



Commissioner John O'Grady • Commissioner Paula Brooks • Commissioner Marilyn Brown  
President

Economic Development & Planning Department  
James Schimmer, Director

**Franklin County Board of Commissioners Rezoning Hearing**  
**Franklin County Courthouse**  
**373 South High Street – 26<sup>th</sup> Floor**  
**Columbus, OH 43215**

**Tuesday, December 13, 2016**  
**10:00 a.m.**

1. Call roll for board members
2. Introduction of staff
3. Swearing in of witnesses
4. Approval of minutes from the September 13, 2016 meeting
5. New Business:

**i. ZON-16-04 – Brad Fisher**

<b>Applicant/Owner:</b>	Ibnu Taymiyah Masjid and Islamic Center
<b>Agent:</b>	Ali Alghothani – Star Consultants, Inc.
<b>Township:</b>	Clinton and Mifflin Townships
<b>Site:</b>	3251 Westerville Rd. (PID #130-000001, 130-000002, 130-000435, 130-002720, 130-004290 and 130-004345) 3269 Westerville Rd. (PID #190-000013) 0 Innis Rd. (PID #190-002339)
<b>Acreage:</b>	27.458
<b>Zoning:</b>	Limited Industrial (LI) District
<b>Utilities:</b>	Public water and wastewater
<b>Request:</b>	Requesting to rezone from the Limited Industrial (LI) District to the Community Service (CS) District.

**ii. ZON-16-05 – Brad Fisher**

<b>Owner:</b>	Jerry A. Schmittauer
<b>Applicant:</b>	Kurtz Bros, Inc
<b>Agent:</b>	Laura MacGregor Comek, Esq.
<b>Township:</b>	Hamilton Township
<b>Site:</b>	6445 South High Street (PID #150-000396)
<b>Acreage:</b>	3.5-acres
<b>Zoning:</b>	Rural District
<b>Utilities:</b>	Public water and private wastewater
<b>Request:</b>	Requesting to rezone from the Rural District to the Community Service (CS) District.

**6. Adjournment of Meeting to January 10, 2017**



**Commissioner** John O'Grady • **Commissioner** Paula Brooks • **Commissioner** Marilyn Brown  
President

**Economic Development & Planning Department**  
James Schimmer, Director

**MINUTES OF THE  
FRANKLIN COUNTY BOARD OF COMMISSIONERS  
REZONING HEARING**

**Tuesday, September 13, 2016**

The Franklin County Board of Commissioners convened on the 26th floor, Franklin County Courthouse, 373 South High Street, Columbus, Ohio, 43215, on Tuesday, September 13, 2016.

Present were:

John O'Grady, Chairperson  
Paula Brooks, Commissioner  
Marilyn Brown, Commissioner

Franklin County Economic Development and Planning Department members:

Jenny Snapp, Assistant Director  
Matt Brown, Planning Administrator  
Brad Fisher, Planner

Chairperson O'Grady opened the hearing, which was followed by the introduction of Staff, roll call, and the swearing in of witnesses.

The first order of business being approval of the minutes of the August 9, 2016, Franklin County Board of Commissioners Rezoning Hearing.

Commissioner Brown made a motion to approve the minutes of the August 9, 2016, meeting. It was seconded by Chairperson O'Grady. The motion was approved by a two-to-zero vote. (Commissioner Paula Brooks joined the meeting)

**NEW BUSINESS:**

The next order of business being Case No. ZON-16-01. The applicant is William McQuirt. The site is located at 4635 Obetz-Reese Road, and it is 3.64 acres. The township is Hamilton Township. It is in the Select Commercial Planned District and is serviced by private water and wastewater. The request is to amend the Select Commercial Planned District. Mr. Fisher read and presented the case to the Franklin County Board of Commissioners. Commissioner Brown made a motion to approve Case No. ZON-16-01. It was seconded by Commissioner Brooks. The motion was approved by a two-to-one vote.

There being no further new business to come before the Franklin County Board of Commissioners, Commissioner Brown adjourned the meeting.

And, thereupon, the hearing adjourned at 10:46 a.m.

Minutes of the September 13, 2016, Franklin County Board of County Commissioners hearing were approved this 13th day of December, 2016.

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Signature



Commissioner John O'Grady • Commissioner Paula Brooks • Commissioner Marilyn Brown  
President

Economic Development & Planning Department  
James Schimmer, Director

**STAFF REPORT**  
Board of County Commissioners  
December 13, 2016

**Case ZON-16-04**  
Prepared by: Brad Fisher

<b>Applicant/Owner:</b>	Ibnu Taymiyah Masjid and Islamic Center
<b>Agent:</b>	Ali Alghothani – Star Consultants, Inc.
<b>Township:</b>	Clinton and Mifflin Townships
<b>Site:</b>	3251 Westerville Rd. (PID # 130-000001, 130-000002, 130-000435, 130-002720, 130-004290 and 130-004345) 3269 Westerville Rd. (PID # 190-000013)
<b>Acreage:</b>	27.458-acres
<b>Zoning:</b>	Limited Industrial (LI) District
<b>Utilities:</b>	Public water and wastewater
<b>Request:</b>	Requesting to rezone from the Limited Industrial (LI) District to the Community Service (CS) District.

**Summary**

The applicant is requesting a rezoning from the Limited Industrial (LI) District to the Community Service (CS) District to allow for the redevelopment of a vacant site. The site would be redeveloped as a mixed-use facility to include the following uses: religious, retail stores, restaurants, personal services, administrative, educational, residential, and daycare. All uses but restaurants are prohibited within the current zoning district. The request is consistent with recommendations of the Clinton-Mifflin Land Use Plan. Staff recommends approval with conditions.

**Request**

The site is located on the south side of Innis Road and the west side of Westerville Road, along the Clinton and Mifflin Township border. The site is developed with 1 building that is 11.5 acres in size and parking areas. The building was constructed in 1966 with an addition in 1989, and has a footprint of 499,766 square feet. There are loading docks to the south and west of the building.

The applicant desires to renovate the existing building and site, and is requesting the rezoning to allow for a mixed-use development. The site has two existing access drives to Innis Road and five existing access drives to Westerville Road. The building has been vacant for approximately 8 years.

**Surrounding Land Use/Zoning**

<b>Direction</b>	<b>Zoning</b>	<b>Land Use</b>
North	Commercial & Manufacturing (City of Columbus)	Post Office & Storage
South	Limited Industrial (LI) & Community Service (CS) (Clinton Township)	Mobile Homes & Religious
East	Community Service (CS) (Mifflin Township)	Retail
West	Limited Industrial (LI) (Clinton Township) & Manufacturing (City of Columbus)	Manufacturing

**Comprehensive Plan**

The Clinton-Mifflin Comprehensive Plan, adopted in June 2009, contains a Future Land Use Map and Goal Statements that recommend this property for commercial and multi-family residential use. Corresponding zoning districts include: Suburban Apartment Residential (R-24), Community Service (CS), Community Commercial (CC), Neighborhood Commercial (NC) and Suburban Office (SO) Districts.

The requested zoning district is consistent with the Plan’s future land use recommendation and Goal Statements.

**Existing Zoning**

The site is currently zoned Limited Industrial (LI) which is intended for a broad range of industrial activities to include outdoor storage, general warehouse-related truck traffic and service vehicles. The site is also subject to the Smart Growth Overlay. The proposed rezoning is to the underlying Limited Industrial (LI) District and if approved, the Smart Growth Overlay will still apply.

**Staff Analysis**

Community Service:

The Community Service (CS) District is intended for sales, service, repair, and certain processing establishments serving a large trade area, usually a whole community requiring easy access to major traffic routes. The Community Services (CS) District is the most intense commercial district and allows for a wide range of commercial uses. The following are examples of permitted uses:

- Membership Organization
- Educational Services
- Radio and Television Broadcasting
- Miscellaneous General Merchandise
- Food Stores
- Laundry
- Beauty Shops
- General Merchandise Stores
- Miscellaneous Retail
- Retail Sales of Automobiles, Boats and Motorcycles
- Hotels and Motels
- Miscellaneous Repair Shops
- Motion Pictures
- Taxi Cabs
- Funeral Parlors
- Jewelry Stores
- Eating and Drinking Places
- Book Store
- Social Service

### **Development Standards**

- *Lot Size*- No minimum, except for automobile retailers which require one (1) acre.
- *Lot Width*- No minimum, except for automobile retailers which require 200 feet.
- *Landscaped Open Space*- 20% of the total lot area.
- *Side Yard*-  $\frac{1}{4}$  the sum of the height and width of the structure or 25 feet, whichever is greater. Ten (10) feet when adjacent to another commercial district.
- *Rear Yard*-  $\frac{1}{4}$  the sum of the height and width of the structure or 25 feet, whichever is greater.
- *Front Green Belt*- 15 feet wide, between the street right-of-way line and any paved area.

The existing building and site development is non-conforming in the current Limited Industrial (LI) District and will remain non-conforming in the proposed Community Service (CS) District.

### **Technical Agency Review:**

#### **Franklin County Engineer's Office**

A traffic impact study will be required.

#### **Franklin County Drainage Engineer's Office**

Indicated no concerns with the proposed rezoning.

#### **Franklin Soil & Water Conservation District**

Indicated no concerns with the proposed rezoning.

#### **Ohio Department of Transportation**

Based on the description of development, a Traffic Impact Study will be required. The Traffic Impact Study would be expected to involve the number and locations of drives and possible turn lanes. The existing property layout contains multiple driveways with no proposed turn lanes. Adjacent traffic signals may be necessary depending on the results of the Traffic Impact Study review.

### **Staff Review**

The proposed rezoning keeps with the land use recommendation of the adopted comprehensive plan and meets the intent of the Community Service (CS) District by rezoning the site to allow for commercial and multi-family residential uses, while providing accessible services to the community.

Staff believes that the proposed rezoning advances the general health, safety and welfare of the public by encouraging appropriate use and development of the land affected and the overall development of the surrounding area.

### **Staff Recommendation**

Staff recommends **approval** with conditions of the request to rezone from the Limited Industrial (LI) District to the Community Service (CS) District. The conditions are as follows:

1. The applicant must submit a revised rezoning application form with the correct parcel numbers and acreage indicated prior to consideration by the Rural Zoning Commission.
2. The applicant must complete a Traffic Impact Study to the satisfaction of the Ohio Department of Transportation and the Franklin County Engineer's Office prior to issuance of a Certificate of Zoning Compliance.
3. The applicant must apply for and receive a Certificate of Zoning Compliance prior to any development occurring on the site.
4. A new Certificate of Zoning Compliance is required prior to any new uses or change in use of any portions of the building.

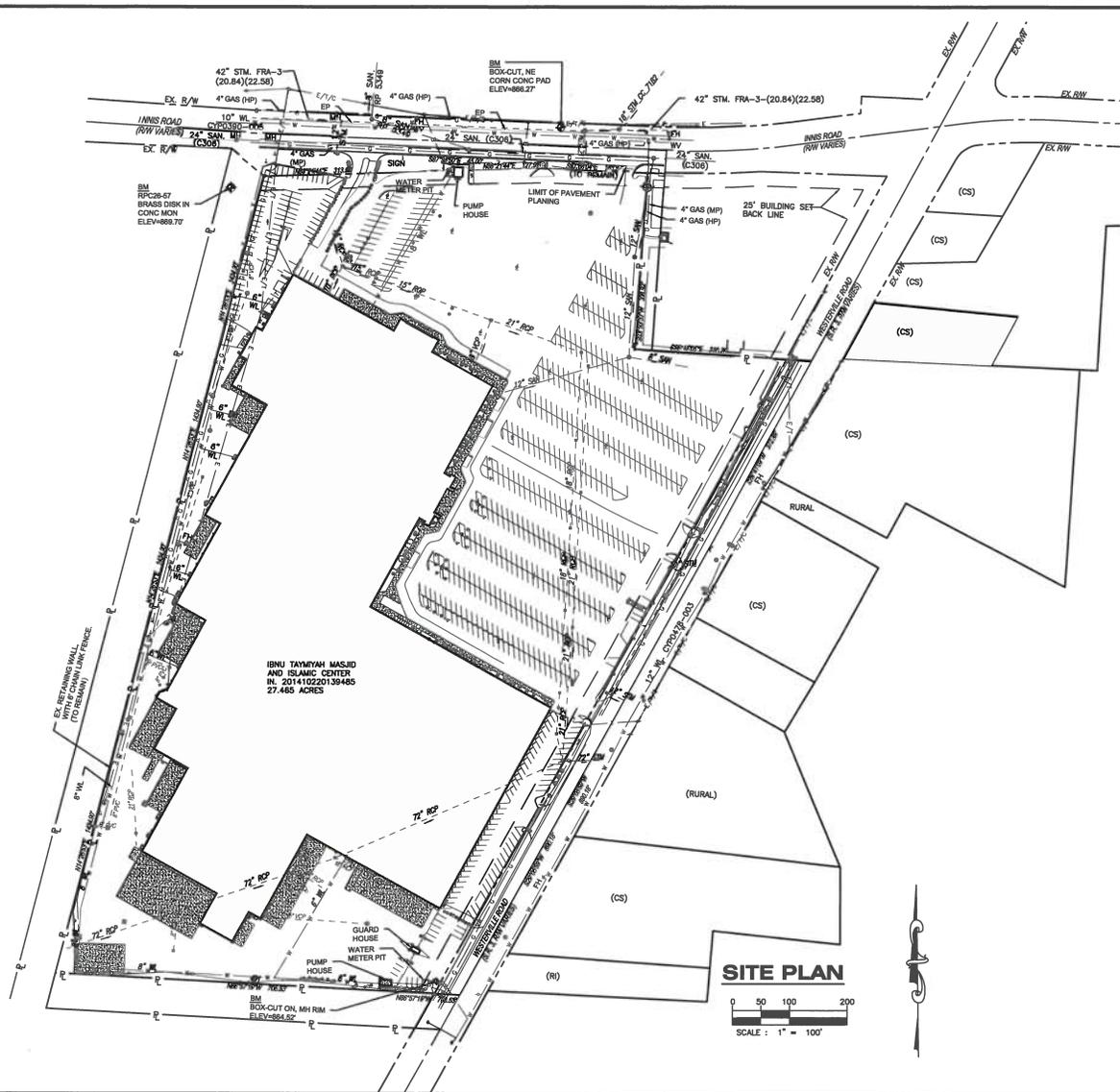
### **Planning Commission Recommendation**

On Wednesday, November 9, 2016, the Franklin County Planning Commission recommended **approval** of the proposed rezoning with staff's recommendations.

### **Rural Zoning Commission Recommendation**

On Thursday, November 17, 2016, the Franklin County Rural Zoning Commission **approved** the proposed rezoning with the following conditions:

1. The applicant must complete a Traffic Impact Study to the satisfaction of the Ohio Department of Transportation and the Franklin County Engineer's Office prior to issuance of a Certificate of Zoning Compliance.
2. The applicant must apply for and receive a Certificate of Zoning Compliance prior to any development occurring on the site.
3. A new Certificate of Zoning Compliance is required prior to any new uses or change in use of any portions of the building.



**RECEIVED**  
**OCT 18 2016**  
 Franklin County Planning Department  
 Franklin County, OH

2016-16-04

**LEGEND**

- |        |                           |         |                          |
|--------|---------------------------|---------|--------------------------|
| ●      | 5/8" CAPPED IRON PIN SET  | ⊖       | TELEPHONE MANHOLE        |
| ○      | 5/8" IRON PIN FOUND       | ⊕       | TELEPHONE PEDESTAL       |
| ○      | 1" IRON PIPE FOUND        | — G —   | GAS MAIN                 |
| ▲      | NAIL SET                  | ●       | GAS VALVE                |
| ▲      | NAIL FOUND                | — UC —  | UNDERGROUND CABLE TV     |
| ⊕      | BENCHMARK                 | — W —   | WATER MAIN               |
| ⊕      | UTILITY POLE              | ●       | FIRE HYDRANT             |
| — G —  | GUY WIRE                  | ⊕       | WATER VALVE              |
| — UE — | UNDERGROUND ELECTRIC      | ⊕       | WATER METER              |
| — E —  | OVERHEAD ELECTRIC         | ⊕       | IRRIGATION CONTROL VALVE |
| ⊕      | HVAC UNIT                 | ⊕       | MANHOLE                  |
| ⊕      | TRANSFORMER               | ⊕       | CLEAN OUT                |
| ⊕      | GROUND LIGHT              | — S —   | SANITARY SEWER           |
| ⊕      | ELECTRIC BOX              | — SS —  | STORM SEWER              |
| ⊕      | LIGHT POLE                | ■       | CATCH BASIN              |
| — UT — | UNDERGROUND TELEPHONE     | ⊕       | INLET                    |
| — T —  | OVERHEAD TELEPHONE        | ⊕       | YARD DRAIN               |
| ⊕      | TRAFFIC CONTROL CABINET   | ⊕       | DOWN SPOUT               |
| ⊕      | TRAFFIC SIGNAL POLE       | — 751 — | CONTOUR LINES            |
| ⊕      | SIGN                      | — 750 — | CONTOUR LINES            |
| ⊕      | GUARD POST (PIPE BOLLARD) | ■       | CONCRETE                 |
| ⊕      | FLAG POLE                 | ■       | ASPHALT                  |
| ⊕      | FENCE                     | ■       | BRICK / PAVER            |
| ⊕      | HARDWOOD TREE             | ■       | GRAVEL                   |
| ⊕      | SOIL BORING               |         |                          |

**SITE PLAN**  
 SCALE : 1" = 100'

REVISIONS			REVISIONS		
REV#	DATE	REMARKS	REV#	DATE	REMARKS

**IBNU TYMIYAH MASJID**  
**MUSLIM COMMUNITY CENTER**  
 3251 WESTERVILLE ROAD  
 CLINTON TOWNSHIP, OH 43224  
**EXISTING SITE PLAN**



	PT# 150006
	DATE: X.X.X.
	DGN BY: MB & CM
	REV BY: AM
SHEET	



**ZON-16-04**

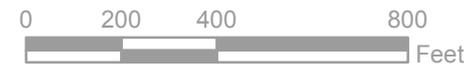
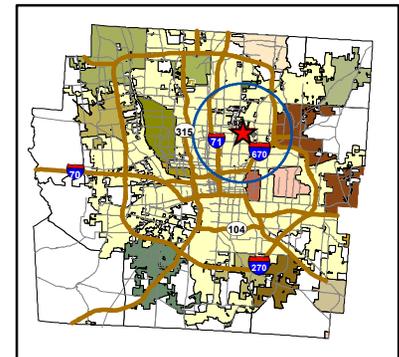
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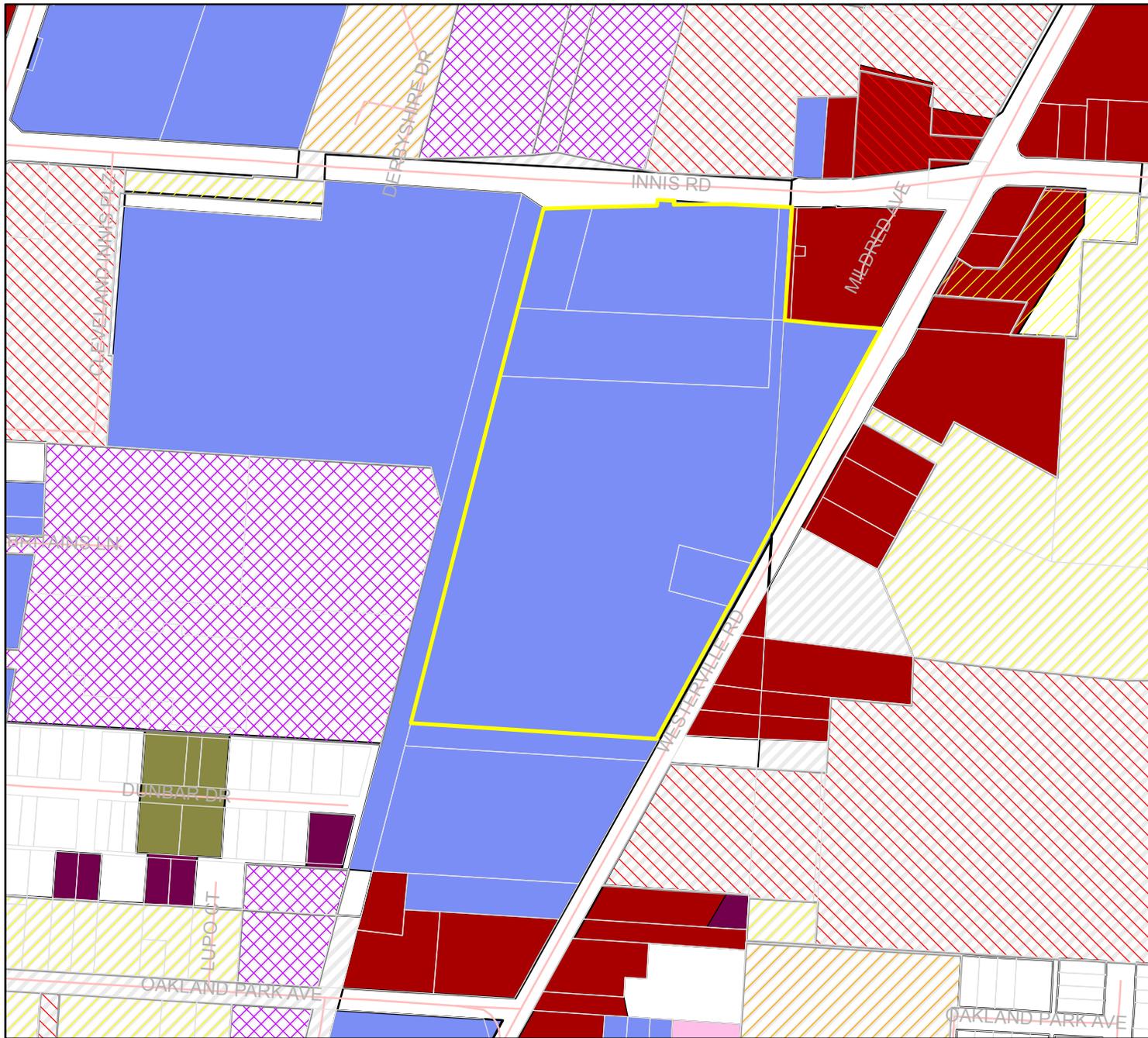
Requesting to rezone from the Limited Industrial (LI) District to the Community Service (CS) District.

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Acres: 27.458  
 Township: Clinton, Mifflin

-  Site
-  Parcels
-  Streets





**ZON-16-04**

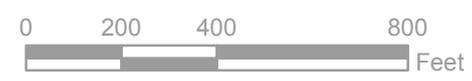
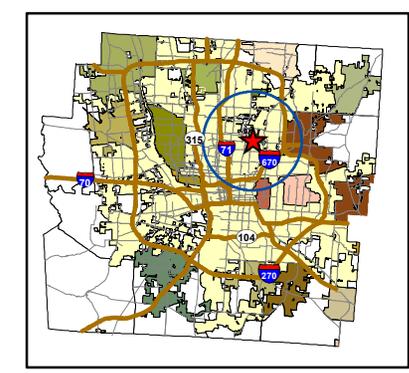
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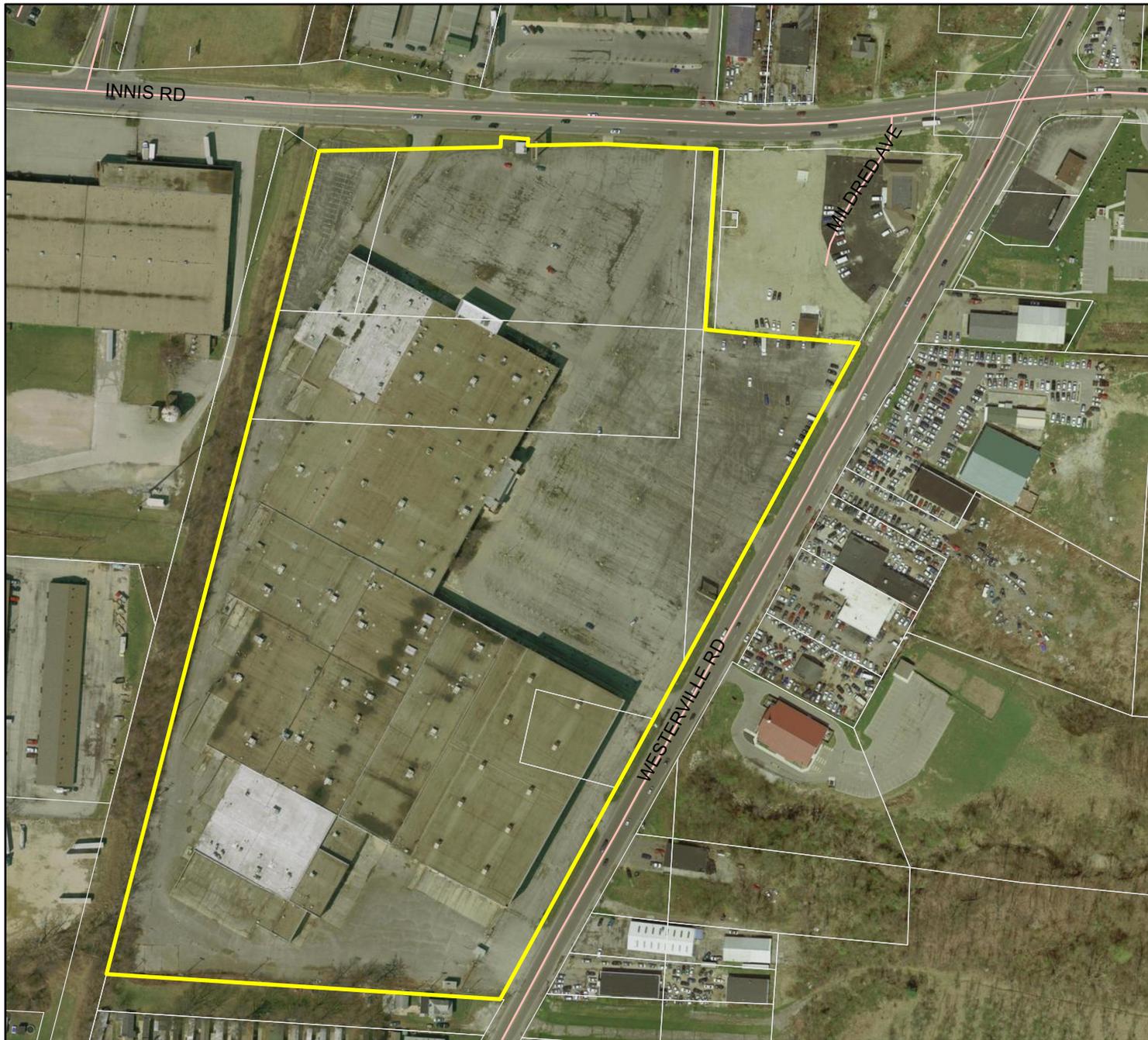
Requesting to rezone from the Limited Industrial (LI) District to the Community Service (CS) District.

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Acres: 27.458  
Township: Clinton, Mifflin

- Site
  - Parcels
  - Streets
- Zoning**
- Residential
  - Multi-family
  - Commercial
  - Manufacturing
  - Community Service
  - Limited Industrial
  - Restricted Industrial
  - Restricted Urban Residential
  - Rural
  - Suburban Apartment Residential
  - Urban Residential



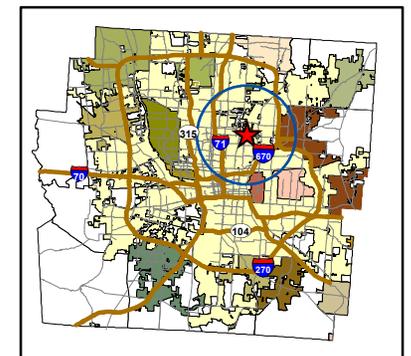


# ZON-16-04

Requesting to rezone from the Limited Industrial (LI) District to the Community Service (CS) District.

Acres: 27.458  
Township: Clinton, Mifflin

-  Site
-  Parcels
-  Streets





Commissioner John O'Grady • Commissioner Paula Brooks • Commissioner Marilyn Brown  
 President

Economic Development & Planning Department  
 James Schimmer, Director

***STAFF REPORT***  
 Board of County Commissioners  
 December 13, 2016

**Case ZON-16-05**  
 Prepared by: Brad Fisher

<b>Owner:</b>	Jerry A. Schmittauer
<b>Applicant:</b>	Kurtz Bros, Inc
<b>Agent:</b>	Laura MacGregor Comek, Esq.
<b>Township:</b>	Hamilton Townships
<b>Site:</b>	6445 South High St. (PID #150-000396)
<b>Acreage:</b>	3.5-acres
<b>Zoning:</b>	Rural
<b>Utilities:</b>	Public water and private wastewater
<b>Request:</b>	Requesting to rezone from the Rural District to the Community Service (CS) District.

**Summary**

The applicant is requesting a rezoning from the Rural District to the Community Service (CS) District to allow for mulch and landscaping supplies services. These are prohibited uses within the current Rural Zoning District. Staff recommends approval with conditions.

**Request**

The site is located on the west side of South High Street (US 23), just south of London-Groveport Road in Hamilton Township. The subject property is split-zoned, with the western portion zoned Rural and the eastern portion zoned Community Service (CS). There is an existing auto sales use operating on the eastern portion of the site. The site consists of vacant land, a parking area, and three small structures.

The applicant is requesting to rezone the western portion of the site to allow for the operation of a mulch and landscaping business. The site has one access point to S. High Street, a four-lane highway. The proposed rezoning will unify the property under one zoning district.

**Surrounding Land Use/Zoning**

Direction	Zoning	Land Use
North	Community Service (CS) & Rural (Hamilton Twp)	Motel & Single-Family
South	Community Service (CS) (Hamilton Twp)	Restaurant & Retail
East	Residential (City of Columbus)	Cemetery
West	Excavation and Quarry (Hamilton Twp)	Vacant

## **Comprehensive Plan**

The South Central Accord, adopted in 1997, contains a Future Land Use Map that recommends the site for commercial and mixed-use village development. The Plan also includes a Groundwater Pollution Potential Map that rates the site as having the highest potential for groundwater pollution. The site is located just outside of the Columbus South Wellfield Protection Area. There are also Guiding Principles in the Plan that recommend safeguarding the Wellfield Protection Area and providing a variety of land uses to establish a balance in the area.

The proposed rezoning will allow for a wider diversity of land uses in the area and any proposed land uses will be required to meet Wellfield Protection requirements.

## **Staff Analysis**

### Community Service:

The Community Service (CS) District is intended for sales, service, repair, and certain processing establishments serving a large trade area, usually a whole community requiring easy access to major traffic routes. This district also provides an appropriate setting and environment that promotes vehicle sales and allows for permanent, visible outside storage and display areas. The Community Services (CS) District is the most intense commercial district and allows for a wide range of commercial uses. The following are examples of permitted uses:

- Landscape Services
- Educational Services
- Miscellaneous General Merchandise
- Food Stores
- Florists
- Automotive Services
- General Merchandise Stores
- Gasoline Service Station
- Furniture and Home Furnishing Stores
- Miscellaneous Retail
- Retail Sales of Automobiles, Boats and Motorcycles
- Miscellaneous Repair Shops
- Amusement and Recreation Services
- Funeral Parlors
- Radio and Television Broadcasting
- Social Services
- Building Material/Garden Supplies
- Veterinary Services
- Animal Specialty Services

## **Development Standards**

- *Lot Size*- No minimum, except for automobile retailers which require one acre.
- *Lot Width*- No minimum, except for automobile retailers which require 200 feet.
- *Landscaped Open Space*- 20%.
- *Side Yard*-  $\frac{1}{4}$  the sum of the height of the structure or 25 feet, whichever is greater. Ten feet when adjacent to another commercial district.
- *Rear Yard*-  $\frac{1}{4}$  the sum of the height of the structure or 25 feet, whichever is greater.
- *Front Green Belt*- 15 feet wide, between the street right-of-way line and paved area.
- *Screening of Exterior Storage*- Exterior storage shall not be permitted adjacent to a residential district unless screened with a one hundred percent opaque wall or vegetation buffer.

**Technical Agency Review:**

**Franklin County Engineer's Office**

Provided no comments toward the proposed rezoning.

**Franklin Soil and Water Conservation District**

Provided no concerns toward the proposed rezoning.

**Ohio Department of Traffic**

Stated that if the future development is a change of use per the Ohio Department of Transportation (ODOT) Access Management Manual, a permit is required and ODOT will need to determine if a turn lane analysis or Traffic Impact Study is needed.

**Staff Review**

The location proposed for rezoning meets the intent of the Community Service (CS) District, which is to meet the need of commercial sales establishments, allowing for visible outside storage and display areas and will serve the surrounding communities. The site is located on a major traffic route, providing easy access to the surrounding population.

Staff believes that the proposed rezoning advances the general health, safety and welfare of the public by encouraging appropriate use and development of the land affected and the overall development of the surrounding area.

**Staff Recommendation**

Staff recommends **approval** with conditions of the request to rezone from the Rural District to the Community Service (CS) District. The conditions of approval are as follows:

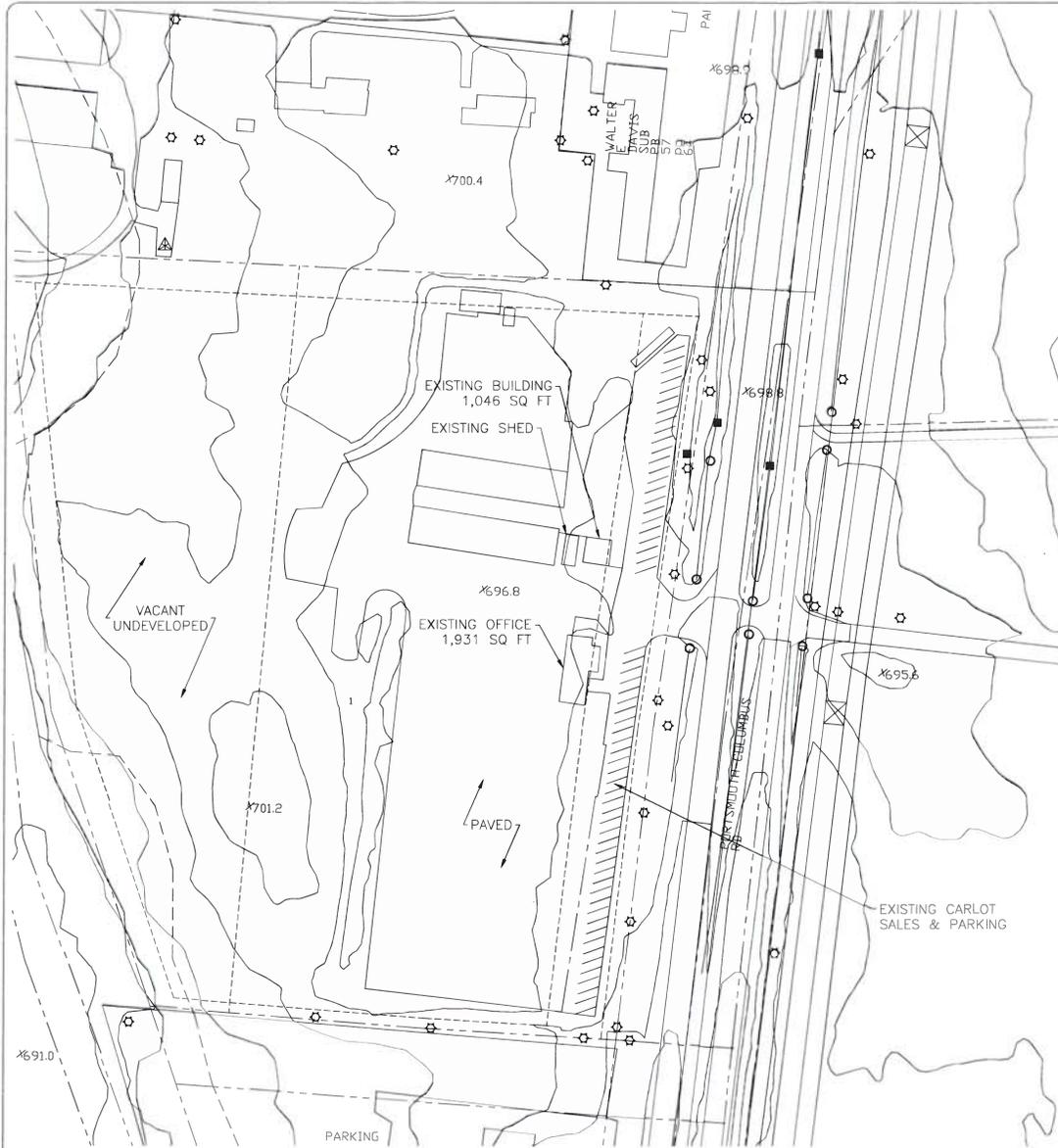
1. The applicant must satisfy all transportation requirements of the Ohio Department of Transportation prior to issuance of a Certificate of Zoning Compliance.
2. The Columbus Department of Public Utilities must review and approve any development proposal to ensure the protection of the Wellfield area prior to the issuance of a Certificate of Zoning Compliance.
3. The applicant must apply for and receive a Certificate of Zoning Compliance prior to any change in use or development of the site.

**Planning Commission Recommendation**

On Wednesday, November 9, 2016, the Franklin County Planning Commission recommended **approval** of the proposed rezoning with staff's recommendations.

**Rural Zoning Commission Recommendation**

On Thursday, November 17, 2016, the Franklin County Rural Zoning Commission **approved** the proposed rezoning with Planning Commission's recommendations.

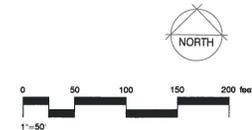


SITE ANALYSIS  
 CS-COMMUNITY SERVICE DISTRICT  
 TOTAL ACERAGE = ± 12.19  
 R/W = ± 1.86  
 R EXISTING = ± 3.50  
 CS EXISTING = ± 6.83

± 2976sf (3 BUILDINGS)  
 1 SPACE PER MOTOR VEHICLES USED IN BUSINESS  
 1 SPACE PER 3,000 SF OF GROSS FLOOR AREA

**RECEIVED**  
**OCT 18 2016**  
 Franklin County Planning Department  
 Franklin County, Ohio

ZON-16-05



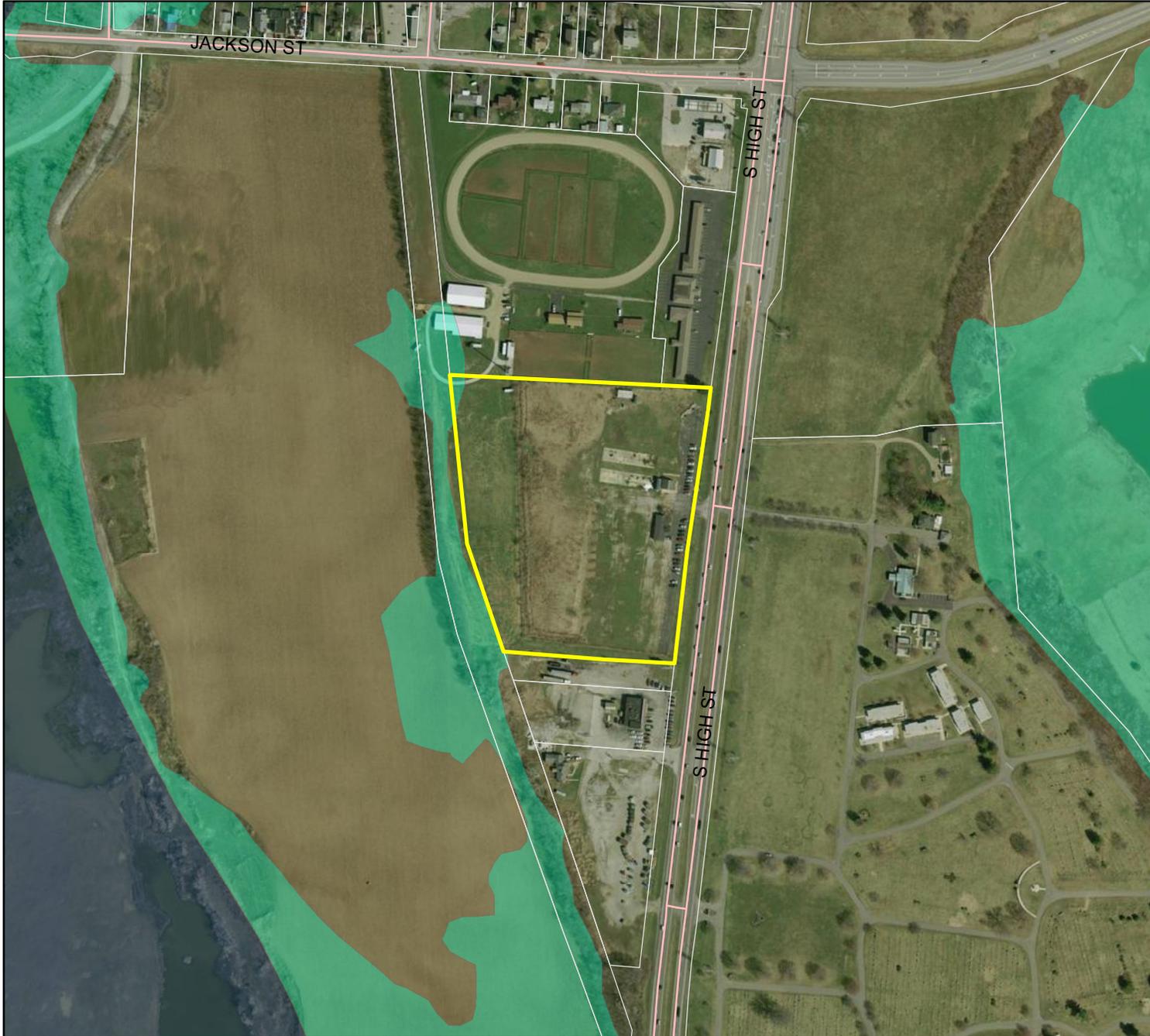
**Kurtz Brothers**  
 6445 South High Street  
 Franklin County, Ohio

PROJECT #016-128  
 October 17, 2016

SHEET INFORMATION  
 CURRENT DATE  
 October 17, 2016  
 REVISIONS

SHEET TITLE  
 EXISTING  
 CONDITIONS PLAN  
 SCALE  
 AS NOTED  
 SHEET NO.

**1**

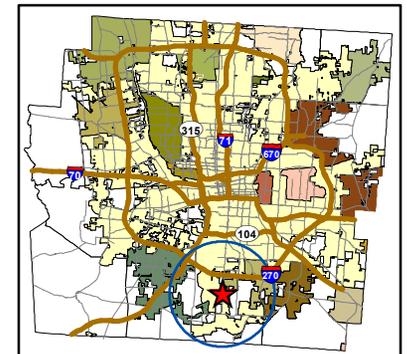


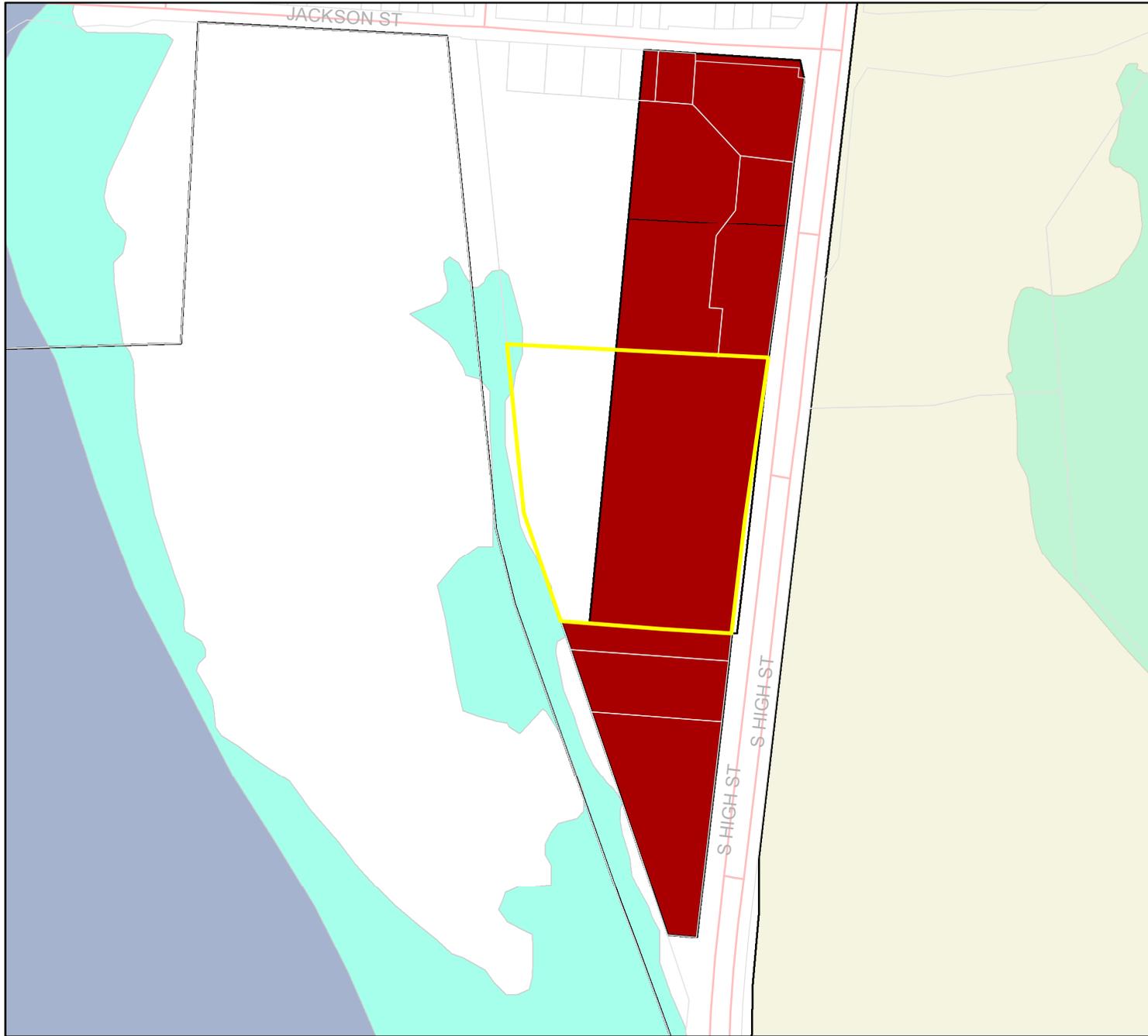
# ZON-16-05

Requesting to rezone from the Rural District to the Community Service (CS) District.

Acres: 3.5  
Township: Hamilton

- 6445 South High
- Parcels
- Streets





**ZON-16-05**

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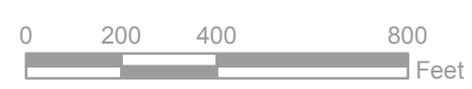
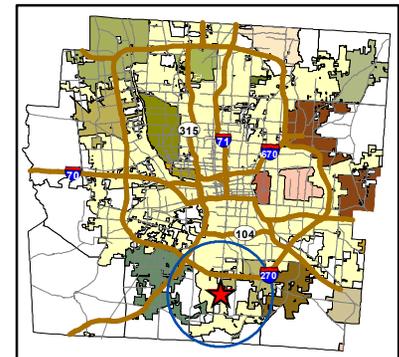
Requesting to rezone from the Rural District to the Community Service (CS) District.

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Acres: 3.5  
Township: Hamilton

-  6445 South High
-  Parcels
-  Streets
-  Floodway Fringe
-  Floodway

- ZONING**
-  Community Service
  -  Rural
  -  Columbus





## ZON-16-05

Requesting to rezone from the Rural District to the Community Service (CS) District.

Acres: 3.5  
Township: Hamilton

-  6445 South High
-  Parcels
-  Streets

