

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: BZA24-173 Date Received: 12/18/24
Assigned Planner: Adam Trimmer Fee: \$2500
Contact Information: ADTrimmer@columbus.gov; 614-645-1469
Comments: January 2, 2025, Staff Meeting

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

- Variance Special Permit

Project Description:

Variance for open storage setbacks from 20' to 0' at property lines, from 30' to 0' along Performance Way ROW. Variance for gravel surface within 400' of R zoned parcel (adjacent cemetery is R zoned)

LOCATION Check here if listing additional parcel numbers on separate page

Certified Address: 2365 Performance Way / Refugee Rd S. City: Columbus Zip: 43207

Parcel Number(s): 010-270839 and 010-238254

Neighborhood Group: Far South Current Zoning: M

APPLICANT (If different from Owner):

Applicant Name: John Ingwersen Phone: 614-361-0447 Ext: _____

Address: 1050 Bryden Rd City/State: Columbus, OH Zip: 43205

Email Address: cgg.arch@gmail.com Fax Number: _____

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

Name: Lockbourne Properties LLC Phone: 614-207-2120 Ext: _____

Address: 2440 Lockbourne Rd City/State: Columbus, OH Zip: 43207

Email Address: MSkinner@SkinnerDiesel.com Fax Number: _____

AGENT (Check one if applicable) Attorney Agent Licensed Architect or Engineer Landscape Architect

Name: John Ingwersen Phone: 614-361-0447 Ext: _____

Address: 1050 Bryden Rd City/State: Columbus, OH Zip: 43205

Email Address: cgg.arch@gmail.com Fax Number: _____

SIGNATURES

APPLICANT SIGNATURE 

PROPERTY OWNER SIGNATURE _____

AGENT SIGNATURE _____

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STATEMENT IN SUPPORT OF VARIANCE(S)

3307.09 Variances by Board.

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.

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. Please answer in detail the following and check either Y or N.

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.

Yes No

The property is in use and has non-conforming issues with storage setback and gravel surfaces in the current storage area.

2. Whether the variance is substantial.

Yes No

The proposed variances would permit what has been an ongoing and benign use of the property.

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.

Yes No

The site is on a cul-de-sac bordered on the north by SR 104 and all properties along it are M zoned uses. The neighbor behind and to the west is a heavy equipment dealer with large outdoor displays of heavy construction equipment. The character of the neighborhood would not be altered.

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

Yes No

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

Yes No

Owner purchased the property as an existing use from a receivership - without specific knowledge of a zoning code violation. Property was originally rezoned to LM in 1991.

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

Yes No

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

Yes No

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.

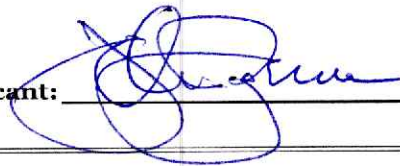
C. Nothing in this section shall be construed as authorizing the Board to affect changes in the Zoning Map or to add to the uses permitted in any district.

I have read the foregoing and believe my application for relief from the requirements of the Zoning Code demonstrates practical difficulty as contemplated by C.C. 3307.09(A), in the following ways (use separate page if needed or desired):

3363.41 - Outdoor open storage reduction of setback from 20' to 0' at interior property lines and from 30' to 0' along the Performance Way ROW. These setback reductions will not impact the public nor obviate the intention of the code and will allow the existing non conforming use to continue.

3312.43 - Improved surface: Gravel is permitted on certain M zoned surfaces not within 400' of residentially zoned properties. The east boundary of the site is within 400' of an R zoned cemetery. The border strip and developed portions of the site nearest the cemetery are buffered and were planted with pine trees 30' on center per the 1991 re-zoning. The existing gravel surfaced equipment storage yard nor its operation impinge upon the restive environment of the neighboring cemetery. The site has been in its current use by an excavation contractor and used as offices and a contractors yard. Open storage of construction equipment has been ongoing and behind fencing without the required 20' setback along the perimeter property lines and 30' along the right of way. The perimeter storage is not visually objectionable and allows the heavy equipment additional maneuvering area.

Signature of Applicant: _____



Date: 12.13.24

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.

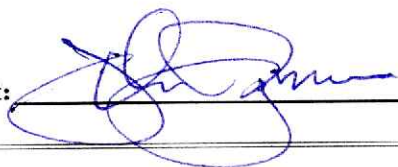
List all sections of Code relevant to your Special Permit request and explain your reasoning as to why this request should be granted.

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 meets the criteria of C.C. 3307.06 in the following ways (use separate page if needed or desired):

The site has been in its current use by an excavation contractor and used as offices and a contractors yard. Open storage of construction equipment has been ongoing and behind fencing without the required 20' setback along the perimeter property lines and 30' along the right of way. The perimeter storage is not visually objectionable and allows the heavy equipment additional maneuvering area for its deployment. Additionally, the east border of the site is within 400' of an R zoned cemetery and requires a variance to allow the existing gravel surfaced lot. The border is a contoured strip of grass 

Signature of Applicant: _____



Date: 12.13.24

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AFFIDAVIT

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME John Ingwersen
of (1) MAILING ADDRESS 1050 Bryden Rd Columbus, OH 43205

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 2365 Performance Way / Refugee Rd S. Columbus, OH 43207
for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services

SUBJECT PROPERTY OWNER'S NAME AND MAILING ADDRESS (3) Lockbourne Properties LLC
2440 Lockbourne Rd
Columbus, OH 43207

APPLICANT'S NAME AND PHONE # (same as listed on front application) John Ingwersen
614-361-0447

NEIGHBORHOOD GROUP ZONING CHAIR OR CONTACT PERSON AND EMAIL ADDRESS (4) Far South Area Commission
Michael Walker
mwalkersr@yahoo.com

and that the attached document (5) 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 [Signature]

Sworn to before me and signed in my presence this 16 day of December, in the year 2024

SIGNATURE OF NOTARY PUBLIC Andrea M Giese My Commission Expires June 9, 2025



This Affidavit expires six (6) months after date of notarization.

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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) John Ingwersen

of (COMPLETE ADDRESS) 1050 Bryden Rd Columbus, OH 43205

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:

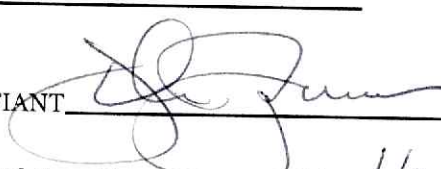
NAME

COMPLETE MAILING ADDRESS

Lockbourne Properties LLC

2440 Lockbourne Rd Columbus, OH 43207

SIGNATURE OF AFFIANT



Sworn to before me and signed in my presence this 16 day of December, in the 2024

Andrea M. Tinsley
SIGNATURE OF NOTARY PUBLIC

June 9, 2024
My Commission Expires



This Project Disclosure Statement expires six (6) months after date of notarization.

FIRE HYDRANT FLOW TEST DATA

FLOW TEST ID: 294
 PERFORMED 06-24-2015
 FLOW HYDRANT: 100' OF ALUMI CREEK DR ON PERFORMANCE WAY
 PRESSURE HYDRANT: 100' OF ALUMI CREEK DR ON PERFORMANCE WAY
 PRESSURE HYDRANT ID: 0065002
 STATIC PRESSURE: 75 PSI
 RESIDUAL PRESSURE: 67 PSI
 FLOW: 35 GPM
 FLOW @ 20 PSI: 35000 GPM
 WATER DISTRICT: PARSONS

1) KNOX BOX NOTE

KNOX KEY ENTRY SYSTEM REQUIRED FOR SECURE TENANT SPACE.
 KNOX EX-3200 SERIES TO BE INSTALLED AT THE MAIN GATE OF THE FACILITY.

RADIO COVERAGE

EMERGENCY RESPONDER RADIO COVERAGE IN BUILDINGS. ALL BUILDINGS SHALL HAVE APPROVED RADIO COVERAGE FOR EMERGENCY RESPONDERS WITHIN THE BUILDING BASED UPON THE EXISTING COVERAGE LEVELS OF THE PUBLIC SAFETY COMMUNICATION SYSTEMS OF THE JURISDICTION AT THE EXTERIOR OF THE BUILDING.

(THE TEST IS DONE BY A 3RD PARTY AND RESULTS ARE SUBMITTED TO FD PLAN REVIEW OFFICER VIA THE FOLLOWING EMAIL: CTR@DES-ENGINEERING.COM)

PERFORMANCE WAY VARIABLE R/W

LOCKBOURNE PROPERTIES LLC
 PID # 010-270839
 2.013 AC.

LOCKBOURNE PROPERTIES LLC
 PID # 010-238254
 1.47 AC.

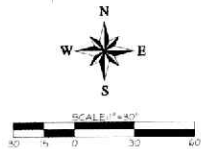
PARKING REQUIREMENTS
 REQUIRED: 10,000 MAINTENANCE SHOP
 6,750 S.F. FOR 15' 20,000-16 S.P.A.
 PROVIDED: 16 W/W 1 HANDICAP TOTAL 17 S.P.A.

SITE USE/PROJECT SCOPE

THE EXISTING SITE IS CURRENTLY LEASED BY STOVEY EXCAVATING. THE BUILDING IS USED AS AN OFFICE AND A MAINTENANCE SHOP FOR HEAVY EQUIPMENT AND THE SURROUNDING PROPERTY A CONTRACTOR'S YARD FOR STORAGE OF ANY AND ALL ELEMENTS RELATED TO THE OPERATION OF THE BUSINESS INCLUDING EARTH MOVING VEHICLES, PIPE, REPLACEMENT TRENCH FOR BULLDOZERS, BEDS FOR DRUM MIXERS, LARGE TIRES FOR EARTH MOVING FUEL TANKS AND BUSINESS VEHICLES VISITING YARD. STORAGE IS ALL THROUGHOUT THE LIMITS OF THE EXISTING FENCING WHICH HAS A SECURE GATE. THE REAR AT THE REAR OF THE SITE IS FOR THE PURPOSE OF MAINTENANCE OF THE HEAVY EQUIPMENT.

ENGINEER:
 DES ENGINEERING, LLC
 1717 CHILAND ROAD
 HANNA, OHIO 43036
 DANIEL E. BATHIC
 PH: (614) 638-0071
 email: daniel@des-engineering.com

OWNER/DEVELOPER:
 LOCKBOURNE PROPERTIES LLC
 C/O MICHAEL SKINNER
 2440 REFUGEE ROAD S
 COLUMBUS, OHIO 43207
 PH: (614) _____
 email: _____@com



LOCATION MAP
 NO SCALE

SITE DATA TABLE

TOTAL SITE AREA: 3,493 AC.
 TOTAL DISTURBED AREA: 0 AC.
 IMPERVIOUS DISTURBED AREA: 0.00 S.F.
 PRE-DEVELOPED IMPERVIOUS: 35,306 S.F.
 UNDEVELOPED IMPERVIOUS: 96,339 S.F.
 DISTURBED AREA IN R/W: 0 S.F.

SITE DATA

ZONING	U1-186, 240-59, 4-4-199	STOVEY EXCAVATING
EXISTING USE	OFFICE/MAINTENANCE SHOP	STORAGE YARD
PROPOSED USE	STOVEY EXCAVATING	OFFICE/MAINTENANCE SHOP
PIED AREA	010-270839/2,013 AC/15	010-238254/1,47 AC/15
PARCEL AREA (S.F.)	171,714.49	111,714.49
LOT COVERAGE AREAS		
EX. BUILDINGS	12,000 S.F.	
BUILDING HEIGHT	25 FT.	
EX. PAVEMENT	23,388 S.F.	
EX. GRAVEL YARD	89,043 S.F.	
% LOT COVERAGE	0.35%	23.47 S.F.

RIGHT-OF-WAY LINE	
F - PROPERTY LINE	
SETBACKS	R/W E
STORAGE	30' 20'
BUILDING	30' 0'
PARKING	10' 0'

THE SITE WILL COMPLY WITH THE FOLLOWING SECTIONS OF THE COLUMBUS CITY CODE:
 SECT. 310.02 - LANDSCAPE & SCREENING
 SECT. 310.03 - ALTERNATIVE REQUIREMENTS
 SECT. 310.04 - STRIPING & MARKING
 SECT. 310.05 - ROAD SURFACE
 SECT. 310.06 - WHEEL STORAGE YARD
 SECT. 310.07 - VISION CLEARANCE
 SECT. 310.08 - LANDSCAPING
 SECT. 310.09 - SCREENING

SHEET INDEX

"FINAL" SITE COMPLIANCE PLAN 1 of 2
 SITE LITIGATION TEXT 2 of 2



Daniel E. Bathic
 ENGINEER
 04.10.2024
 DATE

SITE COMPLIANCE PLAN

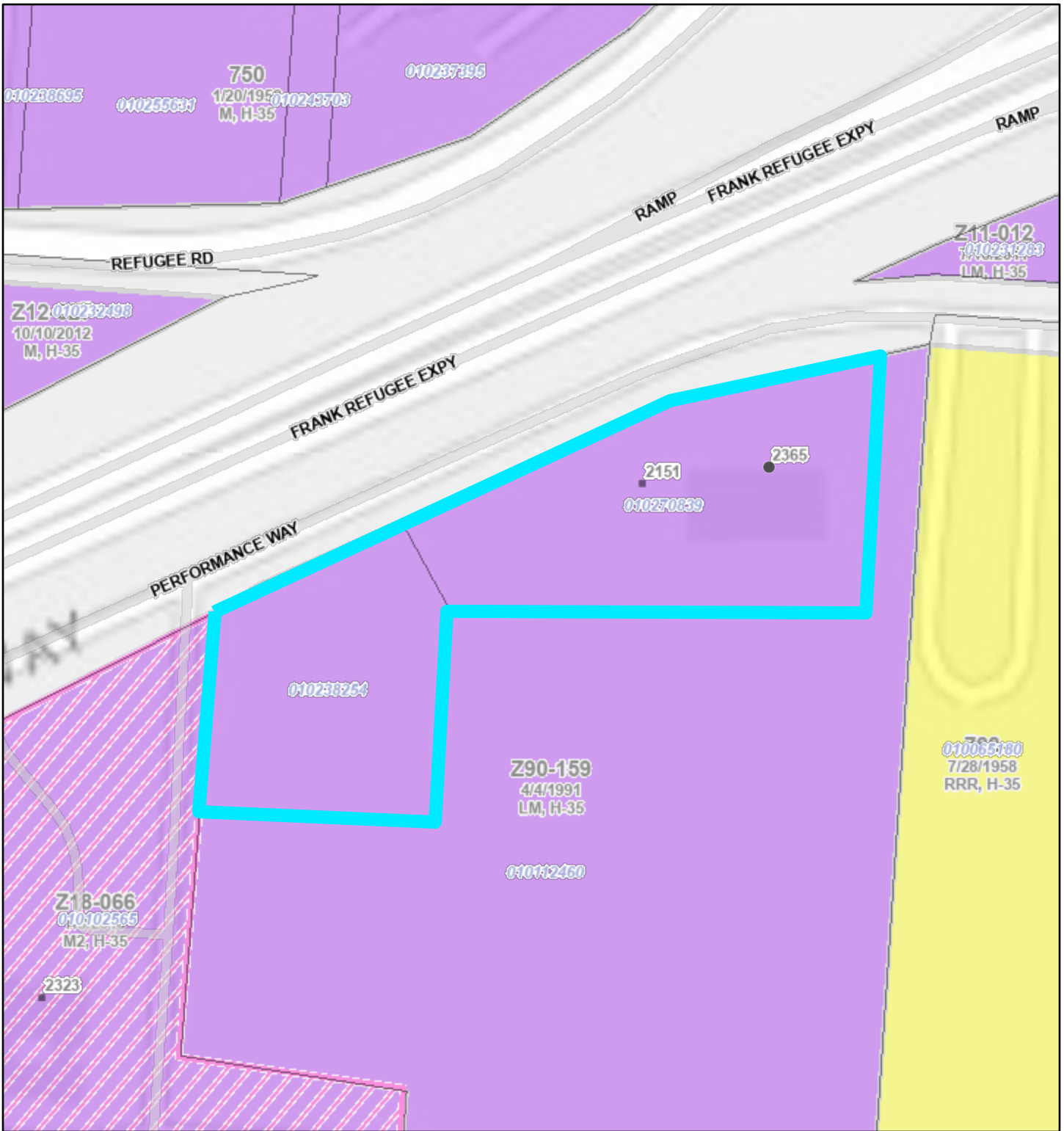
FOR REVIEW: 04-10-2024
 FINAL

NO DPS IMPROVEMENTS IN THE RIGHT-OF-WAY	NO DPS IMPROVEMENTS IN THE RIGHT-OF-WAY	OTHER ASSOCIATED PLANS
DRAWER #	STORM CC #	R/W PERMIT

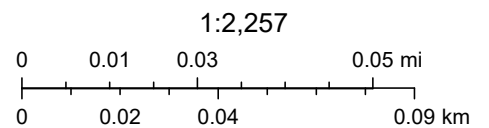
DES Engineering, LLC
 1717 Chiland Road
 Hanna, OH 43036
 (614) 638-0071

2365 PERFORMANCE WAY
LOCKBOURNE PROPERTIES LLC
 FINAL SITE COMPLIANCE PLAN
 COLUMBUS, OHIO 43207
 24345-

2365 PERFORMANCE WAY



12/18/2024, 11:22:32 AM

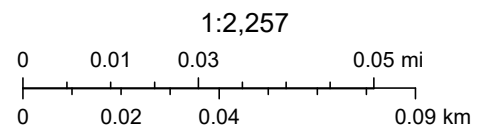


City of Columbus GIS, Franklin County Auditor, West Virginia GIS, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA

2365 PERFORMANCE WAY



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City of Columbus GIS