

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: CV17-064 Date Received: 9/29/2017
Application Accepted by: SP + KP Fee: \$1,680 (in conjunction w/ rezoning)
Assigned Planner: Kelsey Priebe; kpriebe@columbus.gov; 614-645-1341

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes): 8835 S. Old State Road 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: 31834101006000

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

Current Zoning District(s): R

Area Commission or Civic Association: Far North Columbus Communities Coalition

Proposed Use or reason for Council Variance request:
multi-family

Acreage: 11.05

APPLICANT:

Name: Arlington Properties Phone Number: 205-397-6831 Ext.: _____

Address: 2117 Second Avenue North City/State: Birmingham, AL Zip: 35203

Email Address: wmorris@arlingtonproperties.net Fax Number: _____

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

Name: see attached list Phone Number: _____ Ext.: _____

Address: _____ City/State: _____ Zip: _____

Email Address: _____ Fax Number: _____

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

Name: Jeffrey L. Brown Phone Number: 614-221-4255 Ext.: _____

Address: 37 West Broad Street, Suite 460 City/State: Columbus, OH Zip: 43215

Email Address: jlbrown@smithandhale.com Fax Number: 614-221-4409

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

Norma Jean Lunzar
Attn: Mark A Myer
18035 SE Main Street
Portland, OR 97233
318-341-03-002-000

Connie Harmon
1550 Candlelite Lane
Lewis Center, OH 43035
318-341-03-003-000

Paul M Jr & Cathy L Canter
1651 Candlelite Lane
Lewis Center, OH 43035
318-432-01-006-000

Ostap Szwabinsky
Larry Barnett
David Marhover
229 Brisbane Avenue
Westerville, OH 43081
318-341-01-006-000

John & Angela Harris
1543 Candlelite Lane
Lewis Center, OH 43035
318-341-01-005-000

James W Rosenberry
465 Trace Drive
Delaware, OH 43015
318-341-01-004-000

arlington-candlelight.lst (nct)
6/23/17 S:Docs

CV17-064

Section 3333.255 Perimeter Yard – to reduce the perimeter yard from 25 to 20 feet along the north property line, 3 feet along the south property line, 10 feet along the west property line and zero feet behind the parcel 31843202027000 owned by the City of Columbus for parking and maneuvering and to 3 feet along the south property line for trash compactor and its enclosure.

Section 3333.02 AR-12, ARLD and AR-1 Apartment Residential District Use – to permit single family dwelling units.

Section 3333.16 Fronting – to permit single family dwelling unit not to front on a public street.

arlington-section.mis (nct)
8/28/17 S:Docs

CV17-064

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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 sheet

Signature of Applicant

Date

8/29/17

CV17-064

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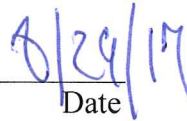
Statement of Hardship

The applicant is requesting a reduction in the perimeter yard for the trash compactor and its enclosure, parking and maneuvering. The existing development is a single family subdivision. The property is being annexed into the City of Columbus. The council variance will allow single family dwelling units with no public street frontage to be a permitted use.

Due to the shape of the property there are areas where the required perimeter yard cannot be met for the trash compactor and its enclosure parking and maneuvering. The granting of this variance will not seriously affect any adjoining property or the general welfare.

The granting of single family dwelling units 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.


Signature of Applicant


Date

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8/28/17 S:Docs

Cv17-064

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Department of Building & Zoning Services

Scott Messer, Director

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AFFIDAVIT (See instruction sheet)

Application Number: CV17-064

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Jeffrey L. Brown

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 8835 S. 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) 8/29/17

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) see attached list

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

Arlington Properties

205-397-6831

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

(5) Far North Columbus Communities Coalition
Jim Palmisano
P.O. Box 66
Columbus, OH 43035

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

[Signature]

Sworn to before me and signed in my presence this 29th day of August, in the year 2017

(8) SIGNATURE OF NOTARY PUBLIC

[Signature]

9/4/2020
My Commission Expires



Natalie C. Timmons
Notary Public, State of Ohio
My Commission Expires six (6) months after the date of notarization.
My Commission Expires 09-04-2020

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PROPERTY OWNERS

Norma Jean Lunzar
Attn: Mark A Myer
18035 SE Main Street
Portland, OR 97233

Connie Harmon
1550 Candlelite Lane
Lewis Center, OH 43035

Paul M Jr & Cathy L Canter
1651 Candlelite Lane
Lewis Center, OH 43035

Ostap Szwabinsky
Larry Barnett
David Marhover
229 Brisbane Avenue
Westerville, OH 43081

John & Angela Harris
1543 Candlelite Lane
Lewis Center, OH 43035

James W Rosenberry
465 Trace Drive
Delaware, OH 43015

AREA COMMISSION

ATTORNEY

APPLICANT

Far North Columbus Communities
Coalition
c/o Jim Palmisano
P.O. Box 66
Columbus, OH 43035

Jeffrey L. Brown
Smith & Hale LLC
37 West Broad Street, Suite 460
Columbus, OH 43215

Arlington Properties
2117 2nd Avenue North
Birmingham, AL 35203

SURROUNDING PROPERTY OWNERS

Devin S & Mary M Wasylewych
9031 Barley Loft Drive
Columbus, OH 43240

Jason K & Tara M Justice
9023 Barley Loft Dr.
Columbus, OH 43240

Liu Fang & He Guoping
9007 Barley Loft Dr.
Columbus, OH 43240

AH4R Properties LLC
8999 Barley Loft Drive
Columbus, OH 43240

Zhen Yan
9039 Barley Loft Dr.
Columbus, OH 43240

Aaron & Tiffany Weave
9047 Barley Loft Dr.
Columbus, OH 43240

City of Columbus Re Mgmt Office
90 W. Broad St
Columbus, OH 43215

Patrick Wabwire
9073 Misty Dawn Dr.
Columbus, OH 43240

Stan Bulanov
9081 Misty Dawn Blvd.
Columbus, OH 43240

Kalpa & Suryavanshi Abhijit Baghasingh
9089 Misty Dawn Sr.
Columbus, OH 43240

Nana Yaw Sarpong & Elizabeth Appiah
9097 Misty Dawn Dr.
Columbus, OH 43240

Jordan P & Monica R Knight
9105 Misty Dawn Dr.
Columbus, OH 43240

CN17-064

John & Anne Cramer
9113 Misty Dawn Dr.
Columbus, OH 43240

TVSS Polaris Orange LLC
815 Grandview Avenue
Columbus, OH 43215

Polaris Grand LLC
850 Polaris Grand Drive
Lewis Center, OH 43035

DDM Polaris LLC
6610 Chatsworth Street
Canton, OH 44718

Laura Allison
9121 Misty Dawn Drive
Columbus, OH 43240

Douglas Johnson
Katherine Krantz
9046 Barley Loft Drive
Columbus, OH 43240

Eric Rathburn
9062 Barley Loft Drive
Columbus, OH 43240

Primus Suffren
9129 Misty Dawn Drive
Columbus, OH 43240

Brannon & Michelle Moser
8991 Barley Loft Drive
Columbus, OH 43240

Olutayo Shenbunjo
9054 Barley Loft Drive
Columbus, OH 43240

Charles & Jennifer Lamphausen
8983 Barley Loft Drive
Columbus, OH 43240

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8/16/17 S:Docs/s&hlabels/2017

CV17-064

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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 # CV17-064

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Jeffrey L. Brown

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. Arlington Properties 2117 Second Avenue North Birmingham, AL 35203 205-397-6831 William Morris	2. see attached list
3. no Columbus based employees	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 20th day of August, in the year 2017

SIGNATURE OF NOTARY PUBLIC

My Commission Expires 9/14/2020

Notary Seal Here



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

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CN17-064

CITY OF COLUMBUS

Situated in the State of Ohio, County of Delaware, Township of Orange, in Farm Lot 3, Quarter Township 3 and Farm Lot 22, Quarter Township 4, Township 3, Range 18, United States Military Lands, being all of Lots 186, 187, 188, 189, 190, 191, 195, 196 and 197 of the subdivision entitled "Shuster Subdivision", of record in Plat Book 7, Page 49 (all references are to the records of the Recorder's Office, Delaware County, Ohio) and more particularly bounded and described as follows:

BEGINNING at the northeasterly corner of Reserve "B" of the subdivision entitled "Prestwick Commons Section 4", of record in Plat Cabinet 2, Slide 322, in the existing corporation line of the City of Columbus as established by Ordinance Number 1497-97, of record in Official Record 20, Page 1078;

thence North $86^{\circ} 47' 23''$ West, with the northerly line of said Reserve "B" and the existing corporation line of the City of Columbus as established by Ordinance Number 20-98, of record in Plat Cabinet 2, Slide 572;

thence South $03^{\circ} 12' 37''$ West, with a westerly line of said "Prestwick Commons Section 4" and said corporation line, a distance of 364.00 feet to the northeasterly corner of Lot 6608 of the subdivision entitled "Giltz Subdivision", of record in Plat Cabinet 3, Slide 343;

thence North $86^{\circ} 47' 23''$ West, with a northerly line of said Lot 6608, a distance of 508.50 feet to a corner thereof;

thence North $03^{\circ} 12' 37''$ East, with an easterly line of said Lot 6608 and crossing the right of way of Candlelite Lane, a distance of 364.00 feet to a point in the northerly right-of-way line of Candlelite Lane;

thence North $86^{\circ} 47' 23''$ West, with said northerly right-of-way line, a distance of 155.76 feet to the southeasterly corner of Lot 185 of said "Shuster Subdivision";

thence North $16^{\circ} 59' 37''$ East, with the easterly line of said Lot 185 and the easterly line of that 0.998 acre tract conveyed as Parcel 62-WD to the Delaware County Commissioners by deed of record in Official Record 1395, Page 994, a distance of 347.00 feet to a point in the southerly line of that 13.961 acre tract conveyed as Tract II to Polaris Grand, LLC by deed of record in Official Record 1233, Page 2765, in the existing corporation line of the City of Columbus as established by Ordinance Number 1030-2005, of record in Plat Cabinet 3, Slide 620;

thence South $86^{\circ} 47' 23''$ East, with the southerly line of said 13.961 acre tract and said corporation line, a distance of 837.59 feet to a point in the westerly line of said "Prestwick Commons Section 4";

thence South $03^{\circ} 12' 37''$ West, with said westerly line and said corporation line, a distance of 337.00 feet to the POINT OF BEGINNING, containing 11.05 acres of land, more or less.

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: 31834101006000 + 9 MORE PARCELS

Zoning Number: 8835

Street Name: S OLD STATE RD

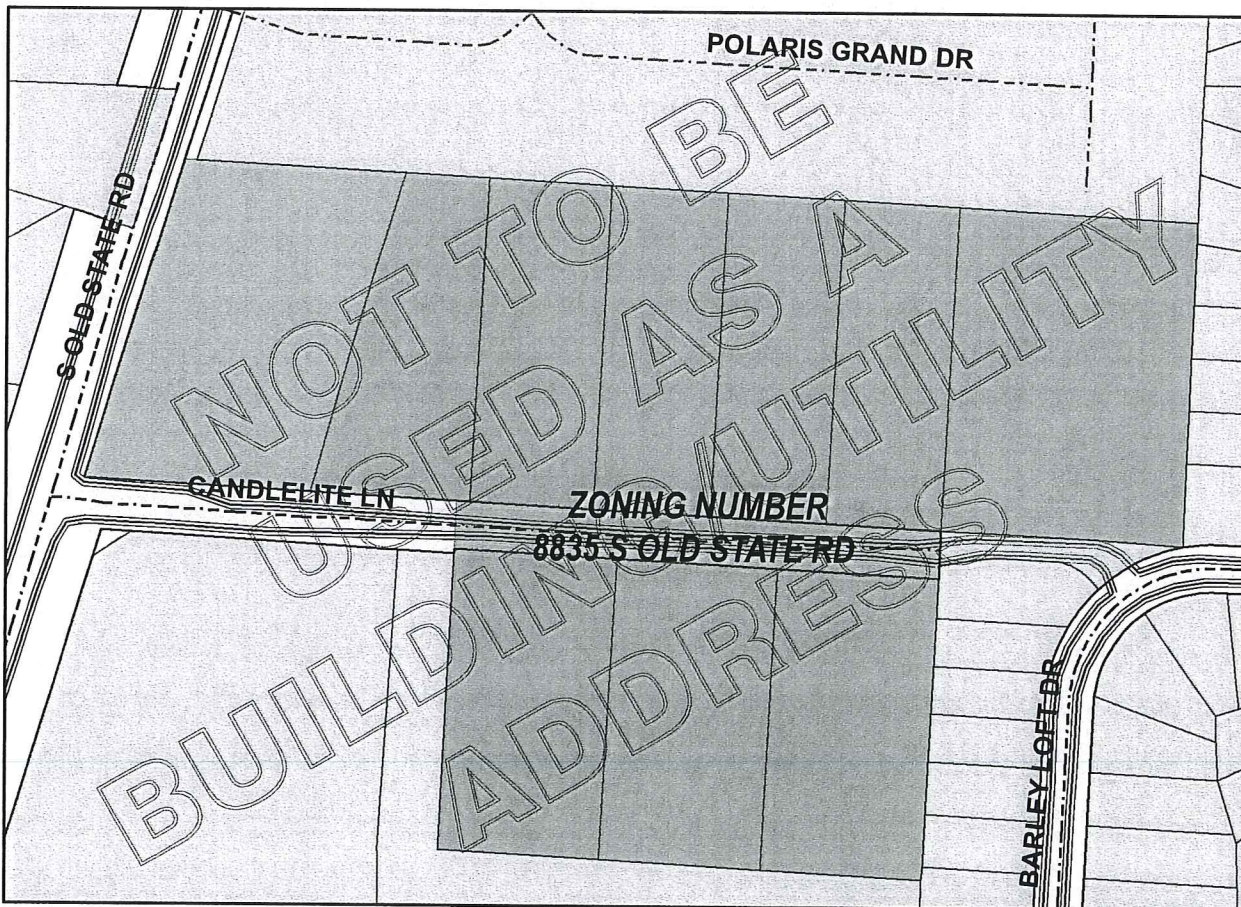
Lot Number: N/A

Subdivision: N/A

Requested By: SMITH & HALE (JACK REYNOLDS)

Issued By: *Adyana Amariam*

Date: 8/14/2017



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

SCALE: 1 inch = 200 feet

GIS FILE NUMBER: 99975

CV17-064



Delaware County Commissioners

Jeff Benton
Barb Lewis
Gary Merrell

County Administrator
Ferzan M. Ahmed

Clerk to the Commissioners
Jennifer Walraven

RESOLUTION NO. 17-776

IN THE MATTER OF GRANTING THE ANNEXATION PETITION FROM AGENT FOR THE PETITIONER, JACKSON B. REYNOLDS III, REQUESTING ANNEXATION OF 15.12 ACRES OF LAND IN ORANGE TOWNSHIP TO THE CITY OF COLUMBUS:

It was moved by Mrs. Lewis, seconded by Mr. Merrell to approve the following resolution:

Whereas, on June 28, 2017, the Clerk to the Board of the Delaware County Commissioners received an annexation petition filed by Jackson B. Reynolds III, agent for the petitioners, of 15.12 acres, more or less, in Orange Township to the City of Columbus; and

Whereas, ORC Section 709.023-Expedited Type 2 Annexation Petition; Petitions By All Property Owners With Or Without Consent of Municipality & Township(s) – If the Municipality or Township does not file an objection within 25 days after filing of annexation, the Board at its next regular session shall enter upon its journal a resolution granting the proposed annexation; and

Whereas, 25 days have passed and the Clerk of the Board has not received an objection from the City of Columbus or the Township of Orange;

Therefore, Be It Resolved, the Delaware County Board of Commissioners grants the annexation petition request to annex 15.12 acres, more or less, in Orange Township to the City of Columbus.

Vote on Motion Mr. Merrell Aye Mr. Benton Aye Mrs. Lewis Aye

Barb Lewis
County Commissioner

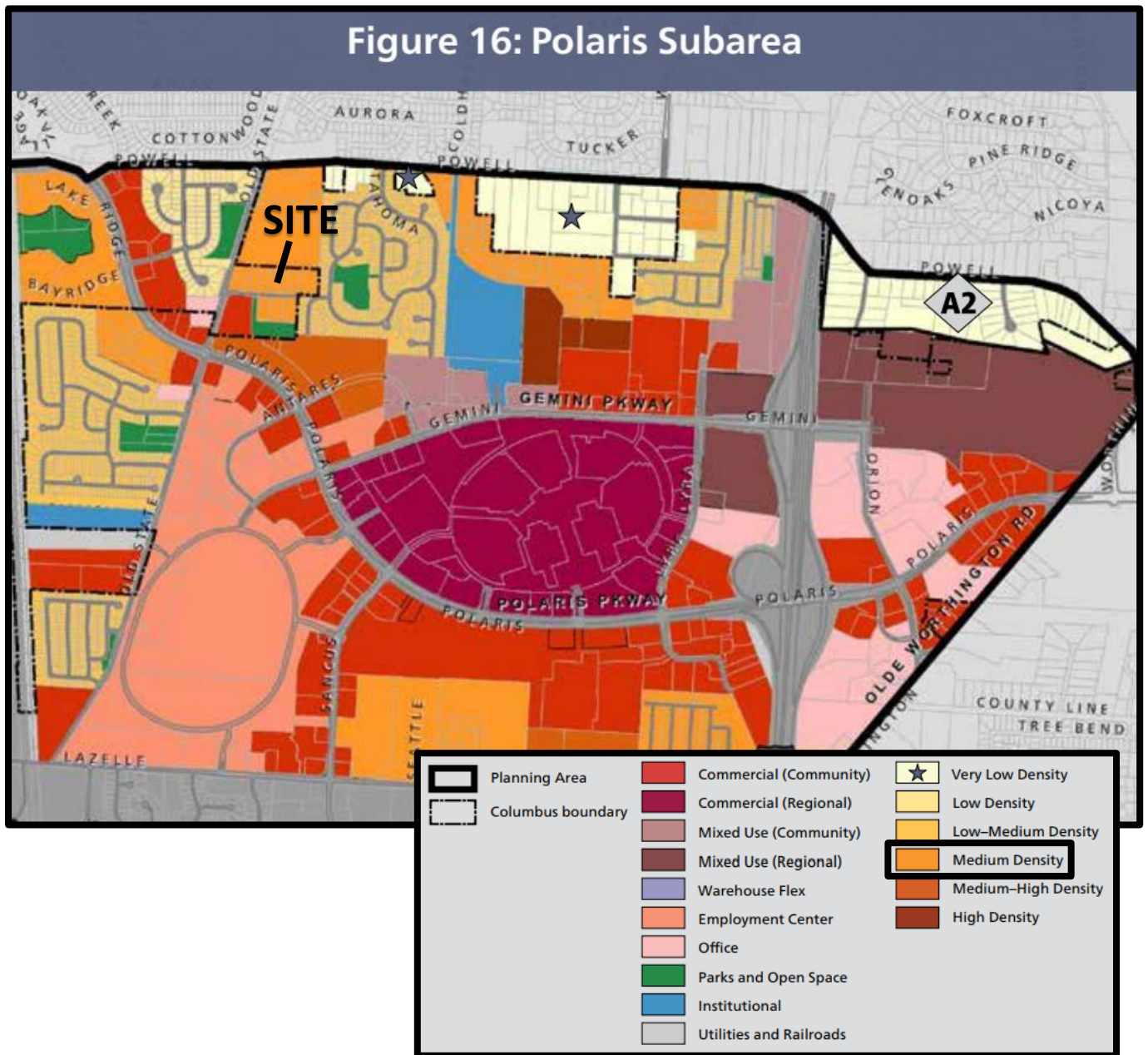
Jeff Benton
County Commissioner

Gary Merrell
County Commissioner

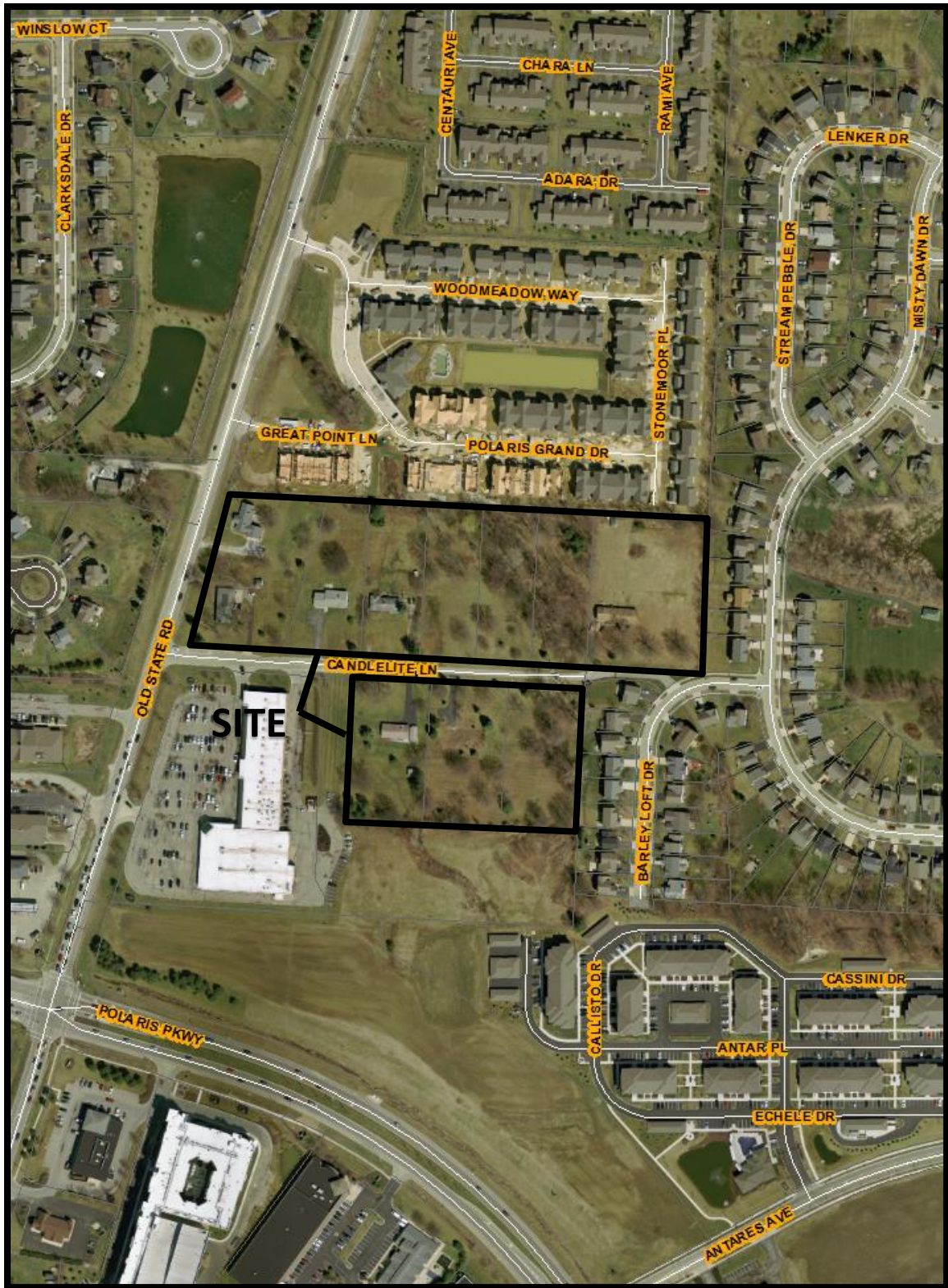
I, Sarah Dinovo, Assistant Clerk to the Board of County Commissioners hereby certify that the foregoing is a true and correct copy of a resolution of the Board of County Commissioners of Delaware County duly adopted on July 27, 2017, and appearing upon the official records of said Board.

Sarah Dinovo
Assistant Clerk to Commissioners

Figure 16: Polaris Subarea



CV17-064
8835 South Old State Road
Approximately 11.05 acres



CV17-064
8835 South Old State Road
Approximately 11.05 acres