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: 13310-0-00122
Date Received: 2/22/13
Commission/Group: Hilltop
Existing Zoning: C-4 Application Accepted by: D. Reiss Fee: $1,900.00
Comments: 5/28/13

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.
3312.49 - Minimum number of parking spaces required. Retail 10,000 sq. ft. or less = 1:250 sf. We are proposing a 9,100 sqft retail store;
9,100/250 = 36.4 (or 37) spaces required. We propose to provide 30 parking spaces.

LOCATION

1. Certified Address Number and Street Name 2086 Sullivant Ave.
City Columbus State Ohio Zip 43223
Parcel Number (only one required) 010-000076, 010822 & 000074 & 000075 & 051993

APPLICANT: (IF DIFFERENT FROM OWNER)

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

PROPERTY OWNER(S):

Name Rezka, Inc. (Nasser Saleh)
Address 1505 Frebis Ave. City/State Columbus / OH Zip 43206
Phone # 614.783.7464 Fax # Email
☐ *Check here if listing additional property owners on a separate page.*

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE) ☐ Attorney ☑ Agent

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

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

APPLICANT SIGNATURE Mark Bush
PROPERTY OWNER SIGNATURE Ahmed. M. Khafagy
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

Revised 05/9/12

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AFFIDAVIT

13310-00122
2086 Sullivant Ave.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Travis Munn
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 2086 Sullivant Ave. Columbus, OH 43223
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 AND MAILING ADDRESS
(4) Rezka, Inc. (Nasser Saleh)
1505 Frebis Ave.
Columbus, OH 43206

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) Greater Hilltop Area Commission
Greg Large
1484 Seeran Place Columbus, OH 43204

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
See Attached Variance Report		

☒ (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 20th day of Feb, in the year 2013

SIGNATURE OF NOTARY PUBLIC (8) _____

My Commission Expires: 7/26/14

Notary Seal Here

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

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Revised 05/9/12

Applicant

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

Property Owners

REZKA INC
1567 TRABUE WOODS BLVD
COLUMBUS, OH 43228

Agent

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

Area Commission

GREATER HILLTOP AREA COMMISSION
GREG LARGE
1484 SEERAN PLACE
COLUMBUS, OH 43204

Real Property Owners(page1)

DEAL REALTY INC
2109 SULLIVANT AVE
COLUMBUS, OH 43223

MAYNARD JUDITH A MAYNARD ROBERT A
2101 SULLLIVANT AVE
COLUMBUS OH 43223

JAMES W HOWARD
BETTY HOWARD
827 E NORTH BROADWAY ST
COLUMBUS OH 43224

MESSER GOLDIE R
2129 SULLIVANT AVE
COLUMBUS OH 43223

RESOLVE CANAM LP
2125 SULLIVANT AVE
COLUMBUS, OH 43223

MARIANNE BOTT
390 WHITETHORNE AVE
COLUMBUS, OH 43223

CITY OF COLUMBUS
REAL ESTATE MANAGEMENT
90 W BROAD ST RM 425
GROVE CITY OH 43215

JEFFREY D RILEY
2119 SULLIVANT AVE
COLUMBUS OH 43223

STUART K WHEELER
C/O ROGER L WHEELER
7410 MIAMI HILLS DR
CINCINNATI, OH 45243

GREGORY A JOHNSON
568 CEDAR HILL RD NW
AMANDA OH 43102

CITY OF COLUMBUS
LAND BANK
109 N FRONT ST
COLUMBUS, OH 43215

WALKER BARRY J
412 WHITETHORNE AVE
COLUMBUS OH 43223

DEIBEL PROPERTIES LLC
535 WOODLAND CT
WEST JEFFERSON, OH 43162

DALANDA K HARRIS
2105 SULLIVANT AVE
COLUMBUS, OH 43223

NORRIS ARILLA A
380 BELVIDERE AVE
COLUMBUS OH 43223

Real Property Owners(page2)

STACY VOGEL
9212 SLOANE CT
POWELL, OH 43065

MAYNARD JUDITH A
2095 SULLIVANT AVE
COLUMBUS, OH 43223

DAVID W PARLIAMENT
375 BELVIDERE AVE
COLUMBUS, OH 43223

MICHAEL D BRYANT
4259 UNROE AVE
GROVE CITY, OH 43123

BARBARA R EDINGTON
5800 RENNER RD
COLUMBUS OH 43228

G A BROTHERS REALTY INC
389 BELVIDERE AVE
COLUMBUS, OH 43223

HAROLD SIDERS
2091 SULLIVANT AVE
COLUMBUS, OH 43223

CITY OF COLUMBUS

13310-00122
2086 Sullivant Ave.

DEPARTMENT OF BUILDING AND ZONING SERVICES

One Stop Shop Zoning Report Date: Fri Feb 22 2013

General Zoning Inquiries: 614-645-8637

SITE INFORMATION

Address: 2086 SULLIVANT AVE COLUMBUS, OH
Mailing Address: 945 PARSONS AVE
COLUMBUS OH 43206

Owner: REZKA INC
Parcel Number: 010000076

ZONING INFORMATION

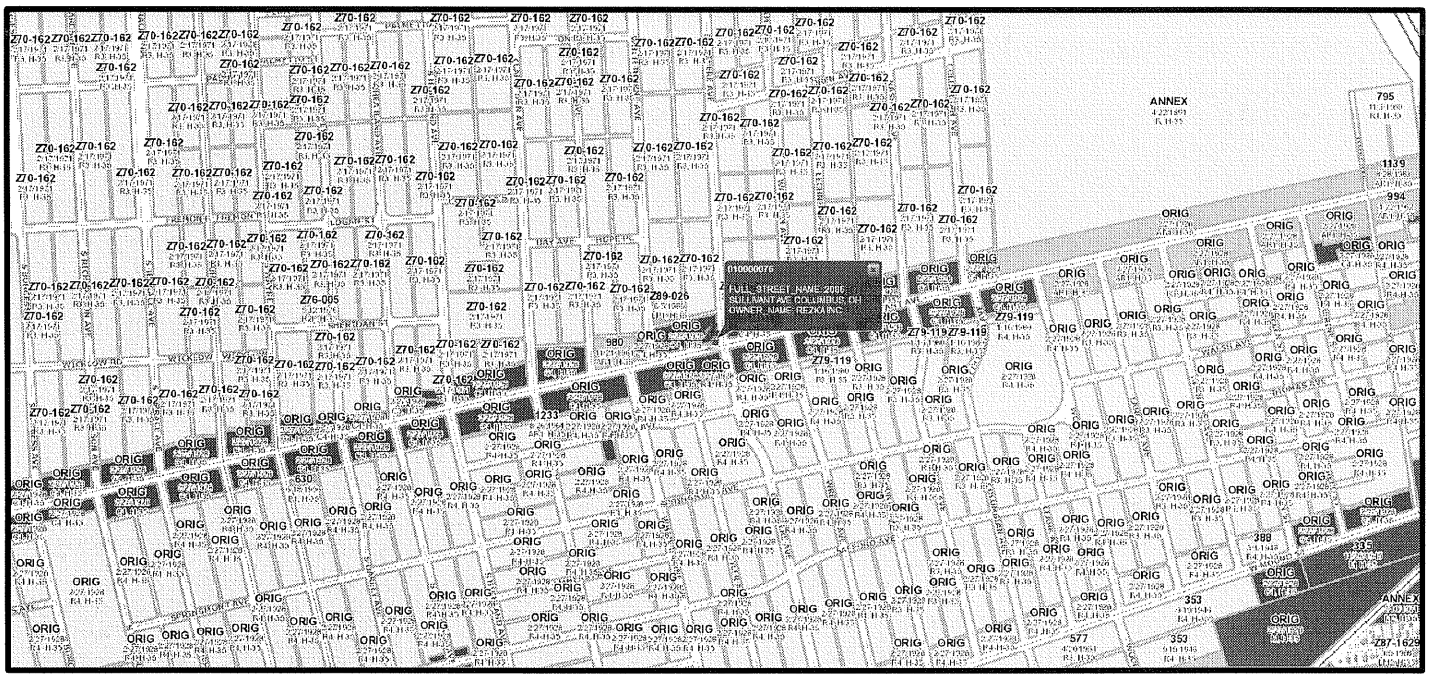
Zoning: ORIG, Commercial, C4
effective 2/27/1928, Height District H-35
Board of Zoning Adjustment (BZA): N/A
Commercial Overlay: N/A
Graphic Commission: N/A
Area Commission: Greater Hilltop Area Commission
Planning Overlay: N/A

Historic District: N/A
Historic Site: No
Council Variance: N/A
Flood Zone: OUT
Airport Overlay Environs: N/A

PENDING ZONING ACTION

Zoning: N/A
Board of Zoning Adjustment (BZA): N/A

Council Variance: N/A
Graphic Commission: N/A



Mayor Michael B. Coleman

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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

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:

Variance to reduce the number of required parking spaces from 37 to 30 - The site is too small to accommodate any additional parking spaces without encroaching on required setbacks or reducing the square footage of the building which would not sufficiently satisfy the business model creating a hardship.

Signature of Applicant _____ Date 02-12-2013

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DOLLAR GENERAL - COLUMBUS (SULLIVANT), OH

ZONING REQUIREMENTS

ZONING
C-4 REGIONAL SCALE COMMERCIAL DISTRICT

SETBACKS
BUILDING SETBACKS:
FRONT = 50' (SULLIVANT)/20' (BELVIDERE)

PROPOSED USE
RETAIL STORE

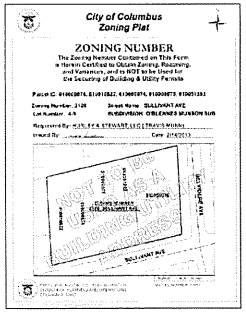
PARKING
REQUIRED: 1 SPACE/250 SFT X 9,100 SFT = 37 SPACES
PROVIDED: 30 SPACES
BARRIER FREE SPACES 2

ALL BARRIER FREE SPACES DESIGNED PER ADA AND CITY REQUIREMENTS

TYPICAL PARKING SPACE DIMENSION = 9'x20'
DRIVE AISLE WIDTHS = VARIES (SEE PLAN)

BUILDING AREA
THE BUILDING IS SINGLE-STORY (18') WITH A TOTAL AREA OF 9,100 SFT. SEE FLOOR PLAN AND ELEVATIONS FOR MORE DETAIL.

OWNER
COLUMBUS (SULLIVANT) DG, LLC
361 SUMMIT BLVD, SUITE 110
BIRMINGHAM, AL 35243
205.968.9295



LEGAL DESCRIPTION

SITUATED IN THE CITY OF COLUMBUS, COUNTY OF FRANKLIN, STATE OF OHIO, BEING LOT 4, LOT 5, LOT 6, LOT 7, LOT 8, AND LOT 9 OF CHARLES E. MUNSON'S GLENWOOD ADDITION TO THE CITY OF COLUMBUS, AS THE SAME IS NUMBERED AND DELINEATED UPON THE RECORDED PLAT THEREOF, OF RECORD IN PLAT BOOK NO. 4, PAGE 69, RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO.

MORE FULLY DESCRIBED AS BEGINNING AT A FOUND 1-1/4" PIPE LOCATED AT THE SOUTHEAST CORNER OF LOT 9 OF CHARLES E. MUNSON'S GLENWOOD ADDITION, RECORDED IN PLAT BOOK NO. 4, PAGE 69, FRANKLIN COUNTY RECORDS;

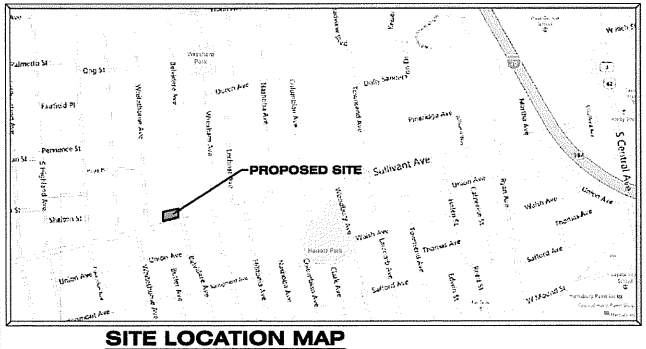
THENCE S76°24'50"W ALONG THE NORTHERLY RIGHT OF WAY OF SULLIVANT AVENUE AND THE SOUTHERLY LINE OF LOT 9 OF SAID PLAT A DISTANCE OF 239.97 FEET (RECORDED AS 240.00 FEET) TO THE SOUTHWEST CORNER OF LOT 4 OF SAID PLAT AND A SET 5/8" IRON REBAR W/ "S-8066" CAP, PASSING A FOUND 1-1/4" PIPE AT A DISTANCE OF 80.49 FEET AND MARKING THE SOUTHWEST CORNER OF LOT 8 OF SAID PLAT;

THENCE N03°10'53"W ALONG THE WESTERLY LINE OF LOT 4 OF SAID PLAT AND THE EAST LINE OF THE PROPERTY OWNED BY JAMES & BETTY HOWARD DESCRIBED IN INSTRUMENT NUMBER 199810130280095 A DISTANCE OF 159.34 FEET (RECORDED AS 159.10 FEET) TO THE SOUTHERLY RIGHT OF WAY OF PUBLIC ALLEY AND A FOUND 1-1/4" PIPE MARKING THE NORTHWEST CORNER OF LOT 4;

THENCE N76°24'50"E ALONG THE SOUTHERLY RIGHT OF WAY OF PUBLIC ALLEY AND THE NORTHERLY LINE OF LOT 4 OF SAID PLAT A DISTANCE OF 239.97 FEET (RECORDED AS 240.00 FEET) TO THE EASTERLY RIGHT OF WAY OF BELVIDERE AVENUE AND A SET 5/8" IRON REBAR W/ "S-8066" CAP, MARKING THE NORTHEAST CORNER OF LOT 9 OF SAID PLAT; PASSING A FOUND 1" PIPE AT 119.83 FEET BEING 1.5 FEET RIGHT OF AND PERPENDICULAR TO SAID LINE;

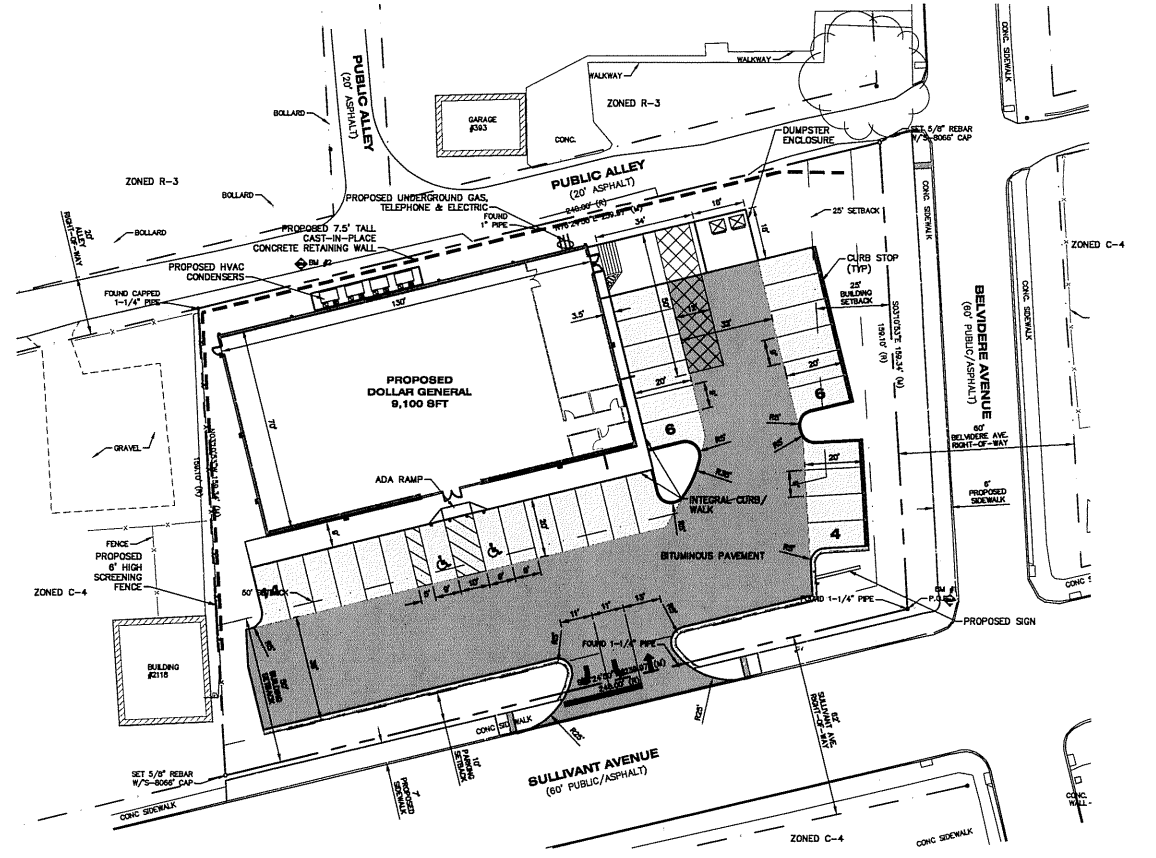
THENCE S03°10'53"E ALONG THE EASTERLY LINE OF LOT 9 OF SAID PLAT AND THE WESTERLY RIGHT OF WAY OF BELVIDERE AVENUE A DISTANCE OF 159.34 FEET (RECORDED AS 159.10 FEET) TO THE POINT OF BEGINNING.

DESCRIBED PARCEL CONTAINS 0.883 ACRES OR 37,608 SQUARE FEET. COMPRISED OF LOT 4 TAX NUMBER: 010-010822 CONTAINING 0.144 ACRES OR 6,270 SQUARE FEET, LOT 5 TAX NUMBER: 010-000074 CONTAINING 0.144 ACRES OR 6,270 SQUARE FEET, LOT 6 TAX NUMBER: 010-000075 CONTAINING 0.144 ACRES OR 6,270 SQUARE FEET, LOT 7 TAX NUMBER: 010-051993 CONTAINING 0.144 ACRES OR 6,270 SQUARE FEET, AND LOTS 8 AND 9 TAX NUMBER: 010-000076 CONTAINING 0.288 ACRES OR 12,540 SQUARE FEET. SUBJECT TO EASEMENTS, RESTRICTIONS, AND RIGHTS OF WAY OF RECORD, IF ANY.



SITE LOCATION MAP
NOT TO SCALE

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



NOTES

1. PROVIDE CURB CUTS/RAMPS AT ALL BARRIER FREE ACCESS POINTS.
2. PAVEMENT MARKINGS AND SIGNAGE SHALL CONFORM TO THE CURRENT OHIO MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, THE AMERICANS WITH DISABILITIES ACT (ADA) AND THE CITY OF COLUMBUS ADA STANDARDS.
3. DRIVEWAY LAYOUT AND CONNECTION TO SULLIVANT AVE. SHALL COMPLY WITH CITY OF COLUMBUS STANDARDS AND ALL ASPECTS OF THE DRIVE PERMIT AND E PLAN.
4. ALL WORK REQUIRING PERSONS OR VEHICLES WITHIN R/W AND TRAFFIC CONTROL DEVICES AND PROCEDURES SHALL BE IN ACCORDANCE WITH THE OHIO MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES CURRENT EDITION.
5. ALL DRIVEWAY AND SIDEWALK CONSTRUCTION SHALL COMPLY WITH CITY OF COLUMBUS STANDARDS.
6. ALL GRAPHICS BY SEPARATE PERMIT FILED BY LICENSED GSE; NOT PART OF ZONING CLEARANCE.
7. COORDINATE ALL BENCHES AND STREETSCAPE REMOVAL AND REPLACE LOCATIONS WITH JERRY RYSER AT THE CITY OF COLUMBUS (614-645-1584).
8. THE PROPOSED PROJECT WILL COMPLY WITH CHAPTERS 3312 AND 3321 OF THE COLUMBUS CITY CODE.

BENCHMARKS
BM # 1 ELEVATION = 773.51
TOP OF BOLT
BM # 2 ELEVATION = 779.44
SPIKE IN PP
BASED ON USGS NAVD 1988 DATUM

OHIO Utilities Protection Service
Call Before You Dig
1.800.362.2764

ALL UTILITIES AS SHOWN ARE APPROXIMATE LOCATIONS DERIVED FROM ACTUAL MEASUREMENTS AND AVAILABLE [illegible] MAY BE INTERPRETED TO BE

hurley & stewart, llc
2800 south 11th street
Kalamazoo, michigan 49009
269.552.4960 fax 269.552.4961
www.hurleystewart.com
hurley & stewart

Job No. 13-001A P.M. TEM Drft. TEM QA/QC 2/18/13
ISSUED FOR/REVISIONS:
1 2 3 4

COPYRIGHT © hurley & stewart, llc

Sheet Title: SITE LAYOUT PLAN
Project: DOLLAR GENERAL - COLUMBUS, OH (SULLIVANT)
Client: CAPITAL GROWTH - BUCHALTER

2/18/13
Sheet
C-1

13310-00122
2086 Sullivant Ave.

CLARENCE E MINGO II
FRANKLIN COUNTY AUDITOR

MAP ID: S **DATE: 2/4/13**

Scale = 100

Grid North

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 n information sources should be consulted for verification of the informat county and the mapping companies assume no legal responsibilities for Please notify the Franklin County GIS Division of any discrepancies.

13310-00122

2086 Sullivant Ave.

nt

City of Columbus
Zoning Plat

N

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

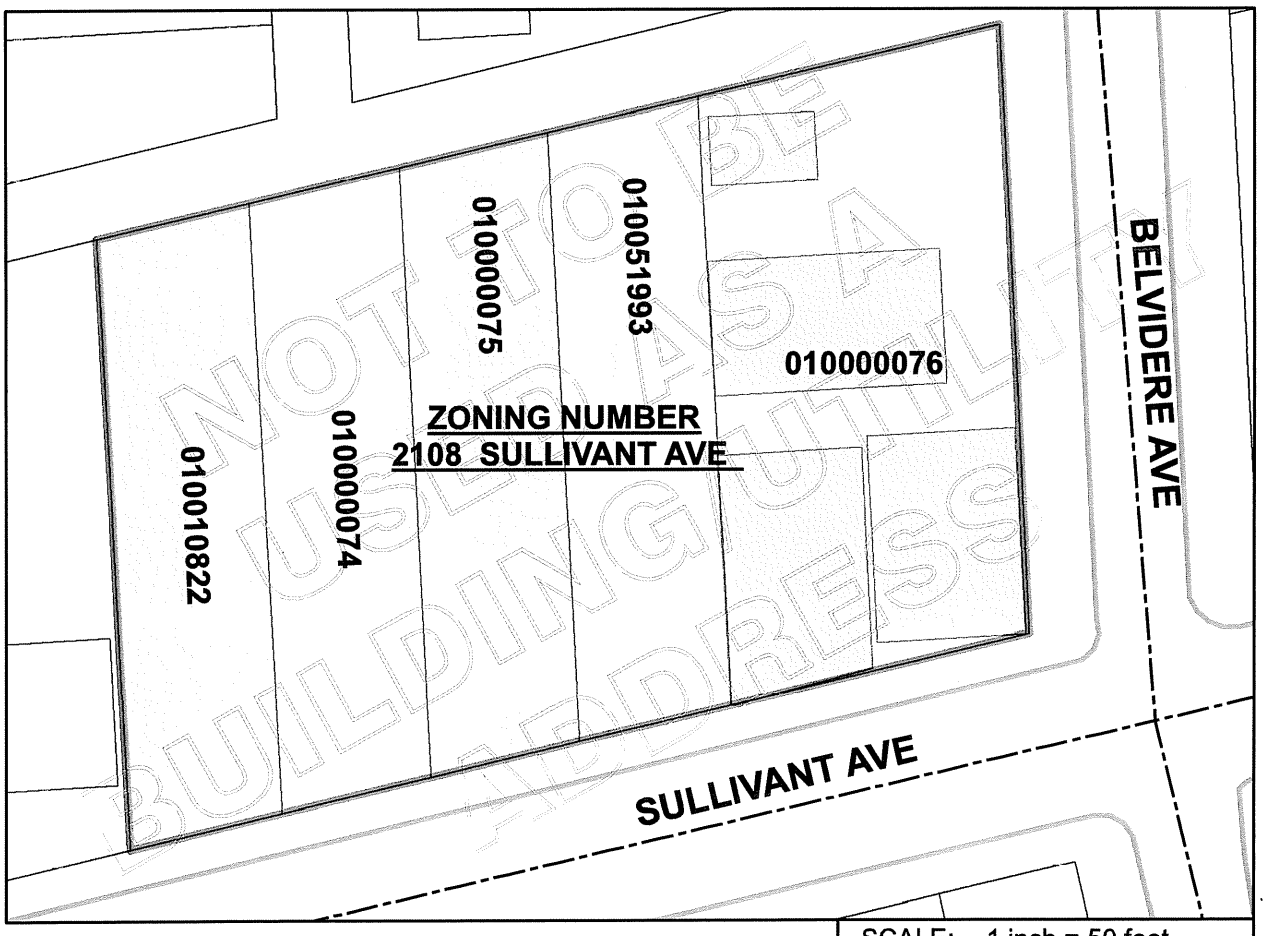
Parcel ID: 010000076, 010010822, 010000074, 010000075, 010051993

Zoning Number: 2108 **Street Name: SULLIVANT AVE**

Lot Number: 4-9 **SUBDIVISION: O'BLENNES MUNSON SUB**

Requested By: HURLEY & STEWART, LLC (TRAVIS MUNN)

Issued By: _____ **Date:** 2/14/2013



SCALE: 1 inch = 50 feet

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

GIS FILE NUMBER: 13060

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

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

13310-00122
2086 Sullivant Ave.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Travis Munn
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 20th day of Feb, in the year 2013

SIGNATURE OF NOTARY PUBLIC Katherine R Barrett

My Commission Expires: 7/26/14

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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