

Council Variance Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov

OFFICE USE ONLY

Application Number: CV 16-002 Date Received: 1-4-16
Application Accepted by: JB, TD Fee: \$1,040
Comments: Assigned to James Burdin; JBurdin@columbus.gov; 614-645-1341
Shannon Pine; SPine@columbus.gov; 614-645-2208

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 8240 Sancus Boulevard, Columbus OH Zip: 43081

Is this application being annexed into the City of Columbus? Select one: ☐ YES ☒ NO

If the site is currently pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.

Parcel Number for Certified Address: 610-218056

☐ Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s): AR-12 (Z16-)

Area Commission or Civic Association: Far North Columbus Communities Coalition

Proposed Use or reason for Council Variance request:

See Exhibit B

Acreage: 3.487

APPLICANT:

Name: Akidel Investment Company, LLC Phone Number: 614-947-8600 Ext.: ----
c/o Donald Plank, Plank Law Firm
Address: 145 E Rich St., FL 3 City/State: Columbus, OH Zip: 43215
Email Address: dplank@planklaw.com Fax Number: 614-228-1790

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

Name: Lazelle Columbus Partners LP Phone Number: 614-947-8600 Ext.: ----
c/o Donald Plank, Plank Law Firm
Address: 145 E Rich Street, FL 3 City/State: Columbus, OH Zip: 43215
Email Address: dplank@planklaw.com Fax Number: 614-228-1790

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

Name: Donald Plank, Plank Law Firm Phone Number: 614-947-8600 Ext.: ---
Address: 145 E Rich Street, FL 3 City/State: Columbus, OH Zip: 43215
Email Address: dplank@planklaw.com Fax Number: 614-228-1790

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

APPLICANT SIGNATURE: Donald Plank, Attorney

PROPERTY OWNER SIGNATURE: Donald Plank, Attorney

ATTORNEY / AGENT SIGNATURE: Donald Plank

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that the City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc. may delay the review of this application.

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.

Applications must be submitted by appointment. Call 614-645-4522 to schedule.

Please make checks payable to the Columbus City Treasurer

THE CITY OF
COLUMBUS

ANDREW J. GINTHER, MAYOR

DEPARTMENT OF BUILDING
AND ZONING SERVICES

COUNCIL VARIANCE APPLICATION

Department of Building & Zoning Services

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224

Phone: 614-645-7433 • www.bzs.columbus.gov

CV16-002

STATEMENT OF HARDSHIP

Chapter 3307 of the Columbus Zoning Code

Section 3307.10 Variances by City Council

A. Permit a variance in the yard, height, or parking requirements of any district only in conjunction with a change in zoning or a use variance and only where there are unusual and practical difficulties or unusual hardships in the carrying out of the zoning district provisions due to an irregular shape of lot, topography, or other conditions, providing such variance will not seriously affect any adjoining property or the general welfare.

B. Permit a use of the property not permitted by the Zoning District established on the property if such use will not adversely affect the surrounding property or surrounding neighborhood and if Council is satisfied that the granting of such variance will alleviate some hardship or difficulty which warrants a variance from the Comprehensive Plan.

Before authorizing any variance from the Zoning Code in a specific case, City Council shall first determine that such variance will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus.

In granting a variance pursuant to this section, Council may impose such requirements and conditions regarding the location, character, duration, and other features of the variance proposal as Council deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.

I have read the foregoing and believe my application for relief from the requirements of the Zoning Code contains the necessary hardship, will not adversely affect surrounding property owners and will comply with the variance requested as detailed below:

See Exhibit B

Signature of Applicant

Donald Plank

Date

12-30-15

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Exhibit B

Statement of Hardship

CV16-002, 8240 Sancus Boulevard

Rezoning application Z16-002 is pending to rezone the 3.487 acre site to AR-12, Apartment Residential. This variance application is submitted for variances to certain applicable site development standards of the AR-12, Apartment Residential District as a companion application to the pending rezoning for the proposed site development. The site plan titled "Sancus Property Exhibit", hereafter "Site Plan", is the site development plan. Applicant proposes an apartment complex consisting of 36 dwelling units in 4 and 6 dwelling unit buildings. The proposed land use and development is consistent with a wide range of uses in the area.

Applicant has a hardship in that there is no zoning district to which the property could be rezoned for the proposed development and applicant has a practical difficulty with code compliance to develop the property in a comprehensive, coordinated way, as proposed, due to the physical characteristics of the property, including an irregular shape and a 120' stream corridor protection zone. Sancus Boulevard has a platted 25' building line.

Applicant requests the following variances:

- 1). 3333.02, AR-12, ARLD and AR-1 Apartment Residential District Use, to permit commercial use of the driveway presently located along and parallel to the north property line adjacent to 8260 Sancus Boulevard (PID: 610-237655), which presently provides vehicular access to 8260 Sancus Boulevard.
- 2). 3333.255, Perimeter Yard, to reduce the perimeter yard from a calculated yard of 18.3 feet to zero (0) feet along the north property line adjacent to 8260 Sancus Boulevard (PID: 610-237655) due to a driveway for common access to 8260 Sancus Boulevard and subject site, and to reduce the perimeter yard from a calculated yard of 18.3 feet to 15 feet and 5 feet, as noted on the Site Plan.

12/30/2015

Council Variance Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov

AFFIDAVIT (See instruction sheet)

Application Number: CV16-002

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Donald Plank, Plank Law Firm

of (1) MAILING ADDRESS 145 E Rich Street, 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 ADDRESS CARD FOR PROPERTY 8240 Sancus Boulevard

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 1-4-16

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) Lazelle Columbus Partners, LP

c/o Donald Plank, Plank Law Firm

145 E Rich Street, FL 3

Columbus, OH 43215

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

Akidel Investment Company, LLC

C/o Donald Plank, 614-947-8600

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

(5) Far North Columbus Communities Coalition
c/o Mr. Jim Palmisano

7984 Brookpoint Place

Westerville, OH 43081

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 (7)

☒ (7) Check here if listing additional property owners on a separate page.

(8) SIGNATURE OF AFFIANT

Donald Plank

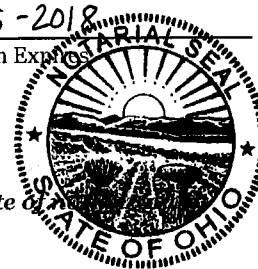
Sworn to before me and signed in my presence this 30TH day of DECEMBER, in the year 2015

(8) SIGNATURE OF NOTARY PUBLIC

Stacey L. Danza

11-5-2018
My Commission Expires

Notary Seal Here



Stacey L. Danza
Notary Public, State of Ohio
My Commission Expires 11-05-2018

This Affidavit expires six (6) months after the date of

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EXHIBIT A, Public Notice
8240 Sancus Boulevard
CV16-002
December 29, 2015

APPLICANT

Akidel Investment Company, LLC
c/o Donald Plank
Plank Law Firm
145 East Rich Street, FL 3
Columbus, OH 43215

PROPERTY OWNER

Lazelle Columbus Partners, LP
c/o Donald Plank
Plank Law Firm
145 East Rich Street, FL 3
Columbus, OH 43215

ATTORNEY

Donald Plank, Plank Law Firm
145 East Rich Street, FL 3
Columbus, OH 43215

COMMUNITY GROUP

Far North Columbus Communities Coalition
c/o Jim Palmisano
7984 Brookpoint Drive
Westerville, Ohio 43081

PROPERTY OWNERS WITHIN 125 FEET

Mark R & Joseph A Ciminello
567 Lazelle Road
Westerville, Ohio 43081

Jon S & Paula D Garabadian
8236 Baltimore Avenue
Westerville, Ohio 43081

Utpal K Bhattacharya
Sriparna Bhattacharya
1394 Worthington Woods Blvd.
Columbus, Ohio 43085

Brandie J Onofrio
8232 Baltimore Avenue
Westerville, Ohio 43081

Lauren A Nakovecznyj
Ian McPeck
8230 Baltimore Avenue
Westerville, Ohio 43081

Mohamad Shaheen
Khirieh M Sharif
8224 Baltimore Avenue
Westerville, Ohio 43081

Alexandra Kruglyak
8222 Baltimore Avenue
Westerville, Ohio 43081

2 WDLZ LLC
10 N High Street, Suite 401
Columbus, Ohio 43215

Qingguo Shang
Hua Zhang
1054 Syracuse Lane
Westerville, Ohio 43081

Jennifer L Owens
1056 Syracuse Lane
Westerville, Ohio 43081

Richard G Swails III
1058 Syracuse Lane
Westerville, Ohio 43081

8240 Sancus Boulevard
CV16-_____
Exhibit A, Public Notice
Page 1 of 2, 12/29/2015

Irene Lane 1060 Syracuse Lane Westerville, Ohio 43081	Derek Keisel 1040 Syracuse Lane Westerville, Ohio 43081	Paula Firstenberger 1042 Syracuse Lane Westerville, Ohio 43081
Mary S Durrett 1044 Syracuse Lane Westerville, Ohio 43081	Sally A Brenner 1046 Syracuse Lane Westerville, Ohio 43081	Sancus Enterprise, LLC PO Box 3416 Dublin, Ohio 43016
James Hassey 6499 Hermitage Drive Westerville, Ohio 43082	Alisa A Burdette 645 Lazelle Road Westerville, Ohio 43081	Worthington Glen North Condominium Association c/o Apogee Property Management 1625 Bethel Road, Suite 206 Worthington, OH 43221
Polaris Crossing Holdings, LLC 470 Old Worthington Road, Suite 100 Westerville, OH 43082		
<u>ALSO NOTIFY</u>		
Lazelle Columbus Partners LP 2815 Townsgate Road, Suite 130 Westlake Village, CA 91361	Akidel Investment Company, LLC 365 Meadow Ash Drive Lewis Center, Ohio 43035	David Perry David Perry Company, Inc. 145 E Rich Street, FL 3 Columbus, Ohio 43215
		8240 Sancus Boulevard CV16-_____ Exhibit A, Public Notice Page 2 of 2, 12/29/2015

Council Variance Application

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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.

APPLICATION # CV16-002

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald Plank, Plank Law Firm
of (COMPLETE ADDRESS) 145 E Rich Street, 3rd FL, 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 in the following format:

Name of business or individual
Business or individual's address
Address of corporate headquarters
City, State, Zip
Number of Columbus based employees
Contact name and number

1. Akidel Investment Company, LLC 365 Meadow Ash Drive Lewis Center, OH 43035 Contact: Yaw Agyekum 614-882-7782 # of Columbus Based Employees: 2	2. Lazelle Columbus Partners, LP 2815 Townsgate Rd., Suite 130 Westlake Village, CA 91361 Contact: Stuart Schneider 805-777-1177 # of Columbus Based Employees: 0
3. _____ _____	4. _____ _____

☐ Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT

Donald Plank

Sworn to before me and signed in my presence this 30TH day of DECEMBER, in the year 2015

SIGNATURE OF NOTARY PUBLIC

Stacey L. Danza

My Commission Expires

11-5-2018

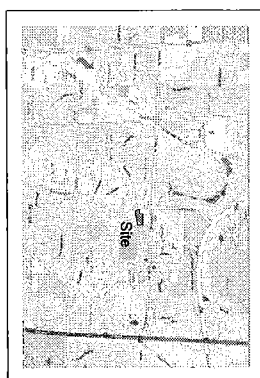
Notary Seal Here



Stacey L. Danza
Notary Public, State of Ohio
My Commission Expires 11-05-2018

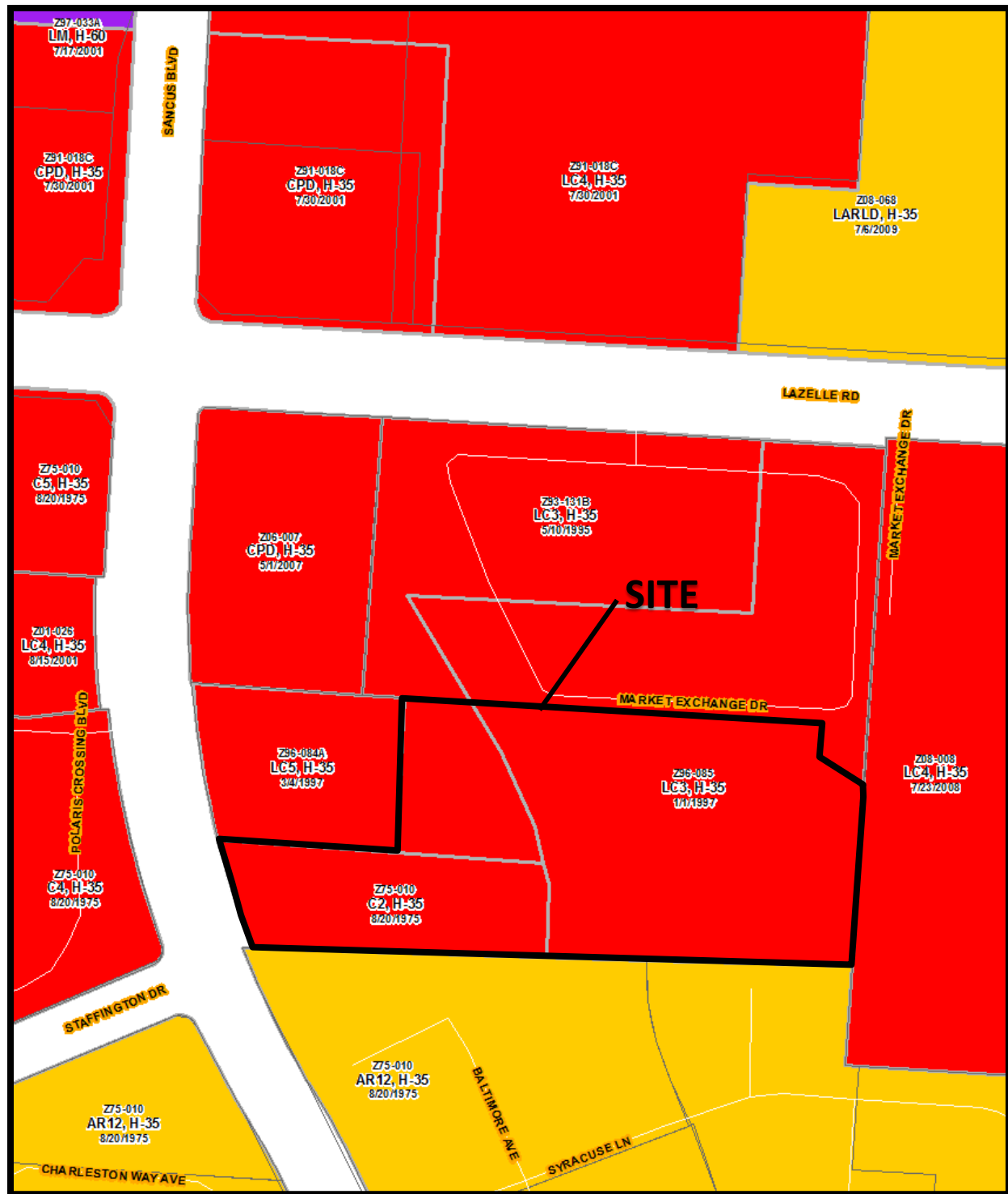
This Project Disclosure expires six (6) months after the date

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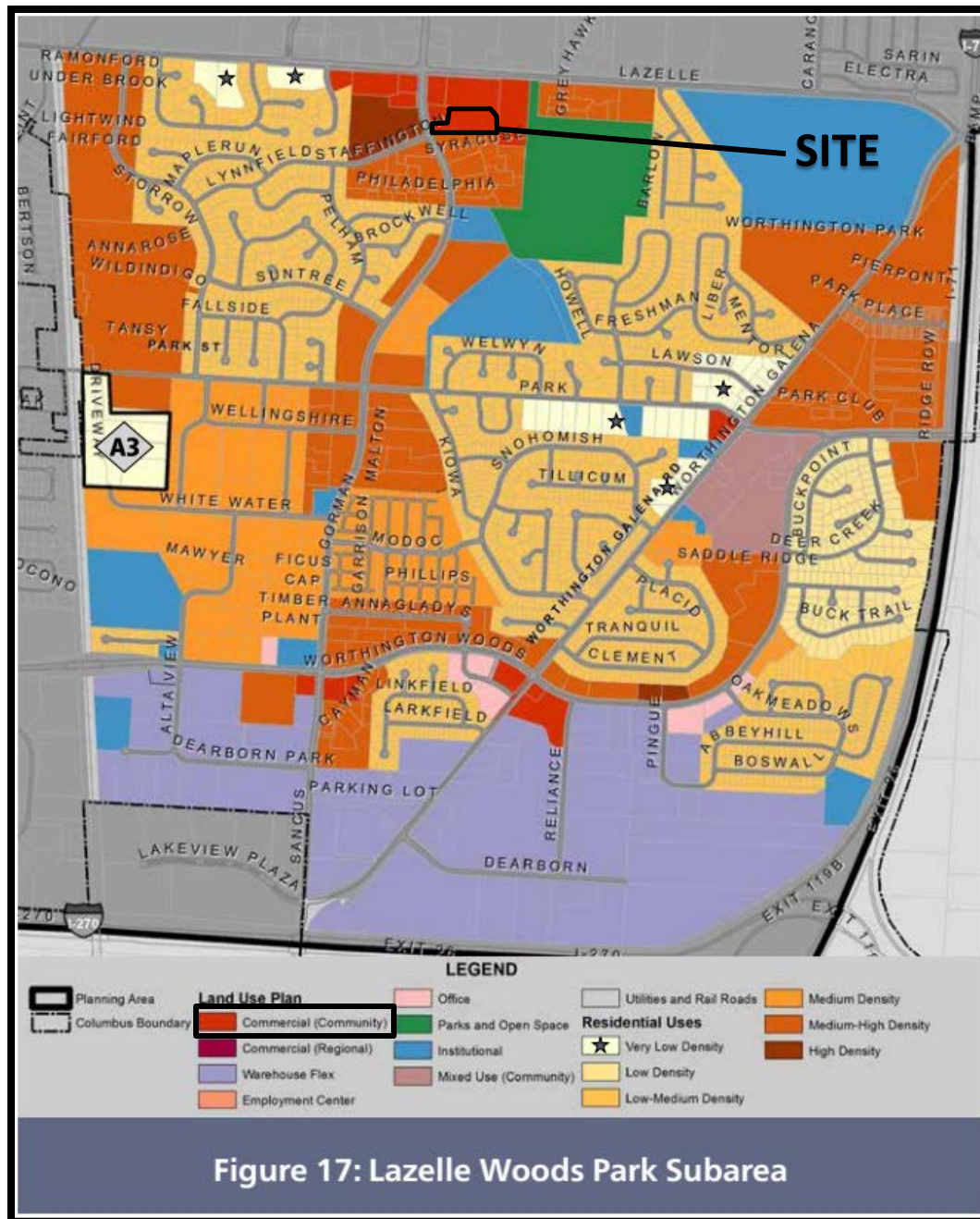


Site Location Map

Total Site Area:	3.487
Total # Units:	36 du/s
Site Density:	10.4 du/a
Total # Parking Spaces:	69
Parking Ratio:	1.9 sp/du



CV16-002
8240 Sancus Boulevard
Approximately 3.487 acres



CV16-002
 8240 Sancus Boulevard
 Approximately 3.487 acres



CV16-002
8240 Sancus Boulevard
Approximately 3.487 acres