



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)
- \triangleright 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)

APPLICATION FOR VARIANCE Commercial

1.	Name of Applicant: Circle K Great Lakes Region			
	Maili	iling Address: 935 E. Tallmadge Ave., Akron, O	H 44310	
	Phone	one Number Home:Business	s: <u>(330) 630-6300</u>	
	Locat	eation Address: 5569 S.R. 193, Kingsville Twp., (DH 44048	
2.	2. Nature of Variance: See attached variance plan (Sheet V1.0)			
	Management			
	must a	e of \$250.00 is required to initiate this process. In addition, plans in accompany this application showing dimensions and shape of the tion of existing buildings, the locations and dimensions of proposed natural or topographic peculiarities of the lot in question.	lot, the size in square feet and	
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.	a. Special conditions exist peculiar to the land or build	ing in question;	
	b.	b. That a literal interpretation of the ordinance (resolu applicant of rights enjoyed by other property owner	tion) would deprive the s.	
	c.	c. That the special conditions do not result from previous applicant; and	us actions of the	
	d.	d. That the requested variance is the minimum variance reasonable use of the land or buildings.	e that will allow a	
I certify	y that t	t the information contained in this application and its supple	ments is true and correct.	
	2/28/	8/20 Savannall	& Reet	
	Dat			



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)

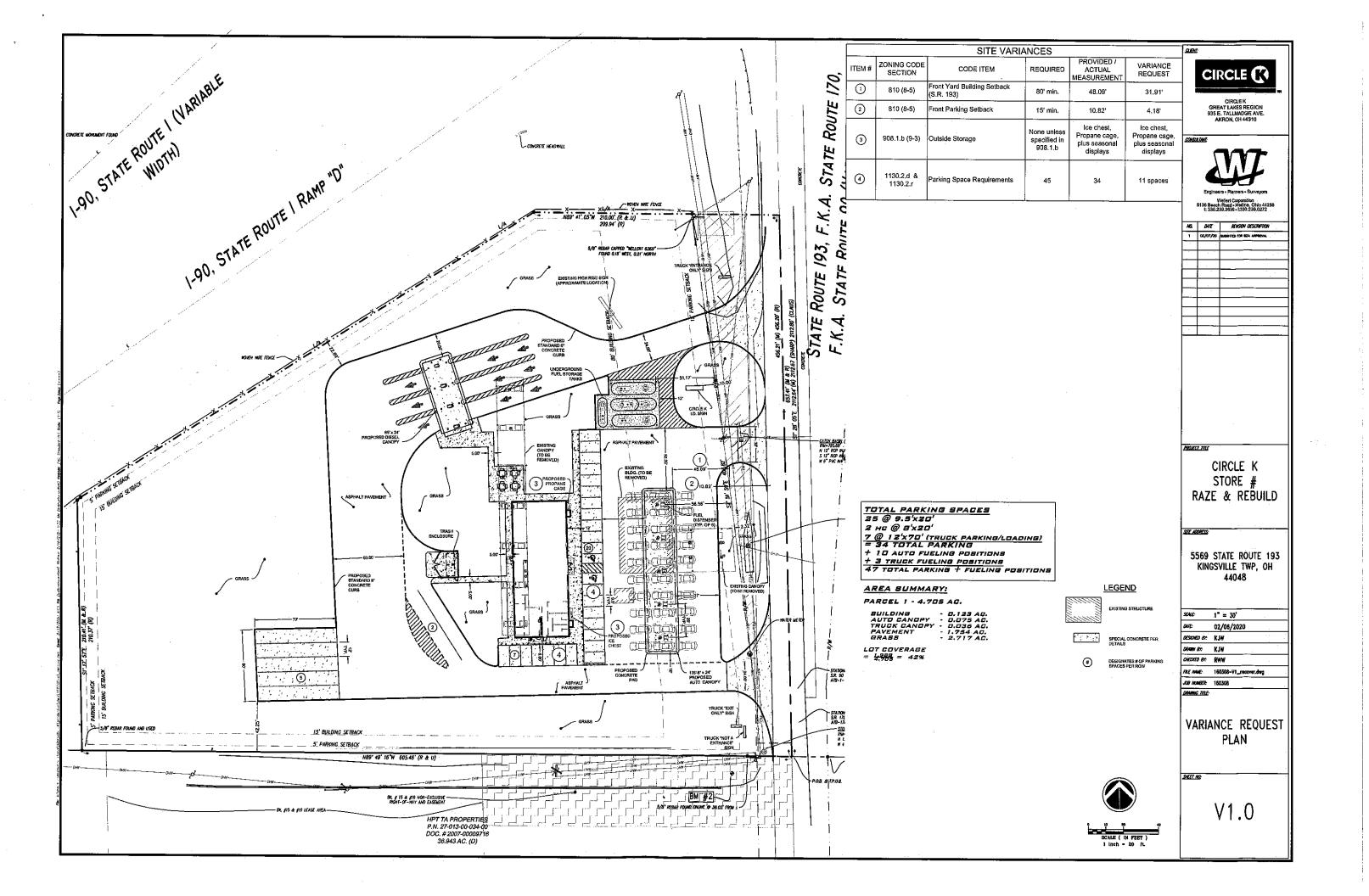
Outdoor storage of propane, ice, and other items is standard for convenience stores and fueling stations. No change to current operating standards has been made.

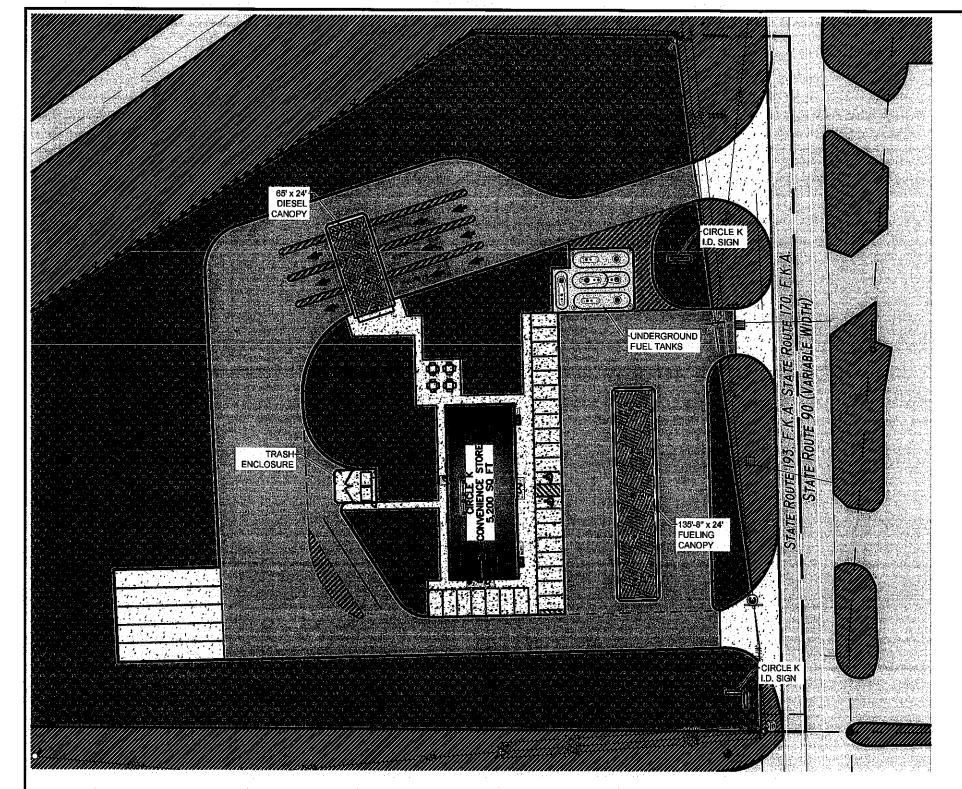
Variance 4 – Parking Space Requirements (1130.2.d & 1130.2.r)
The redevelopment of the Circle K provides for improvements in the layout and provides clearly defined parking areas which are not currently being provided on this lot.

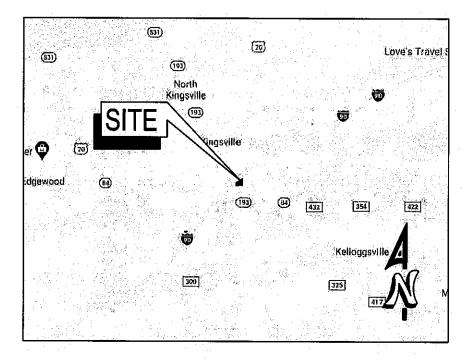
d) That the requested variance is the minimum variance that will allow a reasonable use of the land or buildings.

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.



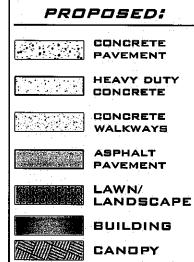




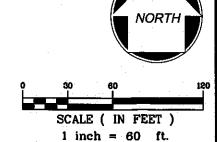
VICINITY MAP

TOTAL PARKING SPACES

25 @ 9.5'x18' 2 HC @ 8'x18 5 TRUCK @12'X70'







1" = 60'	
02/28/2020	* .
bsw	
ZJD	
KJW	
	02/28/2020 bsw ZJD

JOB NUMBER: 180603

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

		<u> </u>	
	-	PROPOSED	NEV
		CIDCLE	V
		CIRCLE	K

PROJECT TITLE

REVISION DESCRIPTION

NO.

SITE ADDRESS:

5569 S.R. 193 KINGASVILLE, OHIO 44048 ASHTABULA COUNTY

COLORIZED SITE PLAN

SHEET NO:

CO1.0

DESCRIPTION

THE FOLLOWING DESCRIPTIONS WAS WRITTEN FROM AND IS PART OF THE PARCELS DESCRIBED IN FIRST AMERICAN TITLE INSURANCE COMPANY FILE NUMBER NCS-850564-CLE DATED MARCH 15, 2019 AT 7-30 AM.

The Land referred to herein below is situated in the County of Ashtabula. State of Ohio, and is described as follows

A part of Lot #17, Range 2, Township 13 of the Connecticut Western Reserve located in Kingsville Township, Ashtebula County, Ohio, described as follows:

Beginning at a Mag nail monumenting the Southeast comer of Lot #17 in Kingsville Township, Ashtabula County, Ohio (being in the centerline of Ohio State Road #193 and 657.43 feet South of the centerline intersection of State Road #193 with State Road #491;

thence North 88 deg. 20' 30" West coincident with the line common to said Lot #17 and Lot #18 for a distance of 605.48 feet to a found 5/6" from oin:

thence North 00 deg. 10' 05" East, with the land of Penn Ohlo Plaze, Inc. (Deed Volume 700, Page 234) 210.37 feet to a found 5/8" capped from pin:

thence with the Southern right of way of Interstate Highway #90 the following three courses

- North 52 deg. 19'04" East, 4.00 feet to found 5/8" capped iron pin;
- North 59 deg. 18' 04" East, 455.41 feet to a found 5/8" capped iron pin; and South 88 deg. 11' 15" East, 209.94 feet to a Mag nail;

thence South 00 deg. 00' 00" West with the centerline of Ohlo State Road #193 for a distance of 458.20 feet to the point of beginning.

This tract contains 5.2259 acres, and it is intended to be the same as three parcels heretofore transferred to Ports Petroleum and commonly known as Fuel Mart #644 located at 5569 State Route #193, Kingsville, Ohio 44048.

REFERENCES

- DOCUMENTS AS LISTED ON THIS PLAT.
 CENTERLINE PLAT, DEPARTMENT OF HICHWAYS ATB 1 19,20, S.R. 1 ASHTABULA
 COUNTY, AS RECORDED IN P.B. 13, P.G. 359 OF ASHTABULA COUNTY RECORDER'S
- RECORDS DATED JANUARY 30, 1958 RIGHT OF WAY PLAN, DEPARTMENT OF HIGHWAYS ATB 1 19.20, S.R. 1 ASHTABULA
- RIGHT OF WAY PLAN, ATB 170 25.99 STA, 179+00 TO STA, 205+00, DATED SEPTEMBER
- 16, 1984 STATE OF OHIO DEPARTMENT OF HIGHWAYS, ATB 90 (15.21 24.17), ASHTABULA COUNTY, SHEFFIELD DEMMARK AND KINGSVILLE TWPS., DATED 1949 ALTAACSM LAND TITLE SURVEY FOR PORTS PETROLEUM PROJECT BY BOCK & CLARK

- CORPORATION AUGUST 5, 2005 SURVEY BY CHARLES E. SHARP TITLED "PARTITION LANDS OF CLEVELAND ELECTRIC ELLUMINATING CO." (P.N. 27-000-00-207-00) ON FILE A T THE ASHTABULA COUNTY
- **ENGINEER'S OFFICE**
- ENGREER'S OFFICE.
 SURVEY BY CHARLES E. SHARP TITLED "BOUNDARY SURVEY FOR RALPH HASKINS" (P.N. 27-012-00-029-00) ON FILE AT THE ASHTABULA COUNTY ENGINEER'S OFFICE.
 SURVEY BY ROGER W. CLAUS TITLED "SURVEY PLAT FOR BRUNER LAND CO., INC." (P.N. 27-013-00-029-00) ON FILE AT THE ASHTABULA COUNTY ENGINEER'S OFFICE.

ENCROACHMENTS

- 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.
- $\begin{tabular}{lll} \begin{tabular}{lll} \begin{$
- 5 APPARENT SIGN SETBACK ENCROACHMENT BY ±88' TALL EXISTING HIGH RISE SIGN NEAR NORTH EAST CORNER OF PROPERTY.
- 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

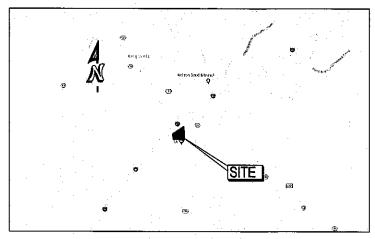
SCHEDULE B-2 ITEMS

FIRST AMERICAN TITLE INSURANCE COMPANY FILE NUMBER NCS-950564-CLE DATED MARCH 15, 2019 AT 7:30 AM.

ITEM	GRANTEE	DESCRIPTION	DOCUMENT	ENCUMBRANCE
10	STATE OF OHIO	HIGHWAY EASEMENT	VOL. 434, PG. 46	DOES NOT AFFECT SUBJECT PARCEL. NOT PLOTTED.
11	DEPT. OF HIGHWAYS, STATE OF OHIO	CHANNEL AGREEMENT	VOL. 434, PG. 61	PLOTTED. EASEMENT AREA IS WITHIN EXSITING RIGHT OF WAY OF S.R. 193
12	STATE OF OHIO	HIGHWAY EASEMENT	VOL. 566, PG. 27	EXISTING RIGHT OF WAY OF SR. 193. PLOTTED.
13	N/A	RESTRICTIONS	VOL 313, PG. 1933	VARIOUS RESERVATIONS, RESTRICTIONS AND CONDITIONS. SEE DOCUMENT FOR DETAILS. NOT PLOTTED
14	KINGSVILLE TRUCK STOP, INC (LESSEE)	LEASE	VOL. 71, PG. 295	LEASE. DOCUMENT ILLEGIBLE. NOT PLOTTED. SEE DOCUMENT FOR DETAILS
15	THE BAINBRIDGE CORPORATION (LESSEE)	LEASE AND RIGHT-OF-WAY EASEMENT	VOL. 61, PG. 589	LEASE AREA PLOTTED. RIGHT-OF-WAY EASEMENT PLOTTED. SEE DOCUMENT FOR DETAILS
16	THE BAINBRIDGE CORPORATION (LESSEE)	LEASE AND RIGHT-OF-WAY EASEMENT	VOL. 69, PG. 377	LEASE AREA PLOTTED. RIGHT-OF-WAY EASEMENT PLOTTED. SEE DOCUMENT FOR DETAILS
17	MAC'S CONVENIENCE STORES LLC	LEASE	VOL. 233, PG. 332	UNABLE TO PLOT. VOL. 607, PG. 511 OF ASHTABULA COUNTY RECORDS REQUIRED TO LOCATE PLACE OF COMMENCEMENT. APPEARS TO DESCRIBE THE CIRCLE K PARCEL NORTH 1-90. SEE DOCUMENT FOR DETAILS
18	N/A	BOCK & CLARK SURVEY		SCALE AREA PLOTTED.

ALTA/NSPS LAND TITLE SURVEY

5569 STATE ROUTE 193 KINGSVILLE TOWNSHIP. OHIO 44048-7715 ASHTABULA COUNTY



VICINITY MAP

ALTA/NSPS LAND TITLE SURVEY SHEET LIST TABLE		
SHEET NUMBER	SHEET TITLE	
S1,0	TITLE SHEET	
\$1.1	PLANIMETRIC MAP	
S1.2	TOPOGRAPHIC SURVEY	

LEGEND 日告 CATCH BASIN ±∓. CURB INLET O O UNDERGROUND TANK LI WATER MANHOLE/ME MONUMENT FOUND AS NOTED GAS MANHOLE MONUMENT BOX FOUND AS NOTED TELEPHONE MANHOLE R/W RIGHT OF WAY (M) PER FIELD MEASUREMENT ELECTRIC MANHOLE PER RECORD ELECTRIC METER DEED (Fi) GAS METER GAS CAP WATER CAP Ô FIRE HYDRAN TELEPHONE PEDESTA AR CONDITIONING UNI SINGLE BUL R LIGHT POLI CABLE/TV PEDESTA TRAFFIC POLE .@ VACUUM MONITORING WELL YARD LIGHT TANK VENT RISE ROAD/STREET SIGN SOIL BORING 800' INDEX CONTOUR > ~ m

NOTES

SURVEY DATE :

UTILITIES

UTILITIES ARE SHOWN PER RESULT OF FIELD SURVEY AND OUPS 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 ADDIERE TO ASCG 38-02 QUALITY LEVEL ON LESS OTHERWISE NOTES.

OUPS REFERENCE NUMBER: 8908500240-00B (MARKING) 8906500235-00B (DESIGN)

FLOOD ZONE
THE SITE IS LOCATED IN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANGE FLOODPLAIN. DEFINED BY FLOOD

ZONING REQUIREMENTS ARE AS FOLLOWS:

THE PARCEL BEING SURVEYED IS IN ZONING DISTRICT (AC) ACCOMMODATION COMMERCIAL

BUILDING SETBACKS:

Minimum Side Yard: 15

Minimum Rear Yard: 16

Minimum Front Suliding Setback: 80'

PARKING SETBACKS:

Minimum 15' from road right-of-way line

Minimum 5' from any lot line.

SIGN SETBACKS:

On-Premise Signs

Signs 50 feet or more in height must be set back from all property lines and right-of-ways a distance at least equal to the height of the sign

10 feet from the established right-of-way line.

UTILITY CONTACTS

AQUA OHIO 235 STATE STREET STRUTHERS, OHIO 44471 (330) 755-7914

SANITARY SEWERS: ASHTABULA COUNTY DEPT. OF ENVIRONMENTAL SERVICES 36 WEST WALNUT STREET JEFFERSON, OHIO 44047 (440) 576-3722

TELEPHONE:

STORM SEWERS: ASHTABULA COUNTY ENGINEER'S OFFICE 186 EAST SATIN STREET (440) 576-2816 KINGSVILLE TOWNSHIP STORM

DOMINION ENERGY OHIO 320 SPRINGSIDE DRIVE, SUITE 320 AKRON, OHIO 44333 330-644-2409

EASEMENT LEGEND



BIL INCHWAY EASONEN!

SE, \$15 & \$16 RIGHT OF WAY

BENCHMARKS

ELEVATIONS ARE PER ODOT VRS (CORS SYSTEM) NAVO 88

BENCHMARKS:

"X" CUT ON SOUTH ANCHOR BOLT OF HIGH RISE SIGN NEAR INTERSECTION OF S.R. 193 & I-90 ELEVATION = 796.18'

"X" CUT ON NORTHEAST ANCHOR BOLT OF LIGHT POLE BASE NEAR SOUTHEAST CORNER OF PROPERTY. ELEVATION=801.22"

ALTA/NSPS CERTIFICATION

TO MAC'S CONVENIENCE STORES LLC, AND FIDELITY NATIONAL TITLE INSURANCE

ELECTRIC:

PLANNING:

ZONING:

BASIS OF BEARINGS REARINGS ARE BASED ON OHIO NORTH

NETWORK SYSTEM NAD 83(2011) REFERENC

AS SURVEYED MARCH 2019

CELILLUMINATING CO.

ASHTABULA CO, PLANNING DEPT. 25 WEST JEFFERSON STREET JEFFERSON, OHIO 44047 (440) 576-1530

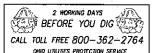
KINGSVILLE TOWNSHIP ZONING DEPT. 6134 GREEN RO.

THIS IS TO CERTIFY THAT THIS MAP OF PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTANSPS LAND THIS SURVEYS, JOINTLY ADOPTED BY ALTA AND INSPS, AND INCLUDES ITEMS TABLE A 1-8-76 (1),9,9,11,31,8, and 17. OF TABLE A THEREOF, THE FILELDWORK WAS COMPLETED MARCH 2019.

DATE OF PLAT: 4/15/2019

Note to the client, insurer, and lender - With regard to Table A, item 11, source

ALTA/NSPS TABLE A ITEM 11 NOTE



Note to the client, Insurer, and lender: "With regard to Table A, item 11, source information from plans and markings will be combined with observed evidence of utilities pursuant to Section 5 E.iv. to develop a view of the underground utilities. However, tacking excavation, the exact location of underground features cannot be accurately, completely, and reliably deploted. In addition, in some jurisdictions, 811 or other similar utility locate requests from surveyors may be ignored or result in an incomplete response, in which case the surveyor shall note an the plat or map how this affected the surveyor's assessment of the location of the utilities. Where additional or more detailed information is required, the client is advised that excavation and/or a private utility locate request may be necessary.

CIRCLE (

CIRCLE K GREAT LAKE REGION 935 E. TALLMADGE AVE AKRON, OH 44130



MO	DATE	REVISION DESCRIPTION
		· .



PROJECT TITLE

PROPOSED RAZE & REBUILD

SITE ADDRESS

5569 STATE ROUTE 193 KINGSVILLE TOWNSHIP, OHIO 44048

N.T.S SCALE: 4/15/2019 DESIGNED BY: DRUM BY: KRD CHECKED BY: JINW FRE NUE: 160308-SA,dwg JOS ALMISER: 160308

DRING TILE

ALTA/NSPS LAND TITLE SURVEY

S1.0

(TITLE SHEET)

