



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

OFFICE USE ONLY

Application Number: CV13-022/13315-00000 00270

Date Received: 4/24/13

Application Accepted By: S. Pine Fee: \$1760

Comments: Assigned to Shannon Pine, 645-2208, spine@columbus.gov

### LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 2001 Courtright Rd. Zip 43232

Is this property currently being annexed into the City of Columbus ☐ Yes ☐ No

If the site is pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.

Parcel Number for Certified Address: 010-118878

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

Current Zoning District(s): M-1

Civic Association or Area Commission: Southeast Community Coalition

Proposed use or reason for Council Variance request: music rehearsal space and recording studio

Acreage: 1.768

**APPLICANT:** Name All A Cart Manufacturing, Inc.

Address 2001 Courtright Road City/State Columbus, OH Zip 43232

Phone # 614-443-5544 Fax # 614-443-4248 Email: info@allacart.com

**PROPERTY OWNER(S):** Name All A Cart Manufacturing, Inc.

Address 2001 Courtright Road City/State Columbus, OH Zip 43232

Phone # 614-443-5544 Fax # 614-443-4248 Email: info@allacart.com

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

### ATTORNEY / AGENT

☒ Attorney ☐ Agent

Name Elizabeth L. Roach

Address 600 South High Street City/State Columbus, OH Zip 43215

Phone # 614-221-5011 Fax #  Email: ELR.Attorney@gmail.com

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

APPLICANT SIGNATURE [Signature]

PROPERTY OWNER SIGNATURE [Signature]

ATTORNEY / AGENT SIGNATURE [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.  
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Please make all checks payable to the Columbus City Treasurer



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CV13-022

### 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:

See attached.

Signature of Applicant

Date

4/24/13

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**CONTINUATION PAGE TO STATEMENT OF HARDSHIP  
APPLICANT: ALL A CART MANUFACTURING, INC.**

All A Cart Manufacturing, Inc. ("All A Cart"), acquired the manufacturing facility located at 2001 Courtright Road, in Columbus, at a real estate closing held on March 30, 2012, following several weeks of negotiation with the liquidating trustee, who had acquired the real estate in question, with improvements thereon, consisting of a total of approximately fifty-five and a fraction acres, described by three separate parcels, all contiguous. The real estate is improved with a large manufacturing building of over 221,000 square feet, with three much smaller detached buildings also located on the grounds. The facility was previously owned and operated by Tomasco Mulciber Inc. ("Tomasco"), which had been a manufacturing concern doing significant fabrication of parts and equipment for Honda Manufacturing, until the major recent recession forced first an enormous slowdown in Honda's production requirements and ultimately the idling of the facility, layoff of personnel and its subsequent closing by Tomasco. The liquidating trustee had acquired the facility in July, 2010. The structures were depreciating in value and being vandalized before being acquired by All A Cart. While All A Cart can effectively occupy and use a significant portion of the large manufacturing building for its regular manufacturing operations, including related activities and permitted uses within the M-1 zoning category that applies to the entire described real estate, a significant portion remains vacant and either unutilized or underutilized.

In order to maximize the effective use of the office space (which comprises approximately 5% of the square footage of the large manufacturing building), as well as to use a small, separate building originally used as a locker room building by Tomasco, the management of All A Cart contends that an alternate, "mixed" use for rehearsal and performance studios and a

recording studio would provide an opportunity for improved space utilization, would in no manner impair public interest or the interest of the owners of any neighboring, adjacent properties. This would also allow All A Cart the opportunity for creative and diverse operations which would allow it to maintain profitability, while, over time, improving the general appearance of the facility, so that decline, which has already been reversed significantly, would no longer be a factor of concern to the city. There is more than adequate parking for the entire facility, consisting of 450 spaces, so that portion which is sought to be designated as parking for the alternate use requested, adjacent to those areas of office space and the separate building described above, would in no manner impair or impede either traffic or other parking. There is no reasonable likelihood that traffic or parking at All A Cart's facilities will at any time in the foreseeable future equal or exceed the traffic or parking usage Tomasco made of the same facility when it was operating at full or close to full capacity.

All A Cart's proposed use of a small part of the facility for music rehearsal, performance and recording is not permitted under Columbus City Code §3365.01. To accompany this variance request, All A Cart submits a survey of a portion of one of the parcels: 1.768 acres located in the middle of a 13.137 acre tract. For this reason, the properties surrounding the subject property will not be affected by this zoning variance, as it is entirely encompassed in the M-1 zoned property. Further, as use of the property as a music recording and rehearsal space is a lesser commercial use than All A Cart's manufacture and repair operations, the property's current use, the surrounding properties will not be negatively affected.

Based on the foregoing, the city should conclude that the variance requested will not impair an adequate supply of light and air to the adjacent properties, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety,

unreasonably diminish or impair established property values within the surrounding area, or, in any other respect, impair the public health, safety, comfort, morals, or welfare of the inhabitants. As such, permitting such use on the subject property will relieve a hardship to applicant and will permit the owner greater use of the facilities, but without adversely affecting other property owners.

All A Cart Manufacturing, Inc.

4/24/13  
Date

By: [Signature]  
(name) (title)  
president



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### AFFIDAVIT

(See next page for instructions)

APPLICATION # CV13-022

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Elizabeth L. Roach

of (1) MAILING ADDRESS 600 S. High St. Columbus, OH 43215

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 CERTIFIED ADDRESS FOR ZONING PURPOSES 2001 Courtright Road, Columbus OH 43232

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) 4/24/13

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME  
AND MAILING ADDRESS

(4) All A Cart Manufacturing, Inc.  
2001 Courtright Road  
Columbus, Ohio 43232

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

All A Cart Manufacturing, Inc.  
614-443-5544

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

(5) Southeast Community Coalition  
c/o Judy White (740)927-1173  
PO Box 116  
Brice, Ohio 43109

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.

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 23 day of April, in the year 2013

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

(8) [Signature]

Notary Seal Here



JOSEPH F. REINIER  
Attorney At Law  
Notary Public, State of Ohio  
My commission has no expiration date  
Sec. 147.03 R.C.

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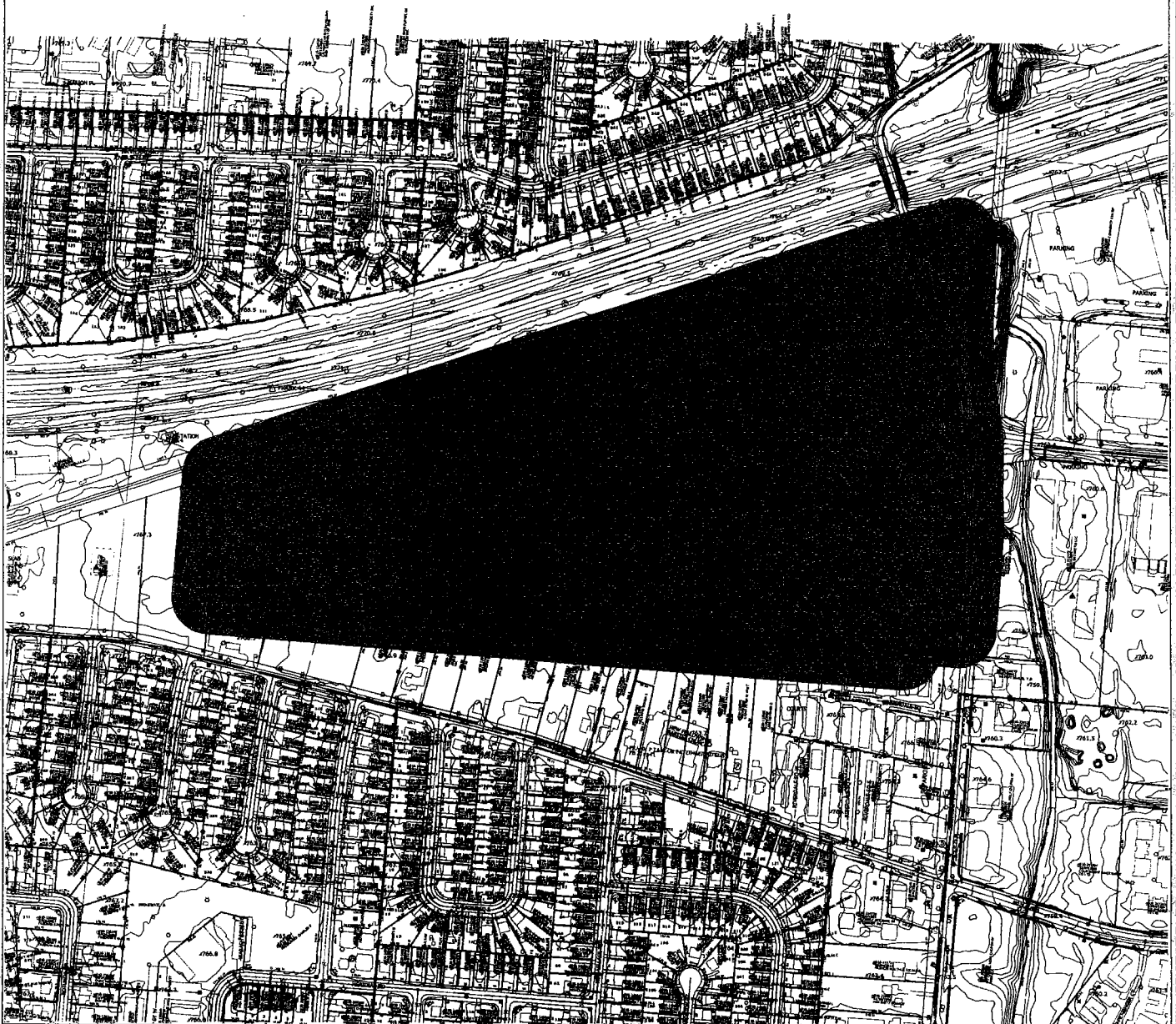
CV13-022



# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: MB

DATE: 4/10/13



Disclaimer

Scale = 535'



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

C13-022

SURROUNDING PROPERTY OWNERS

James and Joni Thompson  
7431 National Road SW  
Pataskala, Ohio 43062

Sepich Family, LP  
36 Malaga Cove Plz  
Palos Verdes, CA 90274

David L. Brown  
1613 S. Ralston Ave.  
Independence, MO 65052

Gregorio and Dora Matute Reyes  
3360 Petzinger Road  
Columbus, Ohio 43232

Metal Real Estate LTD  
3240 Petzinger Road  
Columbus, Ohio 43232

Peter M. Laihr  
3452 Petzinger Road  
Columbus, Ohio 43232

Heather Lape  
8052 Pontius Road  
Groveport, Ohio 43125

Buynow Properties, LLC  
869 Goodale Blvd.  
Columbus, Ohio 43212

New Fellowship Baptist Church  
3420 Petzinger Road  
Columbus, Ohio 43232

Westfall Investments, LLC  
6790 Brooks Miller Road  
Circleville, Ohio 43113

Margarita Ordonez  
3312 Petzinger Road  
Columbus, Ohio 43232

Samuel and Carol Wright  
3705 Petzinger Road  
Columbus, Ohio 43232

Aries Quality Properties, LLC  
1620 E. Broad St. Ste 106  
Columbus, Ohio 43203

Christopher L. Morton  
3382 Petzinger Road  
Columbus, Ohio 43232

Riverdale Ruben, LP  
2111 Courtright Road  
Columbus, Ohio 43232

James E. Mowery  
2779 Buxton Lane  
Grove City, Ohio 43123

Wayne and Janie Arnold  
3394 Petzinger Road  
Columbus, Ohio 43232

Willie and Ella Latham  
3374 Petzinger Road  
Columbus, Ohio 43232

Patricia Rogers  
3440 Petzinger Road  
Columbus, Ohio 43232

Pennsylvania Lines, LLC  
110 Franklin Road SE  
Roanoke, Virginia 24042

APPLICANT/PROPERTY OWNER  
All A Cart Manufacturing  
2001 Courtright Road  
Columbus, Ohio 43232

AREA COMMISSION  
Southeast Community Coalition  
c/o Judy White  
PO Box 16  
Brice, Ohio 43109

ATTORNEY  
Elizabeth L. Roach  
600 S. High St.  
Columbus, Ohio 43215





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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 # CV13-022

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] Elizabeth L. Roach

Of [COMPLETE ADDRESS] 600 S. High St. 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 formats

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. All A Cart Manufacturing, Inc 2001 Courtright Rd. Columbus OH 43232 2 Columbus based employees Jeffrey J. Morris 614-443-5544	2.
3.	4.

☐ Check here if listing additional parties on a separate page.

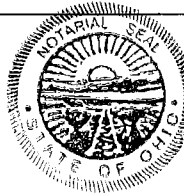
#### SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 27<sup>th</sup> day of April, in the year 2013

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

Notary Seal Here



STEPHEN SWAIM, ATTORNEY AT LAW  
NOTARY PUBLIC, STATE OF OHIO  
Commission has no expiration date \$275.00

This Project Disclosure Statement expires six months after date of notarization.

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## HISTORY ADDRESS INQUIRY - ALL APPLICATIONS

CV13-022

ADDRESS 2001 COURTRIGHT RDADDRESS 2001 COURTRIGHT RD

INTERSECTION	I-70-PETZINGER	HIST-PROP		ZIP CODE	43232	0
PARCEL NO	010-118552	CENSUS	9337	SUB-DIV	13.137 AC	
HIST-DIST		BLOCK	201	LOT NO	PAR	

PERMIT ID	O9901859	RES/COMM	COMM	# OF UNITS	0	VALUE	0
CREATE DATE	05-25-99	NEW/RPLC/ALTER	ALTR	CONT. LIC. #	G2335		
PERMIT TYPE	O	C-40 CODE		OBBC			
DESCRIPTION	FINAL, BUILDING PERMIT: B9805100, DATE: 5/21/99, INSP: RALPH SWANEY						

PERMIT ID	O9901832	RES/COMM	COMM	# OF UNITS	0	VALUE	0
CREATE DATE	05-20-99	NEW/RPLC/ALTER	ALTR	CONT. LIC. #	G2335		
PERMIT TYPE	O	C-40 CODE		OBBC			
DESCRIPTION	TEMPORARY, BUILDING PERMIT: B9805100, DATE: 5/20/99, INSP: RALPH SWANEY						

PERMIT ID	FA9900113	RES/COMM	COMM	# OF UNITS	0	VALUE	0
CREATE DATE	03-22-99	NEW/RPLC/ALTER	ALTR	CONT. LIC. #	FP50251050		
PERMIT TYPE	FA	C-40 CODE		OBBC			
DESCRIPTION	SIGNALING SYSTEM FOR EXISTING OFFICE AREA						

PERMIT ID	H9900879	RES/COMM	COMM	# OF UNITS	0	VALUE	0
CREATE DATE	03-12-99	NEW/RPLC/ALTER	ALTR	CONT. LIC. #	H0252		
PERMIT TYPE	H	C-40 CODE		OBBC			
DESCRIPTION							

PERMIT ID	E9901283	RES/COMM	COMM	# OF UNITS	0	VALUE	0
CREATE DATE	02-26-99	NEW/RPLC/ALTER	ALTR	CONT. LIC. #	E0535		
PERMIT TYPE	E	C-40 CODE		OBBC			
DESCRIPTION							

PERMIT ID	O9900403	RES/COMM	COMM	# OF UNITS	0	VALUE	0
CREATE DATE	01-26-99	NEW/RPLC/ALTER	ALTR	CONT. LIC. #	G2335		
PERMIT TYPE	O	C-40 CODE		OBBC			
DESCRIPTION	TEMPORARY, BUILDING PERMIT: B9805100, DATE: 1/22/99, INSP: RALPH SWANEY PHASE I ONLY						

PERMIT ID	B9805100	RES/COMM		# OF UNITS	0	VALUE	0
CREATE DATE	01-22-99	NEW/RPLC/ALTER		CONT. LIC. #			
PERMIT TYPE	B	C-40 CODE	437	OBBC			
DESCRIPTION	DO NOT ISSUE FINAL UNTIL TEMP C/O HAS BEEN PAID B9805100						

PERMIT ID	FS9900001	RES/COMM	COMM	# OF UNITS	0	VALUE	0
CREATE DATE	01-06-99	NEW/RPLC/ALTER	ADD	CONT. LIC. #	FP53321026		
PERMIT TYPE	FS	C-40 CODE		OBBC			
DESCRIPTION	SPRINKLER FOR OFF ADDN						

PERMIT ID	FA9800531	RES/COMM	COMM	# OF UNITS	0	VALUE	0
CREATE DATE	12-04-98	NEW/RPLC/ALTER	ALTR	CONT. LIC. #	FP50251050		
PERMIT TYPE	FA	C-40 CODE		OBBC			
DESCRIPTION	ADDITION TO EXISTING SIGNALING SYSTEM						

PERMIT ID	H9803474	RES/COMM	COMM	# OF UNITS	0	VALUE	0
CREATE DATE	10-07-98	NEW/RPLC/ALTER	ADD	CONT. LIC. #	H0252		
PERMIT TYPE	H	C-40 CODE		OBBC			
DESCRIPTION							

PERMIT ID	R9801268	RES/COMM	COMM	# OF UNITS	0	VALUE	0
CREATE DATE	10-07-98	NEW/RPLC/ALTER	ALTR	CONT. LIC. #	R0718		
PERMIT TYPE	R	C-40 CODE		OBBC			
DESCRIPTION							

CV13022

**DESCRIPTION** of a 1.768 acre parcel of land for zoning purposes;

Situate in the City of Columbus, County of Franklin, State of Ohio, Half Section 33, Section 20, Township 12, Range 21 and being all out of a 13.137 (parcel 3), conveyed to All A Cart Manufacturing, Inc., of record in Instrument Number 201204030045531, all references to records being on file in the Office of the Recorder, Franklin County, Ohio, said 1.768 acre parcel being more fully described herein;

Beginning for reference at the northeast corner of said 13.137 acre parcel;

Thence S 67°06'12" W with the north line of said 13.137 acre parcel, a distance of 242.41 feet to the True Point of Beginning;

Thence S 22°53'48" E across said 13.137 acre parcel, a distance of 285.00 feet to a point;

Thence S 67°06'12" W across said 13.137 acre parcel, a distance of 140.00 feet to a point on the outside wall of the existing manufacturing building;

Thence N 22°53'48" W with said outside wall and the west wall of a corridor connecting the offices, a distance of 145.00 feet to a point at the northeast corner of said manufacturing build and also being the south wall of the offices of All A Cart Manufacturing, Inc.;

Thence S 67°06'12" W with the north wall of said manufacturing building and south wall of said offices, a distance of 265.00 feet to a point;

Thence N 22°53'48" W with the west wall of said offices and across said 13.137 acre parcel, a distance of 140.00 feet to a point on the north line of said 13.137 acre parcel;

Thence N 67°06'12" E with the north line of said 13.137 acre parcel, a distance of 405.00 feet to the True Point of Beginning, containing 1.768 acres of land. Subject to all easements and documents of record.

For the purpose of this description a bearing of S 67°06'12" W was held on the north line of said 13.137 acre parcel as shown in Instrument Number 201204030045531.

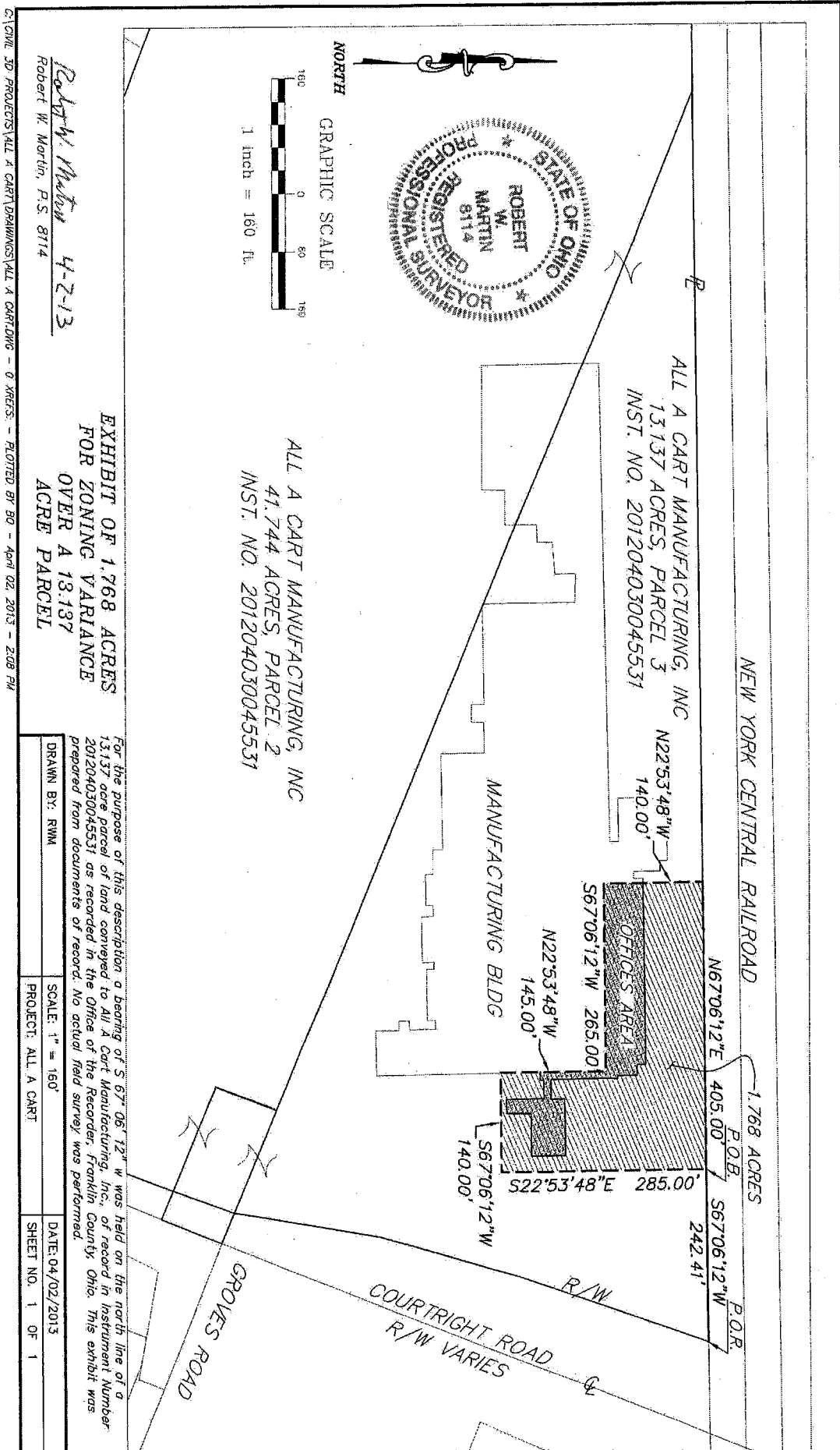
This description is based on documents of record. No actual filed survey was performed.



*Robert W. Martin*  
Robert W. Martin P.S. 8114

*4-2-13*  
Date

C13-022



C:\CIVIL 3D PROJECTS\ALL A CART\DRAWINGS\ALL A CART.DWG - 0 XREFS: - PLOTTED BY BO - April 02, 2013 - 2:08 PM

Robert W. Martin 4-2-13  
Robert W. Martin, P.S. 8114

EXHIBIT OF 1.768 ACRES  
FOR ZONING VARIANCE  
OVER A 13.137  
ACRE PARCEL

For the purpose of this description, a bearing of S 67° 06' 12" W was held on the north line of a 13.137 acre parcel of land conveyed to All A Cart Manufacturing, Inc., of record in Instrument Number 201204030045531 as recorded in the Office of the Recorder, Franklin County, Ohio. This exhibit was prepared from documents of record. No actual field survey was performed.

DRAWN BY: RWM	SCALE: 1" = 160'	DATE: 04/02/2013
PROJECT: ALL A CART	SHEET NO. 1 OF 1	

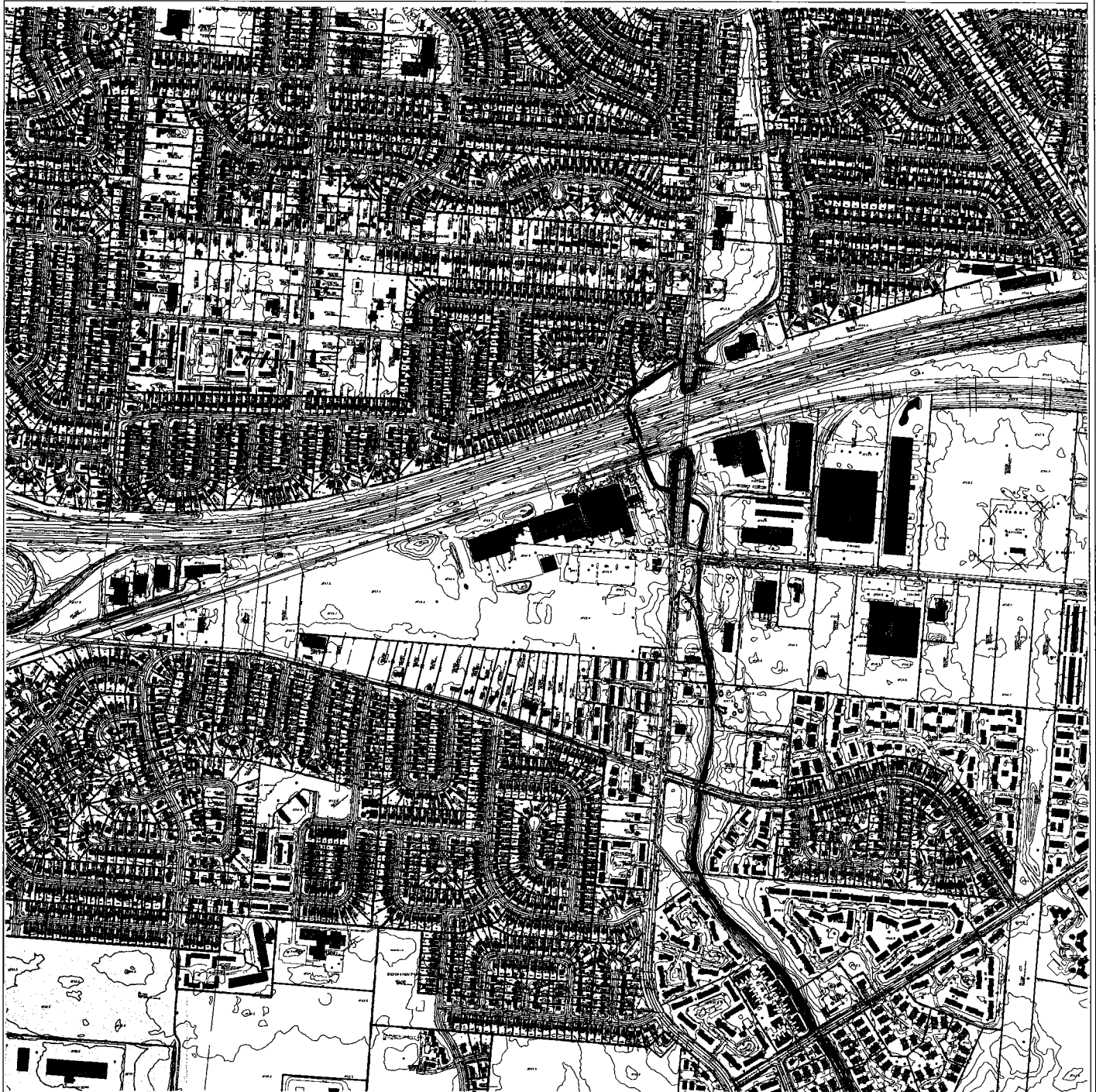
C13-022



# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: MB

DATE: 4/10/13



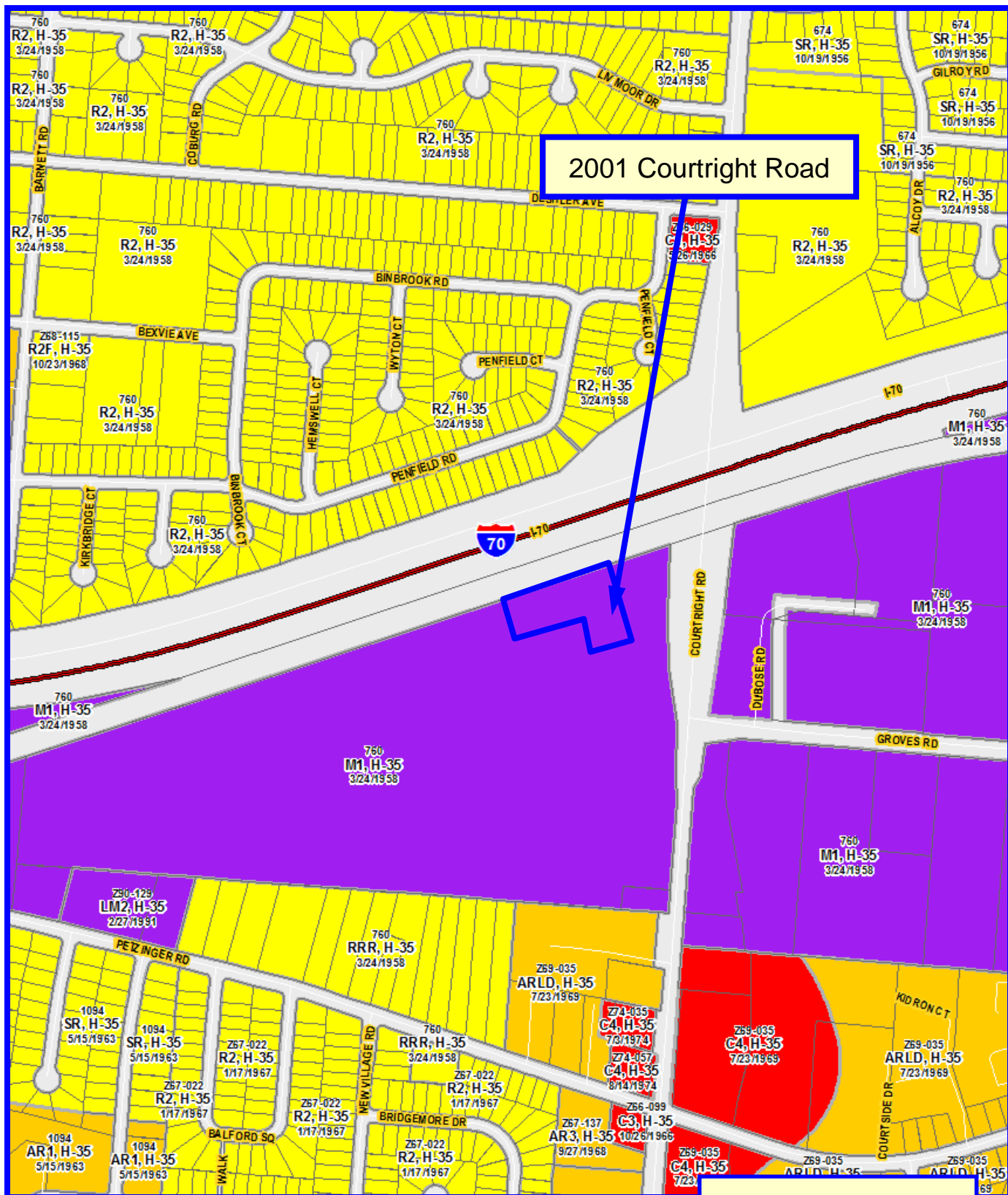
Disclaimer

Scale = 1000

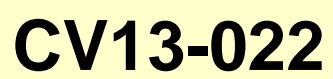


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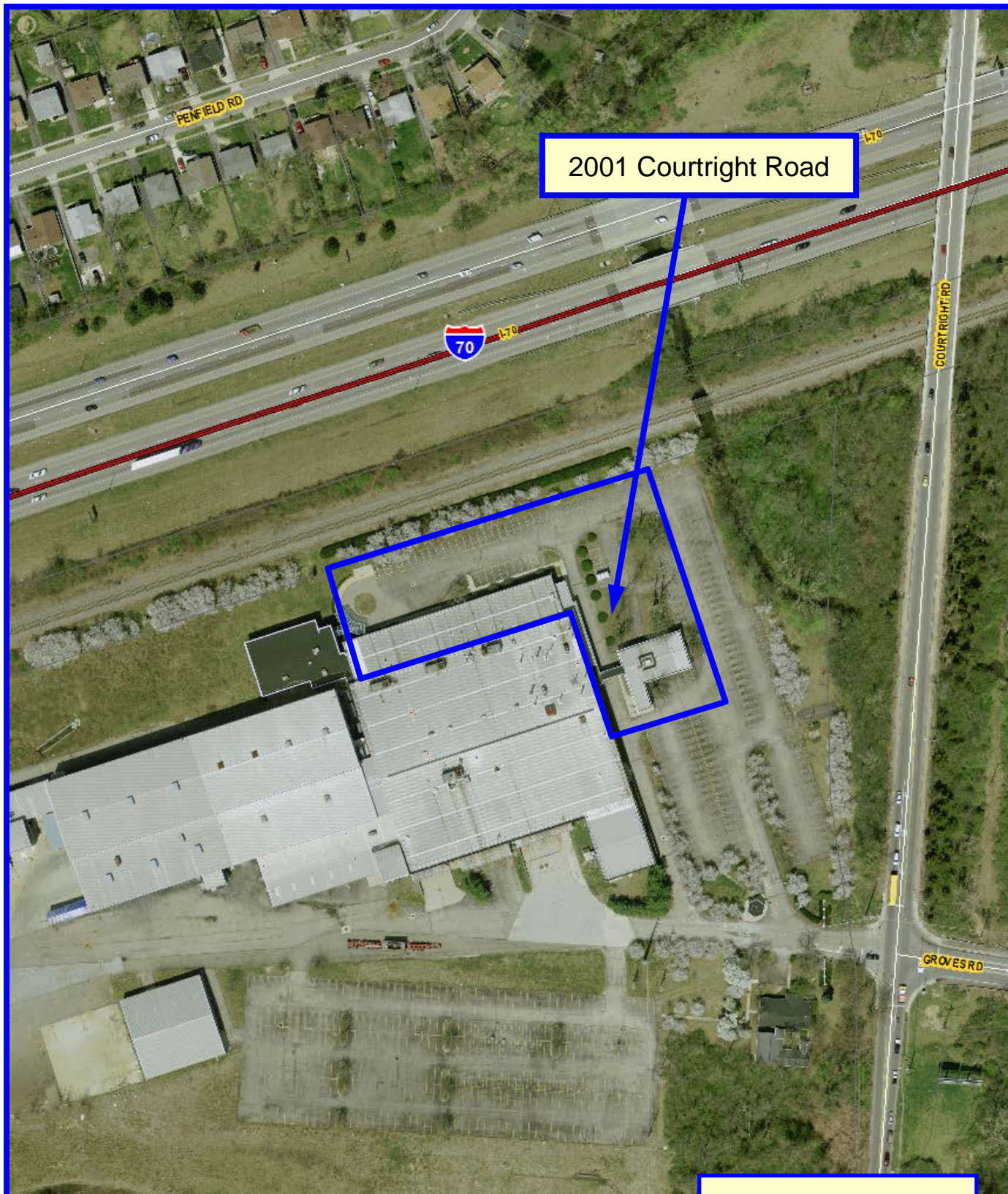
Real Estate / GIS Department











**CV13-022**