

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: CV16-066 Date Received: 10/5/16
Application Accepted by: MM + TD Fee: \$1360
Comments: Assigned to Planner Kekey Priebe, kpriebe@columbus.gov; 614-645-1341

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 871 Ingleside Avenue, Columbus, Ohio 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: 010-005889

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

Current Zoning District(s): AR-2 (Pending Z16-_____)

Area Commission or Civic Association: Harrison West Society

Proposed Use or reason for Council Variance request: Multi-family, variance in conjunction with rezoning application

Acreage: 7.027 +/-

APPLICANT:

Name: Pickett Companies c/o Donald Plank (Plank Law Firm) Phone Number: 614-947-8600 Ext.: _____

Address: 423 East Town Street, 2nd Floor City/State: Columbus, Ohio Zip: 43215

Email Address: dplank@planklaw.com Fax Number: 614-228-1790

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

Name: Barley Equities III, LLC c/o John Berry Phone Number: (972) 982-8652 Ext.: _____

Address: 11150 Santa Monica Boulevard, Suite 1425 City/State: Los Angeles, CA Zip: 90025

Email Address: jberry@ironpointpartners.com Fax Number: _____

ATTORNEY / AGENT (Check one if applicable): Attorney Agent (FOR APPLICANT)

Name: Donald Plank (Plank Law Firm) Phone Number: 614-947-8600 Ext.: _____

Address: 423 East Town Street, 2nd Floor City/State: Columbus, Ohio Zip: 43215

Email Address: dplank@planklaw.com Fax Number: 614-228-1790

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

APPLICANT SIGNATURE Donald Plank, attorney

PROPERTY OWNER SIGNATURE Barley Equities III LLC by John Berry

ATTORNEY / AGENT SIGNATURE Donald Plank

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



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: 010005889

Zoning Number: 871

Street Name: INGLESIDE AVE

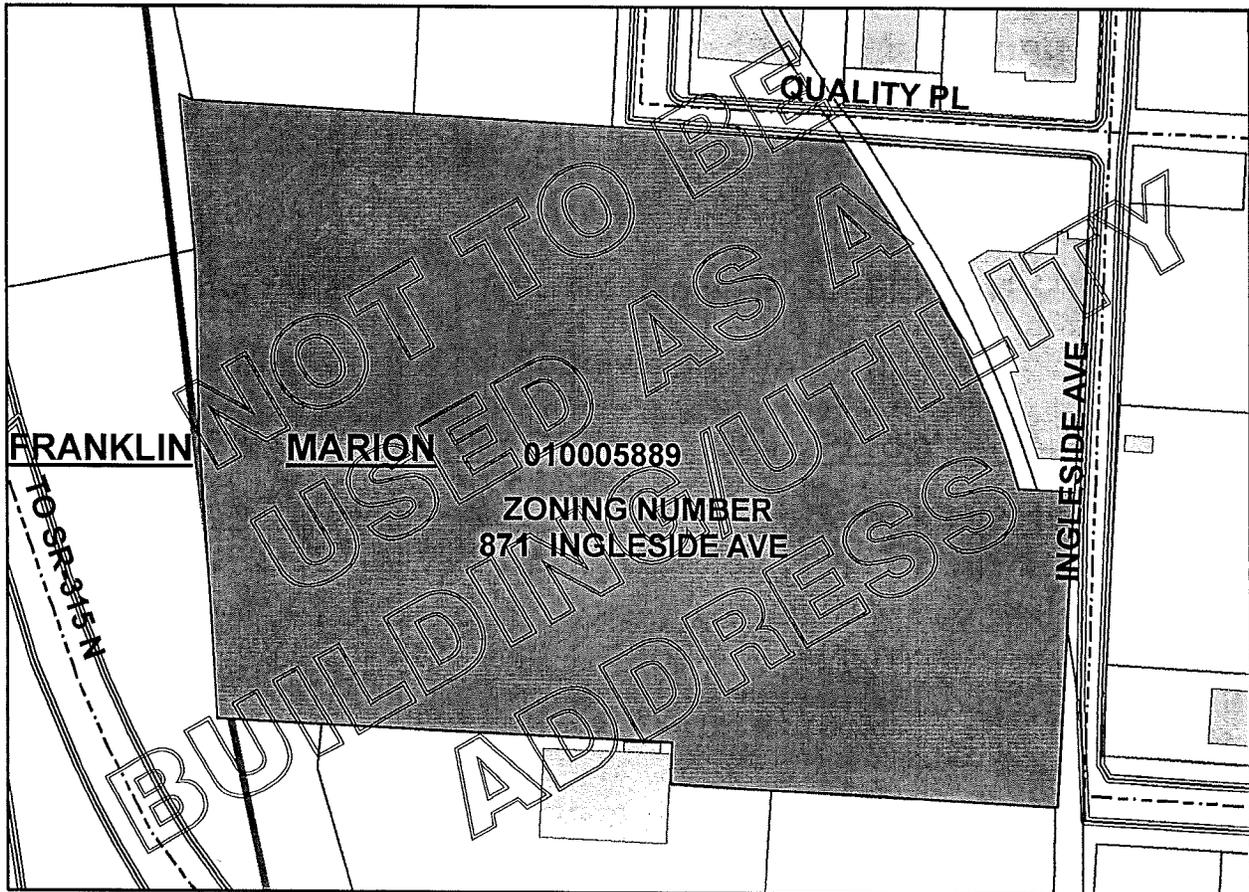
Lot Number: N/A

Subdivision: N/A

Requested By: DAVID PERRY CO., LLC. (DAVE PERRY)

Issued By: *Adyana Amarian*

Date: 9/20/2016



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

SCALE: 1 inch = 150 feet

GIS FILE NUMBER: 73397

COUNCIL VARIANCE APPLICATION

Department of Building & Zoning Services

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757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov

AFFIDAVIT (See instruction sheet)

Application Number: CW16-066

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn **(1)** NAME Donald Plank (Plank Law Firm) -----

of **(1)** MAILING ADDRESS 423 East Town Street, 2nd Floor, 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 871 Ingleside Avenue, Columbus, Ohio 43215 -----

for which 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

(4) Barley Equities III, LLC -----

c/o John Berry -----

11150 Santa Monica Boulevard, Suite 1425 -----

Los Angeles, CA 90025 -----

Pickett Companies -----

c/o Donald Plank (614) 947-8600 -----

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

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

(5) Harrison West Society c/o Jacob Sukosd -----

PO Box 163442 -----

Columbus, Ohio 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

Donald Plank -----

Sworn to before me and signed in my presence this 3rd day of October, in the year 2016

Rev

Stacey L. Danza -----

11-5-2018 -----

(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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Please make checks payable to the Columbus City Treasurer

Stacey L. Danza
Notary Public, State of Ohio

My Commission Expires 11-05-2018

EXHIBIT A, Public Notice
871 Ingleside Avenue
CV16- 016
October 5, 2016

APPLICANT

Pickett Companies
c/o Donald Plank
Plank Law Firm
423 E Town Street, 2nd Floor
Columbus, Ohio 43215

PROPERTY OWNER

Barley Equities III, LLC
c/o John Berry
11150 Santa Monica Blvd., Suite 1425
Los Angeles, CA 90025

ATTORNEY FOR APPLICANT

Donald Plank, Plank Law Firm
423 E Town Street, 2nd Floor
Columbus, OH 43215

COMMUNITY GROUP:

Harrison West Society
C/o Jacob Sukosd
PO Box 163442
Columbus, Ohio 43216

PROPERTY OWNERS WITHIN 125 FEET

OK Investment Company
PO Box 163216
Columbus, Ohio 43216-3216

City of Columbus Ohio
Real Estate Management
90 W Broad Street, Room 425
Columbus, Ohio 43215-9000

AD Investors PLL
447 Briarwood Drive
Columbus, Ohio 43213-4048

Melmat LLC
839 Michigan Avenue
Columbus, Ohio 43215-1108

Bunn-Minnick Co
875 Michigan Avenue
Columbus, Ohio 43215-1108

City Pointe North Ltd.
76 4th Street N Unit 2058
Saint Petersburg, FL 33731-7003

APRO II – Harrison Park Columbus LLC
1004 Farnam Street
Omaha, NE 68102

Joshua G Gaudio
546 Quality Place
Columbus, Ohio 43215

Jeffrey N Bing
542 Quality Place
Columbus, Ohio 43215

Jessica M Liddil
6679 Warriner Way
Canal Winchester, Ohio 43110

Allison M Wehr
936 Perry Street, Apt. 112
Columbus, Ohio 43215-1274

Aaron Wallace
Toni M Wallace
936 Perry Street, Apt. 116
Columbus, Ohio 43215-1274

John W Spencer, Jr
936 Perry Street, Apt. 202
Columbus, Ohio 43215-1274

Ryan C Nordhoff
936 Perry Street, Apt. 308
Columbus, Ohio 43215-1274

871 Ingleside Avenue
CV16-____, October 5, 2016
Exhibit A, Public Notice
Page 1 of 2

Virk Schrab
936 Perry Street, Apt. 306
Columbus, Ohio 43215-1274

ALSO NOTIFY:

Snyder-Barker Investments
c/o Jason Snyder
100 W Third Street, Suite 100
Columbus, Ohio 43201

Snyder-Barker Investments
c/o Brian Barker
100 W Third Street, Suite 100
Columbus, Ohio 43201

Snyder-Barker Investments
c/o Paul Pardi
100 W Third Street, Suite 100
Columbus, Ohio 43201

Pickett Companies
c/o Scott Pickett
88 E Broad Street, Suite 1740
Columbus, Ohio 43215

Preferred Living
c/o Jared Smith
470 Old Worthington Rd, Suite 470
Westerville, Ohio 43082

David Perry
David Perry Company
423 E Town Street, 2nd Floor
Columbus, Ohio 43215

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Department of Building & Zoning Services

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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 # CV16-066

STATE OF OHIO
COUNTY OF FRANKLIN

Donald Plank (Plank Law Firm) -----

Being first duly cautioned and sworn (NAME) _____
of (COMPLETE ADDRESS) 423 East Town Street, 2nd Floor, 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

<p>1. Pickett Companies 88 East Broad, Suite 1740 Columbus, Ohio 43215 # of Columbus Based Employees: 0 Contact: Scott Pickett (614) 264-4400</p>	<p>2. Barley Equities III, LLC 11150 Santa Monica Boulevard, Suite 1425 Los Angeles, CA 90025 # of Columbus Based Employees: 0 Contact: John Berry (972) 982-8652</p>
<p>3. _____</p>	<p>4. _____</p>

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

SIGNATURE OF AFFIANT Donald Plank

Sworn to before me and signed in my presence this 3rd day of October, in the year 2016

Stacey L. Danza
SIGNATURE OF NOTARY PUBLIC

11-5-2018
My Commission Expires

Notary Seal Here

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Stacey L. Danza
Notary Public, State of Ohio
My Commission Expires 11-05-2018

Exhibit B

Statement of Hardship

CV16-_____

871 Ingleside Avenue, Columbus, OH 43215

The site (PID: 010-005889) is 7.022 acres located at the terminus of Perry Street, and abutting the south side of Quality Place (30') and the west side of Ingleside Avenue (30'). The property is presently zoned M, Manufacturing but rezoning application Z16-_____ is pending to rezone the site to the AR-2, Apartment Residential District for development of a two (2) building apartment complex as depicted on the submitted site plan ("Ingleside Apartments", 10/5/2016). This Council Variance application is submitted in conjunction with the pending rezoning application for a variance to perimeter yard, as noted below.

"Perimeter Yard" (3333.255) is a perimeter green setback. On large greenfield sites, perimeter yard works well to provide perimeter green space up to the maximum 25' width. However, perimeter yard wasn't contemplated for urban redevelopment sites and many urban redevelopment sites for multi-family development have a single building per parcel and are therefore subject to "Rear Yard" rather than Perimeter Yard. In this case, with two (2) apartment buildings proposed, the site is subject to Perimeter Yard. Due to the irregular shape of the site, a driveway easement along the south property line for the property to the south, abutting two (2) alleys, the Olentangy River abutting the site to the west that effectively provides open space and applicant's willingness to provide a bikeway easement to the City of Columbus along the river corridor, it is a hardship and practical difficulty to provide a 25' perimeter yard, as well as unusual for an urban redevelopment.

Applicant requests the following variance:

- 1) Section 3333.255, Perimeter Yard, to reduce the perimeter yard from 25' to 0 – 10 feet along the east property line and 0 – 5 feet along the south property line, as depicted on the Site Plan.

10-5-2016

871 Ingleside Avenue, Columbus, Ohio 43215

Legal Description

Z16- _____

CV16- 0166

Being Situated in the State of Ohio, County of Franklin, City of Columbus, and being part of half Sections 8,9, Township 5, Range 22, Refugee Lands, AND BEING ALL OF A 2.10 acre tract (Tract #1), all of a 0.143 acre tract (Tract #2), all of a 0.927 acre tract (Tract #3), all of a 1.13 acre tract (Tract #17), conveyed to Dresser Industries, Inc., shown of record in Deed Book 2139, Pages 466, 456, and all of a 2.26 acre tract conveyed to Dresser Industries, Inc. shown of record in Deed Book 2148, Page 370 (99 year lease, lease Record 141, Page 83), Recorder's office, Franklin County, Ohio and being more particularly described as follows:

Beginning at an iron pin of the westerly line of Ingleside Avenue (40 feet wide) at the southeasterly corner of said 0.092 acre tract, and a corner of said 1.13 acre tract, said point being at the intersection of the westerly line of said Ingleside Avenue, with the centerline of a Buttles Avenue (70 feet wide), procedure westerly;

Thence, south 2° 45' 27" west, along the westerly line of said Ingleside Avenue, and along the easterly line of said 1.13 acre tract, a distance of 7.40 feet to an iron pin at the southeasterly corner of said 1.13 acre tract, and the northeasterly corner of a 1.045 acre tract conveyed to the Jennings-Lawrence Company shown of record in Deed Book 2493, Page 659;

Thence north 87° 11' 03" west, along the southerly line of said 1.13 acre tract, and along the northerly line of said 1.045 acre tract, and along the northerly line of a 1.169 acre tract conveyed to Summer and Company shown of record in Deed Book 1998, Page 362, a distance of 305.22 feet to an iron pin at a corner of said 1.13 acre tract, and a corner of said 1.169 acre tract;

Thence, north 2° 45' 27" east along a line of said 1.13 acre tract, and a line of said 1.169 acre tract, and along a line parallel with the westerly line of said Ingleside Avenue, a distance of 33.20 feet to an iron pin at a corner of said 1.13 acre tract, and a corner of said 1.169 acre tract;

Thence north 87° 11' 03" west, along the southerly line of said 1.13 acre tract and along the northerly line of said 1.169 acre tract, passing iron pins on a line at 120.35 feet, 270.13 feet, a total distance of 357.13 feet to a point in the center of the Olentangy River at the southwesterly corner of said 1.13 acre tract, and the northwesterly corner of said 1.169 acre tract;

Thence north 4° 03' 13" west along the center of the Olentangy River, and along the westerly line of said 1.13 acre tract, and along the westerly line of said 2.10 acre tract, a distance of 223.55 feet to a point at the northwesterly corner of said 2.10 acre tract, and the southwesterly corner of said 2.26 acre tract;

Thence north 1° 11' 10" west, along the center of the Olentangy River, and along the westerly line of said 2.26 acre tract, and along the westerly line of said 0.927 acre tract, a distance of 254.27 feet to a point of the northwesterly corner of said 0.927 acre tract, and the southwesterly corner of a 1.056 acre tract conveyed to the Columbus Forge and Iron Company shown of Record in Deed Book 346, Page 39;

Thence south $87^{\circ} 11' 03''$ east, along the northerly line of said 1.13 acre tract, and along the southerly line of said 4.056 acre tract, a distance of 504.03 feet to an iron pin on the westerly line of Neil Factory Switch at the northeasterly corner of said 0.927 acre tract;

Thence, in a southerly direction, along the westerly line of Neil Factory Switch, and along the easterly line of said 0.927 acre tract, and along the ARC of a curve to the left having a radius of 915 feet, more or less, along Chord Bearing and distance of south $^{\circ} 33'$ east; 11.55 feet to an iron pin at a point of reverse curvature;

Thence, in a southerly direction, continuing along the westerly line of Neil Factory Switch and along the easterly line of said 0.927 acre tract, and along the easterly line of said 2.26 acre tract, and along the arc of a curve to the right having a radius of 940 feet, more or less, along Chord Bearing and distance of south $26^{\circ} 21' 15''$ east, 279.93 feet to an iron pin on the northerly line of said 2.10 acre tract, and at southeasterly corner of said 2.26 acre tract;

Thence south $87^{\circ} 11' 03''$ east, along the northerly line of said 2.10 acre tract, a distance of 59.13 feet to an iron pin on the westerly line of said Ingleside Avenue at the northeasterly corner of said 2.10 acre tract;

Thence south $2^{\circ} 45' 27''$ west along the westerly line of said Ingleside Avenue, and along the easterly line of said 2.10 acre tract, and along the easterly line of said 0.092 acre tract, a distance of 247.75 to the place of beginning, containing 7.027 acres.

9/21/2016



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: s

DATE: 9/22/16



Disclaimer

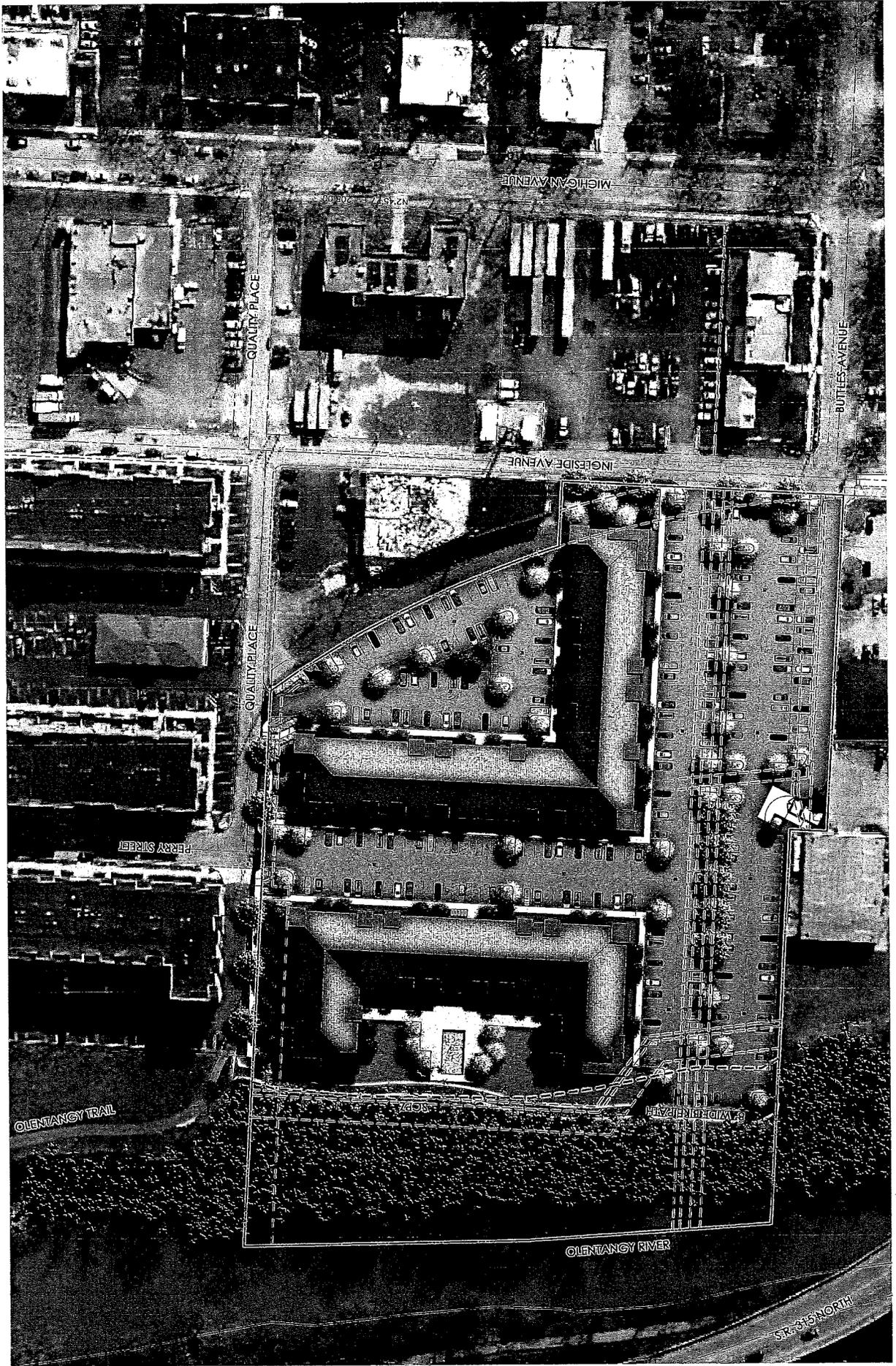
Scale = 550



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

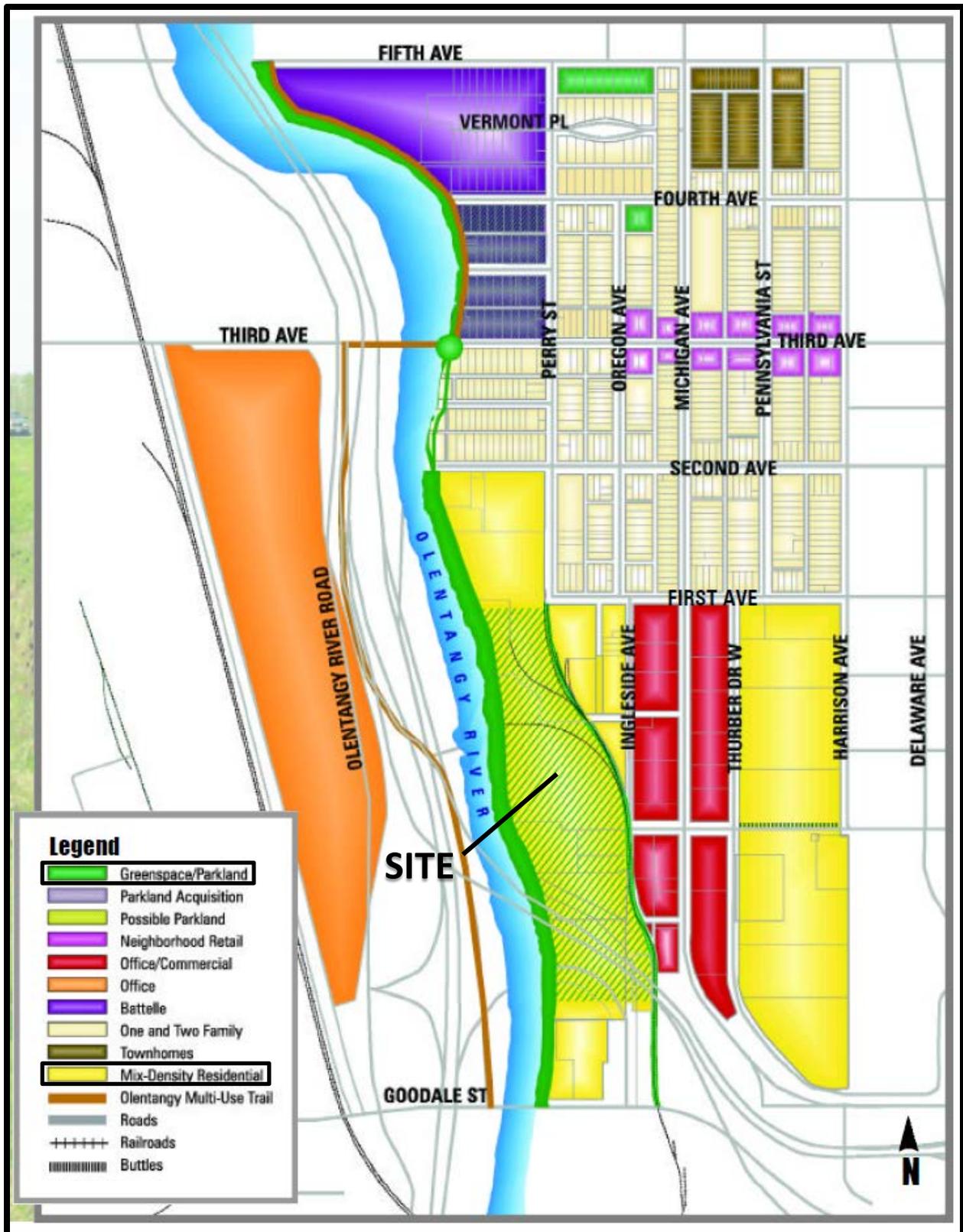
CWB-DW



DEVELOPMENT PLAN
INGLESIDE AVENUE



CMB-060



CV16-066
 871 Ingleside Avenue
 Approximately 7.03 acres



CV16-066
871 Ingleside Avenue
Approximately 7.03 acres