

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: CV15-068 Date Received: 11/3/15
Application Accepted by: MM, JB, TD, SP Fee: \$880
Comments: Assigned to Michael Maret; 645-2749; mjmaret@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 826 East Dublin-Granville 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: 010-109441; 010-019170

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

Current Zoning District(s): M-1

Area Commission or Civic Association: Northland Community Council

Proposed Use or reason for Council Variance request: To reduce: parking from 43 to 19 spaces; storage setback from 25 to 5 feet; building setback from 110 to 74 feet along 161 and 25 to 10 feet along east property line.

Acreage: 1.2

APPLICANT:

Name: Ohio Mulch Phone Number: 614-445-4455 Ext.: _____

Address: 1600 Universal Road City/State: Columbus, OH Zip: 43207

Email Address: _____ Fax Number: _____

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

Name: Judith E. Burgess Phone Number: _____ Ext.: _____

Address: 163 Franklin Street City/State: Delaware, OH Zip: 43015

Email Address: _____ Fax Number: _____

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

Name: Jeffrey L. Brown Phone Number: 614-221-4255 Ext.: _____

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

Email Address: jlbrown@smithandhale.com Fax Number: 614-221-4409

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

APPLICANT SIGNATURE Ohio Mulch By: 

PROPERTY OWNER SIGNATURE Judith E. Burgess 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

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CVIS-068

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:

The proposed development is a mixture of retail and wholesale uses which come with
different parking and setback requirements. The applicant has requested a reduction
in the storage setback, number of parking spaces and the building setback. These
reductions will better reflect the use of the property and be more consistent with
other developments in the area. The site is long and narrow which creates practical
difficulties in laying out the site. East Dublin-Granville Road has a service road
in this area which creates an unusual deep building setback. These variances will
not seriously affect any adjoining property or the general welfare.

Signature of Applicant

*Ohio Mulch by
[Signature]*

Date

11/3/15

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AFFIDAVIT (See instruction sheet)

Application Number: CVIS-068

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Jeffrey L. Brown
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 826 East Dublin-Granville 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) 11/2/15

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) Judith E. Burgess
163 Franklin Street
Delaware, OH 43016

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

Ohio Mulch
614-445-4455

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

(5) Northland Community Council
David Paul
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

Sworn to before me and signed in my presence this 3rd day of November, in the year 2015

(9) SIGNATURE OF NOTARY PUBLIC

My Commission Expires



Natalie C. Timmons
Notary Public, State of Ohio
My Commission Expires 08-04-2020

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

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CV15-068

APPLICANT

Ohio Mulch
1600 Universal Road
Columbus, OH 43207

PROPERTY OWNER

Judith E Burgess
163 Franklin Street
Delaware, OH 43015

AREA COMMISSION

The Northland Community Council
Attn: Dave Paul
P.O. Box 297836
Columbus, OH 43229

ATTORNEY

Jeffrey L. Brown
Smith & Hale LLC
37 West Broad Street, Suite 460
Columbus, OH 43215

SURROUNDING PROPERTY OWNERS

Garrison Huntley LLC
1350 Avenue of the America
New York, NY 10019

2089 Webster LLC
2106 Honeywell Avenue LLC
888 East Dublin-Granville Road
Columbus, OH 43229

B&N Co.
6255 Corporate Center Drive
Dublin, OH 43016

Garrison Huntley LLC
1290 Avenue of the America #914
New York, NY 10104

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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 # CV15-068

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Jeffrey L. Brown

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. Ohio Mulch 1600 Universal Road Columbus, OH 43207 Jim Weber - 614-445-4455 250 Columbus based employees	2. Judith E. Burgess 163 Franklin Street Delaware, OH 43015 zero Columbus based employees
3.	4.

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

SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 34 day of November, in the year 2015

Natalie C. Timmons
SIGNATURE OF NOTARY PUBLIC

My Commission Expires 9/4/2020



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.

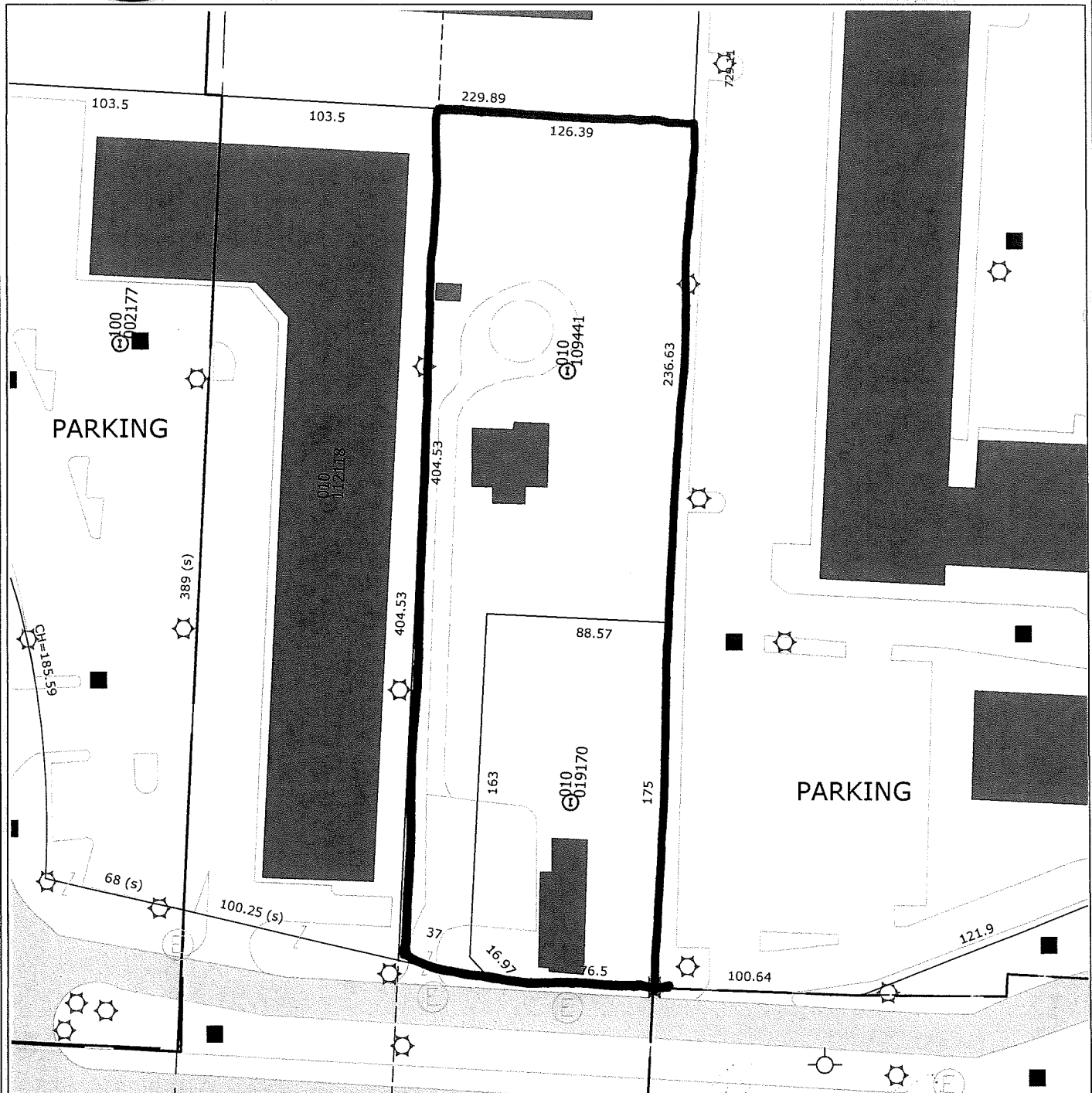
PLEASE NOTE: Incomplete information will result in the rejection of this submittal.
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CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: C

DATE: 10/23/15



Disclaimer

Scale = 70



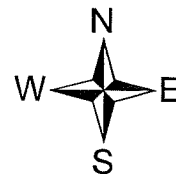
This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on 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

CVIS-068



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: 010109441

Zoning Number: 826

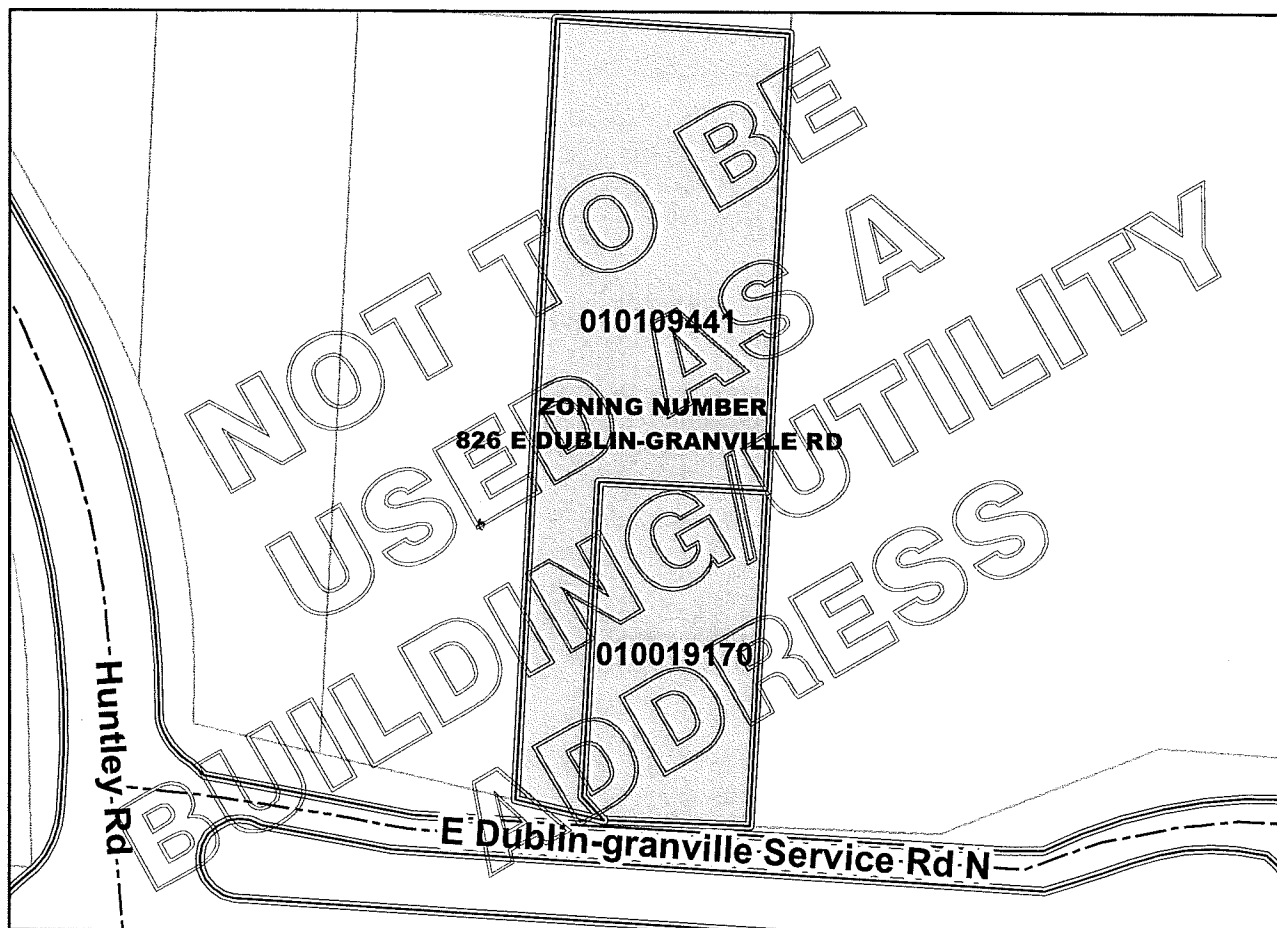
Street Name: E DUBLIN-GRANVILLE RD

Lot Number: N/A

Subdivision: N/A

Requested By: SMITH & HALE (LIESEL SCHMADER)

Issued By: *Liesel Schmadher* Date: 10/27/2015



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

SCALE: 1 inch = 100 feet

GIS FILE NUMBER: 47477

SITE ENGINEERING
— Incorporated —
Civil Engineers & Surveyors

7453 East Main Street
Reynoldsburg, OH 43068
phone: 614-759-9900
fax: 614-759-9902
email: siteeng@ameritech.net

CMS-068

SEI FILE NO. 3850
826 DUBLIN-GRANVILLE ROAD
COLUMBUS, OHIO

ZONING DESCRIPTION
NOVEMBER 2, 2015

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Quarter Township 4, Township 2, Range 18, United States Military Lands and being all of that 0.354 acre tract and all of the residual land in that 3.91 acre tract (with exceptions) described in deeds to Judith E. Burgess of record in the following deeds: D.B. 2025, Pg. 87, Inst. 199711190147695, Inst. 200206240155032, Inst. 200907130101870 and D.B. 3616, Pg. 628, Inst. 200206240155030, Inst. 200907130101868 (all references in this description are to the records in the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, at the intersection of the westerly line of said 3.91 acre tract with the northerly right-of-way line of East Dublin Granville Road (State Route 161), being the southeasterly corner of that 1.153 acre tract described in a deed to B & N Company of record in O.R. 134 H01;

Thence North 5° 56' 46" West 404.22 feet, along the easterly line of said 1.153 acre tract, and the westerly line of said 3.91 acre tract, to the southerly line of lands of Garrison Huntley LLC of record in Inst. 201209280145908;

Thence North 84° 41' 29" East 125.98 feet along the southerly line of said Garrison Huntley LLC, to the westerly line of lands of 2089 Webster LLC of record in Inst. 2015013300039419;

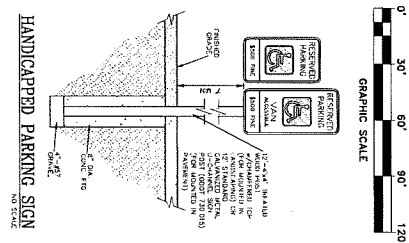
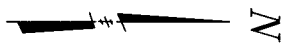
Thence South 5° 52' 47" East 411.43 feet, along the westerly line of said 2089 Webster LLC, and the easterly line of said 3.91 acre tract, to the northerly right-of-way line of said Dublin Granville Road;

Thence South 84° 20' 00" West 76.50 feet, along said right-of-way line, and the southerly line of said 0.354 acre tract, to a point;

Thence North 77° 57' 54" West 12.83 feet, continuing along said line, to a corner of said 0.354 acre tract;

Thence North 89° 20' 51" West 37.25 feet, along the northerly right-of-way line of East Dublin Granville Road, to the POINT OF BEGINNING, and containing 1.18 acres of land, more or less.

The above description was prepared from available records and does not represent an actual field survey.



HANDICAPPED PARKING SIGN
NO SCALE

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OHIO MULCH

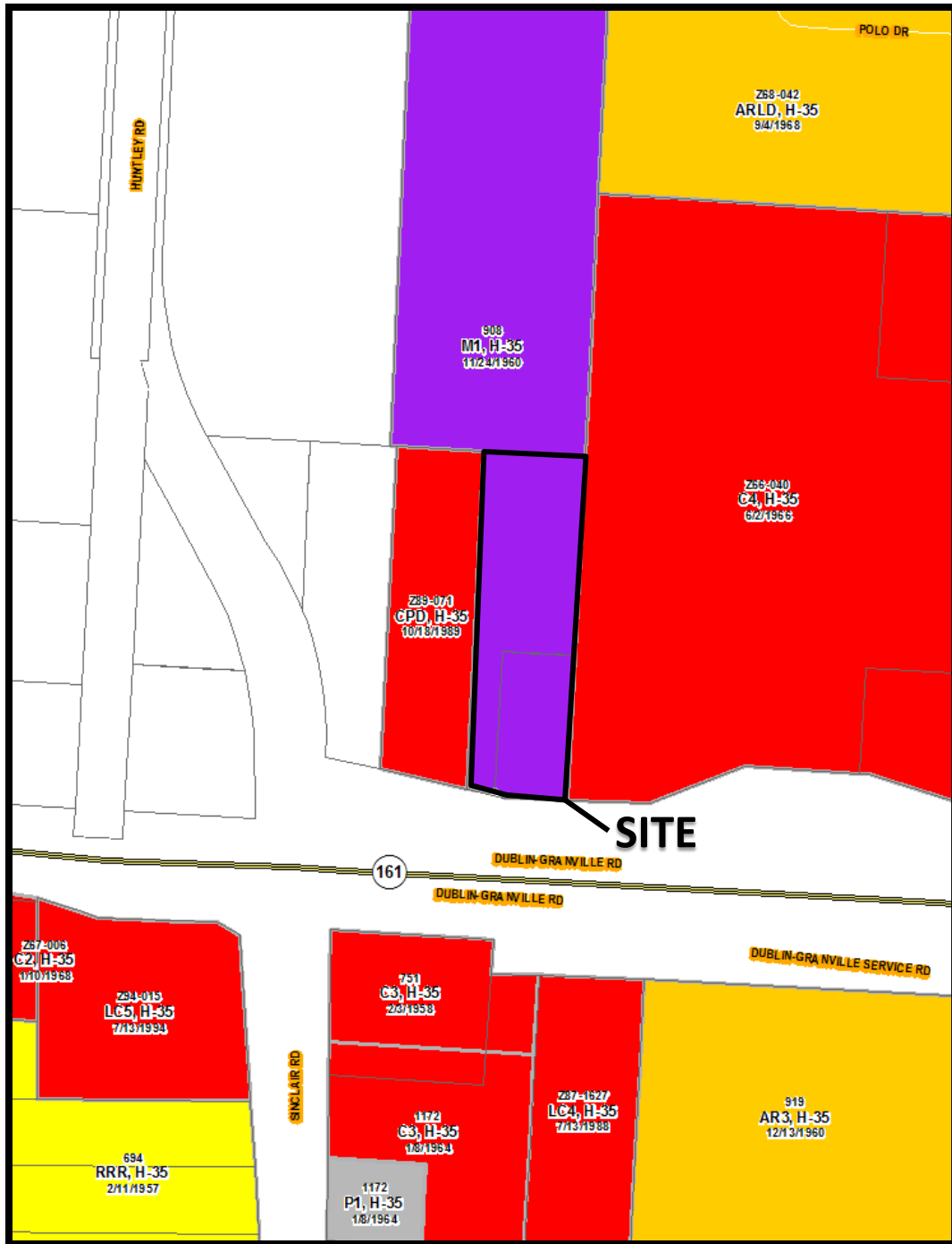
826 DUBLIN- GRANVILLE ROAD, COLUMBUS OHIO

SITE SKETCH

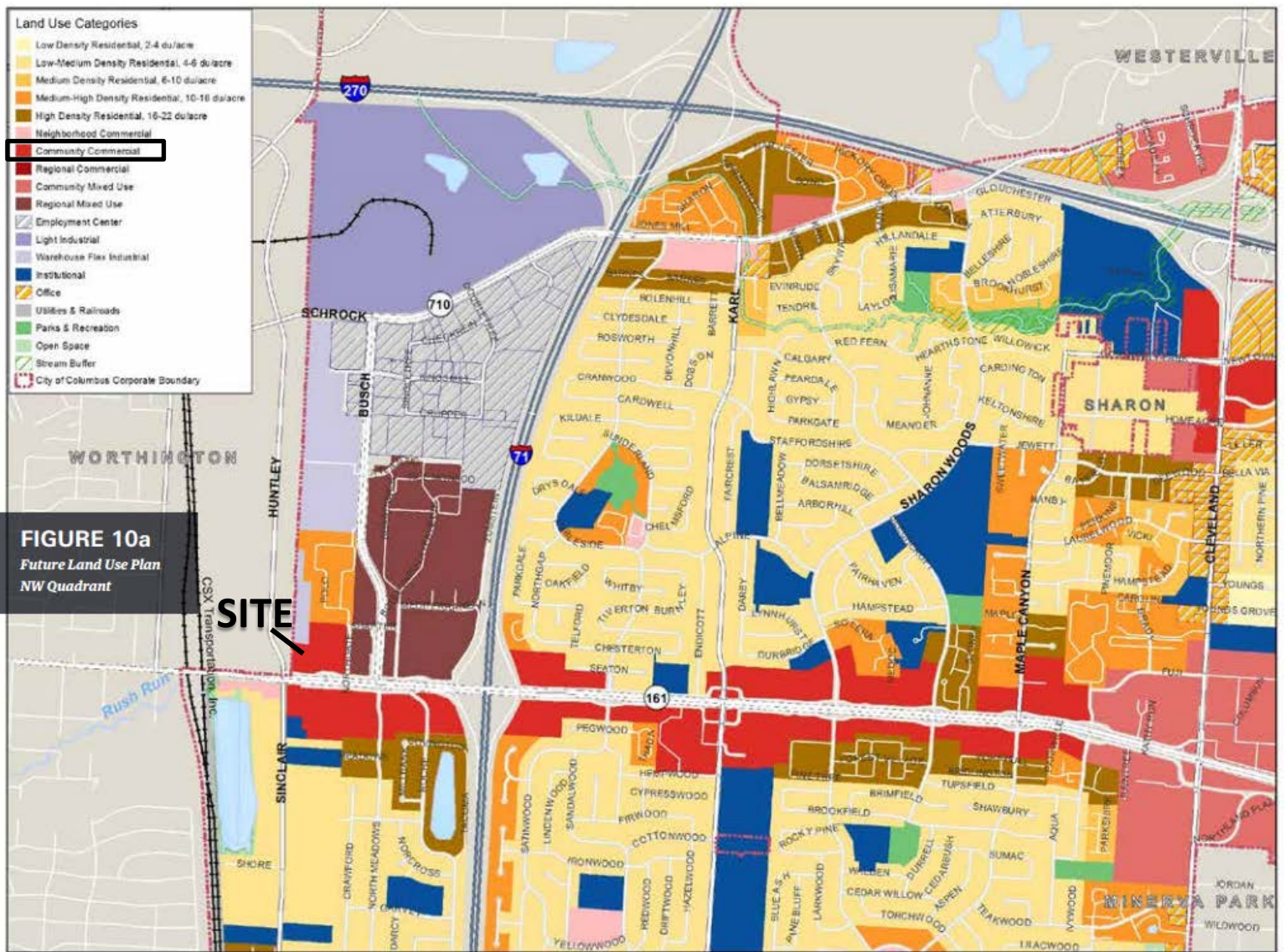
SITE ENGINEERING
— Incorporated —
Civil Engineers & Surveyors

7453 East Main Street
Reynoldsburg, OH 43066
Phone : (614) 759-9900
Fax : (614) 759-9902
eMail : siteeng@ameritech.net

[illegible]



CV15-068
826 East Dublin-Grandville Road
Approximately 1.2 acres



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