

Date 6/1/10

Application # CV10-018

City of Columbus | Department of Development | Building Services Division | 757 Gady Avenue Columbus, Ohio 43224



# COUNCIL VARIANCE APPLICATION

### OFFICE USE ONLY:

Planning Area: N/A

Received By: S. Pine

LOCATION AND ZONING REQUEST: 3130 Scioto Darby Executive Court  
Certified Address(for Zoning Purposes) Hilliard, Ohio Zip 43026

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 560-275156-00

If applicable, check here if listing additional parcel numbers on a separate page (Required)

Current Zoning District (s) M-2, Manufacturing District

Recognized Civic Association or Area Commission \_\_\_\_\_

(See instructions in "Things to Remember" on the front of application packet)

Proposed Use or reason for Council Variance request: Automotive Maintenance and Repair

Proposed Height District: Cols. City Code Section 3367.15 Acreage 1.311 acres  
(Columbus City Code Section 3309.14)

APPLICANT: Name Sigma Racing Technologies, Corp.

Address 4941 Silver Bow Drive City Hilliard Zip 43026

PROPERTY OWNER(S) Name Garden Guru LLC

Address 1439 Lake Shore Drive Apt. A City Columbus Zip 43204

If applicable, check here if listing additional property owners on a separate page (Required)

### ATTORNEY / AGENT

Attorney

Agent

Name C. Bernard Brush

Address 5530 Columbia Rd. City Pataskala Zip 43062

Phone # 740-927-2219 Fax # 740-927-7799

Email cbbrush@gmail.com

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

Applicant Signature \_\_\_\_\_

Property Owner Signature \_\_\_\_\_

Attorney / Agent Signature C. Bernard Brush

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.

Planner: Shannon Pine, 645-2208, spine@columbus.gov



**AFFIDAVIT**

(See reverse side for instructions)

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME C. Bernard Brush  
of (1) MAILING ADDRESS 5530 Columbia Rd. Pataskala, Ohio 43062

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 3130 Scioto Darby Executive Court

(2) CERTIFIED ADDRESS FOR ZONING PURPOSES Hilliard, Ohio 43026  
for which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Development, Building Services Division on (3) 6/1/10

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNER'S NAME AND MAILING ADDRESS

(4) Garden Guru LLC  
1439 Lake Shore Drive Apt. A.  
Columbus, Ohio 43204

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

Sigma Racing Technologies, Corp.  
614-876-1007

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

(5) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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)

SIGNATURE OF AFFIANT

(8) C. Bernard Brush

Subscribed to me in my presence and before me this

31<sup>st</sup> day of May, in the year 2010

SIGNATURE OF NOTARY PUBLIC

(8) Jennifer L. Edwards

My Commission Expires:

None

Notary Seal Here



**JENNIFER L. EDWARDS**  
Attorney at Law  
Notary Public, State of Ohio  
My Commission Has No Expiration Date  
Section 147.03 R.C.



CV 10-018

APPLICANT

Sigma Racing Technologies, Corp.  
4941 Silver Bow Drive  
Hilliard, Ohio 43206

PROPERTY OWNER

Garden Guru LLC  
1439 Lake Shore Drive Apt. A  
Columbus, Ohio 43204

ATTORNEY

C. Bernard Brush, Attorney  
5530 Columbia Rd  
Pataskala, Ohio 43062

AREA COMMISSION or NEIGHBORHOOD GROUP: none

SURROUNDING PROPERTY OWNERS:

Ronald H. & Lynn M. Beyer  
3741 Rochfort Bridge Drive  
Columbus, Ohio 43221

Greg M. Catlett  
3085 Scioto Darby Executive Court  
Hilliard, Ohio 43026

Garden Guru LLC  
3130 Scioto Darby Executive Court  
Hilliard, Ohio 43026

Mark E. & Mary T. Garland  
3749 Rochfort Bridge Drive  
Columbus, Ohio 43221

Mgmtplus Ltd  
3636 N. High Street  
Columbus, Ohio 43214

James H. Montgomery  
3783 Kilbride Court  
Columbus, Ohio 43221

Nepo LLC  
2909 Scioto Darby Executive Court  
Hilliard, Ohio 43026

New York Central Lines LLC  
Tax Dept.  
500 Water Street (J-910)  
Jacksonville, Florida 32202

James P. & Stephanie G. Rookstool  
3732 Skipstone Place  
Columbus, Ohio 43221

Linda K. Selhorst  
3794 Kilbride Court  
Columbus, Ohio 43221

Standard Development Co.  
A & R Properties  
Robert Weiler Co.  
41 S. High Street, Ste 2200  
Columbus, Ohio 43215-6103

Structure and Space Ltd.  
4153 Oxford Drive  
Columbus, Ohio 43220

Traverse LLC  
2110 Westover Road  
Columbus, Ohio 43221

CJ10-02



## 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 Statement of Hardship attached.*  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Signature of Applicant  Date 5-31-10

**APPLICANT: SIGMA RACING TECHNOLOGIES, CORP.**

**STATEMENT OF HARDSHIP**

The subject property is currently zoned M-2, Manufacturing District and developed with an industrial building (40' and 60') that housed a landscape company, but is now vacant. Applicant desires to purchase the property at 3130 Scioto Darby Executive Court, Hilliard, Ohio to allow for automotive maintenance and repair within the existing building in conjunction with developing, assembling and manufacturing automotive racing parts and systems for performance cars. Automotive maintenance and repair facilities are not permitted in the M-2, Manufacturing District, while the manufacture, processing, assembling or treatment of automotive materials and products are permitted. Applicant has built and designed numerous performance cars for itself and others, as well as consulted for and assisted with other similar companies like Mead Engineering, Quantum Racing, and Applied Tuning Solutions, which has led to an increased demand for applicant's high quality skills and workmanship to be extended to servicing its clientele's general automotive needs. Also Applicant's development of its performance car business would suffer and prove most difficult if it could not service, maintain or repair those cars it designed, developed or assisted in building as well as servicing its customers general automotive needs, which provides the incentive and basic research necessary for product innovation and design improvements for automotive vehicles.

Scioto Darby Executive Park was designed and developed as an office industrial park by Standard Development Company with its own set of restrictions, reservations, covenants, easement and/or other conditions recorded in Plat Book 73, page 78, Franklin County Recorder's Office and is segregated from any residential areas by Interstate 270 to the west and Conrail Railroad to the east. In addition to the adjacent railroad tracks, mature trees and landscaping are located at the rear of the subject property as well as on the residential properties across the railroad tracts which provide adequate screening to any single-family home east of the railroad.

It appears that other properties in this Executive Park are allowed to service their customers' needs as well as to provide storage and assembling of parts and equipment as these business operations all appear to be conducted indoors as would Applicant's intended use. Applicant's proposed use will not unduly increase traffic in the area as it expects an average of 6

to 8 cars per day would access the site in addition to several employees, if this intended use is approved, all of whom would park in the rear. Applicant would face a hardship if the subject property may not be used to service, maintain or repair automotive vehicles, whether performance built or not, as such use would be similar to purposes that surrounding businesses also enjoy, namely servicing products, repairing parts, or maintaining equipment that they supply, manufacture, or assemble for their customers, whether incidental to or in conjunction with, the purposes of this industrial park.

The proposed use of automotive maintenance and repair will not adversely affect the surrounding properties. The proposed use is similar to services provided by the custom recreational vehicle, transmission, machine shop, and other businesses located within Scioto Darby Executive Court. Further, applicant's intended use will not create an increased risk of fire or pose a danger to public safety nor will it increase traffic in the area because it creates less traffic and less heavy truck traffic than other uses permitted in the M-2, Manufacturing District. Since the business operations will be conducted inside the existing building, the proposed use will not adversely affect the supply of light or air to adjacent properties nor will it unreasonably diminish property values in the surrounding area.

Permitting such use on the subject property will relieve a hardship and will permit the intended owner full use of the subject property without adversely affecting other property owners.

Signature of Applicant:  Date: 5-31-10



# 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.

STATE OF OHIO  
COUNTY OF FRANKLIN

APPLICATION # CV10-018

Being first duly cautioned and sworn (NAME) C. Bernard Brush  
of (COMPLETE ADDRESS) 5530 Columbia Rd. Tatasala, Ohio 43062  
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 of individual's address
- Address of corporate headquarters
- City, State, Zip
- Number of Columbus based employees
- Contact name and number

Sigma Racing Technologies, Corp.  
4941 Silver Bow Drive  
Hilliard, Ohio 43026  
Zbigniew Lorenc, 614-876-1007

If applicable, check here if listing additional parties on a separate page (required)

SIGNATURE OF AFFIANT C. Bernard Brush  
Subscribed to me in my presence and before me this 31<sup>st</sup> day  
of May, in the year 2010  
SIGNATURE OF NOTARY PUBLIC Jennifer L. Edwards  
My Commission Expires: None

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



JENNIFER L. EDWARDS  
Attorney at Law  
Notary Public, State of Ohio **page 9 - Council Variance Packet**  
My Commission Has No Expiration Date  
Section 147.03 R.C.

CITY OF COLUMBUS, OH

ADDRESS INQUIRY- ALL APPLICATIONS (with most recent file date first)

PARAMETERS

3130 SCIOTO DARBY EXECUTIVE CT

560-275156

3130 SCIOTO DARBY EXECUTIVE CT

ZIP CODE 43026

PARCEL NUMBER 560-275156

SUB-DIV/LOT #

06165-00000-00083

C-40 CODE

FILE DATE 2/9/2006

RES/COMM New Construction

PERMIT TYPE Commercial

NEW/RPLC/ALTER Gas Piping

**ISSUED**

CONTRACTOR P0399

CONTRACTOR D & L PLUMBING INC

OBBC-CON

OBBC-USE

SQUARE FT

TOTAL VALUATION

LINE # WORK DESCRIPTION

NEW COMM BLDG 1 GAS PIPING CONNECTION BP 05610-0-00227

06132-00000-00375

C-40 CODE

FILE DATE 2/9/2006

RES/COMM New Construction

PERMIT TYPE Commercial

NEW/RPLC/ALTER Environmental Air

**ISSUED**

CONTRACTOR SHW0406

CONTRACTOR D & L PLUMBING INC

OBBC-CON

OBBC-USE

SQUARE FT

TOTAL VALUATION

LINE # WORK DESCRIPTION

ENVIRONMENTAL AIR FOR NEW COMM BLDG 2400 SQ FT 1 BOILER HEATING SYSTEM AND RADIANT FLOOR PIPING BP 05610-0-00227

06120-00000-00019

C-40 CODE

FILE DATE 1/4/2006

RES/COMM New Construction

PERMIT TYPE Commercial

NEW/RPLC/ALTER Electrical

**ISSUED**

CONTRACTOR E0957

CONTRACTOR AERO ELECTRICAL CONTRACTORS INC

OBBC-CON

OBBC-USE

SQUARE FT

TOTAL VALUATION

LINE # WORK DESCRIPTION

NEW CONSTRUCT #05610-0-00227 IN 2400 SQ. FT. - 9 FIXTURES, 5 SWITCHES, 6 RECEPTACLES, 1 AC/H TPUMP, 1 SVC @ 200 AMPS

05140-00000-02437

C-40 CODE

FILE DATE 9/22/2005

RES/COMM New Construction

PERMIT TYPE Commercial

NEW/RPLC/ALTER Plumbing

**ISSUED**

CONTRACTOR P0399

CONTRACTOR D & L PLUMBING INC

OBBC-CON

OBBC-USE

SQUARE FT

TOTAL VALUATION

LINE # WORK DESCRIPTION

NEW CONSTRUCTION - PLUMBING TO COVER UP TO 3,000 SQUARE FEET BP 05610-0-00227

05610-00000-00227

C-40 CODE

FILE DATE 5/5/2005

RES/COMM New Construction

PERMIT TYPE Commercial

NEW/RPLC/ALTER Structural

**ISSUED**

CITY OF COLUMBUS, OH

ADDRESS INQUIRY- ALL APPLICATIONS (with most recent file date first)

PARAMETERS

560-275156

3130 SCIOTO DARBY EXECUTIVE CT

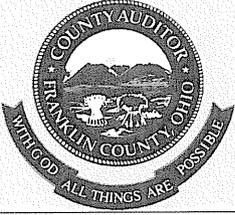
APPROVAL STATUS FOR CERTIFICATE OF OCCUPANCY

<u>INSPECTOR NAME</u>	<u>STATUS</u>	<u>STATUS DATE</u>
CHUCK NAGY	Insp Final-Structural-CO App'd	4/20/2006
<u>CONTRACTOR</u>	<u>CONTRACTOR</u>	

OBBC-CON VB  
 OBBC-USE S-2 STORAGE  
 SQUARE FT 2400  
 TOTAL VALUATION \$40,000.00

LINE # WORK DESCRIPTION  
 NEW CONSTRUCTION OF A SINGLE STORY NON-SPRINKLERED BUILDING FOR THE LANDSCAPE COMPANY GARDEN GURU.  
 WORK INCLUDES STRUCTURAL, PLUMBING, MECHANICAL AND ELECTRICAL. Code: (OBC 2002 ) Type (V-B (602.5)) Use (S-2  
 (311.3) ) Design Occupant Load: 5

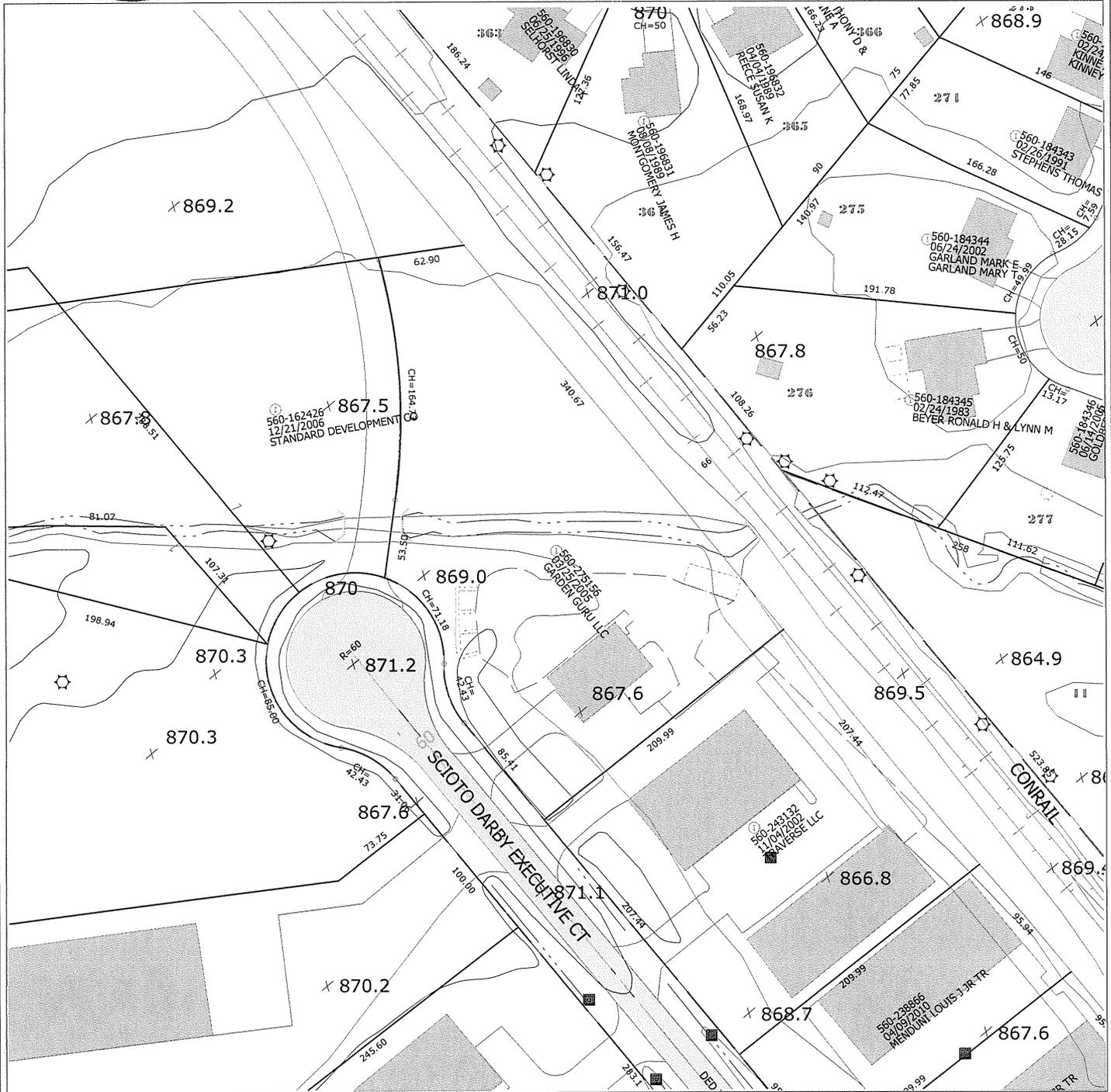
<u>OTHER APPLICATIONS</u>	
APPLICATION NUMBER	FILE DATE
PERMIT TYPE	PERMIT GROUP
PERMIT SUB TYPE	PERMIT CATEGORY
COMMENT	



# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: M

DATE: 5/26/10

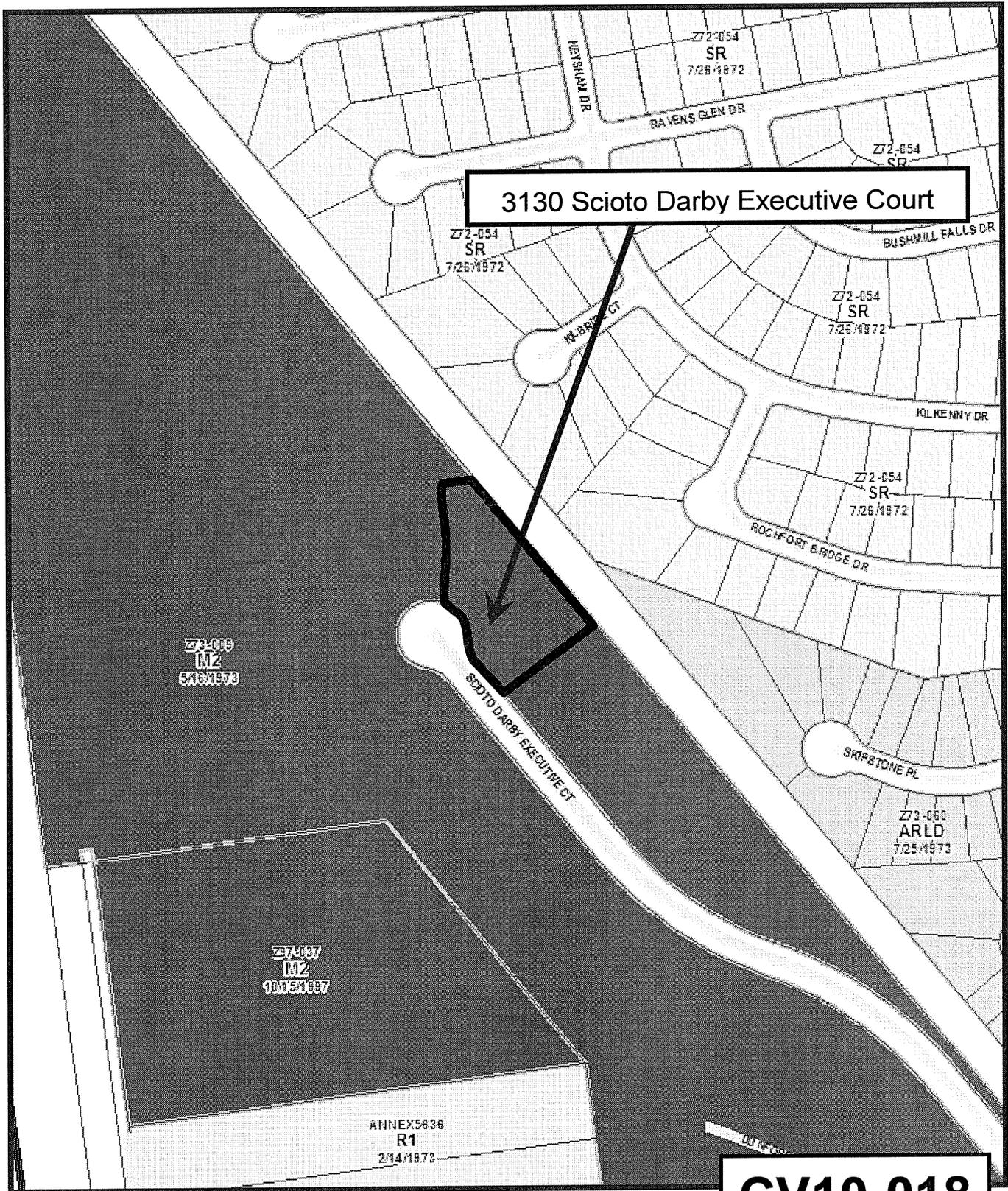


Disclaimer

Scale = 100



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.



3130 Scioto Darby Executive Court

Z73-006  
M2  
5/16/1973

Z74-007  
M2  
0/0/5/0/0/0/7

ANNEX5636  
R1  
2/14/1973

Z72-054  
SR  
7/26/1972

Z72-054  
SR

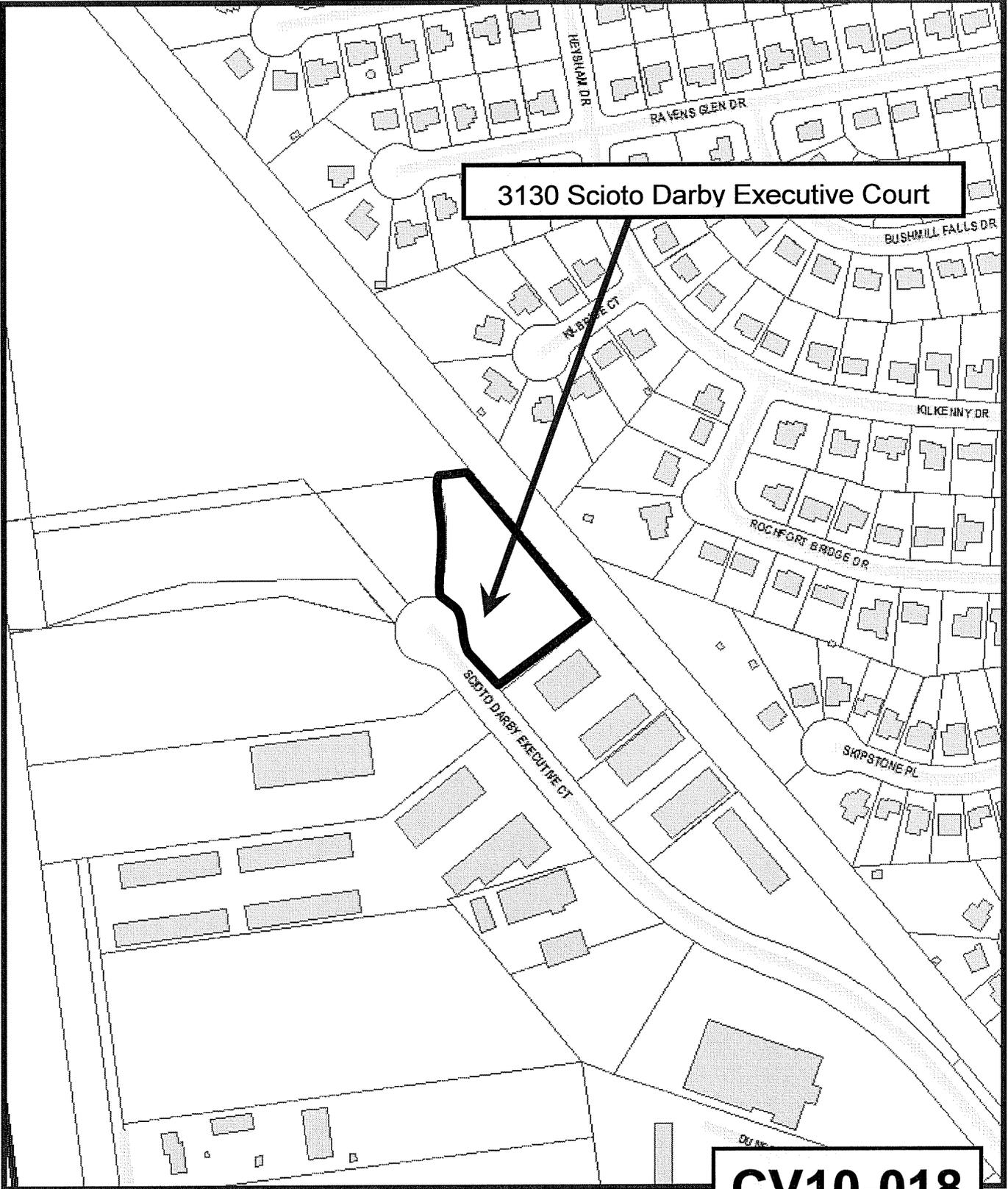
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SR  
7/26/1972

Z72-054  
SR  
7/26/1972

Z72-054  
SR  
7/26/1972

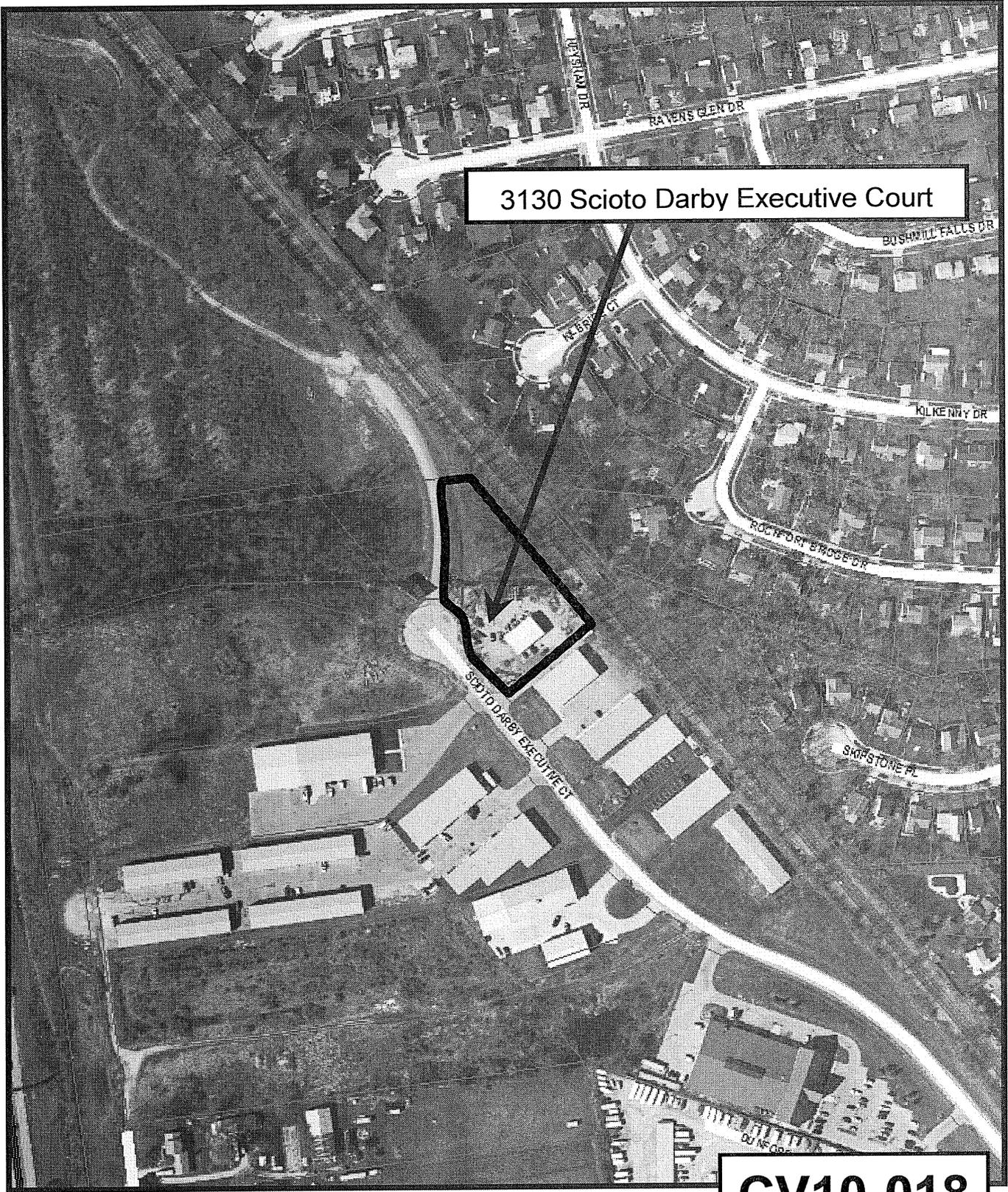
Z73-060  
ARLD  
7/25/1973

CV10-018



3130 Scioto Darby Executive Court

**CV10-018**



3130 Scioto Darby Executive Court

**CV10-018**