

Board of Zoning Adjustment Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

111 N Front Street, Columbus, Ohio 43215
Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

OFFICE USE ONLY

Application Number: BZA21-049 Date Received: 4/19/2021
Assigned Planner: Phil B. Bennetch Fee: \$1,500
Contact Information: PBBennetch@columbus.gov
Existing Zoning: M, Manufacturing Commission/Civic: Far South Columbus AC
Comments: Scheduled for 5/13/2021 Staff Review

TYPE(S) OF ACTION REQUESTED (Check all that apply):

☒ Variance ☒ Special Permit

Project Description:

Requesting Special Permit for Impound Lot - CCC 3389.07

Requesting Variance for Prohibited Location - CCC 3392.12 & 3363.27(2) - to reduce the setback from 600' to 40' (a reduction of 560'), CCC 3363.41 - to allow storage 0' (20' to 0') from the property line, CCC 3392.10(g) - to allow gravel drive aisles and parking areas.

LOCATION

Certified Address: 2918 Parsons Avenue City: Columbus Zip: 43207

Parcel Number (only one required): 010-112826

APPLICANT (If different from Owner):

Applicant Name: Hound Dog's Towing Phone Number: 614-462-0729 Ext.: _____
Address: 2918 Parsons Avenue City/State: Columbus, OH Zip: 43207
Email Address: hounddogstowing@gmail.com Fax Number: _____

PROPERTY OWNER(S) ☐ Check here if listing additional property owners on a separate page

Name: Claudia Realty LLC Phone Number: _____ Ext.: _____
Address: 1999 Arlington Avenue City/State: Columbus, OH Zip: 43212
Email Address: _____ Fax Number: _____

ATTORNEY / AGENT (Check one if applicable): ☒ Attorney ☐ Agent

Name: Jackson B. Reynolds, III Phone Number: 614-221-4255 Ext.: _____
Address: 37 West Broad Street, Suite 460 City/State: Columbus, OH Zip: 43215
Email Address: jreynolds@smithandhale.com Fax Number: 614-221-4409

SIGNATURES (All signatures must be provided and signed in blue ink)

APPLICANT SIGNATURE By: Jackson B. Reynolds, III

PROPERTY OWNER SIGNATURE By: Jackson B. Reynolds, III

ATTORNEY / AGENT SIGNATURE Jackson B. Reynolds, III

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AFFIDAVIT

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn **(1)** NAME Jackson B. Reynolds, III
of **(1)** MAILING ADDRESS 37 West Broad Street, Suite 460, Columbus, OH 43215
deposes and states that (he/she) is the applicant, agent, or duly authorized attorney for same and the following is a list of the
name(s) and mailing address(es) of all the owners of record of the property located at
(2) per PROPERTY ADDRESS 2918 Parsons Avenue
for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and
Zoning Services, on **(3)** _____

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNER'S NAME
AND MAILING ADDRESS

(4) Claudia Realty LLC
1999 Arlington Avenue
Columbus, OH 43212

APPLICANT'S NAME AND PHONE #
(same as listed on front application)

Hound Dog's Towing
614-402-0729

AREA COMMISSION OR CIVIC GROUP
ZONING CHAIR OR CONTACT PERSON
AND EMAIL ADDRESS

(5) Far South Columbus Area Commission
c/o Michael Walker
m_walker_sr@yahoo.com

and that the attached document **(6)** is a list of the **names and complete mailing addresses**, including **zip codes**, as shown on
the **County Auditor's Current Tax List or the County Treasurer's Mailing List**, of all the **owners of record of property**
within 125 feet of the exterior boundaries of the property for which the application was filed, **and** all of the owners of any property
within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to
the subject property

SIGNATURE OF AFFIANT

Jackson B. Reynolds, III

Sworn to before me and signed in my presence this 7th day of April, in the year 2021

Notary Seal Here

Natalie C. Timmons
(7) SIGNATURE OF NOTARY PUBLIC

9/4/2025
My Commission Expires



Natalie C. Timmons
Notary Public, State of Ohio
My Commission Expires 09-04-2025

APPLICANT

Hound Dog's Towing
2918 Parsons Avenue
Columbus, OH 43207

PROPERTY OWNER

Claudia Realty LLC
1999 Arlington Avenue
Columbus, OH 43212

ATTORNEY

Jackson B. Reynolds, III
Smith & Hale LLC
37 West Broad Street, Suite 460
Columbus, OH 43215

AREA COMMISSION

Far South Columbus Area Commission
c/o Michael Walker
926 Tellega Avenue
Columbus, OH 43207

AREA COMMISSION

Far South Columbus Area Commission
c/o Robert Patterson
2664 Diane Lane
Columbus, OH 43207

SURROUNDING PROPERTY OWNERS

Toni Murraya
"or current occupant"
324 Ziegler Road
Columbus, OH 43207

William E & Joyce A Bond
"or current occupant"
2907 Parsons Avenue
Columbus, OH 43207

Lloyd E & Janet Barton
"or current occupant"
2901 Parsons Avenue
Columbus, OH 43207

Donald Blevins LLC
3258 S Avenue
Columbus, OH 43207

James R & Barbara E Cox
"or current occupant"
2867 Parsons Avenue
Columbus, OH 43207

Susan Donley
"or current occupant"
2881 Parsons Avenue
Columbus, OH 43207

Gloria J Mason
"or current occupant"
2887 Parsons Avenue
Columbus, OH 43207

Richard S & Denise J Stewart
"or current occupant"
2873 Parsons Avenue
Columbus, OH 43207

Thomas A McDowell
Diane A Hornung
"or current occupant"
5742 Dublin Road
Dublin, OH 43017

Board of Education
270 East State Street
Columbus, OH 43215-4312

THE CITY OF
COLUMBUS
CODE ENFORCEMENT

Heather Truesdell, Administrator

Date of Service/Posting _____

Order Number: 20470-02613

Parcel Number: 010112826

HOUND DOG TOWING & RECOVERY
2918 PARSONS AVE
COLUMBUS, OH 43207

ZONING CODE VIOLATION NOTICE

Re: 2918 PARSONS AVE

An inspection has been made at the above address on **November 19, 2020**.

As provided by the Columbus City Code you are hereby given notice to correct the alleged violations listed below within **20** calendar days of the service of this notice unless otherwise noted in this notice, or an approval for a written request for extension is granted by this office.

Note: Failure to comply with this notice is a Misdemeanor of the First Degree and may be punishable by a \$1000 fine and 180 days imprisonment.

Please be advised that another violation of this code(s) may result in criminal or civil court action being initiated against you without another written notice being issued to you by the Code Enforcement Division.

If the facts represented here are incorrect, or if you believe the law is not being interpreted properly, you have the basis for an appeal. If you believe an appeal is in order, call the undersigned Code Enforcement Officer. Pursuant to the Columbus City Code Section 3307.07: The Board of Zoning Adjustment shall not entertain any appeal applied for more than twenty (20) days after the date of this order. Also pursuant to Columbus City Code Section 3307.11: Said appeal shall be submitted on a form provided for that purpose and filed in the office of the Department of Building and Zoning Services.

To verify any permit requirements for the work being completed, please check with the Building and Zoning Services Department at 614-645-7433.

For further information on this notice contact the Code Enforcement Officer.

SEE LIST OF VIOLATIONS ON THE ATTACHED PAGE(S)

Chad Wilkins
Code Enforcement Officer
Phone: 614-645-6399
crwilkins@columbus.gov
111 North Front St.
Columbus Ohio 43215

2918 PARSONS AVE

Order Number: 20470-02613
Parcel Number: 010112826

ITEM#	CODE SECTION	COMMENTS
<u>Zoning Violations</u>		
1	3312.43 Required surface for parking	Vehicles are being parked on unimproved surfaces.
2	3305.01 Certificate of zoning clearance	This property requires a certificate of Zoning Clearance due to the following change: Property lacks a certificate of zoning clearance for an impound lot, junk yard, auto repair and a Uhaul rental.
3	3389.02 SPECIAL PERMIT REQUIRED	The following use noted at this property requires a Special Permit: The property lacks an impound lot (or junkyard) license.
4	3392.12 PROHIBITED LOCATION	The impound/junkyard is located within 600' feet of a residential district.
[3392.02] The property lacks a junkyard/impound lot license.		

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STATEMENT IN SUPPORT OF VARIANCE(S)

3307.09 Variances by Board.

- A. The Board of Zoning Adjustment shall have the power, upon application, to grant variances from the provisions and requirements of this Zoning Code (except for those under the jurisdiction of the Graphics Commission and except for use variances under the jurisdiction of the Council). The board shall take into account all of the following facts and conditions when considering variances:
1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance.
 2. Whether the variance is substantial.
 3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.
 4. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse service).
 5. Whether the property owner purchased the property with knowledge of the zoning restriction.
 6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.
 7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.
- B. In granting a variance, the Board may impose such requirements and conditions regarding the location, character, and other features of the proposed *uses or structures* as the Board deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard public safety and welfare.
- C. Nothing in this section shall be construed as authorizing the Board to affect changes in the Zoning Map or to add to the uses permitted in any district.

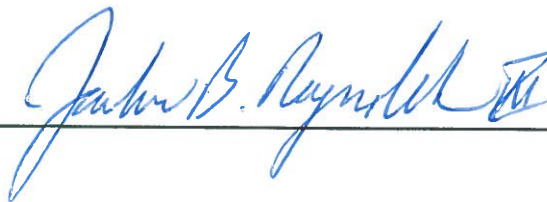
List all sections of Code to be varied and explain your reasoning as to why this request should be granted.

PLEASE NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are not included, a new application (and applicable fees) will be required.

I have read the foregoing and believe my application for relief from the requirements of the Zoning Code demonstrates practical difficulty as contemplated by that section, in the following ways (use separate page if needed or desired):

See attached statement.

Signature of Applicant



Date

4/13/21

Statement in Support of Variances
2918 Parsons Avenue

1. Whether the property in question will yield a reasonable return or whether there can be beneficial use of the property without a variance.

The property is zoned M-Manufacturing and as such there are other activities that would yield a return from the property, however the applicant has been operating at the site for awhile and has made improvements to the site specific to the vehicle impound lot operation so not granting the requested three variances, would be a hardship as the applicant would have to abandon the site. The granting of the requested variances would be beneficial to the applicant and the neighborhood as the applicant has properly operated the impound lot since leasing the property for the operation.

2. Whether the variance is substantial.

No the variances are not substantial. Although the variance for separation from residential areas is requesting a reduction of 560'. The impound lot actually sits approximately 350' back of the right of way line so it is due to the code language that specifies the measurement is made from the property line on which the impound lot is located creates the larger reduction in separation. The other two (2) variances are internal to the site and are not substantial.

3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.

No the granting of the variances will not alter the essential character of the neighborhood nor would any of the adjoining properties suffer a substantial detriment due to the granting of the variances. The vehicle impound lot has been operating at the site for some time now and has not caused any problems in the neighborhood.

4. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse service).

No there would be no impact on the delivery of governmental services with the granting of the variances.

5. Whether the property owner purchased the property with knowledge of the zoning restriction.

No the applicant leases the site and started the operation of the impound lot without the knowledge of the zoning restrictions and only found out when cited by Code Enforcement with the lack of a special permit for the operation and a license.

6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.

No the only way to continue the applicants use of the subject property is the granting of the three (3) variances or the operation must move from this location, especially the separation requirement under the code can not be obviated by any other means than granting the variance.

7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

The granting of the three (3) variances would observe the spirit and intent of the zoning requirement and allow substantial justice be done as the impound lot has been operating at the site since 2018, without causing any issues in the neighborhood.

hounddogs-variance (nct)
4/14/21 S:Docs

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STATEMENT IN SUPPORT OF SPECIAL PERMIT REQUEST

3307.06 Special Permits.

The board of zoning adjustment shall have the power:

- A. To grant special permits for uses listed in Chapter 3389 where it is shown that the special use can be granted without substantial detriment to the public good, without substantial impairment of the general purpose and intent of the zoning district in which the use is proposed to be located, and without significant incompatibility with the general character of the neighborhood.
- B. To grant special permits for the relocation or expansion of nonconforming uses, where it can be shown that the relocation or expansion of the nonconforming use can be granted without substantial impairment of the general purpose and intent of the underlying zoning district, and without significant incompatibility with the general character of the neighborhood. No expansion of a nonconforming use shall exceed 50 percent of the total floor area the original nonconforming use occupied.
- C. To impose such requirements and conditions regarding the location, character, and other features of the proposed uses or structures as the board deems necessary to carry out the intent and purpose of the Zoning Code and to otherwise safeguard the public safety and welfare.
- D. Upon application by the city attorney, to revoke any special permit whose condition has been violated after notice and opportunity to conform have been given.
- E. To grant special permits for the relocation or expansion of nonconforming uses, where it can be shown that the relocation or expansion of the nonconforming use can be granted without substantial impairment of the general purpose and intent of the underlying zoning district, and without significant incompatibility with the general character of the neighborhood. No expansion of a nonconforming use shall exceed 50 percent of the total floor area the original nonconforming use occupied.

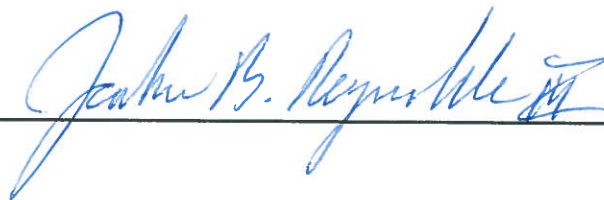
List all sections of Code relevant to your Special Permit request and explain your reasoning as to why this request should be granted.

PLEASE NOTE: It is the applicant's responsibility to identify the Special Permit required for the project. If the necessary Special Permit is not requested, a new application (and applicable fees) will be required.

I have read the foregoing and believe my application for relief from the requirements of the Zoning Code meets the requirements of Section 3307.06 in the following ways (use separate page if needed or desired):

See attached statement.

Signature of Applicant

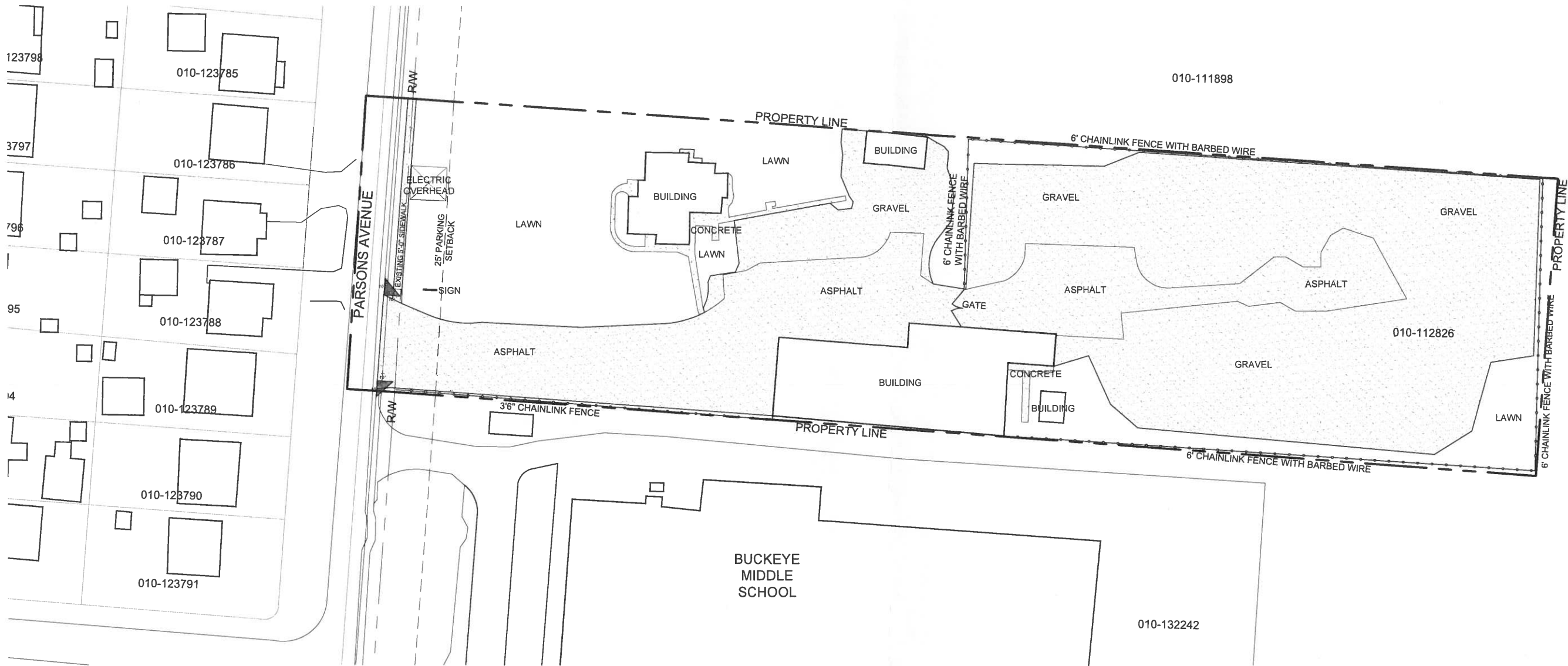


Date

4/13/21

Special Permit Request
2918 Parsons Avenue

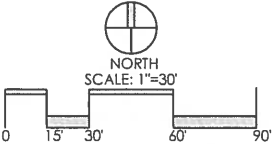
A special permit is being requested to allow a vehicle impound lot for Hounddog Towing at 2918 Parsons Avenue under CCC 3389.07. The impound area sits approximately 350' behind the right of way line of Parsons Avenue and will comply with the 6' high fencing – non transparent requirement found in CCC 3392.10. Specifically CCC 3392 details all the items applicable to the operation of impound lots under the City Code. The applicant is seeking to secure the special permit to allow the continued operation of its facility at this location. The applicant will adhere to all the requirement found in CCC 3392 and 3363 except for three (3) items for which variances have been requested. Under CCC 3363.41 there is a request to allow storage of the impounded vehicles up to the property line. Under CCC 3392.10(g) there is a request to allow gravel drive aisles and parking areas as the site is partially paved but some areas are not paved but graveled. Finally a variance is being requested under 3392.21 and 3363.27(2) to allow the impound lot within 40' of the residentially zoned property on the west side of Parsons Avenue. The continued use of the site as an impound lot will not create a negative impact on the surrounding properties and represents an appropriate use of the existing property and therefore the applicant seeks the granting of the special permit for the site.



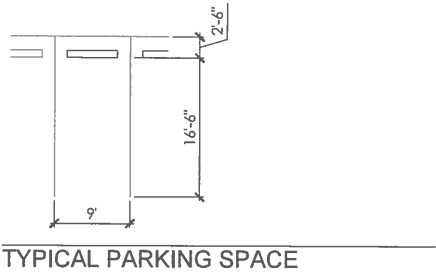
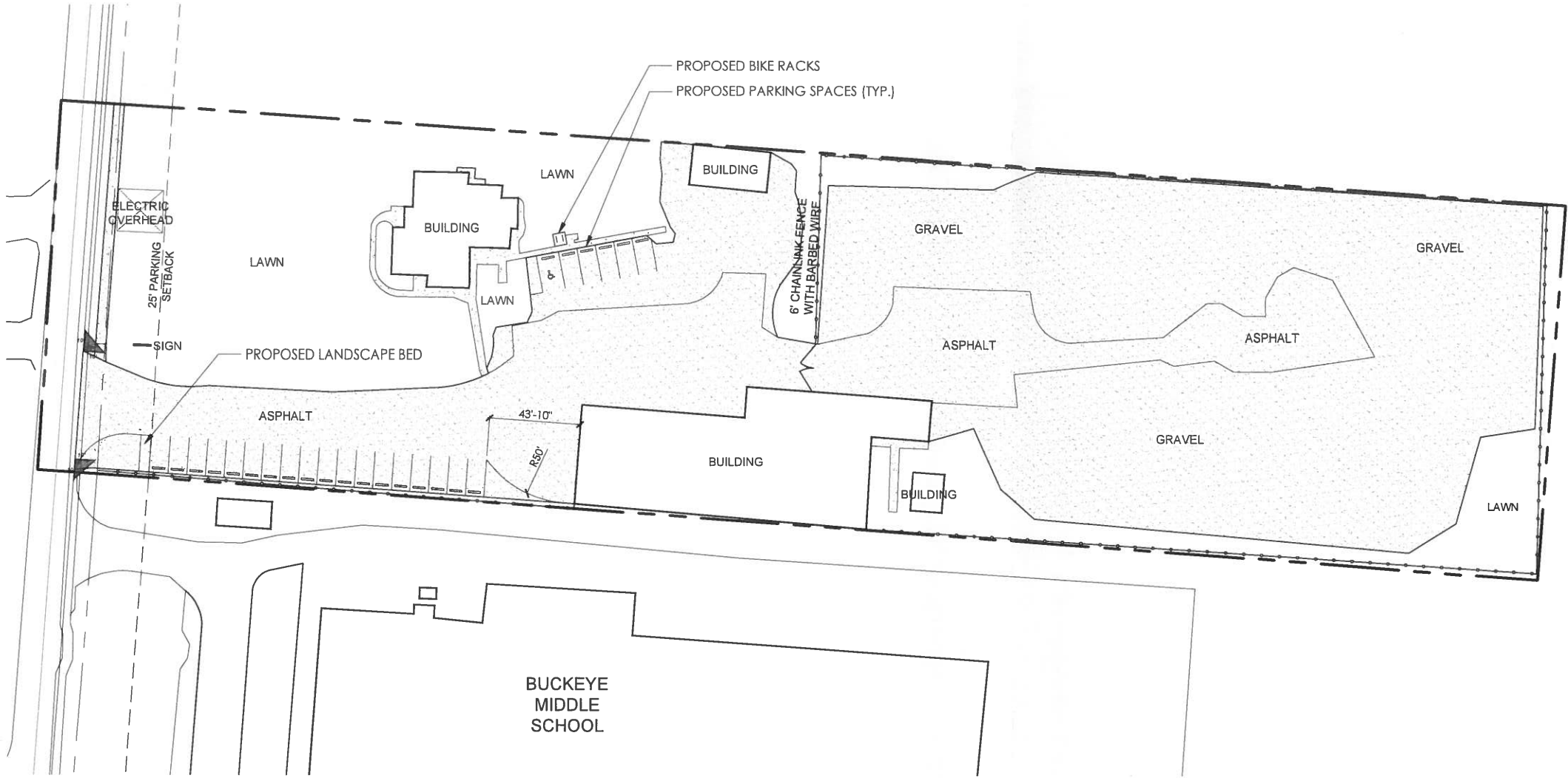
EXISTING CONDITIONS

2918 PARSONS AVENUE

PREPARED FOR HOUND DOG TOWING
DATE: 4-13-21



Faris Planning & Design
LAND PLANNING LANDSCAPE ARCHITECTURE
243 N. 5th Street Suite 401 Columbus, OH 43215
p (614) 487-1964 www.farisplanninganddesign.com



GENERAL NOTES:
1. SITE MEASUREMENTS FOR ZONING PURPOSES,
NOT FOR CONSTRUCTION

PARKING REQUIREMENTS		
CODE	REQUIREMENT	PROPOSED
3312.49 MINIMUM NUMBER OF SPACES REQUIRED (SPACES TO BE CALCULATED SEPARATELY, PER 3312.47)		
RESIDENTIAL USES: 1, 2, OR 3 DWELLING UNITS - (2 SPACES PER UNIT MINIMUM)	6 SPACES (3 UNITS)	6 SPACES
OFFICE: GENERAL OFFICE MIN. 1 SPACE PER 450 S.F., MAX. 1 SPACE PER 250 S.F.; BICYCLE PARKING REQUIRED	1,200 S.F./450 = MIN. 2.66 SPACES 1,200 S.F./250 = MAX. 4.8 SPACES BICYCLE PARKING REQUIRED	3 SPACES, BICYCLE PARKING*
AUTOMOBILE: AUTO REPAIR 2 SPACES PER SERVICE BAY; BICYCLE PARKING REQUIRED	2 SERVICE BAYS * 2 = 4 SPACES BICYCLE PARKING REQUIRED	4 SPACES, BICYCLE PARKING*
INDUSTRIAL: MANUFACTURING 1 PER LOCATION-BASED VEHICLE; 1 PER 750 S.F. UP TO 20,000 S.F.	0 LOCATION-BASED VEHICLES; 7,946 S.F./750 = 10.59 SPACES	11 SPACES (7,946 S.F./750 = 10.59 SPACES)
TOTAL:	24 SPACES, 3 BICYCLE PARKING SPACES	24 SPACES, 4 BICYCLE PARKING SPACES*

*TWO BICYCLE PARKING SPACES REQUIRED FOR UP TO 20 TOTAL REQUIRED PARKING SPACES;
ONE ADDITIONAL BICYCLE PARKING SPACE REQUIRED FOR EVERY ADDITIONAL 20 SPACES OR FRACTION THEREOF.
SEE COLUMBUS MUNICIPAL CODE (3312.49) FOR REQUIRED BICYCLE PARKING STANDARDS.

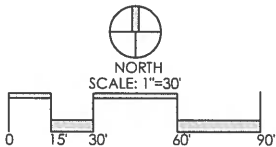
MANUFACTURER: TREETOPPRODUCTS.COM
MODEL: PARK-IT-2-BIKE RACKS (SKU: TBR-15)
TYPICAL OF 2

1 BIKE RACK
N.T.S.

PROPOSED PARKING LAYOUT

2918 PARSONS AVENUE

PREPARED FOR HOUND DOG TOWING
DATE: 4-13-21



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PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application.

THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Jackson B. Reynolds, III
of (COMPLETE ADDRESS) 37 West Broad Street, Suite 460, Columbus, OH 43215
deposes and states that (he/she) is the APPLICANT, AGENT, OR DULY AUTHORIZED ATTORNEY FOR SAME and the following is
a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this
application and their mailing addresses:

NAME

COMPLETE MAILING ADDRESS

Claudia Realty LLC

1999 Arlington Avenue, Columbus, OH 43212

Hound Dog's Towing

2918 Parsons Avenue, Columbus, OH 43207

SIGNATURE OF AFFIANT

Jackson B. Reynolds III

Sworn to before me and signed in my presence this 7th day of April, in the year 2021

SIGNATURE OF NOTARY PUBLIC

Natalie C. Timmons

My Commission Expires 9/4/2025

Notary Seal Here



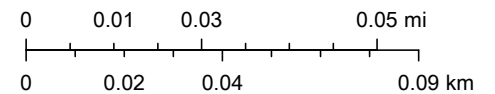
Natalie C. Timmons
Notary Public, State of Ohio
My Commission Expires 09-04-2025

BZA21-049: 2918 PARSONS AVE.



4/20/2021, 3:18:49 PM

1:2,257



City of Columbus GIS, Franklin County Auditor, Esri, HERE, Garmin,

City of Columbus
City of Columbus GIS | Esri, HERE, Garmin, FAO, USGS, EPA, NPS |

BZA21-049: 2918 PARSONS AVE.



4/20/2021, 3:19:48 PM

