

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: CV16-083 Date Received: 12/28/16
Application Accepted by: MM + TD Fee: \$2,800
Assigned Planner: Kelsey Priebe; kpriebe@columbus.gov; 614-645-1341

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes): 6054 Shook Road Zip: 43137

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. 150-00186

Parcel Number for Certified Address: _____

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

Current Zoning District(s): Rural-Annexation Requested Zoning District: LM

Area Commission or Civic Association: Far South Area Commission

Proposed Use or reason for Council Variance request: Variance from CCC 3312.27 to reduce the minimum parking setback from 25 feet to the Site's existing 24 foot parking setback.

Acreage: +/- 26 acres

APPLICANT:

Name: Pizzuti/Creekside XX, LLC Phone Number: 614-280-4141 Ext.: _____

Address: 629 North High Street, Suite 500 City/State: Columbus, Ohio Zip: 43215

Email Address: swest@pizzuti.com Fax Number: _____

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

Name: Pizzuti/Creekside XX, LLC Phone Number: 614-280-4141 Ext.: _____

Address: 629 North High Street, Suite 500 City/State: Columbus, Ohio Zip: 43215

Email Address: swest@pizzuti.com Fax Number: _____

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

Name: Michael T. 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 [Signature] (for MTS)

PROPERTY OWNER SIGNATURE [Signature] (for MTS)

ATTORNEY / AGENT SIGNATURE [Signature] (for MTS)

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

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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

List all sections of Code to be varied and explain your reasoning as to why this request should be granted.

PLEASE NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are discovered after your application is approved, a new application will be required.

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(s) requested as detailed below (use separate page if needed or desired):

See Attached.

Signature of Applicant



Date

12-27-16

CV16-083

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STATEMENT OF HARDSHIP

PROPERTY ADDRESS: 6054 Shook Road
PARCEL NO.: 150-000186
PROPERTY OWNER: Pizzuti/Creekside XX, LLC
APPLICANT: Pizzuti/Creekside XX, LLC, c/o
ATTORNEY: Michael T. Shannon, Esq.
500 South Front Street, Suite 1200
Columbus, Ohio 43215
DATE OF TEXT: December 27, 2016
APPLICATION NO.: Cv16-083

Applicant Pizzuti/Creekside XX, LLC submits this Statement of Hardship in support of its Application for a Council Variance. The Site, located at 6054 Shook Road, was recently annexed from Hamilton Township. The Site is already developed with an existing 268,949 square foot warehouse with office use. Uses within the warehouse include 252,807 square feet of warehouse use and 16,142 square feet of office use.

The Site is situated within the Far South Area Commission and subject to the South Central Accord, which recommends industrial development. The Site is not subject to a Commercial Overlay or Planning Overlay.

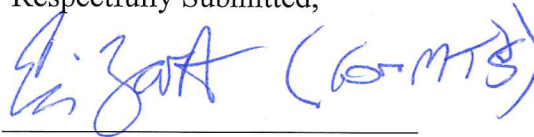
Applicant respectfully request the following variance:

1. CCC § 3312.27(2), Parking Setback Line, which section does require the parking setback line to be 25 feet from the street right-of-way line when the required building setback line is 25 feet or greater. Applicant requests a variance to reduce the minimum parking setback to 24 feet.

Applicant's requested parking setback line 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 established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the city. The Site's existing parking setback is a special circumstance in which a variance became a necessity by virtue of the Site's annexation from Hamilton Township to the City of Columbus. The requested variance will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of this Zoning Code.

The undersigned, being the owner of the subject property, 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.

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: Cv16-083

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Eric Zartman

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 6054 Shook 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) 12/28/14

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) Pizzuti/Creekside XX, LLC
629 North High Street, Suite 500
Columbus, Ohio 43215

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

Pizzuti/Creekside XX, LLC, c/o Scott West, EVP
614-280-4141

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

(5) Far South Area Commission
Robin Watson
3802 Highbree Dr., E.
Columbus, Ohio 43207

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)

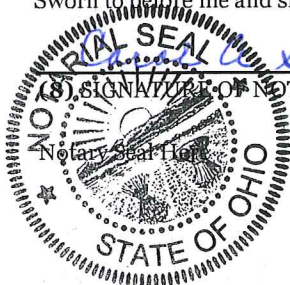
☐ Check here if listing additional property owners on a separate page.

(8) SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 27th day of December, in the year 2016

(9) SIGNATURE OF NOTARY PUBLIC

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



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

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Rodney & Cindy Asbury
2271 Rohr Road
Lockbourne, Ohio 43137

Mark & Janet Wall
4728 Berger Road
Groveport, Ohio 43125

Gurgun & Sema Muharrem
Cloyd & Frances Evers
3154 Halesworth Road
Columbus, Ohio 43221

Pizzuti Creekside XX LLC
629 N. High St., Ste. 500
Columbus, Ohio 43215

Steven & Katheryn Stevens
2297 Rohr Road
Lockbourne, Ohio 43137

Douglas Browning
2324 Rohr Road
Lockbourne, Ohio 43137

Exeter 2525 Rohr LLC
140 W. Germantown Pike #150
Plymouth Meeting, PA 1946

Rohr Road Baptist Church
2225 Rohr Road
Lockbourne, Ohio 43137

Lululemon USA, INC.
400-1818 Cornwall Ave
Vancouver BC V6J2C7
CANADA

VSP Ceres Inc.
3333 Quality Drive
Rancho Corova, CA 95670

Big Box Property Owner E, LLC
140 W. Germantown Pike #150
Plymouth Meeting, PA 1946

ATTORNEY

OWNER

APPLICANT

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

Pizzuti Creekside XX, LLC
629 N. High St., Ste. 500
Columbus, Ohio 43215

Pizzuti Creekside XX, LLC
629 N. High St., Ste. 500
Columbus, Ohio 43215

AREA COMMISSION

Far South Area Commission
Attn: Becky Walcott
Zoning Chair
723 Ivorton Road South
Columbus, Ohio 43207

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

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 # CV16-083

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Eric Zartman

of (COMPLETE ADDRESS) 500 S. Front St. Ste 1200, 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

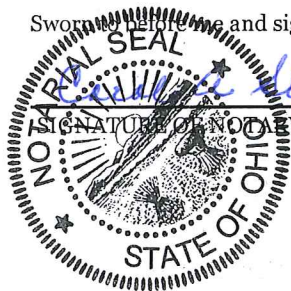
1. Pizzuti 629 North High Street, Suite 500 Columbus, Ohio 43215 Scott West, Executive VP	2.
3. 614-280-4141	4.

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

SIGNATURE OF AFFIANT

Sworn before me and signed in my presence this 27th day of December, in the year 2016

Notary Seal Here



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: 150000186

Zoning Number: 6054

Street Name: SHOOK RD

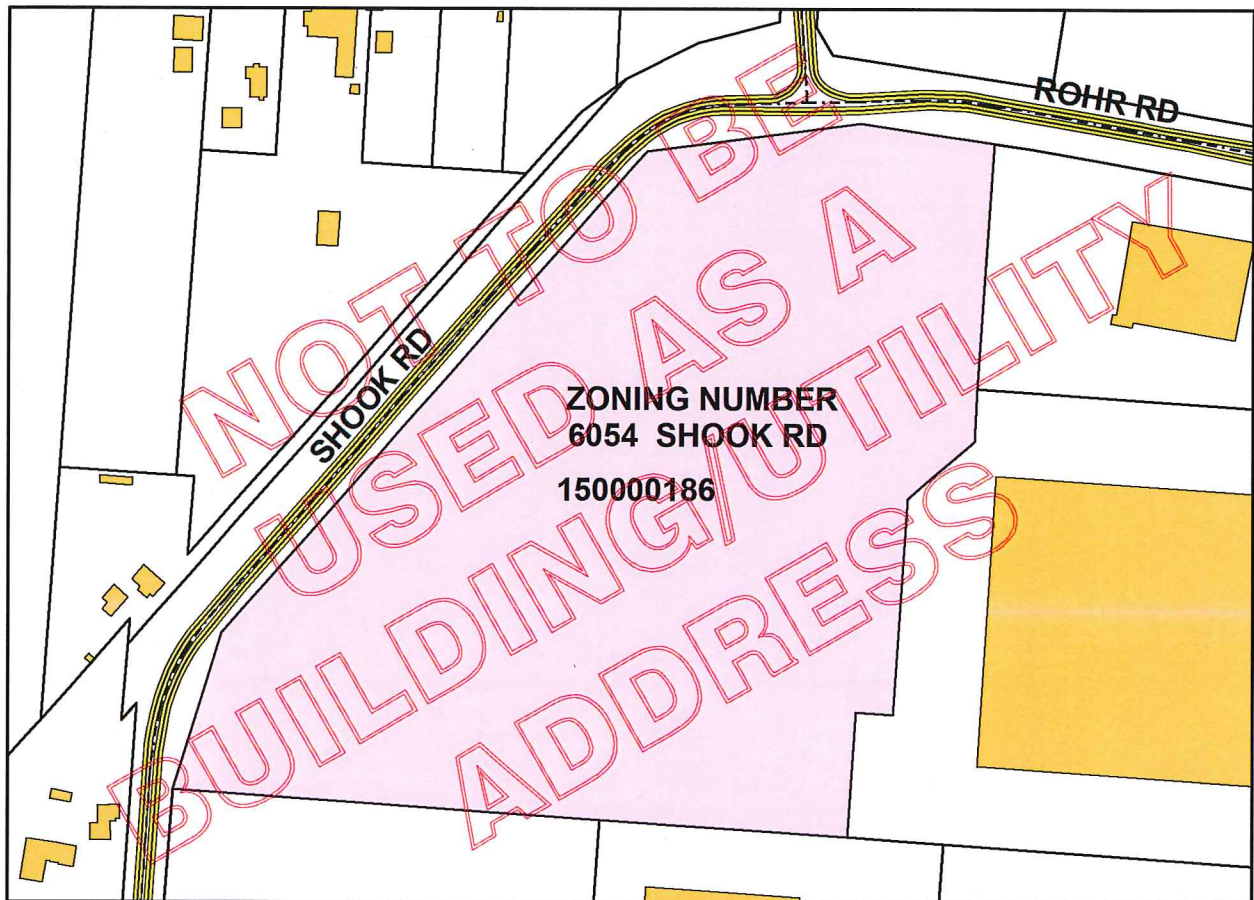
Lot Number: N/A

Subdivision: N/A

Requested By: CRABBE BROWN AND JAMES (ERIC ZARTMAN)

Issued By: *Edyana Amarian*

Date: 12/23/2016



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

SCALE: 1 inch = 300 feet

GIS FILE NUMBER: 81400

CV16-083

PROPOSED ANNEXATION OF 26.0 ACRES FROM HAMILTON TOWNSHIP
TO BE ANNEXED TO THE CITY OF COLUMBUS

Situated in the State of Ohio, County of Franklin, Township of Hamilton, Section 36, Township 4, Range 22, Congress Lands East of the Scioto River, being an annexation of part of that 26.583 acre tract as described in Parcel #2 in a deed to Pizzuti/Creekside Land Holdings LLC, of record in Instrument Number 200407300176834, and part of that 17.093 acre tract (part of the Historic Ohio & Erie Canal Lands, abandoned) as described in a deed to the Board of County Commissioners of Franklin County, Ohio, of record in Official Record Volume 950 H02, all references to records are on file in the Records Office, Franklin County, Ohio, said annexation area being more particularly described as follows:

Beginning at the southeasterly corner of said 26.583 acre tract, at the southwesterly corner of an existing City of Columbus Corporation Line as established by Ordinance No. 744-02 of record in Instrument Number 200208300215311 and in a northerly line of an existing City of Columbus Corporation Line as established by Ordinance No. 972-95 of record in Official Record Volume 29162 A08;

Thence Westerly, along the southerly line of said 26.583 acre tract, along a northerly line of said existing City of Columbus Corporation Line as established by Ordinance No. 972-95, passing a northwesterly corner of said corporation line at a distance of approximately 1,067 feet, a total distance of approximately 1,097 feet to a point in the centerline of Shook Road, at the southwesterly corner of said 26.583 acre tract;

Thence Northerly, along the centerline of said Shook Road, along the westerly line of said 26.583 acre tract, a distance of approximately 175 feet to a point in the old northerly right of way line of said Shook Road;

Thence Southwesterly, along a southerly line of said 17.093 acre tract as described in a deed to the Board of County Commissioners of Franklin County, Ohio, of record in Official Record Volume 950 H02, a distance of approximately 88 feet to a point;

Thence Northerly, along a westerly line of said 17.093 acre tract, a distance of approximately 112 feet to a point at the northwesterly corner of said 17.093 acre tract;

Thence Northeasterly, along the northerly line of said 17.093 acre tract, the northerly right of way line of said Shook Road, a distance of approximately 1,098 feet to a point;

Thence Northeasterly, continuing along the northerly line of said 17.093 acre tract, the northerly right of way line of said Shook Road, a distance of approximately 83 feet to a point;

Thence Northeasterly, continuing along the northerly line of said 17.093 acre tract, the northerly right of way line of said Shook Road, a distance of approximately 133 feet to a point;

Thence Northeasterly, continuing along the northerly line of said 17.093 acre tract, the northerly right of way line of said Shook Road, along an existing Village of Obetz Corporation Line as established by Ordinance No. 496-99 of record in Instrument Number 200004060067210, passing the southwesterly corner of said existing Village of Obetz Corporation Line at a distance of approximately 131 feet, a total distance of approximately 142 feet to a point;

Thence Easterly, continuing along the northerly line of said 17.093 acre tract, the northerly right of way line of said Shook Road, along a southerly line of said existing Village of Obetz Corporation Line, a distance of approximately 46 feet to a point;

Thence Southeasterly, continuing along the northerly line of said 17.093 acre tract, the northerly right of way line of said Shook Road, along a southerly line of said existing Village of Obetz Corporation Line, a distance of approximately 52 feet to a point;

CW16-083

Page two
26.0 acre annexation

Thence Easterly, continuing along the northerly line of said 17.093 acre tract, the northerly right of way line of said Shook Road, along a southerly line of said existing Village of Obetz Corporation Line, a distance of approximately 266 feet to a point at the northwesterly corner of an existing City of Columbus Corporation Line as established by Ordinance No. 2066-03 of record in Instrument Number 200312020382926;

Thence Southerly, along the westerly line of said City of Columbus Corporation Line, crossing said 17.093 acre tract, crossing Rohr Road, along the easterly line of said 26.583 acre tract, along the westerly line of said existing City of Columbus Corporation Line as established by Ordinance No. 744-02 of record in Instrument Number 200208300215311, passing the southwesterly corner of said City of Columbus Corporation Line (Ordinance No. 2066-03) and the northwesterly corner of said City of Columbus Corporation Line (Ordinance No. 744-02), at a distance of approximately 484 feet, a total distance of approximately 567 feet to a point;

Thence Southwesterly, along an easterly line of said 26.583 acre tract, along a westerly line of said City of Columbus Corporation Line (Ordinance No. 744-02), a distance of approximately 137 feet to a point;

Thence Southerly, along an easterly line of said 26.583 acre tract, along a westerly line of said City of Columbus Corporation Line (Ordinance No. 744-02), a distance of approximately 337 feet to a point;

Thence Westerly, along a southerly line of said 26.583 acre tract, along a northerly line of said City of Columbus Corporation Line (Ordinance No. 744-02), a distance of approximately 60 feet to a point;

Thence Southerly, along an easterly line of said 26.583 acre tract, along a westerly line of said City of Columbus Corporation Line (Ordinance No. 744-02), a distance of approximately 195 feet to Place of Beginning and containing approximately 26.0 acres, more or less.

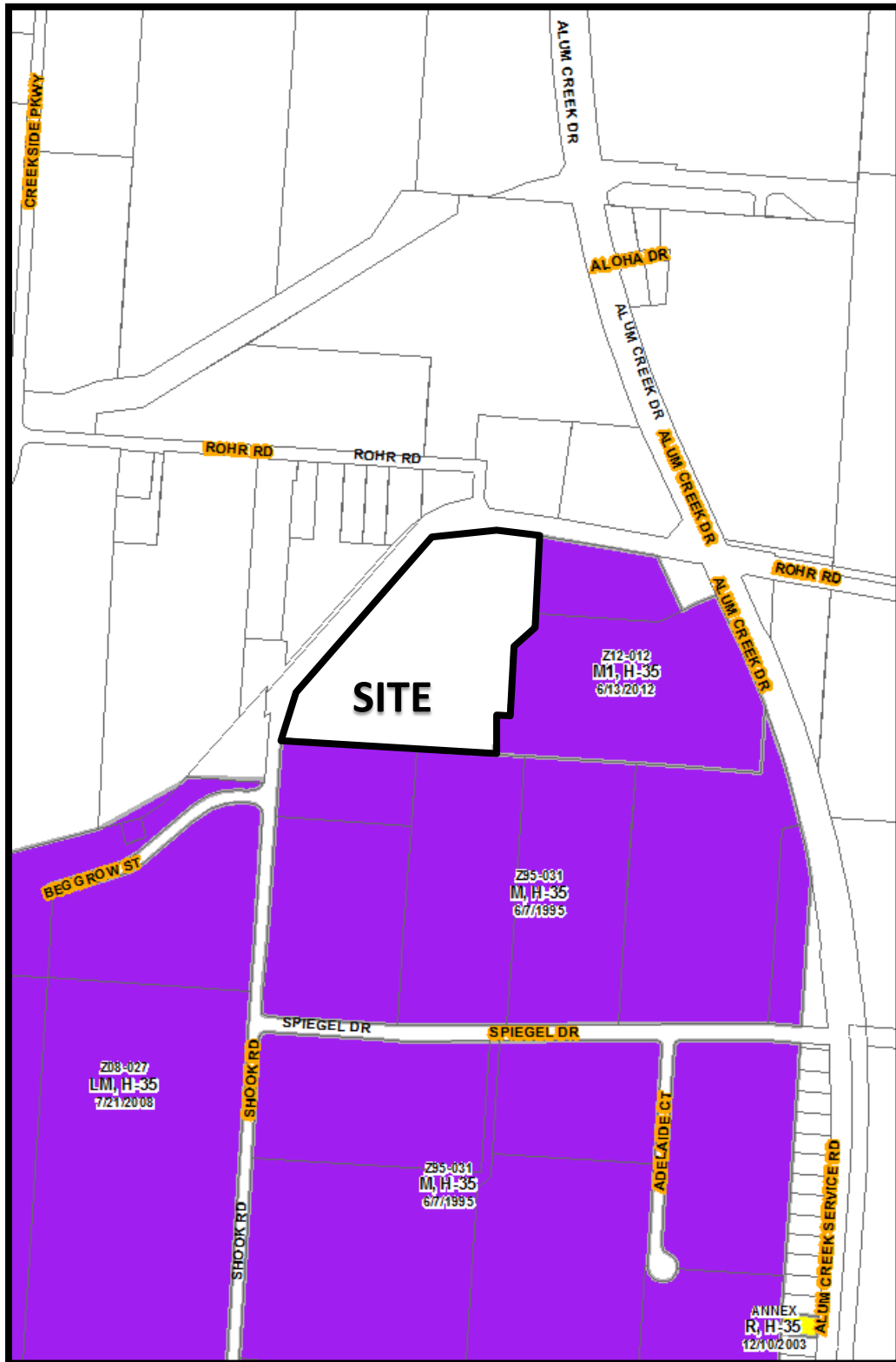
The total length of the proposed annexation perimeter is approximately 4,588 feet, of which approximately 2,363 feet (approximately 50.5%) is contiguous with existing City of Columbus Corporation Lines.

The foregoing annexation description has been prepared from records on file in the Recorder's Office, Franklin County, Ohio and is not a boundary survey pursuant to Chapter 4733-37 of the Administrative Code and is not to be used for any other purposes.

BRH Group, Inc.

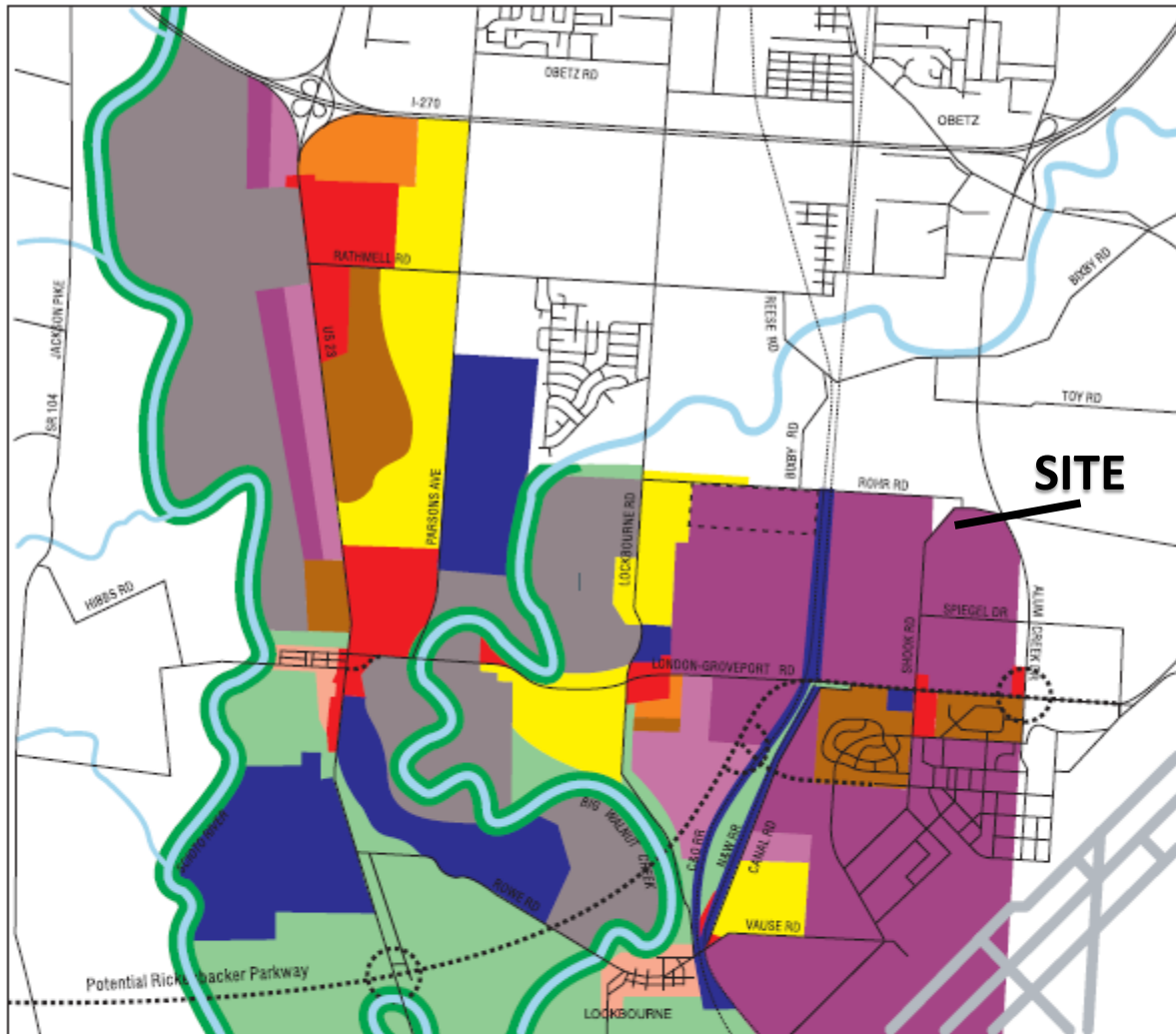
John L. Price
Professional Surveyor No. 7159

CV16-083



CV16-083
6054 Shook Road
Approximately 26.0 acres

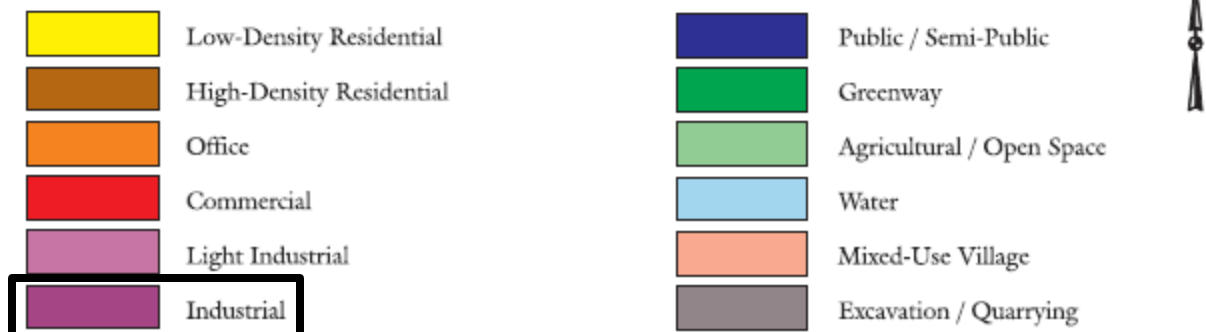
South Central Accord (1997)



South Central Accord

1 1/2 miles

Future Land Use



CV16-083
6054 Shook Road
Approximately 26.0 acres



CV16-083
6054 Shook Road
Approximately 26.0 acres