



Franklin County
Board of Commissioners

**ECONOMIC DEVELOPMENT
& PLANNING**

Franklin County Board of Zoning Appeals

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

Monday, May 20, 2019
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 April 15, 2019 meeting

i. AP-3942 – Brad Fisher

Owner/Applicant:	Hollywood Retail Ventures, LLC
Agent:	Plank Law Firm, LPA
Township:	Franklin Township
Site:	4081-4089 W. Broad St. (PID #140-007390)
Acreage:	7.769-acres
Utilities:	Public water and sewer
Zoning:	Residential District
Request:	Requesting an appeal under Section 110.043(2) of the Franklin County Zoning Resolution to allow for a non-conforming use to be changed to a use found to be more clearly in character with the General Industrial (GI) district.

5. Adjournment of Meeting to June 17, 2019

**MINUTES OF THE
FRANKLIN COUNTY BOARD OF ZONING APPEALS**

Monday April 15, 2019

The Franklin County Board of Zoning Appeals convened on the 26th floor, Franklin County Courthouse, 373 South High Street, Columbus, Ohio, 43215, on Monday April 15, 2019.

Present were:

Christopher Baer, Chairperson

Paula Armentrout

Nancy Hunter

Tim Guyton

Joe Martin

Franklin County Economic Development and Planning Department members:

Matt Brown, Planning Administrator

Phil Ashear, Planner

Terry Barr, Planning Project Coordinator

Chairperson Baer opened the hearing.

The first order of business being the roll call of members, the introduction of Staff, and the swearing in of witnesses. The next item of business was the approval of the minutes from the March 18, 2019, meeting. Mr. Martin made a motion to approve the minutes of the March 18, 2019, meeting. It was seconded by Ms. Hunter. The motion was approved by a vote of four yeases and one abstention.

NEW BUSINESS:

The next order of business being Case No. VA-3938. The applicants are Gary and Faith Fiordalis. The township is Norwich Township. The site is located at 3447 Braidwood Drive. It is 0.32 acres in size and is served by public water and wastewater and is zoned Suburban Residential. The applicant is requesting a Variance from Section 308.042 of the Franklin County Zoning Resolution to allow the construction of a room addition that would cause the property to exceed the maximum allowed lot coverage in an area zoned Suburban Residential. Mr. Terry Barr read and presented the case to the Franklin County Board of Zoning Appeals. Mr. Guyton made a motion to approve a Variance from Section 308.042 of the Franklin County Zoning Resolution with staff's one condition. It was seconded by Mr. Martin. The motion was approved by a five-to-zero vote.

The next order of business being Case No. VA-3939. The applicants are Nicholas and Amy Steiner. The township is Pleasant Township. The site is located at 5300 Opossum Run Road. It is 2.389 acres in size. The property is served by private water and wastewater and is zoned Rural. The applicant is requesting a Variance from Sections 512.02(2) and 650.162(a) of the Franklin County Zoning Resolution to legitimize an accessory structure that exceeds the maximum size, does not meet the minimum side yard setback, and is located in the Riparian Setback in an area zoned Rural. Mr. Phil Ashear read and presented the case to the Franklin County Board of Zoning Appeals.

Mr. Martin made a motion to approve a Variance from Section 650.162(a) of the Franklin County Zoning Resolution with the condition that a mitigation plan is submitted and approved as part of the Certificate of Zoning Compliance process. It was seconded by Mr. Guyton. The motion was approved by a five-to-zero vote. Mr. Guyton made a motion to approve a Variance for Section 512.02(2) of the Franklin County Zoning Resolution to allow for a total accessory building size of approximately 3,200 square feet on a 2,160-square-foot standard, and to approve a Variance to the side yard setback requirement of 20 feet with a proposed setback of 16 feet. It was seconded by Mr. Baer. The motion failed by a vote of one yes and four noes. Mr. Guyton made a motion to accept the Findings of Fact that the basis for denying the applicant's request for the Variance from Section 512.02(2) of the Franklin County Zoning Resolution as outlined in the request for the applicant identified in Case No. VA-3939 results from the applicant's failure to satisfy the criteria for granting a Variance under Section 810.041. The motion was seconded by Ms. Hunter. The motion passed by a vote of four yeses and one abstention.

The next order of business being Case No. VA-3940. The applicants are Scott and Christine Guth. The township is Norwich Township. The site is located at 6129 Sunny Vale Drive. It is 0.24 acres in size. The property is served by public water and wastewater and is zoned Suburban Residential R-4. The applicant is requesting a Variance from Section 308.042 of the Franklin County Zoning Resolution to allow the construction of a room addition that would cause the property to exceed the maximum allowable lot coverage in an area zoned Suburban Residential R-4. Mr. Phil Ashear read and presented the case to the Franklin County Board of Zoning Appeals. Mr. Martin made a motion to approve a Variance from Section 308.042 of the Franklin County Zoning Resolution with Staff's Condition No. 1, and removing Condition No. 2. It was seconded by Ms. Armentrout. The motion was approved by a five-to-zero vote.

There being no further business to come before the Franklin County Board of Zoning Appeals, Mr. Baer made a motion to adjourn the hearing. It was seconded by Ms. Armentrout..The motion was approved by unanimous vote. The proceedings were adjourned at 3:04 p.m.

Signature

Minutes of the April 15, 2019, Franklin County Board of Zoning Appeals hearing were approved this 20th day of May, 2019

STAFF REPORT

Board of Zoning Appeals
May 20, 2019

Case: AP-3942

Prepared by: Brad Fisher

Owner/Applicant:	Hollywood Retail Ventures, LLC.
Agent:	Donald Plank – Plank Law Firm, LPA.
Township:	Franklin Township
Site:	4081-4201 W. Broad St. (PID #'s 140-007182 & 140-007390)
Acreage:	10.76-acres
Zoning:	General Industrial (GI)
Utilities:	Private water and sewer
Request:	Requesting an appeal under Section 110.043(2) of the Franklin County Zoning Resolution to allow for a non-conforming use to be changed to a use found to be more clearly in character with the General Industrial (GI) district.

Summary

The applicant is requesting an appeal under Section 110.043(2) of the Franklin County Zoning Resolution to the Board of Zoning Appeals to allow the change of a non-conforming use to a use more nearly in character with the General Industrial (GI) district. Staff recommends approval.

History

The site was originally developed as a motel in 1963, and in 1986 it was redeveloped as a shopping center. A Zoning Compliance was approved to allow for the construction of the shopping center, however no approved Zoning Compliance applications are on file for all historic and existing uses.

Request

The subject property is zoned GI and no use on the property has obtained a Zoning Compliance for the uses. The four (4) structures on the property contain 34 tenant spaces based on the leasing plan submitted by the applicant.

The applicant is seek to allow a grocery store and check cashing establishment to operate in a space formerly occupied by only a check cashing use. The GI district allows for a range of commercial uses such as restaurants and banks but does not allow grocery stores and check cashing. The applicant believes that the proposed uses keep with the intent of the industrial districts to allow commercial establishments serving employees of the industrial area.

Comprehensive Plan

The Westland Area Interim Development Framework, adopted in 2010, contains a Future Land Use Map and Development Principals that recommend this property for a full range of commercial and multi-family residential uses. Corresponding zoning districts include: Suburban Apartment Residential (R-24), Suburban Office (SO), Neighborhood Commercial (NC), Community Commercial (CC), and Community Service (CS) districts.

The proposed uses are consistent with the Plan's future land use recommendation.

Technical Agency Review

No Technical Review Agencies indicated any concerns with the request.

Staff review

Appeal from Section 110.043(2) - Non-Conforming Uses:

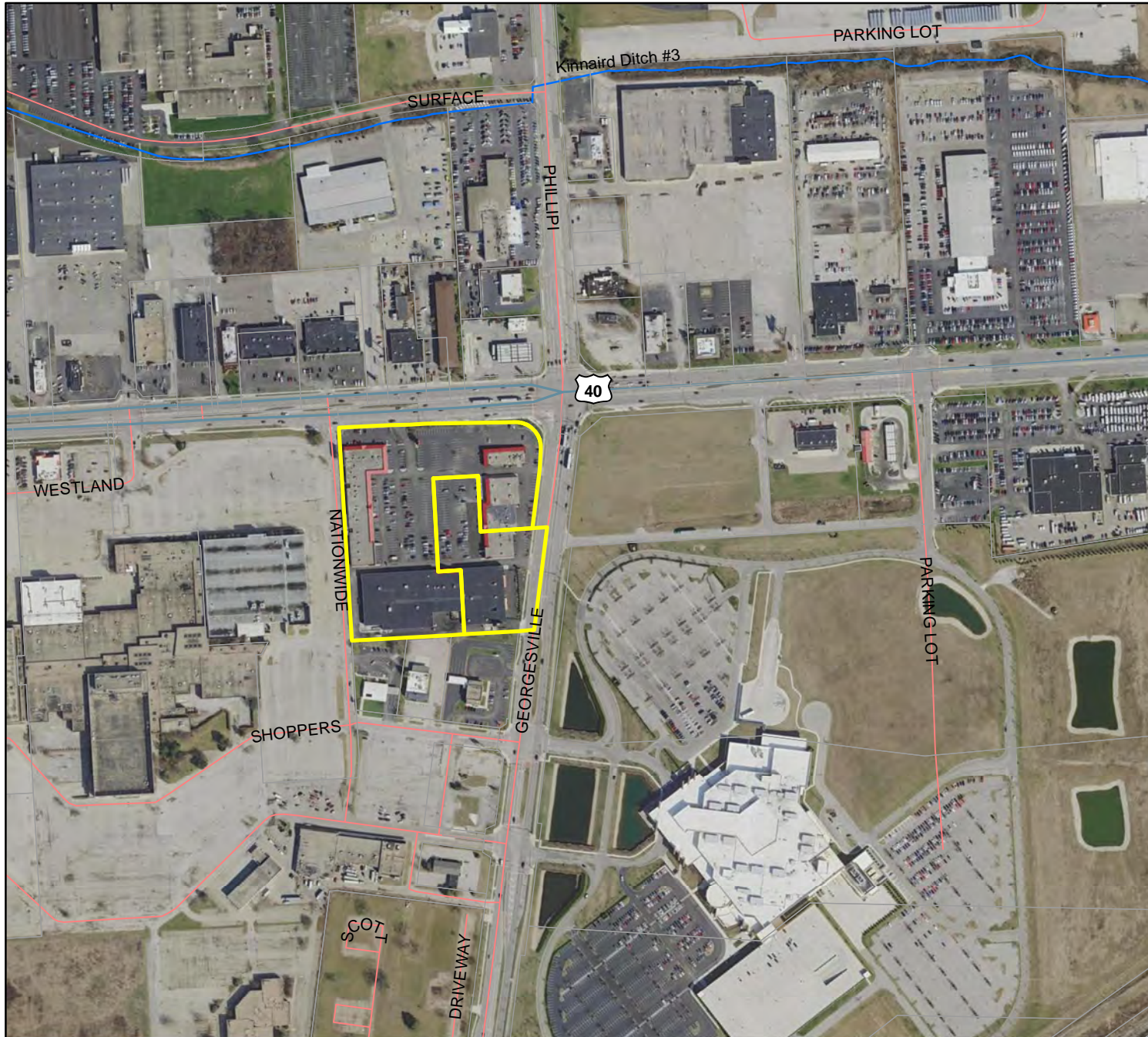
- The non-conforming use of a lot and/or a structure may be continued, expanded or changed, subject to the following:
 - On approval of an appeal to the Board of Zoning Appeals, a non-conforming use may be changed to a use found to be more nearly in character with the Zoning District in which the non-conforming use is located.
 - The applicant is proposing a check cashing and grocery store in a shopping center, and believes the check cashing use is the continuation of a non-conforming use and the grocery is more nearly in character with the GI district than the single, previous check cashing use.

Staff Analysis

The site has operated as a commercial shopping center since it developed in the 1980's and uses within the center have failed to obtain Zoning Compliances. The applicant is in the process of rezoning the site to the Community Service (CS) zoning district which would allow for the existing and proposed uses of the site. Granting the appeal will allow the proposed uses to begin operating on the site while the rezoning process is completed.

Recommendation

Staff recommends approval of the appeal to allow the change in use.



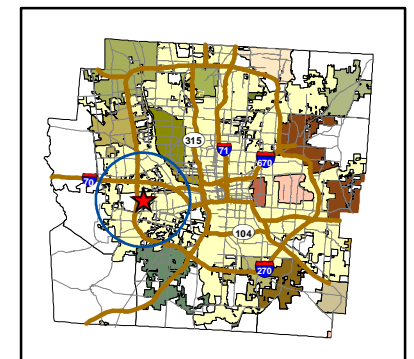
AP-3942

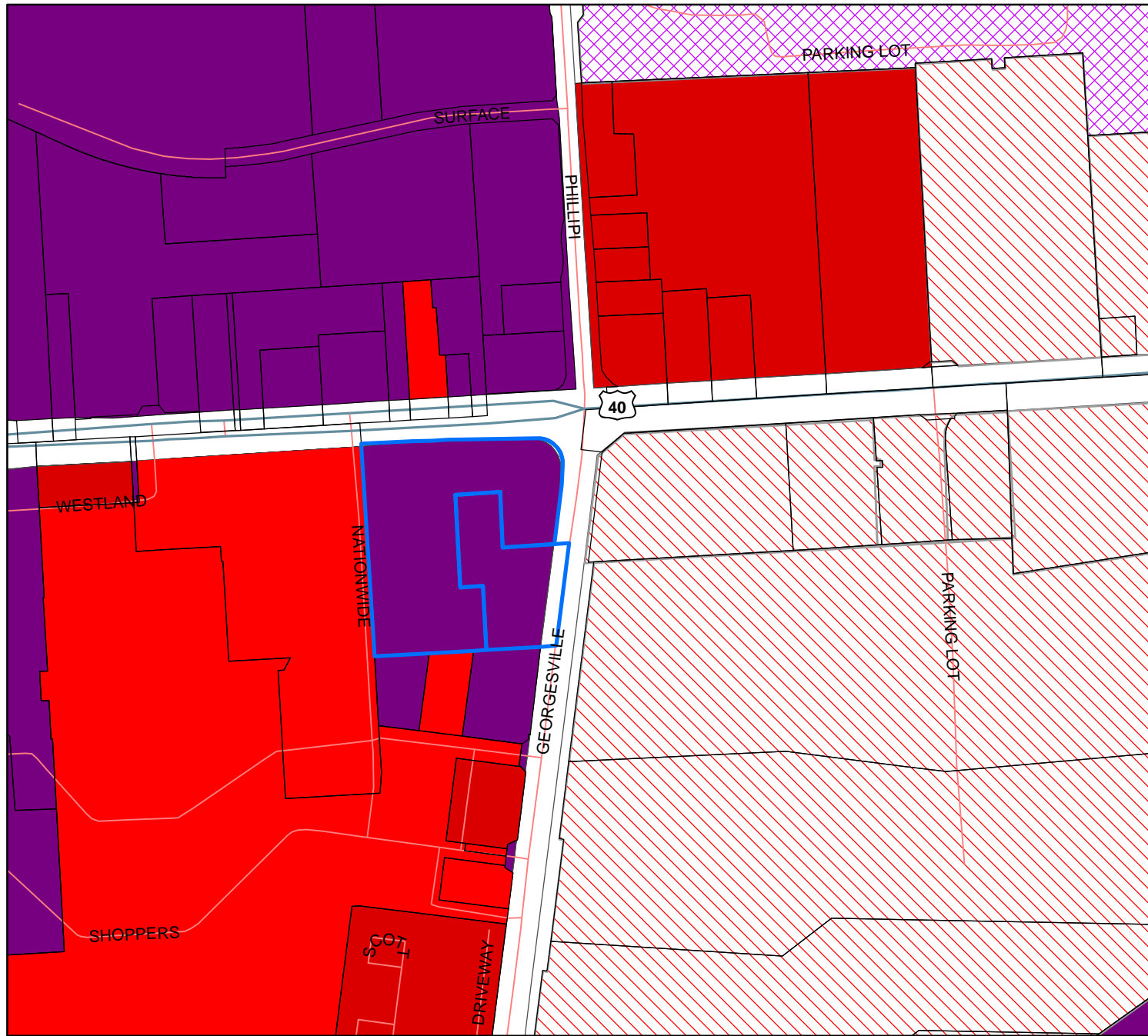
Requesting an appeal under Section 110.043(2) of the Franklin County Zoning Resolution to allow for a non-conforming use to be changed to a use found to be more clearly in character with the General Industrial (GI) district.

Acres: 10.76

Township: Franklin

- 4081-4089 West Broad Street
- Parcels
- US Route
- Streets
- Kinnaird Ditch #3





AP-3942

Requesting an appeal under Section 110.043(2) of the Franklin County Zoning Resolution to allow for a non-conforming use to be changed to a use found to be more clearly in character with the General Industrial (GI) district.

Acres: 10.76

Township: Franklin

4081-4089 West Broad Street

Parcels

US Route

Streets

Franklin County Zoning

Community Service

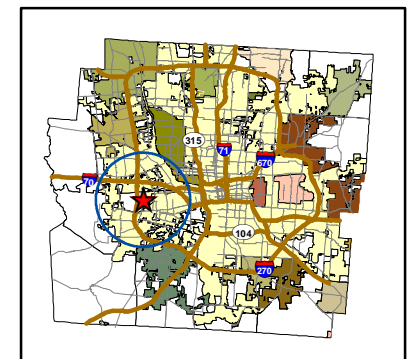
General Industrial

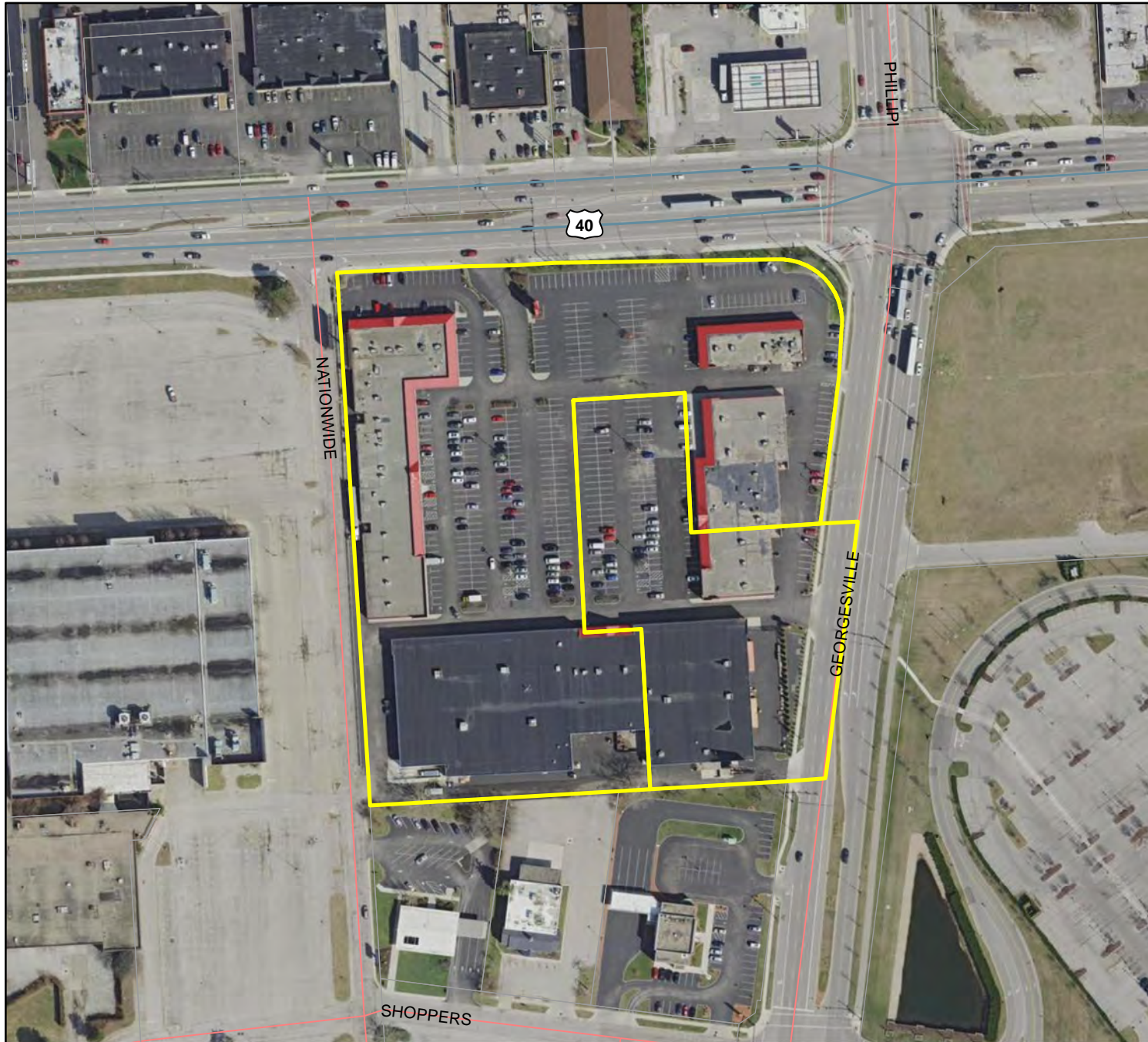
Rural

Columbus Zoning

Commercial

Manufacturing





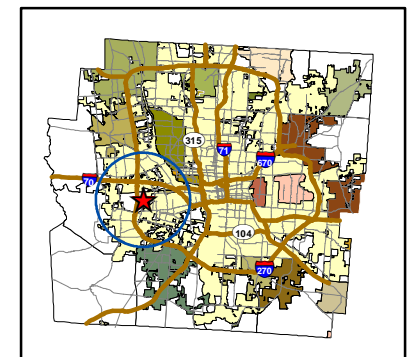
AP-3942

Requesting an appeal under Section 110.043(2) of the Franklin County Zoning Resolution to allow for a non-conforming use to be changed to a use found to be more clearly in character with the General Industrial (GI) district.

Acres: 10.76

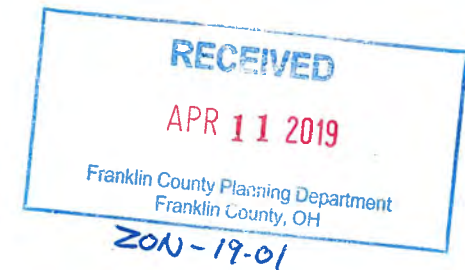
Township: Franklin

- 4081-4089 West Broad Street
- Parcels
- US Route
- Streets

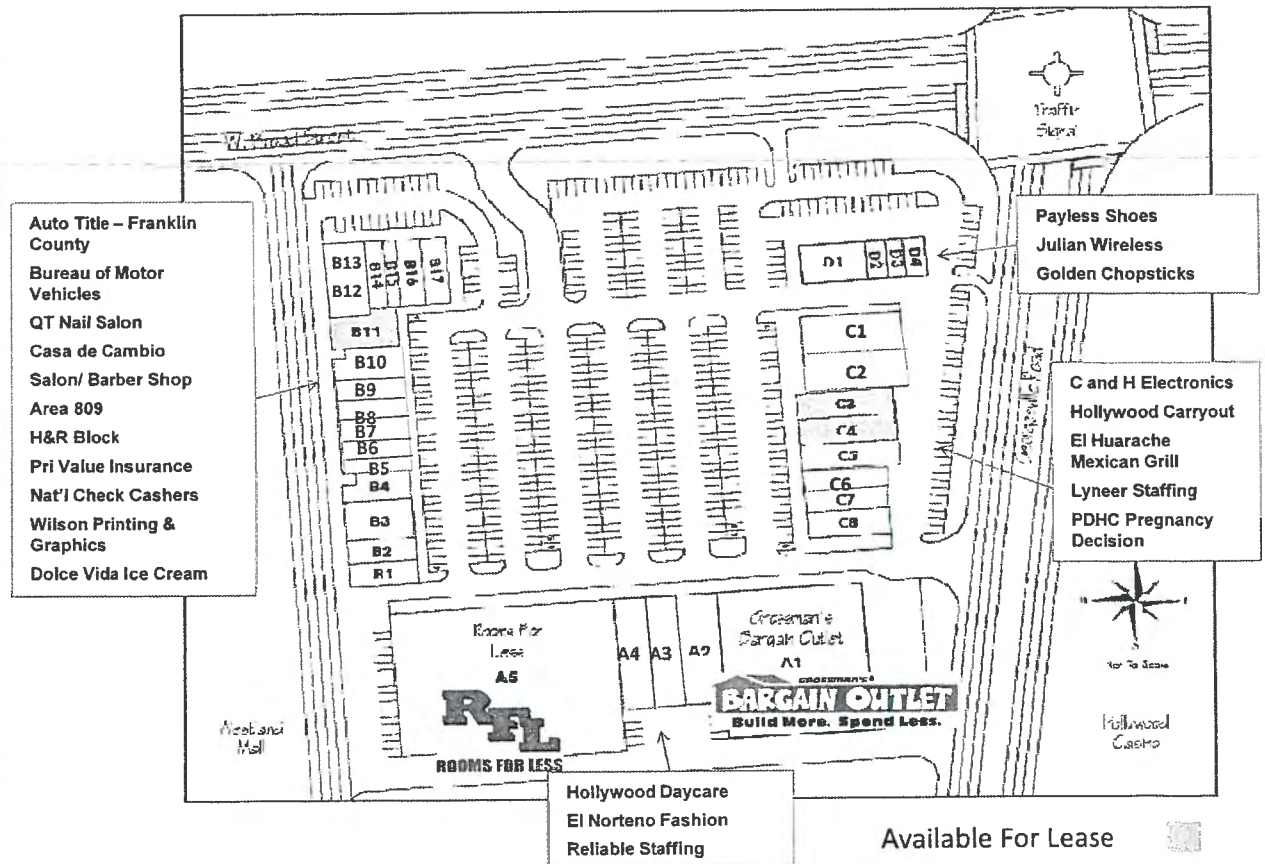




Leasing Plan For:
West Broad
Hollywood Plaza Columbus, OH
SUMMER 2016



Building	Tenant	Size (SF)	Suite #
A1	Grossman's Bargain Outlet	25,000	4117
A2	Hollywood Daycare	5,225	4121
A3	El Norteno Fasion	4,030	4125
A4	Reliable Staffing	4,015	4129
A5	Rooms for Less	40,375	4131
B1-4	Available	8,074	4135-4147
B5	Auto Title - Franklin County	4,077	4153
B6-B7	Bureau of Motor Vehicles	2,800	4157
B8	QT Nail Salon	1,750	4165
B9	Casa de Cambio	1,400	4169
B10	Salon/ Barber Shop	1,200	4173
B11	Area 809	2,309	4181
B12-B13	Dolce Vida Ice Cream	3,485	4201
B14	H&R Block	1,500	4197
B15	Pri Value Insurance	1,500	4195
B16	Nat'l Check Cashers	1,050	4193
B17	Wilson Printing & Graphics	2,025	4191
C1-C2	C and H Electronics	9,000	4091
C3-C4	Hollywood Carryout	6,000	4099
C5	El Huarache Mexican Grill	2,849	4103
C6	Available	2,975	4107
C7	Lyneer Staffing	2,125	4109
C8	PDHC Pregnancy Decision	2,550	4111
D1	Payless Shoes	3,000	4089
D2	Julian Wireless	910	4085
D3-D4	Golden Chopsticks	1,800	4081



Available For Lease