



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: 13311-00107
Date Received: 2/11/13
Commission/Civic: Far South
Existing Zoning: M-1 & L-M Application Accepted by: W. Reiss Fee: \$1,900.00
Comments: 4/23/12

TYPE(S) OF ACTION REQUESTED

(Check all that apply)

☒ Variance ☒ Special Permit

Indicate what the proposal is and list applicable code sections.

CCC Sections 3389.034, 3389.07 and 3365.17(C) and (D)

To permit recycling with outdoor storage within the existing industrial area

LOCATION

1. Certified Address Number and Street Name 1974 Wakins Road
City Columbus State Ohio Zip 43207
Parcel Number (only one required) See Attached List

APPLICANT: (IF DIFFERENT FROM OWNER)

Name Susan E. Enneking, Trustee c/o Laura MacGregor Comek, Esq.
Address 500 S. Front Street, 12th Floor City/State Columbus, OH Zip 43215
Phone # 614-229-4557 Fax # 229-4559 Email LComek@cbjlawyers.com

PROPERTY OWNER(S):

Name See List c/o Laura MacGregor Comek, Esq.
Address 500 S. Front Street, 12th Floor City/State Columbus, OH Zip 43215
Phone # 614-229-4557 Fax # 229-4559 Email LComek@cbjlawyers.com
☐ Check here if listing additional property owners on a separate page.

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

☒ Attorney ☐ Agent

Name Laura MacGregor Comek
Address 500 S. Front Street, 12th Floor City/State Columbus, OH Zip 43215
Phone # 614-229-4557 Fax # 229-4559 Email: LComek@cbjlawyers.com

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

APPLICANT SIGNATURE _____
PROPERTY OWNER 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



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AFFIDAVIT

13311-00107
1974 Watkins Rd.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Laura MacGregor Comek, Esq.
of (1) MAILING ADDRESS 500 S. Front Street Columbus, OH 43215 12th Floor
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
AND MAILING ADDRESS

(4) See List of Owners attached
c/o Laura MacGregor Comek, Esq.
500 S. Front St., 12th Floor, Columbus, OH 43215

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

Guy Wolfenberger c/o
Laura MacGregor Comek, Esq.

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

(5) Far South Area Commission
Becky Walcott
723 Ironton Rd. S., Columbus, OH 43207
See additional contact attached

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

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

SIGNATURE OF AFFIANT

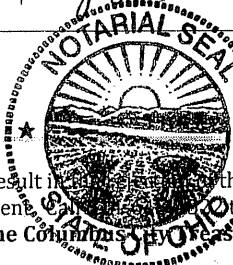
Subscribed to me in my presence and before me this 11th day of Feb, in the year 2013

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

(8)

Notary Seal Here



NANCY J. GROSSMAN
Notary Public, State of Ohio
My Commission Expires April 29 2014

PLEASE NOTE: incomplete information will result in denial of this submittal.
Applications must be submitted by appointment to the schedule.
Please make all checks payable to the Columbus City Treasurer

Harold E. Mason
Mildred Mason
2753 S. Cassady Avenue
Columbus, OH 43207

Georgia-Pacific Chemicals LLC
1975 Watkins Road
Columbus, OH 43207

Melvin Parsley
Carol S. Parsley
2180 Watkins Road
Columbus, OH 43207

Sherwin-Williams Co.
2121 New World Drive
Columbus, OH 43207

Susan E. Enneking Trustee
3663 Alum Creek Drive
Columbus, OH 43207

JBE Performance LLC
7817 Jonell Square
New Albany, OH 43054

Old Dominion Freight Line Inc.
2869 Alum Creek Drive
Columbus, OH 43207

ISG Columbus Coatings Inc.
01800 Watkins Road
Columbus, OH 43207

City of Columbus
Land Bank
109 N. Front Street
Columbus, OH 43215

Raymond D. Hall
Regina Hall
2137 Watkins Road
Columbus, OH 43207

Patrick O. Alexander
Bonnie Alexander
2233 Watkins Road
Columbus, OH 43207

Tina M. Howard
2143 Watkins Road
Columbus, OH 43207

Estella Stephens
1155 Highland Street
Columbus, OH 43201

James Obrien Todd
2173 Watkins Road
Columbus, OH 43207

Patrick O. Alexander
Bonnie Alexander
2233 Watkins Road
Columbus, OH 43207

Mary E. Hawkins
2179 Watkins Road
Columbus, OH 43207

Paul E. Wise
1407 E. Blake Avenue
Columbus, OH 43211

Melinda Davis
2171 Koebel Avenue
Columbus, OH 43207

Guy Wolfenberger
3663 Alum Creek Drive
Columbus, OH 43207

Giacomo Giorgi
840 Diley Road N.
Pickerington, OH 43147

Viking Real Estate Ltd.
3663 Alum Creek Drive
Columbus, OH 43207

Lester F. Anderson and
Joyce A. Anderson
2785 S. Cassady Avenue
Columbus, OH 43207

Robin Watson, President
Scioto Southland Civic Association
4080 S. High Street
Columbus, Ohio 43207

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Counsel for Applicant

Owner

Area Commission

Laura MacGregor Comek, Esq.
Crabbe Brown & James LLP
500 South Front Street, Suite 1200
Columbus, Ohio 43215

Viking Properties
3663 Alum Creek Drive
Columbus, OH 43207

Far South Area Commission
Becky Walcott
723 Ironton Road South
Columbus, OH 43207

Laura Comek - Watkins Rd. Owners/Contacts

From: Laura Comek <laura@vanikdesign.com>
To: "laura@cbjlawyers.com" <laura@cbjlawyers.com>
Date: 2/11/2013 10:28 AM
Subject: Watkins Rd. Owners/Contacts

Complete List of Owners:

SUSAN E ENNEKING TR
VIKING PROPERTIES
VIKING REAL ESTATE LTD
GUY WOLFENBARGER

c/o
3663 ALUM CREEK DR
COLUMBUS OH 43207

Additional Civic Assn. Contact
Robin Watson, Pres.
Scioto Southland Civic Assn.
4080 S. High Street
Columbus, Ohio 43207

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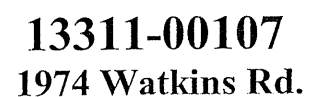


General Zoning Inquiries: 614-645-8637

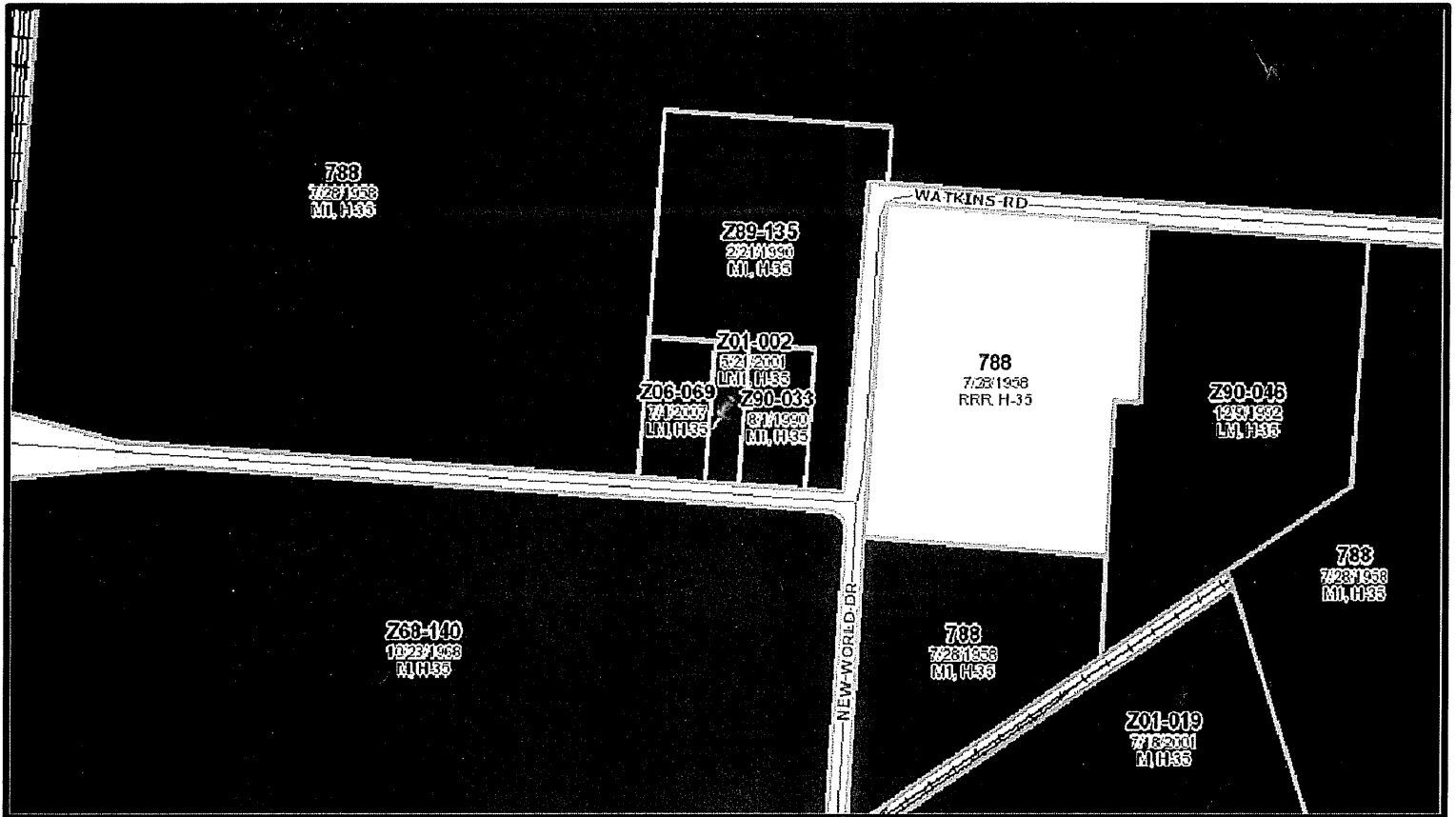
Parcel Number: 010114874

Airport Overlay Environs: N/A

Graphic Commission: N/A



Zoning Map
City of Columbus, Ohio



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13311-00107
1974 Watkins Rd.

BZA STATEMENT OF HARDSHIP

Applicant: Susan E. Enneking, Tr. c/o Laura MacGregor
Comek, Esq.
Address: 1974 Watkins Rd (43207)
Parcel Nos.: 010-270971
010-112518
010-115429
010-005047
010-112131
010-114874
Zoning Districts: (M1) Z89-135; (LM) Z06-069;
(LM1) Z01-002; (M1) Z90-033.

This Statement is submitted in support of the Applicant's request for variance(s) and special permit to allow a for a green initiative of sorting, short term outdoor storage and thereafter additional processing/recycling of materials. This request is made specifically due to market demand for such a process – as many governments and corporations are seeking the most environmentally appropriate alternatives for their products, processes, throughout their entire production chain.

The parcels listed above comprise the total area ("Site"). The area is historically and predominantly industrial. The Site is zoned in several Manufacturing Districts. The Site was originally a large train yard (spur, intermodal type facility).

At present, the Site already houses a smelting and processing business. All processes are regulated by the State of Ohio, EPA. The owners / businesses are in good standing and fully permitted for the uses in place and for the additional recycling/sorting proposed here.

The Site is surrounded on 3.5 sides by heavy manufacturing/industrial uses:

North: M1 (1958)
North/northeast: Old Dominion Freight, M1 (1958)
East: Original pocket of RRR Residential (1958)
South: Unrestricted M, Z68-140
Southeast: M1 (1958)
Southwest: M1 (1958)
West: ISG Columbus Coatings, Inc. /Georgia Pacific, M1 (1958).

The proposed new use is for sorting, short term storage, and thereafter processing and recycling of materials. As such, Applicant requests the following variances:

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(1). Variance from C.C.C. §3365.17 (C) and (D), to allow the proposed uses within 600 feet of the boundary of the nearest residentially zoned/used property.

(2). Special Permit, per C.C.C. §3389.07 and §3389.034 to allow for outdoor storage of materials (short term) and composting, respectively.

As mentioned above, this request is made to facilitate the growing demand for businesses to offer environmentally conscious production from start to finish, including the breakdown/sorting and processing of materials for recycling and further processing. This process is significantly similar to the current on Site activities, which are heavy/intense industrial. The Site is comprised of approximately 82.7 +/- acres on which these activities will be conducted.

In addition to the general sorting and processing, there will be a short-term outdoor storage component of the process. There will also be composting due to the materials that may be provided for the 'breakdown' and recycling functions. This is an insignificant fact, considering there is already a large volume of materials that run through the Site on a daily basis, and the Site is on three sides covered by fencing that buffers the Site's activity from the insular pocket of RRR. (note, no direct screening between this Site and the other heavy industrial activities). Furthermore, the purpose is short term, so that the materials can be moved off Site for recycling, re use and repurposing at other facilities nationwide.

This request is insignificant when taken in context with the intense, historical industrial/manufacturing uses that dominate the area. There are already heavily regulated activities and emissions on Site. This activity will not add to these emissions. The hours of operation will not change, nor will the Site traffic or activity. This activity IS the essential industrial character of the area.

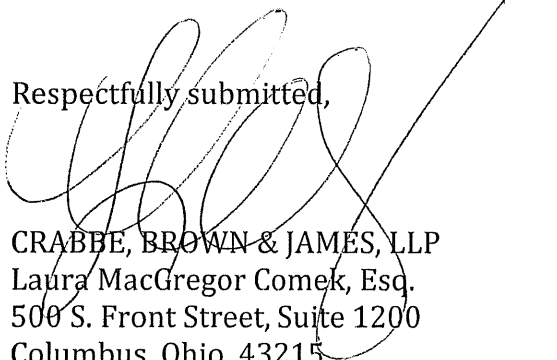
The existing permitted uses set the tone for the area, and the requested additional activities within the permitted zoning uses will not adversely effect the adjacent or nearby property owners. This request does not affect the delivery of governmental services – on the contrary, the work proposed on site will REDUCE the amount of trash that is sent to the landfill and will promote GREEN efforts and best practices. In all other respects, this proposal fits the existing on site activities and represents the evolution of industry. This proposal will keep jobs and vitality for this community and in doing so meet the needs of a changing economy and social conscious to promote less waste.

Query as to whether this proposed activity could be easily obviated through other means, ... when this activity is the 'trend' of manufacturing – and now quickly becoming a requirement of major government and business initiatives.

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For these reasons, the Applicant respectfully requests approval of these variances and special permit to allow for GREEN manufacturing and production to become a reality.

Respectfully submitted,



CRABBE, BROWN & JAMES, LLP
Laura MacGregor Comek, Esq.
500 S. Front Street, Suite 1200
Columbus, Ohio 43215

Phone: (614) 228-5511; Fax: (614) 229-4559

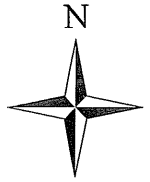
LComek@cbjlawyers.com

Counsel for Owners/Applicant

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1974 Watkins Rd.



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: 010112518, 010114874, 010112131, 010115429, 010005047

Zoning Number: 1974

Street Name: WATKINS RD

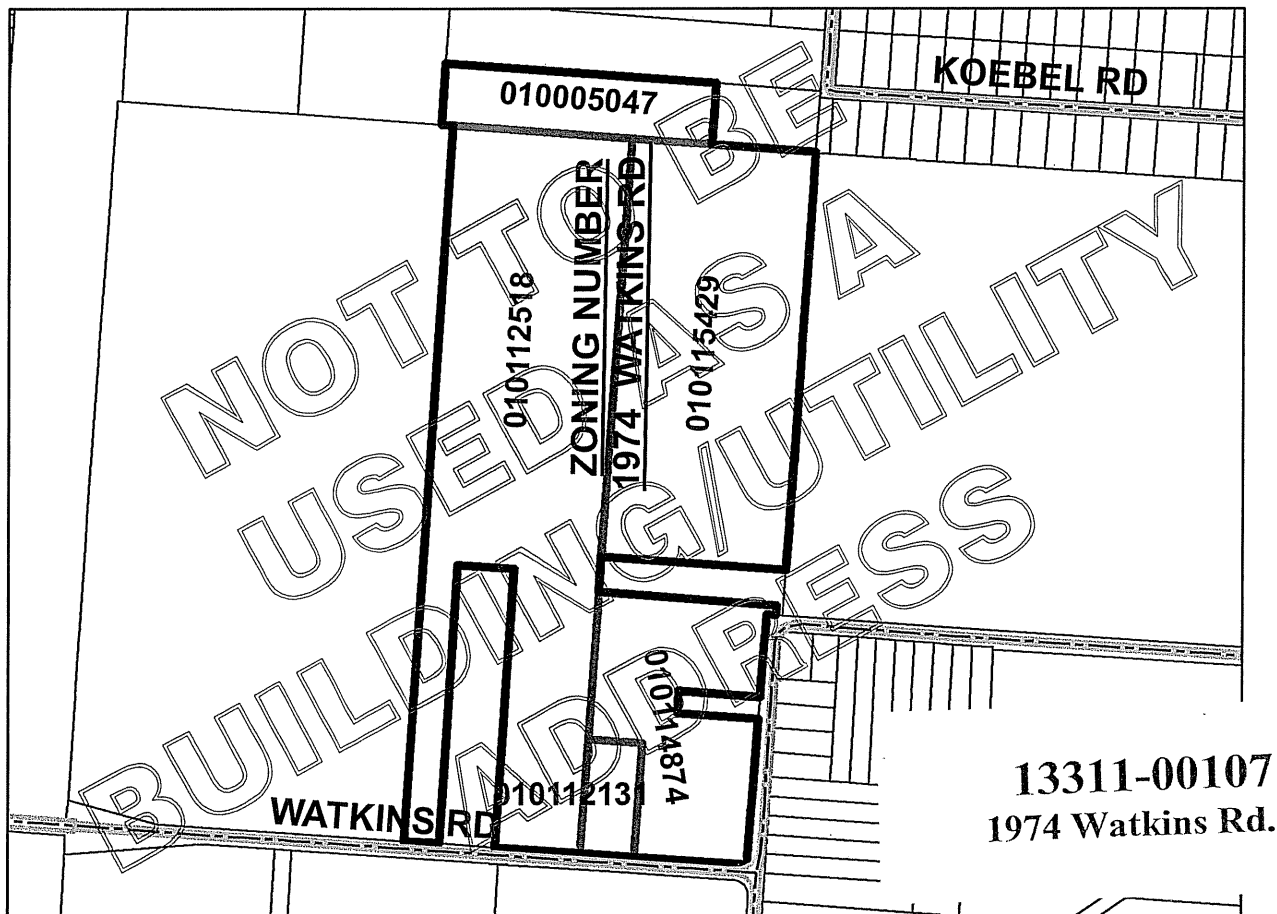
Lot Number: N/A

SUBDIVISION: N/A

Requested By: CRABE BROWN & JAMES LLP (LAURA M. COMEK)

Issued By: *Laura M. Comek*

Date: 2/7/2013



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1974 Watkins Rd.

SCALE: 1 inch = 700 feet



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

GIS FILE NUMBER: 12762



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

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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 #

13311-00107

STATE OF OHIO
COUNTY OF FRANKLIN

1974 Watkins Rd.

Being first duly cautioned and sworn (NAME) Laura MacGregor Comek, Esq.

of (COMPLETE ADDRESS) 500 S. Front St. 12th Floor 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 and their mailing addresses:

NAME

COMPLETE MAILING ADDRESS

Viking Real Estate Ltd.

Viking Properties

All

Guy Wolfenberger

c/o 3663 Alum Creek Drive

Susan E. Enneking, Trustee

Columbus, OH 43207

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 11th day of Feb., in the year 2013

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

Notary Seal Here



NANCY J. GROSSMAN
Notary Public, State of Ohio
My Commission Expires April 29 2014

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