

THE CITY OF
COLUMBUS

COUNCIL VARIANCE APPLICATION

Department of Building & Zoning Services

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224-3218

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

OFFICE USE ONLY

Application #: CV16-024

Date Received: 4/5/16

Application Accepted By: MM + TD

Fee: \$0.00

Comments: Assigned to Tim Dietrich; 614-645-6665; tedi@trich@columbus.gov
+ Shannon Pine; 614-645-2208; spine@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 4660 Kenny Road, Columbus, OH Zip 43235

Is this application being annexed into the City of Columbus Yes No (circle one)

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: 010-129794

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

Current Zoning District(s) M-1 + CPD

Requested Zoning District(s) L-AR-1

Area Commission Area Commission or Civic Association: Northwest Civic Association

Proposed Use or reason for Council Variance: Applicant is requesting a reduction in perimeter yard requirement under §3333.255 from 25 feet to 5 feet for multi-family development and requesting a use variance to allow part of the L-AR-1 district to be used for access to a neighboring commercial property. (continue on separate page if necessary)

Proposed Height District: 35' Acreage 1.9 +/- acres

[Columbus City Code Section 3309.14]

APPLICANT:

Name Preferred Real Estate Investments II LLC

Address 470 Olde Worthington Road, Suite 470 City/State Westerville OH Zip 43082

Phone # 614-901-2400

Fax #

Email jsmith@livepreferred.com

PROPERTY OWNER(S):

Name Kenny Road 4660 LLC

Address 3000 Tarrington Lane City/State Columbus, OH Zip 43220

Phone # 614-464-5608

Fax # 614-719-4638

Email jstangeman@vorys.com

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

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

Attorney

Agent

Name Jill S. Tangeman, Esq.

Address 52 East Gay Street City/State Columbus, OH Zip 43215

Phone #

Fax #

Email:

SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE

PROPERTY OWNER SIGNATURE

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 all checks payable to the Columbus City Treasurer

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

CV16-024

STATEMENT OF HARDSHIP

Property Address: 4660 Kenny Road

Applicant: Preferred Real Estate Investments II LLC

The subject site is 1.9 +/- acres on Kenny Road, which is being rezoned by the Applicant to AR-1 (Application Z16-021). The Applicant is requesting a variance to allow the parking and building setback to the north, east and south to be five (5) feet, as opposed to the twenty-five (25) feet for a perimeter yard required in the AR-1 district. The Applicant is also requesting a use variance to allow the existing driveway from Kenny Road to continue to be used for access to the neighboring commercial property (Parcel No. 010-191431).

The subject site is currently zoned M-1 and is contiguous to existing industrial uses on the south property lines. In fact, there is already an existing industrial building on the site that sits five feet or less from the property line. To the east is a railroad right of way. To the north is an apartment property owned by the applicant. To the west is an existing retail store zoned in the CPD district. In light of the surrounding uses, the applicant is asking to reduce the required perimeter yard for the proposed development and to allow the existing retail store to continue to use the driveway to Kenny Road for commercial access.

The grant of the above variances will not be injurious to the neighboring properties nor have any negative impact on city services.

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

AFFIDAVIT

(See instruction sheet)

APPLICATION # CV16-024

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Jill S. Tangeman Esq.
of (1) MAILING ADDRESS 52 East Gay Street, Columbus, OH 43215

deposed 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) CERTIFIED ADDRESS FOR ZONING PURPOSES 4660 Kenny Road for
which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) _____

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

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

(4) Kenny Road 4660 LLC
3900 Tarrington Lane
Columbus, OH 43220

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

Preferred Real Estate Investments II LLC
c/o Jared Smith #614-901-2400

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

(5) Northwest Civic Association
c/o Rosemarie Lissko
P.O. Box 20134, Columbus, OH 43220

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)

SIGNATURE OF AFFIANT

(8)

Subscribed to me in my presence and before me this 4th day of April, in the year 2016

SIGNATURE OF NOTARY PUBLIC

(8)

My Commission Expires: NA

This Affidavit expires six months after date of notarization.

Notary Seal Here



Deanna R. Cook, Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Sec. 147.03 R.C.

Vorys, Sater, Seymour and Pease LLP
Attention: Jill Tangeman, Esq.
52 East Gay Street
Columbus, Ohio 43215

Savko Bros. Properties II, L.L.C.
4636 Shuster Road
Columbus, Ohio 43214

Stephen N. Savko and
Martin L. Savko, Co-Trustees
4636 Shuster Road
Columbus, Ohio 43214

Blackburn's Chimney Sweep Inc.
4644 Kenny Road
Columbus, Ohio 43220

Kenroad LLC
4658 Kenny Road
Columbus, Ohio 43220

E-R Development Northwest, LLC
403 East Broad Street
Columbus, Ohio 43215

Gamma Club of Omega Tau Sigma, Inc.
P.O. Box 12136
Columbus, Ohio 43212

Kenneth Kreinbrink
3554 Skipstone Place
Columbus, Ohio 43221

Kendall Park LLC
470 Olde Worthington Road
Suite 470
Columbus, Ohio 43220

CSX Transportation Inc.
Attention: Tax Department
500 Water Street (#C910)
Jacksonville, Florida 32202

VRoss Simon, LLC
70 Karago Avenue
Boardman, Ohio 44512

4650-4652 Kenny Road, LLC
4650 Kenny Road
Columbus, Ohio 43220

Kenny Road 4660 LLC
3900 Tarrington Lane
Columbus, Ohio 43220

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757 Carolyn Avenue, Columbus, Ohio 43224-3218

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

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 # CV16-024

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Jill S. Tangeman, Esq.
of (COMPLETE ADDRESS) 52 East Gay 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 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. Preferred Real Estate Investments II LLC
470 Olde Worthington Rd. Suite 470
Westerville, OH 43082
c/o Jared Smith #614-901-2400
0 Columbus employees

2.

☐ Check if listing additional parties on a separate page.

Jill Tangeman
SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 4th day of April, in the year 2016

SIGNATURE OF NOTARY PUBLIC Deanna Cook

My Commission Expires: NA

This Project Disclosure Statement expires six months after date of notarization.

Notary Seal Here



Deanna R. Cook, Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Sec. 147.03 R.C.

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Please make all checks payable to the Columbus City Treasurer



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: 010129794

Zoning Number: 4660

Street Name: KENNY RD

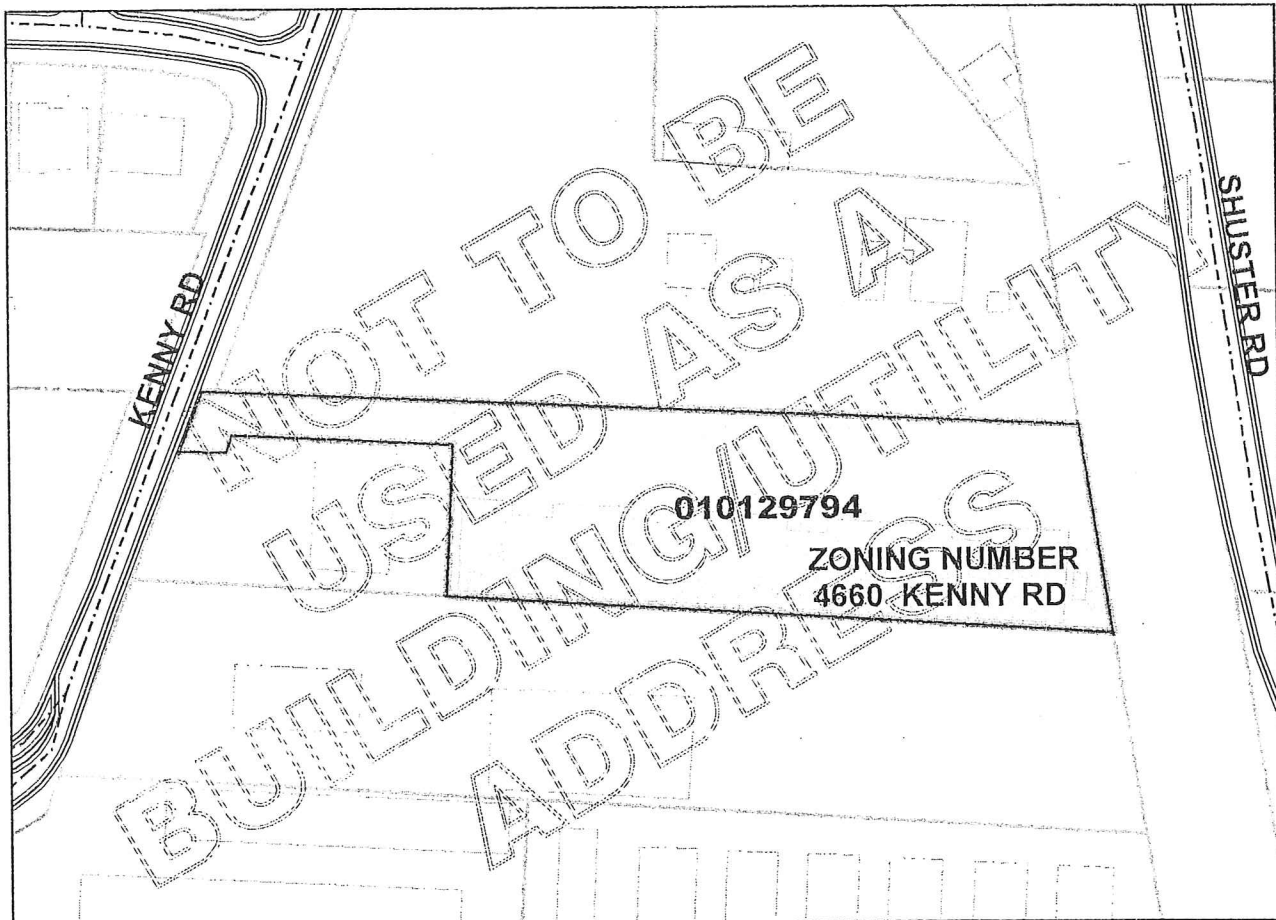
Lot Number: N/A

Subdivision: N/A

Requested By: VORYS, SATER, SEYMOUR & PEASE (JILL TANGEMAN)

Issued By: *Cyrena Amarian*

Date: 3/30/2016



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

SCALE: 1 inch = 150 feet

GIS FILE NUMBER: 60596

LEGAL DESCRIPTION / 4660 Kenny Road

Situated in the County of Franklin, State of Ohio and in the City of Columbus:

Being a part of Section 1, Township 1, Range 19, United States Military Lands and being that certain Tract conveyed to the CAA Corporation by deed recorded in Deed Book 2978, Page 388, Records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at a point in the centerline of Kenny Road, 60 ft. in width, at the northwest corner of said CAA Corporation's tract and the southwest corner of 2.953 acre tract conveyed to Keneco, Inc., by Deed of Record in Deed Book 2508, Page 423, records of said Recorder's Office: thence N. 88° 11' E., passing an iron pin at 31.42 ft., a distance of 715.85 ft. to an iron pin in the westerly line of the Chesapeake and Ohio Railroad Right-of-Way; thence S. 14° 23' E., with said Railroad, a distance of 156.33 ft. to an iron pin; thence S. 88° 11' W. passing an iron pin at 766.39 ft. a distance of 797.81 ft. to a point in the centerline of Kenny Road; thence N. 15° 30' E., with the centerline of said Road, a distance of 159.74 ft. to the point of beginning, containing 2.650 acres, more or less, except the following:

Being in Quarter Township 1, Township 1-North, Range 19-West, United States Military Lands, being a 0.655 acre tract of land all out of that 2.650 acre tract of land described in a deed to Frank J. Cipriano, Trustee, of record in Deed Book 3622, Page 614, Recorder's Office, Franklin County, Ohio, said 0.655 acre tract being more particularly described as follows:

Beginning at a point in the centerline of Kenny Road (60.00 feet in width) at the southwesterly corner of said 2.650 acre tract, said point also being the northwesterly corner of a 3 acre tract of land described in a deed to Victoria S. Haddad of record in Deed Book 3446, Page 763, Recorder's Office, Franklin County, Ohio;

Thence North 15° 30' 00" East, along the centerline of said Kenny Road, a distance of 107.46 feet to a point;

Thence North 88° 11' 00" East, parallel to and 50.00 feet southerly from (as measured at right angles) the northerly line of said 2.650 acre tract, a distance of 57.61 feet to a point;

Thence North 15° 30' 00" East, parallel to and 55.00 feet easterly from (as measured at right angles) the centerline of said Kenny Road, a distance of 15.71 feet to a point;

Thence North 88° 11' 00" East, parallel to and 35.00 feet southerly from (as measured at right angles) the northerly line of said 2.650 acre tract, a distance of 174.23 feet to a point;

Thence South 1° 49' 00" East, a distance of 117.58 feet to a point in the southerly line of said 2.650 acre tract;

Thence South 88° 11' 00" West, along the southerly line of said 2.650 acre tract, the same being the northerly line of said 3 acre tract, a distance of 268.50 feet to the place of beginning (passing

an iron pin found on the easterly right-of-way line of Kenny Road at a distance of 237.08 feet) and containing 0.655 acres of land.

The above described Tract #1 contains 1.995 acres and is subject to the following...described non-exclusive ingress, egress and utility easement for the purpose of providing vehicular access, drainage outlets, and any utility services necessary to allow use of the aforementioned 0.655 acre tract, grantee acknowledges that in no way will the use of this easement impair the access to the residential property of grantor.

Beginning at a point in the centerline of Kenny Road (60.00 feet in width) at the northwesterly corner of said 2.650 acre tract;

Thence North $88^{\circ} 11' 00''$ East, along the northerly line of said 2.650 acre tract a distance of 220.93 feet to a point;

Thence South $1^{\circ} 49' 00''$ East, a distance of 35.00 feet to a point;

Thence South $88^{\circ} 11' 00''$ West, parallel to and 35.00 feet southerly from (as measured at right angles) the northerly line of said 2.650 acre tract, a distance of 174.23 feet to a point;

Thence South $15^{\circ} 30' 00''$ West, parallel to and 55.00 feet easterly from (as measured by right angles) the centerline of said Kenney Road, a distance of 15.71 feet to a point;

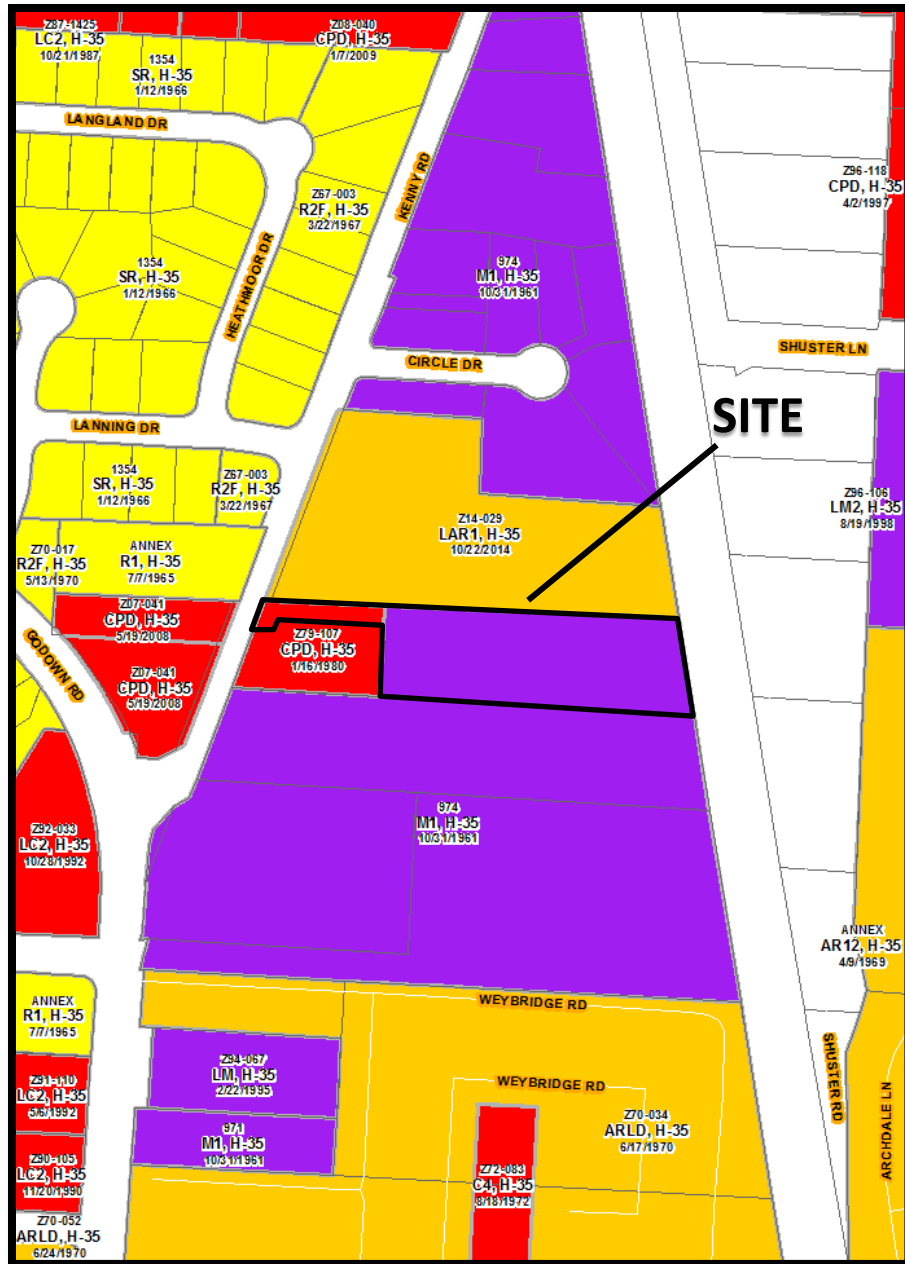
Thence South $88^{\circ} 11' 00''$ West, parallel to and 50.00 feet southerly from (as measured at right angles) the northerly line of said 2.650 acre tract, a distance of 57.61 feet to a point in the centerline of said Kenny Road;

Thence North $15^{\circ} 30' 00''$ East, along said centerline, a distance of 52.37 feet to the place of beginning and containing 8,787 square feet of land more or less.

Parcel Number: 010-129794-00

Known as: 4660 Kenny Road, Columbus, Ohio 43220

CU16-024



CV16-024
 4660 Kenny Road
 Approximately 1.9 acres



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4660 Kenny Road
Approximately 1.9 acres