

Franklin County Rural Zoning Commission

Michael J. Dorrian Building
369 South High Street
1st Floor, Commissioners Hearing Room
Columbus, OH 43215

Thursday, April 17, 2025
1:30 p.m.

1. Call to Order (Chair)
2. Call roll for board members
3. Introduction of staff
4. Approval of minutes from the November 21, 2024, meeting
 - a. Motion to Approve Minutes (Chair)
 - b. Discussion of Minutes
 - c. Roll Call on Vote to Approve Minutes (Clerk)
5. Approval of By-Laws
 - a. Call for Motion to Approve By-Laws (Chair)
 - b. Roll Call on Vote to Approve By-Laws (Clerk)
6. Election of Chair and Vice-Chair
 - a. Call for Motion/Nomination for Chair (Chair)
 - b. Roll Call on Vote to Approve Chair (Clerk)
 - c. Call for Motion/Nomination for Vice-Chair (Chair)
 - d. Roll Call on Vote to Approve Vice-Chair (Clerk)
7. New Business:

i. Administrative Matter – ZON-25-01 – Kayla Johnson

Owner:	A & N Real Estate Investments, LLC
Applicant:	Chris Wallace, Havens Limited
Township:	Franklin Township
Site:	1891 N. Hague Avenue (PID #140-002381 & #140-002382)
Acreage:	2.5-acres
Utilities:	Public Water & Sanitary Sewer
Request:	Requesting to rezone the 2.5-acres from the Rural (R) zoning district to the Neighborhood Commercial (NC) zoning district.

- a. Swear in Staff (Clerk)
- b. Staff Presentation
- c. Request for Applicant Presentation (Chair)
- d. Swear in Applicant (Clerk)
- e. Applicant Testimony
- f. Call for Motion to Accept Staff's Report and Presentation and Applicant

- Testimony into Record (Chair)
- g Roll Call on Motion/Vote (Clerk)
- h Call for Motion to Recommend Approval/Denial (Chair)
- i Roll Call on Motion/Vote (Clerk)

ii. Administrative Matter ZON-25-03-Kayla Johnson

Owner/Applicant:	Lisa M. & Stanley Vivens Sr
Township:	Franklin Township
Site:	2623 Clime Rd. (PID# 140-000053)
Acreage:	1.52 acres
Utilities:	Public water and wastewater
Request:	Requesting to rezone from the Rural (R) and Community Services (CS) districts to the Neighborhood Commercial (NC) district.

- a Swear in Staff (Clerk)
- b Staff Presentation
- c Request for Applicant Presentation (Chair)
- d Swear in Applicant (Clerk)
- e Applicant Testimony
- f Call for Motion to Accept Staff's Report and Presentation and Applicant Testimony into Record (Chair)
- g Roll Call on Motion/Vote (Clerk)
- h Call for Motion to Recommend Approval/Denial (Chair)
- i Roll Call on Motion/Vote (Clerk)

8. Adjournment of Meeting to May 22, 2025



MINUTES OF THE FRANKLIN COUNTY RURAL ZONING COMMISSION Thursday, November 21, 2024

The Franklin County Rural Zoning Commission convened at the Franklin County Government Center, Board of Commissioners Hearing Room, 369 South High Street, First Floor, Columbus, Ohio 43215, on Thursday, November 21, 2024.

Present were:

Glenn Taylor, Chairman
Ralph Horn
Susan Brobst

Franklin County Economic Development and Planning Department:

Raimere Fitzpatrick, Planning Administrator
Tamara Ennist, Planning Administrator
Kayla Johnson, Planner
Austin Workman, Planner

Franklin County Prosecutor's Office:

Jesse Armstrong, Assistant Prosecuting Attorney.

Other Franklin County staff members:

Melissa Kohler, Deputy Clerk

Chairperson Taylor opened the meeting.

The first order of business was the roll call of the members and the introduction of staff. The next order of business was approval of the February 22, 2024 minutes. A motion was made by Chairman Taylor, seconded by Ms. Brobst, to approve the minutes of the February 22, 2024 meeting. The vote was passed by a vote of three yeses, zero nos, and zero abstentions.

NEW BUSINESS:

The next order of business was to hear Case No. ZON-24-01. The owner/applicant was Etsepatos Zenebe. The site is located in Mifflin Township at 3601 Agler Road. It is 0.754 acres in size and served by private water and wastewater. The request was to rezone from the Rural district within the Smart Growth Overlay to the Suburban Office and Institutional district, remaining in the Smart Growth Overlay. Staff recommended approval with conditions. The conditions of approval were as follows: No. 1: The applicant must apply for and receive a Certificate of Zoning Compliance from the Franklin County Economic Development and Planning Department prior to initiation of any business office use. Zoning compliance shall be applied for within 30 days of approval of the rezoning by the Franklin County Board of Commissioners. No. 2: The commercial zoning compliance site plan shall include screening with a 6-foot buffer along the eastern property boundary against the residential zoned property in accordance with Section 670.088 of the Franklin County Zoning Resolution. No. 3: Vehicular parking shall meet the screening requirements of Section

670.088(g) of the Smart Growth Overlay. No. 4: The applicant must obtain a commercial building permit for a change of use from the State of Ohio Department of Development within 90 days of approval of a commercial zoning compliance. No. 5: The applicant shall provide evidence that the residential use of the structure has been abandoned within 90 days of approval of the requested rezoning by the Franklin County Board of Commissioners. A sixth condition of approval was recommended by the Franklin County Planning Commission: The applicant shall install a sidewalk meeting the requirements of Section 670.0816 of the Smart Growth Overlay. The design and construction of the sidewalk shall be approved by the City of Columbus Department of Public Service. Staff did not believe this sixth condition was necessary, as building a sidewalk at the site would create a sidewalk to nowhere. After Ms. Zenebe spoke with the members of the Commission regarding the sixth recommendation, Chairman Taylor made a motion, seconded by Mr. Horn, to accept staff's presentation, staff's report, and witness testimony into the record. The vote was passed by a vote of three yeses, zero nos, and zero abstentions. Next, a motion was made by Ms. Brobst, seconded by Chairman Taylor, to recommend the approval of Case No. ZON-24-1 with the approval of the five staff recommendations, to add that the applicant will address the traffic volume with the City of Columbus, and to modify the Planning Commission recommendation listed as No. 6 not be enforced. The vote was passed by a vote of three yeses, zero nos, and zero abstentions.

The next order of business was to hear Case No. ZON-24-02. The owner was the Columbus Regional Airport Authority; the applicant was the Airport Business Center. The site is located in Mifflin Township on Johnstown Road. It is 2.36 acres in size and served by public water and sewer. The request was to rezone from the Rural district to the Limited Industrial district. Staff recommended approval. A motion was made by Ms. Brobst, seconded by Mr. Horn, to admit the presentation, the staff report, and the witness testimony into the record. The vote was passed by a vote of three yeses, zero nos, and zero abstentions. A motion was then made by Ms. Brobst, seconded by Chairman Taylor, to approve Case No. ZON-24-02. The vote was passed by a vote of three yeses, zero nos, and zero abstentions.

There being no further business coming before the Franklin County Rural Zoning Commission, Chairman Taylor adjourned the meeting. The hearing was adjourned at 2:37 p.m.

Signature

The minutes of the November 21, 2024 Franklin County Rural Zoning Commission were approved this _____ day of _____, 2025.

**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) regular members appointed by the Franklin County Board of County Commissioners, as provided by Section 303.13 of the Ohio Revised Code. Each member shall serve a term of such length and so arranged that the term of one member will expire each year. The Board of Commissioners may also appoint up to two (2) alternate members, for terms to be determined by the Board of Commissioners. An alternate member may take the place of an absent regular member at any BZA meeting, and when attending a BZA meeting on behalf of an absent regular member, the alternate member may vote on any matter on which the absent member is authorized to vote. Each regular member and alternate member shall maintain residence in the unincorporated area of Franklin County subject to the Franklin County Zoning Resolution. (4/21/25)
2. At the first meeting of each year, 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. (02/16/16)
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 secretary of the BZA shall determine what constitutes an unexcused absence. Grounds to be considered an unexcused absence would be failure to notify the secretary of the BZA 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. If there are no applications scheduled for consideration, no meeting will be held. (02/16/16)
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 application shall be dismissed without prejudice 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 secretary of the BZA 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 secretary of the BZA 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



STAFF REPORT

Rural Zoning Commission
4/17/2025

Case ZON-25-01

Prepared by: Kayla Johnson

Owner:	A&N Real Estate Investments LLC
Applicant:	Havens Limited c/o Chris Wallace
Township:	Franklin
Site:	1891 N. Hague Avenue (PID #140-002381, #140-002382)
Acreage:	2.5 acres (total)
Utilities:	Public water and sewer
Request:	Requesting to rezone from the Rural (R) district to the Neighborhood Commercial (NC) district.

Summary

The applicant is requesting a rezoning from the Rural (R) district to the Neighborhood Commercial (NC) district. The request is partially consistent with recommendations of the Trabue/Roberts Area Plan. Staff recommends **approval with conditions**.

Request

The site is located on the west side of Hague Avenue and south of Trabue Road in Franklin Township. The site is developed with residence, driveway, and detached accessory structure constructed in 1925.

The site has an existing access drive from North Hague Avenue. If the rezoning is approved, the site may be used for any permitted use in the Neighborhood Commercial (NC) and Suburban Office (SO) districts that complies with the applicable development standards.

Surrounding Land Use/Zoning

The subject site is in the jurisdiction of Franklin Township with surrounding mixed land uses. Near the intersection of Hague Avenue and Trabue Road, properties on the north side of Trabue Road are developed with offices and apartment buildings in the City of Columbus jurisdiction. Property located at the southeast intersection of North Hague Avenue and Trabue Avenue in the City of Columbus is developed with a used car sales lot. Properties east, south, southwest, and west of the subject site are zoned Rural in Franklin Township and are either vacant or developed with single-family residences. Lots within the same vicinity are also vacant or developed under the Community Service (CS) and the Select Commercial Planned (SCPD) districts. West of Hague Avenue and on the south side of Trabue Road are commercial establishments ranging from an adult use bookstore, an adult entertainment establishment, flooring experts, and construction contractors under the Community Service (CS) zoning district in Franklin Township.

Comprehensive Plan

The Trabue/Roberts Area Plan, adopted in 2011 by the Columbus City Council, contains a Future Land Use Map that recommends future development of this property with "Mixed Use (Neighborhood)" uses. This land use category combines commercial, office, or institutional land uses with allowances for residential uses on upper floors or adjacent to commercial uses in the same structure. The recommended density is 16-20 dwelling units per acre. Mixed Use (Neighborhood) is found at minor arterials and

collectors that intersect at arterials. The recommendation's 'commercial identity' includes the neighborhood commercial classification which offers local neighborhood services.

Trabue Road is identified as a minor arterial whereas Hague Avenue is a major collector per the Franklin County Thoroughfare Plan. Trabue Road is located north of the northern adjacent property. The City of Columbus and Franklin County's identification of the "Neighborhood Commercial" classification reflect similar objectives; small commercial establishments intended for convenient services to the surrounding neighborhood.

The requested zoning district is consistent with the land use plan's recommendations.

Staff Analysis

Existing zoning – Rural:

The Rural (R) zoning district is intended for agricultural and residential development in the County where the conservation of resources is important or where appropriate urban use of the land cannot be achieved because of the lack of urban services, most importantly centralized water and sanitary sewer. The principal permitted uses are agriculture, residential subdivisions and farm dwellings.

Proposed zoning – Neighborhood Commercial:

The Neighborhood Commercial (NC) district is intended to encourage groupings of small retail establishments to promote convenient shopping to residential neighborhoods. More restrictive requirements for light, air and open space are necessitated in this district than in other Commercial Zoning Districts.

Development Standards

- *Lot Size-*
 - *No minimum lot size is required; however, lot size shall be adequate to provide the yard space required by these DEVELOPMENT STANDARDS.*
- *Lot Width-*
 - *No minimum lot width is required; however, all lots shall abut a street and have adequate width to provide the yard space required by these DEVELOPMENT STANDARDS.*
- *Minimum Landscaped Open Space-*
 - *Twenty percent (20%) of the lot area shall be landscaped open space.*
- *Front Yard-*
 - *The Franklin County Thoroughfare Plan dictates the front yard setback identified as 80 feet for the Major Collector of Hague Avenue.*
- *Side Yard-*
 - *When adjacent to a residential district or planned district, the side yard shall be one-fourth (1/4) the sum of the height of the structure and the length of the wall most nearly parallel to the side lot line. In no case shall the setback be less than fifteen (15) feet.*
 - *When adjacent to another commercial district, the side yard shall be at least ten (10) feet, unless fireproof walls of adjacent buildings are attached, in which case no side yard is required.*
- *Rear Yard-*
 - *Twenty (20) feet. A rear yard shall be required adjacent to a Residential Zoning District or a Planned Development Zoning District as listed in SECTION 201, ARTICLE II. Such required rear yards shall be not less than one-fourth (1/4) the sum of the height and length of the wall most nearly parallel to the rear lot line, but in no case shall be less than twenty (20) feet. A use to be serviced from the rear shall have a service court, alleyway or combination thereof not less than forty (40) feet wide.*

- **Front Greenbelt-**
 - *A landscaped area at least fifteen (15) feet in width shall be provided between the existing street right of way line, or as depicted on the Franklin County Thoroughfare Plan, current edition, whichever is greater, and any structure or paved area. Green belt requirements shall supersede any parking lot encroachment permitted in Section 504.012; the green belt shall be provided.*
- **Maximum Height**
 - *Thirty-eight (38) feet.*

Technical Agency Review

The case was referred to the informal Technical Review Committee for comments on January 22, 2025.

1. Franklin County Engineer's Office:

- a. *Since no use is specified, a Traffic Impact Study using a trip generator for the most intense use of the zoning district is required [with future zoning compliance applications].*
- b. *Additional right-of-way is required to meet the Thoroughfare Plan of 40 feet from the centerline. This can be quit claim deeded to the Franklin County Commissioners.*
- c. *Any future development must comply with the Franklin County Stormwater Drainage Manual and the Franklin County Access Management Regulations.*
- d. *The developer will be required to bring their side of Hague Avenue up to the standards for a 11-foot travel lane, 5-foot full depth shoulder, and pedestrian facilities. This requires a full width mill and overlay. Franklin County holds the right to require a fee in lieu of the developer constructing these improvements based on the Engineer's Estimate to contribute towards regional improvements.*

2. Franklin County Planning Department: *The intended use is unclear; no Standard Industrial Classification code was identified in the application however the residential use of the property must immediately be discontinued upon effect of the rezoning. Any future reconstruction or alterations to the property requires a commercial zoning compliance and building permit.*

Staff Review

The proposed rezoning is consistent with the land use recommendation of the adopted comprehensive plan and meets the intent of the Neighborhood Commercial (NC) district by allowing for a wide range of commercial 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 Rural (R) district to the Neighborhood Commercial (NC) district. The conditions are as follows:

1. Prior to zoning compliance approval, a traffic impact study shall be submitted and approved by the Franklin County Engineer's Office (FCEO).
2. Developer shall contribute towards the Franklin County Engineer's Office future intersection improvements at the intersection of Trabue Rd/Hague Ave based on the development's percent of traffic through the intersection calculated in the traffic impact study. Outside of any improvements shown in the traffic impact study, developer shall

bring their frontage up to current County standards with pedestrian facilities including a full-width mill & overlay. Franklin County holds the right to require these improvements as a fee in lieu of construction based on an estimate reviewed and approved by the Engineer's Office to also go towards the future improvements at Trabue Rd/Hague Ave.

3. Prior to zoning compliance approval, dedicate additional right-of-way to meet the Franklin County Thoroughfare Plan of 40 feet from the centerline of Hague Rd through quit claim deed to the Franklin County Commissioners.
4. Apply for and receive approval of a Certificate of Zoning Compliance from the Franklin County Planning Department for any improvements to the property or existing structures. Additional permits may be required.

Planning Commission Recommendation

On February 12, 2025, the Franklin County Planning Commission recommended *approval with conditions* of the request to rezone the subject site from the Rural (R) district to the Neighborhood Commercial (NC) district. Based on Staff's review, Staff recommends the Rural Zoning Commission submit to the Board of County Commissioners a recommendation of *approval with conditions*.

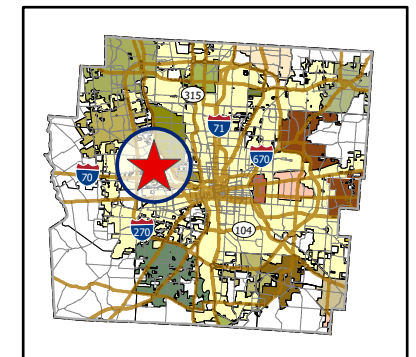
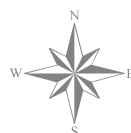


ZON-25-01

Requesting to rezone from the Rural (R) district to the Neighborhood Commercial (NC) district.

Acres: 2.5-acres
Township: Franklin

- Streets
- Parcels
- Parcel #140-002382
- 1891 N Hague



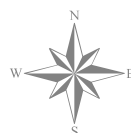
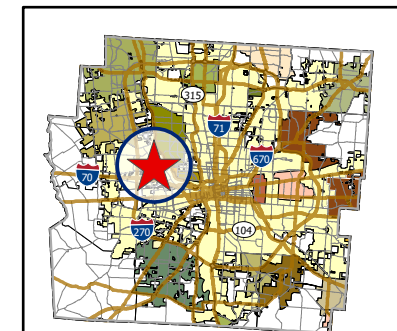


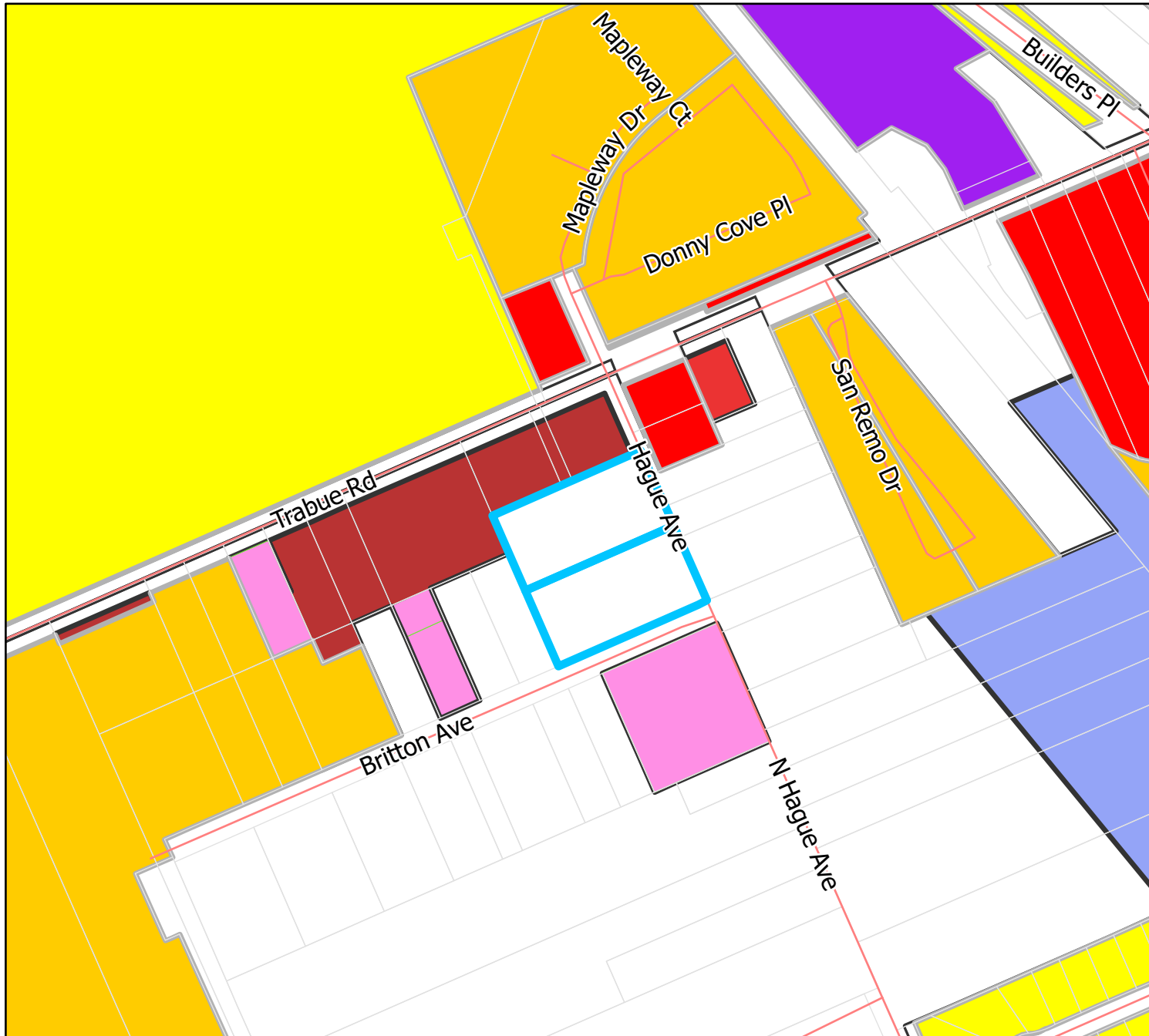
ZON-25-01

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Acres: 2.5-acres
Township: Franklin

- Streets
- Parcels
- Parcel #140-002382
- 1891 N Hague





ZON-25-01

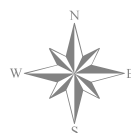
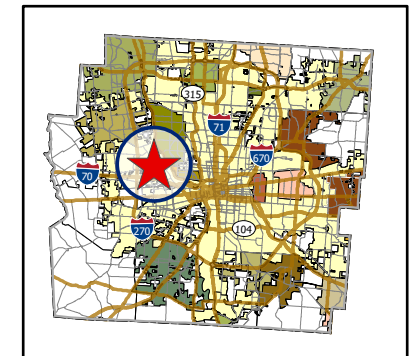
Requesting to rezone from the Rural (R) district to the Neighborhood Commercial (NC) district.

Acres: 2.5-acres
Township: Franklin

- Streets
- 1891 N Hague
- Parcel #140-002382
- Zoning - County**
- Community Commercial
- Community Service
- Limited Industrial
- Rural
- Select Commercial Planned District

Columbus Base Zoning Districts

- Commercial
- Manufacturing
- Multi-family
- Residential
- 1891 N Hague





Franklin County
Board of Commissioners

ECONOMIC DEVELOPMENT & PLANNING

Economic Development & Planning Department
James Schimmer, Director

RECEIVED

JAN 02 2025

Franklin County Planning Department
Franklin County

Application for

Rezoning

Page 1

Property Information

Site Address:

1891 N. Hague Avenue, Columbus, OH 43204

Parcel ID(s):

140-002381-00, 140-002382-00

Total Acreage:

2.5 acres

Township:

Franklin

Property Description

Acres to be rezoned:

2.5 acres

Current Land Use:

Residential, Vacant

Surrounding Land Uses:

North

Community Service

South

Select Commercial Planned District

East:

Rural

West

Rural / Community Service

Rezoning Request

Current Zoning:

Rural

Proposed Zoning:

Neighborhood Commercial

Proposed Land Use:

Retail, Commercial

Purpose for Request:

We are requesting the rezoning of the subject property to allow for development and use as general retail or commercial space. Rezoning will allow for the optimal use of the property in a manner that benefits both the community and local economy.

Staff Use Only

Case #

ZON-25-001

Date Filed:

01/02/2025

Fee Paid:

\$1,200

Receipt #

25-00004 25-00015

Received By:

TreBion W.

Technical Review Date:

01/28/2025

Big Darby Panel Date:

Planning Commission Date: 02/12/25

Rural Zoning Commission Date:

02/20/2025

Commissioners Date:

03/11/2025

Checklist

☐ Fee Payment (checks only)

☐ Completed Application

☐ Notarized Affidavit

☐ Legal description of property

☐ Location/Area map

☐ Water/Wastewater Information

☐ Development Plan (if a planned district request)

Water & Wastewater

Water Supply

☒ Public (Central)

☐ Private (On-site)

☐ Other

Wastewater Treatment

☒ Public (Central)

☐ Private (On-site)

☐ Other



Franklin County
Board of Commissioners

ECONOMIC DEVELOPMENT & PLANNING

Economic Development & Planning Department
James Schimmer, Director

Application for Rezoning

Page 2



Property Owner Information

Name: A&N Real Estate Investments, LLC

Address: 6200 Gray Friar Way
Dublin, OH 43017

Phone # (614) 843-2193

Fax #

Email: azizmosa29@gmail.com

Applicant Information

☐ Same as property owner

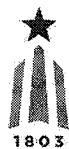
Name: Havens Limited c/o Chris Wallace

Address: 141 E. Town Street, Suite 200
Columbus, Ohio 43215

Phone # (614) 832-9654

Fax #

Email: cwallace@havenslimited.com

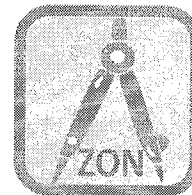


Franklin County
Board of Commissioners

ECONOMIC DEVELOPMENT & PLANNING

Economic Development & Planning Department
James Schimmer, Director

Application for **Rezoning** Page 4



Rezoning/Text Amendment Application

General Application Requirements

Any applicant who requests a zoning change is solely responsible for filing all materials required by the application in its entirety. Please consult with the Economic Development and Planning Department to obtain a copy of pertinent development standards prior to filing a rezoning request.

The following items are required with each application:

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**Franklin County
Auditor's Office**
Auditor
Michael Stinziano

Planimetric Legend

Source: 2021 Aerial Photography

- Edge of Pavement
- Roadway Centerlines
- Railroad Centerlines
- Building Footprints
- Building Under Construction
- Creeks, Streams, Ditches
- Rivers & Ponds

Topographic Legend

Source: OSIP - 2019 LIDAR Collection

- Spot Elevation
- Index Contour
- Intermediate Contour

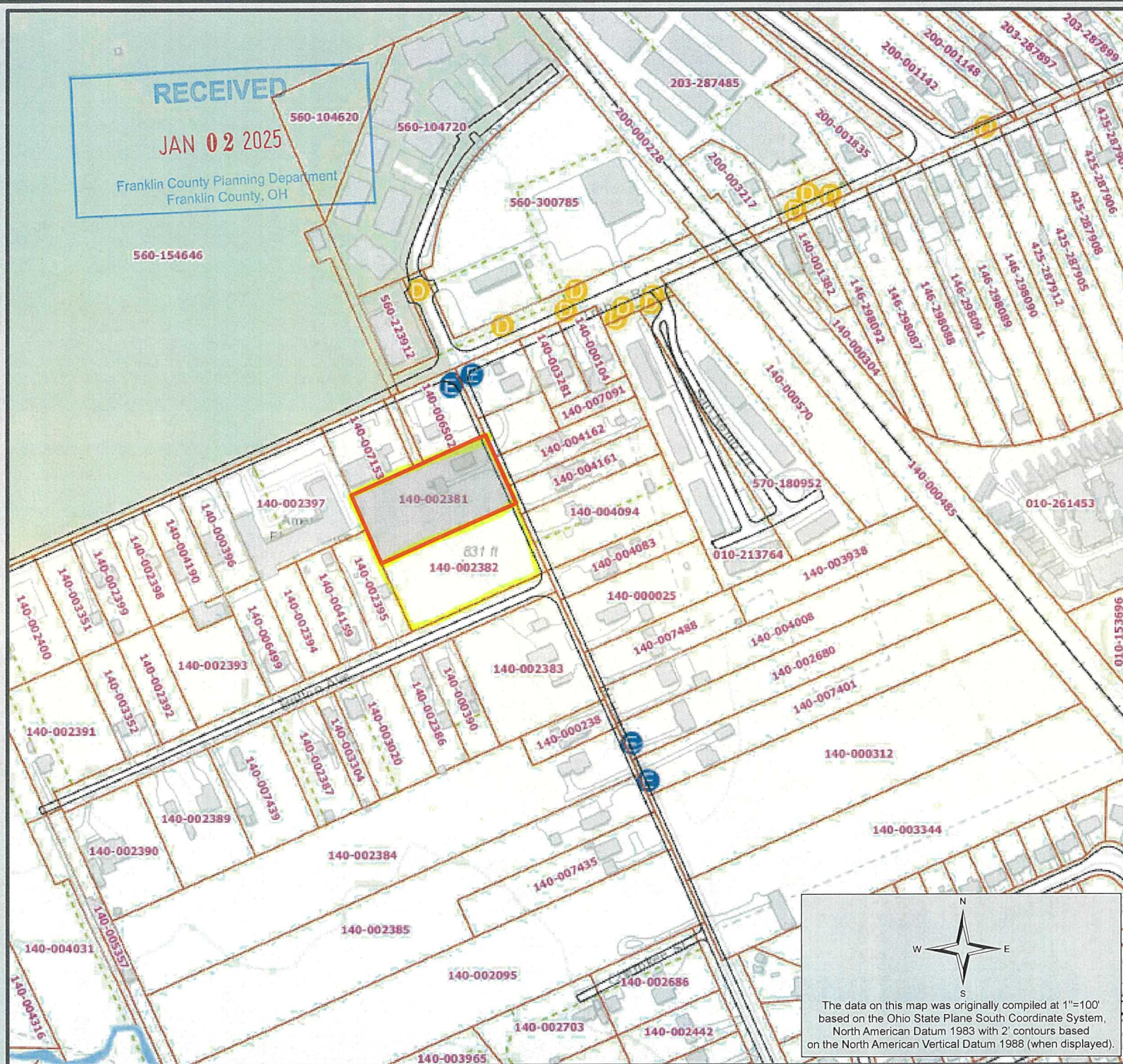
Appraisal Legend

Source: Franklin County Auditor & Engineer

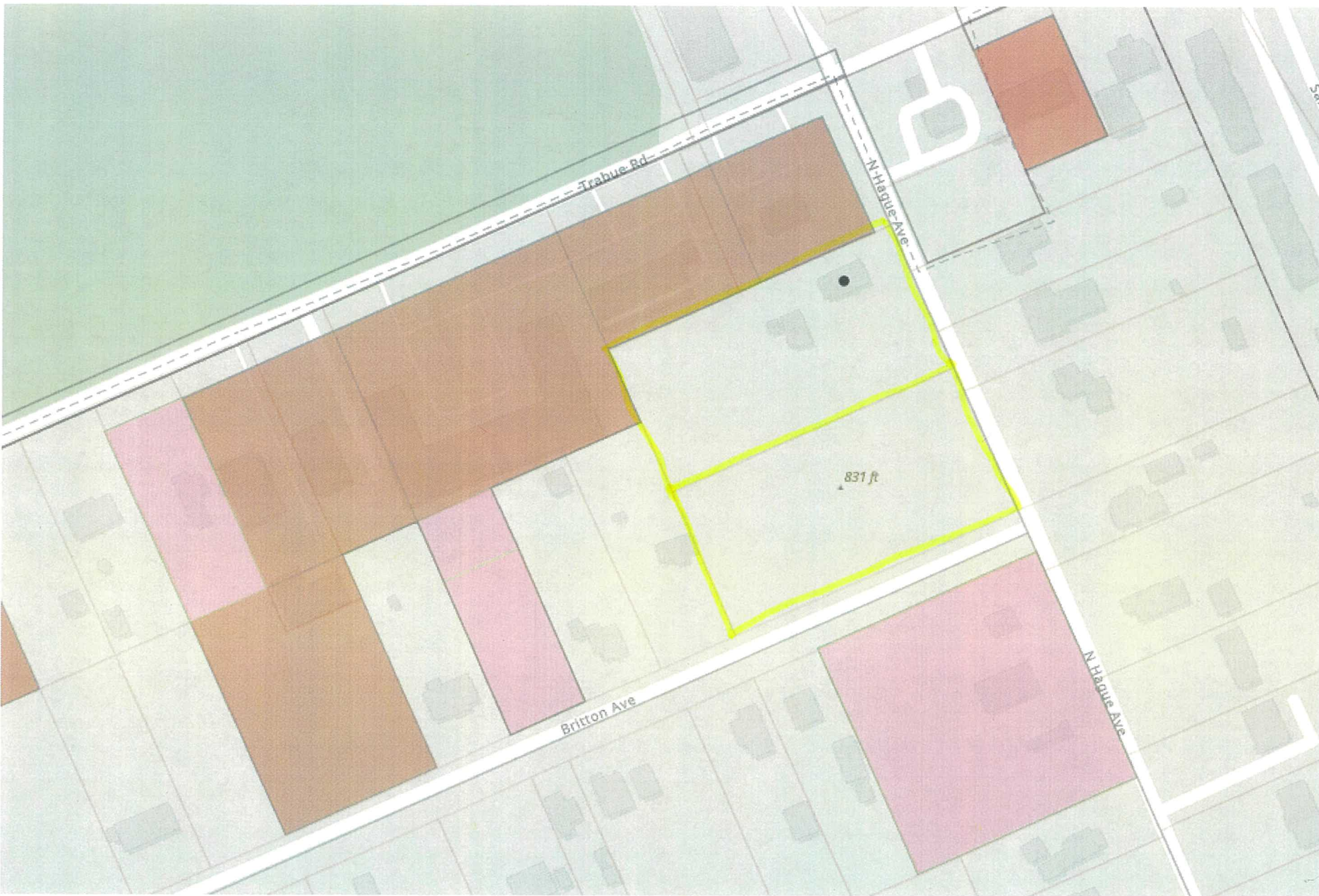
- Parcel IDs
- Parcel Dimensions
- Lot Numbers
- Site Address
- Parcel Boundary
- Subdivision Boundary
- Condominium Boundary
- County Boundary
- City or Village Boundary
- Tax District Boundary
- School District Boundary
- Zip Code Boundary

This map is prepared for the real property inventory within the county. It is compiled from record deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be considered for verification of the information contained on this map. The county and the mapping companies assume no legal responsibility for the information contained on this map. Please notify the Franklin County Auditor's GIS Department of any discrepancies.

For scaled maps, please visit the parcel viewer at <https://gis.franklincountyohio.gov/parcelviewer>



The data on this map was originally compiled at 1"=100' based on the Ohio State Plane South Coordinate System, North American Datum 1983 with 2' contours based on the North American Vertical Datum 1988 (when displayed).



Franklin County Zoning

KRISTEN ATHA
Director

THE CITY OF
COLUMBUS
ANDREW J. GINTHER, MAYOR

DEPARTMENT OF
PUBLIC UTILITIES

Division of Power and Water

910 Dublin Road
Columbus, Ohio 43215
Ph. (614) 645-8276
Fax (614) 724-0129
UtilityLeadRep@columbus.gov

March 26, 2024

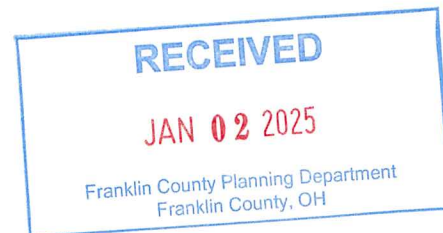
Service Address: 1891 N HAGUE AVE

To Whom It May Concern:

Thank you for contacting The Department of Public Utilities on **3/26/204**.

The City of Columbus does provide Water Service only to the address at 1891 N HAGUE AVE.

If you need additional assistance, please call the Customer Service Center at (614) 645-8276 Monday through Friday from 7:00 a.m. to 6:00 p.m.



Director's Office | 910 Dublin Road | Columbus OH 43215 | T 614.645.6141 | F 614.645.8019
Division of Power | 3500 Indianola Avenue | Columbus OH 43214 | T 614.645.8371 | F 614.645.7830
Division of Sewerage and Drainage | 1250 Fairwood Avenue | Columbus OH 43206 | T 614.645.7175 | F 614.645.3801
Division of Water | 910 Dublin Road | Columbus OH 43215 | T 614.645.7020 | F 614.645.3993
Customer Service 614.645.8276 | columbus.gov

RE: Sanitary Sewer

From Stowe, Ryan J. <rjstowe@franklincountyohio.gov>
Date Fri 4/12/2024 10:15 AM
To Chris Wallace <cwallace@havenslimited.com>

Good morning Chris,

That is correct. The County is in the final stages of design for a sanitary sewer improvement that will serve the two parcels you listed below. Please allow this email to serve as the sewer availability letter.

Thank you,

Ryan J. Stowe, P.E.
Assistant Director
Franklin County Dept. of Sanitary Engineering
280 East Broad Street
Columbus, OH 43215
Office: 614-525-4524
Mobile: 614-374-5897

From: Chris Wallace <cwallace@havenslimited.com>
Sent: Tuesday, April 9, 2024 5:44 PM
To: Stowe, Ryan J. <rjstowe@franklincountyohio.gov>
Subject: Sanitary Sewer

Ryan,

It is my understanding that Franklin County Tax Parcels 140-002381-00 and 140-002382-00 will be served by a Franklin County sanitary sewer CC19945 North Hague Avenue, which is currently under design. Could please confirm that is the case and provide a sewer availability letter?

Thank you.

Christopher Wallace

Attorney

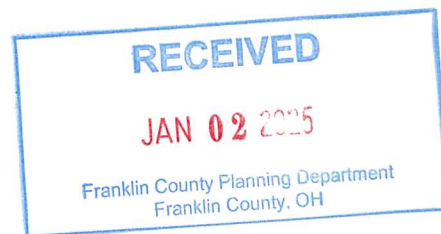
Havens Limited
141 E. Town Street Suite 200
Columbus, Ohio 43215

Office: 614-228-6888

Direct Dial: 614-324-0457

Fax: 614-228-6878

E-mail: cwallace@havenslimited.com



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STAFF REPORT

Rural Zoning Commission
4/17/2025

Case ZON-25-03

Prepared by: Kayla Johnson

Owner/Applicant:	Lisa M. & Stanley Vivens Sr
Township:	Franklin Township
Site:	2623 Clime Rd. (PID #140-000053)
Acreage:	1.52 acres
Utilities:	Public water and wastewater
Request:	Requesting to rezone from the Rural (R) and Community Service (CS) districts to the Neighborhood Commercial (NC) district.

Summary

The applicant is requesting a rezoning from the Rural (R) and Community Service (CS) district to the Neighborhood Commercial (NC) district to allow for tax preparation and accounting services business. The request is not consistent with future land use recommendation of the Hilltop Land Use Plan (2019); however, it is consistent with the land use policy and guiding principles of Plan. Staff recommends **approval with conditions**.

Request

The site is located on the south side of Clime Road, west of Harrisburg Pike and the Baltimore & Ohio (B&O) Railroad in Franklin Township. The site is developed with a residence, constructed prior to 1995 based on aerial photography, and two detached structures. The property has combined a total of three (3) parcels, two of which were zoned Community Service (CS) for a car repair business in 1977. The repair business has been discontinued.

The applicant desires to repurpose the existing residence for the proposed business and insignificantly expand the parking facilities available. If the rezoning is approved, the site may be used for any permitted use in the Neighborhood Commercial (NC) and Suburban Office and Institutional (SO) districts that complies with the applicable development standards.

Surrounding Land Use/Zoning

The areas surrounding subject site are developed and zoned for single-family residential, institutional, commercial, and industrial land uses in Franklin Township and the City of Columbus. East of the property and west of Harrisburg Pike is vacant land (zoned Rural and Community Service in Franklin Township), a single-family residence (zoned Rural in Franklin Township), and a gas station (Community Service). Northeast of the lot is vacant agricultural land (zoned Commercial in Columbus) and a lumber company (zoned Manufacturing in Columbus). Northwest, west, and south of the subject site are single-family residences with detached accessory structures (zoned Rural in Franklin Township and Residential in Columbus). Further west and southwest of the site are nursing homes (zoned Commercial and Institutional in Columbus).

Comprehensive Plan

The property is located within the boundaries of The Hilltop Land Use Plan (2019). This Plan was adopted for property located within the boundaries of the City of Columbus but includes the subject

parcel which is in Franklin Township within the unincorporated Franklin County. The Plan contains a Recommended Land Use Map that identifies this property for Very Low Density Residential (< 4 du/ac) developed with single-family residences. This land use plan highlights the Columbus Citywide Planning Policy (C2P2) for development.

- Land Use Policy (pg. 39) – Very Low Density Residential (<4 du/ac)
 - Where the proposed use is inconsistent with the recommended development, office, in addition to other uses, should be considered based on scale and intensity to surrounding land uses.
- Guiding Principle #1 (pg. 17) – prioritizes protection and expansion of employment-oriented land uses including office and manufacturing.
- Guiding Principle #2 (pg.18) – recommends using existing infrastructure for sustainable development.

Based on the Southwest Area Plan whose western boundary ends at the railroad located at the eastern property boundary of the site, areas east of the site between the railroad and Harrisburg Pike are recommended for Light Industrial and Neighborhood Commercial land uses.

The requested zoning district is not consistent with The Hilltop's Land Use Plan recommended future land use. The proposal meets some of the applicable principles and policy of the Plan.

Staff Analysis

Existing zoning – Rural:

The Rural (R) zoning district is intended for agricultural and residential development in the County where the conservation of resources is important or where appropriate urban use of the land cannot be achieved because of the lack of urban services, most importantly centralized water and sanitary sewer. The principal permitted uses are agriculture, residential subdivisions and farm dwellings.

Existing zoning – Community Service:

The Community Service District is provided in recognition of the need for large item commercial sales, service and repair establishments. The Community Service District is intended for sales, service, repair, and certain processing establishments serving a large trade area, usually a whole community. The trade area population served by these establishments requires easy access to major traffic routes. The Community Service District provides an appropriate setting and environment for the location of wholesale or retail sales of major vehicle dealers and miscellaneous aircraft, marine and automotive dealers which entail extensive, permanent, visible outside storage and display areas.

Proposed zoning – Neighborhood Commercial:

The Neighborhood Commercial District is intended to encourage groupings of small retail establishments to promote convenient shopping to residential neighborhoods. More restrictive requirements for light, air and open space are necessitated in this district than in other Commercial Zoning Districts.

The Neighborhood Commercial District allows uses such as, personal services, business/professional offices, eating and drinking spaces, hardware stores, laundry services, beauty/barber shops, and drug stores. Permitted uses under the Suburban Office and Institutional (SO) district are also permitted under the Neighborhood Commercial District.

Development Standards

- *Lot Size -*
 - *No minimum lot size is required; however, lot size shall be adequate to provide the yard space required by these DEVELOPMENT STANDARDS.*

- *Lot Width -*
 - *No minimum lot width is required; however, all lots shall abut a street and have adequate width to provide the yard space required by these DEVELOPMENT STANDARDS.*
- *Minimum Landscaped Open Space -*
 - *Twenty percent (20%) of the lot area shall be landscaped open space.*
- *Front Yard -*
 - *The Franklin County Thoroughfare Plan dictates the front yard setback identified as 120 feet for the Major Arterial of Clime Road. The front yard setback is measured from the centerline of the roadway 120 feet onto the property. The existing structure will not meet the 120-foot setback requirement. Approval of the rezoning would make the structure non-conforming.*
- *Side Yard -*
 - *When adjacent to a residential district or planned district, the side yard shall be one-fourth (1/4) the sum of the height of the structure and the length of the wall most nearly parallel to the side lot line. In no case shall the setback be less than fifteen (15) feet.*
 - *When adjacent to another commercial district, the side yard shall be at least ten (10) feet, unless fireproof walls of adjacent buildings are attached, in which case no side yard is required.*
- *Rear Yard -*
 - *Twenty (20) feet. A rear yard shall be required adjacent to a Residential Zoning District or a Planned Development Zoning District as listed in SECTION 201, ARTICLE II. Such required rear yards shall be not less than one-fourth (1/4) the sum of the height and length of the wall most nearly parallel to the rear lot line, but in no case shall be less than twenty (20) feet. A use to be serviced from the rear shall have a service court, alleyway or combination thereof not less than forty (40) feet wide.*
- *Front Greenbelt -*
 - *A landscaped area at least fifteen (15) feet in width shall be provided between the existing street right of way line, or as depicted on the Franklin County Thoroughfare Plan, current edition, whichever is greater, and any structure or paved area. Green belt requirements shall supersede any parking lot encroachment permitted in Section 504.012; the green belt shall be provided.*
- *Maximum Height - Thirty-eight (38) feet.*

Technical Agency Review:

The case was referred to the informal Technical Review Committee for comments on February 19th, 2025.

1. ***Franklin County Engineer's Office:***
Per the Access Management Regulations, the number of driveways to any one site shall be minimized. The applicant would need to submit a variance to the Franklin County Engineer's Office for the second driveway proposed.
2. ***Franklin County Planning Department:*** *Site plan requirements must be met within the Zoning Compliance submission. In addition to the alteration of the existing residence, parking and screening requirements must comply with the Franklin County Zoning Resolution.*

Staff Review

The proposed rezoning is not consistent with the future land use recommendation of the adopted comprehensive plan however it meets the recommended land use policy, guiding principles, and the intent of the Neighborhood Commercial (NC) district by allowing for a wide range of 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 Rural (R) and Community Service (CS) districts to the Neighborhood Commercial (NC) district. The conditions are as follows:

1. Apply for and receive approval of a certificate of commercial zoning compliance from the Franklin County Planning Department prior to the initiation of any commercial use on the property, to include details of the required parking, screening, and other development requirements of the zoning district.
2. Prior to zoning compliance approval, dedicate additional right-of-way to meet the Franklin County Thoroughfare Plan of 60 feet from the centerline of Clime Road through quit claim deed to the Franklin County Commissioners.
3. Prior to zoning compliance approval, obtain approval of a variance from the Franklin County Engineer's Office for any additional proposed driveways to the site.
4. Apply for and receive approval of a building permit from Franklin Township for the proposed change of use of the residential structure.

Planning Commission Recommendation




On March 12, 2025, the Franklin County Planning Commission recommended ***approval with conditions*** of the request to rezone the subject site from the Rural (R) and Community Service (CS) districts to the Neighborhood Commercial (NC) district. Based on Staff's review, Staff recommends the Rural Zoning Commission submit to the Board of County Commissioners a recommendation of ***approval with conditions***.

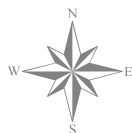



ZON-25-03

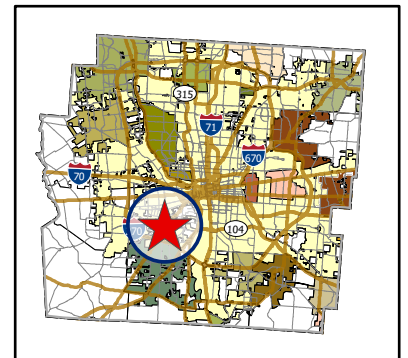
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Acres: 1.5-acres
Township: Franklin

-  Streets
-  Parcels
-  2623 Clime Rd



0 40 80
 Feet
1 inch = 80



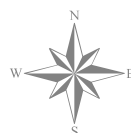
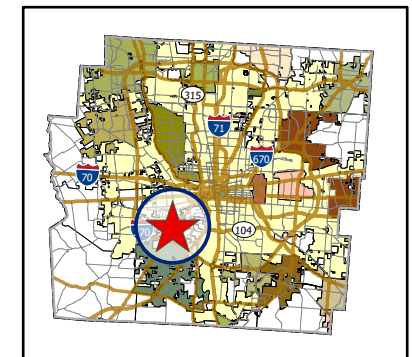


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Acres: 1.5-acres
Township: Franklin

- Streets
- Parcels
- 2623 Clime Rd





ZON-25-03

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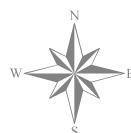
2623 Clime Rd
Streets

Zoning - County

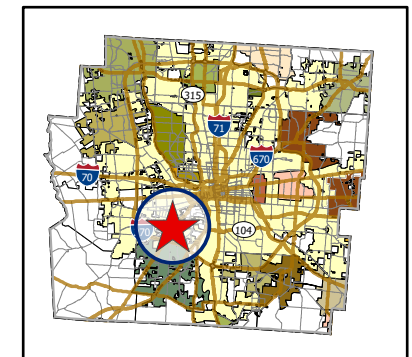
Community Service
Rural
Suburban Office and Institutional

Columbus Base Zoning Districts

Commercial
Institutional
Manufactured Home
Manufacturing
Multi-family
Residential
2623 Clime Rd
2623 Clime Rd



0 150 300
Feet
1 inch = 300 feet





Franklin County
Board of Commissioners

ECONOMIC DEVELOPMENT & PLANNING

Economic Development & Planning Department
James Schimmer, Director

Application for Rezoning Page 1

RECEIVED

FEB 12 2025

Franklin County Planning Department
Franklin County, OH



Property Information

Site Address: 2623 Cline Rd Columbus, OH 43223
Parcel ID(s): 140-600053-00
Total Acreage: 1.5 acres Township: Franklin

Property Description

Acres to be rezoned: 1 acre
Current Land Use:

Surrounding Land Uses:

North	<u>Road / Farm</u>
South	<u>Rural</u>
East	<u>Railroad tracks</u>
West	<u>Rural / Residence</u>

Rezoning Request

Current Zoning: CS Community Service & Rural
Proposed Zoning: Commerical **Neighborhood Commercial (NC)**
Proposed Land Use: Tax office / Accounting Services
Purpose for Request:

SIC Codes 7291 & 8721

Staff Use Only

Case # ZON-25-03
Date Filed: 2/13/25
Fee Paid: \$1,100
Receipt # 25-00381
Received By: Kayla J.
Technical Review Date: 2/25/25
Big Darby Panel Date: N/A
Planning Commission Date: 3/12/25
Rural Zoning Commission Date: 3/20/25
Commissioners Date: 4/8/25

Checklist

- ☐ Fee Payment (checks only)
- ☐ Completed Application
- ☐ Notarized Affidavit
- ☐ Legal description of property
- ☐ Location/Area map
- ☐ Water/Wastewater Information
- ☐ Development Plan (if a planned district request)

Water & Wastewater

Water Supply

- ☒ Public (Central)
- ☒ Private (On-site)
- ☐ Other

Wastewater Treatment

- ☐ Public (Central)
- ☒ Private (On-site)
- ☐ Other



Franklin County
Board of Commissioners

ECONOMIC DEVELOPMENT & PLANNING

Economic Development & Planning Department
James Schimmer, Director

Application for Rezoning Page 2



Property Owner Information

Name: Lisa M Vivens, Stanley Vivens Sr
Address: 2647 Cline Rd
Columbus, OH 43223

Phone # 614-214-2357

Fax # 614-443-2059

Email: slvivens@gmail.com

Applicant Information

Name: S

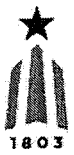
☒ Same as property owner

Address:

Phone #

Fax #

Email:



Franklin County
Board of Commissioners

ECONOMIC DEVELOPMENT & PLANNING

Economic Development & Planning Department
James Schimmer, Director

Application for Rezoning Page 3



Signatures

To the best of my/our knowledge and belief, information and materials submitted as a part of this Rezoning application are correct, complete and accurate. The Franklin County Technical Review Committee members are hereby granted permission to enter the property for inspection and review purposes. I/we understand that delays or tablings may impact the hearing schedule.

Lisa M. Vivens

Applicant

2/5/2025

Date

Lisa M. Vivens

Property Owner (Signature must be notarized)

2/5/2025

Date

Stanley Vivens SR.

Property Owner (Signature must be notarized)

2/5/2025

Date

Evan M Durkin
Evan M Durkin



EVAN MICHAEL DURKIN
Notary Public, State of Ohio
My Commission Expires
June 02, 2029
COMMISSION: 2024-RE-877707



Application for
Rezoning
Page 4



Rezoning/Text Amendment Application

General Application Requirements

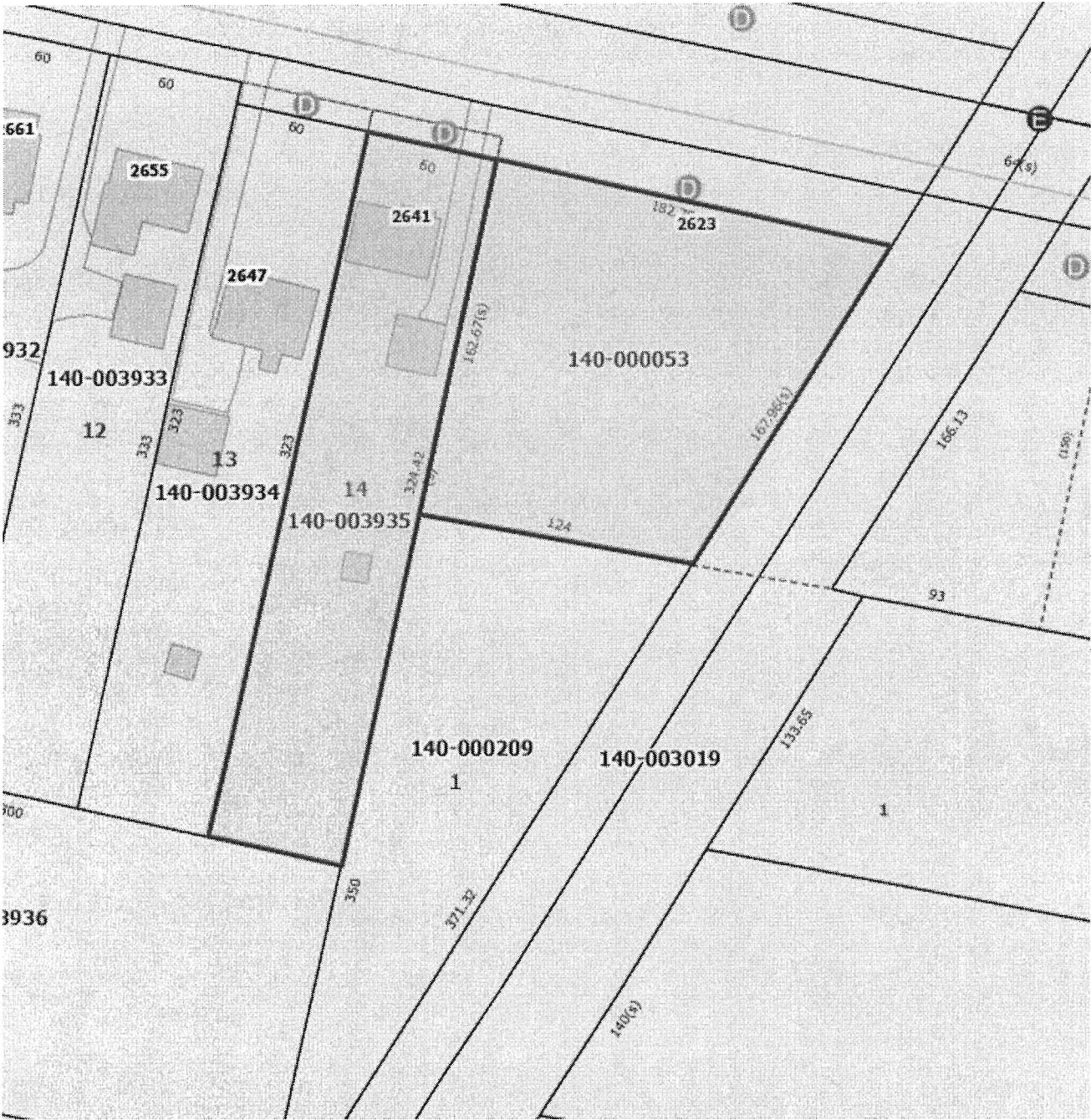
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RECEIVED
FEB 12 2025
Franklin County Planning Department
Franklin County, OH

RECEIVED

FEB 12 2025

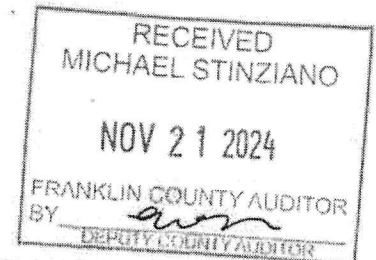
Franklin County Planning Department
Franklin County, OHMICHAEL
STINZIANO
Franklin County Auditor

Combination Request of Tax Parcels

I, as the ☒ owner [] owner's representative, request the Franklin County Auditor to combine the following:

Parcel Numbers:

140-000053-00
140-003935-00
140-000209

Current Owner(s): Lisa + Stanley Vivers, Sr

Is there a home or other structure on any of the above listed parcels? [] Yes [] No

What is the reason for combining the above listed parcels?

☒ I want one tax bill

[] This is required for a building permit

[] This is a planning commission requirement

☒ Other: Want to develop one property to commercial

Would you like to receive a copy of this completed form via email? ☒ Yes [] No

Signature: Lisa M. ViversDate: 10/22/2024Print: Lisa Marie ViversPhone: 614-214-2357Email: slvivers@gmail.com

For Auditor's Use Only

Tax district: ☒ Ownership: ☒ GIS map: ☒ Parcel sheets verified: ☒

Deputy Auditor: [signature] TID: 556050 File folder: (140) 14

Approved: ☒ Contact date: 11-21-24 Phone/Email (circle one)

Denied: ☐ Parcel number retained: 140-000053

Map/Page: M 148