



Mayor Michael S. 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](http://www.columbus.gov)

OFFICE USE ONLY

Application Number: 12310-0-00758  
Date Received: 12/17/12  
Commission/Group: None  
Existing Zoning: M-2 Application Accepted by: D. Reiss Fee: \$1,900.00  
Comments: 2/26/13

## 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.

The owner proposes to construct two (2) RV Storage Buildings on this site. The buildings and associated pavement will encroach into the front yard setback for pavement and building. We therefore propose to reduce the building and parking front yard setback per Code Section 3367.15 from 50' to 0'.

## LOCATION

1. Certified Address Number and Street Name 3850 and 3860 Scioto Darby Creek Road  
City Columbus State Ohio Zip 43026  
Parcel Number (only one required) 560-289135

## APPLICANT: (IF DIFFERENT FROM OWNER)

Name Rickard Alan Sicker c/o RAS Civil Engineering, LLC & PROPERTY OWNER - DENNIS HECKER  
Address 4254 Tuller Road City/State Dublin, Ohio Zip 43017  
Phone # (614) 581-8504 Fax # (614) 761-0717 Email Rick\_Sicker@att.net

## PROPERTY OWNER(S):

Name Dennis and Cathleen Hecker  
Address 1708 Guilford Road City/State Columbus, Ohio Zip 43221  
Phone # (614) 488-8119 Fax # N/A Email Dennis.Hecker@Wendys.com

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

## ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

☐ Attorney ☐ Agent

Name \_\_\_\_\_  
Address \_\_\_\_\_ City/State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email: \_\_\_\_\_

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

APPLICANT SIGNATURE [Signature]  
PROPERTY OWNER SIGNATURE [Signature]  
ATTORNEY / AGENT SIGNATURE \_\_\_\_\_

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

City of Columbus, Ohio • Department of Building & Zoning Services  
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • [www.columbus.gov](http://www.columbus.gov)

## AFFIDAVIT

12310-00758

3850 & 3860 Scioto & Darby  
Creek Rd.

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Rickard Alan Sicker

of (1) MAILING ADDRESS RAS Civil Engineering, LLC, 4354 Tuller Road, Dublin, Ohio 43017

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

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) Dennis and Cathleen Hecker

AND MAILING ADDRESS

1708 Guilford Road

Columbus, Ohio 43221

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

Rickard Alan Sicker

(614) 581-8504

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

(5) N/A (confirmed with Mike Puckett on 12/14/12)

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
Marianne Steger	2930 Woodson Drive	2930 Woodson Drive, Hilliard, Ohio 43026
Columbus & Southern Ohio Electric Company	3109 Scioto Darby Creek Road	P. O. Box 16428, Columbus, Ohio 43216
Joseph A. & Dorothy J Schnug	2990 Woodson Drive	2990 Woodson Drive, Hilliard, Ohio 43026
Linda S. Bauemeister	3900 Scioto Darby Creek Road	1842 Sternwood Drive, Columbus, Ohio 43228
Lunar Lighting, LLC	3920 Scioto Darby Creek Road	3920 Scioto Darby Creek Road, Hilliard, Ohio 43026

☒ (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 14<sup>th</sup> day of DECEMBER, in the year 2012

SIGNATURE OF NOTARY PUBLIC

(8)

My Commission Expires:

Notary Seal Here



Victor M. Lopez  
Notary Public, State of Ohio  
My Commission Expires 12-25-2013

**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**

Revised 05/9/12

Rickard Alan Sicker  
RAS Civil Engineering, LLC  
4254 Tuller Road  
Dublin, Ohio 43017

Dennis A & Cathleen L Hecker  
1708 Guilford Road  
Columbus, Ohio 43221

Marianne Steger  
2930 Woodson Drive  
Hilliard, Ohio 43026

Columbus & Southern Ohio Electric  
P. O. Box 16428  
Columbus, Ohio 43216

Joseph A & Dorothy J Schnug  
2990 Woodson Drive  
Hilliard, Ohio 43026

Purcell Investments, Ltd.  
3872 Scioto Darby Creek Road  
Hilliard, Ohio 43026

Linda S. Bauermeister  
1842 Stemwood Drive  
Columbus, Ohio 43228

Lunar Lighting, LLC  
3920 Scioto Darby Creek Road  
Hilliard, Ohio 43026

Management Plus, Ltd  
3636 North High Street  
Columbus, Ohio 43214

James G & Nancy A Hammond  
4618 Carrington Way  
Hilliard, Ohio 43026

Gienger, Inc.  
2881 Scioto Darby Executive Court  
Hilliard, Ohio 43026

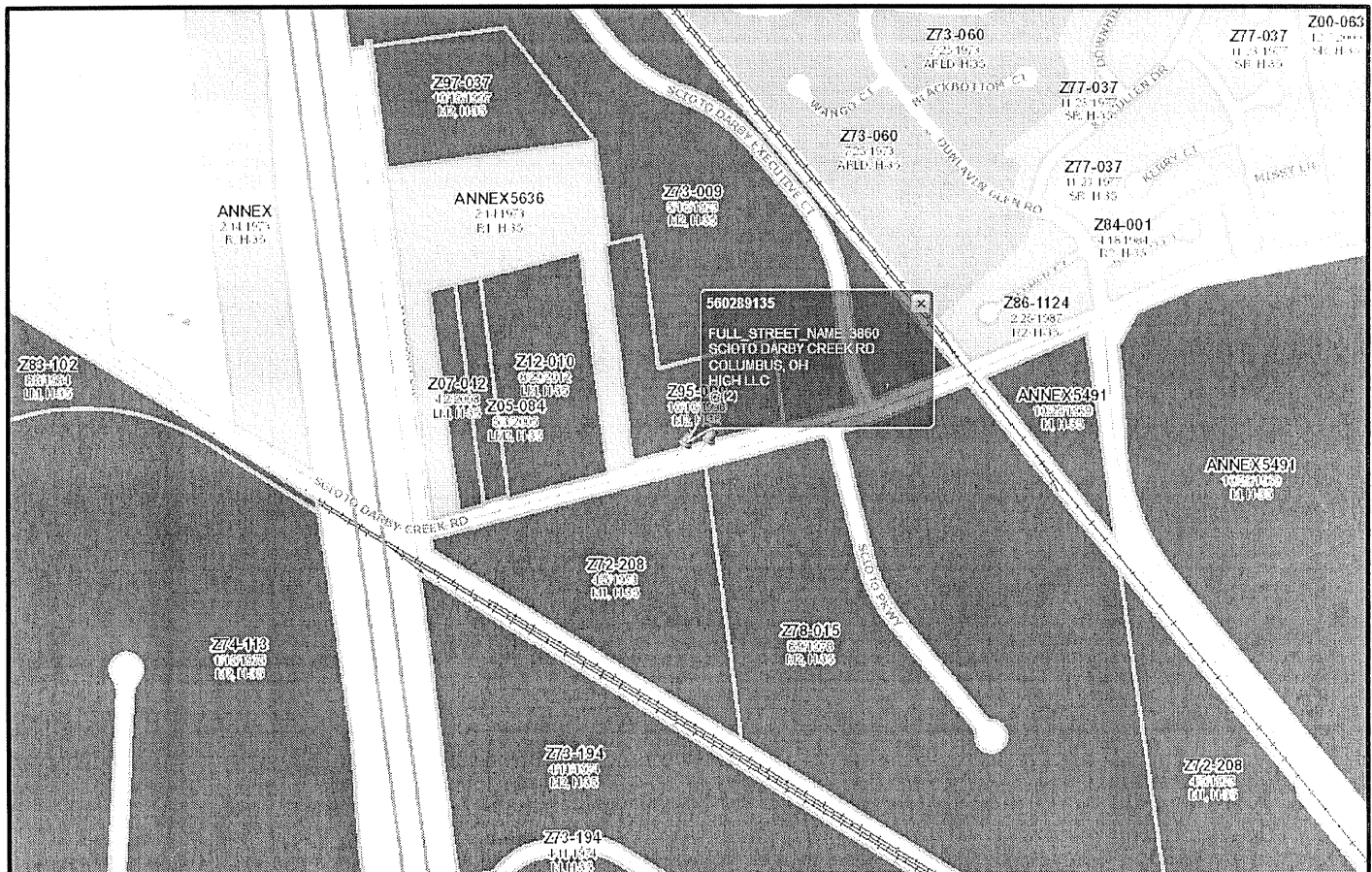
Chalmer L & Alfreda Adkins  
2970 Woodson Drive  
Hilliard, Ohio 43026

2757 Scioto Parkway, LLC  
2757 Scioto Parkway  
Columbus, Ohio 43221

Capital Area Humane Society  
3015 Scioto Darby Executive Court  
Hilliard, Ohio 43026

Barnes Family Ventures, Ltd.  
2640 Crafton Park  
Columbus, Ohio 43221

**12310-00758**  
**3850 & 3860 Scioto & Darby**  
**Creek Rd.**





# 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](http://www.columbus.gov)

## STATEMENT OF HARDSHIP

12310-00758

3850 & 3860 Scioto & Darby  
Creek Rd.

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

- 1) Prior to purchase, the property was being used up to the R/W line and up to the banks of the ditch on both sides. The property was used for parking and landscape storage by a landscape construction company. Between the protection zone for the ditch and the 50' front yard setback, only about 25% of the lot is available for development. This greatly limits the owners in their ability to create a return on their investment.
- 2) The setbacks are not the result of any actions of the owners or the applicant.
- 3) The ditch has been enclosed by properties on both sides, so the protection zone is not prohibiting their use of the property in the rear. The properties on both sides also have parking right up to and even into the R/W. A property further down the road has a building into the front yard setback area.
- 4) The variance will not hurt the neighboring properties and will allow the owners to develop the property in a similar fashion as exists in this area.

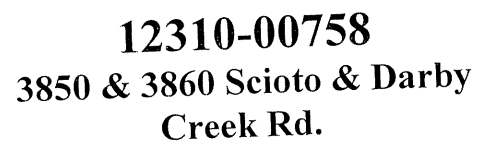
Signature of Applicant

*Richard Alan Sicker*

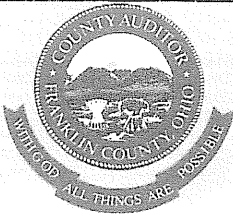
Date December 17, 2012

**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

Revised 05/9/12



ZONED: M1



# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

**MAP ID: S** **DATE: 12/13/12**



Disclaimer

Scale = 275'



This map is prepared for the real property inventory within this county. It survey plats, and other public records and data. Users of this map are not information sources should be consulted for verification of the information county and the mapping companies assume no legal responsibilities for the Please notify the Franklin County GIS Division of any discrepancies.

**12310-00758**  
**3850 & 3860 Scioto & Darby**  
**Creek Rd.**



# 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](http://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: **12310-00758**  
**3850 & 3860 Scioto & Darby**  
**Creek Rd.**

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Rickard Alan Sicker

of (COMPLETE ADDRESS) RAS Civil Engineering, LLC, 4254 Tuller Road, Dublin, Ohio 43017

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

Dennis & Cathleen Hecker

1708 Guilford Road, Columbus, Ohio 43221

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 14<sup>TH</sup> day of DECEMBER, in the year 2012

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

12-25-2013

Notary Seal Here



Victor M. Lopez  
Notary Public, State of Ohio  
My Commission Expires 12-25-2013

**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

Revised 05/9/12