



AGENDA

BOARD OF ZONING AND BUILDING APPEALS THURSDAY, SEPTEMBER 16, 2021 6:30 PM

**PLACE: COUNCIL CHAMBERS
7232 EAST MAIN STREET, REYNOLDSBURG, OH 43068**

A. CALL TO ORDER

1. ROLL CALL
2. APPROVAL OF MINUTES
 1. Board of Zoning and Building Appeals – Regular Meeting – July 15, 2021
3. APPROVAL OF AGENDA
4. SWEARING IN OF SPEAKERS

B. PUBLIC COMMENT

C. UNFINISHED BUSINESS

D. NEW BUSINESS

1. Application #2021-5436; Lancaster Avenue; Trivium Reynoldsburg LLC; Residential Zoning Variance
2. Application #2021-5360; 6050 E Livingston Avenue; Mufasa LLC; Conditional Use
3. Application #2021-5434; Summit Road SW; Joe Ciminello; Conditional Use (Eastwood)

E. OTHER BUSINESS

F. ADJOURNMENT

Reynoldsburg

OHIO • 1839

MINUTES

BOARD OF ZONING AND BUILDING APPEALS THURSDAY, JULY 15, 2021 6:30 PM

**PLACE: COUNCIL CHAMBERS
7232 EAST MAIN STREET, REYNOLDSBURG, OH 43068**

A. CALL TO ORDER

PRESENT: Rettke, Linder, Furst
ABSENT: Bulls, Barnhart

2. APPROVAL OF MINUTES

Mr. Furst:: Yes, Ms. Wheeler, I submitted a number of changes. I think they were just transcription errors and then one of the speakers was misidentified. If those could be incorporated into the minutes, I'd appreciate that.

Minutes were updated with the corrections.

1. Board of Zoning and Building Appeals – Regular Meeting – May 20, 2021

3. APPROVAL OF AGENDA

Ms. Wheeler: Please remove item number 3, the applicant did come to a resolution with the attorney's office.

4. SWEARING IN OF SPEAKERS

Speakers for the evening sworn in by Mr. Rettke.

B. PUBLIC COMMENT

None

C. UNFINISHED BUSINESS

None

D. NEW BUSINESS

1. Application #2021-5305; Parcel ID 067-000086; Applicant Kareem Am; Conditional Use Permit (Sheetz)

Mr. Rettke: New business item D 1, application 2021-5305. Can we please have a presentation?

Ms. Wheeler: Thank you, Mr. Chair. This application is for conditional use, 2021-5305. This is for an out parcel at the shops at East Broad parcel id 067-000086. That is within the community commercial zone. I believe there's no certified address at this time yet. And the applicant is requesting approval of a conditional use for the construction of twenty four seven sheets convenience store on approximately two acres. The site is currently vacant. This particular use, retail convenience with

Minutes Acceptance: Minutes of Jul 15, 2021 6:30 PM (APPROVAL OF MINUTES)

gasoline is listed as a conditional use in this zoning district and hence the reason we're here this evening. With that, if the applicants want to add any additional information, I will pull up the colored site plan as well that was submitted in support of the application.

Mr. Rettke: Come up to the podium, state your name and address for the record.

Mr. Amr: Hi, this is Kareem Amr and with Skilken Gold, real estate development. I have with me Kyle from Mannik and Smith Group. He is our engineer on this. I have Eric, our senior vice president at Skilken Gold and I also have Aaron Hensley, senior real estate site selector with Sheets.

Mr. Rettke: Would you like to elaborate on anything she said before the board might ask you some questions?

Mr. Amr: No, thank you, staff, for the introduction. We're here to answer any questions you may have.

Mr. Rettke: I'll turn it over to you guys. Mr. Furst.

Mr. Furst: Thank you, Mr. Chairman. So forgive me, I understand that a lot of the local residents in the market are quite excited to have you here, but I'm not terribly familiar with your business in particular. So if you could kind of give us a little general overview, maybe an average number of customers that you serve each day, maybe an estimate that you expect to serve in this location, and then anything that we might want to know about this particular site or your business model in general that might differ from kind of a typical gas station convenience store.

Mr. Amr: Absolutely. I'll invite Aaron up here to talk about the sort of operations

Mr. Rettke: If you would just state your name and address for the record, please.

Mr. Hensley: Sure. Aaron Hensley 630 Morrison Road, Suite 150, Gahanna, Ohio. We really don't release customer accounts, so I mean, it varies from site to site. I can tell you employee wise will have thirty to thirty five employees with about seven of those management payrolls about fifty five thousand a month. And our store manager makes about eighty four thousand a year with bonus. If you're not familiar Sheetz we are a privately held family company that's been in business since 1952. We operate over 615 stores in six states. I think we're up to about forty five in Ohio, most of those in northeast Ohio, currently. We're about to change that. We've got four open in the Columbus market now and we're looking to do 50 in the next five years or so and a few more after that. But that's kind of our goal right now is 50 in the next five years. We don't look at ourselves as a gas station that everybody puts us in we look at ourselves more of a convenience restaurant because our own proprietary food. All our foods made to order. It's ordered actually on a touch screen, just have this as a drive through the drive through to even touch screens so there's

nobody screaming back and forth, which shouldn't be a problem alone on broad Street there. But when you get into some of these neighborhoods, that's an issue, especially at night. We are 24/7 operation and like I said, convenience restaurant. It's our made the orders as we call it MTO's is what differentiates us from our competitors. So it's all made when you order how you want it. Twenty four hours a day, so if you want a bacon, egg and cheese biscuit at 3:00 in the afternoon, we'll do that for you if you want to, you know, a taco for breakfast or whatever it might be. Other than that, I mean, like I said, we're family owned, private company and we're here to say. Anybody have anything?

Mr. Rettke: No, I appreciate it, because I keep hearing about the food, but I've never been to one the South, but I never knows the food. Most of the time I'm just off to the exits enough to get gas and get back on.

Mr. Hensley: Of the four we've opened so far, everybody's noticed we have food plus a really good gas price.

Mr. Rettke: Any other discussion, comments, questions?

Mr. Furst: If there is no other, you know, discussion, Mr. Chair, I would like to make a motion based upon that conditional use factor set forth in Section 1109.15D and supplementary use conditions for gasoline stations set forth in Section 1105.13J. I, make a motion to approve this application number 2021-5305 for conditional use permit for the following use that is a retail convenience with gasoline.

Pastor Linder: I will second.

Mr. Rettke: That motion moved and seconded any further discussion? Hearing none, can we have the vote, please?

Ms. Wheeler: Mr. First. Yes. Pastor Linder. Yes. Mr. Rettke. Yes. The motion carries.

RESULT:	APPROVED [UNANIMOUS]
AYES:	Rettke, Linder, Furst
ABSENT:	Bulls, Barnhart

2. Application #2021-5285; 1922 Brice Road; Applicant Elena Saldana; Non-Residential Variance (Los Portales)

Mr. Rettke: We good to go, Emily. OK, well, I called this meeting back to order item D2 application 2021-5285. Can we please have a presentation?

Ms. Wheeler: Thank you, Mr. Chair, this application is for a non-residential zoning variance. This is at 1922 Brice Road and within the innovation zone, the applicant is requesting BZBA approval for a non-residential zoning variance to operate a dine-in restaurant, Los Portales, apologize if I'm pronouncing that incorrectly. This is within

approximately four thousand square foot tenant space. Food service, full service restaurant is not listed as a permitted or conditional use in the innovation zone. Hence the use variance would be required. I will put up on the screen. We actually have kind of a timeline of events related to this particular space. And then I would also note that the proposed restaurant use did receive a special exception use permit three times prior under our previous zoning code, prior to the most recent zoning code update. And with that, I believe the applicants here, if there are any additional questions.

Mr. Rettke: If you want to come on up, we probably need to swear you in, since you missed that portion. Do you solemnly swear or affirm that the testimony you're about to give is the truth, the whole truth and nothing but the truth?

Mr. Drown: Yes, sir.

Mr. Rettke: Thank you. If you could state your name and address for the record, both parties

Mr. Drown: I'm William Todd Drown, attorney at law from Coshocton, Ohio, and I represent the restaurant.

Ms. Saldana: Yes, my name is Maria Saldaña and I'm trying to open the restaurant, that 1922 Brice Rd.

Mr. Rettke: So I'll start, I guess. I spent a lot of time trying to figure out the timeline and why we're here.

Mr. Bowsher: That's a great question. I going to step in here. So we met with the applicant and their attorney, city attorney, to really to get to the bottom of this. This was a really great thing that Shelley Slota, our permit technician pulled together for us. Basically, what it comes down to is in the shortest, and I'm sure they can provide more context and details. But they currently operate a grocer to the Far East on the site. Because they have been to hire potentially a bad actor and an architect who gave them really bad plans that really were for the restaurant, Mamajuanas, which should have been open before. Ultimately, they've been paying a lease on this facility for much longer than we have established our new zoning code. With that being said, it's co-located next to the existing facility they already own and operate. They're looking at having a door that's in between shared access and they'd like to finally open. They certainly have had some troublesome times. I believe even the applicant's husband had certainly had a severe accident. He runs a roofing construction company and that delayed things even further. You can see based on the timeline that you can see on the screen, this has been trying to be open for quite some time and certainly was a restaurant previously. It has everything inside of it ready to go. There's minor changes that need to be made to have this open. So they're asking for this use variance because it's a very unique case. It's not a new applicant and it's just trying to come in. Of course, we don't allow this type of use

currently there. We worked and discussed this and felt that their best course of action, because they fit a lot of the needs and a lot of the hardships to get to this were to come to the BZBA and ask for this use variance. But after that, I'll allow you to elaborate a little bit further.

Mr. Drown: I wasn't the attorney when this started several years ago. I was just asked to come on board. They have a mutual friend who said, could you help them? They've been trying to open a restaurant for four years. I said, there's no way if someone's pursuing something zealously, how could it possibly take that long? And so eventually I came over to their current store, which is quite impressive, quite frankly. There's a large community of Latinos that congregate there. It's a very nice facility. And I said, OK, there has to be a reason. It can't be the City of Reynoldsburg. Reynoldsburg has lots of Hispanics that it's very, very diverse place. And within a few weeks I started asking, OK, now what is it that you did to this space? And they said, we did this, this and that. I said, well, wait a minute, with these plans over here. So you (inaudible) electrical changes. And so it wasn't too long till I ascertained that their Spanish is good for conversation and thing, but the technical stuff, when the architect they hired handed him the plans, they just assumed because he'd done the work for the previous restaurant that the plans were OK. So they submitted them. And it took me a while to convince them that those plans were not correct. And I'm an attorney. I don't I don't normally read architectural drawings for a living. I'm a solicitor for a village. I mainly do real estate and some criminal things. So this is even a little bit out of my element, to be quite honest with you. I met these people. I like them. Mr. Saldana has been the major breadwinner for a long time, he has a roofing company, and he took a tragic fall from a roof and fell into a hot pit of asphalt and it literally burned more than half of his body. And so that at least accounts for some of the delay. Some of it, I think they just didn't understand or thought the architect was going to do more to help move them along. And they certainly paid a lot of money to the architect. I wrote him a letter, told him what I thought about his architectural skills. He decided not to call me back and instead he redid the drawings that we needed that should have been done years ago. He got them done pretty, pretty fast and I think they're correct, as far as I know. We're really here at your mercy because they invested; there was some equipment that was left from the prior restaurant, but there's a lot of equipment that they've put in their kitchen wise. This is their dream. Quite frankly. When I learned that the zoning code had changed and it could no longer be a restaurant. Oh, my gosh, this couldn't be a worse collision of events because maybe we'll have to go after the architect. But, you know, nobody is going to have a million dollar policy for all the money and stuff that they have in this place. I'm happy to answer any questions that you have. This will be a very nice restaurant. This is not a normal. This is a Mexican seafood restaurant. That seafood will be the main thing that's served. You saw the pictures. I took the pictures, too, by the way, because I wasn't sure how else to get all this information to you. So I've become a photographer. I want you to see the size of the current facility and how they run it and how much stuff is there. And we just hope that you'll consider all of these factors. I think sometimes when English isn't your first language and their English is very good, but sometimes they pretend to,

not pretend. They feign understanding because they don't want to upset you. They don't want to they don't want to feel stupid. I think sometimes they don't quite understand everything. And the more technical things get, the less they understand. And they were absolutely flabbergasted after three years of having these plans into the City of Reynoldsburg that it was wrong, the address was wrong, that there was no electrical work that was done. There's no plumbing work that was done. There was no ceiling work that was done. And yet it was all of these plans. So it didn't take a; I'm not a lawyer that does this normally, but didn't take me too long to figure out what happened. I won't take up much more of your time. Lawyers can talk endlessly and say way too much, thank you very much.

Mr. Rettke: Thank you. I remember this one slightly, I think I do. So they came to us, they wanted a grocery store, basically, and the restaurant I know we talked about having the door between the two or the opening between the two because I think there's some discussion over that. We approved it. Right.

Unknown: Yes, sir.

Mr. Rettke: That was approved. Actually, I think it said 15.

Mr. Bowsher: Before Emily and I came on board.

Mr. Rettke: So why wouldn't that approval still be valid?

Mr. Bowsher: Because it's not been operating as one and so that's it. Then the problem with it is, you know, obviously it's already set to be there. Had the architect not have failed their client. I don't even think they would be here this evening.

Mr. Drown: And put the right address so that at least our applications would be under the proper address so we might be grandfathered that way. They just didn't know. It didn't take me very long. Again, this is not my area of expertise, but to figure out what the problem was.

Mr. Rettke: It's been a while for me, but I remember I was always confused which one was going to be the restaurant, which was going to be the grocery store.

Mr. Drown: Welcome to my world, too.

Mr. Rettke: Yeah, it was.

Mr. Leist: I remember there was a special wasn't there a special use application? That was made for that specific reason.

Mr. Bowsher: Yes.

Mr. Leist: And it expired,

Mr. Drown: But they didn't follow up and do the things that were necessary.

Mr. Bowsher: This has been some form of eating and drinking establishments since 2010.

Mr. Rettke: Yeah.

Mr. Furst: It was intended to be or it was?

Mr. Bowsher: It was.

Mr. Drown: It was already built out and everything.

Mr. Furst: Well but yeah. I mean I understand that Mr. Bowsher, you said it was not operating so that there was....

Mr. Bowsher: I think back in 2010 it was operating as the certificate of occupancy for Mamajuanas was issued. I believe it was operating then. It hasn't been since, when did you?

Mr. Drown: Fourteen I think.

Mr. Rettke: Yeah. My Mamajuana wasn't there very long if I remember right. But I think somebody made a run at that before they did because some of the work was already done. They just.....

Mr. Drown: There was a restaurant there before too. Yeah that's correct.

Mr. Bowsher: It's not on this sheet. I mean you could see what you're taking a look at on your screen is 2010 ones and then it looked like all about music restaurant after Mamajuanas. I don't know if that actually opened or not.

Mr. Rettke: I don't think that ever panned out.

Mr. Drown: The architect actually said that it had been a retail radio sales place which was all wrong. I mean, this always been a restaurant and he's the one that did the plans. It's just embarrassing all the way around. They've been paying rent since 2015. Yeah. And so that's patients. I mean, that's something I don't know if I could do that or would do that, but this is certainly their dream and that's why they've done it.

Mr. Rettke: So what triggered them to bring this up now? Did they come in for occupancy?

Mr. Bowsher: Yeah, they're ready to open. And of course, I think there was also

confusion. I think that's why their attorney got involved, because they weren't getting back what they were looking for because everything that was submitted was wrong.

Mr. Rettke: So you guys went out and noticed that it wasn't matching what you had on file and.

Mr. Bowsher: Yeah, wrong address and so that got corrected. Then we had a meeting to understand exactly what was going on. And we said this was the best course of action and it was something that I think the administration could get on board with understanding the they've had to deal with and understanding that it's currently as close to operational as you could possibly get.

Mr. Rettke: Yeah, it's just the patrons at this point, is what you're saying?

Mr. Drown: I'm going to walk them all the way to the end of the process, even if I'm not always sure because everybody in the city is very good to help.

Mr. Rettke: Anything else, Alex?

Mr. Furst: Mr. Chairman, thank you. So I have a number of questions here. There's a number of factors that you're aware of that we have to consider. In Section 1109.13D a couple of them here stuck out to me. It is very clear that there is a hardship, no doubt about that. That seems very clear in a number of the other factors are clearly met. But some of these here that I'm going to list are less clear to me that they're met or perhaps...

Mr. Drown: I wasn't sure if we had to meet every single one of them or just doing my best to try to.

Mr. Furst: Yeah. And you submitted quite a wealth of information, so if you could maybe bear with me and answer these a little more directly, I think that would help kind of distill the situation. So in the Factor, 1109.13D, subsection three says there exists special circumstances or conditions that do not generally apply to the property or other properties in the area. Could you kind of elaborate on that a little bit? What makes this unique, specifically?

Mr. Drown: Well, I would say the fact that it's already built out as a restaurant with the kitchen equipment and the fans that you have to have for a big kitchen and all the electrical stuff that you're required to have in the plumbing. And it's beautiful in the kitchen. If I had this kitchen in my house I would have it made so that that's part of it. I would say there's other restaurants in the immediate area. I don't know if I'm quite answering your question. The other thing I think is that the store next door, their store, is a place for Latinos to go. They always have the different soccer games on. There's lots of folks that come through there. And I think it could be a very nice sort of a continuation of what they're already doing because they sell produce from Latin America, fresh everything. So I guess I would just say it's because it's been

used that way in the past and it's already. Much of the kitchen stuff was already there when they agreed to rent it. But much of it they put in. I'm not sure if I do a very good job on that factor so.

Mr. Furst: Well, so I guess for lack of a better word, would you say it's clear that they're more or less inheriting a built out restaurant space. They're not starting from the ground up with just an empty unit.

Mr. Drown: Now, they certainly put a lot of their own equipment in big freezers and things. But yes, the infrastructure was already in place for a restaurant it was already designed for that and has been there for quite some time. I don't know if I addressed all of those things, but

Mr. Furst: No, I was just looking for a little more detail about it because it's not a permitted or conditional use. You know, if someone was to bring an application for a restaurant, that would probably just be flat out denied because it isn't permitted, but since, like you said, it was already built out, that seems like that's a unique circumstance here and there was the time factor involved. So I was just looking for a lot more detail on that.

Mr. Drown: And the fact that there's already a store next door that the theme and the cultural things sort of blend over into the store. The other thing is I actually read your plan. I've been involved in making some for some of my small villages. It seems to me having some upscale restaurants isn't such a bad thing. I know it's not your code that way, but the one thing that the Easton does so well, I think everyone's trying to do it in some fashion, is to be able to live and work and eat in a small space. So when I look down the road, I don't see a lot of high end restaurants in that part. And so and you've got some you've got some great plans for some residential improvements that go behind that. And this at least, is, I think, a kind of a destination to go that's upscale and so that I don't know if that fits in or not.

Mr. Furst: I think that makes some sense. I'm going to ask you this question. Feel free to answer. May have to have Mr. Leist chip in here. But to be clear, I'm quite sympathetic to the use case here, but this was the big sticking point for me. So on Section 1109.13D, subsection two says the variance will not permit the establishment of any use, which is not otherwise listed as permitted or conditional in the zone or district in which your property is situated. It seems to me that the variance here is asking for exactly that. And like I said, I am sympathetic to this this application. In a perfect world, I you know, I would vote for it now, but I can't get over this particular factor because it seems like it's what's being asked for.

Mr. Drown: I would say this, every time he put his zoning code in place here as a lawyer, you're always trying to prevent all the exceptions because eventually the exceptions eat away at the integrity of the whole. And the more of those you get a sort of uncontrolled code again and then everybody wants to go and do a new zoning code, etc. So you're trying to hold this down. I would say here the fact that

this has been approved several times before the fact that it was permitted or a special use in this area.

Mr. Bowsher: Several times over.

Mr. Drown: in the past makes this a unique application, because how many people can say that they were able to do it? It was approved multiple times, but there were intervening factors that kind of prevented it from opening. So it's not going to open holes in your zoning code where you're going to say, OK, now there's another restaurant that wants to come in here. Yeah, but did that restaurant start four years ago when they were able to do this? Did they have three prior approvals for their application? Was it already built out? So I think there's some things that prevent someone else from driving a truck through your code and that's what I think the purpose of that particular code section is.

Mr. Leist: Well, in my understanding, again, just to be clear, was that there was a special use that was permit the application that was made that expired. And from that time, the code has changed. As such, now we're looking at a variance. And so I know as Mr. Furst was asking, in terms of the uniqueness aspect of this application, that not only the fact that I think that he's indicated that this was already previously billed out as such, that that two is to some degree unique circumstance, that what might have otherwise been has since changed through no fault of the applicants. And that's for this board to determine does that necessarily constitute a hardship? Such that would allow this application to be approved.

Mr. Furst: Thank you, Mr. Leist. At least in my opinion, I feel like it does.

Pastor Linder: Just listening and not having all of the numbers, the way Mr. Furst does have become completely convinced that this would have never come to us had the things that happened to you by no choice of your own not transpire, and even understanding what you've been doing in the area and what you project to do seems like it's a very positive place to see the blend of not only a genuine hardship, but also someone who's demonstrated the ability to maximize an exception we might make. That's just the thought I have.

Mr. Rettke: One question I would have for staff, I know we run across this with daycares and stuff like that with a special exception use, that's a one-time run with that current owner. Correct? So is this variance going to be permanent where if they continue to make this investment and let's say her husband decides, you know what, I'm done, I'm burned out, tired, wants to sell it or we're going to be faced with the new owner coming up and saying, hey, can I operate a restaurant here, I'm facing the same scrutiny?

Ms. Wheeler: I can kind of take that so we have a nonconforming section of our code which would dictate how long a non-conforming use would be able to operate until a new user comes in with that same use and with the most recent revision of

our code, we change that to three months. So essentially, if they vacate this space, a new user would have three months to come in and continue using this space as a restaurant. Otherwise they would again need to seek a variance for that particular use.

Mr. Rettke: Yeah. And then if it's four months, they want to open up their door, then they have to go through the process and potentially could be denied, correct?

Mr. Bowsher: Correct.

Mr. Rettke: Can you help her appreciate that situation?

Mr. Drown: I will, that's a short time period that I know in the villages that I work, for example, they'll say if you have a trailer on a as a non performing use and if you take it off of the property for, say, six months and don't put one back, then you can't put it back. And six is what I typically see, three is pretty short. I certainly will convey that to them. I think to your point though, is what happens. And I think if the next restaurant, you know, comes in and there's continuity and there's no shut down or that sort of thing that they would get to continue, I think certainly. I think your code also allows you to put reasonable restrictions on this kind of an application, too. So I don't think that's something that you..

Mr. Rettke: That's usually my concern with the special use. You know, she's making a grand commitment here. If something were to happen where it would shut down, then that's a potential huge loss because made a significant investment.

Mr. Drown: For years, they've at this point, they really believe in their vision because they've certainly put their money where their mouth is. So I will convey that to them.

Mr. Rettke: No, we had a day care like that. Remember Main Street that. Yeah. Kind of went under and. I think she got in poor health, wanted to get out from underneath of it and in the historical district it says no daycare.

Mr. Drown: So I think any purchaser has to know, look, if you're buying this, you know, when we're handing it off to you, you have to get your ducks in a row. You have to get we have to get the liquor to get all that stuff transferred appropriately. So I'll start working on the next aspect of this once we get this park cleaned up. This was supposed to be a small little project for me to come up here from Coshocton and it's turned into something bigger. But I also believe in their vision. After I met them and I met the people in the store and their workers and what they're trying to do, I've become convinced that this is good for Reynoldsburg. And I've grown up in Licking County. This place has changed enormously.

Mr. Rettke: I didn't want to see them get in another situation where they're making a huge investment and there's a lot to lose.

Mr. Drown: because you saw the money that we figured that they had already. We were actually able to apply for some of the restaurant revitalization money, even though we didn't open. Some of our stuff, didn't qualify, but some did so.

Mr. Furst: Well, we do certainly hope that businesses are successful in Reynoldsburg, of course.

Mr. Drown: Especially in that corridor.

Mr. Furst: Yeah, especially. So I do have one question for Ms. Wheeler. Just for the purposes of Mr. Rettke scenario, you know, if there would be a non-conforming use with a different applicant there, you know, when does that timeline start and stop? You know, is it with like a certificate of occupancy or how is that determined? Or maybe that's for Mr. Leist.

Mr. Leist: To be to be frank and honest, I am not sure of that answer.

Mr. Furst: Fair enough.

Mr. Leist: Yeah, that would be something I'd have to get back to you on Mr. Furst.

Mr. Drown: I might be able to help. It would depend on how the new entity is taking over. Are they buying the stock and just continuing to operate or are they starting their own business, have to get their own liquor license permits in order. And then there's an agreement from the old owner with the new owner to share the liability on the liquor license for a while. I haven't seen too many where they come in and take the stock and just take over. They usually have their own company because they don't want the liabilities. I would say somewhere in that period. I'm not trying to answer for you. Being a lawyer for 25 years.

Mr. Leist: No, I mean, as the representative for the city at this point, I'm not sure that I necessarily have the answer. Although I appreciate the answer.

Mr. Furst: So then, Mr. Rettke, do I understand maybe that there's some concern about continuing a nonconforming use?

Mr. Rettke: There's none under my concern. It's more to lay it out so she knows that I can't just put it on a market and the next guy dilly-dally, or shut it down for a little while and I want to convey it three months, six months, we could always say no, this board could change the dynamic significantly. I mean, it could be close. I don't know how you guys are going to vote, but you could be one vote away and your whole nest egg is gone.

Mr. Drown: And of course, hopefully if I'm able to help them get this up and going, hopefully they'll hang on to me so maybe I'll be that person that reminds them of this.

Mr. Rettke: Yeah. That is just something that bothers me with the special exception or the one time use. Like some of the daycares we had, you know, one of the daycare centers explicitly built a daycare. But yet every time it changes ownership, it has come before us. And it's like, OK, at some point in time, one of these boards could say no and you just lost everything.

Mr. Drown: Zoning is one of your most powerful things that you have and it's very difficult for applicants to challenge in some way.

Mr. Rettke: Another concern, I don't know. Judging by that area, I don't know what the owner's intention is, but could that be redeveloped and that investment would be somewhat in jeopardy there, too. So as an attorney,

Mr. Drown: Are you saying the owner of the building?

Mr. Rettke: Yeah, the owner of a building could decide to do something else level it and move on.

Mr. Drown: I would say he's very happy with these folks because they've continued to pay it.

Mr. Rettke: But I know that facility struggled to retain tenants.

Mr. Drown: And it still is empty up through there. But I will tell you, that corridor has improved from 10 years ago or 15 from when I last was up through there. So I think it's going in the right direction. Hopefully, this will be a nice place that people can walk to and eat. And again, so I've actually eaten some of the food. Some of you may have had some. I wasn't sure how that would be viewed if we brought you in some. We really just want to show off what we could do. And I said, I don't think I'll say anything, but that's just a sample of what they plan to do.

Mr. Rettke: The other question I got, can you just explain the innovation zone again?

Mr. Bowsher: Yes.

Mr. Rettke: Give us a little brief on why it's not included as a special exception or a permitted use.

Mr. Bowsher: So during the comprehensive plan and the zoning code, the thought process of Brice Road was that most of the big box stores, chains, things of that nature, had moved to 256 where they currently reside and they're performing very well. But 256 was never going to come back to Brice Road. So the thought behind it was, is that you need to reinvent and revitalize the Brice Road corridor and it wasn't just going to be retail establishments and commercial that it needed to be a function

of where its location was, which was, you know, right off of 70, very close to 270 and created as a hub because of the employee base, happens to be the most densely populated area, especially to the east of there in the city. So the thought process was with the COTA park and ride as being the busiest park and ride outside of main Columbus, that if you created Job centers, light manufacturing, logistics spaces, industrial flex use type spaces, that then you would create an economic engine and impact for the community where people would have job areas where they could walk from the current housing stock and also get there from the COTA park and ride. So that was the thought process. It has lots of vacant big box facilities where those could be converted into a different type of use, less commercial, more industrial. And really reinvasion as what you would drive on Goodale Avenue, where you see distilleries popping up and furniture manufacturing, artisanal manufacturing, things of that nature and really being a job center as being so close. So we had have several conversations with the city of Columbus. And obviously our side is only going to be as great as their side is. And we hope that they put as much effort, time and attention as we have tried to over the years. We understand that there is still going to be a mixture of commercial that's going to stay there. There's going to be grandfathered in that that has done really well, but what we'd like to see over time is the combination of said parcels that we've discussed and to really see a different set of those types of uses in that area. It's a long term vision, a long term plan and the only way that we get that is to continue moving down that path. And I don't think we're ready to give up on that just quite yet. But we need to figure out a way on how we're going to revitalize that corridor. And we felt that was the best and most appropriate method moving forward.

Mr. Drown: I was kind of shocked that restaurant wasn't permitted in there. Especially something upscale because if you have all the residential behind it and you want people to be able to walk, you have to be able to walk to something. This certainly is some place that people would walk to. I'm not sure if they would. Maybe I disagree with the vision just a little bit, but I do so respectfully. I'm not sure they're going to walk to what's listed there. I guess, I don't know. This isn't my area of expertise either, so.

Mr. Bowsher: It's OK. Candidly, I agree with the hardships. So it's OK.

Mr. Drown: I don't want to offend anybody, I was shocked that there wasn't a restaurant. When someone told me that the zoning code had changed and a restaurant couldn't be there, I thought awww this couldn't get any worse. Oh, my gosh, you have to be kidding me that someone is not telling me the truth, this could not have happened.

Mr. Furst: Well, it does seem to me that the vision for the innovation zone, notwithstanding, that even if there is large, massive sea change of development there, that the people who live and work there might like a nice restaurant to go to. So, even though it's not explicitly called out as included in and kind of our vision of the innovation zone, it does still seem to fit with that general intent in my mind.

Mr. Rettke: So does that zone affect Popeye's and Subway and all that out front, too?

Mr. Bowsher: It does. And those are nonconforming uses, legal nonconforming.

Mr. Rettke: So if Popeye's were to shut down for three months, then somebody else would have to come to us again for that?

Mr. Bowsher: Correct

Mr. Rettke: I don't know if you jogged around it or; I couldn't remember

Mr. Bowsher: No, all of that there on the east side, up to Century City. Now there is other commercial uses, I know I talk about industrial, but Home Depot is a permitted use. The dental practice that just opened up and they took over the PNC Bank, permitted use.

Mr. Furst: The trucking company there.

Mr. Bowsher: The trucking company, all permitted uses. So all of those fit within the confines. So I think what we were looking for was a little bit more macing and really job placement areas. It even included commercial office space.

Pastor Linder: Mr. Chairman, I have a couple of questions that are very basic, should take long, and has to do with the operation. First of all, are you going to add employees separate from the market and about how many do you expect?

Mr. Drown: I thought I put it in one of the many pictures.

Pastor Linder: I see 10. I see the grocery employees.

Mr. Drown: We anticipate servers. I don't know what the estimate was. But my own estimation is you've got to have four or five folks that work that clean dishes. You've got to have you got a whole cook staff and we have a chef that has committed to us. So cooking staff. You have a wait staff. We have the folks that take you to your tables. I'm thinking conservatively, at least 20 decent paying jobs, to be honest with you.

Pastor Linder: Additionally?

Mr. Drown: Yes. And they've owned a restaurant before and they had a partner in with them. Like all businesses that they run their course. I mean, when you have a third partner, sometimes things don't go as smoothly as you'd like. So they have experience running it. So I'm going to say conservatively, at least 20.

Pastor Linder: Then just the second question, hours of operation is exactly the same as the market will then be different.

Mr. Drown: I don't know.

Ms. Saldana: It's going to be later.

Mr. Drown: Later, a little bit later, probably. What times the market opened?

Ms. Saldana: Nine to 10.

Mr. Drown: I don't imagine breakfast.

Mr. Rettke: Can you restate that? I can't hear it.

Ms. Saldana: Maybe from 11 to 12 or it depends on the liquor license as well.

Mr. Furst: Sure.

Mr. Drown: But it wouldn't be so the market is open many hours and I've been there on Saturdays and gotten there at noon and they're still there at 10:30 at night working in the market. I would expect normal dinner hours. I don't expect they'll have a breakfast service, but probably sometime in the afternoon they'll open and stay open till 10:00 or 11:00 at night or however late they're allowed to use the liquor license, I suppose.

Mr. Rettke: And the liquor license is obtained, right?

Mr. Drown: Yes, it's already been obtained. I just have to figure out

Mr. Rettke: I think we had that discussion with.

Mr. Drown: The address thing is so the liquor licenses say 1922-1924. Well, that's not really going to work because you can't store the stuff for 1924 and 1922. So I'm trying to explain all of that to everybody to and that's my next task.

Mr. Rettke: I think we had a discussion about somebody going over because at first I thought they maybe said they weren't going to get it, but we were concerned somebody could go buy it, bring it back over and sit down and we thought that be problematic.

Mr. Drown: There's so that my next job is to work. I've been working with the liquor folks. They didn't want to do anything at this point, changing the addresses until we got this process through because they have seen how long it's taken and they frankly want to know if we were just sitting on a license and not doing anything with it. I said, oh, no, I could give you the whole story or I give you the short version. And

they said, just come back in a few months and tell us. So, we have to straighten that out now, but they will not allow that's not going to be one permit for both. They're going to actually, when they get the permit that they need for the restaurant side, which they have, it will convert and it will drop out a couple of others that they won't need. They explained it to me, but they'll only be able to do certain things on one side and they'll not be able to mix or bring that alcohol back and forth.

Mr. Rettke: So, yeah, that's what we talk about with open door philosophy or door philosophy back when we approved it the first time. I think the hours were an issue, a concern, but I don't think originally they were talking maybe past midnight, but I can't recall that correctly. I know we did discuss that.

Mr. Drown: I don't see that happening during the week at all. I mean, I just don't. I know they've had some friends that do mariachis and some other things. So they plan to do some of that and they've done some of that on the on the grocery side already, which is, you know, so.

Mr. Rettke: Any other questions, concerns, comments, discussion?

Mr. Furst: I have no other questions or concerns, but I do have a motion. So having considered and weighed the factors set forth in Section 1109.03D, I hereby move that we approve this application number 2021-5285 for a use variance in the innovation district. The address of the application is 1922 Brice Road and the variance is for the following use; food service, full service restaurant.

Pastor Linder: I second.

Mr. Rettke: So it's been moved and seconded, any further discussion comments? Hearing none, can we please have a vote?

Ms. Wheeler: Mr. Furst. Yes. Pastor Linder. Yes. Mr. Rettke. Yes. Motion carries.

RESULT:	APPROVED [UNANIMOUS]
AYES:	Rettke, Linder, Furst
ABSENT:	Bulls, Barnhart

3. Appeal; 6301 East Main Street (AAMCO Body Shop); Code Violation Appeal

Item was removed the applicant came to a resolution with the attorney's office.

E. OTHER BUSINESS

None

F. ADJOURNMENT

Chairman

Planning and Zoning Administrator



Department of Development
Planning & Zoning Division
7232 East Main Street
Reynoldsburg, Ohio

App./Case#: _____

Date Submitted: _____

Fee Amount: _____

Section 1109
BOARD OF ZONING & BUILDING APPEALS
APPLICATION

☐ Paid: _____
I. PROPERTY INFORMATION

Property Address: 0 Lancaster Ave (Between Warwick / Wollam) Parcel ID#(s): 060-000997-00

II. PROPERTY OWNER OF RECORD

Property Owner Name(s): Trivium Reynoldsburg LLC

Contact Email: tim@triviumdevelopment.com Contact Phone Number: 614-545-7979

III. BUSINESS/TENANT INFORMATION (IF APPLICABLE)

Business Name: Contact Name:

Contact Phone Number: Contact Email:

Description of Use:

IV. APPLICANT INFORMATION

Applicant Name: Trivium Reynoldsburg LLC Applicant Address: 210 N. Lazelle Street Coulmbus, Ohio 43215

Applicant Phone Number: 614-545-7979 Applicant Email: tim@triviumdevelopment.com

☒ Property Owner ☐ Business Owner/Tenant ☐ Contractor ☐ Architect/Engineer

PROJECT INFORMATION**CHECK AND DESCRIBE IF APPLICABLE:**

Variance (☐ Non-Residential (\$450) / ☒ Residential (\$100)): Request is to create 3 lots from one existing lot.
2 of the lots are conforming to frontage requirements while the last lot is 42.77 feet wide.

☐ Conditional Use Permit (\$350): _____

☐ Other: _____

Please review the attached checklist and note the items you are responsible for submitting with this application. All required items must be submitted to the Planning & Zoning Administrator.

Applicant Signature: _____ **Date:** 8/25/21
By signing this application, I certify that I am the owner of the property or the owner's agent, and that the work is authorized with the full knowledge of the owner.

****OFFICE USE ONLY****

Additional Notes:

Zoning Information

Zoning District: _____

☐ Historic District

☐ CC Overlay

Add'l Approvals Req'd

☐ Planning Commission

☐ Other: _____

BZBA Meeting

Date: _____

☐ Approved as Submitted

☐ Approved w/ Conditions

☐ Tabled

☐ Denied

City Council Meeting

Date: _____

☐ No Action Taken

☐ Approved as Submitted

☐ Approved w/ Conditions

☐ Denied

P&Z Admin.: _____ Date: _____

Clerk of Council: _____ Date: _____

Section 1109.15 CONDITIONAL USES

Background

Conditional Uses are uses which may have the potential to be made compatible with the use characteristics of the districts in which they are listed as Conditional Uses, but which, due to the nature of their operation, appearance, or other characteristics require individual review and control of their location, design, intensity, configuration, and impacts upon the community in order to promote such compatibility.

When and where do you initiate a Conditional Use?

An application for a conditional use permit shall be submitted to the Planning & Zoning Administrator at least fourteen (14) days prior to the regularly scheduled meeting of the Board of Zoning and Building Appeals.

What information must be provided with a Conditional Use?

An application for a Conditional Use shall be submitted in writing on forms provided by the Planning & Zoning Administrator and shall include the following:

1. Description of the existing use of the lot and of adjacent lots;
2. The application shall also include a description of the activities proposed on the site, including the goods and services, hours of operation, anticipated number of employees, nature and volume of delivery activity, and other information which will enable the Board to understand the nature of the proposed use and its potential impacts;
3. A plan of the proposed site and improvements showing the proposed location of all structures, parking and loading areas, streets and traffic accesses, open spaces, refuse and service areas, utilities, signs, yards, landscaping, and other relevant features;
4. A narrative statement discussing the compatibility of the proposed use with the existing uses of adjacent lots including an evaluation of the effects on adjoining lots of such elements as traffic circulation, noise, glare, odor, fumes, vibration, and storm water, and any measures proposed to mitigate such effects;
5. A narrative addressing each of the applicable criteria set forth in section 1109.15; and
6. Such other information as the Board deems necessary to make a determination of the compliance of the proposed use with the applicable standards

and regulations. Such additional information may include, but shall not be limited to:

- o Traffic impact analysis;
- o Storm water impact analysis;
- o Utility impact analysis.

The Board may determine that additional studies or expert advice are necessary to evaluate a proposed Conditional Use relative to the requirements of the Code.

Along with a completed application form, please submit seven (7) hardcopy packets of all required items. When any items in the packet exceed 11x17, please also submit a PDF or similar scan of the completed application and packet.

Who may be involved in a Conditional Use?

- Planning & Zoning Administrator
- Board of Zoning and Building Appeals

How much will a Conditional Use cost?

The fee for a Conditional Use Permit is three hundred and fifty dollars (\$350).

What is the time frame for review of a Conditional Use Permit?

An application for a conditional use permit will take approximately one to two months.

The Conditional Use will be reviewed by the Board of Zoning and Building Appeals (BZBA). The Board shall make a recommendation that a proposed use should be or should not be determined to be a similar use for the district.

Who may I call if I have questions?

Contact the Planning & Zoning Administrator at 614-322-6829.

Section 1109.15**STANDARDS AND REQUIREMENTS FOR ALL CONDITIONAL USES**

In review of a special exception application, the Board shall consider whether the application is complete and whether it provides adequate evidence that the proposed special exception is consistent with the following standards:

- (a) The proposed use shall be in harmony with the existing or intended character of the district and nearby affected districts and shall not change the essential character of the districts;
- (b) The proposed use shall not adversely affect the use of adjacent property;
- (c) The proposed use shall not adversely affect the health, safety, morals, or welfare of persons residing or working in the neighborhood;
- (d) The proposed use shall be served adequately by public facilities and services such as, but not limited to, roads, police and fire protection, storm water facilities, water, sanitary sewer, and schools;
- (e) The proposed use shall not impose a traffic impact upon the public right-of-way significantly different from that anticipated from permitted uses of the district;
- (f) The proposed use shall be in accord with the general and specific objectives, and the purpose and intent of this Zoning Code and the Land Use Plan and any other plans and ordinances of the City;
- (g) The proposed use complies with the applicable specific provisions and standards of this Code;
- (h) The proposed use shall be found to meet the definition and intent of a use specifically listed as a special exception in the district in which it is proposed to be located, except as otherwise provided by this Zoning Code.

Section 1109.13 VARIANCES

Background

The Board of Zoning and Building Appeals (BZBA) may vary the strict application of the provisions of the Zoning Code where, owing to special characteristics of a property, a literal enforcement of the provisions would result in unnecessary hardship or practical difficulty, and where such variance will be in harmony with the general purpose and intent of the Code and in accordance with the specific rules contained in the chapter.

Why might you request a Variance?

To allow development of property prohibited by current zoning if such development will not adversely affect the surrounding property or neighborhood and if the BZBA is satisfied that it will alleviate some hardship or difficulty.

Where do you initiate a Variance request?

A variance application shall be submitted to the Planning & Zoning Administrator at least fourteen (14) days prior to the regularly scheduled meeting of the Board of Zoning and Building Appeals. The Board meets the third Thursday of each month.

What information must be provided for a Variance?

A property owner seeking a Variance shall submit a written request for Variance on forms provided by the Planning & Zoning Administrator. Such request shall include the following:

1. Name, address, and telephone number of the property owner(s) and owner's agent(s);
2. Legal description, address, tax district and parcel number of the property;
3. Description of the nature of the variance requested and a statement demonstrating the extent to which the requested Variance conforms to the standards for variance in the Code (see section 1109.13);
4. Statement of the hardship;
5. Such other information and exhibits as may be appropriate to establish the facts of the appeal and the grounds for relief.

****Note:** The application must be signed by the property

owner for the property which pertains to the variance.

Along with a completed application form, please submit seven (7) hardcopy packets of all required items. When any items in the packet exceed 11x17, please also submit a PDF or similar scan of the completed application and packet.

Who is involved in a Variance request?

- Board of Zoning and Building Appeals
- Planning & Zoning Administrator
- Service Department
- City Engineer

What is the time frame for a variance request?

In general the application process takes 30-45 days. Once a variance application is submitted, it will be placed on the next BZBA agenda. The BZBA meets the third Thursday of each month except December. The application will be approved or denied at the first hearing by BZBA unless the application is withdrawn by the applicant to address the comments raised by the BZBA. The BZBA can hold the application but a decision must be reached by the Board within sixty (60) days.

How much will a Variance cost?

The fee for a variance is one hundred dollars (\$100) for a residential variance, and four hundred and fifty dollars (\$450) for all other variance requests.

What are the next steps after a Variance approval?

The approved variance will need to be officially documented through the issuance of a zoning certificate or a zoning sign permit depending on the type of variance.

Who may I call if I have questions?

Contact the Planning & Zoning Administrator at 614-322-6829.

Section 1109.13

STANDARDS FOR VARIANCE

No variance in the strict application of the provisions of this Code shall be granted unless the Board makes specific findings of fact, based on the evidence presented to it, which supports conclusions that the variance conforms to the following standards. Such findings shall be stated for the record and reported in the Board's minutes.

(a) The variance is in accord with the general purpose and intent of the regulations imposed by this Code in the district in which it is located, and shall not be injurious to the area or otherwise detrimental to the public welfare.

(b) The variance will not permit the establishment of any use which is not otherwise listed as a permitted use or a special exception in the district, or which is expressly or by implication prohibited by this Code. (Note: See Chapter 1195 and Chapter 1145 for provisions regarding the replacement of non-conforming uses with other non-conforming uses.)

(c) There exist special circumstances or conditions, fully described in the findings, applicable to the land or structures for which the variance is sought, which are peculiar to such land or structures and which do not apply generally to land or structures in the area, and which are such that the strict application of the provisions of this Code would deprive the property owner of the reasonable use of such land or structures. There must be deprivation of beneficial use of land, as opposed to mere loss in value as justification for the variance.

(d) There is proof of hardship or practical difficulty created by the strict application of this Code, beyond simply a showing that greater profit will result if the variance is granted. Economic hardship is not grounds for the variance. Furthermore, the hardship complained of is not self-created nor is it established on this basis by one who purchased with or without knowledge of the restrictions. The hardship results from the application of this Code and is suffered directly by the property in question.

(e) The variance is necessary for the reasonable use of the land or building, and the variance as granted is the minimum variance that will accomplish this purpose.

(f) The variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values of the adjacent area.

(g) The variance will not confer on the property owner any special privilege that is unduly denied by this Code to other land, structures, or buildings in the same district.

(h) No nonconforming use of neighboring land or structures in the same district and no permitted or nonconforming use of land or structures in other districts are considered as grounds for approval of the variance.

(i) The variance is not a matter of convenience when other remedies are available within the provisions of this Code.



August 25th, 2021

Emily Wheeler
Planning & Zoning Administrator
City of Reynoldsburg
7232 East Main Street
Reynoldsburg, Ohio 43068

Emily:

Please accept this letter and accompanying documentation as my written request for a variance under Section 1109.13 of your zoning code.

We purchased the lot on Lancaster Avenue, just south of Warwick, with the intent of creating 3 new single family home sites. The 50-foot minimum requirement allows for 2 conforming lots while leaving the last lot short 7.3 feet. However, with 227 feet of lot depth, all of the lots significantly exceed the minimum depth requirement of 100 feet.

Rather than look to rezone the property, we would ask for a variance on the frontage requirement for one lot. The City has existing lots nearby on Bryden and Lancaster, under different zoning, that are even smaller than the lot we are requesting a variance for. Lots to the east of our site, and with the same SR Zoning, have significantly less green space retention than we are providing.

Additionally, I would ask the BZBA members to consider: 1) We are working with the utility providers to clean up sagging utility lines. 2) We will likely bury utility lines or run them to the rear of the property to enhance the appearance of the homes. 3) All the homes will be constructed by the same builder and built nearly simultaneously. 4) The adjoining parcel to the south uses its 19 feet of frontage as a driveway insuring the 3 proposed homes will look natural and normal from Lancaster.

Finally, while the Code specifies that Economic hardship is not grounds for a variance, I would ask the BZBA to strongly consider our request. Simply having bigger single family lots is not the answer. Our 3 lots are beneficial to the community and will provide housing during a time of high demand and need.

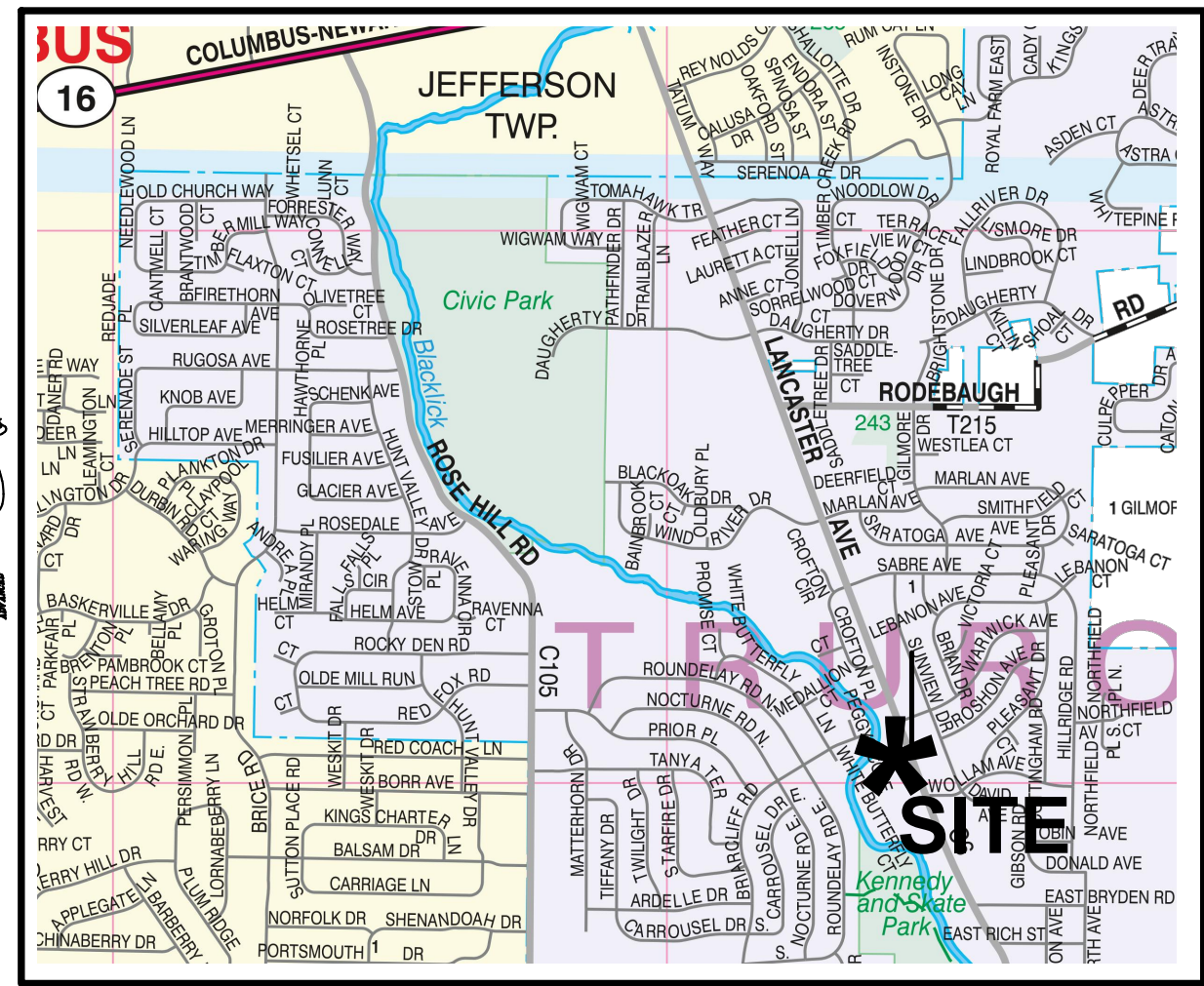
I'll be prepared to discuss further on September 16th.

Sincerely,

A handwritten signature in blue ink, appearing to read 'T. Spencer', is written over a horizontal line.

Tim Spencer
Trivium Development LLC

Z:\21-0040-144\DWG\PRODUCTION DRAWINGS\EXHIBIT\Lancaster Avenue 21-06-30.dwg Layout1 Jul 01, 2021 -- 11:17:49am werner

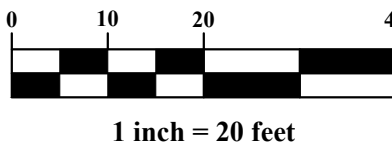


LOCATION MAP
NO SCALE

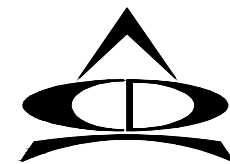
SITE DATA TABLE:

CURRENT ZONING:	OCT
SITE ADDRESS:	5847 TAYLOR ROAD
SITE AREA:	1.89 ACRES
NO LOTS:	4
DENSITY:	2.12 UNITS/ACRE

GRAPHIC SCALE



CITY OF REYNOLDSBURG, FRANKLIN COUNTY, OHIO
CONCEPTUAL SITE LAYOUT
FOR
LANCASTER AVENUE LOTS



ADVANCED
CIVIL DESIGN

ENGINEERS SURVEYORS

PLAN PREPARED BY:

781 SCIENCE BOULEVARD, SUITE 100
Gahanna, Ohio 43230
ph 614.428.7750
fax 614.428.7755

SCALE: 1"=20'
DATE: JULY 1, 2021

SHEET 1 / 1



Planimetric Legend

Source: 2018 Aerial Photography

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

Topographic Legend

Source: OSIP - 2011 LiDAR Collection

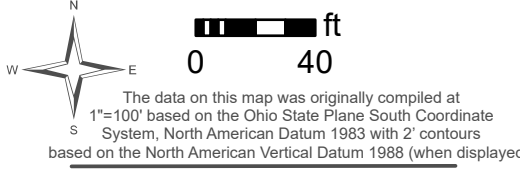
- Spot Elevation
- Index Contour
- Intermediate Contour

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.



**Franklin County
Auditor's Office
Auditor**

Michael Stinziano
Map Produced June 18, 2021







Attachment: After Shot (App #2021-5436, Lancaster Avenue, Trivium



MONTICELLO
HOMES



September 9, 2021

Board of Zoning and Building Appeals
City of Reynoldsburg
7232 E. Main Street
Reynoldsburg, OH 43068

RE: Lancaster Avenue (PID #060-000997-00) – Residential Zoning Variance #2021-5436 Staff Report

Board of Zoning and Building Appeals:

Below is the staff review of the above referenced application.

1. Project Summary

- a. The property is located on Lancaster Avenue (PID #060-000997-00) and is within the Suburban Residential (SR) Zone. The lot is currently vacant.
- b. The applicant, Trivium Reynoldsburg LLC, is requesting Board of Zoning and Building Appeals approval for a residential zoning variance to subdivide an existing .690-acre parcel into 3 lots. The lots would be developed with detached single-family homes.

2. Zoning Review (Section 1103.15)

- a. SR requires a minimum frontage of 50 feet. The applicant has proposed 1 parcel with a lot frontage less than 50 feet, hence a variance is required.
- b. SR requires a minimum lot width of 50 feet. The applicant has proposed 1 parcel with a width under 50 feet, hence a variance is required.

3. Variance Standards (Section 1109.13)

- a. The Board shall consider whether the proposed variance is consistent with the standards contained in Section 1109.13(D) of the Reynoldsburg zoning ordinance, as well as the variance factors set forth by the Ohio Supreme Court.
 1. The development of the parcel for detached single-family is in accord with the general purpose and intent of the regulations of the zoning code. The SR Zone is intended 'to accommodate multiple forms of single-family development,' however the zoning code is non-descript regarding the intent behind lot width and frontage requirements. Generally speaking smaller frontage and lot width requirements promote walkability and higher density, which are in line with the City's Comprehensive Master Plan. The variance will not be detrimental to the public welfare.

2. The variance would not permit the establishment of a new use not currently allowed in SR. The applicant is intending to build detached single-family homes, which is a permitted use in the SR Zone.
3. There is currently no deprivation of the beneficial use of the land. However, even with the slightly reduced frontage of 1 parcel, all 3 resulting parcels would have comparable square footage to surrounding parcels with residential uses. Additionally, with the recent reduction in the SR Zone's minimum side yard setback, the buildable area of the lot is still adequate for detached single-family.
4. There is no specific proof of hardship or practical difficulty created by the strict application of the zoning code, other than the inability to subdivide into 3 parcels.
5. There can be beneficial use of the property without granting the variance. The property could be subdivided into fewer parcels and used for detached single-family dwellings without granting the variance.
6. The variance will not substantially increase traffic congestion, endanger public safety, or impair neighboring property values.
7. The variance will not confer on the property owner any special privilege.
8. Neighboring properties are not a consideration in weighing the requested variance.
9. The variance is not a matter of convenience.

If you have any questions or comments, please feel free to contact us.

BOARD OF ZONING & BUILDING APPEALS APPLICATION

CONDITIONAL USE PERMIT FOR 6050 E. LIVINGSTON AVENUE

SUBMITTED BY
MUFASA LLC
5671 Greendale Dr.
Galloway, OH 43119

TABLE OF CONTENTS

ZONING APPLICATION FORM..... 3

PURPOSE..... 6

EXISTING USE OF PROPERTY..... 6

PLATES 1 &2..... 7

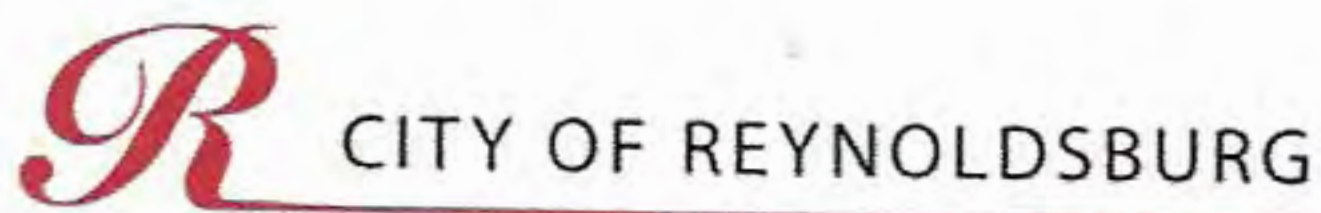
PROPOSED OPERATIONS AND ACTIVITIES OF PROPERTY..... 9

SITE PLAN..... 11

PROPOSED USE COMPATIBILITY..... 12

NARRATIVE ON SECTION 1109.15 CRITERIA..... 13

OTHER INFORMATION..... 14



Department of Development
Planning & Zoning Division
7232 East Main Street
Reynoldsburg, Ohio

App./Case#: _____

Date Submitted: _____

Fee Amount: _____

Section 1109
BOARD OF ZONING & BUILDING APPEALS
APPLICATION

☐ Paid: _____

I. PROPERTY INFORMATION

Property Address:

6050 E. Livingston Avenue, Columbus, OH 43232

Parcel ID#(s):

060-007296-00

II. PROPERTY OWNER OF RECORD

Property Owner Name(s):

John G. Boutselis

Contact Email:

johnbouts12@gmail.com

Contact Phone Number:

614-361-0175

III. BUSINESS/TENANT INFORMATION (IF APPLICABLE)

Business Name:

Musafa LLC

Contact Name:

Mustafa Zanjeel

Contact Phone Number:

614-707-3893

Contact Email:

mufasallc2019@gmail.com

Description of Use:

Vehicular Sales - Automotive

IV. APPLICANT INFORMATION

Applicant Name:

Mufasa LLC

Applicant Address

5672 Greendale Dr., Galloway, OH 43119

Applicant Phone Number:

614-707-3893

Applicant Email:

mufasallc2019@gmail.com

☐ Property Owner

☒ Business Owner/Tenant

☐ Contractor

☐ Architect/Engineer

PROJECT INFORMATION

CHECK AND DESCRIBE IF APPLICABLE:

Variance (☐ Non-Residential (\$450) / ☐ Residential (\$100)): _____

☒ Conditional Use Permit (\$350): Vehicular Sales - Automotive See accompanying supplemental packet

☐ Other: _____

Please review the attached checklist and note the items you are responsible for submitting with this application. All required items must be submitted to the Planning & Zoning Administrator.

Applicant Signature:

Date: 7/25/2021

*By signing this application, I certify that I am the owner of the property or the owner's agent, and that the work is authorized with the full knowledge of the owner. *

****OFFICE USE ONLY****

Additional Notes:

Zoning Information

Zoning District: _____

☐ Historic District

☐ CC Overlay

Add'l Approvals Req'd

☐ Planning Commission

☐ Other: _____

BZBA Meeting

Date: _____

☐ Approved as Submitted

☐ Approved w/ Conditions

☐ Tabled

☐ Denied

City Council Meeting

Date: _____

☐ No Action Taken

☐ Approved as Submitted

☐ Approved w/ Conditions

☐ Denied

P&Z Admin.: _____ Date: _____

Clerk of Council: _____ Date: _____

Section 1109.15 CONDITIONAL USES

Background

Conditional Uses are uses which may have the potential to be made compatible with the use characteristics of the districts in which they are listed as Conditional Uses, but which, due to the nature of their operation, appearance, or other characteristics require individual review and control of their location, design, intensity, configuration, and impacts upon the community in order to promote such compatibility.

When and where do you initiate a Conditional Use?

An application for a conditional use permit shall be submitted to the Planning & Zoning Administrator at least fourteen (14) days prior to the regularly scheduled meeting of the Board of Zoning and Building Appeals.

What information must be provided with a Conditional Use?

An application for a Conditional Use shall be submitted in writing on forms provided by the Planning & Zoning Administrator and shall include the following:

1. Description of the existing use of the lot and of adjacent lots;
2. The application shall also include a description of the activities proposed on the site, including the goods and services, hours of operation, anticipated number of employees, nature and volume of delivery activity, and other information which will enable the Board to understand the nature of the proposed use and its potential impacts;
3. A plan of the proposed site and improvements showing the proposed location of all structures, parking and loading areas, streets and traffic accesses, open spaces, refuse and service areas, utilities, signs, yards, landscaping, and other relevant features;
4. A narrative statement discussing the compatibility of the proposed use with the existing uses of adjacent lots including an evaluation of the effects on adjoining lots of such elements as traffic circulation, noise, glare, odor, fumes, vibration, and storm water, and any measures proposed to mitigate such effects;
5. A narrative addressing each of the applicable criteria set forth in section 1109.15; and
6. Such other information as the Board deems necessary to make a determination of the compliance of the proposed use with the applicable standards

and regulations. Such additional information may include, but shall not be limited to:

- o Traffic impact analysis;
- o Storm water impact analysis;
- o Utility impact analysis.

The Board may determine that additional studies or expert advice are necessary to evaluate a proposed Conditional Use relative to the requirements of the Code.

Along with a completed application form, please submit seven (7) hardcopy packets of all required items. When any items in the packet exceed 11x17, please also submit a PDF or similar scan of the completed application and packet.

Who may be involved in a Conditional Use?

- Planning & Zoning Administrator
- Board of Zoning and Building Appeals

How much will a Conditional Use cost?

The fee for a Conditional Use Permit is three hundred and fifty dollars (\$350).

What is the time frame for review of a Conditional Use Permit?

An application for a conditional use permit will take approximately one to two months.

The Conditional Use will be reviewed by the Board of Zoning and Building Appeals (BZBA). The Board shall make a recommendation that a proposed use should be or should not be determined to be a similar use for the district.

Who may I call if I have questions?

Contact the Planning & Zoning Administrator at 614-322-6829.

Section 1109.15

STANDARDS AND REQUIREMENTS FOR ALL CONDITIONAL USES

In review of a special exception application, the Board shall consider whether the application is complete and whether it provides adequate evidence that the proposed special exception is consistent with the following standards:

- (a) The proposed use shall be in harmony with the existing or intended character of the district and nearby affected districts and shall not change the essential character of the districts;
- (b) The proposed use shall not adversely affect the use of adjacent property;
- (c) The proposed use shall not adversely affect the health, safety, morals, or welfare of persons residing or working in the neighborhood;
- (d) The proposed use shall be served adequately by public facilities and services such as, but not limited to, roads, police and fire protection, storm water facilities, water, sanitary sewer, and schools;
- (e) The proposed use shall not impose a traffic impact upon the public right-of-way significantly different from that anticipated from permitted uses of the district;
- (f) The proposed use shall be in accord with the general and specific objectives, and the purpose and intent of this Zoning Code and the Land Use Plan and any other plans and ordinances of the City;
- (g) The proposed use complies with the applicable specific provisions and standards of this Code;
- (h) The proposed use shall be found to meet the definition and intent of a use specifically listed as a special exception in the district in which it is proposed to be located, except as otherwise provided by this Zoning Code.

PURPOSE

6050 E. Livingston Ave., Columbus, OH 43232 situate wholly in the City of Reynoldsburg lies within the City of Reynoldsburg's Innovation Zone and is currently approved for the use of "Vehicular Repair". The applicant, Mufasa LLC is requesting Conditional Use of "Vehicular Sales – Automobile" approval, hereinafter called proposed Conditional Use, in order to conduct used car sales and service operations on the lot known as 6050 E. Livingston Ave., Columbus, OH 43232.

EXISTING USE OF PROPERTY

The subject property of this application is 6050 E. Livingston Avenue, Columbus, Ohio 43119, also known as Parcel ID# 060-00796-00, City of Reynoldsburg, Franklin County Tax Map, and is located approximately 3,800 feet from the Interstate 70/Brice Road Interchange. It lies in the Innovation Zone of the City of Reynoldsburg with the current business use of Vehicular Repair. The current owner/operator, John G. Boutselis, Boutselis Enterprises, Inc., formerly Boutselis Auto Care, Inc., conducted automotive services and repair at the property from 1986 to 2019. This use is in compliance with current zoning approvals and consistent with prior use from 1966 to 1978 by owner operators Sun Oil Company of Pennsylvania and from 1978 to 1986 by Kenneth Hanna.

Statements by Boutselis Enterprises indicate that the 33 year operations of Boutselis Enterprises, Inc./Boutselis Auto Care consisted of servicing and/or repair of approximately 15-20 vehicles per day, with a staff of five full time employees. The staff consisted of the owner, one administrative worker and three mechanics. Operations also provided road service/towing and vehicle storage services. Hours of operation were Monday through Friday 8:00 AM to 6:00 PM and Saturday 8:00 AM to 12:00 Noon; Closed Sunday. Typically, 20 to 25 cars were parked and/or stored on the paved lot at any one time. (See Plate 1 -- 2016 Aerial Map)

The current zoning use of the subject property either is the same as the adjacent lots or closely identifiable to the adjacent properties. Adjacent properties are:

Immediately to the west is 6032 E. Livingston Avenue, occupied by Goodyear Service Center, Folk Real Estate Holdings, an automotive service/repair facility;
 to the north by Idle Wild Dr., Twin Auto Recovery, Inc., an automotive recovery/storage operation;
 to the east by 6060 E. Livingston Avenue, Gary Rhodes, a used automotive sales operation; and
 to the south of E. Livingston Ave., lying in the City of Columbus, are lots occupied by 6075-6083 E. Livingston Avenue, Calvary Chapel Columbus, a church, and 6105 E. Livingston Avenue, Committed to the Word, a church. (See Plate 2)

PLATES 1 AND 2



Plate 1 – August 29, 2016 Aerial imagery of 6050 E. Livingston Avenue showing existing use of Vehicular Repair.



PLATE 2 – Copy of Franklin County Tax Map showing subject property in red outline, shaded grey with adjacent properties identified.

PROPOSED OPERATIONS AND ACTIVITIES ON PROPERTY

Operations on site of the proposed Conditional Use will consist of general used automotive sales and service to include: acceptance of vehicle delivery, vehicle preparation and servicing for sale, used vehicle detailing, vehicle mechanical repair, vehicle sales display, sales negotiations, customer service/relations activities, and licensing/registration application preparation. A variety of late model used passenger cars and SUVs will be offered for sale, with car care servicing and mechanical repair provided through the existing six bay repair/service area. Car sales customer volume will be handled by two full time and one part-time employees; car servicing/repair and detailing will be handled by two part time employees. Parking needs generated by daily operations are anticipated to be: four spaces marked and reserved for employees only; two spaces marked and reserved for customers only; and parking for repair customer in front of bay doors. Twenty-four remaining parking spaces will be for display of vehicles marked for sale. (See Site Plan for parking layout)

Hours of operation of the proposed Conditional Use are anticipated to be: Monday through Thursday – 10:00 AM to 7:00 PM; Saturday -- 10:00 AM to 9:00 PM; and Sunday 1:00 -- Closed. Repeat customer and potential customer visits per day are estimated to number 15-20 per day at full capacity of operations. Delivery of sales vehicles will occur randomly at various times of the business day via single vehicle roll-off carriers or driven onto the sales lot by individual contract drivers. All deliveries of sales vehicles will be single car deliveries and will not impede or interfere with the normal traffic flow of E. Livingston Avenue or Idlewild Drive.

Potential impacts of the proposed Conditional Use approval “Vehicular Sales – Automobile” will be very minimal since many of the aspects and characteristics of the proposed automotive sales operations mirror the aspects and characteristics of the prior and current approved zoning uses of the subject property. Both the current and proposed uses involve handling, servicing and repairing of automobiles. Also, both current and proposed uses will generate approximately the same number of daily visits, customers and traffic trips to the subject lot. The traffic impact of the proposed conditional use, in

comparison with the current use, will essentially be the same, since overall numbers of vehicles sold and serviced will essentially be the same as the numbers of vehicles handled by current and prior businesses.

Surface areas of the proposed Conditional Use building and parking areas will be exactly the same as the current use, and since no additions to either the existing building or the existing paved areas will be made, stormwater requirements will be handled in the same manner as the current use. Also, since the size of the building, as well as, the customer volume and number of employees will remain the same, no impact on the use of or change in utilities will occur.

The applicant does not anticipate the necessity to make any major changes or renovations to the building, nor does the applicant anticipate any changes to the landscaping or parking area, other than that of improved landscape maintenance. Other than the business name change on the existing sign, no changes to sign location or exterior lighting will be made. All signage permit and fee requirements of the City of Reynoldsburg will be met by the applicant before any changes to the business sign are made.

Should the applicant desire to make any changes or renovations to the existing current use property at 6050 E. Livingston Avenue, the applicant will first secure the necessary permits and approvals from the City of Reynoldsburg through the appropriate City departments, Boards and Council.

SITE PLAN INSERT

PROPOSED USE COMPATIBILITY

The proposed Conditional Use of the subject property is compatible with the existing use of adjacent lots. The adjacent lots to the west, north and east all deal with automotive sales and/or service and have customer volume that is approximately equal to the proposed use of the subject property. The adjacent properties and the subject property have the same general exterior appearance and vehicular parking arrangements. The proposed operations of the Conditional Use will employ the same air exhaust filtering and removal system, with roof gable exhaust exit, that the current operations uses. The proposed use of the subject property will not include automobile exterior repair or painting/refinishing as part of its operations.

Because the current business and the proposed Conditional Use at the subject property are so similar, there will be no change in the traffic volume or circulation pattern of the proposed Condition Use for the subject property and thus, will remain compatible to the current use and adjacent property uses. Refuse and service areas for the proposed Conditional Use will remain exactly the same in size and location as the current use, which is a wooden fence screened, 18 X 35 foot area directly adjacent to the west side of the building on the subject lot. Service area and service containers will not be visible from the street. The street yards, landscaping and utility locations will remain the same as the current use. (See Site Plan)

With the type of operation, number of employees, type of mechanical equipment used for auto repair, demand on utilities/services, parking requirements, noise generation and traffic circulation of the proposed Conditional Use and the current approved use being so very similar in character, there will be no adverse impact on adjoining lots.

NARRATIVE ADDRESSING APPLICABLE CRITERIA SECTION 1109.15

The applicant, Mufasa LLC, is proposing a Conditional Use that meets the applicable criteria standards of Section 1109.15 in the following manner:

The Conditional Use of Vehicular Sales – Automobile is comparable or very similar to the adjacent businesses within the local current Innovation Zone and presents the same character as surrounding properties and therefore, will not change the essential character of the immediate zone; adversely affect the use of adjacent property; or adversely affect the health, safety, morals, or welfare of persons residing or working in the neighborhood. Since the proposed Conditional Use operation are so very similar to the current use, the requirements for public facilities and services such as roads, police and fire protection, storm sewer facilities, water and sanitary sewer will remain the same. Also, the number of customers entering and exiting the site will remain relatively the same as the current use, so the proposed Conditional Use will not impose a traffic impact upon the public right-of-way significantly different than the current use or the permitted uses of the zone.

OTHER INFORMATION

CURRENT FRANKLIN COUNTY TAX INFORMATION DETAIL

MUFASA LLC STATE CERTIFICATE OF BUSINESS

Franklin County Auditor - Michael Stinziano 060-007296-00

Owner Name BOUTSELIS JOHN G

Site Address 6050 E LIVINGSTON AV

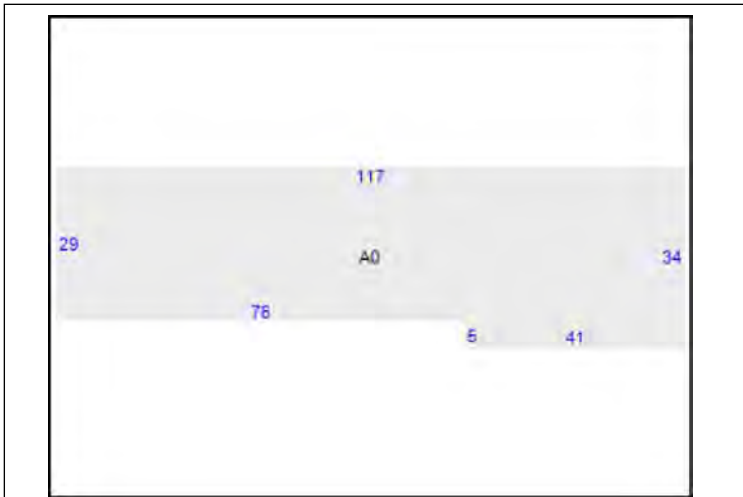
Legal Descriptions LIVINGSTON AVENUE
IDLEWOOD 118.60'
MID PT LOTS 107,8,9,

Owner Address

Transfer Date 11/12/1991
Transfer Price .00
Instrument Type

Prop. Class C - Commercial
Land Use 452 - AUTOMOTIVE SERVICE STATION
Tax District 060 - CITY OF REYNOLDSBURG
Sch. District 2509 - REYNOLDSBURG CSD
App Nbrhd X6203
Tax Lein No
CAUV Property No
Owner Occ. Credit 2020: No 2021: No
Homestead Credit 2020: No 2021: No
Rental Registration No
Board of Revision No
Zip Code 43232
Annual Taxes 10,044.54
Taxes Paid 10,044.54
Calculated Acreage .42
Legal Acreage .00

	Current Market Value			Taxable Value		
	Land	Improv	Total	Land	Improv	Total
Base	\$97,500	\$223,700	\$321,200	\$34,130	\$78,300	\$112,430
TIF	\$0	\$0	\$0	\$0	\$0	\$0
Exempt	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$97,500	\$223,700	\$321,200	\$34,130	\$78,300	\$112,430
CAUV	\$0					



Building Data

Land Use 452-AUTOMOTIVE SERVICE STATION
Year Built 1966
Total Sq Ft 3598
Stories 01
Grade GOOD QUALITY

Sketch Legend

- 1 A0 - SKE:SKETCH ONLY 3598 Sq. Ft.
- 1 - 047:AUTO PARTS/SERVICE 3238 Sq. Ft.
- 2 - 083:MULTI-USE RETAIL 360 Sq. Ft.
- 1 PAVING ASP - PA2:PAVING ASPHALT/CONCRETE 11500 Sq. Ft.



Disclaimer: The information on this web site is prepared from the real property inventory maintained by the Franklin County Auditor's Office. Users of this data are notified that the 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.



DATE	DOCUMENT ID	DESCRIPTION	FILING	EXPED	CERT	COPY
07/31/2019	201921201770	DOMESTIC FOR PROFIT LLC - ARTICLES OF ORG (LCP)	99.00	0.00	0.00	0.00

Receipt

This is not a bill. Please do not remit payment.

A & R TAX SERVICE INC
5055 ROBERTS RD
HILLIARD, OH 43026

STATE OF OHIO CERTIFICATE

Ohio Secretary of State, Frank LaRose
4363903

It is hereby certified that the Secretary of State of Ohio has custody of the business records for
MUFASA LLC

and, that said business records show the filing and recording of:

Document(s)

DOMESTIC FOR PROFIT LLC - ARTICLES OF ORG
Effective Date: 07/31/2019

Document No(s):

201921201770



United States of America
State of Ohio
Office of the Secretary of State

Witness my hand and the seal of the
Secretary of State at Columbus, Ohio this
31st day of July, A.D. 2019.

Ohio Secretary of State

Attachment: Completed Zoning Application 6050 E Livingston2 (App #2021-5360, 6050 E Livingston Avenue, Mufasa LLC)

Form 533A Prescribed by:

OFFICE OF THE
Ohio Secretary of State



Date Electronically Filed: 7/31/2019
Toll Free: (877) SOS-FILE (877-767-3453) | Central Ohio: (614) 466-3911
www.OhioSecretaryofState.gov | Busserv@OhioSecretaryofState.gov
File online or for more information: www.OHBusinessCentral.com

Articles of Organization for a Domestic Limited Liability Company

Filing Fee: \$99
Form Must Be Typed

CHECK ONLY ONE (1) BOX

- (1) ☒ Articles of Organization for Domestic
For-Profit Limited Liability Company
(115-LCA)

- (2) ☐ Articles of Organization for Domestic
Nonprofit Limited Liability Company
(115-LCA)

Name of Limited Liability Company **MUFASA LLC**

(Name must include one of the following words or abbreviations:
"limited liability company," "limited," "LLC," "L.L.C.," "Ltd.," or "Ltd".)

Optional: Effective Date (MM/DD/YYYY) **7/31/2019**

(The legal existence of the corporation begins upon the filing of the articles or on a later date specified that is more than ninety days after filing.)

Optional: This limited liability company shall exist for

Period of Existence

Optional: Purpose

** Note for Nonprofit LLCs

The Secretary of State does not grant tax exempt status. Filing with our office is not sufficient to obtain state or federal tax exemptions. Contact the Ohio Department of Taxation and the Internal Revenue Service to ensure that the nonprofit limited liability company secures the proper state and federal tax exemptions. These agencies may require that a purpose clause be provided. **

Attachment: Completed Zoning Application 6050 E Livingston2 (App #2021-5360, 6050 E Livingston Avenue, Mufasa LLC)

Original Appointment of Statutory Agent

The undersigned authorized member(s), manager(s) or representative(s) of

MUFASA LLC

(Name of Limited Liability Company)

hereby appoint the following to be Statutory Agent upon whom any process, notice or demand required or permitted by statute to be served upon the corporation may be served. The complete address of the agent is:

MUSTAFA AHMED MUSTAFA ZANJEEL

(Name of Statutory Agent)

5672 GREENDALE DR

(Mailing Address)

GALLOWAY

(Mailing City)

OH

(Mailing State)

43119

(Mailing ZIP Code)

Acceptance of Appointment

The Undersigned, MUSTAFA AHMED MUSTAFA ZANJEEL, named herein as the
(Name of Statutory Agent)

Statutory agent for MUFASA LLC
(Name of Limited Liability Company)

hereby acknowledges and accepts the appointment of statutory agent for said limited liability company.

Statutory Agent Signature MUSTAFA AHMED MUSTAFA ZANJEEL
(Individual Agent's Signature / Signature on Behalf of Business Serving as Agent)

Attachment: Completed Zoning Application 6050 E Livingston2 (App #2021-5360, 6050 E Livingston Avenue, Mufasa LLC)

By signing and submitting this form to the Ohio Secretary of State, the undersigned hereby certifies that he or she has the requisite authority to execute this document.

Required

Articles and original appointment of agent must be signed by a member, manager or other representative.

If the authorized representative is an individual, then they must sign in the "signature" box and print his/her name in the "Print Name" box.

If the authorized representative is a business entity, not an individual, then please print the entity name in the "signature" box, an authorized representative of the business entity must sign in the "By" box and print his/her name and title/authority in the "Print Name" box.

Signature

By (if applicable)

Print Name

Signature

By (if applicable)

Print Name

Signature

By (if applicable)

Print Name

Attachment: Completed Zoning Application 6050 E Livingston2 (App #2021-5360, 6050 E Livingston Avenue, Mufasa LLC)

ADJOINING PROPERTY: Idlewild Drive
TWIN AUTO RECOVERY, INC.
Automotive recovery/storage operation

PROPERTY IS LOCATED IN THE INNOVATION
ZONE OF THE CITY OF REYNOLDSBURG.

CURRENT ZONING USE: VEHICULAR REPAIR

LOT SIZE: 156' Frontage X 118.6' Depth

BUILDING AREA: 3,639 SQ. FT.

PAVED AREA: 11,000 SQ. FT.

PARKING SPACES: 30

2 - CUSTOMER; 4 - EMPLOYEE; 24 - DISPLAY

PARKING SPACE SIZE: 9' x 18'

NOTE:

No additions or renovations to exterior of the existing building and no changes will be made to the paved area, utility service area or yard area to facilitate the proposed conditional use of 'Vehicular Sales - Automobile'.

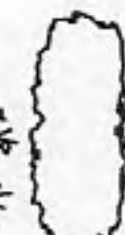
LEGEND



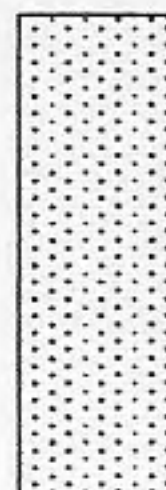
EXISTING BUILDING



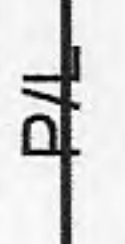
EXISTING DECIDUOUS TREES



EXISTING SHRUBS



EXISTING PAVED AREA



PROPERTY BOUNDARY



PARKING SPACE

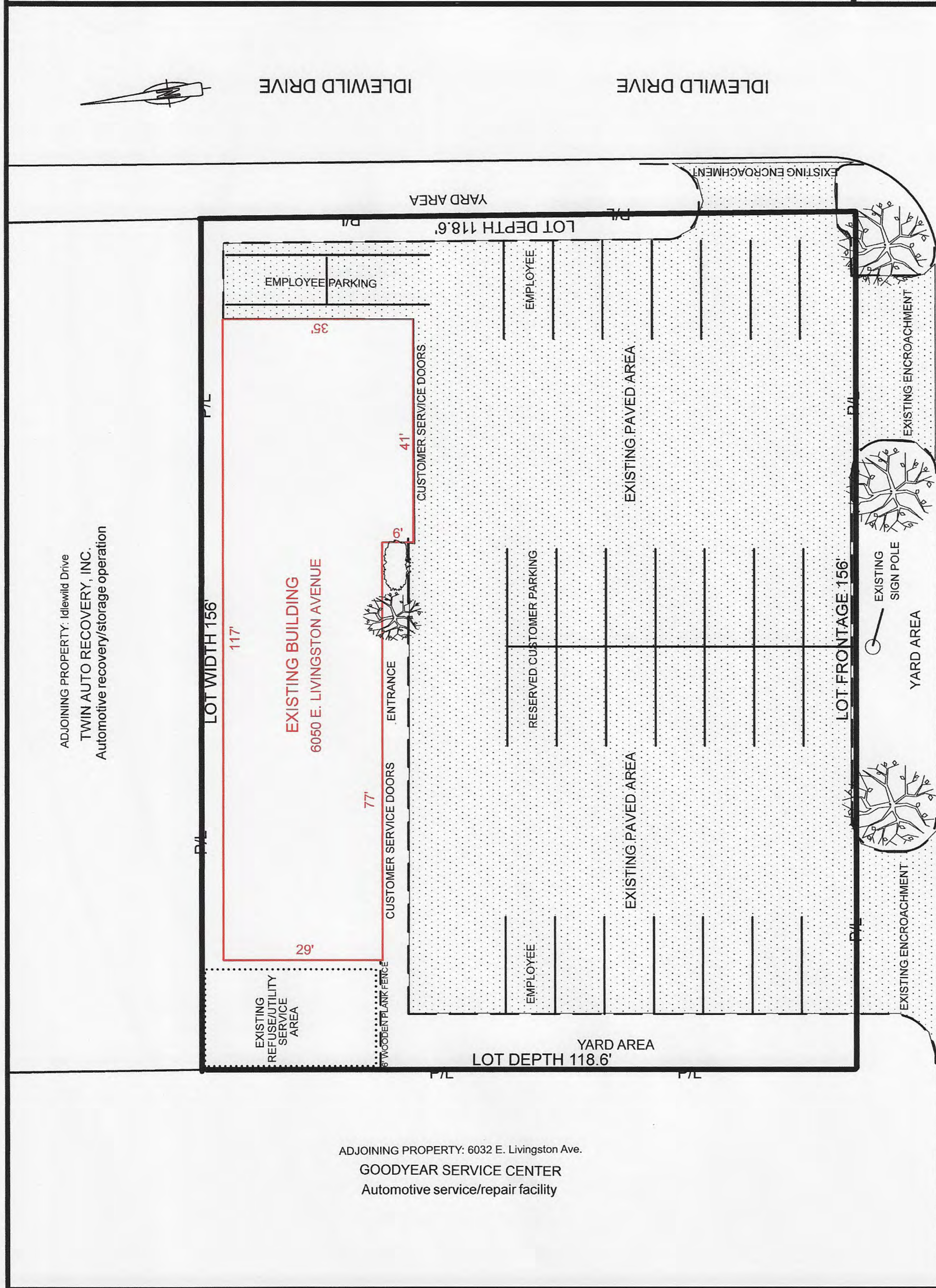
SITE PLAN

CONDITIONAL USE APPLICATION VEHICULAR SALES -- AUTOMOBILE

6050 E. LIVINGSTON AVENUE, COLUMBUS, OH 43232
CITY OF REYNOLDSBURG

AUGUST 26, 2018

SCALE: 1" = 20'



E. LIVINGSTON AVENUE

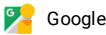
E. LIVINGSTON AVENUE

Google Maps 6056 E Livingston Ave

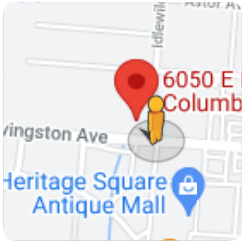


Image capture: Aug 2019 © 2021 Google

Columbus, Ohio



Street View - Aug 2019



Attachment: 6056 E Livingston Ave - Google Maps (App #2021-5360, 6050 E Livingston Avenue, Mufasa LLC)

Reynoldsburg

OHIO • 1839

September 9, 2021

Board of Zoning and Building Appeals
City of Reynoldsburg
7232 E. Main Street
Reynoldsburg, OH 43068

RE: 6050 E. Livingston Avenue – Conditional Use #2021-5432
Staff Report

Board of Zoning and Building Appeals:

Below is the staff review of the above referenced application.

1. Project Summary

- a. The property is located at 6050 E. Livingston Avenue and is within the Innovation (I) Zone. The existing/prior use for a number of decades was for auto repair.
- b. The applicant is requesting Board of Zoning and Building Appeals approval of a conditional use to operate a car sales business.

2. Zoning Review (Section 1103.23)

- a. 'Vehicular Sales - Automobiles' is listed as a Conditional Use in the Innovation Zone. BZBA approval is at the discretion of the Zoning Administrator.
- b. The proposed use requires 1 parking space per 1,000sf of gross building area. The existing parking is sufficient for the 3,639sf building.

3. Conditional Use Factors (Section 1109.15)

- a. The Board shall consider whether the proposed conditional use is consistent with the standards contained in Section 1109.15(D) of the Reynoldsburg zoning ordinance:
 - i. The Innovation Zone is intended to 'incorporate a mix of industrial and office uses that will facilitate the creation of economic centers.' While a car lot does not align with this intent, it is nonetheless listed as a conditional use and is consistent with existing development patterns. There are existing used car dealerships on E. Livingston Avenue, including one on the corner of Idlewild Drive. The essential character of the zone is unlikely to be changed.
 - ii. The proposed use will not adversely affect the use of adjacent property. Adjacent parcels to the North, East, and West all have existing auto-oriented uses.
 - iii. The proposed use will not adversely affect the health, safety, morals, or welfare of persons residing or working in the neighborhood.

iv. The proposed use is adequately served by existing public facilities and services.

v. The proposed use will not impose a significant traffic burden greater than that of other permitted uses in the Innovation Zone (for example, 'Fitness Facility/Gym' or 'Event Center'), nor significantly greater than the current/previous use.

vi. The proposed use does not align with the desired development pattern of the Innovation Zone as stated, namely industrial/flex buildings with pedestrian access.

vii. The proposed use complies with the applicable provisions and standards of the zoning ordinance.

viii. 'Vehicular Sales - Automobiles' is listed as a Conditional Use in the Innovation Zone. The proposed business as described meets the definition of this use.

If you have any questions or comments, please feel free to contact us.



Department of Development
Planning & Zoning Division
7232 East Main Street
Reynoldsburg, Ohio

App./Case#: _____

Date Submitted: _____

Fee Amount: _____

Section 1109
BOARD OF ZONING & BUILDING APPEALS
APPLICATION

☐ Paid: _____
I. PROPERTY INFORMATION

Property Address:

Summit Rd Sw

Parcel ID#(s):

107-0180-00.000, 107-018030-00.001

II. PROPERTY OWNER OF RECORD

Property Owner Name(s):

Howard P. & Rosemary A
Emswiler Trustee

Contact Email:

Contact Phone Number:

740-927-4211

III. BUSINESS/TENANT INFORMATION (IF APPLICABLE)

Business Name:

Contact Name:

Contact Phone Number:

Contact Email:

Description of Use:

IV. APPLICANT INFORMATION

Applicant Name:

Joseph A Ciminello

Applicant Address

567 Lazelle Rd Westerville, Oh 43081

Applicant Phone Number:

614-207-7607

Applicant Email:

ciminelloj@aol.com

☐ Property Owner☐ Business Owner/Tenant☐ Contractor☐ Architect/Engineer**PROJECT INFORMATION**

CHECK AND DESCRIBE IF APPLICABLE:

Variance (☐ Non-Residential (\$450) / ☐ Residential (\$100)): _____

☒ Conditional Use Permit (\$350): _____ Conditional Use under Section 1103.17 Suburban Residential for Attached Town Homes as shown on plans.☐ Other: _____

Please review the attached checklist and note the items you are responsible for submitting with this application. All required items must be submitted to the Planning & Zoning Administrator.

Applicant Signature: _____ *Joseph Ciminello* **Date:** 8-25-2021

*By signing this application, I certify that I am the owner of the property or the owner's agent, and that the work is authorized with the full knowledge of the owner. *

****OFFICE USE ONLY****

Additional Notes:

Zoning Information

Zoning District: _____

☐ Historic District☐ CC OverlayAdd'l Approvals Req'd☐ Planning Commission☐ Other: _____**BZBA Meeting**

Date: _____

☐ Approved as Submitted☐ Approved w/ Conditions☐ Tabled☐ Denied**City Council Meeting**

Date: _____

☐ No Action Taken☐ Approved as Submitted☐ Approved w/ Conditions☐ Denied

P&Z Admin.: _____ Date: _____

Clerk of Council: _____ Date: _____

Section 1109.15

CONDITIONAL USES

Background

Conditional Uses are uses which may have the potential to be made compatible with the use characteristics of the districts in which they are listed as Conditional Uses, but which, due to the nature of their operation, appearance, or other characteristics require individual review and control of their location, design, intensity, configuration, and impacts upon the community in order to promote such compatibility.

When and where do you initiate a Conditional Use?

An application for a conditional use permit shall be submitted to the Planning & Zoning Administrator at least fourteen (14) days prior to the regularly scheduled meeting of the Board of Zoning and Building Appeals.

What information must be provided with a Conditional Use?

An application for a Conditional Use shall be submitted in writing on forms provided by the Planning & Zoning Administrator and shall include the following:

1. Description of the existing use of the lot and of adjacent lots;
2. The application shall also include a description of the activities proposed on the site, including the goods and services, hours of operation, anticipated number of employees, nature and volume of delivery activity, and other information which will enable the Board to understand the nature of the proposed use and its potential impacts;
3. A plan of the proposed site and improvements showing the proposed location of all structures, parking and loading areas, streets and traffic accesses, open spaces, refuse and service areas, utilities, signs, yards, landscaping, and other relevant features;
4. A narrative statement discussing the compatibility of the proposed use with the existing uses of adjacent lots including an evaluation of the effects on adjoining lots of such elements as traffic circulation, noise, glare, odor, fumes, vibration, and storm water, and any measures proposed to mitigate such effects;
5. A narrative addressing each of the applicable criteria set forth in section 1109.15; and
6. Such other information as the Board deems necessary to make a determination of the compliance of the proposed use with the applicable standards

and regulations. Such additional information may include, but shall not be limited to:

- o Traffic impact analysis;
- o Storm water impact analysis;
- o Utility impact analysis.

The Board may determine that additional studies or expert advice are necessary to evaluate a proposed Conditional Use relative to the requirements of the Code.

Along with a completed application form, please submit seven (7) hardcopy packets of all required items. When any items in the packet exceed 11x17, please also submit a PDF or similar scan of the completed application and packet.

Who may be involved in a Conditional Use?

- Planning & Zoning Administrator
- Board of Zoning and Building Appeals

How much will a Conditional Use cost?

The fee for a Conditional Use Permit is three hundred and fifty dollars (\$350).

What is the time frame for review of a Conditional Use Permit?

An application for a conditional use permit will take approximately one to two months.

The Conditional Use will be reviewed by the Board of Zoning and Building Appeals (BZBA). The Board shall make a recommendation that a proposed use should be or should not be determined to be a similar use for the district.

Who may I call if I have questions?

Contact the Planning & Zoning Administrator at 614-322-6829.

Section 1109.15**STANDARDS AND REQUIREMENTS FOR ALL CONDITIONAL USES**

In review of a special exception application, the Board shall consider whether the application is complete and whether it provides adequate evidence that the proposed special exception is consistent with the following standards:

- (a) The proposed use shall be in harmony with the existing or intended character of the district and nearby affected districts and shall not change the essential character of the districts;
- (b) The proposed use shall not adversely affect the use of adjacent property;
- (c) The proposed use shall not adversely affect the health, safety, morals, or welfare of persons residing or working in the neighborhood;
- (d) The proposed use shall be served adequately by public facilities and services such as, but not limited to, roads, police and fire protection, storm water facilities, water, sanitary sewer, and schools;
- (e) The proposed use shall not impose a traffic impact upon the public right-of-way significantly different from that anticipated from permitted uses of the district;
- (f) The proposed use shall be in accord with the general and specific objectives, and the purpose and intent of this Zoning Code and the Land Use Plan and any other plans and ordinances of the City;
- (g) The proposed use complies with the applicable specific provisions and standards of this Code;
- (h) The proposed use shall be found to meet the definition and intent of a use specifically listed as a special exception in the district in which it is proposed to be located, except as otherwise provided by this Zoning Code.

Section 1109.13 VARIANCES

Background

The Board of Zoning and Building Appeals (BZBA) may vary the strict application of the provisions of the Zoning Code where, owing to special characteristics of a property, a literal enforcement of the provisions would result in unnecessary hardship or practical difficulty, and where such variance will be in harmony with the general purpose and intent of the Code and in accordance with the specific rules contained in the chapter.

Why might you request a Variance?

To allow development of property prohibited by current zoning if such development will not adversely affect the surrounding property or neighborhood and if the BZBA is satisfied that it will alleviate some hardship or difficulty.

Where do you initiate a Variance request?

A variance application shall be submitted to the Planning & Zoning Administrator at least fourteen (14) days prior to the regularly scheduled meeting of the Board of Zoning and Building Appeals. The Board meets the third Thursday of each month.

What information must be provided for a Variance?

A property owner seeking a Variance shall submit a written request for Variance on forms provided by the Planning & Zoning Administrator. Such request shall include the following:

1. Name, address, and telephone number of the property owner(s) and owner's agent(s);
2. Legal description, address, tax district and parcel number of the property;
3. Description of the nature of the variance requested and a statement demonstrating the extent to which the requested Variance conforms to the standards for variance in the Code (see section 1109.13);
4. Statement of the hardship;
5. Such other information and exhibits as may be appropriate to establish the facts of the appeal and the grounds for relief.

****Note:** The application must be signed by the property

owner for the property which pertains to the variance.

Along with a completed application form, please submit seven (7) hardcopy packets of all required items. When any items in the packet exceed 11x17, please also submit a PDF or similar scan of the completed application and packet.

Who is involved in a Variance request?

- Board of Zoning and Building Appeals
- Planning & Zoning Administrator
- Service Department
- City Engineer

What is the time frame for a variance request?

In general the application process takes 30-45 days. Once a variance application is submitted, it will be placed on the next BZBA agenda. The BZBA meets the third Thursday of each month except December. The application will be approved or denied at the first hearing by BZBA unless the application is withdrawn by the applicant to address the comments raised by the BZBA. The BZBA can hold the application but a decision must be reached by the Board within sixty (60) days.

How much will a Variance cost?

The fee for a variance is one hundred dollars (\$100) for a residential variance, and four hundred and fifty dollars (\$450) for all other variance requests.

What are the next steps after a Variance approval?

The approved variance will need to be officially documented through the issuance of a zoning certificate or a zoning sign permit depending on the type of variance.

Who may I call if I have questions?

Contact the Planning & Zoning Administrator at 614-322-6829.

Section 1109.13 STANDARDS FOR VARIANCE

No variance in the strict application of the provisions of this Code shall be granted unless the Board makes specific findings of fact, based on the evidence presented to it, which supports conclusions that the variance conforms to the following standards. Such findings shall be stated for the record and reported in the Board's minutes.

- (a) The variance is in accord with the general purpose and intent of the regulations imposed by this Code in the district in which it is located, and shall not be injurious to the area or otherwise detrimental to the public welfare.
- (b) The variance will not permit the establishment of any use which is not otherwise listed as a permitted use or a special exception in the district, or which is expressly or by implication prohibited by this Code. (Note: See Chapter 1195 and Chapter 1145 for provisions regarding the replacement of non-conforming uses with other non-conforming uses.)
- (c) There exist special circumstances or conditions, fully described in the findings, applicable to the land or structures for which the variance is sought, which are peculiar to such land or structures and which do not apply generally to land or structures in the area, and which are such that the strict application of the provisions of this Code would deprive the property owner of the reasonable use of such land or structures. There must be deprivation of beneficial use of land, as opposed to mere loss in value as justification for the variance.
- (d) There is proof of hardship or practical difficulty created by the strict application of this Code, beyond simply a showing that greater profit will result if the variance is granted. Economic hardship is not grounds for the variance. Furthermore, the hardship complained of is not self-created nor is it established on this basis by one who purchased with or without knowledge of the restrictions. The hardship results from the application of this Code and is suffered directly by the property in question.
- (e) The variance is necessary for the reasonable use of the land or building, and the variance as granted is the minimum variance that will accomplish this purpose.
- (f) The variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values of the adjacent area.
- (g) The variance will not confer on the property owner any special privilege that is unduly denied by this Code to other land, structures, or buildings in the same district.
- (h) No nonconforming use of neighboring land or structures in the same district and no permitted or nonconforming use of land or structures in other districts are considered as grounds for approval of the variance.
- (i) The variance is not a matter of convenience when other remedies are available within the provisions of this Code.

AUGUST 2021

STATE OF OHIO, COUNTY OF LICKING, CITY OF REYNOLDSBURG

DRAWING INDEX	
SHEET NUMBER	SHEET TITLE
1	COVER SHEET
2	EXISTING CONDITIONS
3	OVERALL SITE PLAN
4	SITE PLAN
5	SITE PLAN
6	SITE PLAN
7	SITE PLAN
8	OVERALL UTILITY PLAN
9	UTILITY PLAN
10	UTILITY PLAN
11	UTILITY PLAN
12	UTILITY PLAN

SITE DATA:

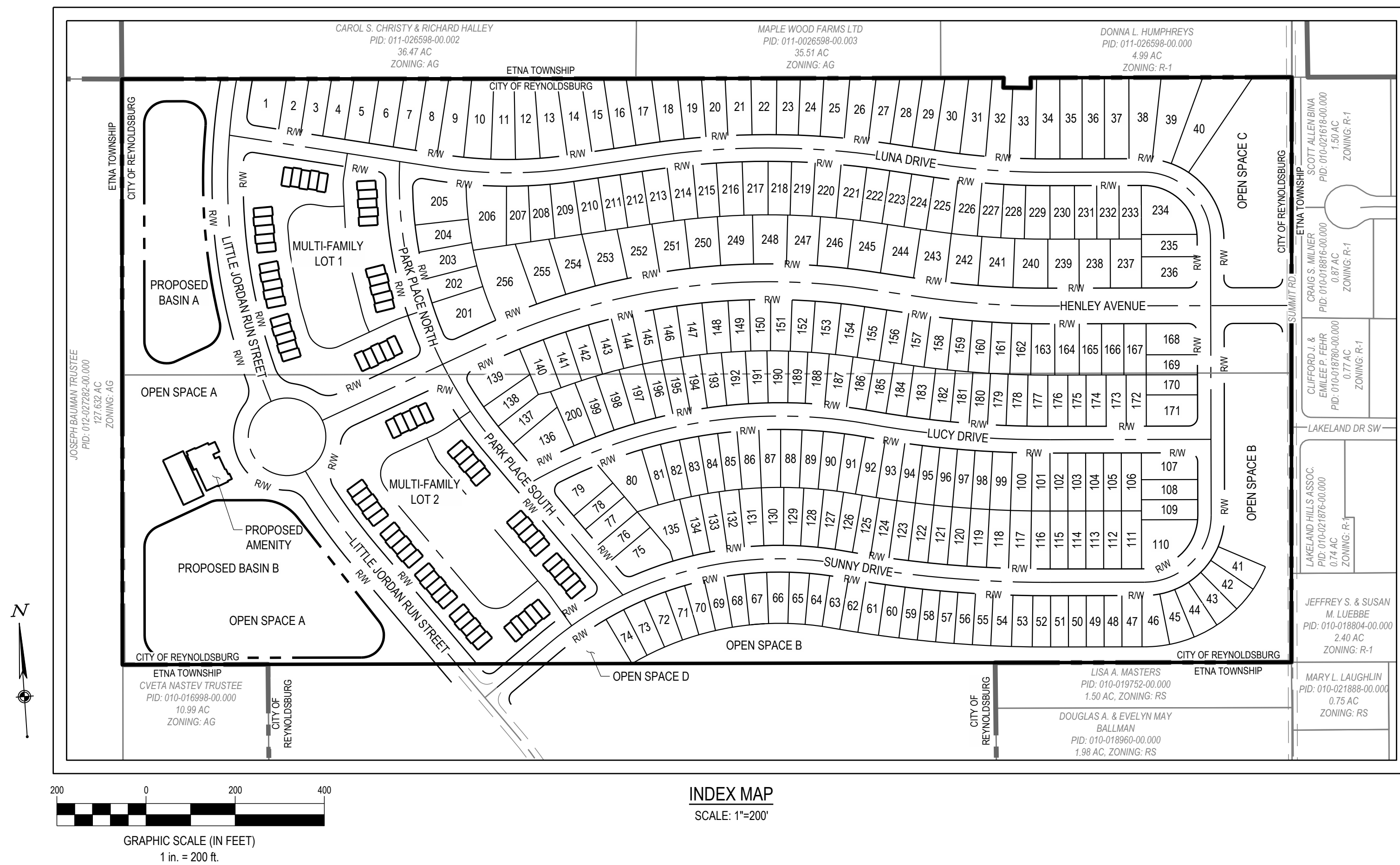
ZONING:	SR - SUBURBAN RESIDENTIAL
TOTAL ACREAGE:	78.16 AC
TOTAL UNITS:	256 UNITS
DENSITY:	3.28 UNITS/AC
OPEN SPACE:	15.35 AC
TOTAL PARKING REQUIRED:	
AMENITY:	30.47 SPACES (1 SPACE / 200 SQUARE FEET)
MULTI-FAMILY:	160 SPACES (1 ENCLOSED & 1 UNENCLOSED PER UNIT)
TOTAL PARKING PROVIDED:	
AMENITY:	31 SPACES
MULTI-FAMILY:	328 SPACES (160 ENCLOSED & 168 UNENCLOSED)

NOTES:

1. ALL EXISTING LINENWORK HEREON WERE PULLED FROM THE LICKING COUNTY GEOGRAPHIC INFORMATION SYSTEM (GIS).
2. STREAM AND WETLAND INFORMATION SHOWN HEREON ARE APPROXIMATE LOCATIONS FROM THE NATIONAL WETLANDS INVENTORY AND ARE SUBJECT TO CHANGE UPON FURTHER FIELD INVESTIGATION.

FEMA FLOOPLAIN DATA

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN) OF THE FLOOD INSURANCE RATE MAPS, COMMUNITY PANEL NO. 39089C0409J, WHICH BEARS AN EFFECTIVE DATE OF MARCH 16, 2015.



VICINITY MAP
N.T.S.

OWNER:
HOWARD & ROSEMARY EMSWILER
13167 MORSE ROAD
PATASKALA, OH 43062

DEVELOPER:
AMH DEVELOPMENT, LLC
781 BROOKSEDGE PLAZA DRIVE
WESTERVILLE, OH 43081
EMAIL: MMEDVEDKOV@AH4R.COM
PHONE: (614) 914-4077
CONTACT: MICHAEL MEDVEDKOV

ENGINEER:
CESO, INC.
2800 CORPORATE EXCHANGE DRIVE
SUITE 400
COLUMBUS, OH 43231
PHONE: (614) 794-7080
CONTACT: JON BUCHANAN

REGISTERED ENGINEER

THIS IS TO CERTIFY THAT GOOD ENGINEERING PRACTICES HAVE BEEN UTILIZED IN THE DESIGN OF THIS PROJECT AND THAT ALL MINIMUM STANDARDS FOR FAIRFIELD COUNTY, INCLUDING THOSE STANDARDS GREATER THAN MINIMUM WHERE, IN OUR OPINION, THEY ARE NEEDED TO PROTECT THE SAFETY OF THE PUBLIC. ANY VARIANCES TO THE ABOVE STANDARDS ARE CONSISTENT WITH SOUND ENGINEERING PRACTICES AND ARE NOT DETRIMENTAL TO THE PUBLIC SAFETY AND CONVENIENCE.



FORTY- EIGHT (48) HOURS BEFORE DIGGING IS TO COMMENCE, THE CONTRACTORS SHALL NOTIFY THE FOLLOWING AGENCIES: OHIO UTILITIES PROTECTION SERVICE AT 811 OR 1-800-362-2764 AND ALL OTHER AGENCIES WHICH MIGHT HAVE UNDERGROUND UTILITIES INVOLVING THIS PROJECT AND ARE NONMEMBERS OF OHIO UTILITIES PROTECTION SERVICE

[illegible]

AMH DEVELOPMENT, LLC

EASTWOOD

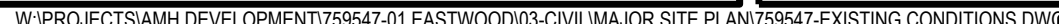
LICKING COUNTY, OH

CITY OF REYNOLDSBURG

COVER SHEET

ISSUE: NOT FOR CONSTRUCTION	
DATE: AUGUST 2021	
JOB NO.:	75954
DESIGN:	EAC
DRAWN:	RJL
CHECKED:	JSB

1



AMH DEVELOPMENT, LLC

EASTWOOD

LICKING COUNTY, OH

Attachment: 20210827 Major Site Plan Variance Application - Eastwood (App #2021-5434, Summit Road SW, Joe Ciminello)

EXISTING CONDITIONS

ISSUE:
NOT FOR CONSTRUCTION

DATE:
AUGUST 2021

JOB NO.:	759547
DESIGN:	EAC
DRAWN:	RJL
CHECKED:	JSB

SHEET NO.

2

[illegible]

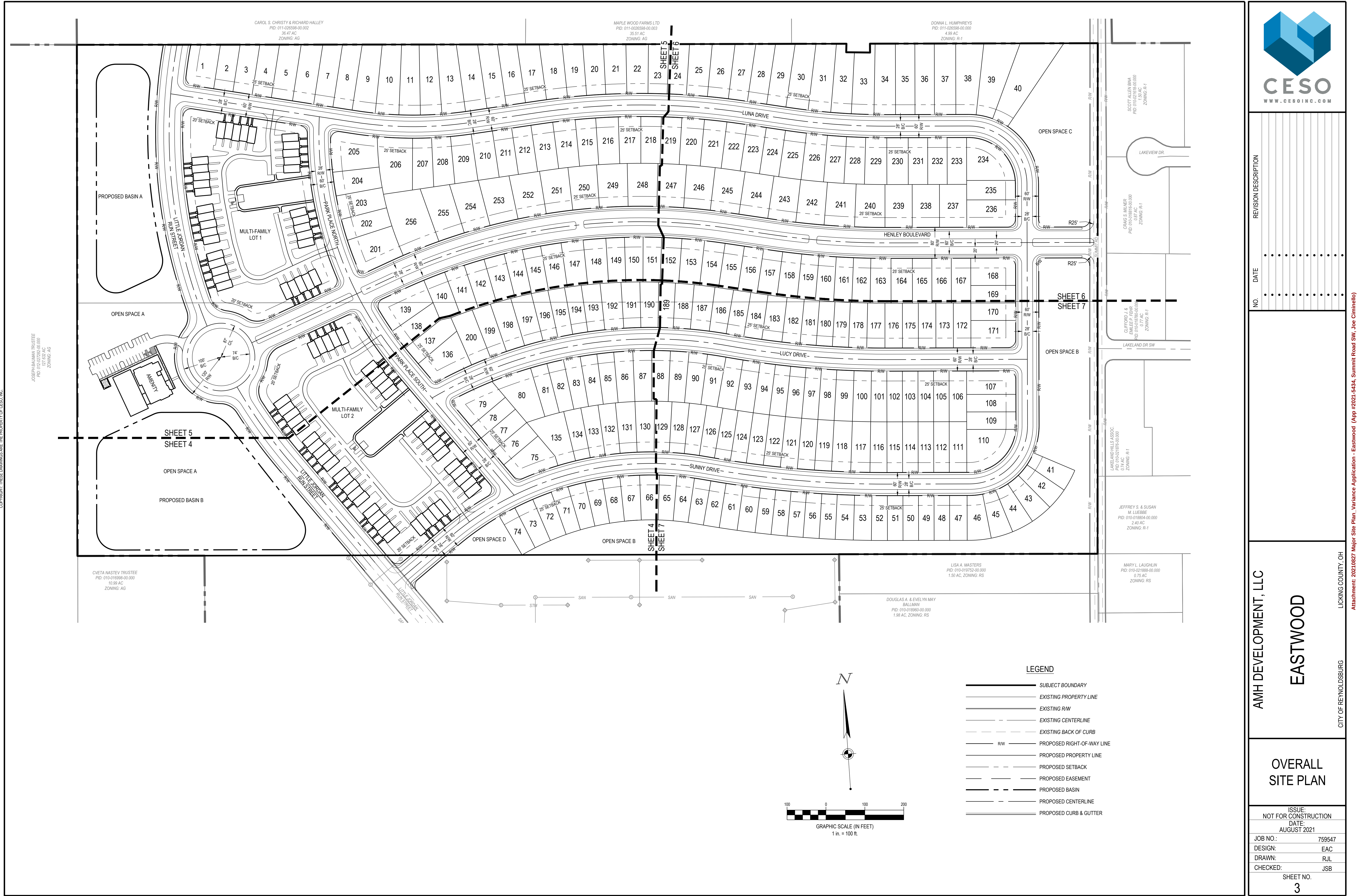
**EASTWOOD
DEVELOPMENT, LLC**

OVERALL SITE PLAN

ISSUE:	
NOT FOR CONSTRUCTION	
DATE:	
AUGUST 2021	
JOB NO.:	759547
DESIGN:	EAC
DRAWN:	RJL
CHECKED:	JSB

3

Packet Pg. 62





REVISION DESCRIPTION

NO. DATE

AMH DEVELOPMENT, LLC

EASTWOOD

LICKING COUNTY, OH

CITY OF REYNOLDSBURG

SITE PLAN

ISSUE:
NOT FOR CONSTRUCTION
DATE:
AUGUST 2021
JOB NO.: 759547
DESIGN: EAC
DRAWN: RJL
CHECKED: JSB

SHEET NO.
4

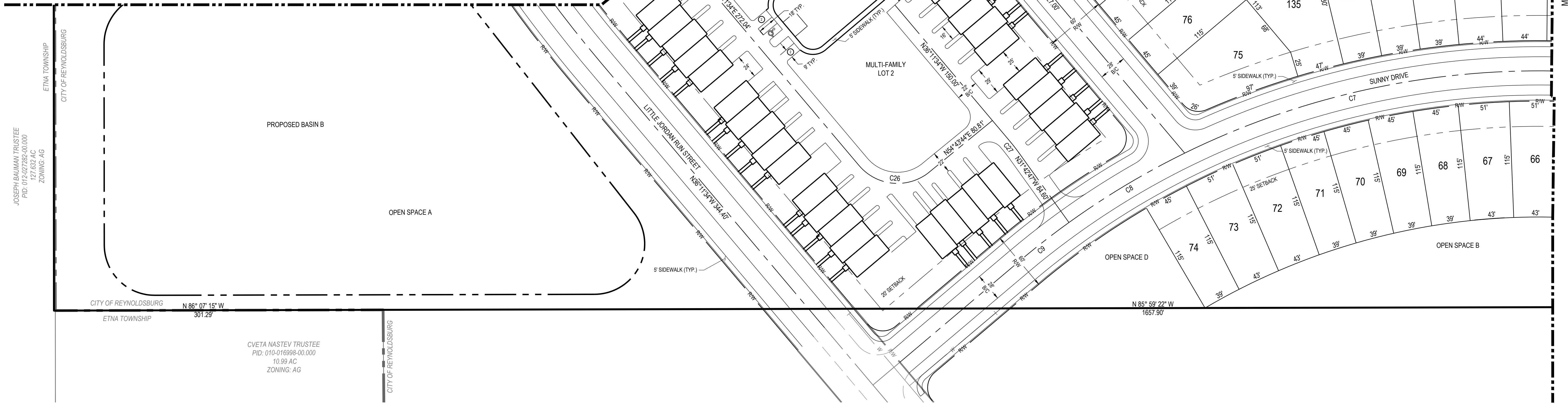
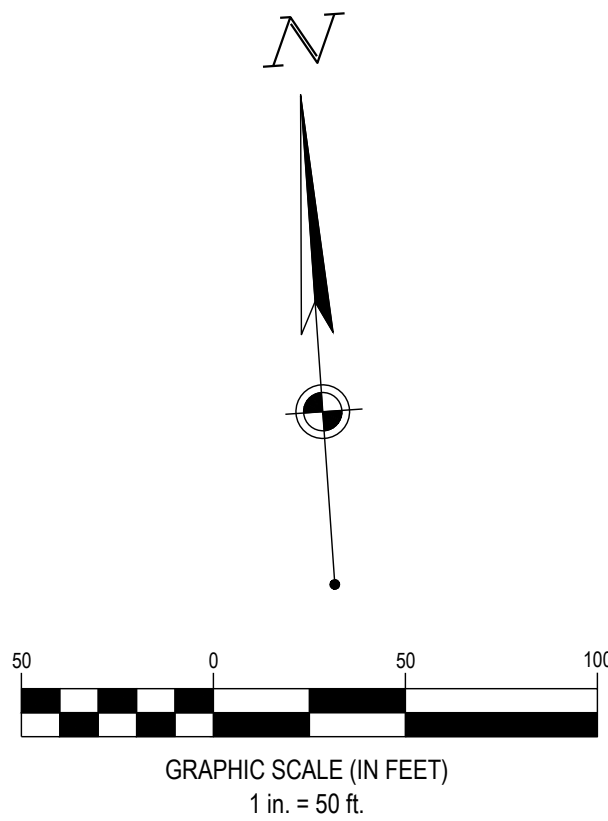
CENTERLINE CURVE TABLE						
CURVE #	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA	TANGENT
C7	800.00'	505.74'	497.36'	S86° 00' 14"W	036° 13' 15"	261.64'
C8	800.00'	134.13'	133.97'	S63° 05' 25"W	009° 36' 23"	67.22'
C9	800.00'	62.55'	62.53'	S56° 02' 50"W	004° 28' 47"	31.29'
C21	1120.00'	787.69'	771.55'	S83° 57' 59"W	040° 17' 44"	410.92'
C26	50.00'	77.74'	70.14'	S80° 43' 55"E	089° 04' 42"	49.20'
C27	200.00'	15.64'	15.63'	N33° 57' 10"W	004° 28' 47"	7.82'

LEGEND

- SUBJECT BOUNDARY
- EXISTING PROPERTY LINE
- EXISTING RW
- EXISTING CENTERLINE
- EXISTING BACK OF CURB
- RW PROPOSED RIGHT-OF-WAY LINE
- PROPOSED PROPERTY LINE
- PROPOSED SETBACK
- PROPOSED EASEMENT
- PROPOSED BASIN
- PROPOSED CENTERLINE
- PROPOSED CURB & GUTTER

NOTE

- STREET LIGHTS ARE TO BE PROVIDED PER THE CITY OF REYNOLDSBURG REQUIREMENTS.
- ADA CURB RAMPS TO BE PROVIDED DURING FINAL ENGINEERING DESIGN.



[illegible]

AMH DEVELOPMENT, LLC

EASTWOOD

LICKING COUNTY, OH

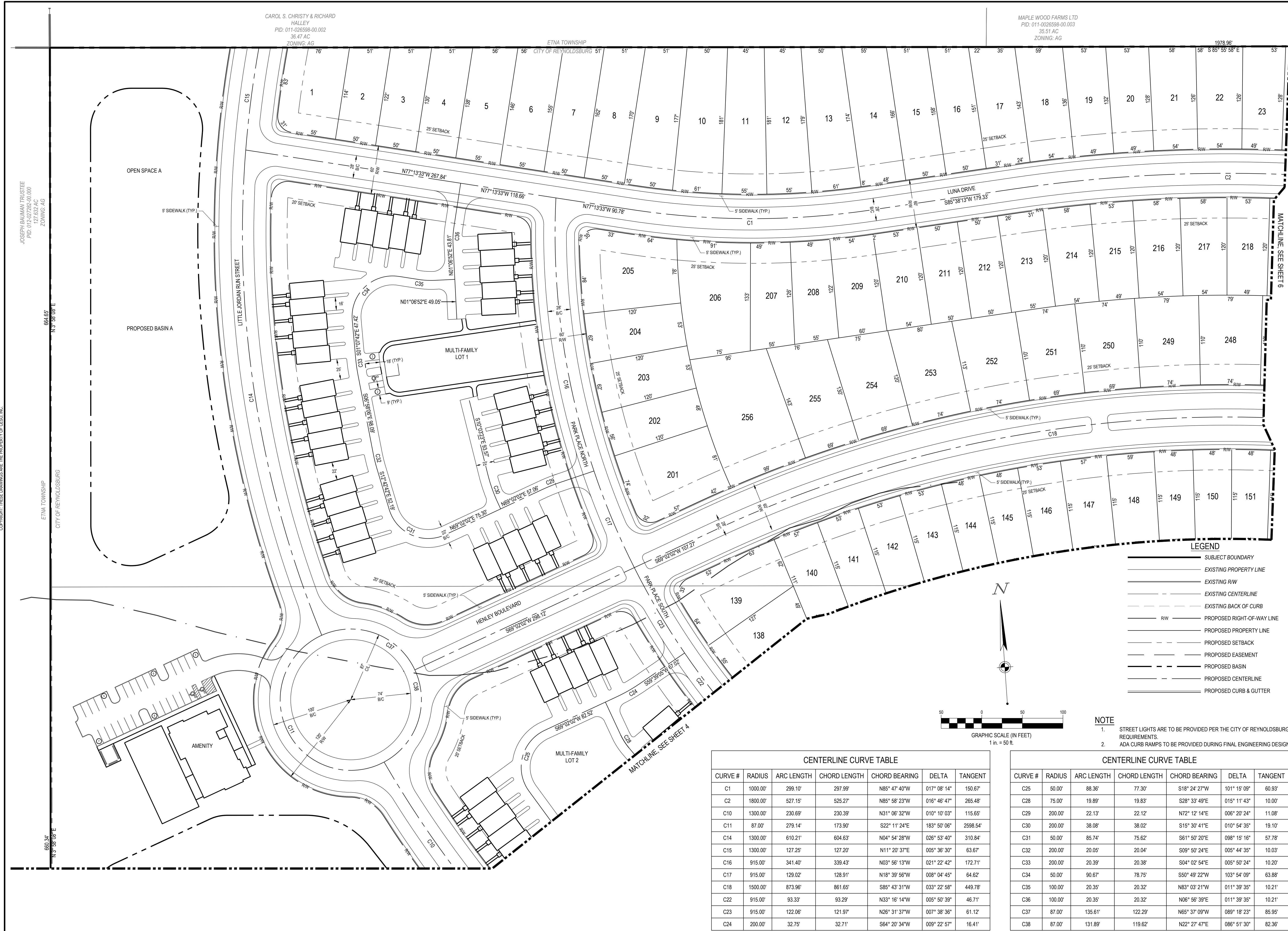
CITY OF REYNOLDSBURG

SITE PLAN

ISSUE:	
NOT FOR CONSTRUCTION	
DATE:	
AUGUST 2021	
JOB NO.:	75954
DESIGN:	EAC
DRAWN:	RJL
CHECKED:	JSB

SHEET NO.

5



[illegible]

AMH DEVELOPMENT, LLC

EASTWOOD

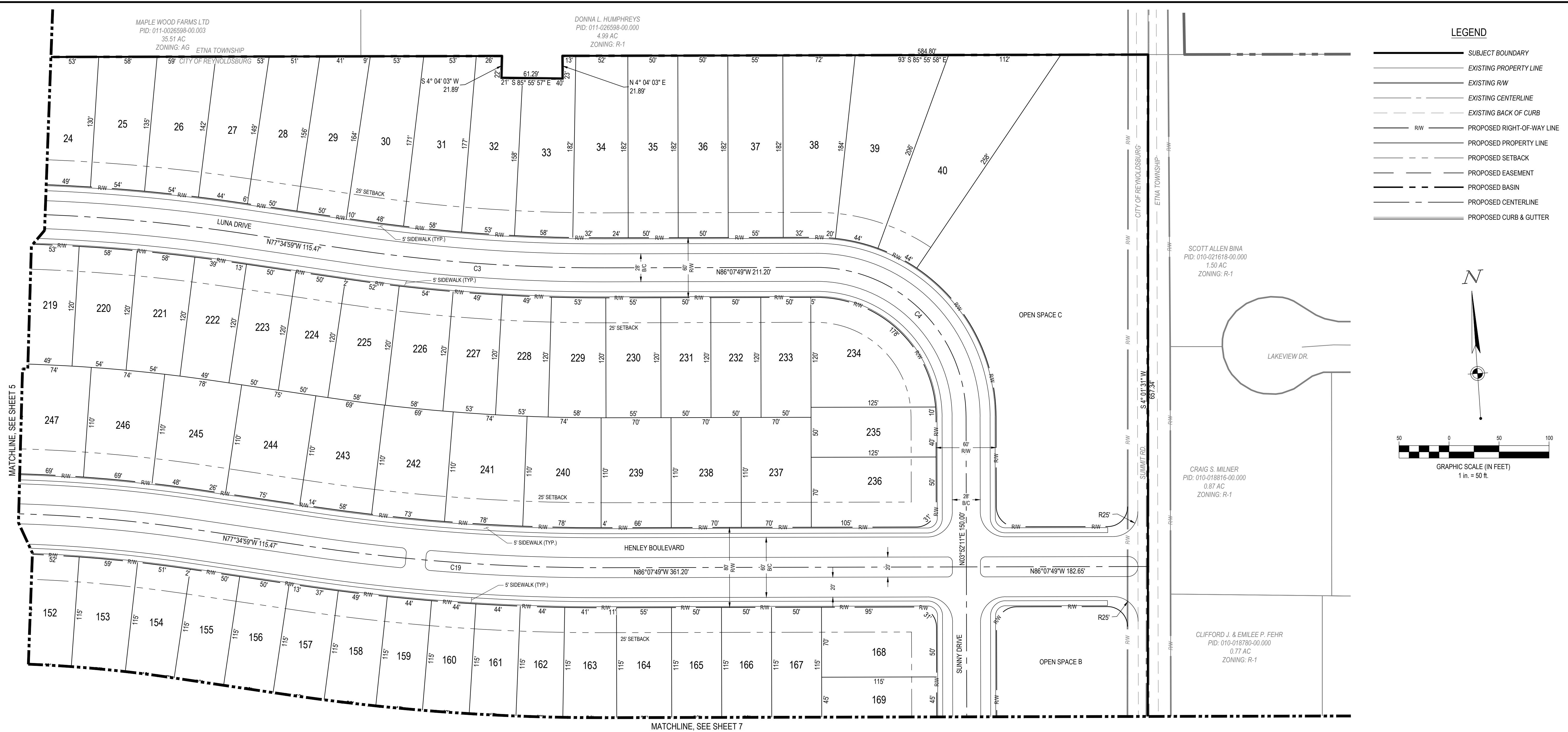
LICKING COUNTY, OH

Attachment: 20210827 Major Site Plan Variance Application - Eastwood (App #2021-5434, Summit Road SW, Joe Ciminello)

SITE PLAN

ISSUE: NOT FOR CONSTRUCTION	
DATE: AUGUST 2021	
JOB NO.:	75954
DESIGN:	EAC
DRAWN:	RJL
CHECKED:	JSB

6



NOTE

1. STREET LIGHTS ARE TO BE PROVIDED PER THE CITY OF REYNOLDSBURG REQUIREMENTS.
2. ADA CURB RAMPS TO BE PROVIDED DURING FINAL ENGINEERING DESIGN.

CENTERLINE CURVE TABLE						
CURVE #	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA	TANGENT
C3	1700.00'	253.60'	253.36'	N81° 51' 24"W	008° 32' 49"	127.03'
C4	1500.00'	235.62'	212.13'	N41° 07' 49"W	090° 00' 00"	150.00'
C19	2000.00'	298.35'	298.07'	N81° 51' 24"W	008° 32' 49"	149.45'

[illegible]

AMH DEVELOPMENT, LLC

EASTWOOD

LICKING COUNTY, OH

CITY OF REYNOLDSBURG

SITE PLAN

ISSUE: NOT FOR CONSTRUCTION	
DATE: AUGUST 2021	
JOB NO.:	75954
DESIGN:	EAC
DRAWN:	RJL
CHECKED:	JSB

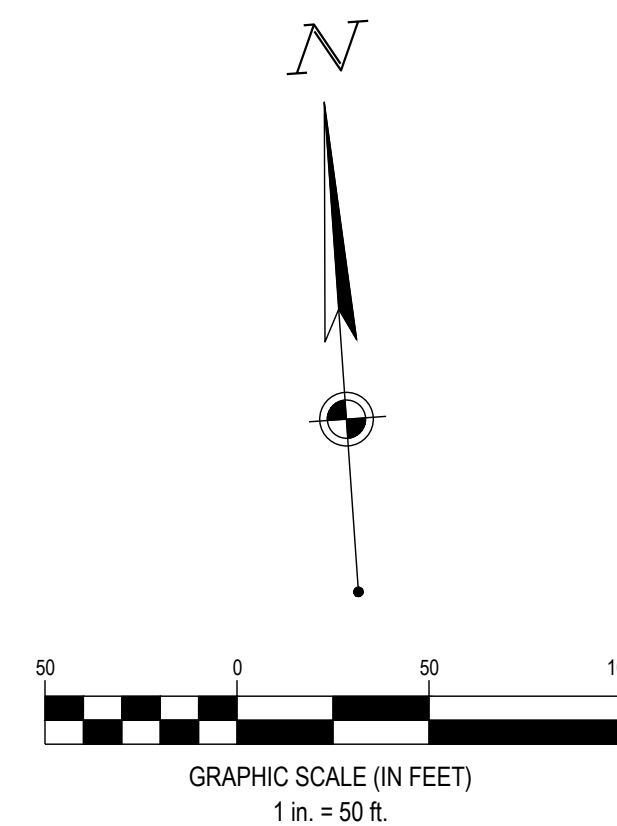
7

1. STREET LIGHTS ARE TO BE PROVIDED PER THE CITY OF REYNOLDSBURG REQUIREMENTS.
2. ADA CURB RAMPS TO BE PROVIDED DURING FINAL ENGINEERING DESIGN.

CENTERLINE CURVE TABLE						
CURVE #	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA	TANGENT
C5	150.00'	236.62'	212.13'	S48° 52' 11"W	090° 00' 00"	150.00'
C6	2620.00'	468.45'	467.83'	N81° 00' 29"W	010° 14' 40"	234.85'
C20	2300.00'	411.24'	410.69'	N81° 00' 29"W	010° 14' 40"	206.17'

LEGEND

- | | |
|---|----------------------------|
|  | SUBJECT BOUNDARY |
|  | EXISTING PROPERTY LINE |
|  | EXISTING R/W |
|  | EXISTING CENTERLINE |
|  | EXISTING BACK OF CURB |
|  R/W | PROPOSED RIGHT-OF-WAY LINE |
|  | PROPOSED PROPERTY LINE |
|  | PROPOSED SETBACK |
|  | PROPOSED EASEMENT |
|  | PROPOSED BASIN |
|  | PROPOSED CENTERLINE |
|  | PROPOSED CURB & GUTTER |



COPYRIGHT: THESE DRAWINGS ARE THE PROPERTY OF CESO, INC.

[illegible]

AMH DEVELOPMENT, LLC

EASTWOOD

LICKING COUNTY, OH

CITY OF REYNOLDSBURG

OVERALL UTILITY PLAN

ISSUE:	
NOT FOR CONSTRUCTION	
DATE:	
AUGUST 2021	
JOB NO.:	75954
DESIGN:	EAC
DRAWN:	RJL
CHECKED:	JSB

SHEET NO.
8

SCOTT ALLEN BINA
PID: 010-021618-00.00
1.50 AC
ZONING: R-1

CRAIG S. MILNER
PID: 010-018816-00.000
0.87 AC
ZONING: R-1

CLIFFORD J. &
EMILEE P. FEHR
PID: 010-018780-00.000
0.77.10

LAKELAND DR SW _____

KELAND HILLS ASSOC.
ID: 010-021876-00.000
0.74 AC
ZONING: R-1

JEFFREY S. & SUSAN
M. LUEBBE
PID: 010-018804-00.000
2.40 AC
ZONING: R-1

MARY L. LAUGHLIN
PID: 010-021888-00.000
0.75 AC
ZONING: RS

DONNA L. HUMPHREYS
PID: 011-026598-00.000
4.99 AC, ZONING: R-1

MAPLE WOOD FARMS LTD
PID: 011-0026598-00.003
35.51 AC, ZONING: AG

CAROL S. CHRISTY & RICHARD HALLEY
PID: 011-026598-00.002
36.47 AC. ZONING: AG

JOSEPH BAUMAN TRUSTEE
PID: 012-027282-00.000
127.632 AC
ZONING: AG

BASIN A

—

SHEET 5
SHEET 4

PROPOSED BASIN E

NETA NASTEV TRUSTEE
PID: 010-016998-00.000
10.99 AC
ZONING: AG

LISA A. MASTERS
PID: 010-019752-00.000
1.50 AC
ZONING: RS

DOUGLAS A. & EVELYN MAY
BALLMAN
PID: 010-018960-00.000
1.98 AC. ZONING: RS

LEGEND

	SUBJECT BOUNDARY		R/W		PROPOSED RIGHT-OF-WAY LINE
	EXISTING PROPERTY LINE				PROPOSED PROPERTY LINE
	EXISTING R/W		  		PROPOSED SETBACK
	EXISTING CENTERLINE				PROPOSED EASEMENT
	EXISTING BACK OF CURB		  		PROPOSED BASIN
	STM		 		PROPOSED CENTERLINE
	SAN		 		PROPOSED CURB & GUTTER
	W		 		PROPOSED STORM SEWER
	EXISTING STORM STRUCTURE				PROPOSED CATCH BASIN
	EXISTING SANITARY MANHOLE				PROPOSED CURB INLET
	EXISTING WATER STRUCTURES				PROPOSED STORM SEWER MANHOLE
			SAN		PROPOSED SANITARY SEWER
					PROPOSED WATER LINE
					PROPOSED HYDRANT/VALVE

EXISTING UTILITIES SHOWN HEREON ARE FOR REFERENCE ONLY. SAID UTILITIES ARE TO BE BUILT AS PART OF A SEPARATE PLAN ASSOCIATED

NOTE

1. EXISTING UTILITIES SHOWN HEREON ARE FOR REFERENCE ONLY. SAID UTILITIES ARE TO BE BUILT AS PART OF A SEPARATE PLAN ASSOCIATED WITH THE ADJACENT COMMERCIAL DEVELOPMENT.



GRAPHIC SCALE (IN FEET)
1 in. = 50 ft.



REVISION DESCRIPTION

NO. DATE

AMH DEVELOPMENT, LLC

EASTWOOD

LICKING COUNTY, OH

CITY OF REYNOLDSBURG

UTILITY PLAN

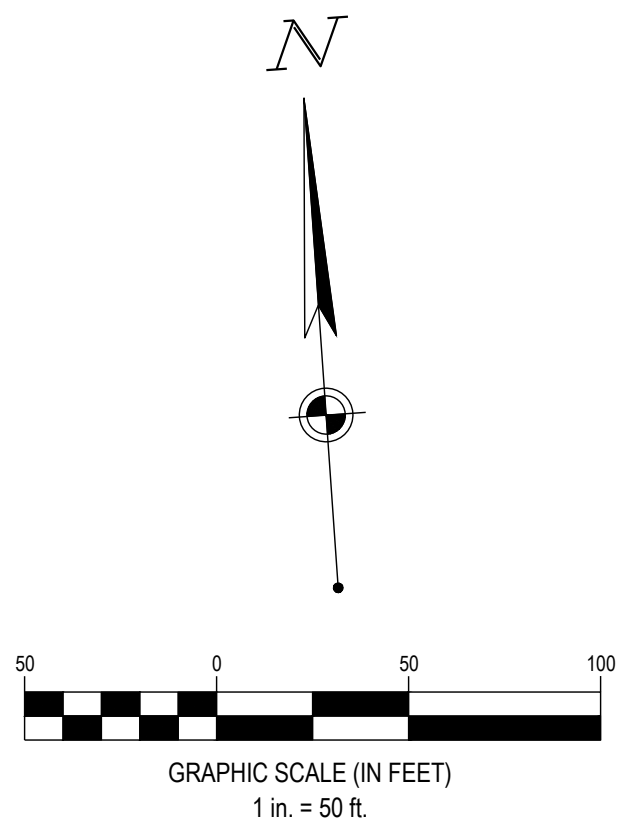
ISSUE:
NOT FOR CONSTRUCTION
DATE:
AUGUST 2021
JOB NO.: 759547
DESIGN: EAC
DRAWN: R/JL
CHECKED: JSB

SHEET NO.
9

COPYRIGHT: THESE DRAWINGS ARE THE PROPERTY OF CESO, INC.

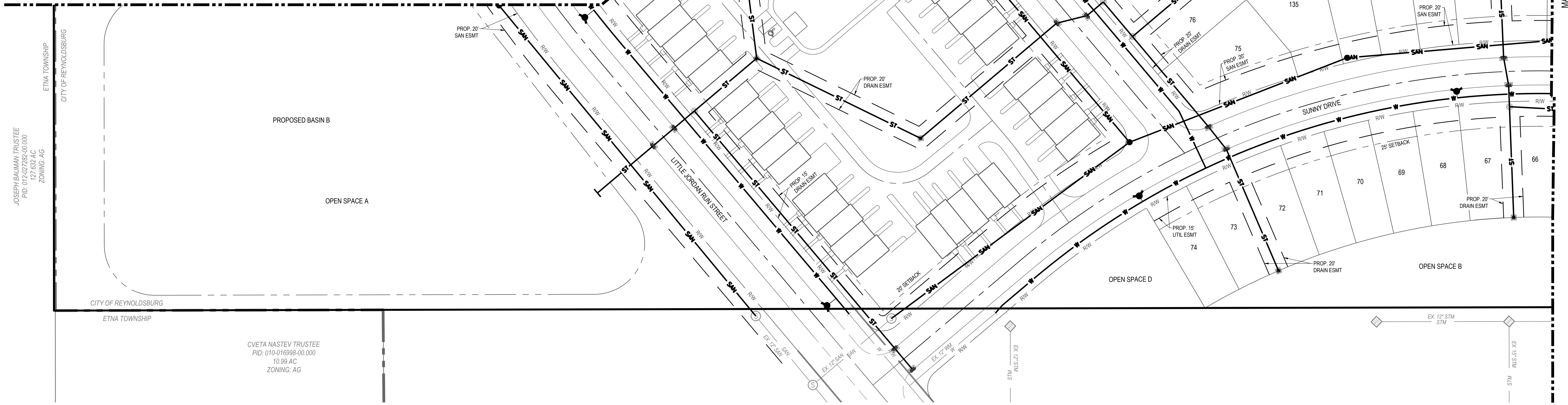
LEGEND

- SUBJECT BOUNDARY
- EXISTING PROPERTY LINE
- EXISTING R/W
- EXISTING CENTERLINE
- EXISTING BACK OF CURB
- EXISTING STORM SEWER
- EXISTING SANITARY SEWER
- EXISTING WATER MAIN
- EXISTING STORM STRUCTURE
- EXISTING SANITARY MANHOLE
- EXISTING WATER STRUCTURES
- PROPOSED RIGHT-OF-WAY LINE
- PROPOSED PROPERTY LINE
- PROPOSED SETBACK
- PROPOSED EASEMENT
- PROPOSED BASIN
- PROPOSED CENTERLINE
- PROPOSED CURB & GUTTER
- PROPOSED STORM SEWER
- PROPOSED CATCH BASIN
- PROPOSED CURB INLET
- PROPOSED STORM SEWER MANHOLE
- PROPOSED SANITARY SEWER
- PROPOSED SANITARY SEWER MANHOLE
- PROPOSED WATER LINE
- PROPOSED HYDRANT/VALVE



NOTE

- EXISTING UTILITIES SHOWN HEREON ARE FOR REFERENCE ONLY. SAID UTILITIES ARE TO BE BUILT AS PART OF A SEPARATE PLAN ASSOCIATED WITH THE ADJACENT COMMERCIAL DEVELOPMENT.



JOSEPH BAUMAN TRUSTEE
PID: 01202782-00.000
72.1332 AC
ZONING: AG

CVETA NASTEV TRUSTEE
PID: 010-016998-00.000
10.99 AC
ZONING: AG

[illegible]

AMH DEVELOPMENT, LLC

EASTWOOD

LICKING COUNTY, OH

CITY OF REYNOLDSBURG

UTILITY PLAN

ISSUE: NOT FOR CONSTRUCTION	
DATE: AUGUST 2021	
JOB NO.:	759547
DESIGN:	EAC
DRAWN:	RJL
CHECKED:	JSB

10



1. EXISTING UTILITIES SHOWN HEREON ARE FOR REFERENCE ONLY. SAID UTILITIES ARE TO BE BUILT AS PART OF A SEPARATE PLAN ASSOCIATED WITH THE ADJACENT COMMERCIAL DEVELOPMENT.

[illegible]

AMH DEVELOPMENT, LLC

EASTWOOD

LICKING COUNTY, OH

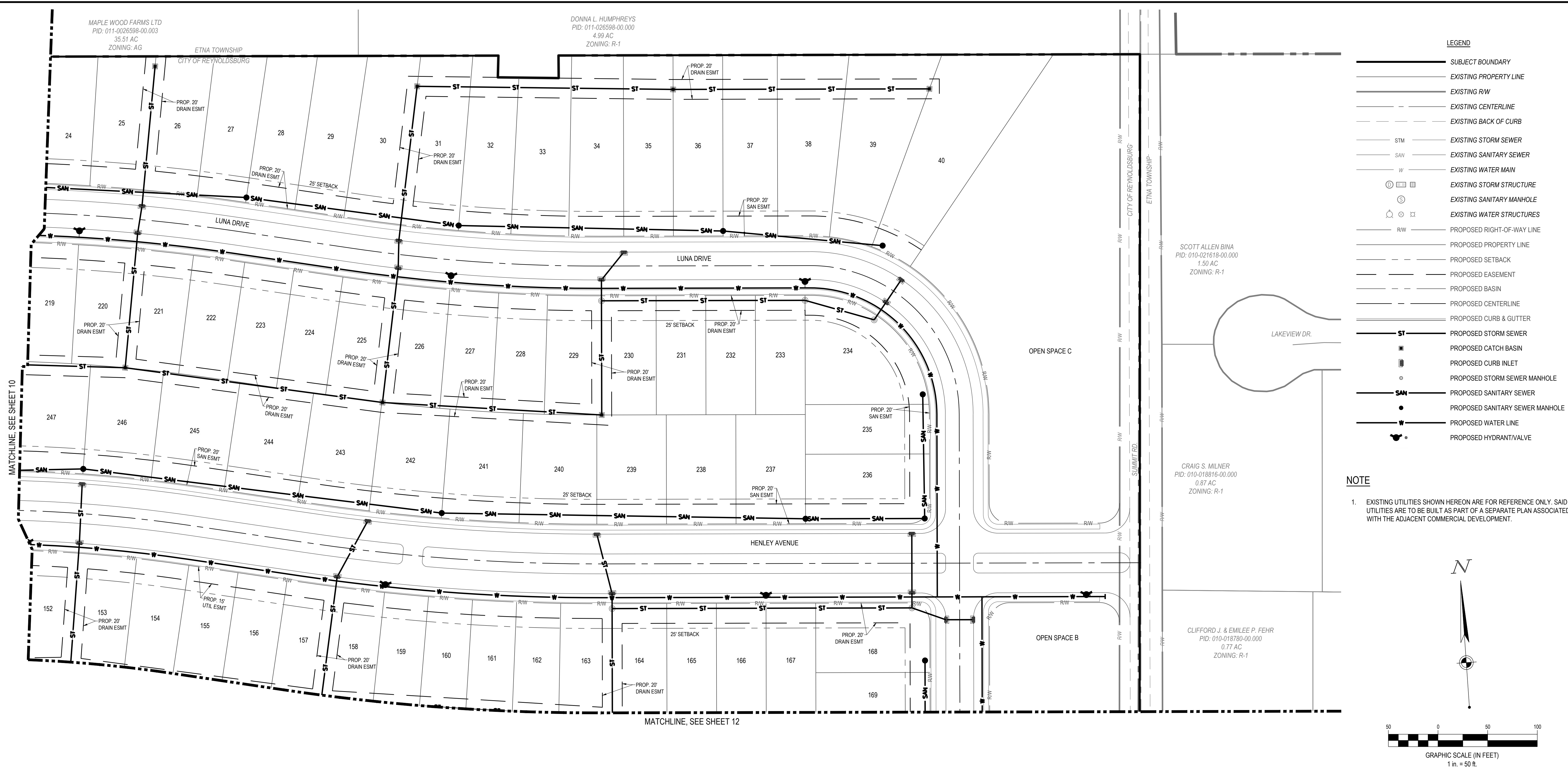
CITY OF REYNOLDSBURG

UTILITY PLAN

ISSUE:	
NOT FOR CONSTRUCTION	
DATE:	
AUGUST 2021	
JOB NO.:	759547
DESIGN:	EAC
DRAWN:	RJL
CHECKED:	JSB

11

Packet Pg. 70





REVISION DESCRIPTION

NO. DATE

AMH DEVELOPMENT, LLC

EASTWOOD

LICKING COUNTY, OH

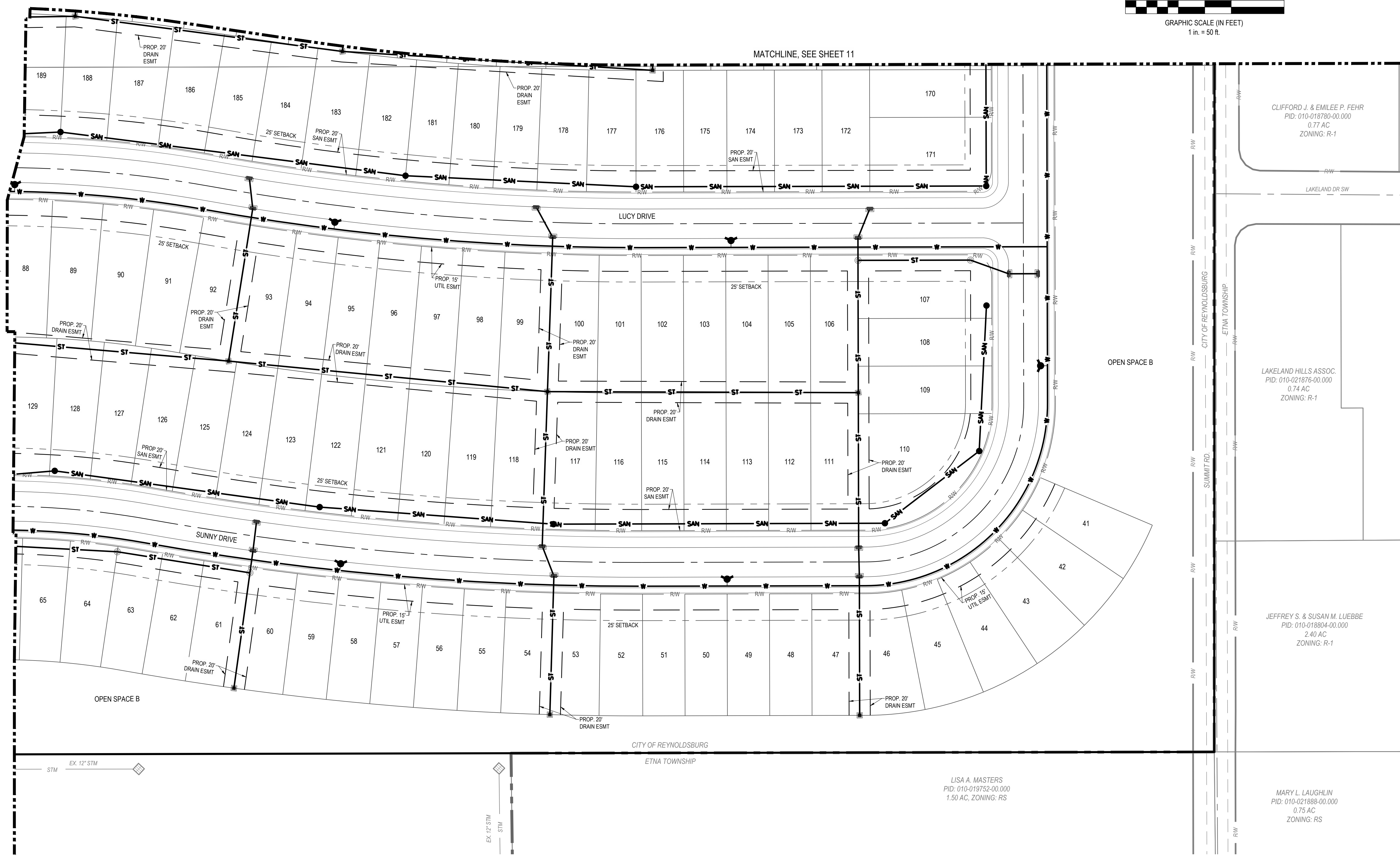
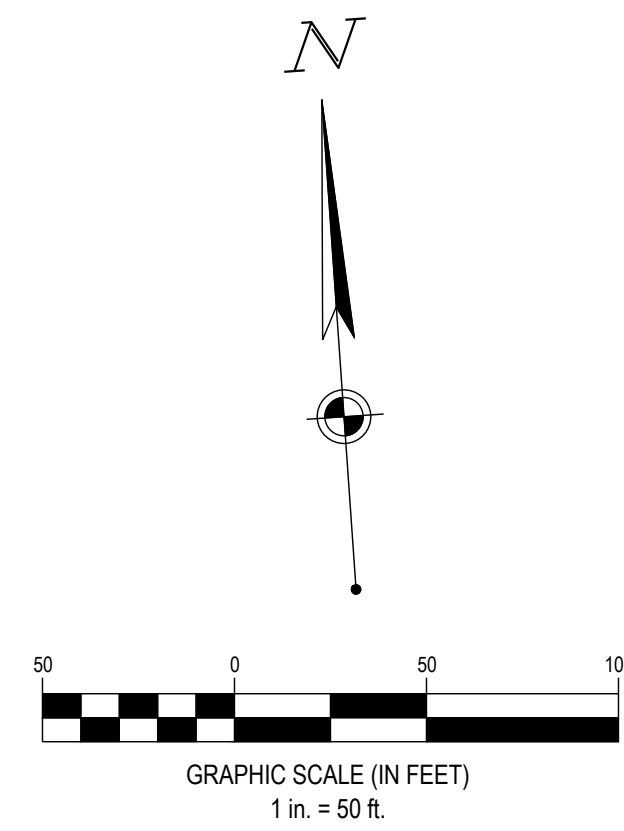
CITY OF REYNOLDSBURG

UTILITY PLAN

ISSUE:	NOT FOR CONSTRUCTION
DATE:	AUGUST 2021
JOB NO.:	759547
DESIGN:	EAC
DRAWN:	RJL
CHECKED:	JSB

SHEET NO.
12

Attachment: 20210827 Major Site Plan_Variance Application - Eastwood (App #2021-5434, Summit Road SW, Joe Ciminello)



LEGEND

- SUBJECT BOUNDARY
- EXISTING PROPERTY LINE
- EXISTING R/W
- EXISTING CENTERLINE
- EXISTING BACK OF CURB
- STM EXISTING STORM SEWER
- SAN EXISTING SANITARY SEWER
- W EXISTING WATER MAIN
- EXISTING STORM STRUCTURE
- EXISTING SANITARY MANHOLE
- EXISTING WATER STRUCTURES
- R/W PROPOSED RIGHT-OF-WAY LINE
- PROPOSED PROPERTY LINE
- PROPOSED SETBACK
- PROPOSED EASEMENT
- PROPOSED BASIN
- PROPOSED CENTERLINE
- PROPOSED CURB & GUTTER
- ST PROPOSED STORM SEWER
- PROPOSED CATCH BASIN
- PROPOSED CURB INLET
- PROPOSED STORM SEWER MANHOLE
- SAN PROPOSED SANITARY SEWER
- PROPOSED SANITARY SEWER MANHOLE
- W PROPOSED WATER LINE
- PROPOSED HYDRANT/VALVE

NOTE

- EXISTING UTILITIES SHOWN HEREON ARE FOR REFERENCE ONLY. SAID UTILITIES ARE TO BE BUILT AS PART OF A SEPARATE PLAN ASSOCIATED WITH THE ADJACENT COMMERCIAL DEVELOPMENT.

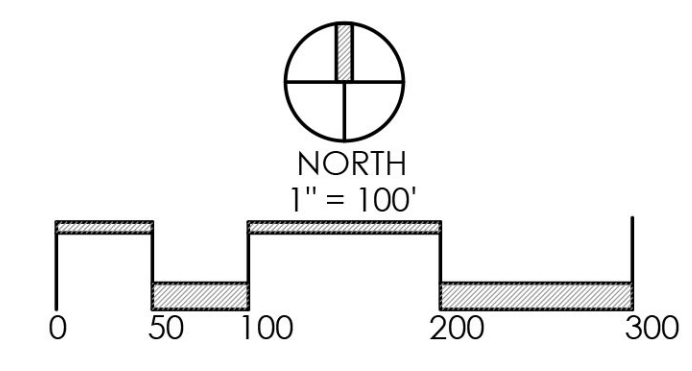
COPYRIGHT: THESE DRAWINGS ARE THE PROPERTY OF CESO, INC.



ILLUSTRATIVE PLAN

EASTWOOD - SINGLE FAMILY

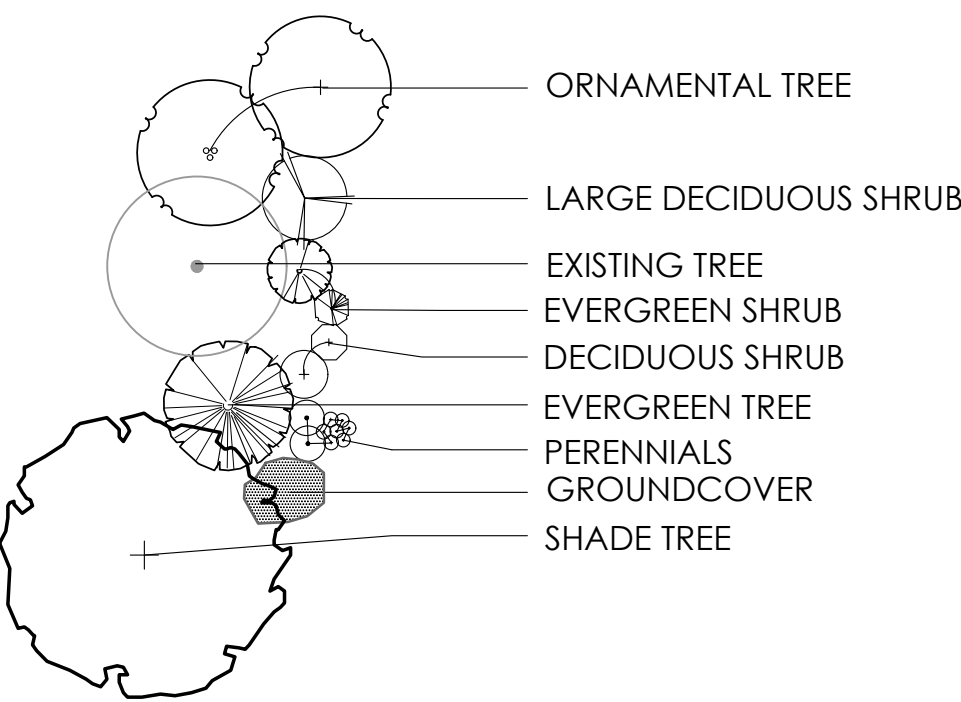
PREPARED FOR CESO
DATE: 8/12/21



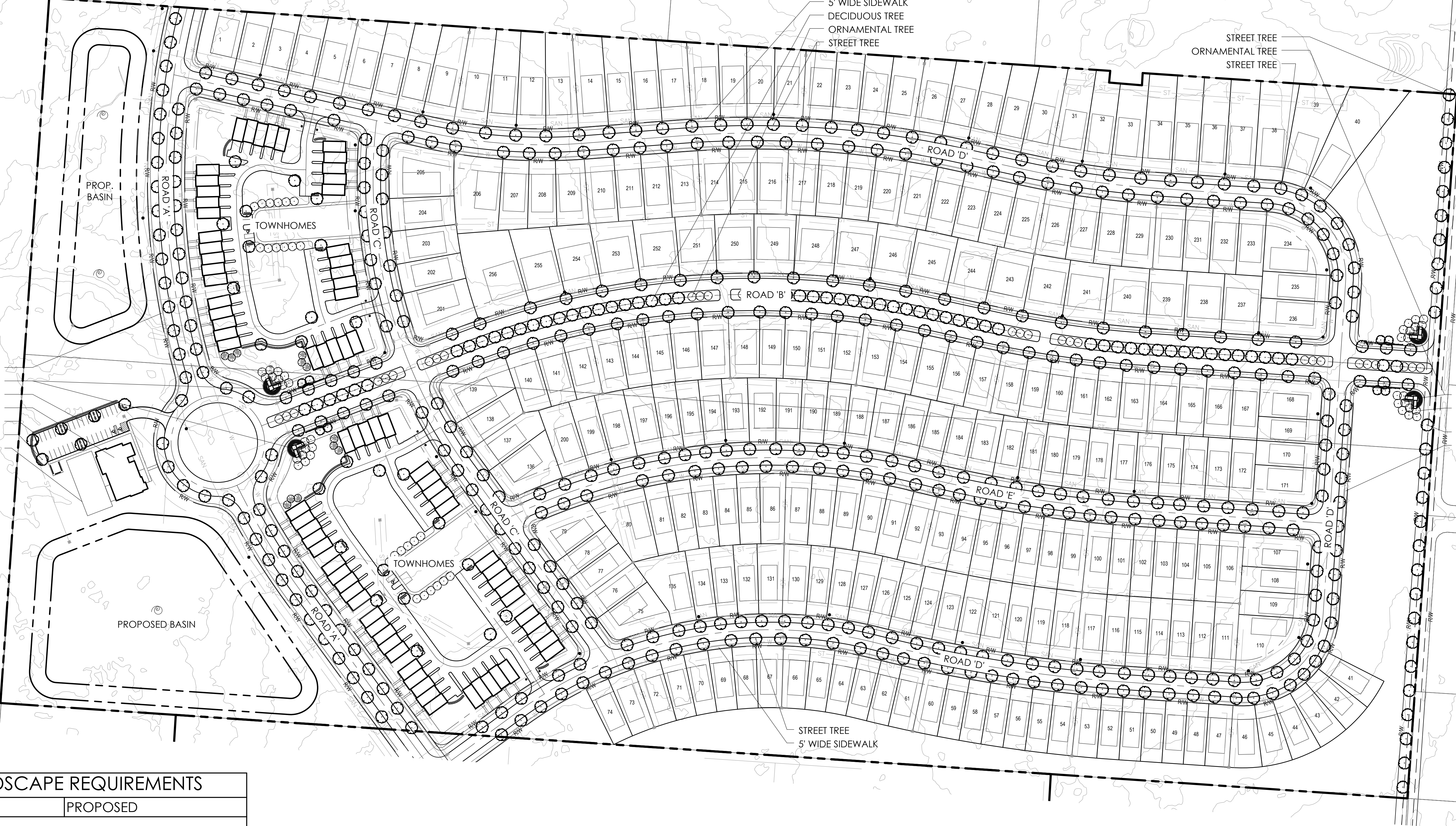
Faris Planning & Design
LAND PLANNING
4876 Cemetery Road
p (614) 487-1964
LANDSCAPE ARCHITECTURE
Hilliard, OH 43026
www.farisplanninganddesign.com

PLANT KEY TYPICALS

SEE PLANT LIST FOR SPECIFIC PLANT SPECIES



5' WIDE SIDEWALK
ENTRY FEATURE
PARKING LOT
COMMUNITY CENTER
EVERGREEN SHRUB
DECIDUOUS TREE
POOL



ENTRY FEATUR
ORNAMENTAL
TREE
STREET TREE
5' WIDE
SIDEWALK

REYNOLDSBURG ZONING CODE LANDSCAPE REQUIREMENTS	
CODE	PROPOSED
TREE REPLACEMENT (1105.07 - E.) ***	
EACH EXISTING MAJOR TREE (WITH A CALIPER OF 18" OR LARGER) REMOVED SHALL BE REPLACED WITH (1) TREE, HAVING A MINIMUM CALIPER OF (1.75") MEASURED AT (1') ABOVE THE GROUND	TREE REPLACEMENT QUANTITIES TO BE FINALIZED AFTER FINAL ENGINEERING
STREET TREES (1105.07 - G.)	
TREES, TO BE APPROVED BY THE CITY OF REYNOLDSBURG, SHALL BE PLANTED ALONG THE PUBLIC RIGHT-OF-WAY OF ANY DEVELOPMENT, MINIMUM 2" CAL. AND SPACED AT 35' ON CENTER	447 STREET TREES PROVIDED ALONG PUBLIC R.O.W. AT 45' ON CENTER
INTERIOR LOT LANDSCAPING (1105.07 - H. - i.) FOR RESIDENTIAL LAND USE	
0.5" TREE CALIPER MUST BE PLANTED FOR EACH 3,000 SQUARE FEET OF LOT SIZE. TOTAL LOT SIZE: 1,669,099 SQ. FT. = 279 CALIPER INCHES REQUIRED FOR INTERIOR LOT LANDSCAPING.	279 CALIPER INCHES PROVIDED (SHADE AND ORNAMENTAL TREES)
CREDIT OF EXISTING TREES ON SITE (1105.07 - H. - ii.) ***	
EXISTING TREES PROTECTED DURING CONSTRUCTION MAY BE CREDITED TOWARDS THE INTERIOR PLANTING REQUIREMENTS (CALIPER MEASURED AT 4.5' ABOVE THE GROUND)	EXISTING TREE CREDIT QUANTITIES TO BE FINALIZED AFTER FINAL ENGINEERING
MECHANICAL EQUIPMENT SCREENING (1105.07 - K. - iii.)	
MECHANICAL EQUIPMENT ASSOCIATED WITH A BUILDING SHALL BE INCORPORATED WITH LANDSCAPING SO THAT THESE FUNCTIONS ARE OUT OF VIEW OF THE PUBLIC RIGHT-OF-WAY AND ADJACENT PROPERTIES, WHILE ALLOWING CONVENIENT ACCESS.	LANDSCAPING AND FENCE TO BE INSTALLED IN FRONT OF A/C UNITS

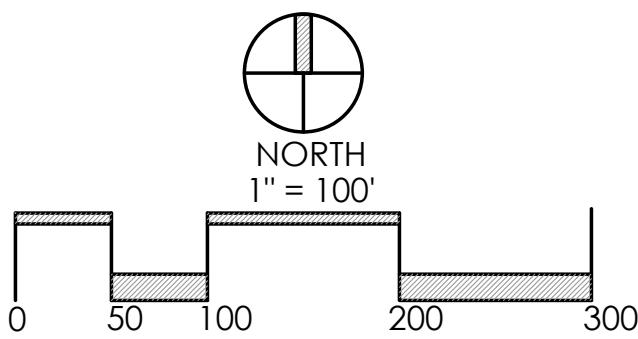
REYNOLDSBURG ZONING CODE LANDSCAPE REQUIREMENTS	
CODE	PROPOSED
PARKING AREA LANDSCAPING (1105.07 - J. - ii.)	
FOR EVERY (10) PARKING SPACES OR FRACTION THEREOF, (200) SQUARE FEET OF INTERIOR LANDSCAPED PARKING LOT AREAS ARE REQUIRED, CONTAINING AT LEAST (1) TREE WITH A MINIMUM DIAMETER OF 2", AND (4) SHRUBS. MINIMUM AREA PERMITTED SHALL BE (200) SQUARE FEET, WITH A MINIMUM WIDTH OF (10'). 31 PARKING SPACES PROVIDED:	4 TREES AND 16 SHRUBS PROVIDED
PARKING AREA BERM (1105.07 - J. - v.)	
PARKING LOT PERIMETER LANDSCAPING SHALL BE PROVIDED, TO BE A MINIMUM OF 10' WIDE, EXCLUDING ANY VEHICULAR OVERHANG. LANDSCAPING SHALL CONSIST OF A CONTINUOUS EVERGREEN HEDGE, EVERGREEN TREES, EARTHEN MOUND, OR COMBINATION THEREOF, REACHING A HEIGHT OF 36" WITHIN (1) YEAR OF INSTALLATION. PERIMETER LANDSCAPING SHALL ALSO CONTAIN A MINIMUM OF (1) DECIDUOUS TREE PER (50) LINEAL FEET OF PARKING PERIMETER. APPROXIMATELY 195' LINEAR FEET OF PARKING PERIMETER.	4 DECIDUOUS TREES PROVIDED & HEDGE TO REACH 36" HEIGHT WITHIN ONE YEAR OF INSTALLATION PROVIDED.

LANDSCAPE PLAN

EASTWOOD - SINGLE FAMILY

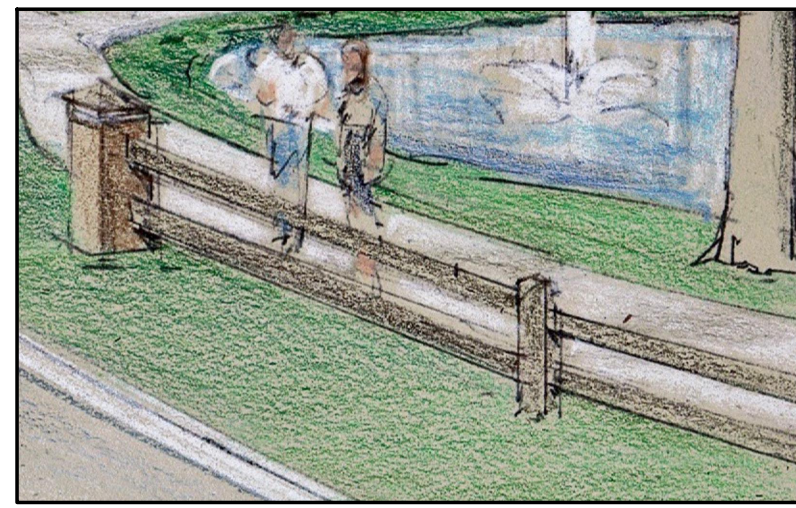
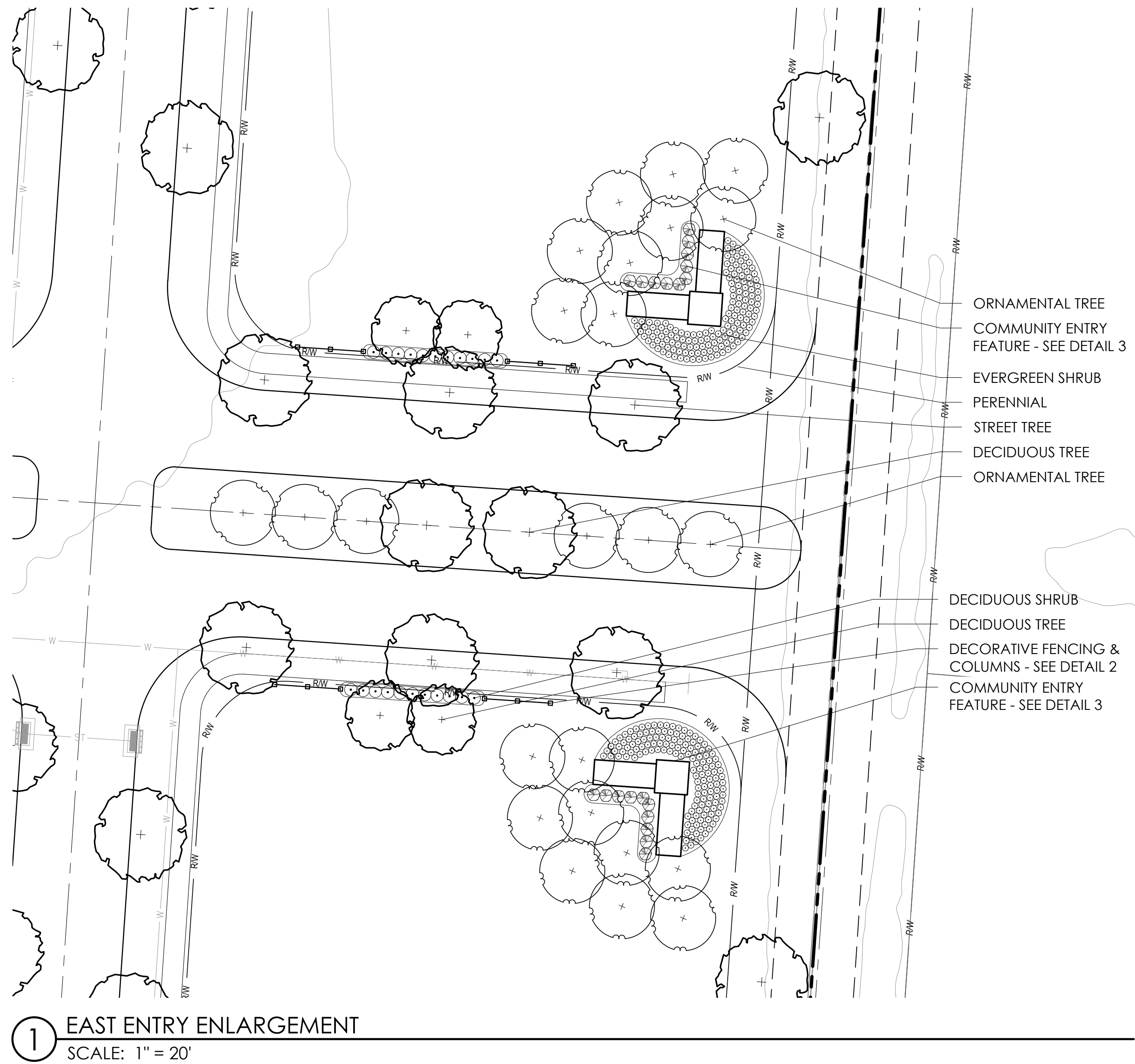
PREPARED FOR CESO

DATE: 8/12/21

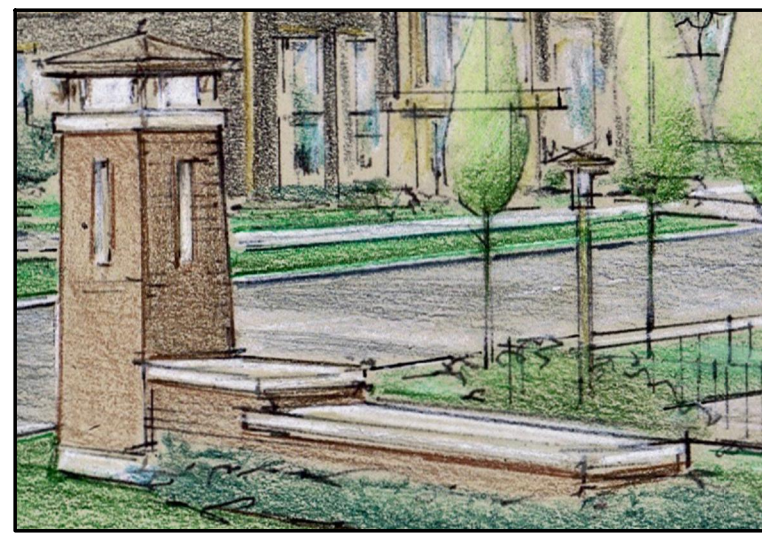


Faris Planning & Design

LAND PLANNING LANDSCAPE ARCHITECTURE
4876 Cemetery Road Hilliard, OH 43026
p (614) 487-1964 www.farisplanninganddesign.com



2 DECORATIVE FENCING & COLUMNS
SCALE: N.T.S



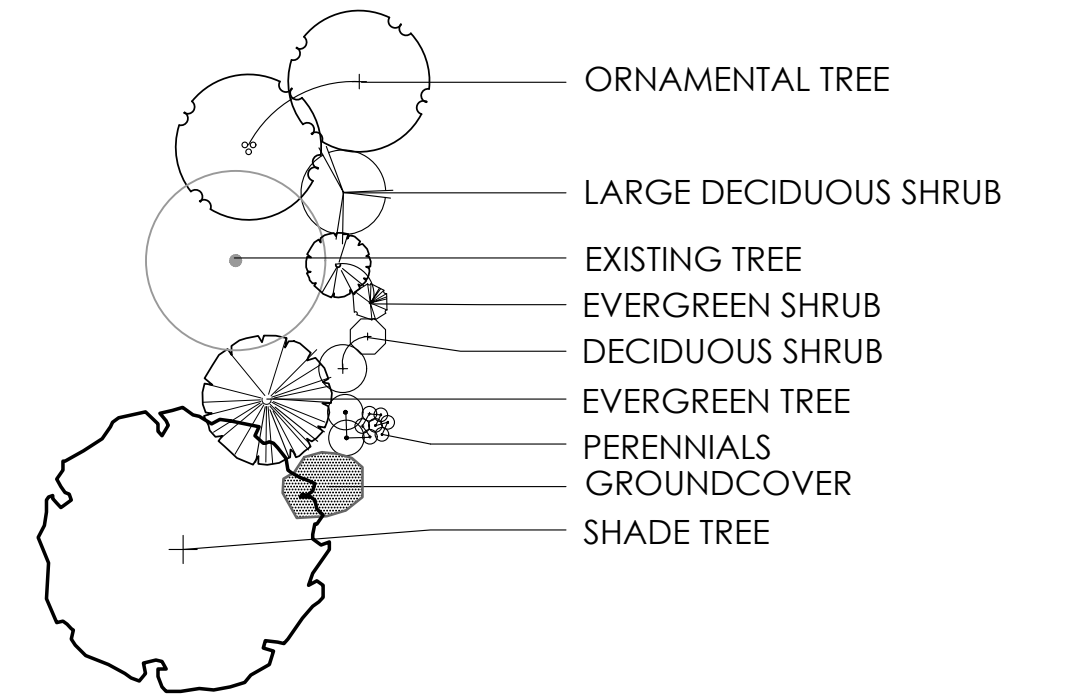
3 COMMUNITY ENTRY FEATURE
SCALE: N.T.S

CONSTRUCTION NOTES:

- 1 LAWN AREA, PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.
- 2 LANDSCAPE AREA, PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.

PLANT KEY TYPICALS

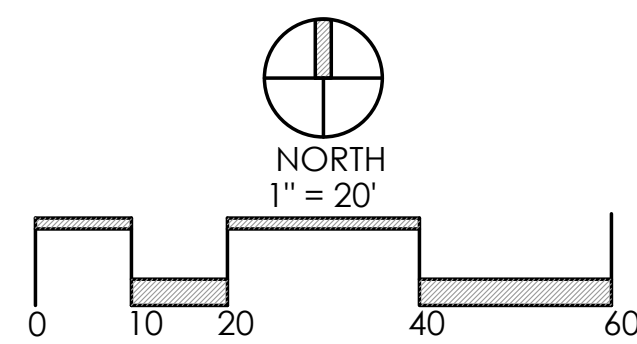
SEE PLANT LIST FOR SPECIFIC PLANT SPECIES



LANDSCAPE ENLARGEMENT PLAN

EASTWOOD - SINGLE FAMILY

PREPARED FOR CESO
DATE: 8/12/21





Attachment: Townhome Elevation (App #2021-5434, Summit Road SW, Joe Ciminello)



Attachment: Townhome Elevation (App #2021-5434, Summit Road SW, Joe Ciminello)



September 9, 2021

Board of Zoning and Building Appeals
City of Reynoldsburg
7232 E. Main Street
Reynoldsburg, OH 43068

RE: Summit Road (Parcel ID Nos. 107-0180-00 & 107-018030-00) –
Conditional Use #2021-5434 Staff Report

Board of Zoning and Building Appeals:

Below is the staff review of the above referenced application.

1. Project Summary

- a. The property is located off of Summit Road (Parcel ID Nos. 107-0180-00 & 107-018030-00) and is within the Suburban Residential (SR) Zone.
- b. The applicant, Joe Ciminello, is requesting Board of Zoning and Building Appeals approval of a conditional use for the construction of a new residential development consisting of 80 townhome units. The site is currently vacant.
- c. The development is slated for the October 7th Planning Commission meeting for Major Site Plan review, after being tabled at the previous meeting.

2. Zoning Review (Section 1103.17)

- a. The proposed use ('Dwelling - Attached Single-Family') is listed as a Conditional Use in the SR Zone. BZBA approval is at the discretion of the Planning and Zoning Administrator.
- b. The proposed use requires 1 enclosed and 1 unenclosed parking space per unit. The applicant has met this requirement (each unit will have an attached rear 2-car garage).

3. Conditional Use Factors (Section 1109.15)

- a. The Board shall consider whether the proposed conditional use is consistent with the standards contained in Section 1109.15(D) of the Reynoldsburg zoning ordinance:
 - i. As noted in the zoning ordinance, 'the desired development pattern in the SR Zone is to accommodate multiple forms of single-family development, including attached single-family dwellings.' Additionally, 'Attached Single-Family Building' is listed as a permitted building typology in the SR Zone. The essential character of the zone and surrounding zones is unlikely to be changed.
 - ii. The proposed use will not adversely affect the use of adjacent property. The current use of adjacent parcels can continue uninterrupted.

iii. The proposed use will not adversely affect the health, safety, morals, or welfare of persons residing or working in the neighborhood.

iv. The proposed use will be adequately served by existing public facilities and services. The applicant submitted a basic utility and storm/sanitary sewer plan as part of their Major Site Plan application.

v. The proposed use, consisting of 80 townhome units, will impose a traffic burden greater than that of most other permitted uses in the SR Zone with the possible exception of 'Library.' However, the development will have access points off both Main and Summit, thus mitigating some of the negative impact upon the public right-of-way. The applicant is also preparing a traffic study for the development as a whole.

vi. The proposed use is in accord with the general objectives of the zoning ordinance, as well as the City's Comprehensive Master Plan, which aims to promote a diverse mix of housing options in Reynoldsburg. Specifically, the Master Plan identifies 'adding residential development in and around Olde Reynoldsburg' as a central goal.

vii. The proposed use complies with the applicable provisions and standards of the zoning ordinance, including permitted building typologies in the SR Zone. No variances are being requested.

viii. 'Dwelling - Attached Single-Family' is listed as a Conditional Use in the SR Zone. The proposed development as described meets the definition of this use, which requires each unit have independent exterior access and no less than two exterior walls.

If you have any questions or comments, please feel free to contact us.