

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: CU16-033 Date Received: 5-3-16
Application Accepted by: TD+JR Fee: \$880
Comments: Assigned to Tim Dietrich; 614-645-6665; tedietrich@columbus.gov
Shannon Pine; 614-645-2208; spine@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 815 Michigan Avenue Zip: 43215

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: 010-58523/11058/82670/14420/200/37841

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

Current Zoning District(s): M-Manufacturing - AR-1 proposed rezoning

Area Commission or Civic Association: Harrison West Society

Proposed Use or reason for Council Variance request:

To reduce the required front and perimeter setbacks and to reduce the sight triangle area

Acreage: 1.843 and 0.046 acres (two tracts)

APPLICANT:

Name: Evergreen Ventures LLC Phone Number: (813) 484-1788 Ext.: _____
Address: P.O. Box 10153 City/State: Tampa, FL Zip: 33679
Email Address: jcrafft@evergreenventuresllc.com Fax Number: _____

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

Name: City Pointe North Ltd. Phone Number: (813) 484-1788 Ext.: _____
Address: 76 4th Street North, Unit 2058 City/State: St. Petersburg, FL Zip: 33731
Email Address: jcrafft@evergreenventuresllc.com Fax Number: _____

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

Name: Jackson B. Reynolds, III Phone Number: (614) 221-4255 Ext.: _____
Address: 37 West Broad Street, Suite 460 City/State: Columbus, OH Zip: 43215
Email Address: jreynolds@smithandhale.com Fax Number: (614) 221-4409

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

APPLICANT SIGNATURE By: Jackson B. Reynolds, III

PROPERTY OWNER SIGNATURE By: Jackson B. Reynolds, III

ATTORNEY / AGENT SIGNATURE Jackson B. Reynolds, III

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

Council Variance Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

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AFFIDAVIT (See instruction sheet)

Application Number: C016-633

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Jackson B. Reynolds, III
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 815 Michigan Avenue

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 5/3/16

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) City Pointe North Ltd.
76 4th Street North, Unit 2058
St. Petersburg, FL 33731

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

Evergreen Ventures LLC
(813) 484-1788

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

(5) Harrison West Society
P.O. Box 163442
Columbus, OH 43216

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 2nd day of May, in the year 2016

SIGNATURE OF NOTARY PUBLIC

9/4/2020
My Commission Expires

Natalie C. Timmons
Notary Public, State of Ohio
My Commission Expires 09-04-2020

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

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

APPLICANT/OWNER

City Point North Ltd.
76 4th St. N Unit 2058
St. Petersburg, FL 33731

AREA COMMISION

Harrison West Society
c/o Jacob Sukosd
PO Box 163442
Columbus, OH 43216

ATTORNEY

Jackson B. Reynolds III
Smith & Hale LLC
37 West Broad Street, Suite 460
Columbus, OH 43215

**SURROUNDING PROPERTY
OWNERS**

Barley Equities III LLC
871 Ingleside St
Corelogical Commercial
1 Corelogic Dr 4-3-389
Westlake, TX 76262

800 HW LLC
c/o United States Trotting Association
750 Michigan Ave.
Columbus, OH 43215

City of Columbus
Real Estate Management
90 W. Broad St. Rm 425
Columbus, OH 43215

OK Investments
PO Box 163216
Columbus, OH 43216

Melmat LLC
839 Michigan Ave
Columbus, OH 43215

OK Investment Co
Brixton Properties
1441 King Ave. Suite 100
Columbus, OH 43215

CSX Transportation Inc
Tax Dept
500 Water St (J910)
Jacksonville, FL 32202

OK Investment Co
PO box 163216
Columbus, OH 43216

Columbus Engineering Consultants
870 Michigan Ave
Columbus, OH 43215

800 HW LLC
29 W 3rd Ave
Columbus, OH 43201

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 # CV16-033

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Jackson B. Reynolds, III

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. Evergreen Ventures LLC P.O. Box 10153 Tampa, FL 33679 0 employees Jeff Craft (813) 484-1788	2. City Pointe North Ltd. 76 4th Street North, Unit 2058 St. Petersburg, FL 33731 0 employees Jeff Craft (813) 484-1788
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 2nd day of May, in the year 2020

SIGNATURE OF NOTARY PUBLIC

My Commission Expires



Notary Seal Here
Natalie C. Timmons
Notary Public, State of Ohio
My Commission Expires 09-04-2020

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

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

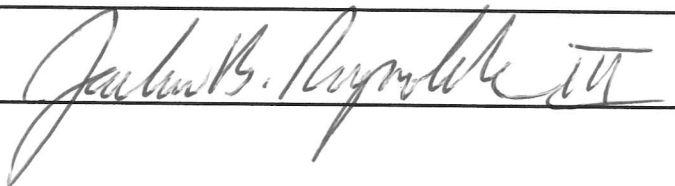
Before authorizing any variance from the Zoning Code in a specific case, City Council shall first determine that such variance will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the 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:

The applicant is seeking reductions in the front yard setback from 25' to 5' and a reduction of the perimeter yard to the west from 25' to 10' and to the south from 25' to 5'. The reductions along Buttles and Michigan Avenues allows the units to be brought up to the right of way more indicative of the local urban setting. The new complex on the east side of Michigan Avenue was granted a similar variance which provides for a setting more in keeping with the established pattern found in the Harrison West Society area. The request to reduce the perimeter setbacks to the west and south are also mitigated that to the west there is an existing bike path that provides buffer space and to the south is a short road that is not used as a road but is still dedicated to the public. None of the requested variance will impact surrounding properties nor will the proposed development be detrimental to the general welfare of the neighborhood. The request is also to reduce the sight triangle from 30 feet to 10 feet at the corner of Buttles and Michigan as is consistent with other developments in the neighbor. There is adequate sight distance given the proposed setback and the sidewalk and lawn areas at the corner.

Signature of Applicant



Date

5/2/16

**Zoning Description ~ 0.046 Acres
South of Collins Avenue
West of Michigan Avenue**

Situated in the State of Ohio, County of Franklin, City of Columbus, being all of Parcel No. 2 as conveyed to City Pointe North Ltd. of record in Instrument Number 200808010117878, the same being Lot Number 212 as dedicated in R.E. Neil's 5th Addition of record in Plat Book 2, Page 104 and more particularly described as follows:

Beginning at the northeasterly corner of Parcel No. 2, the same being the northeasterly corner of said Lot Number 212 and the same being the southwesterly right-of-way intersection of Collins Avenue (30') and Michigan Avenue (60') as dedicated in said R.E. Neil's 5th Addition;

Thence **S 02° 45' 45" W**, along the easterly line of said Parcel No. 2, the same being the easterly line of Lot Number 212 and along the westerly right-of-way line of said Michigan Avenue (60'), **20 feet+/-** to the southeasterly corner of said Parcel No. 2, the same being the southeasterly corner of said Lot Number 212;

Thence **N 87° 11' 03" W**, along the southerly line of said Parcel No. 2, the same being the southerly line of said Lot Number 212, **100.00 feet+/-** the southwesterly corner of Parcel No. 2, the same being the southwesterly corner of Lot Number 212 and being in the easterly right-of-way line of an Alley (20') as dedicated in said R.E. Neil's 5th Addition;

Thence **N 02° 45' 45" E**, along the westerly line of Parcel No. 2, the same being the westerly line of said Lot Number 212 and the same being the easterly right-of-way line of said Alley (20'), **20.00 feet+/-** to the northwesterly corner of said Parcel No. 2, the same being the northwesterly corner of said Lot Number 212 and the same being the southwesterly right-of-way intersection of said Collins Avenue (30') and said Alley (20');

Thence **S 87° 11' 03" E**, along the northerly line of said Parcel No. 2, the same being along the northerly line of said Lot Number 212 and the same being the southerly right-of-way line of said Collins Avenue (30'), **100.00 feet+/-** to the **Point of Beginning**. Containing **0.046 acre**.

All references used in this description can be found at the Recorder's Office, Franklin County, Ohio.

This is not to be used for the transfer of land and is for zoning purposes only.

ADVANCED CIVIL DESIGN, INC.

**Zoning Description ~ 1.843 Acres
South of Buttles Avenue
West of Michigan Avenue**

Situated in the State of Ohio, County of Franklin, City of Columbus, being all of Parcel No. 1, Parcel No. 3 and Parcel No. 4 as conveyed to City Pointe North Ltd. of record in Instrument Number 200808010117878, the same being Lot Numbers 271-296 and an Alley (20') as dedicated in R.E. Neil's 6th Addition of record in Plat Book 2, Page 110 and more particularly described as follows:

Beginning at the northeasterly corner of Parcel No.1, the same being the northeasterly corner of said Lot Number 283 and the same being the southwesterly right-of-way intersection of Buttles Avenue (70') and Michigan Avenue (60') as dedicated in said R.E. Neil's 6th Addition;

Thence **S 02° 45' 45" W**, along the easterly line of said Parcel No. 1, said Parcel No. 3 and said Parcel No. 4, the same being the easterly line of Lot Numbers 271-283 and along the westerly right-of-way line of said Michigan Avenue (60'), **382.33 feet+/-** to the southeasterly corner of said Parcel No. 3, the same being the southeasterly corner of said Lot Number 271 and being the northwesterly right-of-way intersection of said Michigan Avenue (60') and Collins Avenue (30') as dedicated in R.E. Neil's 5th Addition of record in Plat Book 2, Page 104;

Thence **N 87° 11' 03" W**, along the southerly line of said Parcel No. 3, along the southerly line of said Lot Number 271, along the southerly line of said Alley (20'), along the southerly line of said Lot Number 296 and the same being the northerly right-of-way line of said Collins Avenue (30'), **210.00 feet+/-** to the southwesterly corner of Parcel No. 3, the same being the southwesterly corner of Lot Number 296, the same being the northeasterly right-of-way intersection of said Collins Avenue (30') and Factory Street (30') (aka Inglewood Avenue);

Thence **N 02° 45' 45" E**, along the westerly line of Parcel No. 3, along the westerly line of Parcel No. 1, the same being the westerly line of said Lot Numbers 284-296 and the same being along the easterly right-of-way line of said Factory Street (30') (aka Inglewood Avenue), **382.33 feet+/-** to the northwesterly corner of said Parcel No. 1, the same being the northwesterly corner of said Lot Number 284, the same being the southeasterly right-of-way intersection of said Factory Street (30') (aka Inglewood Avenue) and said Buttles Avenue (70');

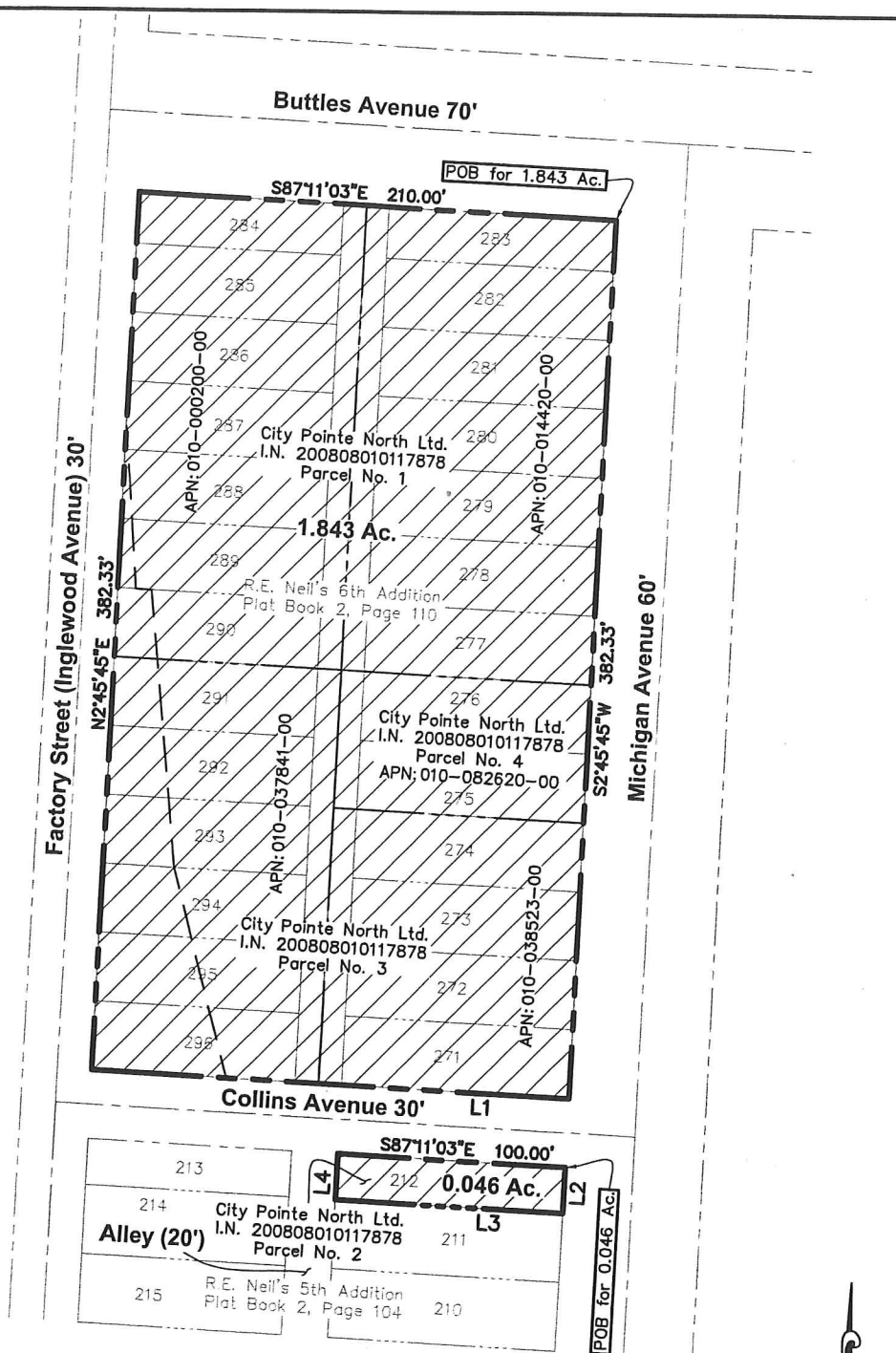
Thence **S 87° 11' 03" E**, along the northerly line of said Parcel No. 1, the same being along the northerly line of said Lot Number 284, along the northerly line of said Alley (20'), along the northerly line of said Lot Number 283 and the same being the southerly right-of-way line of said Buttles Avenue (70'), **210.00 feet+/-** to the **Point of Beginning**. Containing **1.843 acres**.

All references used in this description can be found at the Recorder's Office, Franklin County, Ohio.

This is not to be used for the transfer of land and is for zoning purposes only.

ADVANCED CIVIL DESIGN, INC.

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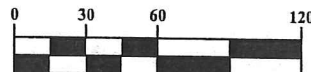
Zoning Exhibit

City of Columbus, Franklin County, Ohio

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N87°11'03"W	210.00'
L2	S02°45'45"W	20.00'
L3	N87°11'03"W	100.00'
L4	N02°45'45"E	20.00'

This exhibit is based on information obtained from the Franklin County Auditor's Office and Franklin County Recorder's Office and is not intended to be used for the transfer of land.

GRAPHIC SCALE



1 inch = 60 feet

DRAWN BY: *DRB* JOB NO.: 16-0001-769
DATE: 02/25/2016 CHECKED BY: *BCK*

ADVANCED
CIVIL DESIGN
ENGINEERS SURVEYORS

422 Beecher Road
Gahanna, Ohio 43230
ph 614.428.7750
fax 614.428.7755

CU16-033



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: 010014420, + 4 others

Zoning Number: 815

Street Name: MICHIGAN AVE

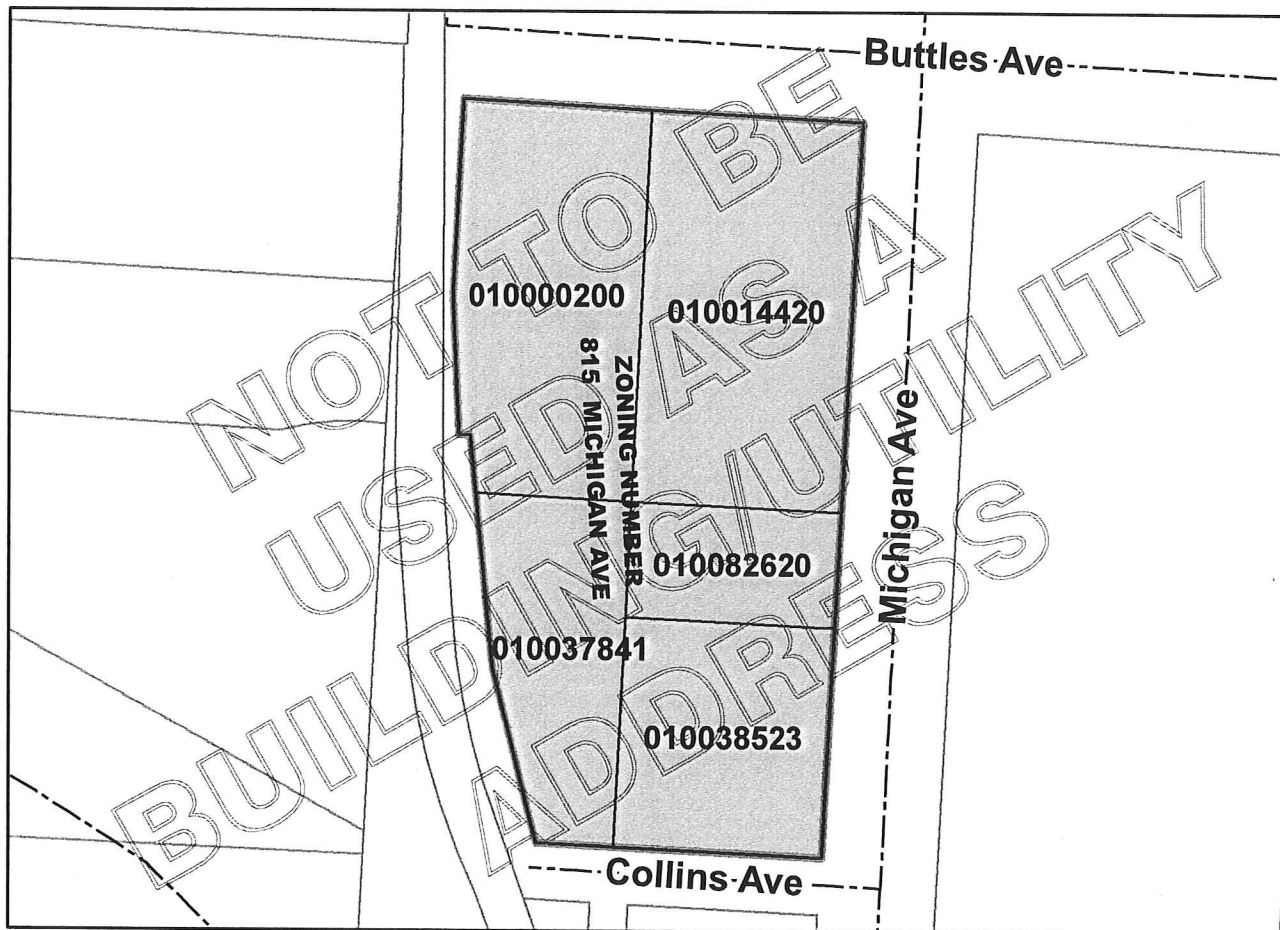
Lot Number: N/A

Subdivision: N/A

Requested By: DAVE PERRY CO. (DAVE PERRY)

Issued By: *Adriana Amarian*

Date: 11/20/2015



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

SCALE: 1 inch = 100 feet

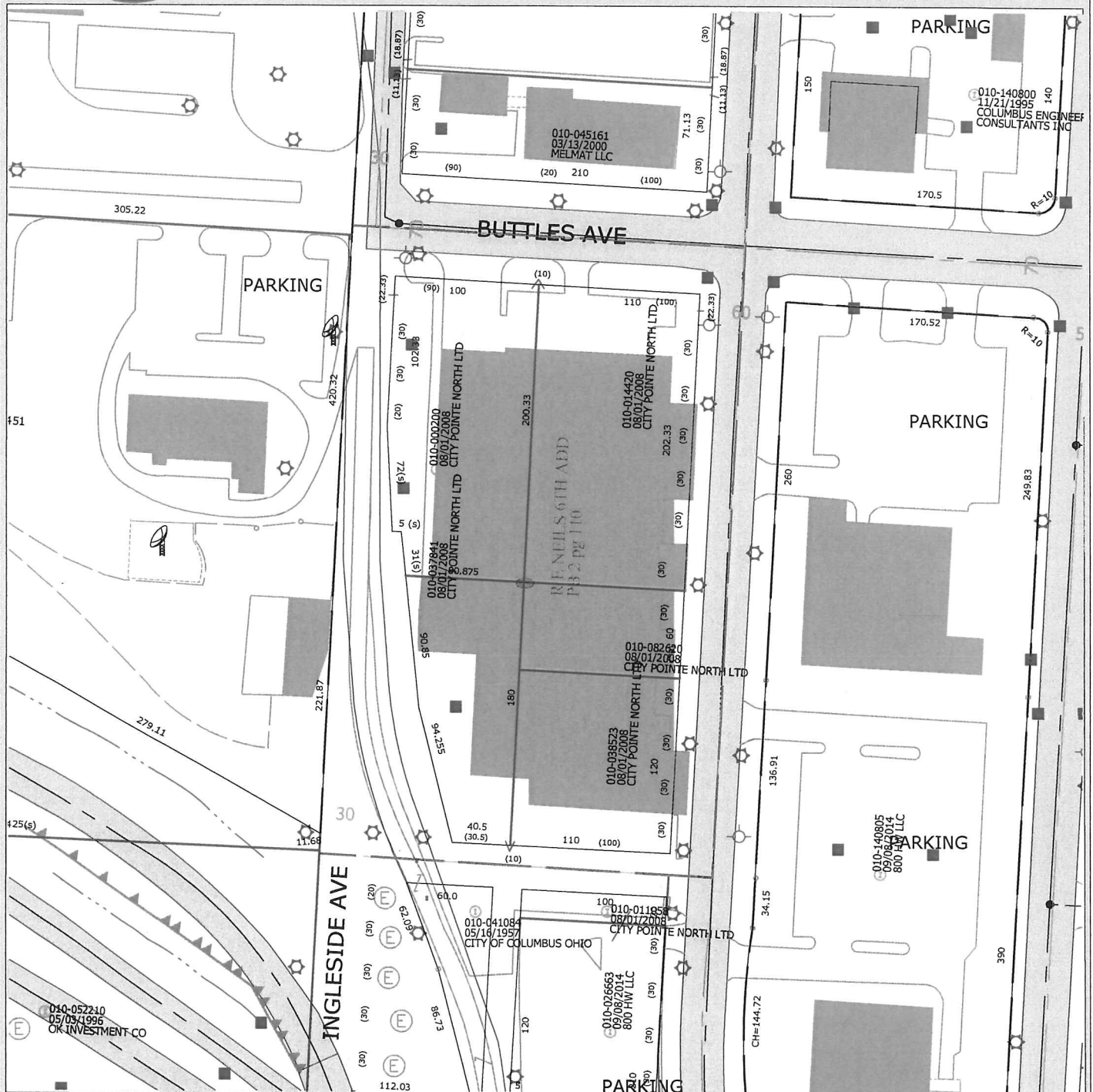
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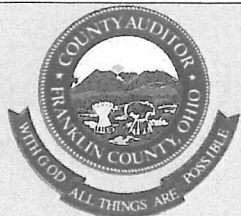


CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: JBR

DATE: 3/1/16

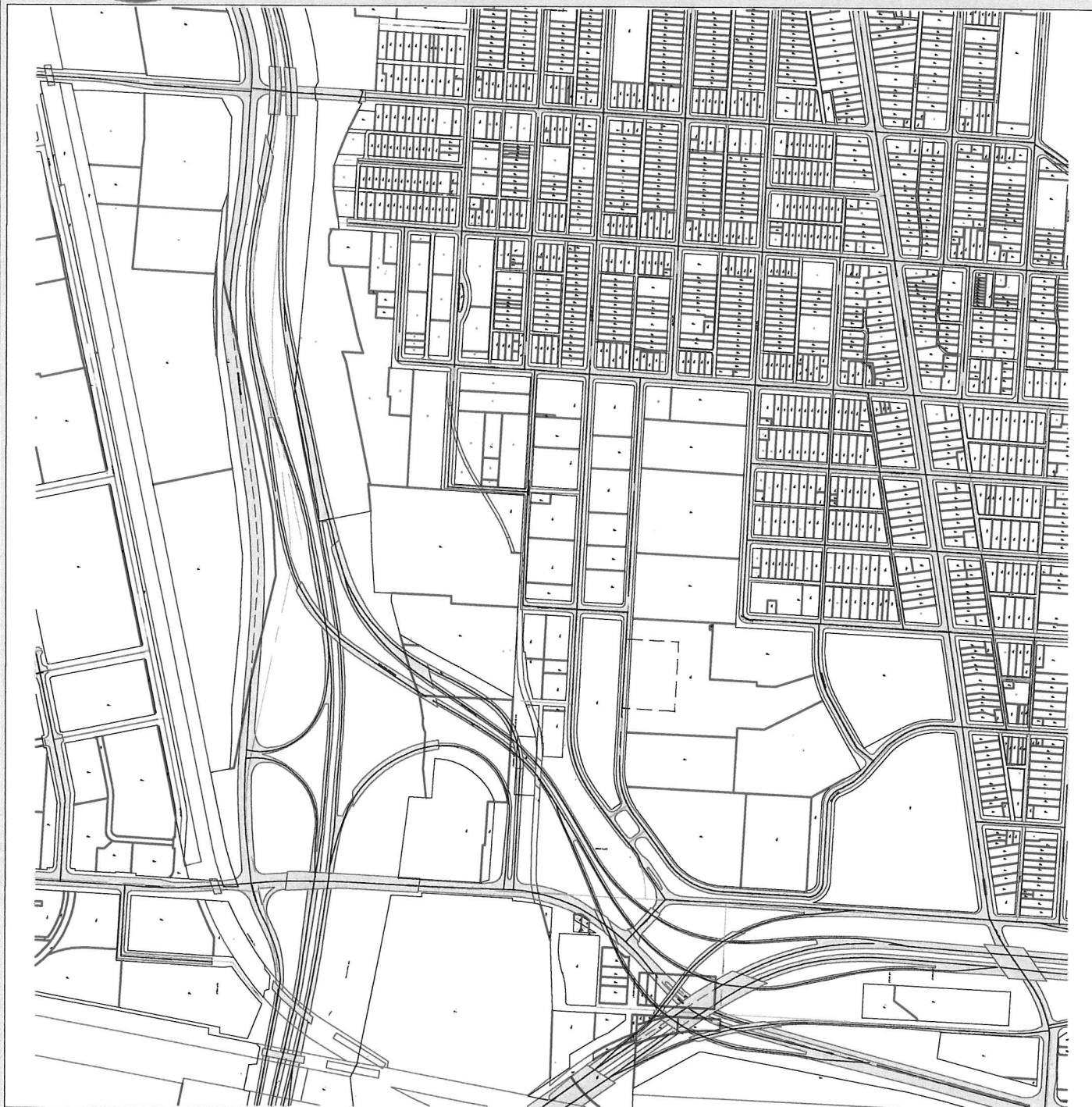




CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: JBR

DATE: 3/1/16



Disclaimer

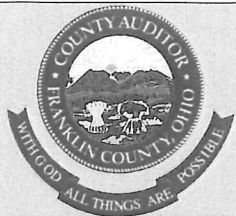
Scale = 682



This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

Real Estate / GIS Department

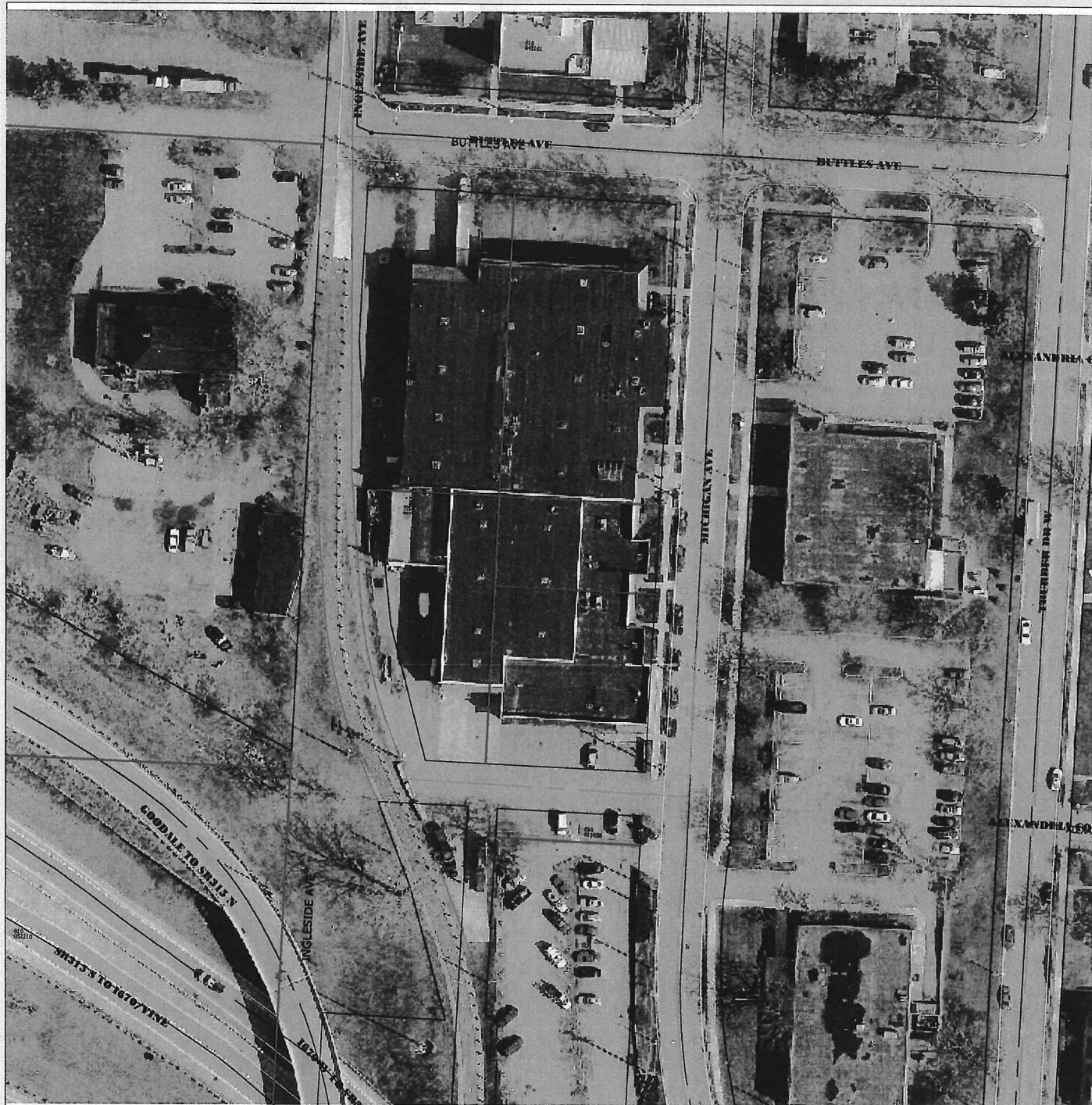
CU16-033



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: JBR

DATE: 3/1/16



ORTHOPHOTOGRAPHY DATE 2014

Disclaimer

Scale = 100



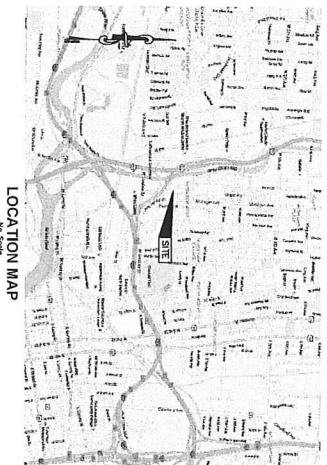
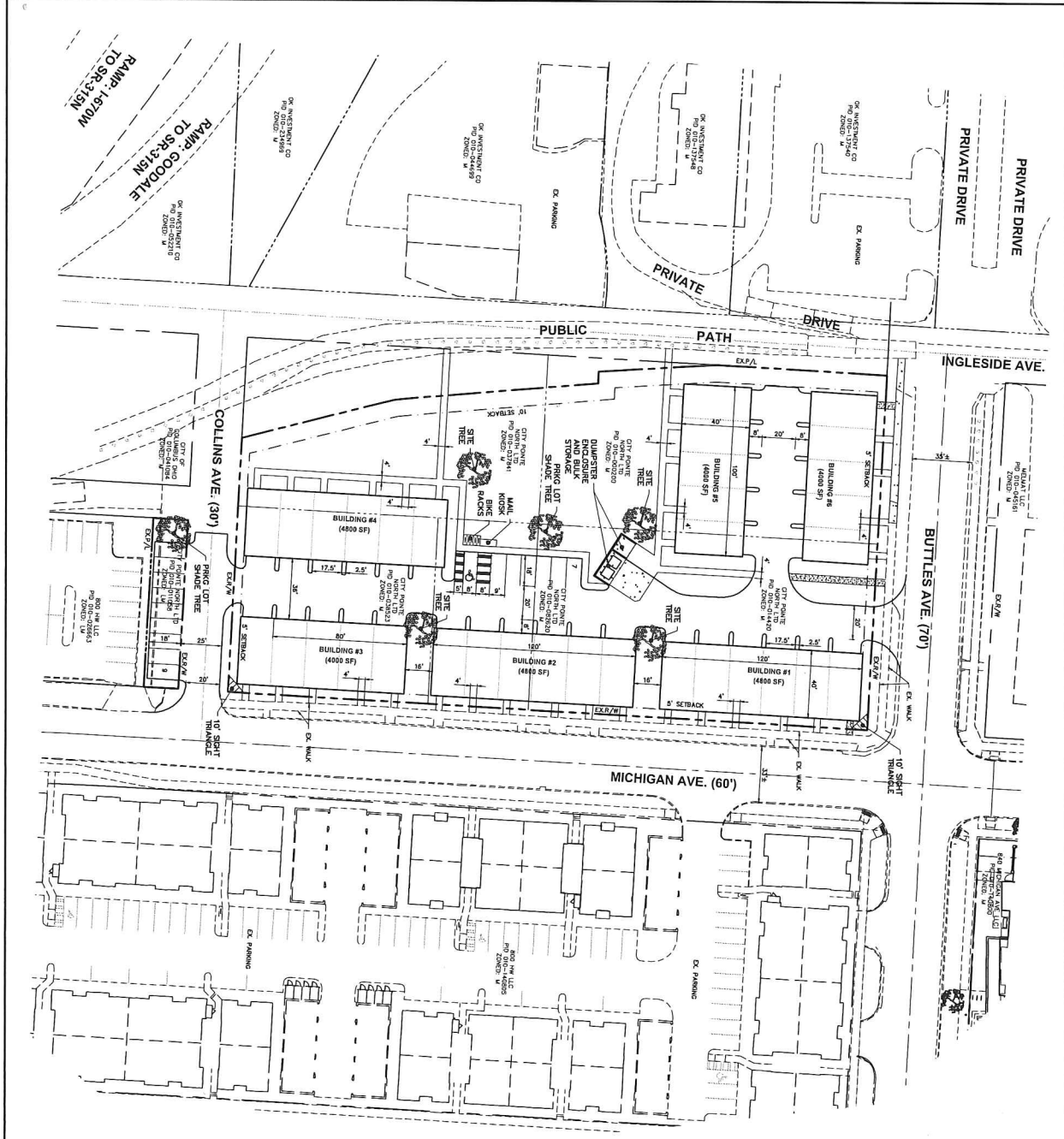
This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

Real Estate / GIS Department

CV16-033



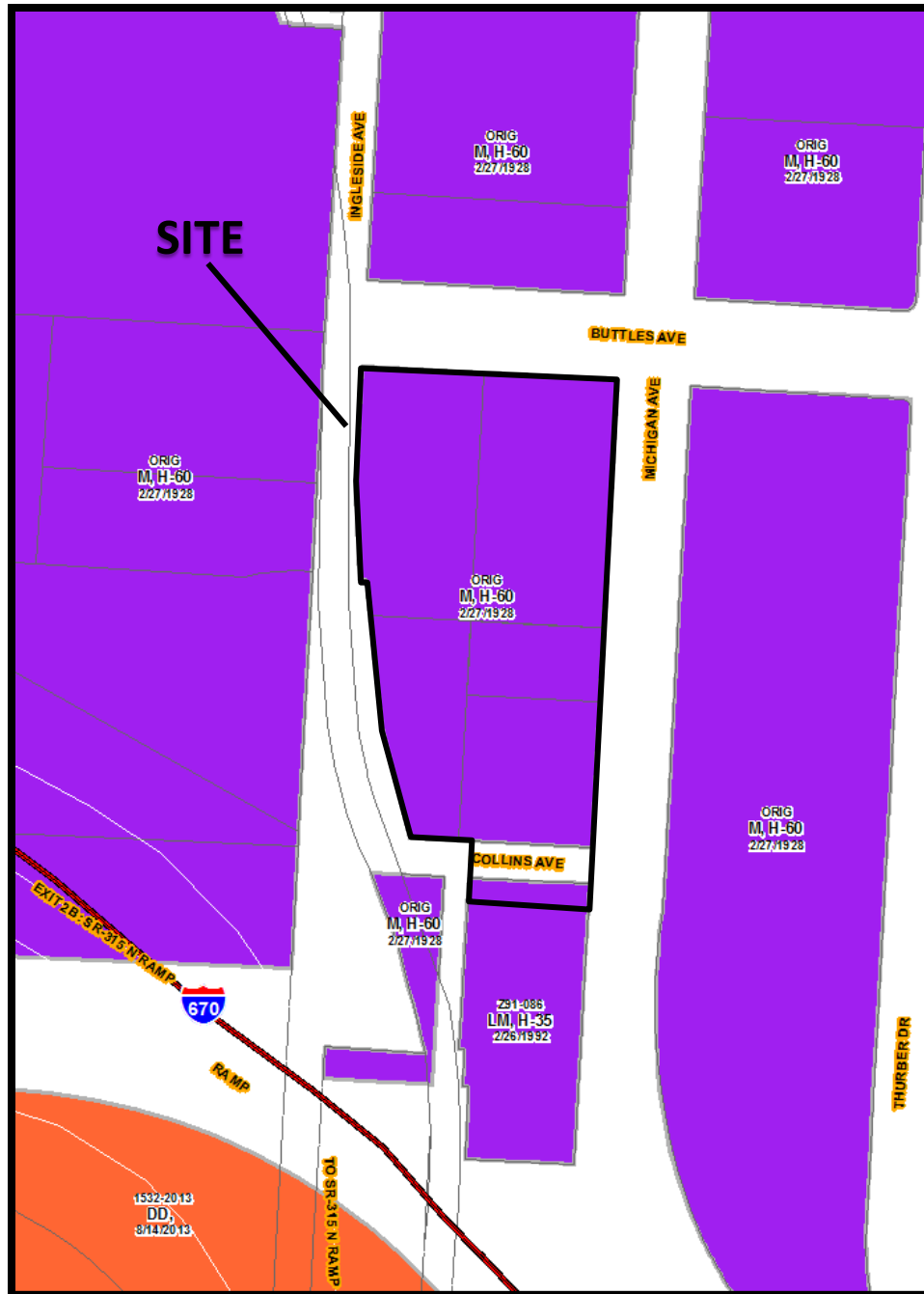
CM16-033



PARKING SUMMARY TOTAL SPACES PROVIDED: 50 TOTAL SPACES REQUIRED: 50 TOTAL SPACES PROVIDED: 50 TOTAL SPACES REQUIRED: 50	
LEGEND PRIVATE DRIVEWAY PUBLIC DRIVEWAY	
GRAPHIC SCALE 0 10 20 30 40 50 60 70 80 90 100 FEET	
TABLE TOTAL AREA: 1.88 ACRES TOTAL BUILDING AREA: 22,000 SF TOTAL PARKING AREA: 2,000 SF TOTAL SITE AREA: 24,000 SF	
TABLE TOTAL UNITS: 33 TOTAL UNITS PER LOT: 1 TOTAL UNITS PER LOT: 1	
TABLE TOTAL UNITS: 33 TOTAL UNITS PER LOT: 1 TOTAL UNITS PER LOT: 1	

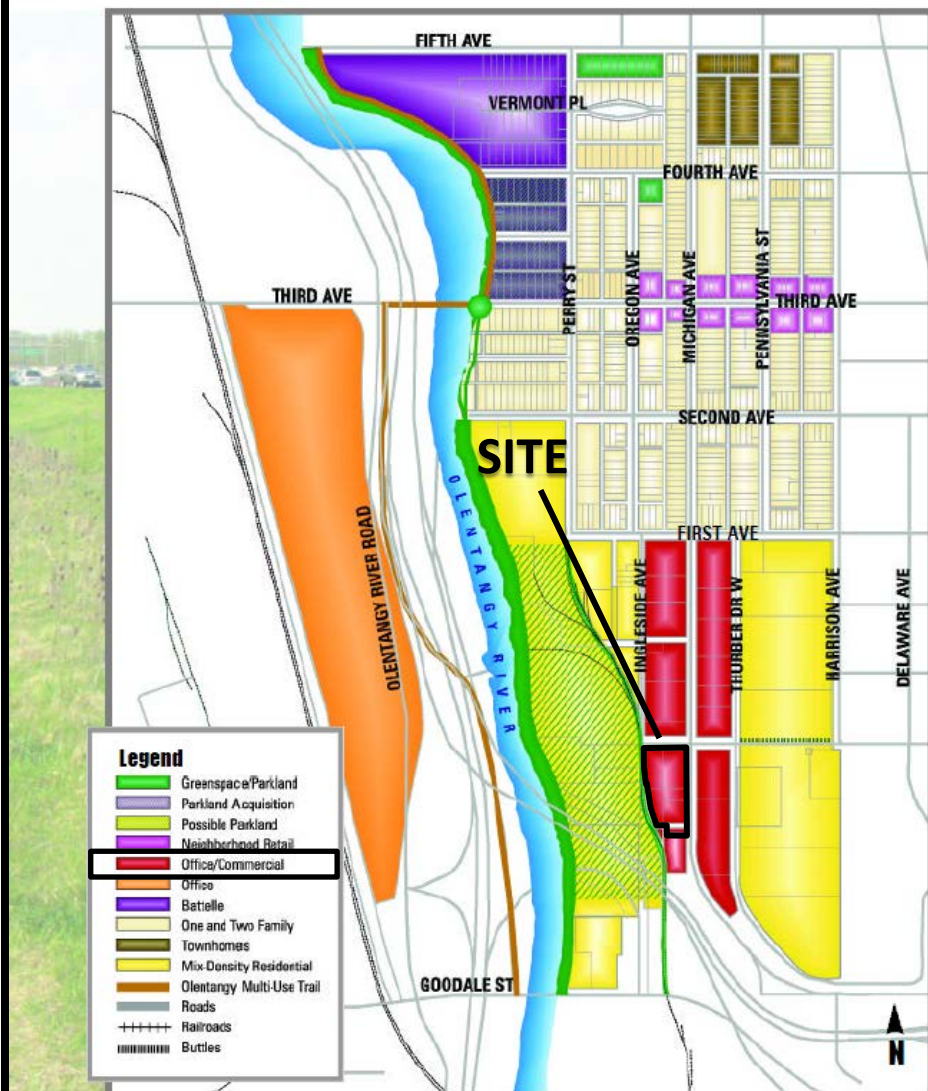
CITY OF COLUMBUS, FRANKLIN COUNTY OHIO CITY POINTE ZONING PLAN FOR EVERGREEN SITE PLAN		PLAN PREPARED FOR: EVERGREEN PO BOX 10153 TAMPA, FL 33678	PLAN PREPARED BY: ADVANCED CIVIL DESIGN ENGINEERS SURVEYORS 432 Brecher Road Columbus, Ohio 43230 ph 614.426.7750 fax 614.426.7755
DATE: 05/02/2016 DRAWN BY: jathari CHECKED BY: jathari PROJECT NUMBER: 16-0001-789 DRAWING NUMBER: 1/1	ISSUE DATE: 05/02/2016 SCALE: AS NOTED DATE: 05/02/2016 DRAWN BY: jathari CHECKED BY: jathari PROJECT NUMBER: 16-0001-789 DRAWING NUMBER: 1/1		

CV16-033



CV16-033
815 Michigan Ave
Approximately 1.89 acres

RECOMMENDATIONS



CV16-033
 815 Michigan Ave
 Approximately 1.89 acres



CV16-033
815 Michigan Ave
Approximately 1.89 acres