



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

Economic Development & Planning Department  
James Schimmer, Director

# Franklin County Board of Zoning Appeals

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

Tuesday, January 19, 2016  
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 21, 2015 meeting
5. New Business:

**i. CU-3843 – Matt Brown**

<b>Applicant/Owner:</b>	Chrystal Svoboda
<b>Township:</b>	Madison Township
<b>Site:</b>	3604 South Hamilton Rd. (PID # 180-001215)
<b>Acreage:</b>	1.02 acres
<b>Zoning:</b>	Limited Suburban Residential (R-2)
<b>Utilities:</b>	Private water and wastewater
<b>Request:</b>	Requesting a Conditional Use from Section 511.03 of the Franklin County Zoning Resolution to allow a home occupation for lawn equipment repair in an area zoned Limited Suburban Residential.

**ii. VA-3849 – Matt Brown**

<b>Applicant/Owner:</b>	Roseline Aleanu
<b>Agent:</b>	Dan Samiec, DES Engineering LLC
<b>Township:</b>	Clinton Township
<b>Site:</b>	3760 Cleveland Ave. (PID # 130-006700)
<b>Acreage:</b>	0.25 acres
<b>Zoning:</b>	Community Service (CS)
<b>Utilities:</b>	Public water and wastewater
<b>Request:</b>	Requesting a Variance from Sections 505.022(e), 531.041(2), 670.0812(a), 670.0812(b), 670.083(c), 670.088(f) and 670.088((g(1))) of the Franklin County Zoning Resolution to allow the construction of an access drive that will fail to meet the location requirement, construction of a parking lot that will fail to meet the required setback and screening requirements, and the placement of a dumpster that fails to meet the setback requirements on a lot subject to the Smart Growth Overlay in an area zoned Community Service (CS).

6. **Approval of By-Laws**
7. **Election of Chair and Vice-Chair**
8. **Adjournment of Meeting to February 16, 2016**



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

**Monday, December 21, 2015**

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 21, 2015.

Present were:

Gary Dever, Chairperson  
Chris Baer  
Tim Guyton  
Nancy Hunter

Franklin County Development Department members,  
Matt Brown, Planning Administrator

Chairperson Dever opened the hearing, which was followed by a roll call, introduction of staff, and the swearing in of all witnesses by Mr. Brown.

The first order of business being approval of the minutes of the October 19, 2015, and November 16, 2015, Franklin County Board of Zoning Appeals hearings. Ms. Hunter made a motion to approve the minutes from October 19, 2015 and November 16, 2015, with a correction to the October 19th, 2015, minutes to correct the spelling of Richter Road. It was seconded by Mr. Guyton. The minutes were approved by a vote of three yeases and one abstention.

### **NEW BUSINESS:**

The next order of business being Case No. VA-3847. The Owner/Applicant is John Deardurff. The site is located at 4112 Manor Road. The township is Clinton Township. It is 0.14 acres in size. It is in the Urban Residential (R-12) Zoning District and is serviced by public water and wastewater. The request is for a Variance from Section 512.02(2) of the Franklin County Zoning Resolution to allow the construction of an accessory building that exceeds the maximum allowable size in an area zoned Urban Residential. Mr. Brown read and presented the case to the Franklin County Board of Zoning Appeals. Mr. Guyton made a motion to approve Variance Case No. VA-3847. It was seconded by Mr. Baer. The motion failed by a two-to-two vote.

Mr. Guyton made a motion to approve the Findings of Fact that the basis for denying the applicant's request for a Variance from Section 512.02(2) of the Franklin County Zoning Resolution, as outlined in the request in Case No. VA-3847, results from the applicant's failure to satisfy the criteria for granting a Variance under Section 810.041. The motion was seconded by Chairperson Dever. The motion failed by a two-to-two vote.

The next order of business being Case No. VA-3848. The Applicant is Jon Bussell. The site is located at 8542 Alkire Road. The township is Pleasant Township. It is 0.48 acres in size. It is in the Rural Zoning District and is serviced by private water and wastewater. The request is for a Variance from Sections 512.02(2) and 650.162(a) of the Franklin County Zoning Resolution to allow the construction of an accessory building in the Big Darby Creek Watershed Riparian Setback that exceeds the maximum allowable size in an area zoned Rural. Mr. Brown read and presented the case to the Franklin County Board of Zoning Appeals.

Mr. Guyton made a motion to approve a Variance from Section 650.162(a) pertaining to the riparian setback with Staff's six recommended conditions. It was seconded by Ms. Hunter. The motion was approved by a four-to-zero vote.

Mr. Guyton made a motion to approve a Variance from Section 512.02(2) pertaining to the accessory building total square footage on a lot less than 1 acre. The motion was seconded Mr. Baer. The motion failed by a two-to-two vote. Mr. Guyton made a motion to approve the Findings of Fact that the basis for denying the applicant's request for a Variance from Section 512.02(2) of the Franklin County Zoning Resolution, as outlined in the request in Case No. VA-3848, results from the applicant's failure to satisfy the criteria for granting a Variance under Section 810.041. Chairperson Dever seconded the motion. The motion failed by a two-to-two vote.

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

And, thereupon, the hearing adjourned at 2:47 p.m.

Minutes of the December 21, 2015, Board of Zoning Appeals hearing were approved this 19th day of January, 2016.

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*Signature*

January 6, 2016

VIA E-MAIL TO:  
[mybrown@franklincountvohio.gov](mailto:mybrown@franklincountvohio.gov)

Mr. Matt Brown  
Planning Administrator  
Franklin County  
Economic Development & Planning Department  
Lazarus Building  
150 South Front Street, FSL Suite 10  
Columbus, OH 43215

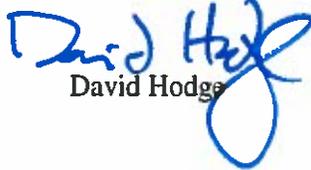
Re: 3604 South Hamilton Road

Dear Matt:

I apologize for the delay in getting you this information, I realize that supplemental information was required by December 23, 2015 in order to proceed on the merits of the case to the February meeting of the Franklin County Board of Zoning Appeals (BZA). My client, the owners of the property, have decided to withdraw the request for a Conditional Use Home Occupation under Sections 511.03 and 511.031 of the Franklin County Zoning Resolution. The record made at our BZA hearing speaks for itself, and while I think with some work with the neighbors the request may have ultimately been approved, my clients want to be good neighbors and maintain amicable relationships with folks who were concerned about the operation of the property.

If you have questions of me, or require additional information, please let me know.

Very truly yours,

  
David Hodge

David Hodge  
Underhill Yaross & Hodge LLC  
8000 Walton Parkway, Suite 260  
New Albany, Ohio 43054  
[www.underhillyaross.com](http://www.underhillyaross.com)  
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[david@underhillyaross.com](mailto:david@underhillyaross.com)



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## STAFF REPORT

Board of Zoning Appeals  
January 19, 2016

### Case VA-3849

Prepared by: Matt Brown

<b>Applicant/Owner:</b>	Roseline Aleanu
<b>Agent:</b>	Dan Samiec, DES Engineering LLC
<b>Township:</b>	Clinton Township
<b>Site:</b>	3760 Cleveland Ave. (PID # 130-006700)
<b>Acreage:</b>	0.25 acres
<b>Zoning:</b>	Community Service (CS)
<b>Utilities:</b>	Public water and wastewater
<b>Request:</b>	Requesting a Variance from Sections 505.022(e), 531.041(2), 670.0812(a), 670.0812(b), 670.083(c), 670.088(f) and 670.088(g(1)) of the Franklin County Zoning Resolution to allow the construction of an access drive that will fail to meet the location requirement, construction of a parking lot that will fail to meet the required setback and screening requirements, and the placement of a dumpster that fails to meet the setback requirements on a lot subject to the Smart Growth Overlay in an area zoned Community Service (CS).

### Summary

The applicant is requesting variances to allow for the construction of an access drive that fails to meet the location requirement, construction of a parking lot that will fail to meet the required setback and screening requirements, and the placement of a dumpster that fails to meet the setback requirement on a lot subject to the Smart Growth Overlay. Staff recommends approval with conditions.

### Description of the Request

The applicant’s property is located on the east side of Cleveland Avenue, north of Pegg Road. The property contains an unfinished 1,580 +/- square foot commercial building (construction originally started in 2006) and a 639 square foot storage building which was constructed in 1966 according to Franklin County Auditor records. The applicant intends to complete the unfinished building, pave an access drive and parking area, and use a dumpster for the operation of an automotive repair business.

### Case History

The site has been the subject of two variance cases, VA-3527 and VA-3794, which were heard and approved by the Franklin County Board of Zoning Appeals on June 19, 2006 and July 15, 2013 respectively. Both variances and associated zoning compliances expired as the property owner did not complete improvements to the site. The first variance case and associated zoning approvals which allowed for the construction of the existing, unfinished building were applied for by a previous property owner. The second variance case and associated zoning approvals were applied for by the current owner.

## Surrounding Area

Direction	Zoning	Land Use
North	Community Service (CS)	Restaurant
South	Community Service (CS)	Restaurant & Single-Family Home
East	Restricted Urban Residential (R-12)	Single-Family Homes
West	Community Service (CS)	Bar/Restaurant, Auto Sales, Pawn Shop

## Comprehensive Plan

The Clinton-Mifflin Land Use Plan, adopted in 2009, recommends full range commercial and multi-family land uses. The current Community Service (CS) zoning of the property and proposed use are consistent with this land use recommendation. The plan makes more specific recommendations for various focus areas within the planning area. The Cleveland Avenue focus area is identified as being a key corridor for redevelopment and serves as a significant economic indicator for the township. To maintain economic sustainability and strength, areas being redeveloped should incorporate inviting design, improved landscaping, pedestrian infrastructure, and include the use of stormwater best management practices. Recognizing the benefits that this type of improved redevelopment offers was the principle driving force in the implementation of the Smart Growth Overlay, which was formally adopted for areas within Clinton and Mifflin Townships, including properties fronting Cleveland Avenue, in 2011.

The request is consistent with the recommendations of the Clinton-Mifflin Land Use Plan.

## Staff Review

### Variance from Section 505.022(e)– Location and Height (Dumpsters):

- When located on a property adjacent to a commercial or industrial use, the setback may not be less than eight (8) feet.
  - The proposed dumpster location is approximately 1 foot from the east property line.
    - A variance of 7 feet is required.

### Variance from Section 531.041(2) – Location of Drive:

- An access drive, exclusive of curb returns, shall be ten (10) feet or more from the side lot line and fifty (50) feet or more from another access drive.
  - The proposed access drive from the alley will be setback zero (0) feet from the northern (side) property line and approximately zero (0) feet from the access drive serving the adjacent site to the north.
    - A variance of 10 feet and 50 feet respectively is required.

### Variance from Section 670.0812(a) – Parking Setback:

- No parking lot, stacking space, loading space or circulation aisle is permitted between the principal building and a street centerline.
  - Two of the six (6) parking spaces proposed are located between the principal building and the street centerline.

### Variance from Section 670.0812(b) – Parking Lot Location:

- A surface parking lot shall be located behind the principal building; however, up to half the number of parking spaces provided may be located at the side of the principal building.
  - Two (2) parking spaces are proposed in front of the building and three (3) parking spaces are proposed at the side of the building.

Variance from Section 670.083(c) – Parking Lot Setback:

- The setback for a parking lot along a primary street shall be a minimum of 25 feet.
  - Cleveland Avenue is a primary street and the proposed parking lot setback is 14.5 feet +/-.
    - A variance of 10.5 feet +/- is required.

Variance from Section 670.088(f)– Screening Adjacent to Residential Property:

- Screening shall be provided along a lot line that borders property used exclusively for residential purposes. A screen, such as a fence or evergreen plants, shall maintain minimum 75 percent opacity and permanently obstruct the view to a height of six feet. Any fence must comply with SECTION 501 – FENCE REQUIREMENTS.
  - The applicant has requested relief from providing the screening as prescribed above.

Variance from Section 670.088(g(1))– Parking Lot Screening:

- A surface parking lot or vehicular circulation area shall be screened from all abutting public streets with a wall or fence, or continuous row of shrubs to a minimum height of three (3) feet and a maximum height of five (5) feet, or mound, subject to approval by the Administrative Officer.
  - The applicant has requested relief from providing the screening as prescribed above.

**Franklin County Drainage Engineer’s Office**

The applicant will be installing stormwater catch basins and piping in the proposed parking areas that will tie into an existing catch basin located in the alley. In addition, two (2) infiltration trenches are proposed between the building and side property line. The applicant is required to submit and receive approval of the system design and stormwater calculations prior to the issuance of a Certificate of Zoning Compliance.

**Clinton Township Road Department**

The proposed stormwater system will tie into an existing catch basin located in the adjacent alley to the east of the site. This basin and alley are maintained by the township. Clinton Township has submitted a letter identifying two concerns with the proposed development. The first concern is the added stormwater entering the existing stormwater system and the second is the current condition of the alley that will be used to access the site and the ability of the alley to support the increased traffic load. The Township has requested that the applicant provide an assessment of the current conditions of both the stormwater system and the alley. The applicant will be required to address the Township’s concerns to the satisfaction of the Township prior to the issuance of a Certificate of Zoning Compliance. The applicant will also be responsible for receiving all necessary permits from the Township prior to conducting any work within the Township’s right-of-way.

**Franklin Soil and Water Conservation District**

The applicant has proposed to install two (2) infiltration trenches on the south side of the building as a stormwater best management practice to convey runoff from the southern roofline. The drain must be sized properly and designed in accordance with the Ohio Department of Natural Resources Rainwater and Land Development Manual. The applicant shall also coordinate with Franklin Soil and Water Conservation District to ensure proper installation.

The applicant has proposed to install two (2) shade trees in the front yard of the site in accordance with the Smart Growth Overlay. The applicant has also proposed to plant an additional six (6) bushes/shrubs in the front yard of the site. The applicant shall plant only Ohio native species which are suitable for an urban environment. The applicant shall consult with Franklin Soil and Water Conservation District to choose suitable tree/plant species prior to the issuance of a Certificate of Zoning Compliance.

### **Staff Analysis – Section 810.41**

- 1) *Special conditions and circumstances exist which are peculiar to the structure/property involved which are not applicable to other structures/property in the same zoning district;*
  - » Taking into the account the location of all existing structures (i.e. commercial building and storage building) and the size constraints of the site, the applicant has attempted to comply with as many of the applicable Smart Growth Overlay standards as possible while still being able to maintain a functional site for the proposed use.
- 2) *A literal interpretation of the provisions of this Zoning Resolution would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Zoning Resolution;*
  - » Considering the size and dimensions of the site and location of existing buildings, a literal interpretation of the Zoning Resolution would create a hardship to the development of the site.
- 3) *The special circumstances and conditions of this request do not result from the action of the applicant;*
  - » The special circumstances and conditions of this request are not a result of the applicant.
- 4) *Granting the variance requested will not confer on the applicant special privileges that are denied by this Zoning Resolution to other lands or structures in the same Zoning District;*
  - » Granting the variances will not confer any special privileges to the applicant. Various other sites under the same zoning district in the surrounding area fail to meet the standards outlined above.
- 5) *Granting the variance will not adversely affect the safety of persons residing in the vicinity of the proposed development, be materially detrimental to the public welfare and be injurious to private property in the vicinity;*
  - » Granting the variance will not adversely affect any of the above and will allow for the reuse of a site that has been vacant for many years.

### **Recommendation**

Staff recommendation is that the BZA approve a Variance from Sections 505.022(e), 531.041(2), 670.0812(a), 670.0812(b), 670.083(c), 670.088(f) and 670.088(g(1)) of the Franklin County Zoning Resolution to allow the construction of an access drive that will fail to meet the location requirement, construction of a parking lot that will fail to meet the required setback and screening requirements, and the placement of a dumpster that fails to meet the setback requirements on a lot subject to the Smart Growth Overlay with the following conditions:

1. The applicant must apply for and receive a Certificate of Zoning Compliance from the Franklin County Economic Development and Planning Department.
2. The applicant shall receive approval of the design and installation of the proposed infiltration trenches from the Franklin County Soil and Water Conservation District prior to the issuance of Zoning Compliance.
3. The applicant shall receive approval of storm water calculations and drainage construction plans from the Franklin County Engineer's office prior to any earth disturbing activities and the issuance of Zoning Compliance.
4. The applicant shall install sediment and erosion control measures as needed prior to any earth disturbing activities.
5. The applicant shall provide an assessment of the existing stormwater system and condition of the alley in coordination with Clinton Township and address any identified deficiencies with these systems to the satisfaction of Clinton Township. Evidence of the Township's satisfaction with these systems must be provided prior to the issuance of a Zoning Compliance.
6. The applicant shall obtain all necessary permits from the Clinton Township Road Department prior to conducting any work within the public right-of-way.

7. The applicant shall obtain all required permits and inspections from the State of Ohio Building Dept. and Clinton Township Fire Dept.
8. The applicant shall not store any damaged, dismantled or otherwise inoperable vehicles, and/or any materials, equipment and articles (i.e. tires, waste containers, skids, junk, etc.) on the site. Vehicles awaiting service/repair, shall be maintained in a completed, useable and otherwise normal condition at all times.
9. The applicant is not permitted to conduct vehicle sales of any kind on the site.
10. The applicant shall coordinate with the Central Ohio Transit Authority for the installation of the proposed walkway connecting to the proposed bus stop.

**Resolution**

For your convenience, the following is a proposed resolution:

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

\_\_\_\_\_ moves to approve a Variance from Sections 505.022(e), 531.041(2), 670.0812(a), 670.0812(b), 670.083(c), 670.088(f) and 670.088(g(1)) of the Franklin County Zoning Resolution to allow the construction of an access drive that will fail to meet the location requirement, construction of a parking lot that will fail to meet the required setback and screening requirements, and the placement of a dumpster that fails to meet the setback requirements on a lot subject to the Smart Growth Overlay as outlined in the request above for the applicant identified in Case No. VA-3849 with the conditions in staff’s recommendation.

Seconded by: \_\_\_\_\_

Voting:

**Findings of Fact**

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

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

\_\_\_\_\_ moves that the basis for denying the applicant’s request for the variances as outlined in the request above for Case No. VA-3849 results from applicant’s failure to satisfy the criteria for granting a variance under Section 810.041.

Seconded by: \_\_\_\_\_

Voting:

**UNDERGROUND UTILITIES**

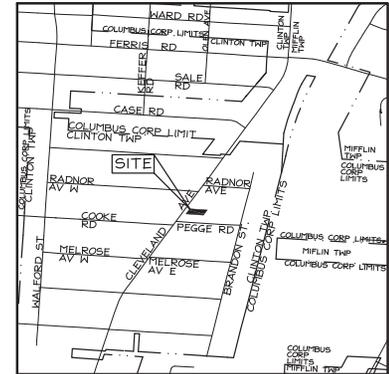
Two Working Days  
**BEFORE YOU DIG**  
 Call 800-362-2764 (Toll free)  
 OHIO UTILITIES  
 PROTECTION SERVICE  
 NON-MEMBERS  
 MUST BE CALLED DIRECTLY

**COMPLIANCE NOTES**

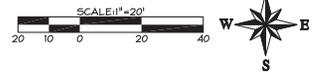
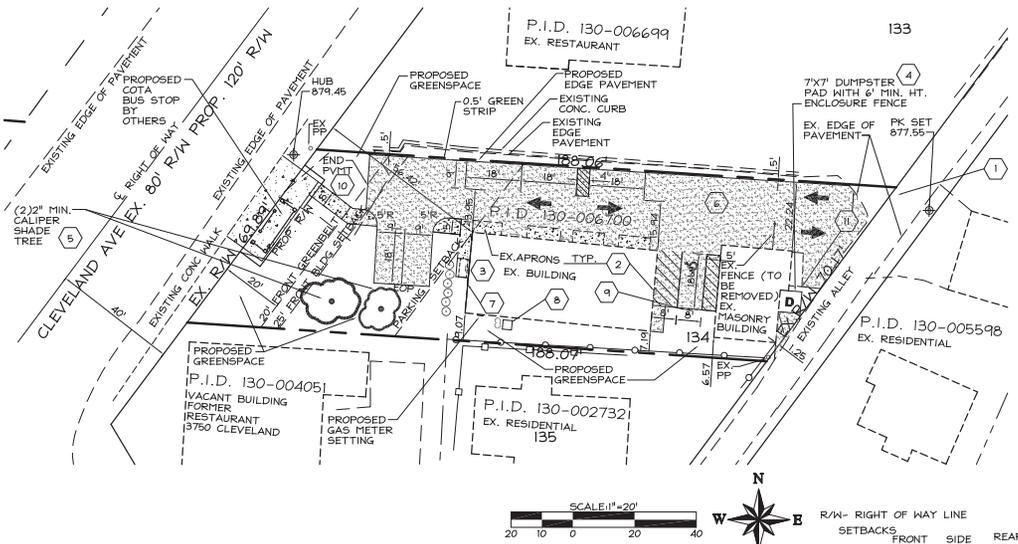
- 1 EXISTING ALLEY PAVEMENT IS NOT TO BE DISTURBED AND SHALL BE PROTECTED FROM ANY NON TIERED VEHICLES DURING THE COURSE OF CONSTRUCTION. CONTRACTOR SHALL CLEAN UP ANY CONSTRUCTION SEDIMENT TRACKED ONTO ALLEY AS QUICKLY AS POSSIBLE.
- 2 EROSION CONTROL ELEMENTS ARE SUBJECT TO REVIEW AND MODIFICATION BY THE FRANKLIN COUNTY SOIL AND WATER CONSERVATION DISTRICT, THE FRANKLIN COUNTY ENGINEER'S OFFICE AS WELL AS CLINTON TOWNSHIP DIVISION OF ROADS. SEE DETAILS FOR EROSION CONTROL SHEET 2 OF 3.
- 3 ALL BUILDING LIGHTING WILL BE DOWNCAST LIGHTING MEETING THE MAXIMUM FOOT CANDLE INTENSITY AT RESIDENTIAL PERIMETER LOT LINES PER SECTION 670.0810. FIXTURE BOTTOM TO BE LOCATED 10'-6" ABOVE FFE. PROPOSED LIGHT FIXTURE PER CUT SHEET BELOW.
- 4 A BICYCLE RACK MEETING THE REQUIREMENTS OF THE FRANKLIN COUNTY DEVELOPMENT SECTION 670 SMART GROWTH OVERLAY DISTRICT REGULATIONS WILL BE INSTALLED AT THE FRONT OF THE BUILDING AND CONTAIN A 72"x30" SET-ASIDE FOOTPRINT FOR THE PURPOSE OF BICYCLE STORAGE.
- 5 A CONCRETE DUMPSTER PAD WITH MAXIMUM 6' HEIGHT ENCLOSURE AS DETAILED ON SHEET 3 SHALL BE INSTALLED.
- 6 PROPOSED TREES TO BE INSTALLED ALONG ROADWAY FRONTAGE SHALL BE FROM THE LIST OF ACCEPTABLE SPECIES AS DEFINED BY THE FRANKLIN COUNTY SOIL AND WATER DISTRICT. AN ADDITIONAL 6 SHRUBS FROM THE LIST OF ACCEPTABLE SPECIES SHALL BE PLANTED ACROSS FRONTAGE.
- 7 SITE SHALL COMPLY WITH THE FRANKLIN COUNTY ENGINEER'S OFFICE WITH REGARDS TO DRAINAGE MANAGEMENT REGULATIONS FOR INCREASED RUNOFF. DETAILS FOR GRADING AND DRAINAGE CAN BE FOUND ON SHEET 2 OF 3.
- 8 NO VEHICLES OR MATERIALS SHALL BE STORED ON SITE UNLESS PROPERLY SCREENED AS PRESCRIBED UNDER SECTION 521 OF THE FRANKLIN ZONING RESOLUTION.
- 9 BUILDING MOUNTED SIGN NON ILLUMINATED AND NOT TO EXCEED 16 SF MEETING THE REQUIREMENTS OF SECTION 670, SMART GROWTH OVERLAY, WILL BE LOCATED ON FRONT OF BUILDING.
- 10 MECHANICAL AC PAD UNIT PROPERLY SCREENED PER SECTION 670.088(J) OF THE SMART GROWTH OVERLAY
- 11 PROVIDE ADA COMPLIANT "VAN ACCESSIBLE" HANDICAP SIGN
- 12 PROVIDE 5' WIDE PEDESTRIAN ACCESS WALK FROM WEST DRIVE EDGE. COORDINATE CONNECTION POINT TO BUS STOP SLAB WITH COTA AUTHORITIES.
- 13 CONTRACTOR SHALL EXTEND PROPOSED NEW ASPHALT PAVEMENT TO EXISTING ALLEY AND TO LIMITS OF SOUTH APRON ACCESS TO EXISTING OVERHEAD DOOR TO MASONRY GARAGE. PROVIDE FULL DEPTH SAW CUT AT EDGE OF EXISTING ALLEY AND PROVIDE CRACK SEAL AT ALL LOCATIONS WHERE NEW PAVEMENT ABUTS EXISTING PAVEMENT.

PAVEMENT COMPOSITION TABLE		LIGHT DUTY	CONCRETE WALK
ITEM 304	AGGREGATE BASE	6"	4"
ITEM 446	ASPHALT CONCRETE, INTERMEDIATE COURSE, TYPE 2	1 1/2"	-
ITEM 446	ASPHALT CONCRETE, SURFACE COURSE, TYPE 1	1 1/2"	-
ITEM 608	CONCRETE PAVEMENT 1/4x4-1/4x1/4 MIN SET MIDWAY	-	4"
TOTAL THICKNESS		9"	8"

ALL RADII ARE TO EDGE OF PAVEMENT  
 ALL DIMENSIONS ARE EDGE OF PAVEMENT TO EDGE OF PAVEMENT OR END OF PARKING STRIPE TO END OF PARKING STRIPE



LOCATION MAP  
NO SCALE



**Site Data**

ZONING:.....	SECTION 670-SMART GROWTH OVERLAY SECTION 332(C) COMMUNITY SERVICE 18' HEIGHT DISTRICT)	PARKING REQUIREMENTS OFFICE AT 1/ 300 S.F. - 1 SPACE REPAIR FACILITY -2 PER BAY - 6 SPACES
EXISTING USE:.....	VACANT BUILDING/GRAVEL LOT PROPOSED USE:..... PID (EXISTING).....	SPACES REQUIRED - 5 SPACES PER SECTION 670.0812(c) INCLUDES 1 HC VAN ACCESSIBLE SPACES PROVIDED -6 SPACES
PARCEL AREA (AC.).....	0.2536 AC. (PER FRANKLIN COUNTY AUDITOR)	LOADING SPACES - NONE REQUIRED
RIGHT OF WAY TO COTA.....	~280 S.F.	MAXIMUM BUILDING HEIGHT = 18'
PARCEL AREA (SF).....	10,765 S.F.	BUILDING RIDGE HEIGHT = 15' EXISTING METAL REPAIR FACILITY 14' EXISTING MASONRY GARAGE
LOT COVERAGE AREA (SF).....	7,185 S.F. = 66.74%	
BUILDING USE, AREA	OFFICE 47 S.F. REPAIR SHOP 1,484 S.F. STORAGE GARAGE 354 S.F. SUB TOTAL 1,940 S.F.	

**VARIANCES REQUESTED**

SECTION 505.022(E) DUMPSTER LOCATION NOT LESS THAN 8' FROM REAR/EAST LOTLINE

SECTION 531.041(2) LOCATION OF DRIVE LESS THAN 10' FROM SIDE LOTLINE & (50) FEET OR MORE FROM ANOTHER ACCESS DRIVE

SECTION 670.0812(a)- SETBACK; NO PARKING LOT, STACKING SPACE, LOADING SPACE OR CIRCULATION AISLE IS PERMITTED BETWEEN THE PRINCIPAL BUILDING AND THE STREET CENTERLINE

SECTION 670.0812(b)- PARKING LOT LOCATION: A SURFACE PARKING LOT SHALL BE LOCATED BEHIND THE PRINCIPAL BUILDING, HOWEVER UP TO HALF THE NUMBER OF PARKING SPACES PROVIDED MAY BE LOCATED AT THE SIDE OF THE PRINCIPAL BUILDING

SECTION 670.083(c)- PARKING LOTS: THE SETBACK FOR A PARKING LOT ALONG A PRIMARY STREET SHALL BE A MINIMUM OF 25 FEET.

SECTION 670.088(f)- SCREENING ADJACENT TO RESIDENTIAL PROPERTIES: SCREENING SHALL BE PROVIDED ALONG A LOT LINE THAT BORDERS PROPERTY USED EXCLUSIVELY FOR RESIDENTIAL PURPOSES. THE SCREENING SHALL BE A FENCE OR EVERGREEN PLANTS. SHALL MAINTAIN A MINIMUM 75% OPACITY AND PERMANENTLY OBSTRUCT THE VIEW TO A HEIGHT OF 6 FEET. ANY FENCE MUST COMPLY WITH SECTION 501.

SECTION 670.088(g)- PARKING LOTS: A SURFACE PARKING LOT OR VEHICLE CIRCULATION AREA SHALL BE SCREENED FROM ALL ABUTTING PUBLIC STREETS WITH A WALL OR FENCE, OR A CONTINUOUS ROW OF SHRUBS TO A MINIMUM HEIGHT OF 3' (2' AT TIME OF PLANTING), AND A MAXIMUM HEIGHT OF 5'.

**PROPOSE BUILDING MOUNT LIGHTING**

**TWP LED LED Wall Luminaire**

**Specifications**

Width: 10 1/2"  
 Height: 10 1/2"  
 Depth: 4 1/2"  
 Weight: 11 lbs

**Introduction**

The original TWP luminaire is now available with LED technology. Cast in a traditional design, the TWP LED offers a classic appearance and is powered by advanced LEDs. A one-piece polycarbonate cover delivers enhanced durability and is capable of resisting high-traffic areas. The new TWP LED luminaire is powerful yet energy efficient, capable of replacing up to a 200W metal halide luminaire while saving up to 77% in energy costs. Offering an expected service life of more than 20 years, the TWP LED eliminates frequent lamp and ballast replacements associated with traditional technologies.

**Ordering Information**

EXAMPLE: TWP LED SOC 700 SOC 10K 50K TMM VMOUL D18K0

Item	Description	Quantity	Unit Price	Total Price
10000	TWP LED SOC 700 SOC 10K 50K TMM VMOUL D18K0	1	100.00	100.00

**Check configurations are offered for shorter lead times**

**Accessories**

WALL MOUNT BRACKET (WMB) - \$10.00  
 DOWNCAST LIGHTING (DL) - \$10.00  
 DOWNCAST LIGHTING (DL) - \$10.00

**Site Data Table**

TOTAL SITE AREA: 0.2536 AC.  
 TOTAL DISTURBED AREA: 0.21 AC.  
 PRE-DEVELOPED IMPERVIOUS: 3,148 S.F.  
 POST-DEVELOPED IMPERVIOUS: 7,185 S.F.

INDICATES INTENDED TRAFFIC FLOW ONLY. TWO WAY ONE WAY TRAFFIC TO BE MONITORED BY CANNER AND CUSTOMERS. ARROWS ARE NOT TO BE PLACED ON PAVEMENT.

OWNER/APPLICANT  
 ALEAU ROSELINE  
 405 GRANDLIN PARK DR  
 BLACKICKS, OHIO 43004  
 PH:(614)676-9127

GENERAL CONTRACTOR  
 TOTAL MAINTENANCE & CONSTRUCTION, LLC  
 5734 WESTBOURNE DRIVE  
 COLUMBUS, OHIO 43213  
 TERRY HENSLEY  
 PH:(614) 578-1744  
 FX:(614) 866-3549  
 EMAIL: thensley2008@yahoo.com

ENGINEER  
 DES ENGINEERING LLC  
 121 RICHLAND ROAD  
 XENIA, OHIO 45395  
 DANIEL E. SAMIEC P.E.  
 PH:(614) 638-0071  
 FX:(614) 736-2429  
 EMAIL: dsamiec@uohrr.com

**FLOOD ZONE**

THE SUBJECT PROPERTY LIES ENTIRELY IN ZONE "X" ACCORDING TO THE FLOOD INSURANCE RATE MAP FOR THE FIRE COMMUNITY PANEL NO. 34049C0187K. EFFECTIVE DATE JUNE 17, 2008.

**Sheet Index**

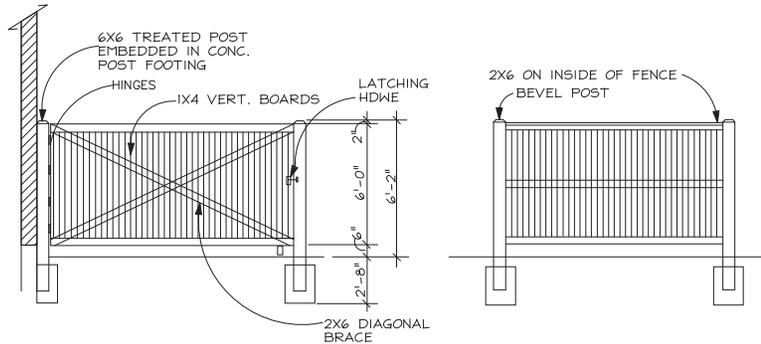
Pg 1	Variance Layout/Paving Plan
Pg 2	Grading/Drainage & Utility Plans
Pg 3	Dumpster Enclosure Details

Zoning Variance Plan	
ISSUED:	12-10-2015; 12-28-2015
PERMIT:	-
REVISED:	-
AS BUILT:	-

PLANS PREPARED BY  
**DES Engineering LLC**  
 121 RICHLAND ROAD  
 XENIA, OHIO 45395  
 PH: (614) 638-0071  
 FAX: 937-736-2409

SITE ZONING VARIANCE PLAN FOR  
**3760 CLEVELAND AVE.**  
 FRANKLIN COUNTY, OHIO



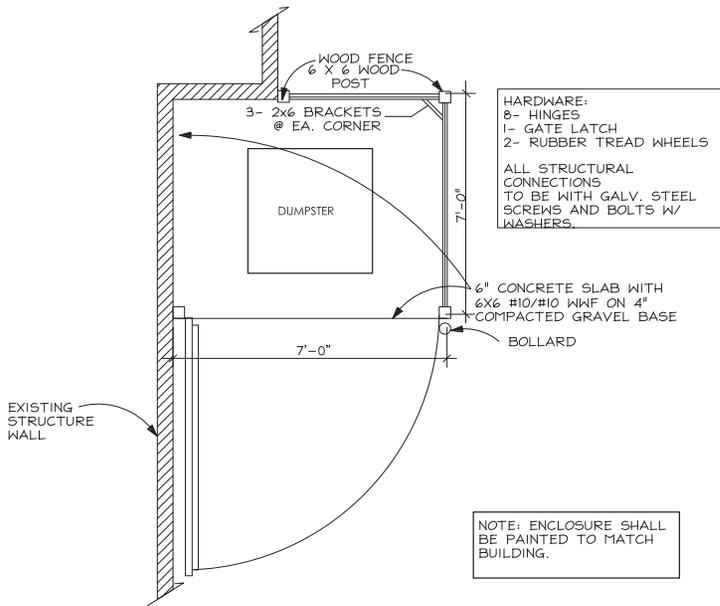


FRONT ELEVATION

SIDE ELEVATION

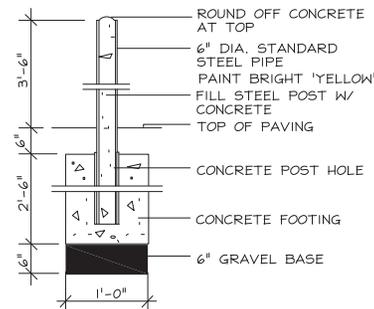
**NOTES**

- ① CONTRACTOR SHALL COORDINATE PLACEMENT OF CONCRETE SLAB WITH 6"x6" POSTS
- ② COORDINATE LATCH TYPE WITH OWNER.



SITE DETAIL  
NO SCALE  
PLAN

①



SITE DETAIL  
NO SCALE

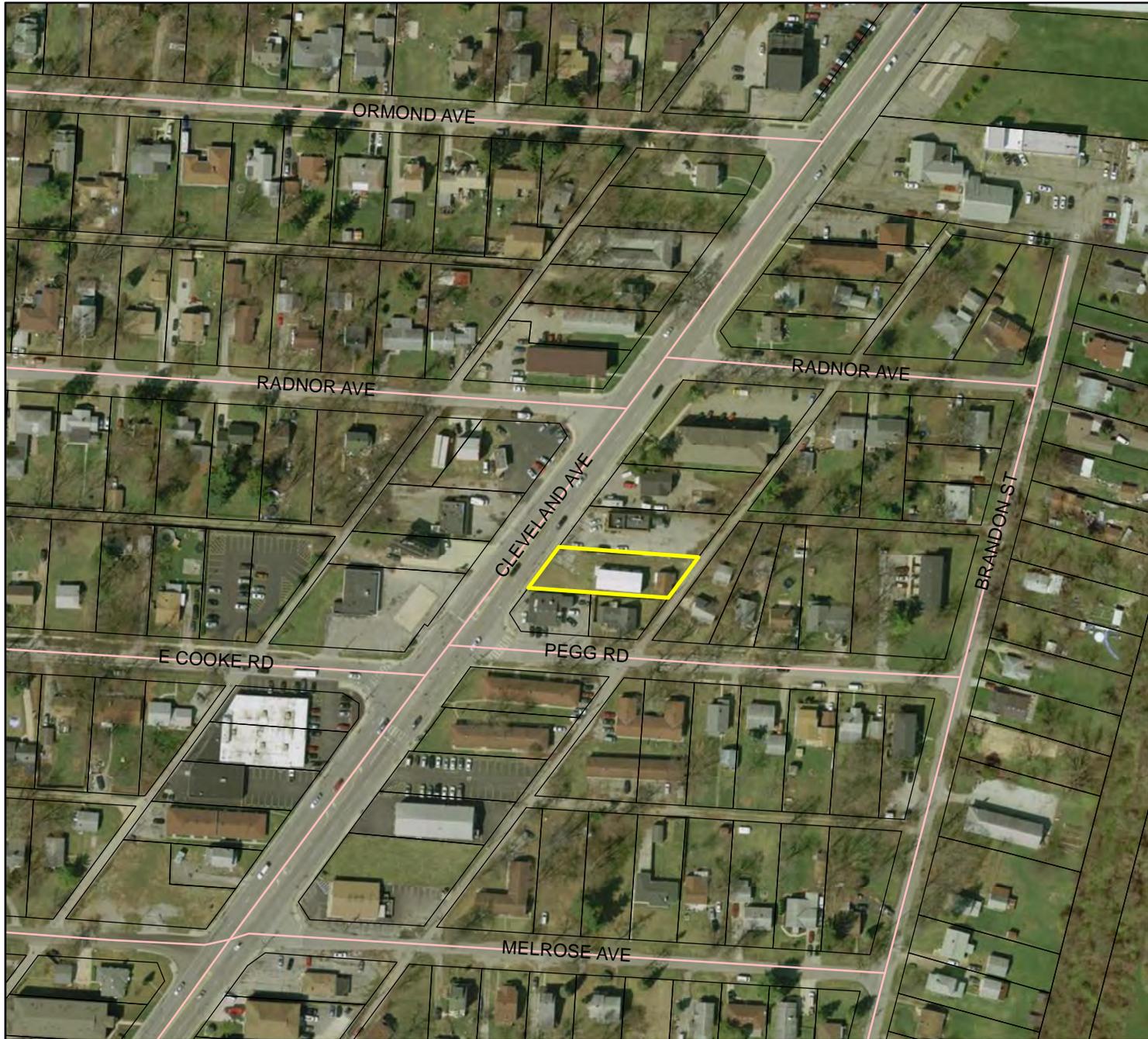
②

PLANS PREPARED BY  
**DES Engineering LLC**  
121 Richland Road  
Xenia, Ohio 45385  
614-638-0071 FAX: 937-736-5409

SITE ZONING VARIANCE PLAN FOR  
**3760 CLEVELAND AVE.**  
FRANKLIN COUNTY, OHIO

**DUMPSTER ENCLOSURE**

VARIANCE	12-10-2015; 12-28-2015
PERMIT	-
REVISED	-
AS BUILT	-

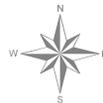
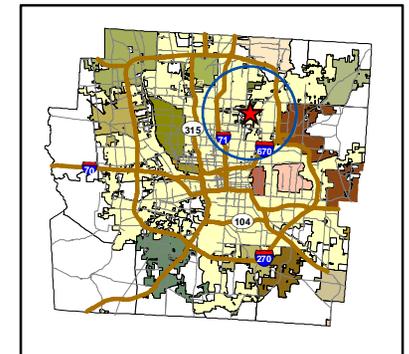


## VA-3849

Requesting a Variance from Sections 505.22(e), 531.041(2), 670.0812(a), 670.0812(b), 670.0839(c), 670.088(f) and 670.088((g(1))) of the Franklin County Zoning Resolution to allow the construction of an access drive that will fail to meet the location requirement, construction of a parking lot that will fail to meet the required setback and screening requirements, and the placement of a dumpster that fails to meet the setback requirements on a lot subject to the Smart Growth Overlay in an area zoned Community Service (CS).

0.25 Acres  
Clinton Township

- 3760 Cleveland Ave.
- Parcel
- Streets



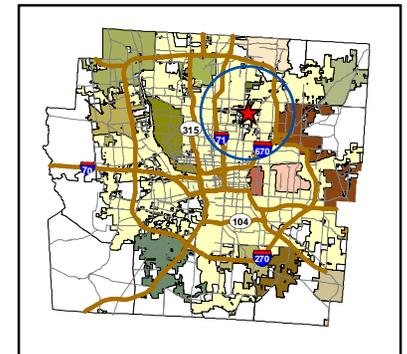


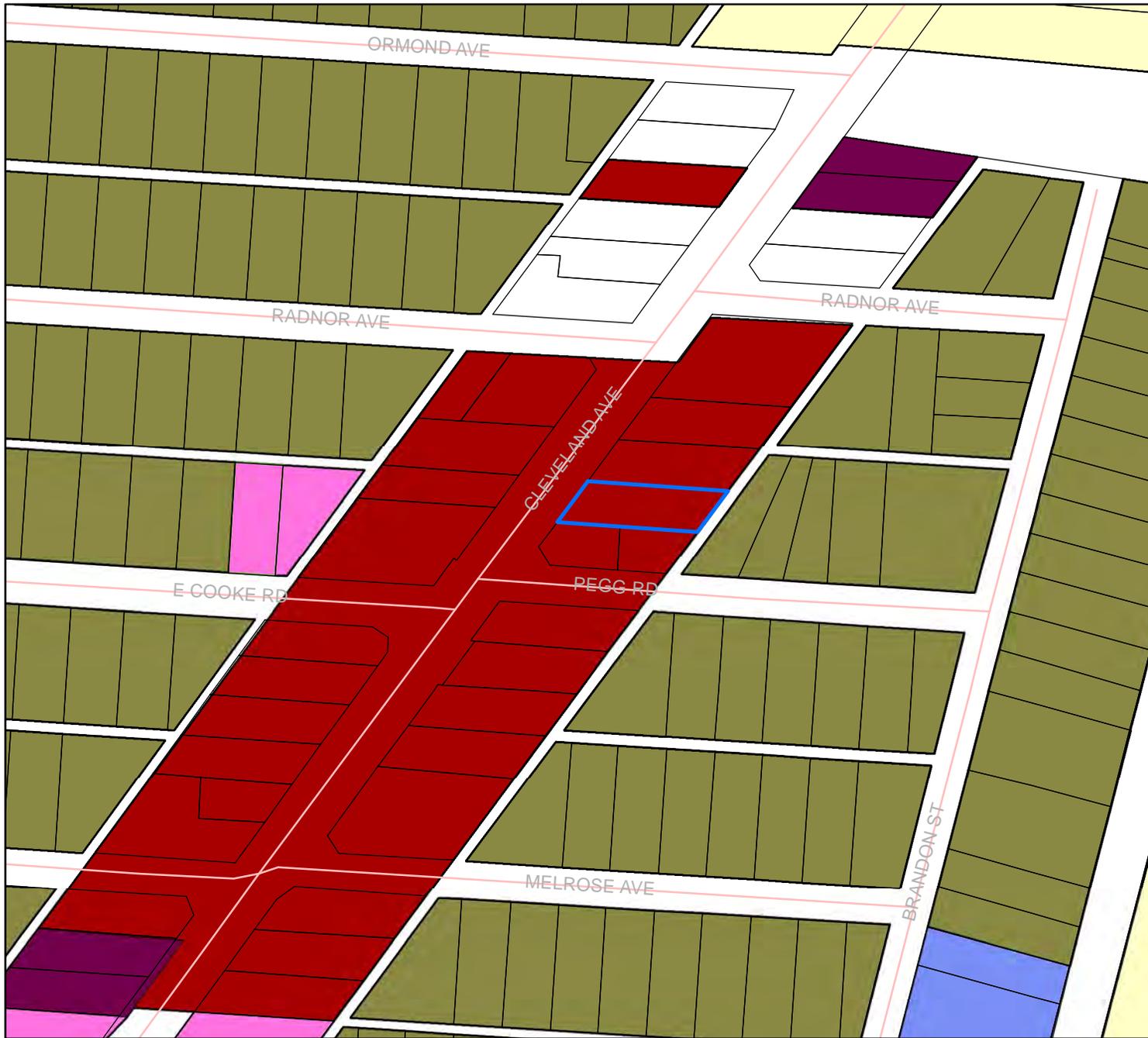
## VA-3849

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0.25 Acres  
Clinton Township

-  3760 Cleveland Ave.
-  Parcel
-  Streets





**VA-3849**

Requesting a Variance from Sections 505.22(e), 531.041(2), 670.0812(a), 670.0812(b), 670.0839(c), 670.088(f) and 670.088((g(1))) of the Franklin County Zoning Resolution to allow the construction of an access drive that will fail to meet the location requirement, construction of a parking lot that will fail to meet the required setback and screening requirements, and the placement of a dumpster that fails to meet the setback requirements on a lot subject to the Smart Growth Overlay in an area zoned Community Service (CS).

0.25 Acres  
Clinton Township

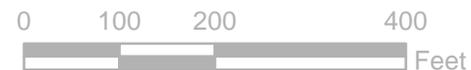
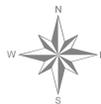
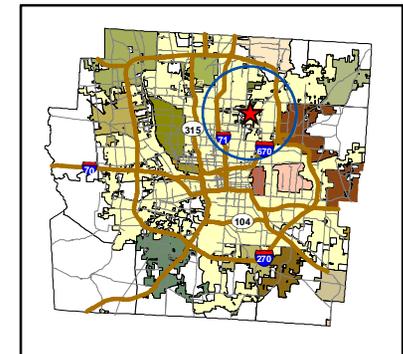
- 3760 Cleveland Ave.
- Parcel
- Streets

**Zoning**

- Community Service
- Limited Industrial
- Neighborhood Commercial
- Rural
- Select Commercial Planned District
- Suburban Apartment Residential
- Urban Residential
- Not in Jurisdiction

**Corporate Boundaries**

- Clinton
- Columbus





3820 Cleveland Avenue, Columbus Ohio 43224

January 11, 2016

**Matt Brown**  
Planning Administrator

**Franklin County  
Economic Development & Planning Department**

Lazarus Building  
150 South Front Street, FSL Suite 10  
Columbus, Ohio 43215-7104  
Tel: 614-525-5647  
Fax: 614-525-7155  
<http://development.franklincountyohio.gov/>

Mr. Brown;

Concerning the ongoing construction at 3760 Cleveland Ave. The Clinton Township Road Superintendent has expressed concerns to me on two fronts. The first would be the added storm water entering the existing storm drain system. The second would be the current condition of the alley behind this address and its ability to support and increased traffic load. As part of any decision on this property, The Road Superintendent would like to see a review of the aforementioned concerns and a report made to the Clinton Township Board of Trustees. Thank you.

Respectfully;

**Officer Skip Apple**  
Township Manager  
**Clinton Township, Franklin County Ohio**  
3820 Cleveland Ave.  
Columbus, Ohio 43224  
614-471-1479  
[sapple@clintontwp-columbus.org](mailto:sapple@clintontwp-columbus.org)

[www.clintontwp-columbus.org](http://www.clintontwp-columbus.org)

Trustee Jane M Cera 600-8312	Trustee John T. Coneglio 481-0412	Trustee Carl J. Reardon 268-8804	Fiscal Officer Deb Steele 471-0049
Fire Chief Brian Fraley 475-0022	Police Chief Michael H Jones 471-1479	Road Superintendent Dan Klopfenstein 471-6854	Code Enforcement Kyle Whalen 471-6854

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

**A. MEMBERS AND OFFICERS**

1. The Board of Zoning Appeals, herein after referred to as the BZA, shall consist of five (5) members and two (2) at-large members appointed by the Franklin County Board of County Commissioners as provided by Section 303.013 of the Ohio Revised Code. Each member and/or successor shall serve a term for a period of five (5) years with terms that expire each year. Each member shall maintain residence in unincorporated Franklin County.
2. Each January the BZA shall organize by electing a Chairperson and a Vice-Chairperson. Officers shall serve for one (1) year or until a successor is appointed. Officers are entitled to vote.
3. Upon expiration of a BZA member's term, such member may continue to serve until a successor is appointed.
4. The Chairperson shall encourage regular and timely attendance by each BZA member. Each BZA member is responsible for attending each meeting or notifying the Planning Administrator of the Franklin County Economic Development and Planning Department or the Planning Administrator's staff person of the inability to attend. Four (4) total unexcused absences in one year, or three (3) consecutive unexcused absences shall be grounds for removal of a member by a majority vote of the Board, or, at their discretion, grounds for the attending majority of the Board to request the offending members resignation (02/22/00). The 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 (3<sup>rd</sup>) Monday of each month. If the third (3<sup>rd</sup>) Monday is a holiday, the meeting shall be on the following day.
2. Each regular meeting shall be held at 1:30 PM in an appropriate room of the Franklin County Courthouse.
3. The BZA shall publish and mail notices as required by Section 303.15 of the Ohio Revised Code. The BZA herein defines “parties of interest”, as it is used in the ORC, to mean owners of property within and contiguous to and directly across the street from the area subject to the variance or conditional use request. This definition is equivalent to the one used in ORC Section 303.12 regarding notice for rezoning petitions. As a courtesy, the BZA will also attempt to mail notice to all remaining property owners within 300 feet of the subject property. A copy of the abutter list shall be retained in each respective case file and shall be available for public inspection at the Franklin County Economic Development and Planning Department (02/16/98) (02/20/07).
4. All meetings of the BZA shall be open to the public and no action shall take place in Executive Session or by vote prior to any meeting.
5. All meetings shall be conducted in accordance with Roberts Rules of Order, newly revised. A quorum shall consist of three (3) members of the BZA. If a quorum is lacking, the meeting shall be postponed or canceled. The Board of Zoning Appeals is unable to guarantee full attendance at each hearing. As such, any decision made by quorum of BZA is final. The BZA shall consider and deliberate upon any request for delay should an applicant desire to do so, but because of the dynamic development issues present in Franklin County, such request for delay shall only be considered to a date certain not to exceed six months (02/22/00).
6. There are two (2) designated at-large alternates. The alternates shall have the right to vote and participate in all proceedings and actions of the Board of Zoning Appeals at that meeting as if the at-large alternate were a full voting member (02/19/08).
7. All motions before the BZA shall be presented in the affirmative (to approve). If a motion is defeated, this constitutes a denial of the application. Passage shall require the affirmative vote of a majority of votes cast (02/20/07). For an appeal to be denied, a motion of denial must pass. For an appeal to be approved, a motion of approval must pass (04/20/09).
8. The Chairperson may limit the number of persons who wish to speak regarding any agenda item to not fewer than three (3) for and three (3) persons against. The Chairperson may not limit the time for a person to speak to less than five (5) minutes. The Chairperson, in the alternative, may limit the total amount of time for support of an agenda item to fifteen (15) minutes and the total amount of time for the opposition to fifteen (15) minutes.
9. All persons wishing to speak at a meeting must register to do so with the secretary of the BZA prior to the meeting. Speaker slips will be available for this purpose.

The Chairperson will inquire prior to each meeting or prior to each individual case as to whether or not the applicant or the appropriate representative is present. If there is not representation for a specific application, the 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**

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Chairperson

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Vice-Chairperson

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Member

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Member

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Member

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Date Adopted