

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

OFFICE USE ONLY

Application Number: CV16-018 Date Received: 3-2-16
Application Accepted by: TD Fee: \$2,560
Comments: Assigned to Shamon Pine; 614-645-2208; spine@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 5300 Avery Road Zip: 43016

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: 010220108

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

Current Zoning District(s): R

Area Commission or Civic Association: _____

Proposed Use or reason for Council Variance request:

Mixed use - see attached list of variances

Acreage: 30± ~~22.7±~~

APPLICANT:

Name: Edwards Communities Development Company Phone Number: (614) 241-2070 Ext.: _____

Address: 495 South High Street, Suite 150 City/State: Columbus, OH Zip: 43215

Email Address: Ryan.Szymanski@edwardscdc.com Fax Number: _____

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

Name: AR Associates Phone Number: _____ Ext.: _____

Address: 5510 Ashford Road City/State: Dublin, OH Zip: 43017

Email Address: _____ Fax Number: _____

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

Name: Jeffrey L. Brown Phone Number: (614) 221-4255 Ext.: _____

Address: 37 West Broad Street, Suite 460 City/State: Columbus, OH Zip: 43215

Email Address: jlbrown@smithandhale.com Fax Number: (614) 221-4409

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

APPLICANT SIGNATURE Edwards Communities Development Company by: _____

PROPERTY OWNER SIGNATURE AR Associates by: _____

ATTORNEY / AGENT SIGNATURE _____

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

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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 attached sheet

Signature of Applicant _____ Date _____

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CU16-018

Statement of Hardship

The applicant wants to add a self-storage element to the residential portion of this mixed use development. The actual location for that use has not been determined. There is a use issue for the self-storage facility as well as the driveway to reach this use. The applicant is also developing a series of residential communities. As the site is developed, new tax parcels will be created either for phasing and/or financial purposes. A tax parcel will raise the issue of an internal perimeter yard which would not be appropriate between phases of the same development nor along the common boundary with the mixed use portion of the development.

The applicant also wants to reduce the building setback for the residential along Avery Road from 80 to 25 feet and to permit residential tax parcels without street frontage. Given the depth of the site, tax parcels may be created due to phasing and/or financing reasons which do not have frontage on a public street. Access easements will be provided to reach Avery Road.

The granting of the use variance, and the frontage, setback and perimeter variances 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 nor seriously affect any adjoining property.

Signature

Date

Council Variance Request

Section 3333.02 AR-12, ARLD and AR-1 apartment residential district use: To permit self-storage facility in Subarea D and to permit a driveway for self-storage to cross residentially zoned property in Subareas C and D.

Section 3333.255 Perimeter yard: To eliminate internal perimeter yard in Subareas A, C and D and to eliminate the perimeter yard along Subarea B.

Section 3333.18 Building lines: To reduce the building setback from 80 to 25 feet for Subareas A and C.

Section 3333.16 fronting: To permit tax parcels with no frontage on a public street.

edwards.avery.cv1request
3/1/16 S:docs (clh)

CV16-018

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AFFIDAVIT (See instruction sheet)

Application Number: CU16-018

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn **(1)** NAME Jeffrey L. Brown

of **(1)** MAILING ADDRESS 37 West Broad Street, Suite 460, 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 5300 Avery Road

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on **(3)** 3-2-16

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME

AND MAILING ADDRESS

(4) AR Associates

5510 Ashford Road

Dublin, OH 43017

APPLICANT'S NAME AND PHONE #

(same as listed on front application)

Edwards Communities Development Company

(614) 241-2070

AREA COMMISSION OR CIVIC GROUP

AREA COMMISSION ZONING CHAIR

OR CONTACT PERSON AND ADDRESS

(5) _____

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

Sworn to before me and signed in my presence this

Rev

(8) SIGNATURE OF NOTARY PUBLIC

My Commission Expires

Notary Seal Here

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

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APPLICANT

Edwards Communities Development Co.
495 S High Street, Suite 150
Columbus, OH 43215

PROPERTY OWNER

AR Associates
5510 Ashford Road
Dublin, OH 43017

ATTORNEY

Jeff Brown
Smith & Hale LLC
37 West Broad Street, Suite 460
Columbus, OH 43215

SURROUNDING PROPERTY OWNERS

Bruce D Bergmann TR
5322 Avery Road
Dublin, OH 43016

Pines at Tuttle Crossing LP
5303 Wilcox Road
Dublin, OH 43016

Pines at Tuttle Crossing III LLC
169 S Liberty Street
Powell, OH 43065

Avery Brooke LLC
400 S 5th Street, Suite 400
Columbus, OH 43215

Hilliard United Pentecostal Church
5284 Avery Road
Dublin, OH 43016

John E Spurr
5197 Vinings Boulevard
Dublin, OH 43016

Mark A Susi
5201 Vinings Boulevard
Dublin, OH 43016

Harumi S Thatcher
4605 Stoneworth Drive
Hilliard, OH 43026

Momin Z Durrani
5189 Vinings Boulevard
Dublin, OH 43016

William E & Rebecca S Radebaugh
5193 Vinings Boulevard
Dublin, OH 43016

Elizabeth R Baltes-Spring
3590 Sterling Park Circle, Apt C
Grove City, OH 43123

Saeed & Mojgon Hadjarpour
4200 Dublin Road
Columbus, OH 43221

Matthew L & Lorraine A Rich
5247 Avery Road
Dublin, OH 43016

Mark Urban Heintz II
5903 Buechler Bend
Hilliard, OH 43228

David S Weatherby
5255 Avery Road
Dublin, OH 43016

Angelo J Dallas TR, et al.
3297 Smiley Road
Hilliard, OH 43026

edwards-avery.lbl (lms)
1/27/16 S:Docs/s&hlabels/2016

CV16-018

COUNCIL VARIANCE APPLICATION

Department of Building & Zoning Services

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224

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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 #

CV16-018

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Jeffrey L. Brown

of (COMPLETE ADDRESS) 37 West Broad Street, Suite 460, 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. AR Associates 5510 Ashford Road Dublin, OH 43017 ___ Columbus based employees	2. Edwards Communities Development Company 495 South High Street, Suite 150 Columbus, OH 43215 ___ Columbus based employees Ryan Szymanski - (614) 241-2070
3.	4.

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

SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 1st day of March, in the year 2016

SIGNATURE OF NOTARY PUBLIC

My Commission Expires

Notary Seal Here



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City of Columbus Zoning Plat



ZONING NUMBER

The Zoning Number Contained on This Form
is Herein Certified to Obtain Zoning, Rezoning,
and Variances, and is NOT to be Used for
the Securing of Building & Utility Permits

Parcel ID: 010220108

Zoning Number: 5300

Street Name: AVERY RD

Lot Number: N/A

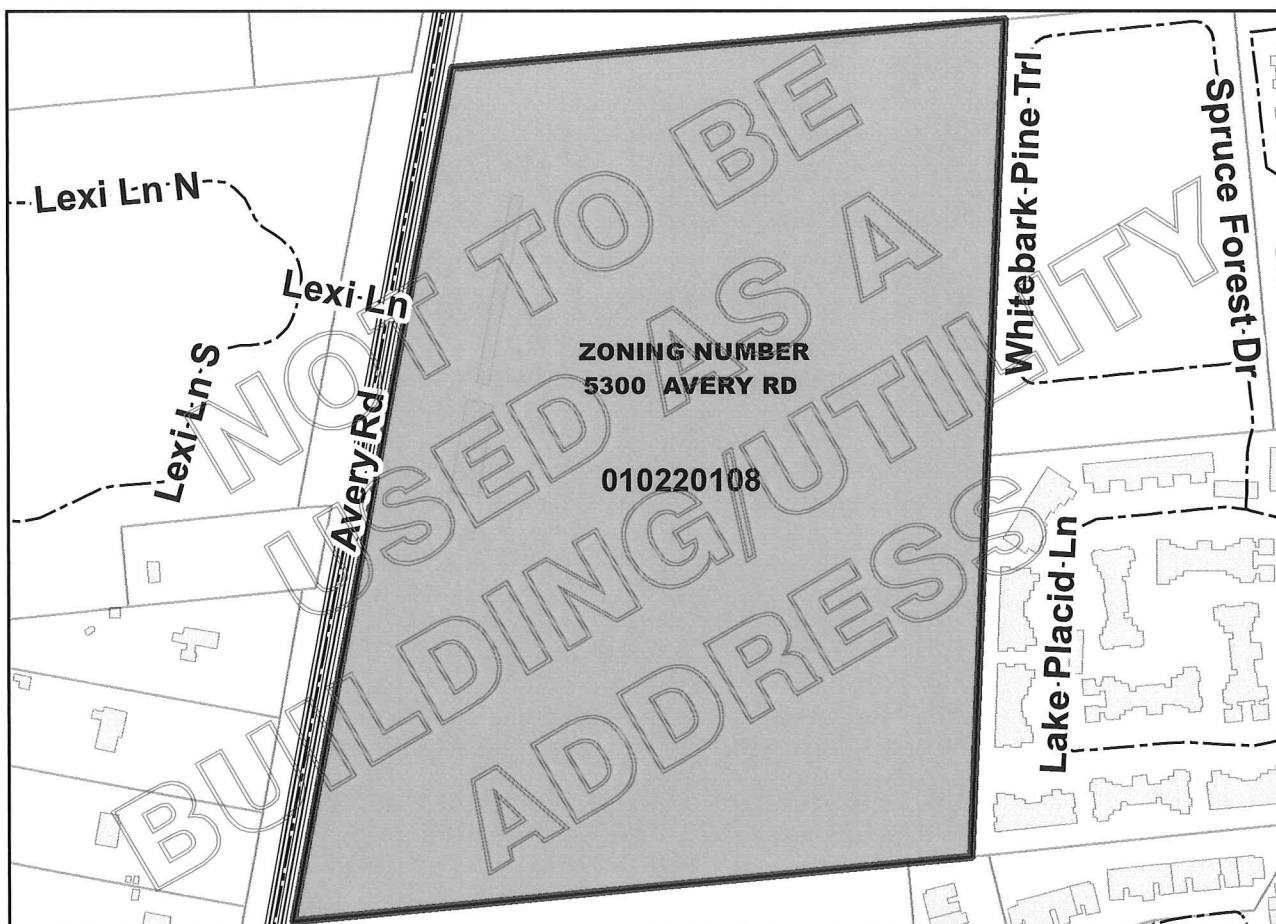
Subdivision: N/A

Requested By: SMITH & HALE (LIESEL SCHMADER)

Issued By:

Adyana Wharrior

Date: 1/28/2016



JAMES D. YOUNG, P.E., ADMINISTRATOR
DIVISION OF INFRASTRUCTURE MANAGEMENT
COLUMBUS, OHIO

SCALE: 1 inch = 300 feet

GIS FILE NUMBER: 55933

CV16-018



A horizontal scale bar labeled "SCALE IN FEET" with markings for 0, 100, and 200 feet.



SITE STATISTICS

TOTAL GROSS SITE		NET SITE OF NORTH-OF-MAY	
NET SITE OF NORTH-OF-MAY AC		28.07 AC	27.25 AC
SUB-AREA A		0.22 AC	0.22 AC
FUTURE NORTH-OF-MAY		0.22 AC	0.22 AC
NET TOTAL		3.70 AC	3.70 AC
SUB-AREA B		5.31 AC	5.31 AC
FUTURE NORTH-OF-MAY		0.73 AC	0.73 AC
NET TOTAL		4.50 AC	4.50 AC
SUB-AREA C		5.83 AC	5.83 AC
FUTURE NORTH-OF-MAY		0.82 AC	0.82 AC
NET TOTAL		6.65 AC	6.65 AC
SUB-AREA D		13.60 AC	13.60 AC
FUTURE NORTH-OF-MAY			
NET TOTAL			
GROSS/NET AC			

REFERENCE

1. GAS PROVIDED BY FRANKLIN COUNTY AUCTION.
2. CONTOUR DATA OBTAINED FROM OHIO GEOGRAPHICALLY REFERENCED INFORMATION PROGRAM (GURIP) ON FEBRUARY 10, 2016.



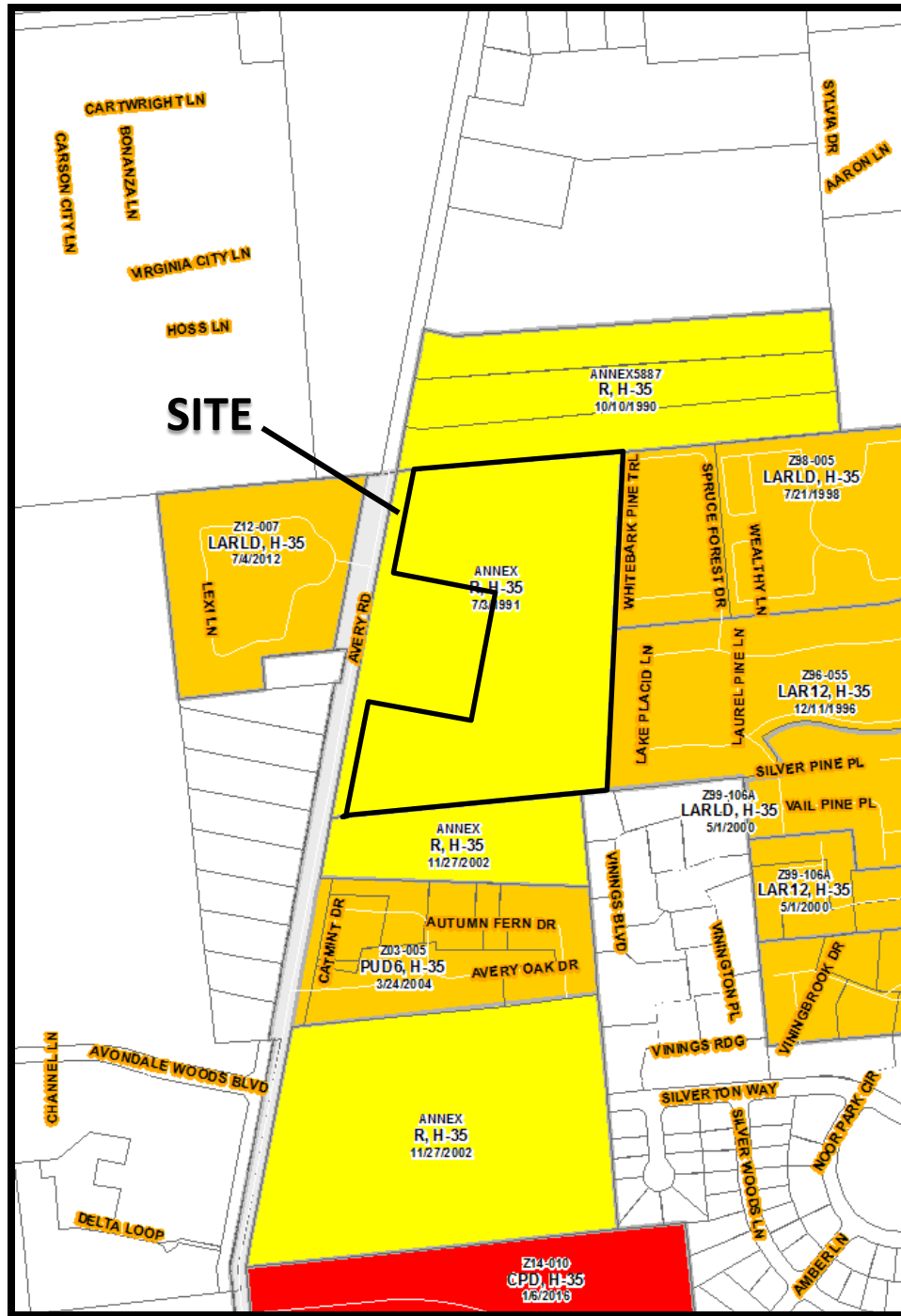
Civil & Environmental Consultants, Inc.
250 Old Wilson Bridge Road • Suite 250 • Worthington, OH 43083
PH: 614.540.6633 • 888.598.8808 • FAX: 614.540.6633
www.ccecinc.com

**EDWARDS COMPANIES
ABLES GOLF ON AVERY**

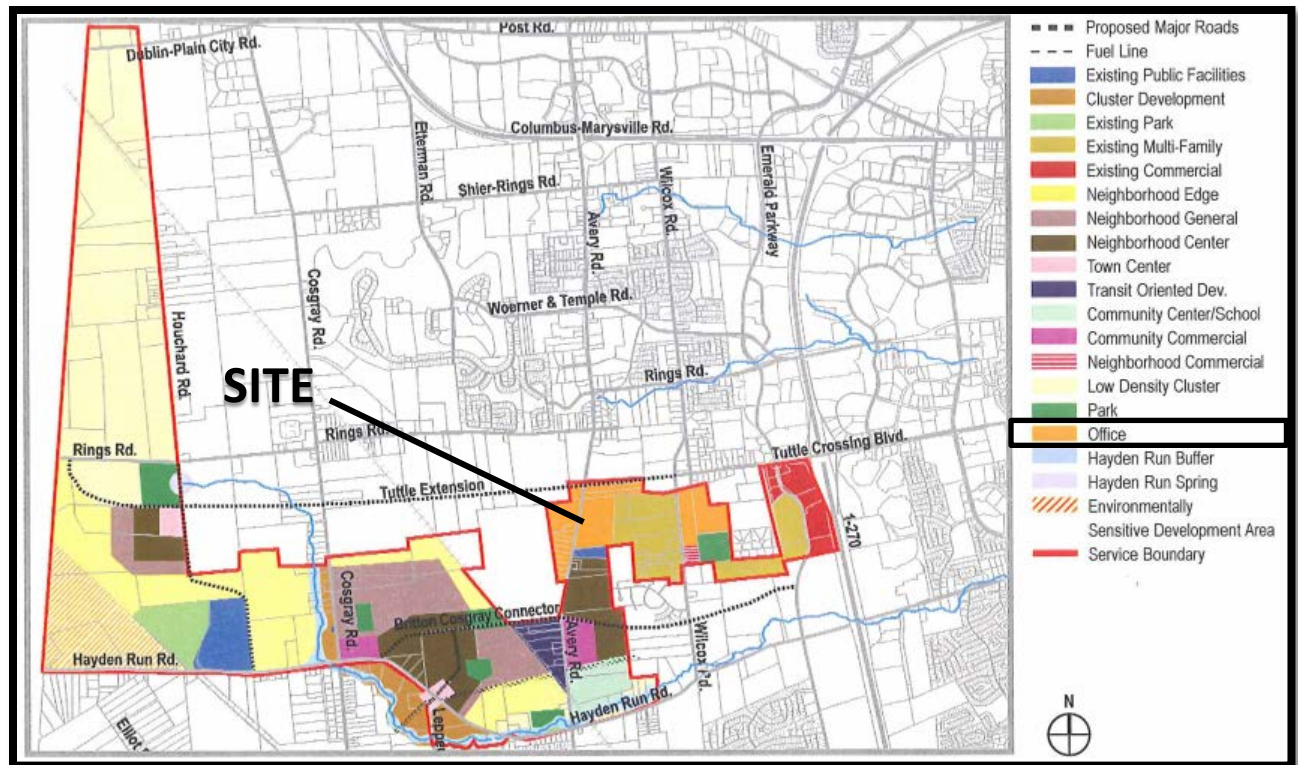
DRAWN BY DATE	MISC CHECKED BY FEBRUARY 2016 DWG SCALE	MICR APPROVED BY 1"=100' PROJECT NO:	DRAFT 150-720
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SELF STORAGE LAYOUT

✓ V16-018



CV16-018
5300 Avery Road
Approximately 22.7 acres



CV16-018
 5300 Avery Road
 Approximately 22.7 acres



CV16-018
5300 Avery Road
Approximately 22.7 acres