



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: 11316-00000-00676
Date Received: 16 Nov. 2011
Commission/Group: Near East Area Commission
Existing Zoning: M, Manufacturing Application Accepted by: _____ Fee: \$1900-
Comments: _____

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.

To permit outside storage in the M, Manufacturing District less than 100 feet from a residential zoning district. See Statement of Hardship.

LOCATION

1. Certified Address Number and Street Name 410 Holtzman Avenue
City Columbus State OH Zip 43205
Parcel Number (only one required) 010-029688

APPLICANT: (IF DIFFERENT FROM OWNER)

Name Wrights Properties Ltd c/o Donald Plank, Plank Law Firm
Address 145 East Rich Street, 3rd Floor City/State Columbus, OH Zip 43215
Phone # (614) 947-8600 Fax # (614) 228-1790 Email dplank@planklaw.com

PROPERTY OWNER(S):

Name Wrights Properties Ltd c/o Donald Plank, Plank Law Firm
Address 145 East Rich Street, 3rd Floor City/State Columbus, OH Zip 43215
Phone # (614) 947-8600 Fax # (614) 228-1790 Email dplank@planklaw.com
 Check here if listing additional property owners on a separate page.

ATTORNEY/ AGENT (CHECK ONE IF APPLICABLE)

Attorney Agent

Name Donald Plank, Plank Law Firm
Address 145 East Rich Street, 3rd Floor City/State Columbus, OH Zip 43215
Phone # (614) 947-8600 Fax # (614) 228-1790 Email: dplank@planklaw.com

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

APPLICANT SIGNATURE Donald Plank, attorney/applicant
PROPERTY OWNER SIGNATURE Donald Plank, attorney/owner
ATTORNEY / AGENT SIGNATURE Donald Plank

PLEASE NOTE: incomplete information will result in the rejection of this submittal.
For all questions regarding this form and fees please call: 614-645-4522
Please make all checks payable to the Columbus City Treasurer



CITY OF COLUMBUS

DEPARTMENT OF BUILDING AND ZONING SERVICES

11310-00000-00676
410 HOLTZMAN AVENUE

One Stop Shop Zoning Report Date: Fri Dec 2 2011

General Zoning Inquiries: 614-645-8637

SITE INFORMATION

Address: 410 HOLTZMAN AVE COLUMBUS OH 43205

Mailing Address: PO BOX 164480

COLUMBUS OH 43216

Owner: WRIGHTS PROPERTIES LTD

Parcel Number: 010029688

ZONING INFORMATION

Zoning: ORIG, Manufacturing, M

effective 2/27/1928, Height District H-60

Board of Zoning Adjustment (BZA): N/A

Commercial Overlay: N/A

Graphic Commission: N/A

Area Commission: Near East 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

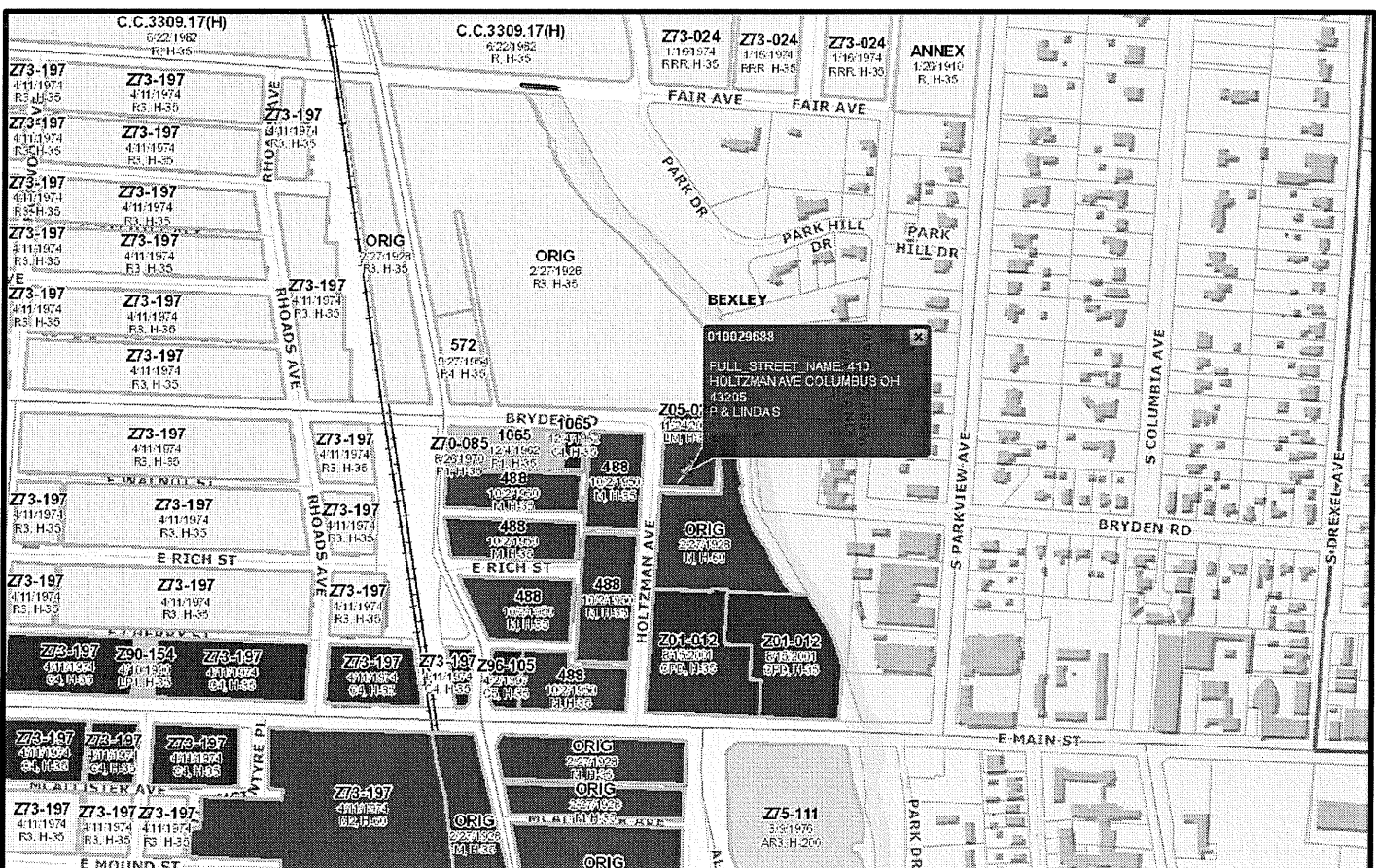
PENDING ZONING ACTION

Zoning: N/A

Board of Zoning Adjustment (BZA): N/A

Council Variance: N/A

Graphic Commission: N/A





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11310-00000-00676
410 HOLTZMAN AVENUE

AFFIDAVIT

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Donald Plank
of (1) MAILING ADDRESS Plank Law Firm, 145 East Rich Street, 3rd Floor, Columbus, OH 43215
deposed and states that he 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) 410 Holtzman Avenue, Columbus, OH 43205

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) Wrights Properties Ltd c/o Donald Plank
Plank Law Firm
145 East Rich Street, 3rd Floor
Columbus, OH 43215

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

Wrights Properties Ltd c/o Donald Plank
(614) 947-8600

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

(5) Near East Area Commission c/o Kathleen Bailey
489 Linwood Avenue
Columbus, OH 43205

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 Exhibit A

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

SIGNATURE OF AFFIANT

(8) Donald Plank

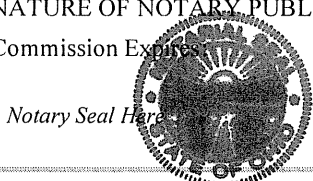
Subscribed to me in my presence and before me this 14th day of NOVEMBER, in the year 2011

SIGNATURE OF NOTARY PUBLIC

(8) Barbara A. Parter

My Commission Expires

AUGUST 3, 2015



BARBARA A. PARTER
Notary Public, State of Ohio
My Commission Expires AUGUST 3, 2015

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STATEMENT OF HARDSHIP

11310-00000-00676

410 HOLTZMAN AVENUE

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:

See Exhibit B

Signature of Applicant *Donald Plank* Date November 11, 2011

Wrights Properties Ltd
BY: Donald Plank

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EXHIBIT B
Statement of Hardship

11310-00000-00676
410 HOLTZMAN AVENUE

410 Holtzman Avenue

BZA: _____

The site is located on the east side of Holtzman Avenue, approximately 650 feet north of East Main Street. The site and all abutting property is zoned M, Manufacturing. Holtzman Avenue is characterized by manufacturing/industrial uses. Outside storage is permitted in the M, Manufacturing District subject to certain development standards requiring the outside storage to be 100 feet from residential or apartment residential districts and certain internal setback standards. Applicant's proposed outside storage is within 30 feet of property owned by the City of Columbus that is zoned R-3, Residential. The R-3 area wraps around the rear (east) side of PID: 010-034429. The R-3 area is unusually shaped and part of a larger parcel which is north of Bryden Road. Applicant also requests reductions of interior side and rear outside storage setbacks as they are burdensome given the size of the parcel and adjacent M zoning and uses. The site abuts an unimproved City of Columbus alley right of way to the east, and industrial building to the north and an improved City of Columbus alley to the south. Applicant will fence the lot along the north, east and south property lines with a six (6) foot tall chain-link fence with slats to screen the outside storage and the same fence/screening will be provided at a 10 foot setback from Holtzman Avenue. Compliance with the required 20 foot side and rear setbacks requires setting aside 40% +/- of the site, which renders the use of the property infeasible and creates an economic hardship on applicant. Applicant has a practical difficulty and economic hardship with compliance with the development standards.

Applicant requests the following variances:

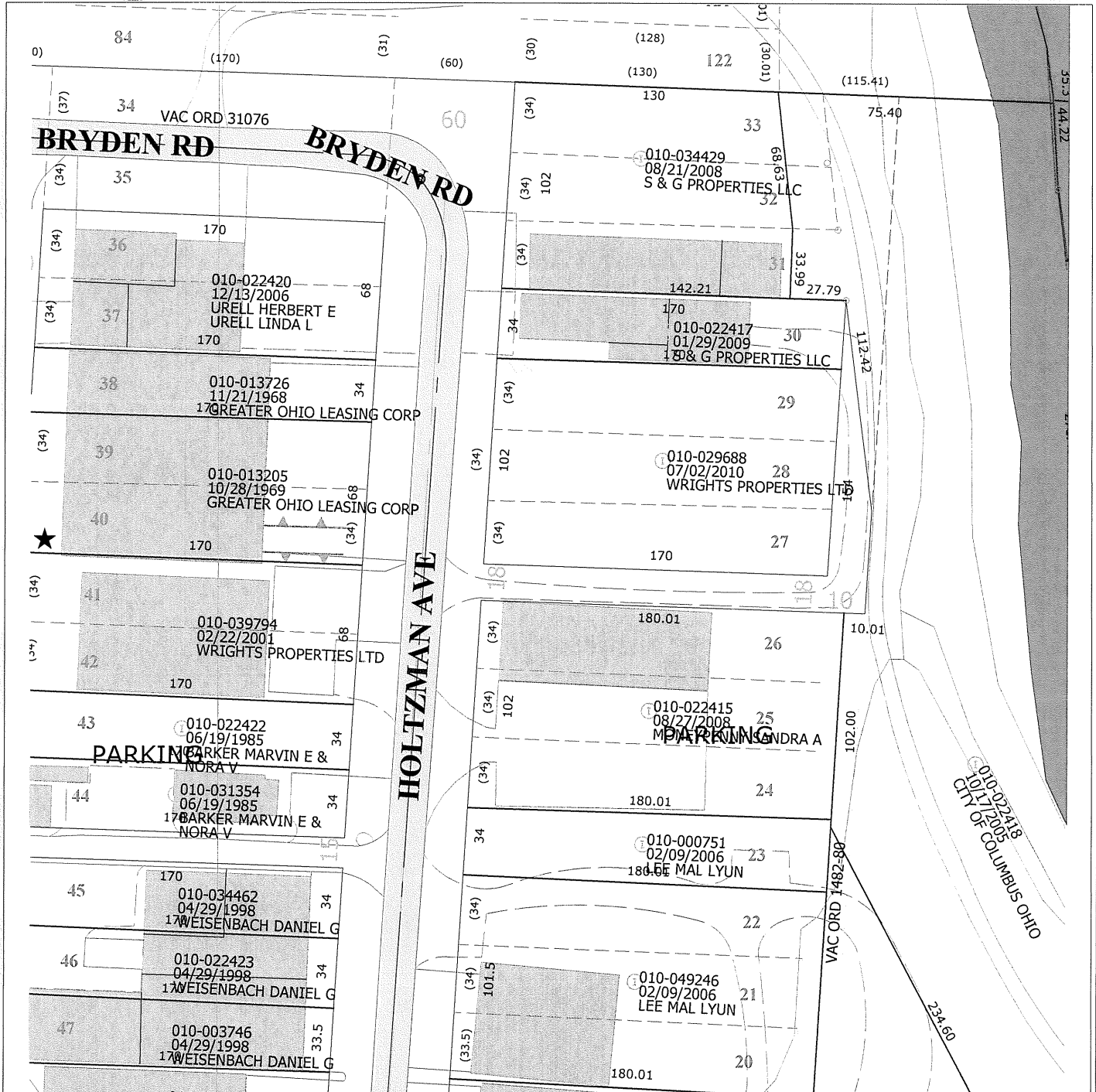
- 1) 3363.41(a), Storage, which Section requires open storage other than junk, waste products or salvage to be located 100 feet from residential or apartment residential districts, while part of the site is within 30 feet of the R-3, Residential District, and further requires a 30 foot front setback and 20 foot side and rear setbacks, while the applicable building setback line from Holtzman Avenue is 10 feet and applicant proposes outside storage at a 10 foot front setback and 0 setback from the south, east and north property lines, and applicant will install a six (6) foot tall chain link fence with slats for screening.
- 2) 3312.43, Required Surface for Parking, which Section requires an improved surface for parking, driveways and other vehicular circulation areas, while applicant proposes to develop the site for outside storage with a gravel surface, as permitted, but also proposes that no improved surface be required for on-site driveway, circulation area or code required parking. Provision of an improved surface will serve no purpose within the storage area and will increase storm water run-off.



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: dbp

DATE: 11/14/11



Disclaimer

Scale = 73

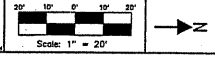
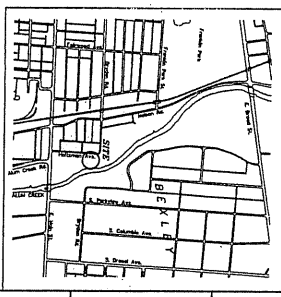
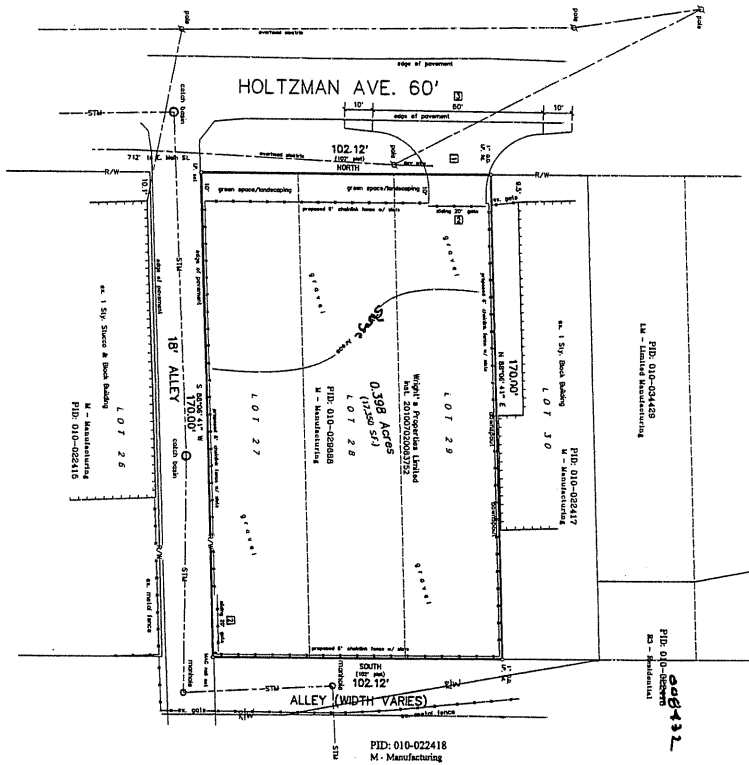


This map is prepared for the real property inventory within this county survey plats, and other public records and data. Users of this map as information sources should be consulted for verification of the information. The county and the mapping companies assume no legal responsibilities. Please notify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

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410 HOLTZMAN AVENUE

11310-00000-00676 410 HOLTZMAN AVENUE

A Survey of Lots 27, 28 & 29 of Henry Holtzman's Addition, located in Town of Dayton, Ohio, as depicted upon the control plat filed of record in the Public Records Office of Hamilton County, Ohio for: **Wright's Properties Limited**



- Keyed Notes**
- 20' Max. Easement
 - 20' Setback Zone
 - 60' Setback Zone

My Surveying, Inc. is a duly licensed Professional Surveyor and is authorized to perform the services described herein. My Surveying, Inc. is a member of the American Society of Professional Surveyors (ASPS). My Surveying, Inc. is a member of the Ohio Surveyors Association (OSA). My Surveying, Inc. is a member of the National Society of Professional Surveyors (NSPS). My Surveying, Inc. is a member of the International Association of Professional Surveyors (IAPS). My Surveying, Inc. is a member of the International Federation of Professional Surveyors (IFPS). My Surveying, Inc. is a member of the International Association of Geomatics Engineers (IAGEE). My Surveying, Inc. is a member of the International Association of Geomatics Engineers and Scientists (IAGGEO). My Surveying, Inc. is a member of the International Association of Geomatics Engineers and Scientists (IAGGEO). My Surveying, Inc. is a member of the International Association of Geomatics Engineers and Scientists (IAGGEO).



Myers Surveying, Inc.
2700 E. 12th St., Columbus, OH 43205
(614) 467-6677 • (614) 467-4559 fax
info@myerssurveying.com

410 HOLTZMAN AVENUE

SITE PLAN

Site Data
Address: 410 Holtzman Avenue, Columbus, OH 43205
PID: 010-022418
Zoning: M - Manufacturing, undeveloped
Floorplan: X 350170 0325 0 7/2009
Proposed Use: Outside storage



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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 # 11310-00000-00676
410 HOLTZMAN AVENUE

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald Plank
of (COMPLETE ADDRESS) Plank Law Firm, 145 East Rich Street, 3rd 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
Wrights Properties Ltd c/o Dennis Wright,	419 Holtzman Avenue, Columbus, OH 43205

SIGNATURE OF AFFIANT Donald Plank

Subscribed to me in my presence and before me this 14th day of NOVEMBER, in the year 2011

SIGNATURE OF NOTARY PUBLIC Barbara A. Painter

My Commission Expires: AUGUST 3, 2015



BARBARA A. PAINTER
Notary Public, State of Ohio
My Commission Expires AUGUST 3, 2015

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