



CITY OF LANCASTER
Engineer's Office

Truth Construction
531 Lincoln Ave
Lancaster, Ohio 43130

February 9, 2021

Re: Private Use of Public ROW Variance Application

Dear Property Owner

The City has conditionally approved your "Private Use of Public ROW Variance" Application.

The cost associated with the Private Use Variance shall be as follows:

Permit Review Fee (one time) - \$100.00

Annual Private ROW Use Fee (Based on 3,240 sq ft @ \$0.1741 sf annually)- \$564.08*

**Total amount to be pro-rated for 2020. Beginning in March 2021 and each year thereafter you will to be invoiced the full amount subject to change annually, based on the County tax assessed value of your attached parcel, see attached invoice for details.*

Respectfully,

Cecil Hanes
Lancaster Department of Engineering

Cc: Mitch Noland, City Engineer
Paul Martin, Service Safety Director
Stephanie Hall, Assistant Law Director

Example Property:

PID: 0536045400

Physical Address: 531 Lincoln Ave

Total Parcel Sq Ft: 7,941

Total Annual Tax (2020): \$1,382.34

Tax Cost per Sq Ft: $\$1,382.34 / 7,941 = \$ 0.1741$

Total Sq Ft of ROW for Private Use: 3,240

Total Annual ROW Use Cost: $3,240 \text{ Sq ft} \times \$ 0.1741 = \mathbf{\$564.08}$

James N. Bahnsen, Treasurer of Fairfield County

210 EAST MAIN STREET, RM 206
LANCASTER, OH 43130
PHONE (740) 652-7140

REAL PROPERTY
1ST HALF 2020
Due 2/18/2021

PARCEL LOCATION: 531 LINCOLN AVE		PARCEL ID: 0536045400	
TRUTH CONSTRUCTION LLC 380 W COLUMBUS ST PICKERINGTON OH 43147		TAX DISTRICT: 053 - LANC CORP-LCSD OWNER NAME: TRUTH CONSTRUCTION LLC STUB: 5051442 LEGAL: PIONEER ADD / LOT 710 711	
Gross Tax Rate	91.600000	Acres	0.0000
Reduction Factor	0.421038	Class	C
Effective Tax Rate	53.032943	Land Use Code	454
TAX VALUES		CURRENT TAX DISTRIBUTION	
Gross Taxes	\$2,192.92	Fairfield County	\$292.00
Reduction Factor	(\$923.30)	Lancaster Csd	\$802.85
Subtotal	\$1,269.62	Lancaster-City Lcsd	\$153.22
Non-business Credit	\$0.00	F Co District Library	\$11.97
Owner Occupancy Credit	\$0.00	Fairfield Co Park District	\$9.58
Homestead Reduction	\$0.00		
CAUV Recoupment	\$0.00		
Farm Rollback	\$0.00		
Curr FULL Taxes	\$1,269.62		
Curr FULL Assessments	\$112.72		
Curr FULL Taxes + Asmts	\$1,382.34	Special Assessment	\$112.72
Curr HALF Taxes	\$0.00		
Curr HALF Assessments	\$0.00		
Curr HALF Taxes + Asmts	\$691.17	Total	\$1,382.34
Penalties	\$0.00		
Interest	\$0.00		
Adjustments	\$0.00		
Delinquent General Taxes	\$0.00		
Delinquent Assessments	\$0.00		
Delinquent Adjustments	\$0.00		
Omitted Taxes	\$0.00		
		CREDIT CARD PAYMENTS	
		Online at http://www.co.fairfield.oh.us/treasurer .	
		Fairfield County does not collect/retain the fee charged.	
FULL YEAR TOTAL	\$1,382.34		
PAYMENTS	\$691.17		
OTHER CREDITS	\$0.00		
HALF YEAR DUE	\$0.00		
FULL YEAR DUE	\$691.17		
TaxBill prepared on:	2/9/2021	Return bottom portion with payment.	
		APPRAISED VALUE	
		Land	Improvement
		36,530	31,850
		Total 68,380	
		TAXABLE VALUE	
		Land	Improvement
		12,790	11,150
		Total 23,940	
		OTHER VALUES	
		Homestead	CAUV Value
			0
		TIF Value	0
		SPECIAL ASSESSMENT	
		Project:	Delq
		11002	0.00
			Curr
			112.72
		Total	\$0.00
			\$112.72
		TO AVOID A 10% PENALTY	
		PAY ON OR BEFORE	
		2/18/2021	
		If you need a stamped receipt, return entire bill with a self-addressed stamped envelope. No receipt will be returned unless requested.	
		YOUR RETURNED CHECK IS YOUR RECEIPT	

James N. Bahnsen, Treasurer of Fairfield County

210 EAST MAIN STREET, RM 206
LANCASTER, OH 43130
PHONE (740) 652-7140

REAL PROPERTY
1ST HALF 2020
DUE 2/18/2021

OWNER: TRUTH CONSTRUCTION LLC	MAKE CHECK PAYABLE TO James N. Bahnsen, Fairfield County Treasurer		
TAXBILL PREPARED ON: 2/9/2021	PARCEL ID: 0536045400		
TRUTH CONSTRUCTION LLC 380 W COLUMBUS ST PICKERINGTON OH 43147	PAY THIS AMOUNT	HALF YEAR: \$0.00	
		FULL YEAR: \$691.17	

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Property Record Card (Fairfield County, Ohio)

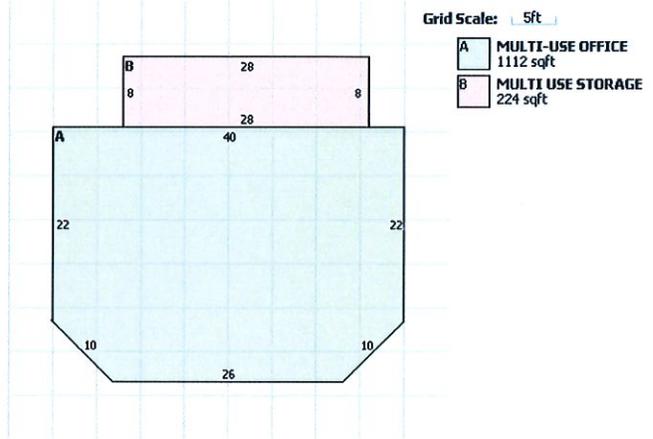
Parcel: 0536045400 Card: 1 of 1

Owner	TRUTH CONSTRUCTION LLC
Address	531 LINCOLN AVE
Land Use	(454) C - AUTO CAR SALES AND SERVICES
Class	COMMERCIAL
Legal Description	PIONEER ADD LOT 710 711

MAP



SKETCH



COMMERCIAL

Improvement Name	INTEGRITY MOTORS
Description	AUTO DEALER/F-SEVICE
Year Built	1960
Number of Units	
Identical Units	1
Building Number	1
Card	1

COMMERCIAL FEATURES

LAND

Desc.	Front	Depth	Acreage	SqFt	Value
HOMESITE	127	66	N/A	7941	\$36,530

VALUATION

	Appraised	Assessed
Land Value	\$36,530	\$12,790
Building Value	\$31,850	\$11,150
Total Value	\$68,380	\$23,940
CAUV Value		\$0
Taxable Value		\$23,940

PERMITS

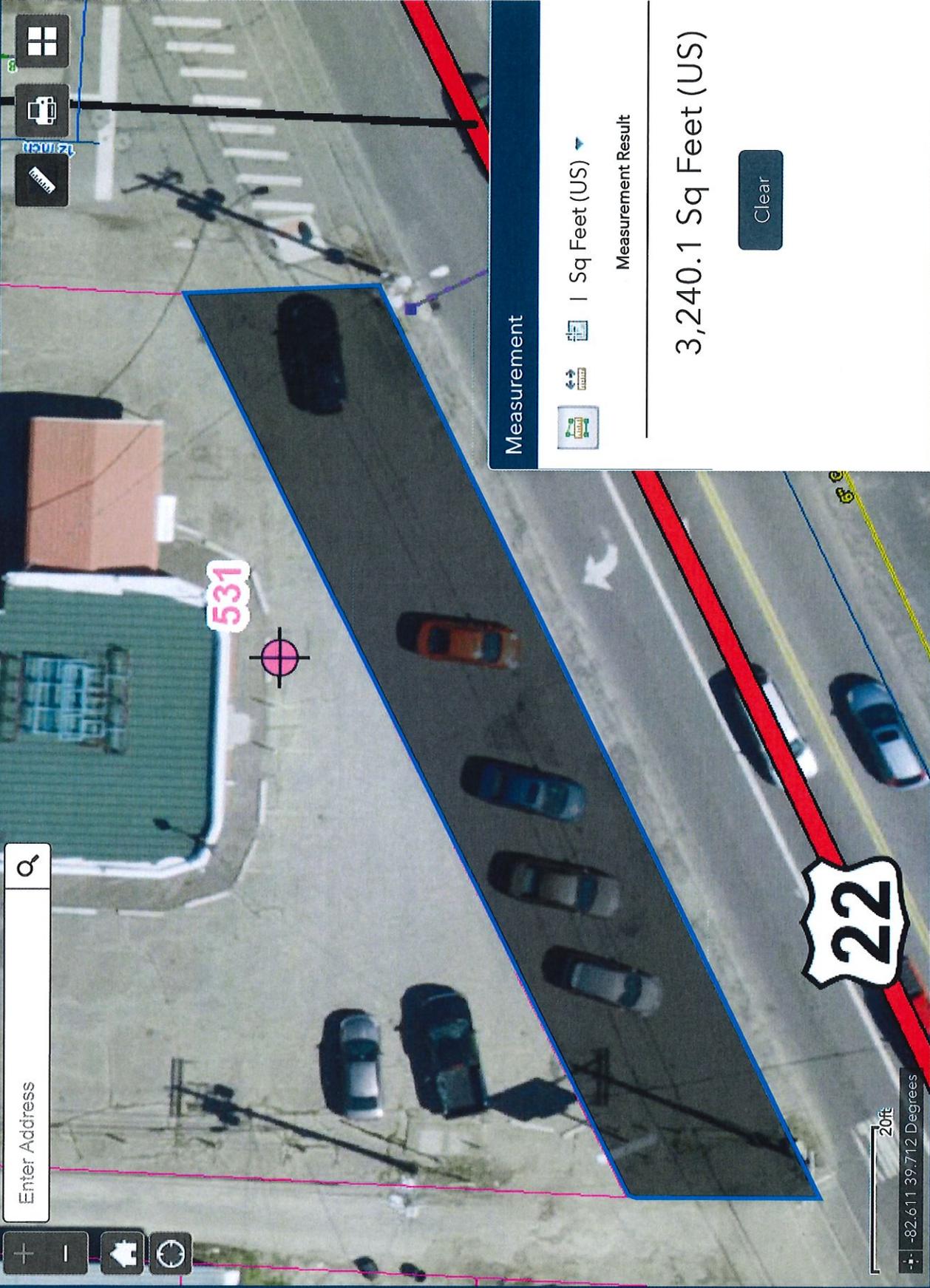
IMPROVEMENTS

Card	Description	Year Built	Dimensions	Value
1	CI1 - ASPHALT	1960	0x0	\$3,060.00
1	RC1 - CARPORT	1990	17x21	\$1,320.00

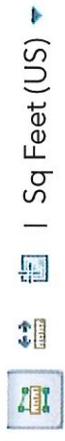
SALES

Date	Buyer	Seller	Price	Validity
8/25/2017	TRUTH CONSTRUCTION LLC	MESSER MONTIE GERALD	\$75,000.00	0 - VALID
6/21/2007	MESSER MONTIE GERALD	BOOTH CURTIS	\$0.00	2 - NOT OPEN
10/3/2005	BOOTH CURTIS	BOOTH CURTIS	\$40,000.00	0 - VALID
1/7/1993	BOOTH CURTIS	ROSEMARY GROZA REVOCABLE	\$40,000.00	0 - VALID
8/1/1987			\$56,800.00	0 - VALID

Lancaster ROW Map



Measurement



Sq Feet (US)

Measurement Result

3,240.1 Sq Feet (US)

Clear



NON-CONFORMING PRIVATE USE OF PUBLIC RIGHT-OF-WAY VARIANCE APPLICATION

THIS APPLICATION IS USED FOR NON-CONFORMING ACCESS OR ENCROACHMENT INTO THE PUBLIC RIGHT OF WAY, FOR EXAMPLE: PARKING, SIGNAGE, FENCING, LANDSCAPING, AWNINGS, ARTWORK, MONITORING WELLS, LIGHTS, TABLES & CHAIRS, PLANTER BOXES.

APPLICATION DATE FEBRUARY 1, 2021 VARIANCE NUMBER 2021-101

APPLICANT INFORMATION (please print or type)

Applicant Name TRUTH CONSTRUCTION Phone 740-555-5555
Applicant Address 531 LINCOLN AVE
Address of ROW Use 531 LINCOLN AVE
24 HR Contact Name JOHN SMITH Phone 740-555-5555
Applicant Email Address JOHNSMITH@WMAIL.COM

STATEMENT OF QUALIFYING NEED & PROPOSED USE (use additional sheets if required)

TO PARK CARS FOR DEALERSHIP

DESCRIPTION OF STRUCTURAL CHANGES (attach map/sketch of area to be considered)

NO PROPOSED CHANGES TO EXISTING CONDITIONS

FEES

The review fee associated with this application is \$100. If approved, the use variance fee shall be calculated, assessed and remitted at the fair market value of said use, except where mitigating circumstances are identified by the city which provide a public benefit.

THIS OCCUPANCY VARIANCE DOES NOT GRANT THE AUTHORITY TO EXCAVATE ANY PORTION OF THE PUBLIC RIGHT OF WAY. APPLICANT MUST OBTAIN A NON-UTILITY CONSTRUCTION PERMIT FOR THAT WORK.

SIGNATURE REQUIRED

By my signature, I attest that the information and all supporting plans and documents are true and accurate to the best of my knowledge

JOHN SMITH

FEB 1, 2021

Print Name
JOHN SMITH

Date
BUSINESS OWNER

Signature

Title (if applicable)





NON-CONFORMING PRIVATE USE OF PUBLIC RIGHT-OF-WAY VARIANCE APPLICATION

VARIANCE CONDITIONS

If approved, the following items shall be considered a condition of the variance, failure to comply with any of the conditions set forth herein may result in the immediate revocation, issuance of a stop work order, and/or other remedies or penalties as determined by State Law and/or City Ordinance, or other Rules or Regulations.

APPLICANT: Acknowledge each item by placing your initials in the box to the left :

JS By granting a public right-of-way use variance, the City of Lancaster does not waive any rights or powers of ownership, management, maintenance, and/or control over the public right of way. The use of said right of way is revocable by order of the City Engineer and/or his designee and shall be in accordance with all laws, rules and regulations. The issuance of a public right-of-way use variance is not intended to, nor shall it, grant or assign any real or personal property right or title in or to the right of way in the City of Lancaster to the Applicant.

JS By requesting and accepting a public right-of-way use variance, the applicant acknowledges and agrees that it will be a guest in the public right of way and is subject to and shall comply with all federal, state and local laws, rules and regulations. Applicant further acknowledges and agrees that it will comply with any and all current and future ordinances and regulations of the City during the pendency of any permit issued and any subsequent or continuing occupancy and/or use of the right of way. Applicant understands that use of the right-of-way may be immediately terminated upon notice of the City Engineer and or his designee at anytime. In the event of such notice from the City Engineer and or his designee, any and all private use of the public right of way shall be terminated, and within 30 days all property or obstructions temporary or permanent must be removed from the right-of-way, and the right of way must be returned to the original or better condition at no cost or expense to the City.

JS By granting a public right of way use variance the applicant will agree to hold the City of Lancaster, its employees and agents harmless for any damages resulting from the issuance of said variance.

JS If granted this document, all attachments herein shall become part of said variance shall be binding upon all heirs, successors and assigns.

JS By granting a public right-of-way use variance, the applicant agrees that they will be responsible for the maintenance and repair of any approved improvements granted as a result. Failure of the applicant to maintain said improvements to the satisfaction of the City Engineer and or his designee may result in the immediate revocation of the public right-of-way use variance, requiring all property or obstructions temporary or permanent to be removed from the right-of-way, and the right of way returned to the original or better condition at no cost or expense to the City.

JS This occupancy variance does not grant the authority to excavate any portion of the Right of Way. The applicant must obtain a Right of Way Construction Permit for that work.

VARIANCE CONDITIONS

If approved, the following items shall be considered a condition of the variance, failure to comply with any of the conditions set forth herein may result in the immediate revocation, issuance of a stop work order, and/or other remedies or penalties as determined by State Law and/or City Ordinance, or other Rules or Regulations.

APPLICANT: Acknowledge each item by placing your initials in the box to the left :

- JS When the Applicant's interest in the private property adjoining the right of way is being sold, transferred, or otherwise disposed of, it shall be the responsibility of the Applicant to notify the City Engineer in writing within 30 days of the effective date of said transfer.
- JS When the Applicant's interest in the private property adjoining the right of way is being sold, transferred, or otherwise disposed of, it shall be the responsibility of the Applicant to disclose the existence of the *"Non Conforming Use of Public Right of Way Variance"* along with the current annual costs associated with it to the new property owner, prior to the effective date of the property transfer.
- JS When the Applicant's interest in the private property adjoining the right of way is being sold, transferred, or otherwise disposed of, if prior to the property transfer the new property owner declines to accept the improvements covered under the *"Non Conforming Use of Public Right of Way Variance"*, it shall be the responsibility of the Applicant to remove all property or obstructions, temporary, or permanent from the right-of-way, and return the area to the original or better condition, at no cost or expense to the City prior to the property transfer.
- JS Failure of the Applicant to notify the Engineers Office or disclose the existence of the *"Non Conforming Use of Public Right of Way Variance"* to the new property owner prior to the transfer of ownership, will cause the immediate termination of the agreement, and nullify the variance. The Applicant then within 30 days must remove all property or obstructions temporary or permanent from the right-of-way, and the area returned to the original or better condition at no cost or expense to the City or face the penalties provided for under Chapter 901.99.
- JS When the Applicant's interest in the private property adjoining the right of way is sold, transferred, or otherwise disposed of, it shall be the responsibility of the Applicant to notify the new owner the requirement to submit a new application for a *"Non Conforming Use of Public Right of Way Variance"* to the City Engineer. The variance granted under this application will expire 30 days from the effective date of the associated private property transfer. Unless otherwise directed by the City, if a new application is not made within the 30 day window by the new property owner, the Applicant will be responsible for removing all property or obstructions temporary, or permanent from the right-of-way, and to return the area to original or better condition, at no cost or expense to the City.
- JS Failure of the Applicant to comply with any element of the variance will be considered a violation of Chapter 901 and penalized pursuant to Lancaster Codified Ordinance 901.99. A violation of this Chapter is a misdemeanor of the first degree, punishable by any period of incarceration permitted by law and a fine of up to \$1,000.00. Each day in which this Chapter is violated shall constitute a separate offense