

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 #: CV16-041 Date Received: 5/31/16
Application Accepted By: SP & JB Fee: \$1200
Comments: Assigned to Shamon Pine; 614-645-2208; spine@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes Only) 1648 North Wilson Road, Columbus, OH Zip 43204

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: 425-295581; 570-219204

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

Current Zoning District(s) R

Area Commission or Civic Association: None

Proposed Use or reason for Council Variance request: multi-family apartment use; variance to reduce building setbacks on Trabue Road from 50 feet to 35 feet and on Wilson Road from 60 feet to 30 feet

Acreage 5.617 +/- acres

APPLICANT:

Name: Metro Development LLC Phone Number: 614-540-2400 Ext: _____

Address: 470 Olde Worthington Road, Suite 101 City/State: Westerville, OH Zip 43082

Email address: jthomasjr@villagecommunities.com Fax Number: 614-719-5135

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

Name: Richard McFarland, Trustee Phone Number: 614-464-6349 Ext: _____

Address: 1648 N. Wilson Road City/State: Columbus, OH Zip 43204

Email address: drcook@vorys.com Fax Number: 614-719-5135

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

Attorney X Agent

Name: Deanna R. Cook, Esq. Phone Number: 614-464-6349 Ext: _____

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

Email address: drcook@vorys.com Fax Number: 614-719-5135

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

APPLICANT SIGNATURE by Shamon Pine

PROPERTY OWNER SIGNATURE by Dr. Cook

ATTORNEY / AGENT SIGNATURE by Dr. Cook

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

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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 Exhibit A

Signature of Applicant



Date

5-31-2016

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EXHIBIT A

STATEMENT OF HARDSHIP

Property Address: 1648 North Wilson Road, Columbus, Ohio

Applicant: Metro Development LLC

The subject site is 5.617+/- acres at the southeast corner of Wilson Road and Trabue Road, which is being rezoned by the Applicant to L-AR-1 (Application Z16 - 033). The Applicant has submitted a concept plan as part of the rezoning request.

The subject site was annexed to the City of Columbus in 2015 and is zoned R-Rural. To the northeast is the Wilson Road Golf Course; to the northwest is industrial land zoned M-2; to the west (on the opposite side of Wilson Road) is a strip mall, including a convenience store, zoned L-C-3 and a single family residential development zoned SR; to the south is existing industrial land zoned LM-2; and to the east is a single family subdivision zoned LSR.

The applicant is asking to reduce the building setback on Wilson Road from 60 feet to 30 feet and on Trabue Road from 50 feet to 35 feet. This reduction is requested in order to (i) orient the development closer to the roadways and the neighboring industrial and commercial uses to the north, south and west, and further away from the single family subdivision parcels that abut the subject site to the east, and (ii) allow for conservation of existing trees and natural resources and provide an open space near the center of the development and near the single family subdivision to the east.

A number of uses on Wilson Road and Trabue Road were established before the front yard setback requirements based upon the Columbus Thoroughfare Plan were established or are commercial in nature. Consequently, a building setback of 30 feet from Wilson Road and 35 feet from Trabue Road is not inconsistent with other developments in the area.

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

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Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224

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

AFFIDAVIT (See instruction sheet)

APPLICATION #

W16-041

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Deanna R. Cook, 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 1648 N. Wilson 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) 5/31/16

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) Richard McFarland, Trustee
1648 N. Wilson Road
Columbus, OH 43204

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

(4) Metro Development LLC
c/o Joe Thomas 614-540-2400

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

(5) None

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)

☐ Check here if listing additional property owners on a separate

(8) SIGNATURE OF AFFIANT:

Deanna R Cook

Sworn to before me and signed in my presence this 31st day of May, in the year 2016

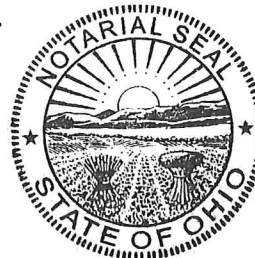
(8) SIGNATURE OF NOTARY PUBLIC:

Michelle L. Parmenter

My Commission Expires: _____

This Affidavit expires six months after date of notarization.

Notary Seal Here



MICHELLE L. PARMENTER
Notary Public, State of Ohio
My Commission Expires
10-16-2017

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Please make all checks payable to the Columbus City Treasurer

Antonio G. Caradonna
1641 Middlecoff Ct.
Columbus, OH 43228

Louise Cheung and Mee Cheung
3850 Trestle Ct.
Columbus, OH 43204

City of Columbus
c/o Real Estate Management
90 W. Broad St., Room 425
Columbus, OH 43215

Mary C. Clark, Trustee
2624 Sonnington Dr.
Dublin, OH 43017

John L. Dennis
1617 Middlecoff Ct.
Columbus, OH 43228

Richard E. Dulin, Jr. and
Mary M. Dulin
1567 Vanelm St.
Columbus, OH 43228

Barbara J. Emerick
1605 Middlecoff Ct.
Columbus, OH 43228

Del-Ray Feagin
1593 Middlecoff Ct.
Columbus, OH 43228

Matthew S. Holewinski and
Melissa B. Holewinski
1585 Middlecoff Ct.
Columbus, OH 43228

Robert J. Lybbert and
Elizabeth Lybbert
3847 Trestle Ct.
Columbus, OH 43204

Cathy J. McDaniel and
John G. McDaniel
1645 Wilson Rd.
Columbus, OH 43204

Richard L. McFarland and
Malcom G. McFarland
1484 Poplar Dr.
Columbus, OH 43204

Richard L. McFarland, Trustee
1648 N. Wilson Rd.
Columbus, OH 43204

Harbir K. Rekhi
3853 Trestle Ct.
Columbus, OH 43204

Milliard H. Skaggs, Wilma D.
Skaggs and Charles G. Skaggs
1555 Vanelm St.
Columbus, OH 43228

Michael R. Snow
1656 Middlecoff Ct.
Columbus, OH 43228

Chris M. Utter
1621 N. Wilson Rd.
Columbus, OH 43204

Robert J. Wallace
1655 Middlecoff Ct.
Columbus, OH 43228

James Wamsley
1647 Middlecoff Ct.
Columbus, OH 43228

Boehringer Ingelheim Roxane Inc.
BIRI Tax Dept
c/o BIPI Tax Department
P. O. Box 368
Ridgefield, CT 06877

Denver Short
1585 N. Wilson Rd.
Columbus, OH 43204

Deanna R. Cook, Esq.
Vorys, Sater, Seymour
and Pease LLP
52 E. Gay Street
Columbus, OH 43215

Metro Development LLC
470 Olde Worthington Road
Westerville, OH 43082

Colleen Thompson
1629 Middlecoff Court
Columbus, OH 43228

Mary C. Clark, Trustee
7860 Cook Road
Plain City, OH 43064-9302

SOI Properties 11 LLC
4673 Cranleigh CT
Dublin, OH 43016-9402

Colleen A. Thompson, Trustee
13797 Sudbury Drive
Pickerington, OH 43147-8717

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 # CU16-041

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Deanna R. Cook, 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. Metro Development LLC
470 Olde Worthington Rd. Suite 101
Westerville, OH 43082
c/o Joe Thomas #614-540-2400
0 Columbus employees

2.

☐ Check if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Deanna R. Cook

Sworn to before me and signed in my presence this 31st day of May, in the year 2016

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:



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

MICHELLE L. PARMENTER
Notary Public, State of Ohio
My Commission Expires
10-16-2017

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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: 425295581

Zoning Number: 1648

Street Name: N WILSON RD

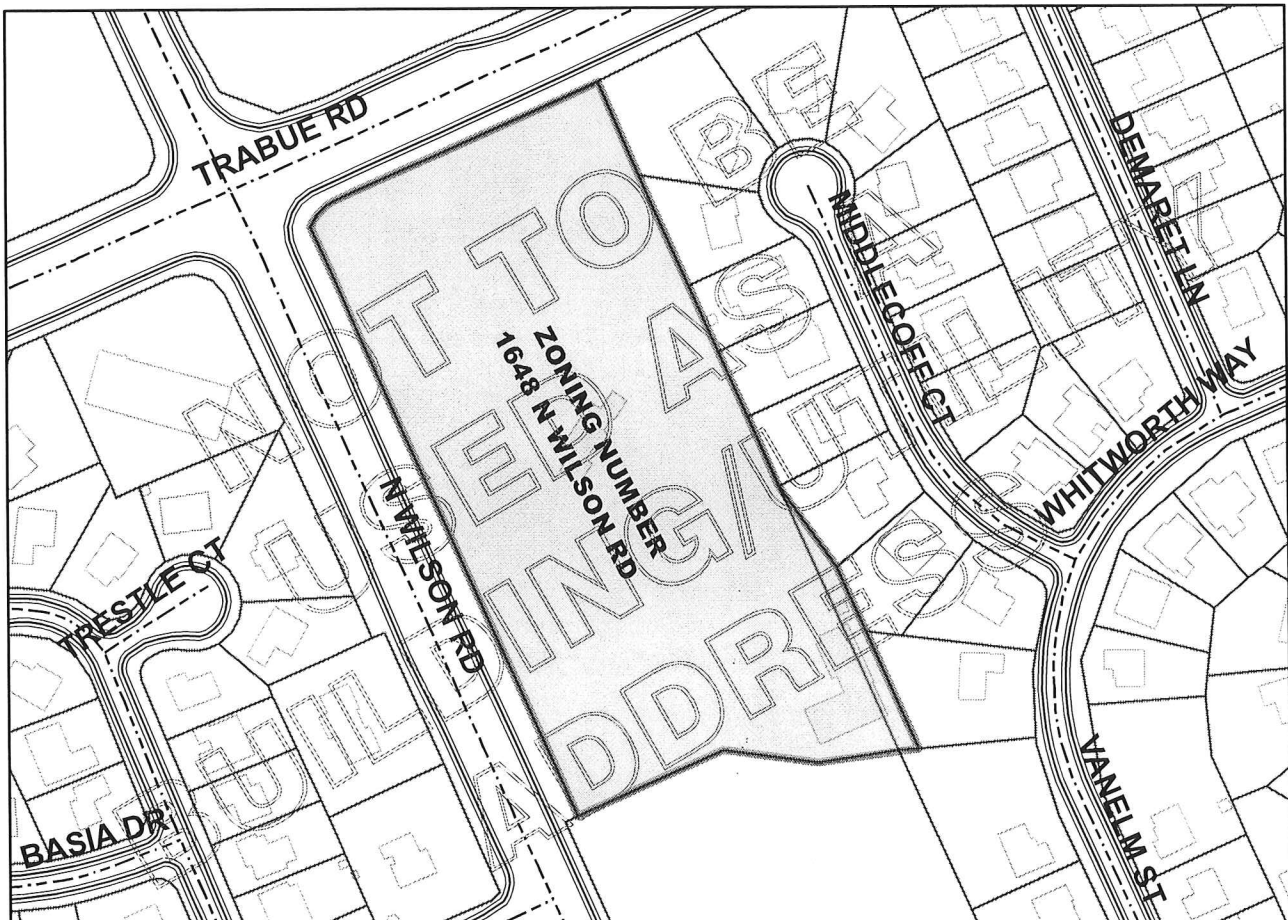
Lot Number: N/A

Subdivision: N/A

Requested By: VORYS, SATER, SEYMOUR & PEASE LLP (NICKI WILLIS)

Issued By: *Edyana Amarian*

Date: 3/16/2016



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

SCALE: 1 inch = 200 feet

GIS FILE NUMBER: 32131

**Boundary Survey ~ 5.617 Acre
East of Wilson Road
South of Trabue Road
-1-**

Situated in the State of Ohio, County of Franklin, Township of Franklin and the City of Columbus, Virginia Military Survey No. 875, being part of an Original 10 acre tract of land (Parcel I) conveyed to Richard L. McFarland, or Successor, Trustee of The Mildred Mae McFarland Rice Trust dated May 17, 2010 of record in Instrument Number 201005210063116 and all of (Parcel II) conveyed to Richard L. McFarland, or Successor, Trustee of The Mildred Mae McFarland Rice Trust dated May 17, 2010 of record in Instrument Number 201301250013118, said (Parcel II) being Reserve "B" as delineated on "Scioto Woods Section 3" of record in Plat Book 73, Page 103, and more particularly described as follows:

Beginning, for reference, at Franklin County Geodetic Survey Monument "6654 Reset", being the centerline intersection of Trabue Road and Wilson Road, being the northwesterly corner of a 1.176 acre tract (Parcel 31WD) conveyed to Franklin County Commissioners of record in Instrument Number 201209130136271;

Thence **N 66° 21' 07" E**, along the centerline of said Trabue Road, being the northerly line of said 1.176 acre tract, **95.92 feet**;

Thence **S 23° 38' 53" E**, across the right-of-way of said Trabue Road and being across said 1.176 acre tract, **50.00 feet** to a 3/4-inch iron pin found, capped J&J, being a northwesterly corner of said (Parcel I), being in the southerly line of said 1.176 acre tract and being in the southerly right-of-way line, the **True Point of Beginning**;

Thence **N 66° 21' 07" E**, along the northerly line of said (Parcel I), being the southerly line of said 1.176 acre tract and being the southerly right-of-way line of said Trabue Road, **301.86 feet** to a 3/4-inch iron pin found, capped Franklin County at the northeasterly corner of said (Parcel I), being the southeasterly corner of said 1.176 acre tract and being in the westerly line of Lot 197 as delineated on said "Scioto Woods Section 3";

Thence **S 24° 10' 24" E**, along the easterly line of said (Parcel I) and being the westerly line of said Lot 197 and the westerly lines Lot 196, Lot 195, Lot 194 and Lot 193 of said "Scioto Woods Section 3", **456.48 feet** to a 3/4-inch iron pin found, capped B.D.&M., at the southwest corner of said Lot 193, being the northwesterly corner of Lot 192 of said "Scioto Woods Section 3", being the northerly corner of said (Parcel II) and the northerly corner of said Reserve "B";

Thence along easterly and southerly lines of said (Parcel II), being the easterly and southerly lines of said Reserve "B", being the westerly line said Lot 192, the westerly lines of Lot 191 and Lot 189 as delineated on said "Scioto Woods Section 3" and the northerly line of Lot 188 as delineated on said "Scioto Woods Section 3", the following three (3) courses;

S 35° 56' 14" E, 98.10 feet to a 3/4-inch iron pin found, capped B.D.&M. at the southwesterly corner of said Lot 192 and being the northwesterly corner of said Lot 191;

S 24° 10' 24" E, 211.47 feet to a point witnessing a 3/4-inch iron pin found at 0.09 feet east and 0.19 north, being at the southwesterly corner of said Lot 189, being in the northerly line of said Lot 188 and passing a 3/4-inch iron pin found at the southwesterly corner of said Lot 191 and the northwesterly corner of said Lot 189;

S 82° 03' 25" W, 20.83 feet to an iron pin set at the southwesterly corner of said (Parcel II), being the southwesterly corner of said Reserve "B", being the northwesterly corner of said Lot 188 and being in the easterly line of said (Parcel I);

Thence **S 24° 10' 24" E**, along the easterly line of said (Parcel I) and being along a portion of the westerly line of said Lot 188, **4.01 feet** to a point witnessing a 3/4-inch iron pin found at 0.09 feet south and 0.76 feet west, at the southeasterly corner of said (Parcel I), being in the westerly line of said Lot 188 and

**Boundary Survey ~ 5.617 Acre
East of Wilson Road
South of Trabue Road
-2-**

being the northeasterly corner of a tract of land conveyed to Mary C. Clark, Trustee of record in Instrument Number 201101260013418;

Thence along the southerly lines of said (Parcel I) and being along the northerly lines of said Clark tract the following three (3) courses;

S 81° 27' 22" W, 84.62 feet to a 3/4-inch iron pin found at an angle point thereof;

N 83° 45' 10" W, 99.95 feet to a 3/4-inch iron pin found at an angle point thereof;

S 67° 23' 41" W, 169.71 feet to an iron pin set at the southwesterly corner of said (Parcel I), being the southeasterly corner of a 0.228 acre tract conveyed to the City of Columbus, Ohio of record in Instrument Number 201311220194498 and being in the easterly right-of-way line of said Wilson Road;

Thence **N 24° 10' 18" W**, along the westerly line of said (Parcel I), being along the easterly line of said 0.228 acre tract and being along the easterly right-of-way line of said Wilson Road, **672.61 feet** to an iron pin set at a point of curvature at a northwesterly corner of said (Parcel I), being the northerly corner of said 0.228 acre tract and being in the southerly line of said 1.176 acre tract;

Thence along the northerly line of said (Parcel I), the southerly line of said 1.176 acre tract and being the southerly right-of-way line of said Trabue Road with a curve to the right, having a central angle of **44° 57' 02"** and a radius of **50.00 feet**, an arc length of **39.23 feet**, a chord bearing and chord distance of **N 43° 52' 36" E, 38.23 feet** to the **True Point of Beginning, Containing 5.617 acre**. Of which 5.499 acres is from APN: 425-294646 and 0.118 acre is from APN: 570-219204.

Subject, however, to all legal highways, easements, and restrictions. The above description was prepared by Advanced Civil Design, Inc. on April 7, 2016.

This description is based on existing records from the Franklin County Recorder's Office and from an actual field survey in April 2016.

Iron pins set are 3/4" diameter iron pipe, 30" long and capped Advanced 7661.

Bearings are based on the Ohio State Plane Coordinate System NAD83, NSRS2007. A bearing of N66°21'07"E was held for the centerline of Trabue Road between FCGS 6654 Reset and FCGS 7744.

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

ADVANCED CIVIL DESIGN, INC.

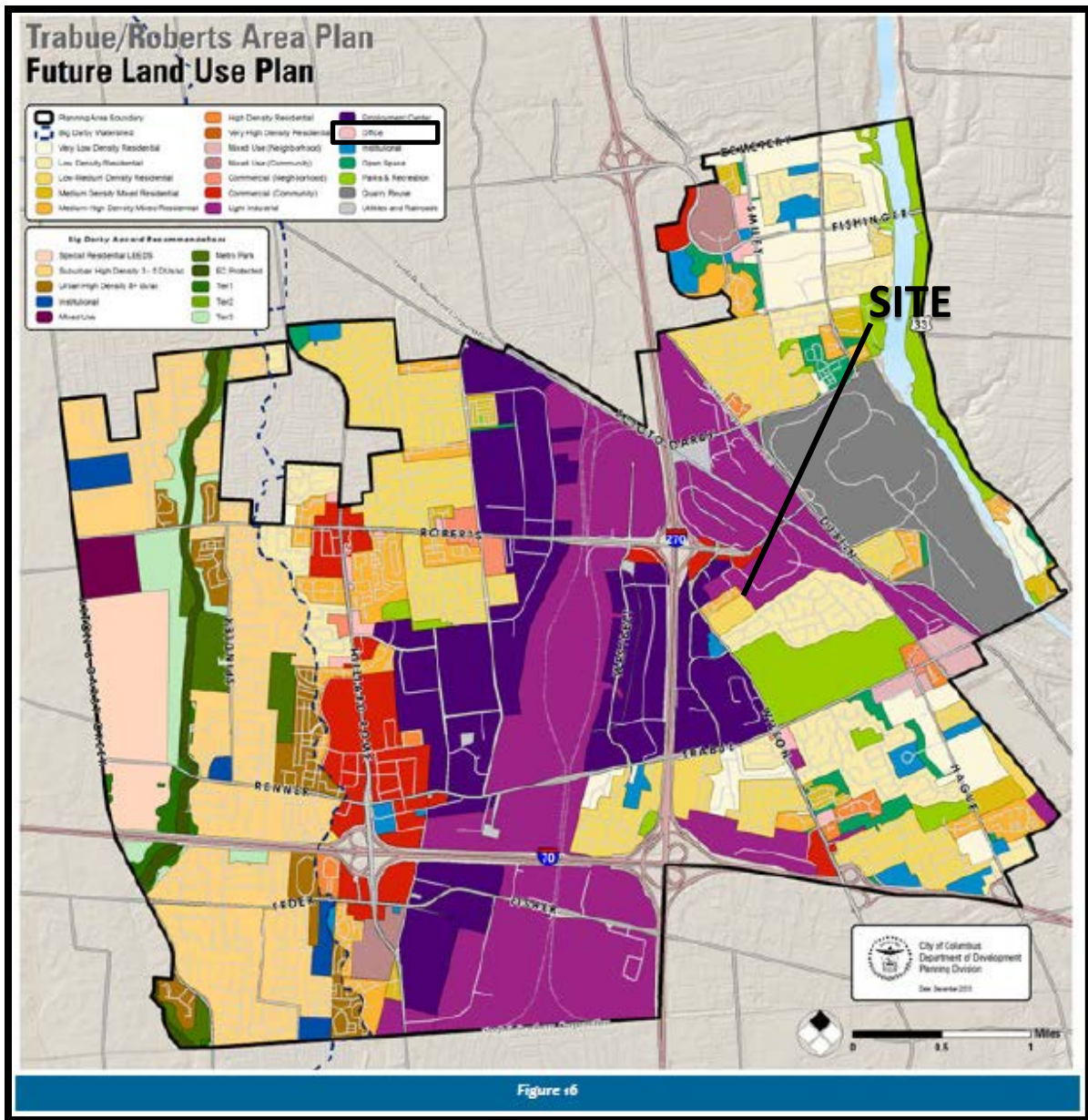
Douglas R. Hock, P.S. 7661

Date:

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CV16-041
 1648 North Wilson Road
 Approximately 5.62 acres



CV16-041
1648 North Wilson Road
Approximately 5.62 acres



CV16-041
1648 North Wilson Road
Approximately 5.62 acres