



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: 12310 -0 -00696
Date Received: 11/12/12
Commission/Group: South Side
Existing Zoning: C-4 Application Accepted by: 10. Reina Fee: \$1,900.00
Comments: 1/22/13

TYPE(S) OF ACTION REQUESTED

(Check all that apply)

☒ Variance ☐ Special Permit

Indicate what the proposal is and list applicable code sections. State what it is you are requesting.

3372.604(B) To permit parking to side of building served by rear alley

3372.605(B) To permit a bldg. w/ width on primary frontage less than 60% of total primary frontage

3372(A-H) 60% of building elevation fronting Parsons Ave. must have glass btwn 2'-10' height with 10' wrap around on Welch Ave. Also vertical elements req'd at 15'-35' intervals

LOCATION

1. Certified Address Number and Street Name 1578 Parsons Ave.
City Columbus State Ohio Zip 43207
Parcel Number (only one required) 010021097

APPLICANT: (IF DIFFERENT FROM OWNER)

Name Columbus (Parsons) DG, LLC - Mark Bush
Address 361 Summit Blvd, Suite 110 City/State Birmingham / AL Zip 35243
Phone # 205.682.7877 Fax # 205.968.9229 Email mark@rsmithandassociates

PROPERTY OWNER(S):

Name Modern Development Corporation attn: Morey Rotfus
Address 5979 Ulry Rd. City/State Westerville / OH Zip 43081
Phone # 614.228.2222 ext.4 Fax # Email mrotfus@gilbertgrouprealestate.com
☐ Check here if listing additional property owners on a separate page.

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

☐ Attorney ☒ Agent

Name Timothy Stewart - Hurley and Stewart
Address 2800 S. 11th St. City/State Kalamazoo / MI Zip 49009
Phone # 269.552.4960 Fax # Email: tstewart@hurleystewart.com

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

APPLICANT SIGNATURE Mark B. Bush
PROPERTY OWNER SIGNATURE Morey Rotfus 10.9.12
ATTORNEY / AGENT SIGNATURE Timothy Stewart

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



BOARD OF ZONING ADJUSTMENT APPLICATION

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AFFIDAVIT

12310-00696
1578 Parsons Ave.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Timothy A. Stewart

of (1) MAILING ADDRESS 2800 S. 11th St. Kalamazoo MI 49009

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 1578 Parsons Ave. Columbus, OH 43207

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) Modern Development Corporation

AND MAILING ADDRESS

5979 Ulry Rd.

Westerville, OH 43081

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

Mark Bush - Capital Growth Buchalter

205.682.7877

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

(5) Southside Area Commission

Curtis Davis

P.O.Box 7846 Columbus, OH 43207

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

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

SIGNATURE OF AFFIANT

(8)

Subscribed to me in my presence and before me this 8th day of November, in the year 2012

SIGNATURE OF NOTARY PUBLIC

(8)

My Commission Expires:

7/26/2014

Notary Seal Here

Katherine R Barrett
Notary Public, State of Michigan
County of Kalamazoo
My Commission Expires
07/26/2014
Acting in the county of Kalamazoo

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Applicant

Property Owners

Agent

RS SMITH AND ASSOCIATES
MARK BUSH
361 SUMMIT BLVD, SUITE 110
BIRMINGHAM, AL 35243

MODERN DEVELOPMENT CORP
5979 ULRY RD
WESTERVILLE OH 43081

HURLEY AND STEWART
TIMOTHY STEWART
2800 S. 11TH ST.
KALAMAZOO, MI 49009

Area Commission

SOUTHSIDE AREA COMMISSION
CURTIS DAVIS
P.O. BOX 7846
COLUMBUS, OH 43207

Real Property Owners(page1)

RETAIL WHOLESALE &
DEPARTMENT STORE
5900 ROCHE DR. STE 550
COLUMBUS, OH 43229

VIRGINA POPE
2033 DAUGHERTY AVE
COLUMBUS OH 43207

EDWARD J. MCNAMARA
5608 BIRKDALE DR
COLUMBUS OH 43232

ELLIS JENNIFER
468 E MARKISON AVE
COLUMBUS OH 43207

HAND CHARLES RICHARD
1572 PARSONS AVE
COLUMBUS, OH 43207

SCHOLZ KEVIN S
1558 PARSONS AVE
COLUMBUS, OH 43207

FIRST MT CARMEL COMMUNITY
MISSIONARY BAPTIST CHURCH
470 E WELCH AVE
COLUMBUS OH 43207

WILLIAMS FITCH
1593 PARSONS AVE
COLUMBUS OH 43207

MARY E SAUNDERS
4114 ALKIRE RD
GROVE CITY OH 43123

DANIEL W PALLAY
1631 PARSONS AVE
COLUMBUS OH 43207

EMRICK ROBIN E
473 WELCH AVE
COLUMBUS, OH 43207

REISS ROBERT E
471 MARKISON
COLUMBUS OH 43207-1370

JOHNSON JAMES
473 MARKISON AVE
COLUMBUS, OH 43207

JOHNSON MICHAEL T
479 MARKISON AVE
COLUMBUS, OH 43207

CITYWIDE RENTALS LLC
2296 CHRISTY LN
GROVE CITY OH 43123

Real Property Owners(page2)

FREDRICK DONIS
1603-1605 PARSONS AVE.
COLUMBUS, OH 43207

REYNOLDS JEFFERY
1607 PARSONS AVE
COLUMBUS, OH 43207

STEFFENS SUE
477 WELCH AVE
COLUMBUS, OH 43207

JOHNSON FLORENCE
478 MARKISON AVE
COLUMBUS, OH 43207

RODGER W TRIEB
EVELYN M TRIEB
1628 PARSONS AVE
COLUMBUS OH 43207

OHIO LOCAL STATE UNION 45
1557 PARSONS AVE
COLUMBUS, OH 43207



COUNCIL VARIANCE APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services

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

STATEMENT OF HARDSHIP

12310-00696

1578 Parsons Ave.

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:

1. Variance for portion of parking not behind building - The existing parcel dimensions are long and shallow so all parking cannot fit behind building.
2. Variance for building width less than 60% primary frontage - With a 270' primary frontage along Parsons and the shallow parcel, it is not practical to build such a long and thin building to satisfy the zoning requirement. This requirement causes a hardship on the proposed business model.
3. Variance for eliminating requirement of 60% glass on Parsons frontage as well as 10' wrap around on Welch and Markison - The City's requirement that visibility through the glass for the first 4 ft presents a hardship on the proposed use. This will significantly alter the shopping row spacing inside the building and reduce the retail space and products the merchant can display. Dollar General has a standard internal store layout that is vital to their customer experience and business model.

Signature of Applicant

Date 10-29-12

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DOLLAR GENERAL - COLUMBUS (PARSONS), OH

12310-00696
1578 Parsons Ave.

ZONING REQUIREMENTS

ZONING
COLUMBUS (PARSONS) DG, LLC
PARSONS AVE. URBAN OVERLAY

LEGEND:

- LIGHT-DUTY BITUMINOUS PAVEMENT
- HEAVY-DUTY BITUMINOUS PAVEMENT
- CONCRETE PAVEMENT AND SIDEWALK

SETBACKS

FRONT = 17'5" MAX

BUILDING SETBACKS

REAR = 17'5" MAX

PROPOSED USE

RETAIL STORE

PARKING

1 SPACE/750 SQ FT X 9,000 SQ FT = 18 SPACES

PROVIDED: 22 SPACES

BARRIER FREE SPACES 2

ALL BARRIER FREE SPACES DESIGNED PER ADA AND CITY REQUIREMENTS

DRINK AISLE WIDTHS = 24" & 36"

TYPICAL PARKING SPACE DIMENSION = 9'x18'

BUILDING AREA

THE BUILDING IS SINGLE-STORY (167) WITH A TOTAL AREA OF 9,100

SQ. FT. SEE FLOOR PLAN AND ELEVATIONS FOR MORE DETAIL.

OWNER

COLUMBUS (PARSONS) DG, LLC

361 SUMMIT BLVD, SUITE 110

BIRMINGHAM, AL 35243

205.966.9265

LEGAL DESCRIPTION

THIS SURVEY DESCRIPTION IS THE SAME PROPERTY AS THAT DESCRIBED IN SCHEDULE 'A',

OLD REPUBLIC NATIONAL TITLE INSURANCE CORPORATION COMMITMENT NUMBER

01-1025986-011, BEARING AN EFFECTIVE DATE OF FEBRUARY 2, 2012.

SITUATE IN THE COUNTY OF FRANKLIN, STATE OF OHIO BEING LOTS NUMBERED ONE (1),

TWO (2), THREE (3), FOUR (4), FIVE (5), SIX (6), SEVEN (7), EIGHT (8), NINE (9),

TEN (10), ELEVEN (11), TWELVE (12), THIRTEEN (13), FOURTEEN (14), FIFTEEN (15),

SIXTEEN (16), SEVENTEEN (17), EIGHTEEN (18), NINETEEN (19), TWENTY (20),

TWENTY-ONE (21), TWENTY-TWO (22), TWENTY-THREE (23), TWENTY-FOUR (24),

TWENTY-FIVE (25), TWENTY-SIX (26), TWENTY-SEVEN (27), TWENTY-EIGHT (28),

TWENTY-NINE (29), THIRTY (30), THIRTY-ONE (31), THIRTY-TWO (32), THIRTY-THREE (33),

THIRTY-FOUR (34), THIRTY-FIVE (35), THIRTY-SIX (36), THIRTY-SEVEN (37), THIRTY-EIGHT (38),

THIRTY-NINE (39), FORTY (40), FORTY-ONE (41), FORTY-TWO (42), FORTY-THREE (43),

FORTY-FOUR (44), FORTY-FIVE (45), FORTY-SIX (46), FORTY-SEVEN (47), FORTY-EIGHT (48),

FORTY-NINE (49), FIFTY (50), FIFTY-ONE (51), FIFTY-TWO (52), FIFTY-THREE (53),

FIFTY-FOUR (54), FIFTY-FIVE (55), FIFTY-SIX (56), FIFTY-SEVEN (57), FIFTY-EIGHT (58),

FIFTY-NINE (59), SIXTY (60), SIXTY-ONE (61), SIXTY-TWO (62), SIXTY-THREE (63),

SIXTY-FOUR (64), SIXTY-FIVE (65), SIXTY-SIX (66), SIXTY-SEVEN (67), SIXTY-EIGHT (68),

SIXTY-NINE (69), SEVENTY (70), SEVENTY-ONE (71), SEVENTY-TWO (72), SEVENTY-THREE (73),

SEVENTY-FOUR (74), SEVENTY-FIVE (75), SEVENTY-SIX (76), SEVENTY-SEVEN (77), SEVENTY-EIGHT (78),

SEVENTY-NINE (79), EIGHTY (80), EIGHTY-ONE (81), EIGHTY-TWO (82), EIGHTY-THREE (83),

EIGHTY-FOUR (84), EIGHTY-FIVE (85), EIGHTY-SIX (86), EIGHTY-SEVEN (87), EIGHTY-EIGHT (88),

EIGHTY-NINE (89), NINETY (90), NINETY-ONE (91), NINETY-TWO (92), NINETY-THREE (93),

NINETY-FOUR (94), NINETY-FIVE (95), NINETY-SIX (96), NINETY-SEVEN (97), NINETY-EIGHT (98),

NINETY-NINE (99), ONE HUNDRED (100), ONE HUNDRED-ONE (101), ONE HUNDRED-TWO (102),

ONE HUNDRED-THREE (103), ONE HUNDRED-FOUR (104), ONE HUNDRED-FIVE (105),

ONE HUNDRED-SIX (106), ONE HUNDRED-SEVEN (107), ONE HUNDRED-EIGHT (108),

ONE HUNDRED-NINE (109), ONE HUNDRED-TEN (110), ONE HUNDRED-ELEVEN (111),

ONE HUNDRED-TWELVE (112), ONE HUNDRED-THIRTEEN (113), ONE HUNDRED-FOURTEEN (114),

ONE HUNDRED-FIFTEEN (115), ONE HUNDRED-SIXTEEN (116), ONE HUNDRED-SEVENTEEN (117),

ONE HUNDRED-EIGHTEEN (118), ONE HUNDRED-NINETEEN (119), ONE HUNDRED-TWENTY (120),

ONE HUNDRED-TWENTY-ONE (121), ONE HUNDRED-TWENTY-TWO (122), ONE HUNDRED-TWENTY-THREE (123),

ONE HUNDRED-TWENTY-FOUR (124), ONE HUNDRED-TWENTY-FIVE (125), ONE HUNDRED-TWENTY-SIX (126),

ONE HUNDRED-TWENTY-SEVEN (127), ONE HUNDRED-TWENTY-EIGHT (128), ONE HUNDRED-TWENTY-NINE (129),

ONE HUNDRED-THIRTY (130), ONE HUNDRED-THIRTY-ONE (131), ONE HUNDRED-THIRTY-TWO (132),

ONE HUNDRED-THIRTY-THREE (133), ONE HUNDRED-THIRTY-FOUR (134), ONE HUNDRED-THIRTY-FIVE (135),

ONE HUNDRED-THIRTY-SIX (136), ONE HUNDRED-THIRTY-SEVEN (137), ONE HUNDRED-THIRTY-EIGHT (138),

ONE HUNDRED-THIRTY-NINE (139), ONE HUNDRED-FORTY (140), ONE HUNDRED-FORTY-ONE (141),

ONE HUNDRED-FORTY-TWO (142), ONE HUNDRED-FORTY-THREE (143), ONE HUNDRED-FORTY-FOUR (144),

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ONE HUNDRED-FORTY-EIGHT (148), ONE HUNDRED-FORTY-NINE (149), ONE HUNDRED-FIFTY (150),

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CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: S

DATE: 9/18/12



Disclaimer

This map is prepared for the real property inventory within this county. survey plats, and other public records and data. Users of this map are no information sources should be consulted for verification of the informatio county and the mapping companies assume no legal responsibilities for th Please notify the Franklin County GIS Division of any discrepancies.

12310-00696
1578 Parsons Ave.

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: 010021097

Zoning Number: 1578

Lot Number: 1-9

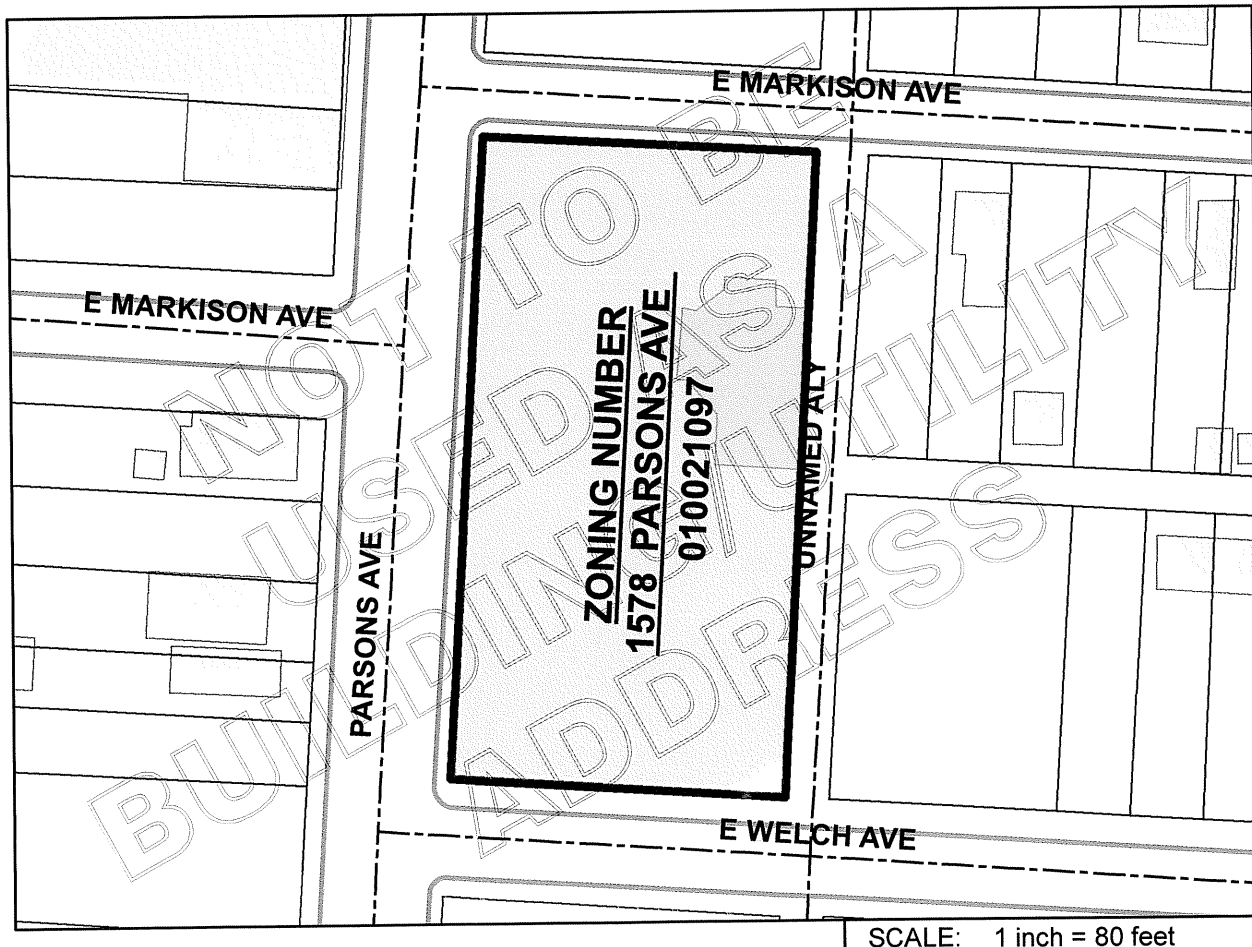
Street Name: PARSONS AVE

SUBDIVISION: BLACKBURN

Requested By: HURLEY & STEWART, LLC (ALEX PHELAN)

Issued By: *Adriana Amador*

Date: 9/20/2012



SCALE: 1 inch = 80 feet

GIS FILE NUMBER: 10582



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



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

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

12310-00696
1578 Parsons Ave.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Timothy A. Stewart
of (COMPLETE ADDRESS) 2800 S. 11th St. Kalamazoo, MI 49009

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
Capital Growth Properties Operating Partners, L.P.	361 Summit Blvd. Ste 110 Birmingham, AL 35243
CGP Management V, LLC	361 Summit Blvd. Ste 110 Birmingham, AL 35243
CGP Management VI, LLC	361 Summit Blvd. Ste 110 Birmingham, AL 35243
R. Scott Smith	2151 Old Rocky Ridge Rd. Ste 108 Birmingham, AL 35243

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 8th day of November, in the year 2012

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

7/26/2014

Notary Seal Here

Katherine R Barrett
Notary Public, State of Michigan
County of Kalamazoo
My Commission Expires
07/26/2014
Acting in the county of Kalamazoo

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