



Wellert Corporation
Engineers • Planners • Surveyors

Mr. Mike DeFazio
Zoning Inspector
6134 Green Rd.
Kingsville, OH 44048

February 28, 2020

Reference: **Proposed Circle K Re-Build**
5569 S.R. 193
Kingsville Twp., OH 44048

Dear Mr. DeFazio:

Circle K owns and operates a convenience store and fueling station at the above-referenced location. The property is comprised of a single parcel totaling 5.2259 acres. The zoning classification of the property is AC – Accommodation Commercial. A gasoline service station is considered a special exception in this zoning district. In an effort to improve the aesthetics and function of the aged facility, Circle K desires to raze the existing structures and re-construct the facility to modern standards. The proposed development will require four (4) variances.

Please accept this letter, Application for Variance, \$250.00 check and enclosed documents as our formal submittal to the Board of Zoning Appeals. This submittal includes the following materials:

- Application for Variance
- \$250.00 check
- Attachment A – Variance Request & Justification (3 copies)
- Three sets of the following documents (11x17):
 - Variance Plan (V1.0)
 - Colorized Site Plan (CO1.0) (for reference)
 - Alta Survey (S1.0 – S1.2) (for reference)

We look forward to working with you and the Township of Kingsville toward the successful development of this property. If you have any questions, please call me.

Yours truly,

Robert W. Wellert, P.E.
V.P. Engineering

Cc: Savanna Van de Kamp-Peet (Circle K)

KINGSVILLE TOWNSHIP
APPLICATION FOR VARIANCE
Commercial

1. Name of Applicant: Circle K Great Lakes Region

Mailing Address: 935 E. Tallmadge Ave., Akron, OH 44310

Phone Number Home: _____ Business: (330) 630-6300

Location Address: 5569 S.R. 193, Kingsville Twp., OH 44048

2. Nature of Variance: See attached variance plan (Sheet V1.0)

A fee of \$250.00 is required to initiate this process. In addition, plans in triplicate and drawn to scale must accompany this application showing dimensions and shape of the lot, the size in square feet and location of existing buildings, the locations and dimensions of proposed buildings or alterations, and any natural or topographic peculiarities of the lot in question.

3. Justification of Variance: In order for a variance to be granted, the applicant must prove to the Board of Zoning Appeals that the following items are true: (Please attach these comments to a separate sheet)

- a. Special conditions exist peculiar to the land or building in question;
- b. That a literal interpretation of the ordinance (resolution) would deprive the applicant of rights enjoyed by other property owners.
- c. That the special conditions do not result from previous actions of the applicant; and
- d. That the requested variance is the minimum variance that will allow a reasonable use of the land or buildings.

I certify that the information contained in this application and its supplements is true and correct.

2/28/20

Date

Savanna VdK Peet

Applicant Signature



**Attachment A
Variance Request & Justification**

**Tax Parcel ID# 27-012-00-033-00
Kingsville Township
Ashtabula County, OH**

February 28, 2019

Circle K owns and operates a convenience store and gas station with truck fueling at 5569 S.R. 193. In an effort to improve the aesthetics and function of the aged facility, Circle K desires to raze the existing structures and reconstruct the facility to meet modern standards. The proposed reconstruction will include a 5200 SF convenience store with automobile and truck fuel sales. The fuel sales will consist of 5 multi-product dispensers (10 fueling positions) with overhead canopy for automobile fueling and 3 fueling lanes with overhead canopy for truck fueling.

The site is located on a 5.2259-acre parcel owned by Mac's Convenience Stores LLC (Circle K). The parcel is zoned AC Accommodation Commercial. The proposed use is permissible under current zoning regulations.

The proposed redevelopment of the Circle K facility will require four (4) variances. The variances are identified on a Variance Plan included with this application. The following information is provided in response to similarly numbered items on the Kingsville Township Application for Variance form. The application items are repeated in standard font. The responses are indicated in italic font.

3. Justification of Variance:

a) Special conditions exist peculiar to the land or building in question:

Variances 1&2 -Front yard building/parking setback (Section 810)

As shown on the site plan, the fueling canopy encroaches into the 80' front yard building setback and the drive aisle encroaches into the 15' front yard parking setback. Due to a previous property take by ODOT, along S.R. 193, the front right-of-way lane has been relocated to the west, reducing the available front yard depth.

Variance 3 – Outside storage (Section 908.1.b)

The code provides exceptions for several business types that typically provide some form of outdoor sales; however, automobile sales with convenience stores are not included in the exceptions despite providing ice, propane, windshield washer fluids, etc. which are generally stored outside. Circle K

desires to provide these common outdoor sales items as displays along the front of the building, as shown on the plans.

Variance 4 – Parking Space Requirements (1130.2.d & 1130.2.r)

Per code, 45 parking spaces are required as a result of the combined service station and retail use. As shown on plans, 34 total striped car and truck parking spaces have been provided, which Circle K has found is adequate for their business. Additionally, 13 temporary parking spaces at the fuel dispensers are available to customers. Therefore, a total of 47 spaces are provided.

- b) That a literal interpretation of the ordinance (resolution) would deprive the application of rights enjoyed by other property owners.

Variances 1&2 -Front yard building/parking setback (Section 810)

The proposed canopy and access aisle will be set back from the R/W farther than exists today. As shown on the plans, the existing canopy is set back approximately 2.32' from the right-of-way. The proposed canopy is to be set back 48.09', greatly increasing the distance from the right-of way. A drive aisle east of the canopy is necessary to provide the stacking required by section 1122.4 of the code. A literal interpretation of the code would force the canopy to be significantly distanced from the roadway, thereby decreasing visibility achieved by adjacent owners.

Variance 3 – Outside storage (Section 908.1.b)

The Travel Centers of America adjacent to the Circle K property currently displays ice, propane, and tires outside of their shop.

Variance 4 – Parking Space Requirements (1130.2.d & 1130.2.r)

We believe adequate parking is provided as described in Item a, variance 4. If additional parking is required, it would reduce greenspace and landscaping on the property.

- c) That the special conditions do not result from previous actions of the applicant

Variances 1&2 -Front yard building/parking setback (Section 810)

The redevelopment of the Circle K will improve the existing conditions.

Variance 3 – Outside storage (Section 908.1.b)

Outdoor storage of propane, ice, and other items is standard for convenience stores and fueling stations. No change to current operating standards has been made.

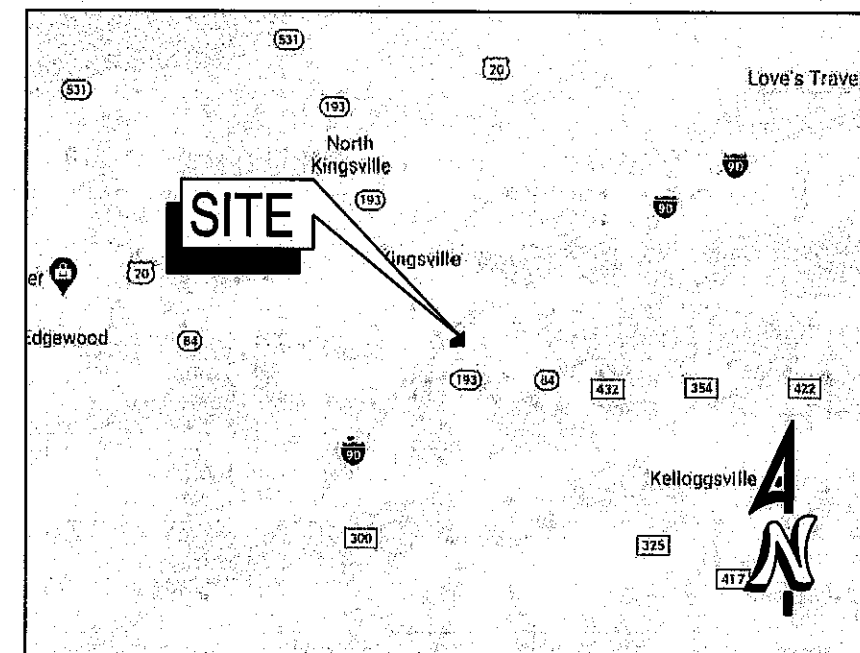
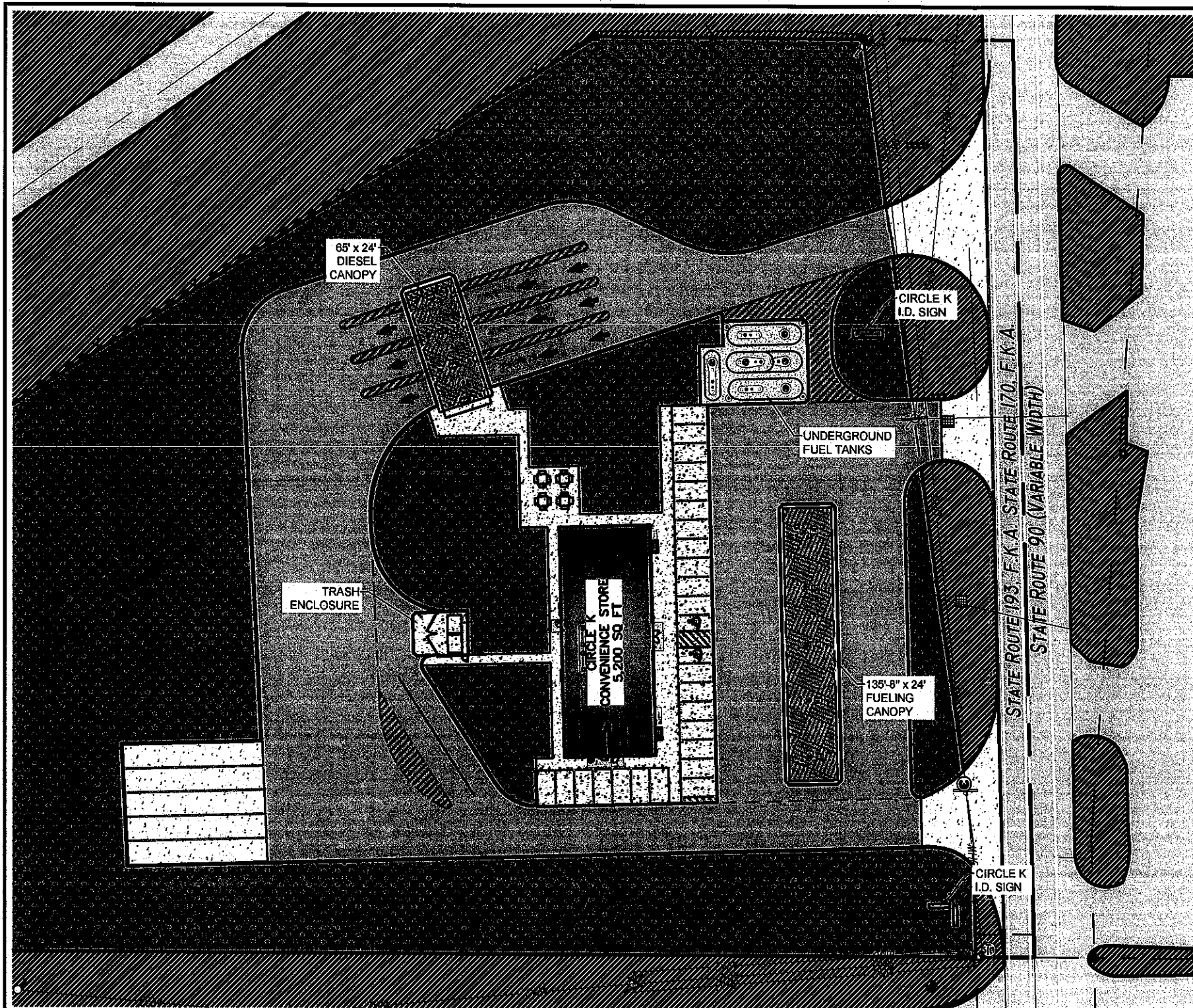
Variance 4 – Parking Space Requirements (1130.2.d & 1130.2.r)

The redevelopment of the Circle K provides for improvements in the layout and provides clearly defined parking areas which are not currently being provided on this lot.

- d) That the requested variance is the minimum variance that will allow a reasonable use of the land or buildings.

Variances 1-4

As previously noted, the redevelopment of the site will improve the existing conditions both functionally and aesthetically and will minimize paved surface areas.

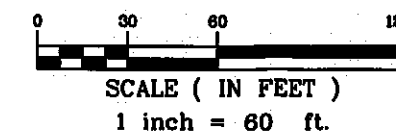




VICINITY MAP

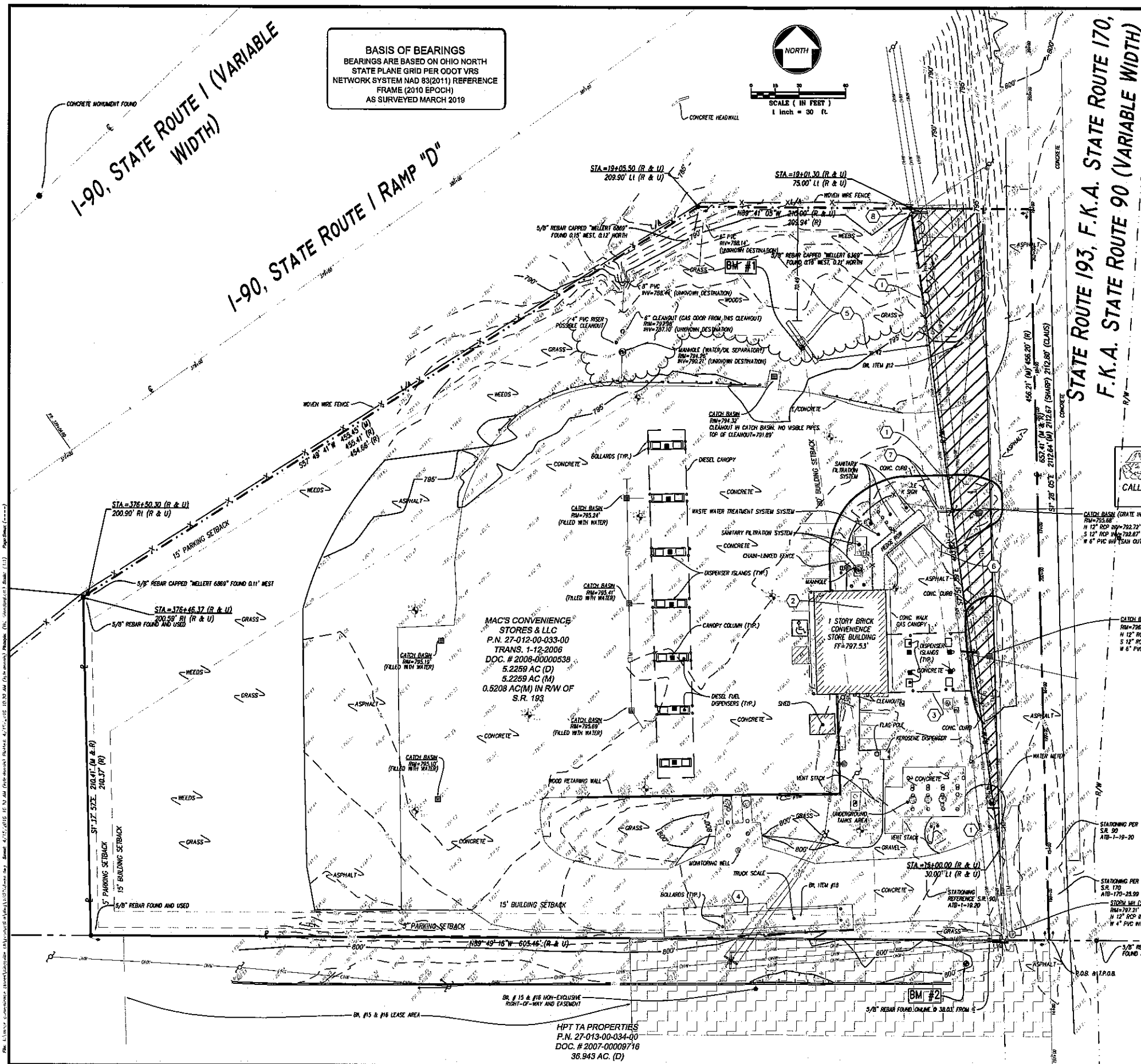
TOTAL PARKING SPACES
 25 @ 9.5'x18'
 2 HG @ 8'x18'
 5 TRUCK @ 12'x70'

PROPOSED:	
	CONCRETE PAVEMENT
	HEAVY DUTY CONCRETE
	CONCRETE WALKWAYS
	ASPHALT PAVEMENT
	LAWN/ LANDSCAPE
	BUILDING
	CANOPY

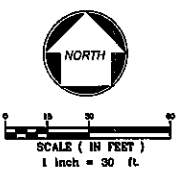
EXISTING:	
	ASPHALT PAVEMENT
	LAWN/ LANDSCAPE



SCALE: 1" = 60'	CONSULTANT:  Engineers • Planners • Surveyors Wellert Corporation 5136 Beach Road • Medina, Ohio 44256 t: 330.239.2699 • f: 330.239.0272	CLIENT:  CIRCLE K GREAT LAKES REGION 935 E. TALLMADGE AVE. AKRON, OH 44310	NO.	DATE	REVISION DESCRIPTION	PROJECT TITLE PROPOSED NEW CIRCLE K	SITE ADDRESS: 5569 S.R. 193 KINGSVILLE, OHIO 44048 ASHTABULA COUNTY	DRAWING TITLE: COLORIZED SITE PLAN		
DATE: 02/28/2020										
DESIGNED BY: bsw										
DRAWN BY: ZJD										
CHECKED BY: KJW										
FILE NAME:										
JOB NUMBER: 180603								SHEET NO: C01.0		



BASIS OF BEARINGS
BEARINGS ARE BASED ON OHIO NORTH
STATE PLANE GRID PER ODOT VRS
NETWORK SYSTEM NAD 83(2011) REFERENCE
FRAME (2010 EPOCH)
AS SURVEYED MARCH 2019



LEGEND	
WATER LINE	—
UNDERGROUND ELECTRIC	—
UNDERGROUND TELEPHONE	—
OVERHEAD LINE	—
SANITARY LINE	—
STORM LINE	—
GAS LINE	—
CABLE LINE	—
RAILROAD SPIKE FOUND AS NOTED	—
5/8" REBAR FOUND (NO CAP EXCEPT AS NOTED)	—
IRON PIPE FOUND AS NOTED	—
MONUMENT FOUND AS NOTED	—
MONUMENT BOX FOUND AS NOTED	—
PER FIELD MEASUREMENT	(M)
PER RECORD	(R)
FOUND	(F)
DEED	(D)
USED	(U)
OBSERVED	(O)
BENCHMARK	(B)
EXISTING SPOT ELEVATION	(E)
4" CLEAN OUT	(C)
6" CLEAN OUT	(C)
LIGHT POLE BASE	(L)
SINGLE BULB LIGHT POLE	(S)
TRAFFIC POLE	(T)
UTILITY/POWER POLE	(U)
ROAD/STREET SIGN	(R)
800'	—
INDEX CONTOUR	—
INTERMEDIATE CONTOUR	—
CATCH BASIN	—
CURB INLET	—
UNDERGROUND TANK LID	—
SANITARY MANHOLE	—
STORM MANHOLE	—
WATER MANHOLE/METER	—
GAS MANHOLE	—
TELEPHONE MANHOLE	—
COMBINED SEWER MANHOLE	—
ELECTRIC MANHOLE	—
CAR WASH MANHOLES	—
ELECTRIC METER	—
GAS METER	—
GAS CAP	—
WATER CAP	—
FIRE HYDRANT	—
TELEPHONE PEDESTAL	—
AIR CONDITIONING UNIT	—
TRAFFIC BOX	—
CABLE TV PEDESTAL	—
VACUUM	—
MONITORING WELL	—
TANK VENT RISER	—
SOIL BORING	—

**2 WORKING DAYS
BEFORE YOU DIG**
CALL TOLL FREE 800-362-2764
OHIO UTILITIES PROTECTION SERVICE

EASEMENT LEGEND	
DR #1 CHANNEL EASEMENT	—
DR #12 HIGHWAY EASEMENT	—
DR #15 & #16 RIGHT OF WAY EASEMENT	—

- ENCROACHMENTS**
- 1 APPARENT OVERHEAD WIRE ENCROACHMENT ONTO SUBJECT PROPERTY ALONG S.R. 193, OUTSIDE OF EASEMENT (RIGHT OF WAY)
 - 2 APPARENT BUILDING SETBACK ENCROACHMENT BY EXISTING CONVENIENCE STORE
 - 3 APPARENT BUILDING SETBACK ENCROACHMENT BY EXISTING GAS CANOPY ALONG RIGHT OF WAY S.R. 193
 - 4 APPARENT BUILDING SETBACK ENCROACHMENT BY EXISTING TRUCK SCALE NEAR SOUTH PROPERTY LINE
 - 5 APPARENT SIGN SETBACK ENCROACHMENT BY ±88' TALL EXISTING HIGH RISE SIGN NEAR NORTH EAST CORNER OF PROPERTY
 - 6 APPARENT PARKING SETBACK ENCROACHMENT ALONG S.R. 193 NORTH OF EXISTING CONVENIENCE STORE BUILDING
 - 7 APPARENT SIGN SETBACK ENCROACHMENT BY EXISTING CIRCLE K SIGN ALONG S.R. 193
 - 8 APPARENT UTILITY POLE ENCROACHMENT ONTO SUBJECT PROPERTY NEAR NORTHEAST CORNER OF SUBJECT PROPERTY, OUTSIDE OF EASEMENT

- BENCHMARKS**
- ELEVATIONS ARE PER ODOT VRS (CORS SYSTEM) NAVD 89
- BENCHMARKS:**
- BM #1** "X" CUT ON SOUTH ANCHOR BOLT OF HIGH RISE SIGN NEAR INTERSECTION OF S.R. 193 & I-90
ELEVATION = 796.18'
- BM #2** "X" CUT ON NORTHEAST ANCHOR BOLT OF LIGHT POLE BASE NEAR SOUTHEAST CORNER OF PROPERTY.
ELEVATION = 801.22'

KINGSVILLE TWP. LOT 17
KINGSVILLE TWP. LOT 18

SURVEY DATE:
SURVEY WAS PERFORMED MARCH 2019.

UTILITIES
UTILITIES ARE SHOWN PER RESULT OF FIELD SURVEY AND CUPS MARKINGS. NO RECORD RESEARCH WAS COMPLETED. ALL UTILITIES MAY NOT BE SHOWN. CONTRACTOR MUST CAREFULLY FIELD VERIFY UTILITY DETAILS IN WORK AREA PRIOR TO INITIATION OF CONSTRUCTION ACTIVITIES. UTILITIES SHOWN ADHERE TO ACSE 38-02 QUALITY LEVEL D UNLESS OTHERWISE NOTED.

CUPS REFERENCE NUMBER: B006500240-00B (MARKING)
B006500235-00B (DESIGN)

CIRCLE K

CIRCLE K
GREAT LAKE REGION
935 E. TALLMADGE AVE.
AKRON, OH 44310

W

Wellert Corporation
5136 Beach Road • Medina, Ohio 44256
t 330.239.2899 • f 330.239.0272

Engineers • Planners • Surveyors

STATE OF OHIO
JAMES D. WELBERT
7545
REGISTERED PROFESSIONAL SURVEYOR

PROPOSED RAZE & REBUILD

5569 STATE ROUTE 193
KINGSVILLE TOWNSHIP, OHIO
44048

SCALE: 1"=30'
DATE: 4/15/2019
DESIGNED BY: —
DRAWN BY: KRD
CHECKED BY: JOW
FILE NAME: 160308-SA.dwg
JOB NUMBER: 160308
DRAWING TITLE:

ALTA/NSPS LAND TITLE SURVEY

S1.2
(TOPOGRAPHIC SURVEY)