _____

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that the City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc. may delay the review of this application.

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

Council Variance Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

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

AFFIDAVIT (See instruction sheet)

Application Number: SV15-067

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn **(1) NAME** David Hodge

of **(1) MAILING ADDRESS** 37 West Broad Street, Suite 460, 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 2165 Morse Road

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on **(3)** 11/3/15

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) Commercial Net Lease Realty Inc.
450 South Orange Avenue
Orlando, FL 32801

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

Furniture Bank
(614) 545-3838

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

(5) The Northland Community Council
c/o Emmanuel Remy
P.O. Box 297836
Columbus, OH 43229

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)

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

(8) SIGNATURE OF AFFIANT

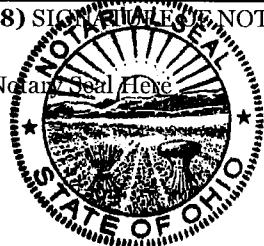
David Hodge

Sworn to before me and signed in my presence this 30th day of October, in the year 2015

(8) SIGNATURE OF NOTARY PUBLIC

9/4/2020
My Commission Expires

Notary Seal Here



Natalie C. Timmons
Notary Public, State of Ohio
My Commission Expires 09-04-2020

This Affidavit expires six (6) months after the date of notarization.

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

APPLICANT

Furniture Bank
118 South Yale Avenue
Columbus, OH 43222

PROPERTY OWNER

Commercial Net Lease Realty Inc.
450 South Orange Avenue
Orlando, FL 32801

AREA COMMISSION

The Northland Community Council
c/o Emmanuel Remy
P.O. Box 297836
Columbus, OH 43229

ATTORNEY

David Hodge
Smith & Hale LLC
37 West Broad Street, Suite 460
Columbus, OH 43215

SURROUNDING PROPERTY OWNERS

Maintain-Develop-Build Company
P.O. Box 151
Marysville, OH 43040

Winterwood Management LLC
20 Banta Place, Suite 100
Hackensack, NJ 07601

Dreisbach Commercial Real Estate
Columbus LLC
720 Dalton Avenue
Cincinnati, OH 45203

Saucedo Investments LLC
2175 Morse Road
Columbus, OH 43229

Summit Park Apartments LLC
3377 East Galloway
Richfield, OH 44286

MC-NC LLC
15455 Conway Road, Suite 100
Chesterfield, MO 63017

furniturebank.lbl (nct)
10/30/15 S:\Docs\s&hlabels/2015

CV15-067

Council Variance Application

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

STATEMENT OF HARDSHIP

Chapter 3307 of the Columbus Zoning Code

Section 3307.10 Variances by City Council

A. Permit a variance in the yard, height, or parking requirements of any district only in conjunction with a change in zoning or a use variance and only where there are unusual and practical difficulties or unusual hardships in the carrying out of the zoning district provisions due to an irregular shape of lot, topography, or other conditions, providing such variance will not seriously affect any adjoining property or the general welfare.

B. Permit a use of the property not permitted by the Zoning District established on the property if such use will not adversely affect the surrounding property or surrounding neighborhood and if Council is satisfied that the granting of such variance will alleviate some hardship or difficulty which warrants a variance from the Comprehensive Plan.

Before authorizing any variance from the Zoning Code in a specific case, City Council shall first determine that such variance will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus.

In granting a variance pursuant to this section, Council may impose such requirements and conditions regarding the location, character, duration, and other features of the variance proposal as Council deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.

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 requested as detailed below:

Please see attached.

Signature of Applicant _____ Date _____

CV15-067

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

Statement of Hardship

2165 Morse Road

The subject property is located on Morse Road, along the south side of the street, west of Walford Street, and is currently developed with a vacant building most recently used as a Rite Rug retail store. The applicant, Furniture Bank of Central Ohio, is a charitable organization that provides donated furniture to those in need. The applicant seeks to request a variance to City Code 3355.03 (C-3 permitted uses) to allow furniture resale and on-site furniture storage.

To effectuate the applicant's plan, the following variance is necessary:

3355.03 To allow furniture resale and on-site furniture storage, uses not permitted in the C-3 District.

This variance will permit a use on the property that is not permitted by the Zoning District established on the property. This use will not adversely affect the surrounding property or surrounding neighborhood. The granting of such variance will alleviate hardship and difficulty which is presented by the absence of the proposed use in the current Comprehensive Plan. The grant of this variance will not impair an adequate supply of light and air to adjacent properties, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair the public health, safety, comfort, morals, or welfare of any inhabitant of the City of Columbus.

Furniture Bank of Central Ohio

By: _____

Date: _____

[Handwritten Signature]
10/20/2015

CV 15-067

Council Variance 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 # CV15-067

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) David Hodge

of (COMPLETE ADDRESS) 37 West Broad Street, Suite 460, 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 in the following format:

Name of business or individual
Business or individual's address
Address of corporate headquarters
City, State, Zip
Number of Columbus based employees
Contact name and number

1. Furniture Bank 118 South Yale Avenue Columbus, OH 43222 Steve Votaw, (614) 545-3841	2. Commercial Net Lease Realty Inc. 450 South Orange Avenue Orlando, FL 32801
3.	4.

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

SIGNATURE OF AFFILIANT David Hodge

Sworn to before me and signed in my presence this 30th day of October, in the year 2015

Natalie C. Timmons
SIGNATURE OF NOTARY PUBLIC

9/4/2020
My Commission Expires



Notary Seal Here
Natalie C. Timmons
Notary Public, State of Ohio
My Commission Expires 09-04-2020

This Project Disclosure expires six (6) months after the date of notarization.

CV15-067

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

EXHIBIT "A"

Situated in the City of Columbus, County of Franklin, State of Ohio, and being part of Lot No. 12 in the East half of Section 1, Township 1, Range 18, U.S. Military Lands, and being part of the premises conveyed to I.M. Harris, Trustee, by deed recorded in Book 2744, Pages 578 and 579 and part of premises conveyed to I.M. Harris, Trustee by deed recorded in Book 2744, Pages 583 and 584 and part of the premises conveyed to I.M. Harris, Trustee, by deed recorded in Book 2744, Pages 580 and 581 of Franklin County Records, and being more particularly described as follows:

Beginning at an iron pin in the Northwest corner of that certain tract conveyed to I.M. Harris, Trustee by deed recorded in Book 2744, Pages 577 and 578 of Franklin County Records, said iron pin also being in the Southerly right of way line of Morse Road (aka County Road No. 17), being 70 feet as measured at right angles from the new centerline of Morse Road (aka County Road No. 17), and 43 feet as measured at right angles from the old centerline of Morse Road (aka County Road No. 17); thence South 3 deg. 09' West along the West property line of that certain tract shown recorded in Book 2744, Pages 577 and 578 of Franklin County Records in the tract shown recorded in Book 2744, Pages 577 and 578 of Franklin County Records, a distance of 43 feet to the true point of beginning; thence South 86 deg. 24' North parallel to and 45 feet South of the South right of way line of said Morse Road (aka County Road No. 17) and crossing that certain tract shown recorded in Book 2744, Pages 577 and 578 of Franklin County Records, and part of that certain tract recorded in Book 2744, Page 583 and 584 of Franklin County Records, a distance of 251.5 feet to a point; thence South 3 deg. 9' West, and crossing that certain tract recorded in Book 2744, Pages 583 and 584 of Franklin County Records, and also crossing that certain tract recorded in Book 2744, Pages 580 and 581 of Franklin County Records, a distance of 444.24 feet to a point in the Southerly line of that certain tract recorded in Book 2744, Pages 580 and 581 of Franklin County Records; thence North 86 deg. 28' West and along part of the Southerly line of that certain tract recorded in Book 2744, Pages 581 and 582 of Franklin County Records, and along the Southerly line of that certain tract recorded in Book 2744, Pages 577 and 578 of Franklin County Records, a distance of 231.5 feet to an iron pin at the Southwesterly corner of that certain tract shown recorded in Book 2744, Pages 577 and 578 of Franklin County Records; thence North 3 deg. 09' North and along the Westerly line of that certain tract recorded in Book 2744, Page 577 and 578 of Franklin County Records, a distance of 444.24 feet to the true point of beginning, containing 2.52 acres of land.

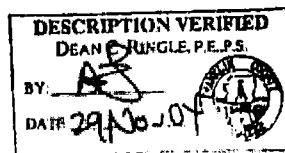
P.P.N. 010-104781

M-166-C

All of

(010)

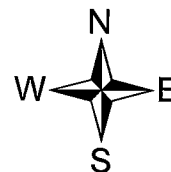
164781



CV15-067



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: 010104781

Zoning Number: 2165

Street Name: MORSE RD

Lot Number: N/A

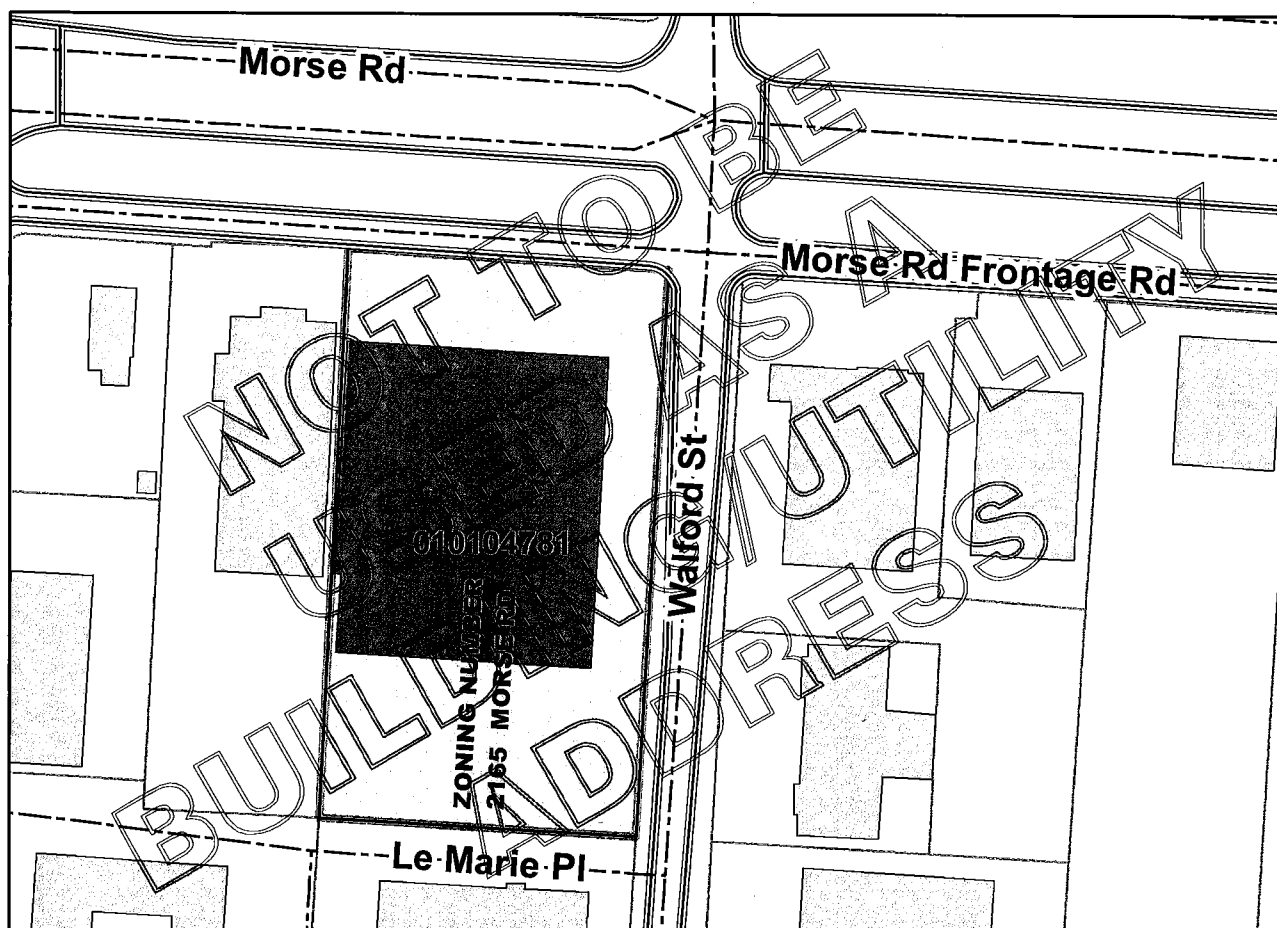
Subdivision: N/A

Requested By: SMITH & HALE (LIESEL SCHMADER)

Issued By:

Adriana Amarian

Date: 10/30/2015



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

SCALE: 1 inch = 150 feet

GIS FILE NUMBER: 48131

CUIS-067

(V15-067)



CV15-067
2165 Morse Road
approximately 2.57 acres



CV15-067
2165 Morse Road
approximately 2.57 acres