



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

Economic Development & Planning Department  
James Schimmer, Director

# Franklin County Board of Zoning Appeals

Franklin County Courthouse  
Commissioners Hearing Room – 26th Floor  
Columbus, OH 43215

Tuesday, January 22, 2013  
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 December 17, 2012 meeting
5. New Business:

**A. AP-3784 – Anthony Hray**

<b>Appellant:</b>	Creative Child Care, Inc.
<b>Agent:</b>	Greg Peterson/Istvan Gasary – Peterson, Ellis, Fergus and Pear LLP.
<b>Township:</b>	Franklin Township
<b>Site:</b>	511 Industrial Mile Road (PID # 140-007352)
<b>Acreage:</b>	1.48-acres
<b>Request:</b>	Appealing the decision of the Franklin County Zoning Administrative Officer to issue a Certificate of Zoning Compliance to allow the use of an overflow homeless shelter.

6. Approval of By-Laws
7. Election of Chair and Vice-Chair
8. Adjournment of Meeting to February 19, 2013



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

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

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

**Monday, December 17, 2012**

The Franklin County Board of Zoning Appeals convened on the 26th Floor, Franklin County Courthouse, 373 South High Street, Columbus, Ohio, 43215, on Monday, December 17, 2012.

Present were:

Gary Dever  
Christopher Baer  
Tim Guyton  
Nancy Hunter

Franklin County Economic Development and Planning Department:  
Matt Brown, Planner/Floodplain Manager  
Scott Ulrich, Planner

Chairperson Dever opened the meeting.

The first order of business being the approval of the minutes of the October 15, 2012, Franklin County Board of Zoning Appeals meeting. Ms. Hunter made a motion to approve the minutes. It was seconded by Mr. Guyton. The minutes were approved by a four-to-zero vote.

Mr. Matt Brown swore in all witnesses.

### **OLD BUSINESS:**

The next order of business being Appeal Case AP-3781. The owner is Hotspur, Inc. The township is Clinton Township. The site is located at 3708 Cleveland Avenue. The applicant is requesting to table until the February 19, 2013, meeting. Mr. Guyton made a motion to take Case No. AP-3781 off the table. It was seconded by Mr. Baer. The motion was approved by a four-to-zero vote.

Mr. Guyton made a motion to table Case No. AP-3781 until the February 19, 2013, meeting. It was seconded by Mr. Baer. The motion was approved by a four-to-zero vote.

The next order of business being Variance Case VA-3783. The owner and applicant is Hotspur, Inc. The agent is David Hodge. The township is Clinton Township. The site is located at 3708 Cleveland Avenue. The applicant is requesting a variance from Section 328.021 to allow an adult entertainment establishment to continue to operate within 500 feet of a residential zone.

Mr. Scott Ulrich read and presented the case to the Franklin County Board of Zoning Appeals. Mr. Guyton made a motion to conditionally approve Variance Case VA-3783 with the following conditions:

1. The applicant must receive an approved Certificate of Zoning Compliance from the Franklin County Economic Development and Planning Department, for the previously erected fence and canopy, pending staff's determination of whether applicant has previously received such Certificate for said improvements.
2. The applicant must immediately remove (not disconnect) any outdoor speakers on the property.

It was seconded by Ms. Hunter. The motion was approved by a four-to-zero vote.

There being no further business to come before the Franklin County Board of Zoning Appeals, a motion was made by Mr. Guyton to adjourn the meeting. It was seconded by Mr. Baer.

And, thereupon, the meeting adjourned at 2:15 p.m.

Minutes of the December 17, 2012, Franklin County Board of Zoning Appeals were approved this 22<sup>nd</sup> day of January, 2013.

---

*Signature*



# Administrative Appeal

Revised January 1, 2009

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AP

**Commissioners**  
 Marilyn Brown, President  
 Paula Brooks  
 John O'Grady

Franklin County Planning Department  
 Franklin County, OH

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

Property Information	
Site Address 511 Industrial Mile Road	
Parcel ID(s) 140-007352-00	Zoning Suburban office (SO)
Township Franklin	Acreage 1.481
Water Supply <input checked="" type="checkbox"/> Public (Central) <input type="checkbox"/> Private (Onsite)	Wastewater Treatment <input checked="" type="checkbox"/> Public (Central) <input type="checkbox"/> Private (Onsite)

Staff Use Only
Case # AP-3784
Date filed: 11-29-12
Received by: LMK
Hearing date: 1/22/13
Zoning Compliance: 20-12-4223

Applicant Information	
Name/Company Name Creative Child Care, Inc. e/o Greg Peterson / ISTRAN GAJARY	
Address Peterson, Ellis, Fergus & Peac. LLP 250 Civic Center Dr., Suite 650 Columbus, OH 43215	
Phone # 614.365.7000	Fax # 614.220.0197
Email gpeterson@petersonellis.com igajary@petersonellis.com	

Property Owner Information	
Name/Company Name Timothy M. Kurguz	
Address 5648 Ebright Rd. Grafton, OH 43125	
Phone # 614.239.1919	Fax #
Email	

Agent Information (if applicable)	
Name/Company Name	
Address	
Phone #	Fax #
Email	

Document Submission
The following documents must accompany this application:
<input checked="" type="checkbox"/> Completed form
<input checked="" type="checkbox"/> Auditor's map (8 1/2" x 11")
<input checked="" type="checkbox"/> Covenants and deed
<input checked="" type="checkbox"/> Notarized signatures
<input checked="" type="checkbox"/> Proof of water & waste water supply
<input checked="" type="checkbox"/> Copy of Administrative Officer's decision
Please see the Application Instructions for complete details

**Describe the decision by an Administrative Officer that is being appealed:**  
Creative Child Care, Inc. appeals this agency's decision to grant a Certificate of Zoning Compliance to the YMCA for the use of 511 Industrial Mile Road as an overflow homeless shelter.

**Describe the project:**

**Affidavit**

I hereby certify that the facts, statements, and information presented within this application form are true and correct to the best of my knowledge and belief. I hereby understand and certify that any misrepresentation or omissions of any information required in this application form may result in my application being delayed or not approved by the County. I hereby certify that I have read and fully understand all the information required in this application form.

Applicant: [Signature]  
Sworn to and subscribed before me by Istvan

NOTARIAL SEAL  
Date: 08/12  
Catherine J. Schwartz  
Notary Public, State of Ohio  
My Commission Expires 07-31-2013

Property Owner (Signature must be notarized)

Property Owner (Signature must be notarized)

Date

\*Agent must provide documentation that they are legally representing the property owner.  
\*\*Approval does not invalidate any restrictions and/or covenants that are on the property.



**COPY**

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

Economic Development & Planning Department  
James Schimmer, Director

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November 27, 2012

NOV 29 2012

Michael Lusk – LUSK Architecture  
35 North Fourth Street, Suite 350  
Columbus, OH 43215

Franklin County Planning Department  
Franklin County, Ohio

AP- 3784

Re: Certificate of Zoning Compliance Application ZC# 11-4223 (511 Industrial Mile Road)

Mr. Lusk:

This correspondence is in regard to Certificate of Zoning Compliance Application, ZC-11-4223, filed October 19, 2012, with the Franklin County Economic Development and Planning Department, to allow for the operation of a social service/overflow shelter on the property located at 511 Industrial Mile Road. This Certificate of Zoning Compliance has been issued with the understanding that the proposed development and use is in compliance with the Franklin County Zoning Resolution. The application has been reviewed and approved with the following conditions:

1. The applicant must notify this department immediately of any change or modification to the submitted materials, development plan and/or proposed timeline.
2. This Certificate of Zoning Compliance shall be in accordance with Section 705.02 of the Franklin County Zoning Resolution.
  - If the applicant has not begun work within six (6) months from the date of issuance, the Certificate of Zoning Compliance shall expire on May 27, 2013.
  - All work must be completed within one (1) year from the date of issuance, if not; the Certificate of Zoning Compliance shall expire on November 27, 2013.
3. Any signage must receive a Sign Permit from the Franklin County Economic Development and Planning Department.

Should you have any questions or require any additional information, please feel free to contact me directly at 614-525-5629 or [rlbrown@franklincountyohio.gov](mailto:rlbrown@franklincountyohio.gov).

Sincerely,

R. Lee Brown  
Planning Administrator

cc: Don Brown, Franklin County Administrator  
Erik Janas, Deputy Franklin County Administrator  
James Schimmer, Director, Franklin County EDP



150 S. Front Street, Suite FSL 10  
Columbus, OH 43215

Tel. 614-525-3094 Fax 614-525-7155

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Franklin County Planning Department  
Franklin County, Ohio

# Application for Certificate of Zoning Compliance

Commercial Construction

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COPY  
NOV 19 2012

Franklin County Planning Department  
Franklin County, OH

AP-3784

Property Information	
Site Address 511 Industrial Mile Road	
Parcel ID(s) 140-007352-00	Zoning District Suburban Office (SO)
Township Franklin	Total Acreage 1.481

Applicant Information	
Name/Company Name Michael Lusk, AIA, NCARB - LUSK Architecture	
Address 35 N. Fourth Street, Suite 350 Columbus, OH 43215	
Phone # 614-827-6000	Fax # 614-827-6001
Email mlusk@luskarchitecture.com	

Property Owner Information	
Name/Company Name Timothy M. Kurguz	
Address 5648 Ebright Road Groveport, OH 43125	
Phone # 614-239-1919	Fax #
mail	

*Tankersie*  
I subscribed and sworn to me  
this 18th day of October 2012  
*Mary Ellen Buck*

Current Tenant	
Name/Company Name Art Helldoerfer, YMCA of Central Ohio	
Phone # 614-573-3608	Fax #
Email ahelldoerfer@ymcacolumbus.org	

Staff Use Only	
Application # ZC-12-4223	
Approved / Denied	
Reviewer:	<i>R. P. P.</i>
Date of action:	11/27/12
Fee Paid:	\$ 225.00
Receipt #	241124
Zoning District	SO
Development Standards met (Y/N)	<input checked="" type="checkbox"/>
Non-Conf. (Y/N)	<input checked="" type="checkbox"/>
Floodplain (Y/N)	<input checked="" type="checkbox"/>
VA/CU Req'd (Y/N)	<input checked="" type="checkbox"/>
Agency Review	
BOH/EPA	Sent <i>10/25/12</i> Received <i>Suffly</i>
FCEO	Sent <i>10/25/12</i> Received <i>Suffly</i>
FSWCD	Sent <i>10/25/12</i> Received <i>Suffly</i>

Review Procedure	
Applicant submits materials	
- Application form	<input checked="" type="checkbox"/>
- Fee	<input checked="" type="checkbox"/>
- General Site plan	<input checked="" type="checkbox"/>
- Erosion and Sediment control plan	<input checked="" type="checkbox"/>
- Stormwater management plan	<input checked="" type="checkbox"/>
- Stormwater erosion control	<input checked="" type="checkbox"/>
- Pollution prevention plan	<input checked="" type="checkbox"/>
The Planning Commission reviews internally and makes a recommendation to the Zoning District. Compliance with development standards	
If approved or denied, applicant will be informed of reason(s) and what measures may be taken to correct any shortcomings.	

MY COMM. EXP. 2-12-14  
NOTARY PUBLIC  
MARY ELLEN BUCK



Application for  
**Certificate of  
 Zoning Compliance**  
 Commercial Construction

Application #  
**ZC-12-4223**

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**Development Proposal**

Current Use:

Church with a daycare

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Franklin County Planning Department  
 Franklin County, Ohio

AP-3784

Proposed Use:

Social services/overflow homeless shelter

OCT 19 2012

Franklin County Planning Department  
 Franklin County, OH

**Applicant's Affidavit**

I, Michael Lusk representing Timothy M. Kurguz

Name

Lessee/Owner

being duly sworn, depose and say that the application and foregoing statements and required information are contained herein, and are in all respects true and correct to the best of my knowledge and belief.

Applicant's Signature

Property Owner's Signature

subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Notary Public

**Staff Use Only**

**Staff Comments**

See letter dated 11/27/12 to Mike Ruel-

- 1.) Notify immediately of any change or modification to the submitted materials, development plan and/or proposed timeline.
- 2.) Section 705.02 - Start work within 6 months, or fine. Must be completed in 1 year or appeal.
- 3.) Any signage must get a sign permit

The foregoing Application for Zoning Compliance is hereby

Approved | Denied

*R. Lee Brown*

*With Condition*

*11/27/12*

Zoning Officer, Franklin County Economic Development and Planning Department

Date



150 S. Front Street, Suite FSL 10  
Columbus, OH 43215

Tel. 614-525-3094 Fax 614-525-7155

# Application for Certificate of Zoning Compliance

Commercial Construction

Application #  
**ZC-12-4223**  
**RECEIVED**

OCT 19 2012

### Site Information

Site Address

511 Industrial Mile Road,

Franklin County Planning Department  
Franklin County, OH

Applicant Name

Michael Lusk, AIA, NCARB, LUSK Architecture

### Inter-Agency Review

Franklin County Board of Health

280 E. Broad St., Suite 200  
Columbus, OH 43215  
Tel. 614-525-3180 Fax 614-525-6672

Franklin County Engineer's Office

910 Dublin Rd  
Columbus, OH 43215  
Tel. 614-525-7489 Fax 614-525-3359

Franklin Soil & Water Conservation District

1328 Dublin Rd  
Columbus, OH 43215  
Tel. 614-486-9813 Fax 614-486-9814

Other Agency:

Phone #

Fax #

### Agency Recommendation / Comments

Approval

Subject to conditions listed below

Disapproval

Conditions / Staff Comments

*See file ZC-12-4223*

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Franklin County Planning Department  
Franklin County, Ohio

AP-3784

Agency Representative

Date

### Return Information

For more information on this application, please contact:

Franklin County EDP staff member

Phone #

Fax #

614-525-7155

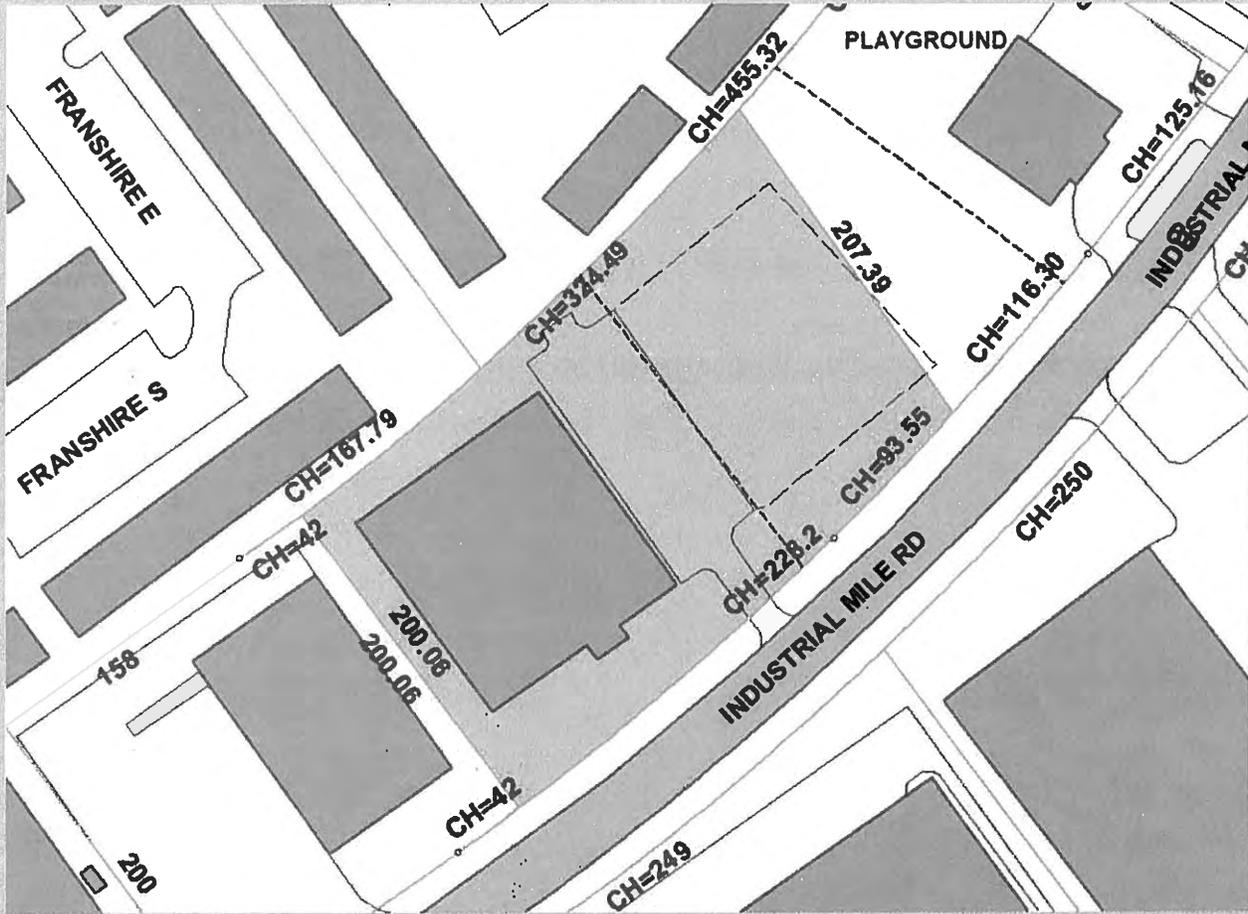
Email

**Property Report**

Generated on 11/28/12 at 04:53:02 PM

Parcel ID: **140-007352-00**      Map Routing No: **140-0019C -017-01**      Card No: **1**      Location: **511 INDUSTRIAL MILE RD**

GIS



**Disclaimer**

This drawing is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this drawing are notified that the public primary information source should be consulted for verification of the information contained on this drawing. The county and the mapping companies assume no legal responsibilities for the information contained on this drawing. Please notify the Franklin County GIS Division of any discrepancies.

The information on this web site is prepared for the real property inventory within this county. Users of this data are notified that the public primary information source should be consulted for verification of the information contained on this site. The county and vendors assume no legal responsibilities for the information contained on this site. Please notify the Franklin County Auditor's Real Estate Division of any discrepancies.

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Franklin County Planning Department  
Franklin County, OH

AP- 3784

# FRANKLIN COUNTY UTILITIES BILL WATER AND SEWER CHARGES

FRANKLIN COUNTY SANITARY ENGINEERING ● 280 E. Broad St. RM 201 ● COLUMBUS OH 43215-4524

<b>SERVICE DATES</b>	10/12/10 TO 01/11/11	<b>SERVICE LOCATION</b>	511 INDUSTRIAL MILE RD
----------------------	----------------------	-------------------------	------------------------

METER READING	PREVIOUS	CURRENT	USAGE	CODE	AMOUNT
X ACTUAL	43,228	43,412	184	W	690.63
ESTIMATED					
CUST. READ					
				S	1,151.08
				COLS	4.83
X 100 CU. FT.					
1000 GALLONS					
<b>TYPE OF BILL</b>					

<b>CURRENT AMOUNT DUE</b>
1,846.54
<b>DUE DATE</b>
03/08/11
<b>AMOUNT AFTER DUE DATE</b>
2,031.19

<b>ACCOUNT NUMBER</b>	14939*3
-----------------------	---------

BY SETTING WATER HEATER TEMPERATURE TO 120 DEGREES CAN SAVE AN AVERAGE FAMILY UP \$50 PER YEAR. OUR NEW TELEPHONE # 614-525-3940.

TIMOTHY KURGUZ  
5648 EBRIGHT RD  
GROVEPORT, OH 43125

**KEEP THIS COPY FOR YOUR RECORDS**

Water and Sewer Bills may also be paid by mail or in person at the Sanitary Engineers office or with our NEW!!! ONLINE BILL  
 PAY with credit card at: [www.franklincountyohio.gov/commissioners/seng](http://www.franklincountyohio.gov/commissioners/seng)  
 Or PAY BY PHONE - 1-800-609-1736. Contact us at [sanitaryengineering@franklincountyohio.gov](mailto:sanitaryengineering@franklincountyohio.gov)

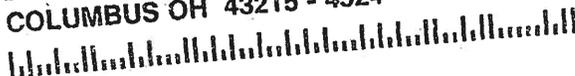
Be sure to sign your check and mail in our attached self addressed envelope

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APR 20 2011

Franklin County Planning Department  
Franklin County, Ohio  
2011-04

FRANKLIN COUNTY SANITARY ENGINEERING  
280 E BROAD ST RM 201  
COLUMBUS OH 43215 - 4524



Postage  
Required  
Post Office will  
not deliver  
without proper  
postage.

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Franklin County Planning Department  
Franklin County, OH

AP-3784

GENERAL WARRANTY DEED\*

8985 889 241.1 T monument

Thomas Family LLC, an Ohio limited liability company, for valuable consideration paid, grant(s) with general warranty covenants, to Timothy M. Kurguz, whose tax-mailing address is 5648 Ebright Road, Groveport, Ohio 43125 the following REAL PROPERTY:

Situated in the Township of Franklin, County of Franklin and State of Ohio and being 0.930 acres and 0.930 acres, more or less, less 0.287 acres and 0.092, more or less, as more particularly described in Exhibit "A" attached hereto and made a part hereof by reference.

Subject to taxes and assessments which are now or may hereafter become liens on said premises and except conditions and restrictions and easements, if any, of record for said premises, subject to all of which this conveyance is made.

Parcel Number: 140-7352 and 140-7354  
Address: 511 Industrial Mile Road, Columbus, Ohio

Prior Instrument Reference: Instrument Number 199908180210229 of the Official Records of Franklin County, Ohio.

Witness his and its hand(s) this 15<sup>th</sup> day of September, 1999.

Signed and acknowledged in presence of:

Thomas Family LLC, an Ohio limited liability company

*Tammy Besore*  
Witness Oscar L. Thomas, Jr. Manager/Member

*Henry A. [Signature]*  
Witness

State of Ohio County of Franklin ss<sup>th</sup>  
BE IT REMEMBERED, That on this 15<sup>th</sup> day of September, 1999, before me, the subscriber, a notary public in and for said state, personally came, Oscar L. Thomas, Jr., Manager/Member of Thomas Family LLC, an Ohio limited liability company, the Grantor(s) in the foregoing deed, and acknowledged the signing thereof to be his and its voluntary act and deed. IN TESTIMONY THEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.



*Tammy Besore*  
TAMMY BESORE  
Notary Public, State of Ohio  
My Commission Expires  
Jan. 24, 2002

This instrument was prepared by Michael J. Weisz, Esq., 553 City Park Avenue, Columbus, Ohio 43215 Auditor's and Recorder's Stamps

\*See Sections 5302.05 and 5302.06 Ohio Revised Code

TRANSCRIBED  
SEP 16 1999  
FRANKLIN COUNTY, OHIO

21478  
PROPERTY TAX  
297.00  
FRANKLIN COUNTY, OHIO

Franklin County Planning Department  
Franklin County, OH  
AP-5784

NOV 29 2012

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Exhibit "A"

TRACT ONE

Situate in the State of Ohio, County of Franklin, the Township of Franklin and being a part of Virginia Military Lands Survey No. 1425; also being part of that Tract A, conveyed to Peoples Development Company, shown of record in Deed Book 1670, Page 139, records of the Recorder's Office, Franklin County, Ohio, and subsequently transferred to Nationwide Development Company by Affidavit shown of record in Affidavit Book 19, page 282, records of the Auditor's Office, Franklin County, Ohio and being more particularly described as follows:

Beginning at an iron pin in the northwesterly line of Industrial Mile Road, 60 feet in width as the same is designated and delineated upon the recorded plat of Dedication of Industrial Mile Road, of record in Plat Book 32, Page 113, Recorder's Office, Franklin County, Ohio, said iron pin being the southeasterly corner of that 0.910 Acre Tract conveyed to Joyce S. Pillsbury et al of record in Deed Book 3379, page 299, Recorder's Office, Franklin County, Ohio, thence N 36°50'40"W, along the easterly line of said 0.910 Acre Tract, a distance of 200.06 feet, to an iron pin, the northeasterly corner of said 0.910 Acre Tract, said iron pin being in the southeasterly line of Lot No. 3 as the same is designated and delineated upon the recorded plat of Lincoln Park West No. 6 of record in Plat Book 42, page 37, Recorder's Office, Franklin County, Ohio; thence with the arc of a curve to the left having a radius of 1,509.06 feet, the chord of which bears N 47°40'29"E, along the southeasterly line of said Lot No. 3 and the southeasterly line of Lot No. 1 as the same is designated and delineated upon the recorded plat of Lincoln Park West No. 4 of record in Plat Book 40, page 3, Recorder's Office, Franklin County, Ohio, a chord distance of 199.25 feet, to an iron pin; thence, S 30°35'55"E, a distance of 201.83 feet to an iron pin in the northwesterly line of said Industrial Mile Road; thence, with the arc of a curve to the right having a radius of 1709.06 feet, the chord of which bears S 48°18'18"W, along a northwesterly line of said Industrial Mile Road, a chord distance of 205.25 feet to the point of beginning and containing 0.930 Acres of land, more or less.

ALL OF  
(140)  
7352

ALL OF  
7352  
(140)



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NOV 29 2012

Franklin County Planning Department  
Franklin County, OH

AP-3784

Exhibit "A" continued

TRACT TWO

SITUATED IN THE STATE OF OHIO, IN THE COUNTY OF FRANKLIN, AND IN THE TOWNSHIP OF FRANKLIN, AND BOUNDED AND DESCRIBED AS FOLLOWS:

Situate in the State of Ohio, County of Franklin, the Township of Franklin and being a part of Virginia Military Lands Survey No. 1425; also being part of that Tract A, conveyed to Peoples Development Company, shown of record in Deed Book 1670, Page 139, records of the Recorder's Office, Franklin County, Ohio, and subsequently transferred to Nationwide Development Company by Affidavit shown of record in Affidavit Book 19, page 282, records of the Auditor's Office, Franklin County, Ohio and being more particularly described as follows:

Beginning at an iron pin in the northwesterly line of Industrial Mile Road, 60 feet in width as the same is designated and delineated upon the recorded plat of Dedication of Industrial Mile Road, of record in Plat Book 32, Page 113, Recorder's Office, Franklin County, Ohio, said iron pin being the southeasterly corner of that 0.930 Acre Tract conveyed to Buckeye Racquet Ball Ltd. by deed of record in Deed Book 3741, page 237, Recorder's Office, Franklin County, Ohio; thence N. 38° 35' 55" W. along the easterly line of said 0.930 Acre Tract, a distance of 201.82 feet to an iron pin, the northeasterly corner of said 0.930 Acre Tract, said iron pin being in the southeasterly line of Lot No. 1 as the same is designated and delineated upon the recorded plat of Lincoln Park West No. 4 of record in Plat Book 40, page 3, Recorder's Office, Franklin County, Ohio; thence with the arc of a curve to the left having a radius of 1,509.06 feet, the cord of which bears N. 40° 53' 48" E. along the southeasterly line of said Lot No. 1 a chord distance of 177.69 feet, to an iron pin, said iron pin being the northwesterly corner of that 0.551 Acre Tract conveyed to James P. Jones by deed of record in Deed Book 3603, page 293, Recorder's Office, Franklin County, Ohio; thence S. 82° 35' 45" E., along the westerly line of said 0.551 Acre Tract, a distance of 200.00 feet, to an iron pin in the northwesterly line of said Industrial Mile Road, said iron pin being the southwest corner of said 0.551

Acre Tract; thence, with the arc of a curve to the right having a radius of 1709.06 feet, the chord of which bears S. 41° 11' 43" W., along the northwesterly line of said Industrial Mile Road, a chord distance of 226.67 feet to the point of beginning and containing 0.930 acres of land, more or less.

ALL OF  
(140)  
7354

ALL OF  
7354  
(140)



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Franklin County Planning Department  
Franklin County, OH

AP-3784

EXCLUDING FROM THE FOREGOING TWO TRACTS THE FOLLOWING:

0.287 ACRES  
INDUSTRIAL MILE ROAD

Situate in the State of Ohio, County of Franklin, Township of Franklin, being in Virginia Military Survey No. 1425 and being a part of the original 0.930 acre tract (Parcel 7-Tract Two) conveyed to Oscar L. Thomas, Jr., Trustee by deed of record in O.R. 18314-F15, records of the Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

**BEGINNING** at an iron pin found on a curve in the westerly right-of-way line of Industrial Mile Road (of record in Plat Book 32, Page 113) at a southeasterly corner of the 0.092 acre tract conveyed to Creative Child Care, Inc. by deed of record in O.R. 26780 E20.

Thence along said curve to the right having a radius of 1709.06 feet, a central angle of 03° 11' 07", the chord to which bears S 39° 29' 35" W, a chord distance of 95.00 feet, to an iron pin set;

Thence N 34° 31' 21" W, a distance of 207.39 feet, across said original 0.930 acre tract, to an iron pin set in a curve common to said original 0.930 acre tract and Lot 1, Lincoln Park West No. 4, of record in Plat Book 40, Page 3;

Thence along said curve to the left having a radius of 1309.06 feet, a central angle of 01° 08' 21", the chord to which bears N 38° 33' 36" E, a chord distance of 30.00 feet, to an iron pin found at the southwest corner of aforesaid 0.092 acre tract;

Thence S 52° 46' 08" E, a distance of 200.02 feet, along the southerly line of said 0.092 acre tract, to the **POINT OF BEGINNING**. Containing 0.287 acres, more or less, and being subject to all easements and restrictions of record.

The bearings in the above description are based on the bearing of S 52° 46' 08" W, for the southerly line of the 0.092 acre tract, conveyed to Creative Child Care, Inc., of record in O.R. 26780 E20, records of the Recorder's Office, Franklin County, Ohio.



R. D. ZANDE & ASSOCIATES, INC.

*J. Todd Henwood*  
Registered Surveyor No. 7660

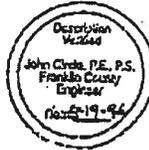
0-19-C  
0.287 AC  
OUT OF  
354  
(140)

PLAT 31-1999-4-D-001  
June 24, 1999

Approved By Mid-Ohio Regional Planning Commission  
This approval does not supercede any deed covenant  
or condition which imposes a greater restriction.

No Plat Required - Date 9-19-96 By *J. Henwood*

subject to grantee combining with their lot # 21 (see parcel)



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Franklin County Planning Department  
Franklin County, OH

AP-3784

Exhibit "A" continued

DESCRIPTION OF 0.092 ACRES INDUSTRIAL MILE ROAD

Situate in the State of Ohio, County of Franklin, the Township of Franklin, being part of Virginia Military Survey Number 1425 and being part of the 0.930 acre tract (Parcel 7, Tract Two) conveyed to Oscar L. Thumbe Jr. as Trustee, by deed of record in O.R. 18314 F13; records of the Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Beginning at an iron pin on a curve in the northwesterly right-of-way line of Industrial Mile Road being 60.00 feet in width, as delineated upon the plat of Dedication of Industrial Mile Road of record in Plat Book 32, Page 113, at a common corner of said 0.930 acre tract and the 0.551 acre tract conveyed to Creative Child Care, Inc. by deed of record in O.R. 1103 D02;

Thence along said northwesterly right-of-way line of Industrial Mile Road with a curve to the right having a radius of 1709.06 feet, a central angle of 00° 40' 14", the chord to which bears S 37° 33' 59" W, a chord distance of 20.00 feet to an iron pin set;

Thence N 52° 46' 08" W, a distance of 200.02 feet across said 0.930 acre tract to an iron pin set on a curve in the northwesterly line of said 0.930 acre tract and the southeasterly line Lot 1 of Lincoln Park West No. 4 of record in Plat Book 40, Page 3;

Thence along the common line of said 0.930 acre tract and said Lot 1, with a curve to the left having a radius of 1509.06 feet, a central angle of 00° 45' 24", the chord to which bears N 37° 36' 39" E, a chord distance of 20.00 feet to an iron pin found at a common corner of said 0.930 and 0.551 acre tracts;

Thence S 52° 46' 08" E, a distance of 200.00 feet along the common line of said 0.930 and 0.551 acre tracts to the point of beginning of the herein-described strip, containing 0.092 acres, more or less, and being subject to all easements restrictions and rights-of-way of record.

The bearing datum of the afore-described tract is based on the bearing of S 52° 46' 08" E, for the southwesterly line of said 0.551 acre tract of record in O.R. 1103 D02.

R. D. ZANDE & ASSOCIATES, INC.



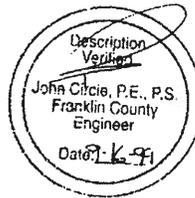
*Steven E. Radu*  
Registered Surveyor 7191

ESM:eds  
May 20, 2014  
Survey 716000/2410

Approved By Mid-Ohio Regional Planning Commission  
This approval does not supersede any deed covenant  
or condition which imposes a greater restriction.  
No Plat Required - Date 6-17-77 By CR Furr



0-19-C  
0.092 ACRES  
OUT OF  
7354  
(140)



0-19-C  
AUC OF  
7352  
7354  
(140)

TOTAL P.06

RECEIVED

NOV 29 2012

Franklin County Planning Department  
Franklin County, Oh

AP-3784



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

Economic Development & Planning Department  
James Schimmer, Director

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★MEMORANDUM

Date: January 14, 2013  
To: Franklin County Board of Zoning Appeals  
From: Anthony Hray, Planner  
Subject: Administrative Appeal Case AP-3784 – 511 Industrial Mile Road

The appellant for the subject case, being Creative Child Care Inc., is appealing the decision of the Franklin County Economic Development and Planning Department Zoning Administrative Officer to approve a Certificate of Zoning Compliance Application. The application, ZC-12-4223, was approved on November 27, 2012, to allow the property located at 511 Industrial Mile Road, Columbus, OH 43228, zoned Suburban Office (SO), to be used for an overflow homeless shelter.

A Certificate of Zoning Compliance is required under Section 705.02 of the Franklin County Zoning Resolution, when any occupied or vacant land and any existing or new building is changed in its use; whether in whole or part. Staff reviewed and approved Zoning Compliance Application ZC-12-4223 based on the following:

1. An overflow homeless shelter is a permitted use of Section 322 – Suburban Office (SO) and Institutional District Regulations, of the Franklin County Zoning Resolution
  - a. Section 322.02 – Permitted Uses
    - i. OMB SIC Code 83 – Social Services
      1. OMB SIC Code 8332 – Individual and Family Social Services includes establishments engaged in providing emergency shelter services
2. Compliance with the development standards required under Section 322.04 and the General Development Standards under Article V of the Franklin County Zoning Resolution.
3. Completion and submittal of all documents/plans required under Section 705.022 – Application for Certificates, of the Franklin County Zoning Resolution.

Based on this information, the Franklin County Economic Development and Planning Department recommends that the Franklin County Board of Zoning Appeals **deny** the appellant's request and adopt findings of fact that the Zoning Administrative Officer did not grant a Certificate of Zoning Compliance in error.

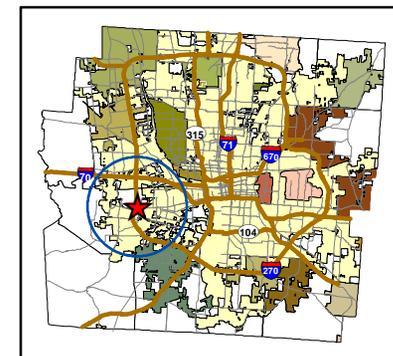


# AP-3784

Appealing the decision of the Franklin County Zoning Administrative Officer to issue a Certificate of Zoning Compliance to allow the use of an overflow homeless shelter.

1.48 acres  
Franklin Township

-  511 Industrial Mile Road
-  Parcels
-  Streets





## AP-3784

Appealing the decision of the Franklin County Zoning Administrative Officer to issue a Certificate of Zoning Compliance to allow the use of an overflow homeless shelter.

1.48 acres  
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-  511 Industrial Mile Road
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