

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: CV16-048 Date Received: 7/8/16

Application Accepted by: SP Fee: \$1,200

Comments: Assigned to Shannon Pine; 614-645-2208; spine@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 9480 South Old State Zip: 43035

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: 31834402003000

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

Current Zoning District(s): R, Rural

Area Commission or Civic Association: Far North Columbus Communities Coalition Civic Group

Proposed Use or reason for Council Variance request:

This is a companion Council Variance to rezoning of Site to L-R-2F, Residential

Acreage: 6

APPLICANT:

Name: Bell Properties, Ltd Phone Number: 614-761-7500 Ext.: _____

Address: P.O. Box 819 City/State: Dublin, Ohio Zip: 43017

Email Address: bellproperties@msn.com Fax Number: 614-764-2561

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

Name: Korean Presbyterian Church of Columbus Phone Number: _____ Ext.: _____

Address: 9480 South Old State Road City/State: Columbus, Ohio Zip: 43035

Email Address: _____ Fax Number: _____

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

Name: Michael Shannon, Esq. Phone Number: 614-229-4506 Ext.: _____

Address: 500 South Front Street, Suite 1200 City/State: Columbus, Ohio Zip: 43215

Email Address: mshannon@cbjlawyers.com Fax Number: 614-229-4559

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 checks payable to the Columbus City Treasurer

STATEMENT OF HARDSHIP - CV16-048

Property Address: 9480 South Old State Road
Property Size: +/- 6 acres
Parcel Number: 31834402003000
Applicant: Bell Properties, Ltd.
c/o Crabbe, Brown & James, LLP
Michael T. Shannon, Esq.
500 S. Front St., Suite 1200
Columbus, Ohio 3215
mshannon@cbjlawyers.com
Current Owner: Korean Presbyterian Church of Columbus
9480 South Old State Road
Columbus, Ohio 43035
Date of Text: July 6, 2016

This Council Variance is requested in conjunction with a change of the Site's zoning classification. Applicant's rezoning application requested a change from R, Rural to L-R-2F, Limited Residential, to permit a residential condominium development. The development as proposed provides for twenty-three (23) lots with condominium twin-singles on each lot for a maximum of forty-six (46) dwelling units

The subject property site ("Site") is located in north Columbus, Ohio, near the intersection of South Old State Road and Polaris Parkway. The Site's address is 9480 South Old State Road (Parcel No: 31834402003000). The Site is currently occupied by the Korean Presbyterian Church of Columbus and the proposed development is six (6) acres measured from the west property line.

The site is bordered on the east (across South Old State Rd) by L-M parcels, on the north by thirty-eight (38) apartments in the L-AR12 District, and a Telecommunications Tower Zoned R, on the south by Orange Township property zoned Planned Commercial Office Districts, and on the west by railroad tracks and R-2 parcels across the railroad tracks.

The Site is located within the Far North Columbus Communities Coalition Civic Group and is subject to the Far North Area Plan. The Far North Area Plan recommends low-medium density residential and institutional uses.

Applicant requests a variance from Columbus City Code § 3332.25(B), which section requires the sum of the widths of each side yard to equal or exceed 20 percent of the width of the lot, provided that not more than 16 feet need be so devoted. Applicant requests a variance to reduce the required sum of the widths of each side yard to equal or exceed ten (10) feet.

The requested variance is not substantial. For a majority of Lots within this proposed development, this variance would allow a reduction of average side yard width from six or seven feet to five feet. In the most extreme case, this variance would allow a reduction of average side yard width from eight feet to five feet. Significantly, this variance would not reduce the five-foot minimum side yard permitted by CCC § 3332.26(C)(3).

This variance will not substantially alter the character of the neighborhood. The proposed development will effectively become its own neighborhood and each will be subject to the requested variance. The only neighboring residential development is an apartment development adjacent north.

The variance would not adversely affect the delivery of governmental services, 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 citizens of Columbus. Further, the spirit and intent of the maximum side yard will be required because the requested variance is a minimal reduction and the Lots will maintain the code required minimum permitted side yard.

The undersigned, being the owners of the subject properties, together with the Applicant in the subject Application, or their authorized representatives, do hereby agree singularly and collectively for themselves, their heirs, successors and assigns, to abide by above restrictions, conditions and commitments regarding the development of the subject property.

Respectfully Submitted,



Michael T. Shannon, Esq.
Attorney for Applicant

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

AFFIDAVIT (See instruction sheet)

Application Number: CV16-048

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Eric J. Zartman, Esq.

of (1) MAILING ADDRESS 500 South Front Street, Suite 1200, Columbus, Ohio 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 9480 South Old State 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) 7/8/16

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) Korean Presbyterian Church of Columbus
9480 South Old State Road,
Columbus, Ohio 43035

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

Bell Properties, Ltd.
614-761-7500

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

(5) Far North Columbus Communities Coalition Civic Group
Jim Palmisano
7984 Brook Point Pl.
Westerville, Ohio, 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

Eric J. Zartman

Sworn to before me and signed in my presence this 11th day of July, in the year 2016

Rev.

(8) SIGNATURE OF NOTARY PUBLIC

My Commission **CAROL A. STEWART**
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES 08/28/2019



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

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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 # CV16-048

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Eric J. Zartman, Esq.

of (COMPLETE ADDRESS) 500 South Front Street, Suite 1200, Columbus, Ohio 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. Bell Properties, Ltd. P.O. Box 819 Dublin, Ohio 43017 Tom Bell 614-761-7500	2.
3.	4.

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

SIGNATURE OF AFFIANT

Eric Zartman

Sworn to before me and signed in my presence this 11th day of July, in the year 2016

Carol A. Stewart

SIGNATURE OF NOTARY PUBLIC

Notary Seal Here

My Commission Expires

CAROL A. STEWART
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES 08/28/2019



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Columbus Southern Power Company
9518 S. Old State Road
Lewis Center, Ohio 43035

Korean Presbyterian Church
Of Columbus
9480 S. Old State Road
Lewis Center Ohio 43035

Polaris Enclave, LLC
Post Office Box 819
Dublin, Ohio 43017

Subcarrier Communications, Inc.
139 White Oak Lane
Old Bridge, NJ 08857

ATTORNEY

APPLICANT

OWNER

Michael T. Shannon
Crabbe, Brown & James, LLP
500 S. Front St., Ste. 1200
Columbus, Ohio 43215

Tom Bell Properties, Ltd.
Post Office Box 819
Dublin, Ohio 43017

Polaris Enclave, LLC
Post Office Box 819
Dublin, Ohio 43017

OWNER

AREA COMMISSION

Korean Presbyterian Church
Of Columbus
9480 S. Old State Road
Lewis Center, Ohio 43035

Far North Columbus
Communities Coalition
Attn: Jim Palmisano, President
Post Office Box 66
Lewis Center, Ohio 43035

CULB-048

COUNCIL VARIANCE APPLICATION

Department of Building & Zoning Services

Scott Messer, Director

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APPLICATION # CULB-048

STATE OF OHIO
COUNTY OF FRANKLIN

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of (COMPLETE ADDRESS) 500 South Front Street, Suite 1200, Columbus, Ohio 43215

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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. Bell Properties, Ltd. 4561 Kenny Rd, Columbus, OH 43220 Tom Bell Phone: (614) 273-0116	2.
3.	4.

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

SIGNATURE OF AFFIANT

Eric J. Zartman

Sworn to before me and signed in my presence this 8th day of July, in the year 2016

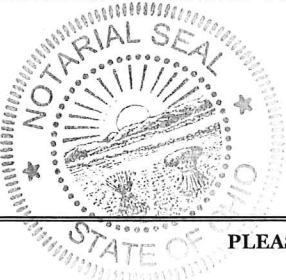
Notary Seal Here

Carol A. Stewart

SIGNATURE OF NOTARY PUBLIC

My Commission Expires

CAROL A. STEWART
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES 06/28/2019



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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: 31834402003000

Zoning Number: 9480

Street Name: S OLD STATE RD

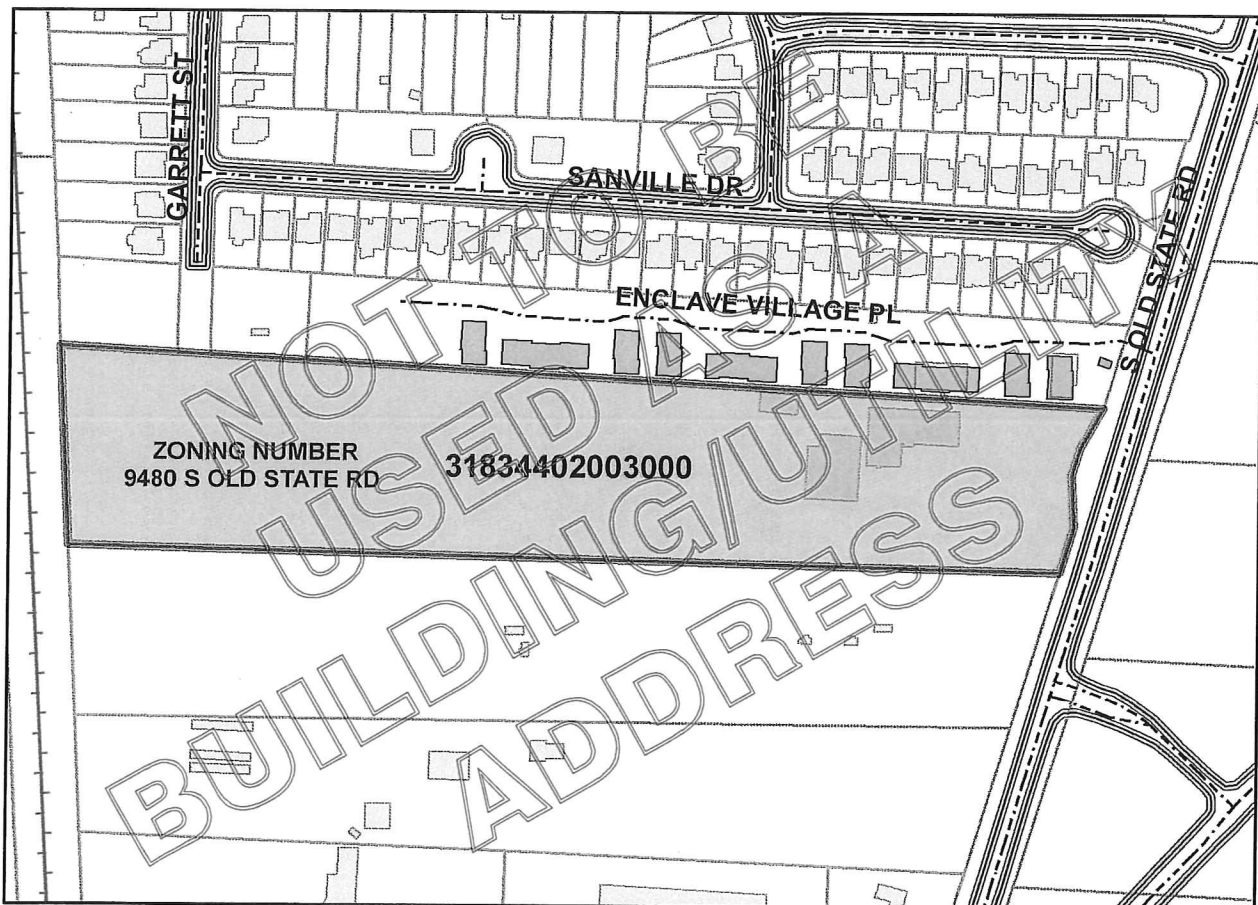
Lot Number: N/A

Subdivision: N/A

Requested By: CRABLE, BROWN & JAMES LLP (ERIC ZARTMAN)

Issued By: *Adyana Amarian*

Date: 7/6/2016



FRANK D. WILLIAMS, ADMINISTRATOR
DIVISION OF INFRASTRUCTURE MANAGEMENT
COLUMBUS, OHIO

SCALE: 1 inch = 300 feet

GIS FILE NUMBER: 67959

DESCRIPTION OF 6.000 ACRES
as Shown on the Plat Recorded in
VOLUME , PAGE of the SURVEY RECORDS
Of the DELAWARE COUNTY ENGINEER
As Found in the
DELAWARE COUNTY MAP DEPARTMENT
DELAWARE COUNTY, OHIO

Situated in the State of Ohio, County of Delaware, City of Columbus, Farm Lot 2, Quarter Township 3, Township 3, Range 18, U.S. Military Lands, and being part of an original 10.511 acre tract conveyed to Korean Presbyterian Church, by deed of record in Official Record 1049, Page 504, records of the Recorder's Office, Delaware County, Ohio and being bounded and more particularly described as follows:

Begin for Reference, at an iron pin set being referenced by a 3/4 iron pin found North 89°58'23" West, a distance of 0.95 feet, at the westerly common corner of Lot 4 of Wynstone Village, as shown and delineated in Plat Cabinet 3, Slide 235, and a 1.277 acre tract conveyed to Subcarrier Communications, Inc., by deed of record in Official Record 1177, Page 1523, and being on the easterly right-of-way line of a Railroad conveyed to New York Central Lines, by deed of record in Deed Book 671, Page 206;

Thence South 06°09'00" East, a distance of 145.14 feet along the westerly line of said 1.277 acre tract and the easterly line of said Railroad, to an iron pin set, being referenced by a 3/4 iron pin found South 44°35'07" West, a distance of 0.43 feet, at the westerly common corner of said 1.277 acre and 10.511 acre tracts, and being the **True Point of Beginning**;

Thence North 89°45'00" East, a distance of 902.95 feet, along the line common to said 1.277 acre tract, said 10.511 acre tract, a 0.165 acre tract conveyed to the City of Columbus, by deed of record in Official Record 1273, Page 464 and a 4.089 acre tract conveyed to Polaris Enclave, LLC, by deed of record in Official Record 1245, Page 2297, to an iron pin set;

Thence South 00°00'59" West, a distance of 276.99 feet, across said 10.511 acre tract, to an iron pin set on the line common to said 10.511 acre tract and a 9.00 acre tract conveyed to Columbus and Southern Power Company, by deed of record in Deed Book 598, Page 819;

Thence South 87°25'40" West, a distance of 870.14 feet, along the line common to said 10.511 acre and 9.00 acre tracts, to an iron pin set being referenced by a 3/4 inch iron pin found North 26°43'36" West, a distance of 5.89 feet, at the westerly common corner of said 10.511 acre and 9.00 acre tracts, and being on the easterly line of said Railroad;

Thence North 06°08'40" West, a distance of 313.90 feet, along the westerly line of said 10.511 acre tract and the easterly line of said Railroad, to the **True Point of Beginning**, containing 6.000 acres more or less and being subject to all easements, restrictions, and rights-of-way of record.

The bearing on the above description are based on the bearing South 89°45'00" West, for the southerly line of a 4.089 acre tract, of record in Deed Book 1245, Page 2297, Recorder's Office, Delaware County, Ohio.

All iron pins set are 3/4 inch iron pipes, 30 inches in length, with a red plastic cap stamped with the name "Landmark Survey".

The above description is based on an actual field survey performed in February of 2015.



LANDMARK SURVEY GROUP, INC.

Scott D. Grundei

2/25/15

Scott D. Grundei, P.S.

Date

Registered Surveyor No. 8047



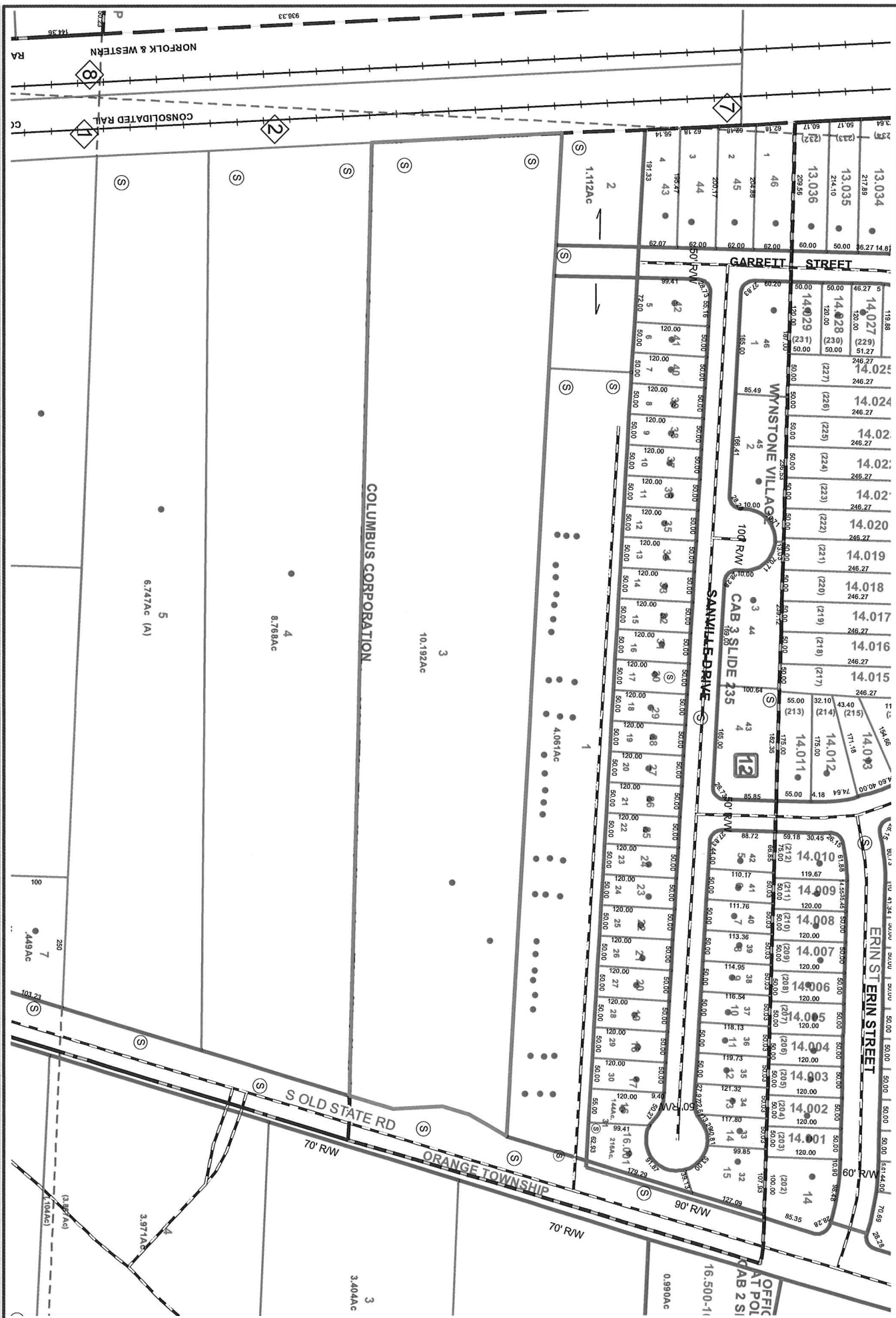
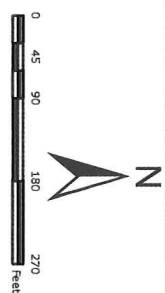
Information contained within this map may be used to generally locate, identify and inventory land parcels within Delaware County. Delaware County cannot warrant or guarantee the information contained herein, including, but not limited to its accuracy or completeness. The map parcel lines shown are approximate and this information cannot be constructed or used as a "legal description" of a parcel.

Aerial photo is current as of April 2015.

Please report any errors or omissions to the Delaware County Auditor's office.

Prepared by: Delaware County Auditor's GIS Office in July 2016

31834402003000

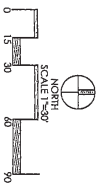
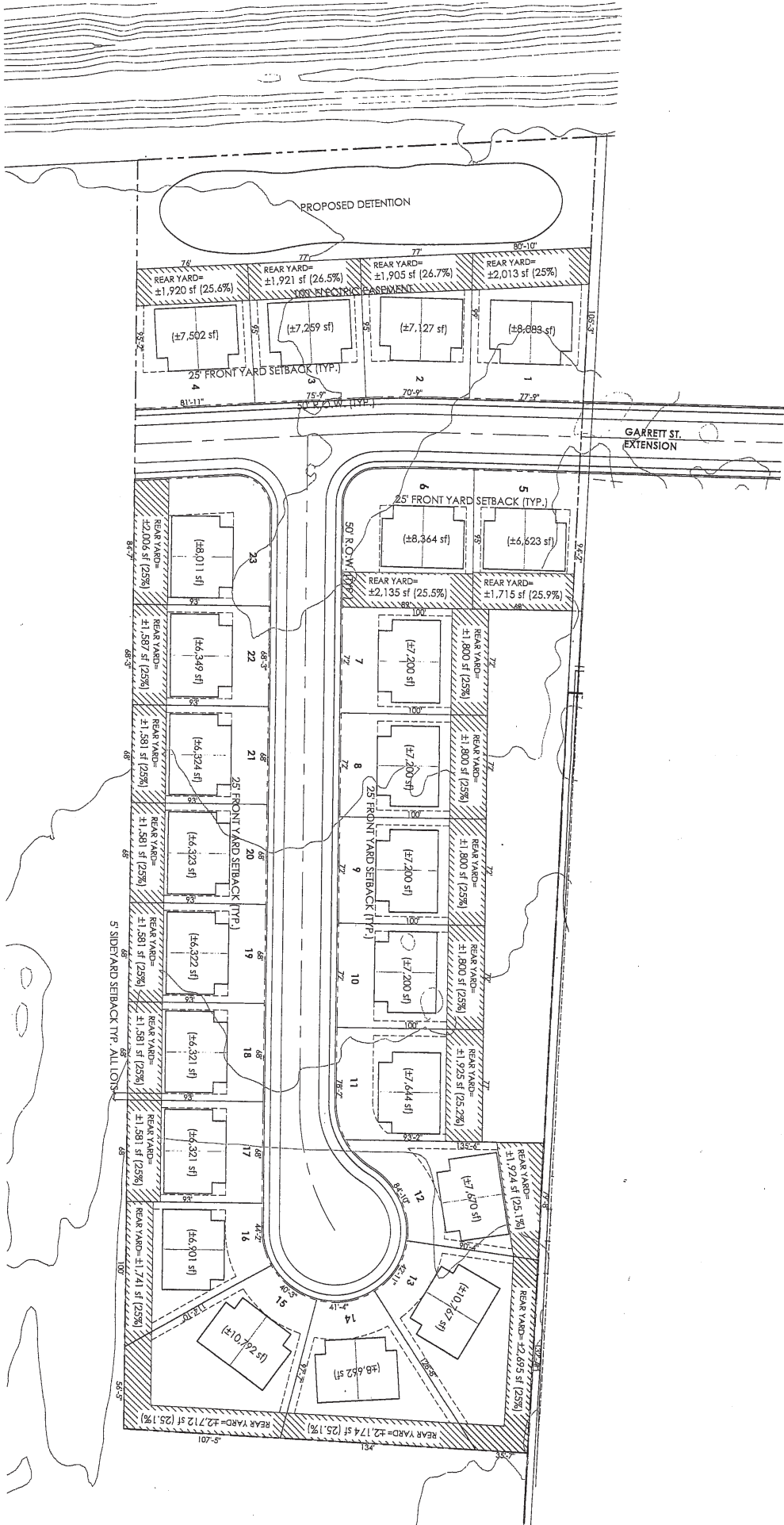


CUL6-048

SITE PLAN

SOUTH OLD STATE - GARRETT ST.

PREPARED FOR BELL HOMES
DATE: 7-24-18



Paris Planning & Design
LAND PLANNING
300 N. 25th Street
P.O. Box 1554
300 N. 25th Street
Columbia, SC 29205
www.parisplanninganddesign.com

CV 16-048

SCOTT D. GRUNDEL, P.S.
REGISTERED SURVEYOR NO. 8047

DATE
2/25/15



I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED FROM AN ON THE GROUND SURVEY MADE UNDER MY SUPERVISION, IN FEBRUARY OF 2015, AND THAT IT AND THE INFORMATION, COURSES AND DISTANCES AS SHOWN ARE CORRECT TO THE BEST OF MY KNOWLEDGE.

NOTE:

THIS SURVEY DOES NOT REPRESENT ALL EASEMENTS THAT MAY AFFECT THIS TRACT AND DOES NOT REPRESENT ANY UNDERGROUND UTILITIES THAT MAY AFFECT THIS TRACT. ALL IRON PINS SET ARE 3/4" I.D. IRON PIPES 30" LONG, WITH RED PLASTIC CAP STAMPED "LANDMARK SURVEY".

BASIS OF BEARINGS:

THE BEARINGS SHOWN HEREON ARE BASED ON THE BEARING OF S 89°45'00" W FOR THE SOUTHERLY LINE OF A 4.089 ACRE TRACT, OF RECORD IN DEED BOOK 1245, PAGE 2297, RECORDER'S OFFICE, DELAWARE COUNTY, OHIO.

FLOOD ZONE NOTE:

THE SUBJECT TRACTS LIE IN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 1% ANNUAL FLOOD PLAN, ACCORDING TO THE FLOOD HAZARD IDENTIFICATION AND ZONING MAP, FIRM NUMBER 3904100244K & 3904100245K, BOTH WITH AN EFFECTIVE DATE OF 4/16/09.

EASEMENT NOTE:

EXISTING EASEMENTS SHOWN ARE THOSE REFERENCED IN TITLE COMMITMENT NUMBER 34172, ISSUED BY CHICAGO TITLE INSURANCE COMPANY.

FARM LOT 2, QUARTER TOWNSHIP 3
TOWNSHIP 3, RANGE 18
UNITED STATES MILITARY LANDS
CITY OF COLUMBUS, COUNTY OF DELAWARE
STATE OF OHIO

6,000 ACRES

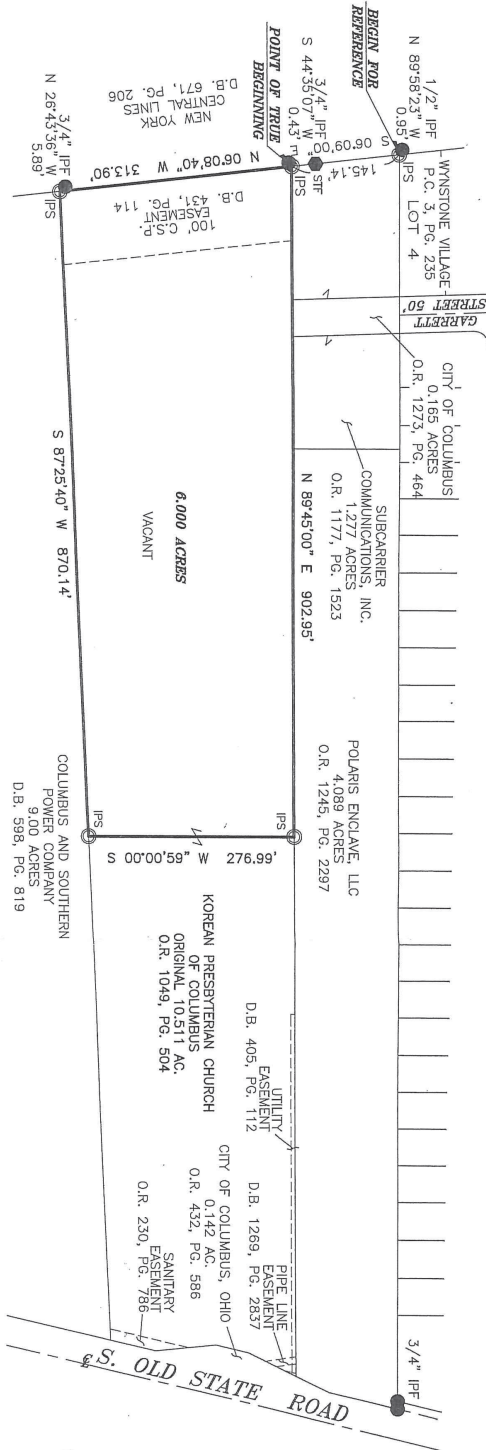
LIVING IN

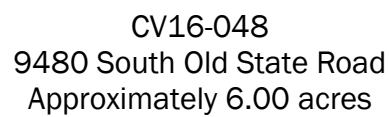
SURVEY OF

SCALE IN FEET
SCALE: 1"=200'



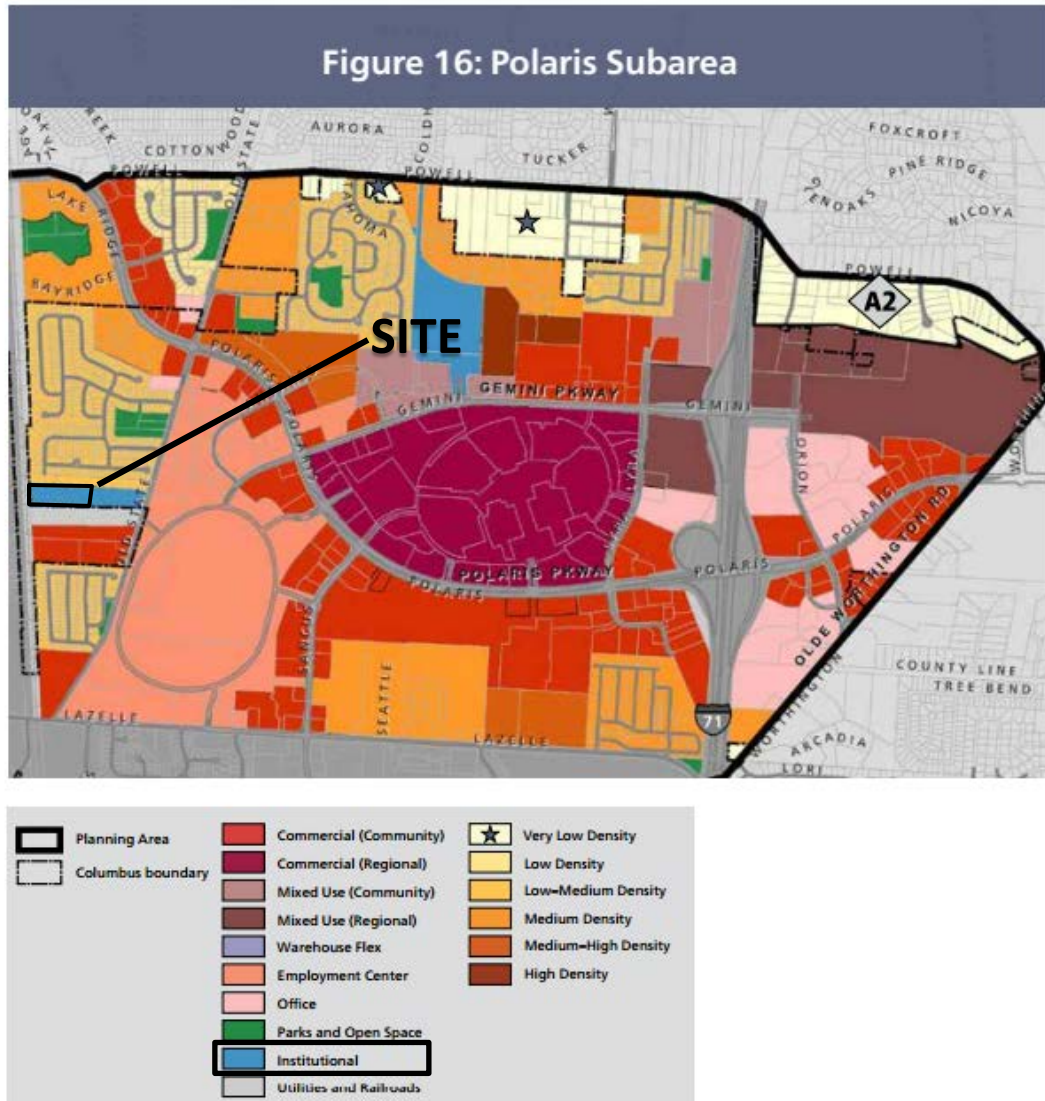
- LEGEND**
- IPF IRON PIN FOUND
 - STF STONE FOUND
 - RBF 5/8" REBAR FOUND
 - IPS IRON PIN SET





Approximately 6.00 acres

Figure 16: Polaris Subarea



Refer to page 55 for supporting text for site A2.

★ Refer to page 43 for supporting text.

CV16-048
9480 South Old State Road
Approximately 6.00 acres



CV16-048
9480 South Old State Road
Approximately 6.00 acres