



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

Economic Development & Planning Department
James Schimmer, Director

Franklin County Board of Zoning Appeals

Franklin County Courthouse
Commissioner’s Hearing Room – 26th Floor
Columbus, OH 43215

Tuesday, March 16, 2015
1:30 p.m.

1. Call roll for board members
2. Introduction of staff
3. Swearing in of witnesses
4. Approval of minutes from the February 17, 2015 meeting
5. New Business:

i. VA-3829 – Jonathan Lee

Agent:	Richard Butz
Owner:	Excite Unlimited Motor Sports
Township:	Mifflin Township
Site:	3430 and 3386 Westerville Road (PID #190-003181 and 190-000202)
Acreage:	1.16 and 0.94-acres
Zoning:	Community Service District (CS)
Utilities:	Public water and wastewater
Request:	Requesting a Variance from Sections 332.041(a), 332.042(b), 670.088(g(2)), and 670.0812(c) of the Franklin County Zoning Resolution to allow an auto sales use and site changes that will fail to meet the minimum lot size, minimum lot width, chain link fence and number of parking spaces requirements on a lot subject to the Smart Growth Overlay in an area zoned Community Service (CS).

6. Approval of By-Laws
7. Adjournment of Meeting to April 20, 2015



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

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MINUTES OF THE FRANKLIN COUNTY BOARD OF ZONING APPEALS

Tuesday, February 17, 2015

The Franklin County Board of Zoning Appeals convened on the 26th floor, Franklin County Courthouse, 373 South High Street, Columbus, Ohio, 43215, on Tuesday, February 17, 2015.

Present were:

Gary Dever, Chairperson
Christopher Baer, Vice Chairperson
Tim Guyton

Franklin County Development Department members,
Matt Brown, Planning Administrator
Jonathan Lee, Planner

Chairperson Dever opened the hearing, which was followed by the swearing in of all witnesses by Mr. Brown.

OLD BUSINESS:

The first order of business being approval of the minutes of the November 17, 2014, Franklin County Board of Zoning Appeals hearing. Mr. Baer made a motion to approve the minutes. It was seconded by Mr. Guyton. The minutes were approved by a three-to-zero vote.

NEW BUSINESS:

The next order of business being Case No. VA-3828. The applicant is Barret, Easterday, Cunningham and Eselgroth, LLP. The owner is the Peters Family Farms, Inc. The site is located at 5812 Lockbourne Road. The township is Hamilton Township. It is 87.95 acres. It is in the Rural District. The request is for a Variance from Sections 302.044 of the Franklin County Zoning Resolution to allow a lot split that will fail to meet the minimum rear yard requirement in an area zoned Rural. Mr. Lee read and presented the case to the Franklin County Board of Zoning Appeals. Mr. Baer made a motion to approve Variance Case No. VA-3828 as submitted. It was seconded by Mr. Guyton. The motion was defeated by a three-to-zero vote.

Mr. Guyton made a motion to approve the Findings of Facts that the requested variance failed to satisfy the criteria of granting a variance under Section 810.041. Mr. Baer seconded the motion. The motion was approved by a three-to-zero vote.

The next order of business being approval of the bylaws. Mr. Guyton made a motion to table the approval of the bylaws until the next Board of Zoning Appeals. It was seconded by Mr. Baer. The motion was approved by a three-to-zero vote.

The next order of business being the election of Chairperson and Vice Chairperson. Mr. Guyton made a motion to retain Gary Dever as the Chairperson. It was seconded by Mr. Baer. The motion was approved by a vote of two yeses and one abstention. Mr. Guyton made a motion to retain Christopher Baer as the Vice Chairperson. It was seconded by Chairperson Dever. The motion was approved by a vote of two yeses and one abstention.

There being no further new business to come before the Board of Zoning Appeals, Mr. Baer made a motion to adjourn the hearing. It was seconded by Chairperson Dever. The motion passed by a unanimous vote.

The hearing was adjourned at 3:51 p.m.

Minutes of the February 17, 2015, Board of Zoning Appeals hearing were approved this 16th day of March, 2015.

Signature



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

Economic Development & Planning Department
James Schimmer, Director

STAFF REPORT

Board of Zoning Appeals
March 16, 2015

Case VA-3829

Prepared by: Jonathan Lee

Agent:	Richard Butz
Applicant/Owner:	Excite Unlimited Motor Sports
Township:	Mifflin Township
Site:	3430 and 3386 Westerville Road (PID #190-003181 and 190-000202)
Acreage:	1.16 and 0.94-acres
Zoning:	Community Service (CS) District
Utilities:	Public water and wastewater
Request:	Requesting a Variance from Sections 332.041(a), 332.042(b), 670.088(g(2)), and 670.0812(c) of the Franklin County Zoning Resolution to allow an auto sales use and site changes that will fail to meet the minimum lot size, minimum lot width, chain link fence and number of parking spaces requirements on a lot subject to the Smart Growth Overlay in an area zoned Community Service (CS).

Summary

The applicant is requesting variances to allow an auto sales use and site changes that will fail to meet the minimum lot size, minimum lot width, chain link fence and number of parking spaces requirements on a lot subject to the Smart Growth Overlay in an area zoned Community Service (CS). The request fails to meet the criteria for granting a variance under Section 810.041 and is inconsistent with recommendations of the Clinton-Mifflin Land Use Plan. Therefore, staff recommends denial.

Description of the Request

The subject site is located on the east side of Westerville Road approximately 140 feet north of the Westerville and Innis Roads intersection. The site consists of two adjacent parcels. The northern parcel (3430 Westerville road) includes a 2,184 square foot building used for office and auto repair bays in addition to the uses of the site for auto repossession, overnight auto storage and auto sales. The overnight auto storage use required and received approval of a Conditional Use in 2000. The applicant seeks to legitimize the auto sales use, which has no record of zoning approval, and make site changes to include reconfiguring the auto sales and storage areas, landscaping, screening and constructing a building addition. The southern parcel contains an existing house, garage, restaurant and warehouse with associated access drives and surface parking. The applicant proposes to remove the house and garage and to expand the auto sales and storage use from the northern parcel onto the southern parcel with new landscaping, fencing and screening.

Surrounding Area

Direction	Zoning	Land Use
North	Community Service (CS)	Retail
East	Multi-family (City of Columbus)	Multi-Family Residential
South	Community Service (CS)	Retail / Single-Family Residential
West	Commercial (City of Columbus)	Retail / Membership Organizations

Comprehensive Plan

The Clinton-Mifflin Land Use Plan, adopted in 2009, recommends full range commercial and multi-family uses for this particular area. Its recommendations serve to promote safe neighborhoods, complete streets and economic growth. Additionally, it designates Westerville Road as a focus area envisioned as “a commercial corridor with well-designed developments that are accessible to people traveling by any mode of transportation”. This is accomplished partly by holding new commercial development and redevelopment to design standards that have been adopted as the Smart Growth Overlay (SGO) District.

The existing and proposed use is consistent with the plan recommendation. The development proposal supports the complete streets goal and Westerville Road vision by installing sidewalk along Westerville Road and providing bicycle racks on both sites. The proposal improves site design by including landscaping along Westerville Road and throughout the site and screening the auto storage area from the street and adjacent residential uses. However, as demonstrated by the variance requests with respect to fencing and parking, the site design does not adhere to all design standards of the SGO and does not entirely follow recommendations of the Clinton-Mifflin Land Use Plan.

Staff Review

Variance from Section 332.041(a) – Minimum Lot Size:

- For uses listed in SIC Code #55 (auto sales), there shall be a lot size of one (1) acre in size abutting a public street.
 - The applicant is requesting to use a portion of 3386 Westerville Road for auto sales, which is 0.94 acres in size.
 - A variance of approximately 0.06 acres is required.

Variance from Section 332.042(b) – Minimum Lot Width:

- For uses listed in SIC Code #55 (auto sales), there shall be a lot width of not less than two hundred (200) feet abutting on and having access to a public street right-of-way depicted as a major arterial street on the Franklin County Thoroughfare Plan, current edition.
 - The applicant is requesting to use 3430 Westerville and 3386 Westerville Road for auto sales, which have a lot width of 180 and 190 feet, respectively.
 - A variance of approximately 10-20 feet is required for each lot since they remain as separate parcels.

Variance from Section 670.088(g(2)) – Chain Link Fences:

- Chain link fences are not permitted in the Smart Growth Overlay District.
 - The applicant is requesting to expand existing non-conforming chain link fence from 3430 Westerville Road onto 3386 Westerville Road.

Variance from Section 670.0812(c) – Number of Parking Spaces:

- The Smart Growth Overlay District has a maximum number of parking spaces permitted.
 - The applicant is requesting to exceed the maximum number of parking spaces permitted by adding four additional spaces at 3386 Westerville Road.

Technical Agencies

The Franklin County Engineer's Office and Franklin Soil and Water Conservation District reviewed the request and did not pose any concerns.

The Ohio Department of Transportation requires that the applicant secure permits prior to constructing the proposed sidewalk in the Westerville road right-of-way.

Staff Analysis– Section 810.41:

The Franklin County Zoning Resolution identifies 5 criteria in Section 810.041 that must be satisfied to approve a variance request:

- 1) *Special conditions and circumstances exist which are peculiar to the structure/property involved which are not applicable to other structures/property in the same zoning district;*
 - » The requests do not meet this criteria:
 - Minimum Lot Size and Width – 332.041(a) and 332.042(b)
 - Applicant states they cannot combine both parcels due to deed restrictions requested by the previous property owner.
 - Staff notes that deed restrictions are private agreements and not related to zoning standards. Therefore, they are not considered special conditions that serve to distinguish this property from other property located in the same zoning district.
 - Chain Link Fences – 670.088(g(2))
 - The applicant states that this property is at risk for significant criminal activity given past history and the products stored and sold on site.
 - Staff notes that this not a special condition unique to this site. Other property in the same zoning district must anticipate and manage these issues while still meeting zoning standards.
 - Number of Parking Spaces - 670.0812(c)
 - The applicant identified the existing parking as non-conforming but did not clearly indicate the special circumstances or conditions for the property as they relate to this variance request.
 - Based on Staff review, there are no special conditions or circumstances peculiar to this property related to this request.
- 2) *A literal interpretation of the provisions of this Zoning Resolution would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Zoning Resolution;*
 - » The requests do not meet this criteria:
 - Minimum Lot Size and Width – 332.041(a) and 332.042(b)
 - Staff maintains that a literal interpretation does not deprive the applicant of any rights enjoyed by other properties in the same zoning district. Any present limitations result from private agreements between the current and previous property owner.

- Chain Link Fences – 670.088(g(2))
 - Applicant states that a literal interpretation deprives the applicant the right to protect their property.
 - Staff notes that the auto storage area is proposed to be screened with an 8 foot concrete wall as permitted. Existing chain link fence constructed with zoning approval prior to the adoption of the SGO is non-conforming and may remain until removed. The applicant is provided sufficient areas and opportunity to protect property while still meeting zoning standards applicable to other properties with similar uses located in the same zoning district.

- Number of Parking Spaces - 670.0812(c)
 - Applicant states that a literal interpretation denies them the right to provide sufficient parking for the warehouse use.
 - Staff notes that based on parking requirements, the existing parking lot not only provides enough spaces for all uses on site but exceeds the maximum permitted.

3) *The special circumstances and conditions of this request do not result from the action of the applicant;*

» The requests do not meet this criteria:

- Minimum Lot Size and Width – 332.041(a) and 332.042(b)
 - Applicant states that the inability to combine the lots does not result from their action(s).
 - Staff does not observe any special circumstances or conditions related to the request.

- Chain Link Fences – 670.088(g(2))
 - Staff notes that there are no special circumstances or conditions related to this request.

- Number of Parking Spaces - 670.0812(c)
 - Staff notes that there are no special circumstances or conditions related to this request.

4) *Granting the variance requested will not confer on the applicant special privileges that are denied by this Zoning Resolution to other lands or structures in the same Zoning District;*

» The requests do not meet this criteria:

- Minimum Lot Size and Width – 332.041(a) and 332.042(b)
 - Applicant states that this will not confer a special privilege but will allow them to be compliant with the zoning standards for auto sales.
 - Staff notes that it will confer a special privilege on the applicant as other properties must meet zoning standards regardless of particular deed restrictions and private agreements. It will also set precedent for other properties seeking relief to zoning standards affected by deed restrictions and private agreements.

- Chain Link Fences – 670.088(g(2))
 - Staff notes that other property located in the same zoning district must meet the same zoning standards. Any existing chain link fence constructed with zoning approval prior to the SGO adoption is non-conforming and is not permitted to be replaced or expanded, only maintained.

- Number of Parking Spaces - 670.0812(c)
 - Staff notes that granting the variance request allows the applicant to exceed the maximum parking spaces permitted while other property in the same zoning district must meet parking standards. Parking areas on property in the same zoning district that received past zoning approval but currently exceed the total spaces permitted are non-conforming and may not be replaced or expanded, only maintained.
- 5) *Granting the variance will not adversely affect the health or safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or be injurious to private property or public improvements in the vicinity;*
- » The requests do not meet this criteria:
- Minimum Lot Size and Width – 332.041(a) and 332.042(b)
 - Applicant states that granting the variance request will not be detrimental to the health, safety and public welfare but would allow for the property maintenance of both properties in order to benefit the neighboring properties.
 - Staff notes that the application does not show how granting this particular variance request will allow proper maintenance of the property that benefits the neighboring properties. Granting the variance request will allow a use requiring significant product inventory and display on property that does not meet minimum size and width restrictions.
 - Chain Link Fences – 670.088(g(2))
 - Applicant states that granting the variance request will decrease the potential for crime and increase safety for the property and neighboring properties.
 - Staff notes that allowing increased chain link fence on the property will not necessarily decrease criminal activity and/or increase safety in the immediate area. Granting the variance request will not support the Clinton-Mifflin Land Use Plan’s vision for well-designed commercial development, particularly along Westerville Road, as implemented by the SGO.
 - Number of Parking Spaces - 670.0812(c)
 - The applicant states that granting the variance request will benefit neighboring properties by allowing the most effective use of a commercial property that will be continually occupied and well maintained.
 - Staff notes that granting a variance request to exceed the maximum permitted parking does not support SGO site design standards meant to limit parking in proportion to landscaping features and pedestrian-oriented development. Furthermore, it will set a precedent for future similar requests.

Recommendation

Staff’s recommendation is that the BZA *deny* a Variance from Sections 332.041(a), 332.042(b), 670.088(g(2)), and 670.0812(c) of the Franklin County Zoning Resolution to allow an auto sales use and site changes that will fail to meet the minimum lot size, minimum lot width, chain link fence and number of parking spaces requirements. The reasons for denial are:

1. The request fails to meet the criteria for granting a variance under Section 810.041.
2. The request is inconsistent with recommendations of the Clinton-Mifflin Land Use Plan.

Resolution

For your convenience, the following is a proposed resolution:

(a) **Proposed Resolution for Request:**

_____ moves to approve a Variance from Sections 332.041(a), 332.042(b), 670.088(g(2)), and 670.0812(c) of the Franklin County Zoning Resolution as outlined in the request above for the applicant identified in Case No. VA-3829.

Seconded by: _____

Voting:

Findings of Fact

For your convenience, the following are proposed findings of fact:

If the resolution fails for lack of support, the following are proposed findings of fact for adoption by the BZA:

_____ moves that the basis for denying the applicant’s request for the Variance from Sections 332.041(a), 332.042(b), 670.088(g(2)), and 670.0812(c) as outlined in the request above for Case No. VA-3829 results from applicant’s failure to satisfy the criteria for granting a variance under Section 810.041.

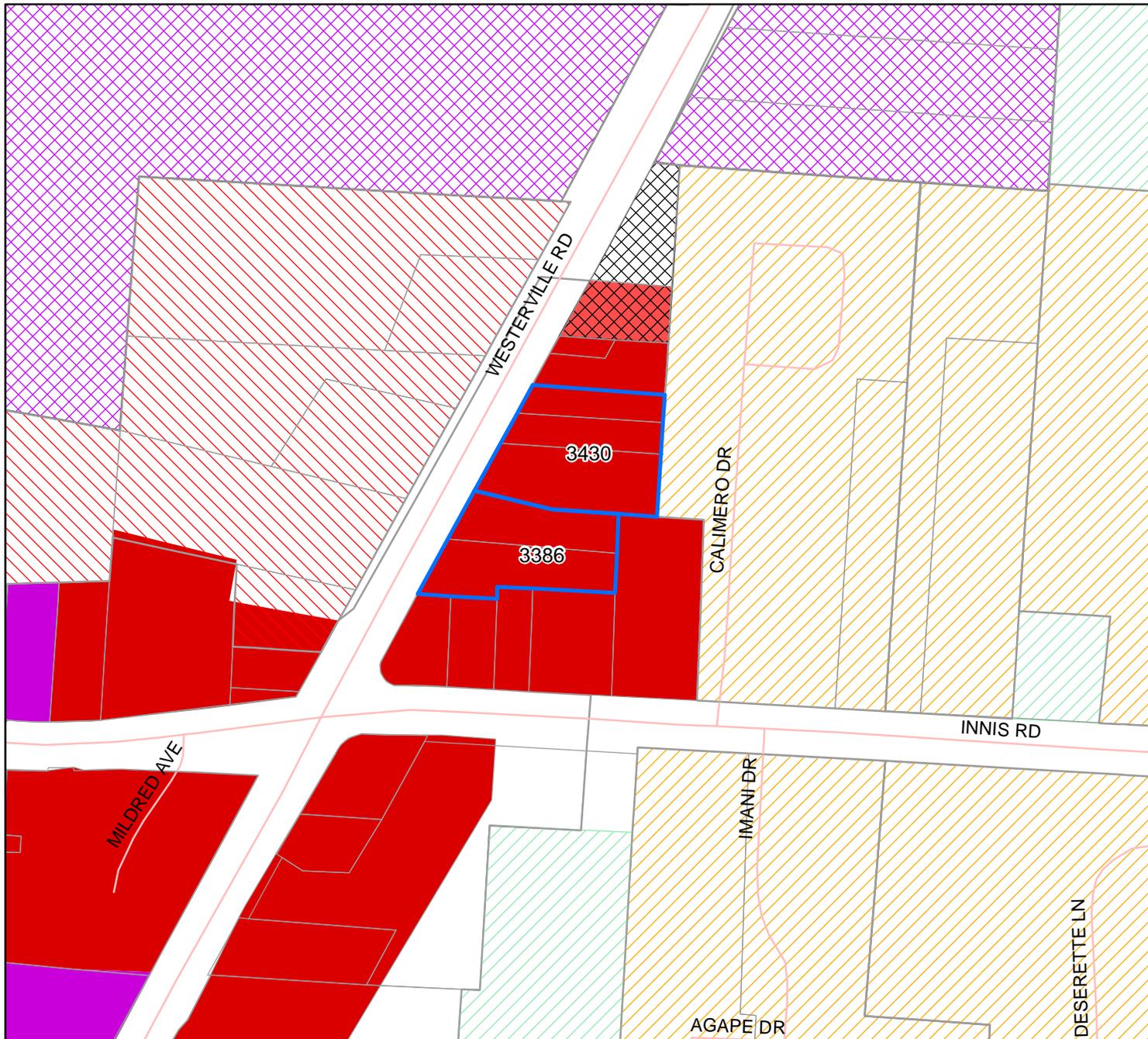
Seconded by: _____

Voting:

VA-3829

Requesting a Variance from Sections 332.041(a), 332.042(b), 670.088(g(2)), and 670.0812(c) of the Franklin County Zoning Resolution to allow an auto sales use and site changes that will fail to meet the minimum lot size, minimum lot width, chain link fence and number of parking spaces requirements on a lot subject to the Smart Growth Overlay in an area zoned Community Service (CS).

3430 Westerville Road - 1.16 acres
3386 Westerville Road - 0.94 acres
Mifflin Township



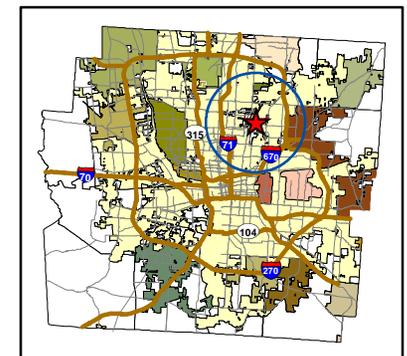
Legend

- 3430 Westerville Rd
- 3386 Westerville Rd

- Parcels
- Streets

- #### Columbus Zoning
- Residential
 - Multi-family
 - Commercial
 - Manufacturing
 - Parking

- #### County Zoning
- Rural
 - Community Com.
 - Community Service
 - Limited Industrial



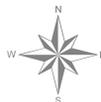
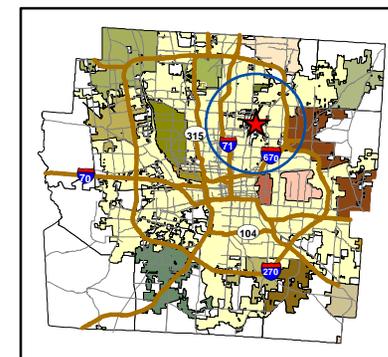


VA-3829

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3430 Westerville Road - 1.16 acres
 3386 Westerville Road - 0.94 acres
 Mifflin Township

-  3430 Westerville Rd
-  3386 Westerville Rd
-  Parcels
-  Streets
-  City of Columbus
-  Mifflin



Columbus GIS

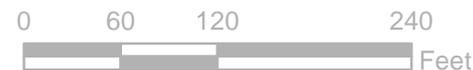
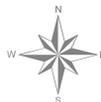
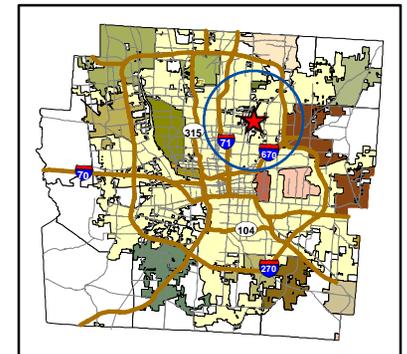


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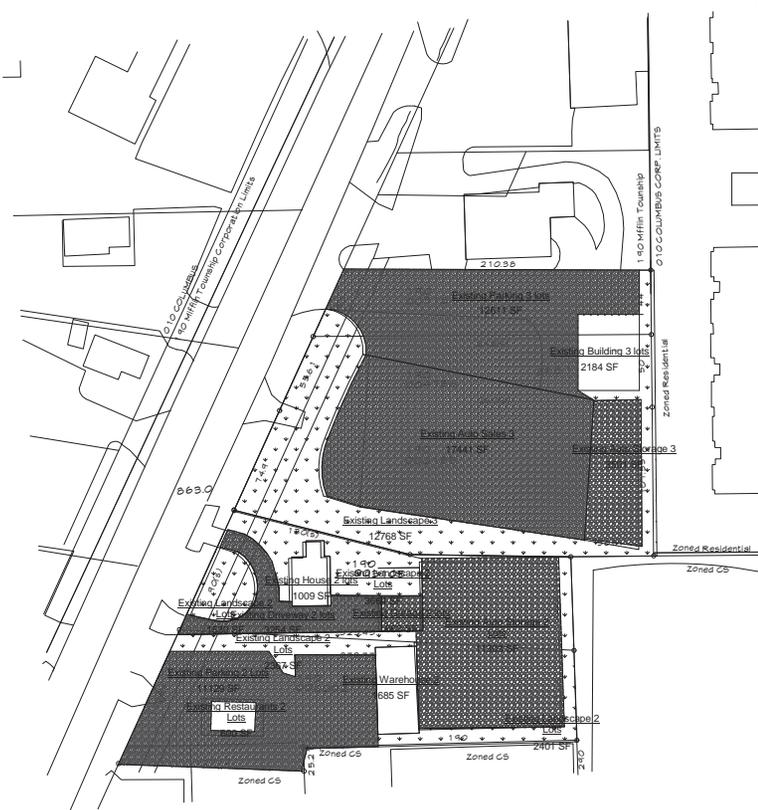
3430 Westerville Road - 1.16 acres
 3386 Westerville Road - 0.94 acres
 Mifflin Township

-  3430 Westerville Rd
-  3386 Westerville Rd
-  Parcels
-  Streets
-  City of Columbus
-  Mifflin



Building Area Legend

-  Existing Auto Sales 3
-  Existing Auto Storage 2 Lots
-  Existing Auto Storage 3
-  Existing Building 3 lots
-  Existing Driveway 2 lots
-  Existing Frontage
-  Existing Garage 2 lots
-  Existing House 2 lots
-  Existing Landscape 2 Lots
-  Existing Landscape 3
-  Existing Parking 2 Lots
-  Existing Parking 3 lots
-  Existing Restaurants 2 Lots
-  Existing Warehouse 2



3430 WESTERVILLE 3 LOTS PARKING CALCULATION

Required Parking Site Area	50344 sft		
Parking Space Calculation Address	3430 Westerville Road		
Parking Requirement	General Office 1 Space per 300 sft Automobile Repair Garage 2 Spaces per service Bay		
Spaces per General Office -	General Office 300	1071	3.57 Parking spaces
Service Bay -	Service Bays x 2 6 x 2		12.00 Parking spaces
Automobile Storage -	Storage Lot Area 5000	15,154	3.03 Parking spaces
Automobile Sale -	Auto Sales Area 5000	8,136	1.63 Parking spaces
	Required Parking Spaces -		21 Parking spaces
	Actual Parking Spaces -		21 Parking spaces

3388 & 3430 WESTERVILLE 3 LOTS LANDSCAPE LOT COVERAGE

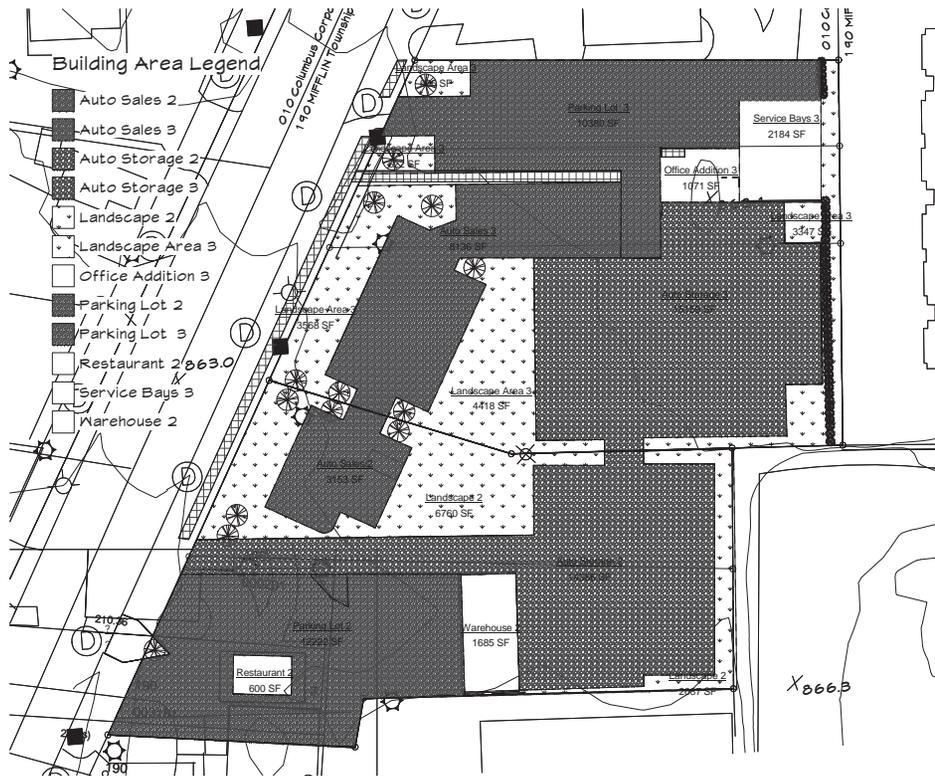
Site Area	41,264 sft
Landscape Area	14,913 sft
Lot Coverage -	36.1%
Lot Area	112,678 sft

3386 Westerville 2 Lots Parking Calculation

Site Area	40,815		
Parking Space Calculation Address	3386 Westerville Road		
Parking Requirement	Restaurant 1 Space per 15 sft Warehouse 1 Space per 3000 sft Residence 2 Spaces per dwelling Auto Storage 1 Space per 5000 sft Auto Sales 1 Space per 5000 sft		
Spaces per Restaurant -	Restaurant 600	15	6.00 Parking spaces
Spaces per Warehouse -	Warehouse 3000	1,685	0.56 Parking spaces
Spaces per Vehicle Storage -	Vehicle Storage 5000	14,386	2.88 Parking spaces
Spaces per Vehicle Storage -	Auto Sales 5000	3,153	0.63 Parking spaces
	Required Parking Spaces =		9.07 Parking spaces
	Actual Parking Spaces =		Indeterminable
	Bicycle Spaces =		1 Bicycle space

Landscape Lot Coverage 2 Lots

Required Parking Site Area	42,078
Landscape Area	14,433 sft
Lot Coverage -	34.3%
Lot Area	122,700 sft



1 Level 1 Improved Site Plan Areas
1" = 30'-0"

3430 WESTERVILLE ROAD 3 LOTS...

Name	Area	Perimeter
Parking Lot 3	10350 SF	650'-2 1/8"
Service Bays 3	2184 SF	187'-5 7/8"
Auto Sales 3	8136 SF	518'-4 7/8"
Office Addition 3	1071 SF	158'-10 1/8"
Auto Storage 3	15154 SF	552'-2 3/4"
Landscape Area 3	12561 SF	1630'-0 3/4"

3386 WESTERVILLE 2 LOTS COVERAGE AREAS

Name	Area	Perimeter
Auto Sales 2	3153 SF	244'-3"
Auto Storage 2	14386 SF	781'-6 3/8"
Landscape 2	8121 SF	1524'-0 3/8"
Parking Lot 2	12222 SF	546'-5 7/8"
Restaurant 2	600 SF	44'-11 7/8"
Warehouse 2	1685 SF	176'-1 1/4"

PROJECT TITLE & ADDRESS
 PROJECT TITLE: EXCITE AUTO SALES
 PROJECT ADDRESS: 3430 WESTERVILLE ROAD
 COLUMBUS, OHIO 43224

OWNER & ADDRESS
 OWNER:
 OWNER ADDRESS:

OWNER REP
 OWNER PHONE:

PROJECT PHASE DATES

OWNER DESIGN PROGRAM	
PERMISSIONS 1 SEPT 11	
SCHEMATIC	
DESIGN DEVELOPMENT	
CONSTRUCTION DOCUMENTS	
PERMIT	
BIDDING	
REVISION 1	
REVISION 2	

CONSULTANTS

SURVEY

STRUCTURAL

ELECTRICAL

MECHANICAL

PROJECT NUMBER & AUTHORSHIP
 PROJECT NUMBER: 14005

PROJECT ARCHITECT **APPROVER**
 DESIGNED BY DESIGNER
 DRAWN BY AUTHOR
 CHECKED BY CHECKER

COMMENT
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PROFESSIONAL ARCHITECT & SEAL
RICHARD G. BUTZ
 ARCHITECT, INC.

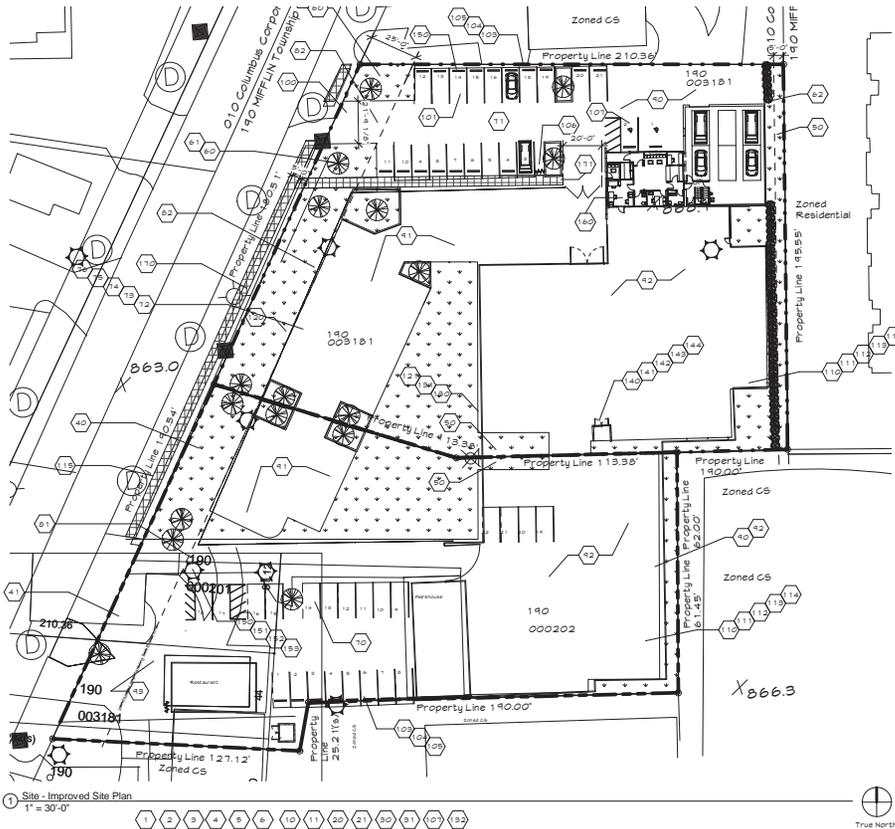
KEY PLAN

SHEET TITLE
 IMPROVED SITE PLAN
A2.01
 SHEET 4 OF 9
 WEDNESDAY, 17 DECEMBER 2014
 14005

VA-3829
 Received 2/26/2015

- General Notes**
- Project Description, Lot Size, and Frontage Plumb Notes**
- The project site is a Auto Sales with accessory uses of Office, Service Bays, and an Auto storage lot with a pre-existing uses of Restaurant and Warehouse to remain unchanged.
 - The project consists of 3 parcels, one consisting of 2 parcels to be combined and 3 parcels to be combined with an aggregate area of 40,939 sft (2.06 Acres).
 - The project frontage consists of the 2 combined parcels with a frontage length 1405.4 feet and the 3 combined parcels of 186 feet with a frontage length of 1805.1 feet with an aggregate length of 3110.5 feet.
 - Each lot combination form is submitted under separate cover.
 - All signage under separate cover.
 - All existing paving to be removed and replaced with all new paving to be match existing paving heights and grade level. Hence, there is no regrading of site work in this project.
- Professional Consultants Notes**
- Engineering
Stone Environmental Engineering and Science
748 Green Crest Drive
Westerville, Ohio 43081
Attn: Mary Sharrett
(614) 898-1874
MarySharrett@StoneEnvironmental.com
 - Surveying
Westerville Land Surveying
40 E. College Drive
Westerville, Ohio 43081
Attn: Rocky Lomano
(614) 898-2409
PLSurvey@earthlink.net
- Lot Size and Lot Plumb Notes**
- The 2 lot combination is comprised of two lots totaling 40,939 sft (0.99 Acres).
 - The 1 lot combination is comprised of three lots totaling 50318 sft (1.16 Acres).
 - The 2 lot combination frontage width is 1405.4 feet.
 - The 3 lot combination frontage width is 1805.1 feet.
- Landscape Open Space Notes**
- The 2 lot combination's open landscaped open space is 23% of the existing conditions.
 - The 3 lot combination's open landscaped open space is 23% of the existing conditions.
- Front Green Belt Space Notes**
- The 2 lot Parcel 140-00318 has a 25'-0" Green Belt Setback.
 - The 2 lot Parcel 140-00202 has an existing Green Belt Setback.
 - The 3 lot Parcels have a 25'-0" Green Belt Setback.
- Rear Yard Landscaping**
- Rear and Side yard landscaping setback is 5'-0" with the exception of the existing conditions along the North property line of the 3 Lot combination.
- Landscape Screening Notes**
- Landscaping in the Front Yard: Front yard shall be planted with one shade tree (native species, planted at a minimum of 2 inch caliper trunk) is required for each 50 linear feet, or fraction thereof, of frontage.
 - An alternative to this is to use one shade tree and three evergreen shrubs (native species, planted at a minimum of 2 1/2 inches per 50 linear feet, or fraction thereof, of frontage. Furthermore, a combination of the primary or alternative option is also permitted.
 - Screening Adjacent to Residential Property of the site to include a fence or evergreen plants. Evergreen plants must be maintained at a minimum of 15 percent opacity and to a height of six feet along the lot line that borders the residential property to the east.
- Parking Lot Landscape Notes**
- Surface parking areas in 2 lot combination has 12 parking spaces to existing and to remain in situ.
 - Surface parking areas in 3 lot combination has 21 parking spaces.
 - A landscaped island or peninsula of at least 140 square feet at least 4 feet in width with left-unpaved lot concrete curbs filled with suitable topsoil and covered with either grass, groundcover, or mulch shall be provided for every 10 parking spaces, or portion thereof.
 - No less than one (1) shade tree of 2 inches or more in caliper shall be provided in each landscaped island or peninsula.
 - Evening parking areas shall be bounded at an end by a traffic lane shall be terminated at such traffic lanes by such a landscaped island or peninsula.
 - Landscaped islands or peninsulas do not need to be uniformly spaced but must be contained within and dispersed throughout the interior of a parking lot.
 - Space devoted to interior landscaping is in addition to any required front, side or rear yard or any required screening area.
- Parking Setback Notes**
- Auto Sales Setback line is 25'-0"
 - Parking Set Back Line at 2 lot combination, Parcel 140-00202, is existing and to remain.
 - Parking setback line at the 3 lot combination, Parcel 140-00318 is 25'-0" is existing and to remain.
- Parking Surface Notes**
- Parking lot paving is existing concrete and asphalt to be resurfaced. Auto Sales Surface of the southern lot is to be new concrete.
 - Auto Storage on both the northern and southern lots paving are existing concrete to be resurfaced and re-modeled.
 - Restaurant Parking lot asphalt is existing and to remain in situ. No proposed expansion.
- Parking Lot and Bicycle Space Notes**
- 20'-0" access drives to existing
 - 4'-0" x 10'-0" standard parking space
 - 2'-0" x 10'-0" van accessible ADA parking space
 - Bumper guards designed to prohibit placed to as to prevent any part of a parked motor vehicle for extending on an adjacent property and/or building abutting on site structure.
 - Bumper guards may be concrete cast, landscaping timber or vertical poles all of which are permanently attached to the ground and designed to prohibit direct access to the public road.
 - Steel bollards with poured concrete cores are placed to protect walls at existing garage and man doors.
 - 3 lot combination 1 bicycle rack for each 20 cars calculated to 2 bicycle racks
 - 2 lot combination, existing to remain unchanged
- Porous Surfaces Notes**
- All use of porous parking surfaces is subject to the approval of the Administrative Officer, in consultation with Franklin Soil and Water Conservation District and the Franklin County Engineer's Office.
 - Any development that proposes exceeding maximum number of parking spaces using a standard sealed surface as listed above must use a porous surface for all spaces exceeding the maximum.
 - Developments may use a porous surface for any number of parking spaces.
 - In no case shall the maximum number of spaces provided exceed the limits listed above.
 - Porous surfaces must be adequately maintained in good working order, as determined by the Administrative Officer in consultation with Franklin Soil and Water Conservation District and the Franklin County Engineer's Office.
 - Porous fill service drive.
- Fence Notes**
- Existing 6'-0" chain link fence to be reconfigured as required at Auto Sales areas).
 - New 8'-0" 100% Opaque CMU fence at Auto Storage areas)
- Screening Notes**
- Auto Storage must be 100% Opaque, screened from the public street.
 - Fence materials and construction to be concrete masonry units to meet or exceed all applicable zoning regulations.
 - Per Section 10.09(B)(1) roof-mounted mechanical equipment must be screened to the height of the equipment with corrugated metal materials that are architecturally compatible with the building. Per Section 10.09(B)(2) ground-mounted mechanical equipment must be located behind the principal building and screened from the public view up to the height of the equipment.
- Dumpster Enclosure Notes**
- Dumpster located in side of the 100% opaque Auto Storage Area and to the rear of the Auto Sales Area.
 - Dumpster is a CMU wall not to exceed 8'-0" in height and not to be below the top of the actual dumpster.
 - Interior face of Dumpster wall to 2'-0" from exterior face of dumpster in all directions.
 - Dumpster to be located on an 8" concrete pad within the screened area required.
 - Dumpster to be centered within the screened area through the use bollards and curbs.
- Lighting Notes**
- Auto Sales and Service is a daylight business.
 - All lighting is existing shall be directed downwards.
 - No lighting shall be directed outward from buildings toward surrounding properties.
 - All existing lighting is mounted either on the existing building and/or light poles on the interior of the property.
- Building Height Notes**
- Office Addition is 20'-0" in height.
- Pedestrian Infrastructure Notes**
- 5'-0" sidewalk along each public right-of-way extending the breadth of the lot(s).
 - 5'-0" on site sidewalk connected to adjacent sidewalk on the side.

Master Coverage Areas for 5 Lots		
Coverage	Area	Perimeter
3 Lot Combination	50394 SF	
Auto Sales	44724 SF	1281'-8 1/4"
Auto Storage	0118 SF	646'-2 5/8"
Auto Storage	24508 SF	1332'-1 1/4"
Building	4448 SF	502'-8 1/8"
Landscape	14313 SF	2331'-6 1/4"
Parking	25088 SF	1414'-6 3/4"
2 Lot Combination	40875 SF	
Landscape	136755 SF	7513'-10 1/4"



3430 WESTERVILLE 3 LOTS PARKING CALCULATION

Required Parking Site Area	Address	50394 sft
Parking Space Calculation		
Parking Requirement:		
Auto Sales	1 Space per 5000 sft	
Auto Storage	1 Space per 5000 sft	
General Office	1 Space per 500 sft	
Automobile Repair Garage	2 Spaces per service Bay	
Restaurant	1 Space per 19 sft	
Warehouse	1 Space per 3000 sft	
Spaces per General Office =		
General Office	1071	3.57 Parking spaces
Service Bay x 2	500	
Service Bay	6 x 2	12.00 Parking spaces
Automobile Storage -	Service Lot Area = 15,151	3.03 Parking spaces
	5000	
Automobile Sales -	Lot Area = 6,136	1.60 Parking spaces
	5000	
Required Parking Spaces =		
	5000	21 Parking spaces
Actual Parking Spaces =		
	5000	21 Parking spaces
Bicycle Spaces =		
	5000	2 Bicycle spaces
Spaces per Restaurant =		
Restaurant	600	8.00 Parking spaces
	75	
Warehouse	1685	
Spaces per Warehouse =		
	3000	0.56 Parking spaces
Warehouse	3000	
Spaces per Vehicle Storage =		
Vehicle Storage	14,336	2.80 Parking spaces
	5000	
Required Parking Spaces =		
	5000	12 Parking spaces
Actual Parking Spaces =		
	5000	18 Parking spaces
Bicycle Spaces =		
	5000	2 Bicycle spaces

VA-3829
Received 2/26/2015

3388 & 3430 WESTERVILLE 5 LOTS LANDSCAPE LOT COVERAGE	
Site Area	41,268 sft
Landscape Area	14,819 sft
Lot Coverage -	14,819 sft = 21% Lot Coverage
Lot Area	41,268 sft

SITE LEGEND

SYMBOL	DESCRIPTION
⊙	Sanitary Sewer
⊕	Electric Pole
⊖	Fire Hydrant
⊗	Storm Water Inlet
⊙	Iron Pin
⊕	Under Ground Tank
⊗	Spot Elevation
⊙	Right of Way Drop Symbol
⊕	Miscellaneous Utility Pole
⊗	Subdivision Centroid
⊙	Valve

PROJECT TITLE & ADDRESS

PROJECT TITLE: EXCITE AUTO SALES
PROJECT ADDRESS: 3430 WESTERVILLE ROAD
COLUMBUS, OHIO 43224

OWNER & ADDRESS

OWNER:
OWNER ADDRESS:
OWNER REP:
OWNER PHONE:

PROJECT PHASE DATES

OWNER DESIGN PROGRAM
PREPARATION: 1 SEPT 11
SCHEMATIC
DESIGN DEVELOPMENT
CONSTRUCTION DOCUMENTS
PERMIT
BIDDING
REVISION 1
REVISION 2

CONSULTANTS

SURVEY

STRUCTURAL

CONSULTANTS

ELECTRICAL

MECHANICAL

PROJECT NUMBER & AUTHORSHIP

PROJECT NUMBER: 14005

PROJECT ARCHITECT

DESIGNED BY: RGG
DRAWN BY: RGG
CHECKED BY: RGG

COMMENTS

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PROFESSIONAL ARCHITECT & SEAL

ARCHITECT, INC.

KEY PLAN

SHEET TITLE

MASTER IMPROVED SITE PLAN

A2.03

SHEET 6 OF 9

WEDNESDAY, 17 DECEMBER 2014

14005

**FRANKLIN COUNTY, OHIO
BOARD OF ZONING APPEALS
(By Laws)**

A. MEMBERS AND OFFICERS

1. The Board of Zoning Appeals, herein after referred to as the BZA, shall consist of five (5) members and two (2) at-large members appointed by the Franklin County Board of County Commissioners as provided by Section 303.013 of the Ohio Revised Code. Each member and/or successor shall serve a term for a period of five (5) years with terms that expire each year. Each member shall maintain residence in unincorporated Franklin County.
2. Each January the BZA shall organize by electing a Chairperson and a Vice-Chairperson. Officers shall serve for one (1) year or until a successor is appointed. Officers are entitled to vote.
3. Upon expiration of a BZA member's term, such member may continue to serve until a successor is appointed.
4. The Chairperson shall encourage regular and timely attendance by each BZA member. Each BZA member is responsible for attending each meeting or notifying the Planning Administrator of the Franklin County Economic Development and Planning Department or the Planning Administrator's staff person of the inability to attend. Four (4) total unexcused absences in one year, or three (3) consecutive unexcused absences shall be grounds for removal of a member by a majority vote of the Board, or, at their discretion, grounds for the attending majority of the Board to request the offending members resignation (02/22/00). The Executive Secretary shall determine what constitutes an unexcused absence. Grounds to be considered an unexcused absence would be failure to notify the Executive Secretary before the meeting of an inability to attend, or repeated absences without medical or appropriate personal excuses.
5. The Planning Administrator of the Franklin County Economic Development and Planning Department or the Planning Administrator's designee shall serve as secretary of the BZA.

B. MEETINGS

1. The BZA shall meet on the third (3rd) Monday of each month. If the third (3rd) Monday is a holiday, the meeting shall be on the following day.
2. Each regular meeting shall be held at 1:30 PM in an appropriate room of the Franklin County Courthouse.
3. The BZA shall publish and mail notices as required by Section 303.15 of the Ohio Revised Code. The BZA herein defines “parties of interest”, as it is used in the ORC, to mean owners of property within and contiguous to and directly across the street from the area subject to the variance or conditional use request. This definition is equivalent to the one used in ORC Section 303.12 regarding notice for rezoning petitions. As a courtesy, the BZA will also attempt to mail notice to all remaining property owners within 300 feet of the subject property. A copy of the abutter list shall be retained in each respective case file and shall be available for public inspection at the Franklin County Economic Development and Planning Department (02/16/98) (02/20/07).
4. All meetings of the BZA shall be open to the public and no action shall take place in Executive Session or by vote prior to any meeting.
5. All meetings shall be conducted in accordance with Roberts Rules of Order, newly revised. A quorum shall consist of three (3) members of the BZA. If a quorum is lacking, the meeting shall be postponed or canceled. The Board of Zoning Appeals is unable to guarantee full attendance at each hearing. As such, any decision made by quorum of BZA is final. The BZA shall consider and deliberate upon any request for delay should an applicant desire to do so, but because of the dynamic development issues present in Franklin County, such request for delay shall only be considered to a date certain not to exceed six months (02/22/00).
6. There are two (2) designated at-large alternates. The alternates shall have the right to vote and participate in all proceedings and actions of the Board of Zoning Appeals at that meeting as if the at-large alternate were a full voting member (02/19/08).
7. All motions before the BZA shall be presented in the affirmative (to approve). If a motion is defeated, this constitutes a denial of the application. Passage shall require the affirmative vote of a majority of votes cast (02/20/07). For an appeal to be denied, a motion of denial must pass. For an appeal to be approved, a motion of approval must pass (04/20/09).
8. The Chairperson may limit the number of persons who wish to speak regarding any agenda item to not fewer than three (3) for and three (3) persons against. The Chairperson may not limit the time for a person to speak to less than five (5) minutes. The Chairperson, in the alternative, may limit the total amount of time for support of an agenda item to fifteen (15) minutes and the total amount of time for the opposition to fifteen (15) minutes.
9. All persons wishing to speak at a meeting must register to do so with the secretary of the BZA prior to the meeting. Speaker slips will be available for this purpose.

The Chairperson will inquire prior to each meeting or prior to each individual case as to whether or not the applicant or the appropriate representative is present. If there is not representation for a specific application, the ~~amendment application~~ shall be ~~denied without prejudice~~ ~~dismissed~~ and the applicant will be required to reapply. If an applicant or agent reapplies and again does not attend the scheduled meeting, the Board may choose to approve or deny the application based on the merits of the case (02/18/97). Applications with motions to continue or dismiss shall be heard first. Applications requiring a full presentation to the BZA shall be heard in the order of filing (02/22/00).

C. POWERS AND DUTIES

The BZA shall consider request for:

1. Administrative Review. To hear and decide appeals where it is alleged there is error in any order, requirement, or decision, or determination made by the Administrative Officer in the enforcement of the Zoning Resolution.
2. Conditional Use: To authorize only such Conditional Uses as the BZA is specifically authorized to pass on by the terms of the Franklin County Zoning Resolution.
3. Variances: To hear and decide in specific cases such Variances from the terms of the Franklin County Zoning Resolution as will not be contrary to the public interest where, owing to special conditions on the land, a literal enforcement of the provisions of this zoning resolution would result in unnecessary hardship. In granting such Variance, the BZA shall prescribe appropriate conditions and safeguards to maintain the intent and the spirit of the zoning district in conformity with this zoning district.
4. If a proposed variance or conditional use request is denied by the BZA, another application for variance or conditional uses that relies on the same set of facts and affects any portion of the land included in the disapproved application shall not be heard. The Board may consider this position if any applicant can clearly demonstrate that new facts and/or previously unconsidered circumstances or agreements warrant reconsideration (02/16/99).

D. BZA STAFF

1. The Franklin County Economic Development and Planning Department shall receive, process, recommend and present applications for Administrative Appeals, Variances and Conditional Uses to the BZA.
2. The Franklin County Economic Development and Planning Department staff shall review applications for Variance and Conditional Use and submit a written report to the BZA before the public meeting. Such reports shall recommend approval, modification, or disapproval of the application.
3. The Economic Development and Planning Department shall maintain a record of the BZA proceedings and respond to all Praecepta for appeal.

4. It is the responsibility of the Executive Secretary to issue to every applicant the final order or journal entry. Said final order shall include written notification of the BZA decision rendered and shall be issued no later than five (5) days following each scheduled Board meeting. Absent any action to appeal a BZA decision; the Board continues to have thirty (30) days following entry of the final order in which to reconsider a case. Once thirty (30) days has elapsed, the appeal time has lapsed and reconsideration is not possible. In special circumstances and upon just and reasonable finding, the Chairperson may elect to instruct the Executive Secretary to withhold or stay, (02/20/07) for a period not to exceed thirty (30) days, the final order if one (1) or more Board members desires to reopen a case for reconsideration. A request to order a stay assumes that any party to the proceeding would not be prejudice to such a delay (02/18/97).

E. SUSPENSION OR AMENDMENT OF RULES

1. These rules and regulations may be suspended only upon the affirmative vote of no fewer than four (4) members.
2. These rules and regulations may be amended from time to time by a majority vote of the BZA membership. Such amendments shall be effective thirty (30) days after an affirmative vote.

SIGNATURE PAGE

Chairperson

Vice-Chairperson

Member

Member

Member

Date Adopted