THE CITY OF
COLUMBUS
ANDREW J. GINTHER, MAYOR

DEPARTMENT OF BUILDING
AND ZONING SERVICES

REZONING APPLICATION

Department of Building & Zoning Services
Scott Messer, Director
757 Carolyn Avenue, Columbus, Ohio 43224-3218
Phone: 614-645-7433 www.columbus.gov

Application #: Z17-045 Date Received: 10/24/17

Application Accepted By: MM Fee: $4800

Assigned Planner: Michael Maret; 614-645-2749; mjmaret@columbusgov

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 5049 Sunbury Road, Columbus, OH Zip 43230

Is this application being annexed into the City of Columbus ☐ Yes ☒ No (select 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 410-295667

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

Current Zoning District(s) R Requested Zoning District(s) L-AR-12

Area Commission Area Commission or Civic Association: Northland Community Council

Proposed Use or reason for rezoning request: Multi-family residential

(continue on separate page if necessary)

Proposed Height District: H-35 Acreage 5.035 +/-

[Columbus City Code Section 3309.14]

APPLICANT:

Name Homeport c/o Dave Perry (David Perry Company, Inc.)

Address 411 E Town St., 1st Floor City/State Columbus, OH Zip 43215

Phone # 614-228-1727 Fax # ---------- Email dave@daveperryco.net

PROPERTY OWNER(S):

Name Charles L. and Cynthia S. Herndon

Address 110 Laylin Lane City/State Kelleys Island, OH Zip 43438

Phone # 419-746-2249 Fax # ---------- Email herndonccb@gmail.com

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

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE) ☒ Attorney ☐ Agent (Attorney for Applicant)

Name Donald Plank (Plank Law Firm)

Address 411 East Town St., 2nd FL City/State Columbus, OH Zip 43215

Phone # 614-947-8600 Fax # ---------- Email: dplank@planklaw.com

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

APPLICANT SIGNATURE Homeport by David B P, Agent

PROPERTY OWNER SIGNATURE Charles L and Cynthia Herndon, by permission, by Donald Plank

ATTORNEY / AGENT SIGNATURE David B P, Agent

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

Revised 10/16 slp

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

AFFIDAVIT

(See instruction sheet)

APPLICATION # 217-045

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn **(1)** NAME David Perry (David Perry Company, Inc.) ----------
of **(1)** MAILING ADDRESS 411 E Town Street, 1st FL, 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 5049 Sunbury Road, Columbus, OH 43230
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)** _____
(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME AND MAILING ADDRESS
☐ *Check here if listing additional property owners on a separate page.*

(4) Charles L. and Cynthia S Herndon
110 Laylin Lane
Kelleys Island, OH 43438

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

Homeport c/o Dave Perry (David Perry Company, Inc.)
614-228-1727

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

(5) Northland Community Council
c/o Dave Paul
PO Box 298836, Columbus, OH 43229

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)

SIGNATURE OF AFFIANT **(8)** David B. Perry

Sworn to before me and signed in my presence this 23rd day of October, in the year 2017

SIGNATURE OF NOTARY PUBLIC **(8)** Stacey L. Danza

My Commission Expires: 11-5-2018

Notary Seal Here

NOTARIAL SEAL
STATE OF OHIO

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

This affidavit is valid for six (6) months after date of notarization.

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EXHIBIT A, Public Notice
5049 Sunbury Road
Z17-_____
October 23, 2017

APPLICANT

Homeport
c/o Dave Perry
David Perry Company, Inc.
411 E Town Street, 1st Floor
Columbus, Ohio 43215

PROPERTY OWNER

Charles L. Herndon
Cynthia S Herndon
110 Laylin Lane
Kelleys Island, OH 43038

ATTORNEY FOR APPLICANT

Donald Plank
Plank Law Firm
411 East Town Street, 2nd Floor
Columbus, Ohio 43215

COMMUNITY GROUP:

Northland Community Council
c/o Dave Paul
PO Box 298836
Columbus, Ohio 43229

PROPERTY OWNERS WITHIN 125 FEET

Daniel G Myers
Cie Ann Myers (*or current occupant*)
5005 Sunbury Road
Columbus, OH 43230-4167

Cynthia K Price (*or current occupant*)
3831 Peak Ridge Drive
Columbus, OH 43230

Lauren A Ranalli (*or current occupant*)
3813 Peak Ridge Drive
Columbus, OH 43230

Marc E Logan (*or current occupant*)
3791 Peak Ridge Drive
Columbus, OH 43230

Brenda W Watkins (*or current occupant*)
3769 Peak Ridge Drive
Columbus, OH 43230

Charles L Herndon
Cynthia S Herndon (*or current occupant*)
PO Box 789
Kelleys Island, OH 43438-0789

Robert J Lewandowski
Marilyn R Lewandowski (*or current occupant*)
3825 Peak Ridge Drive
Columbus, OH 43230-4116

Francis J Laiacona, Jr. (*or current occupant*)
3805 Peak Ridge Drive
Columbus, OH 43230

Damon Frentsos
Heather J McCoy (*or current occupant*)
3783 Peak Ridge Drive
Columbus, OH 43230

Cheryl A Goodwin (*or current occupant*)
3763 Peak Ridge Drive
Columbus, OH 43230

Alex Agyeman
Vida O Agyeman (*or current occupant*)
3837 Peak Ridge Drive
Columbus, OH 43230

Brian D Turk
Gabriela Turk (*or current occupant*)
5488 Hazelwood Road
Columbus, OH 43229

Sharon K Halbert (*or current occupant*)
3799 Peak Ridge Drive
Columbus, Ohio 43230

Paul O Hildahl (*or current occupant*)
3775 Peak Ridge Drive
Columbus, OH 43230

Cheryl L DeWeese (*or current occupant*)
3757 Peak Ridge Drive
Columbus, OH 43230

Jennifer Kathryn Ahlborn (*or current occupant*)
3737 Peak Ridge Drive
Columbus, OH 43230

Life Church at Easton
(*or current occupant*)
5000 Sunbury Road
Columbus, OH 43230-1136

Melissa L Wood
Brandon W Puckett (*or current occupant*)
3751 Peak Ridge Drive
Columbus, OH 43230

James William Taylor, II
Erin Nicole Taylor (*or current occupant*)
3729 Peak Ridge Drive
Columbus, OH 43230

CRI Easton Square, LLC (*or current occupant*)
250 Civic Center Dr., Suite 500
Columbus, OH 43215-5088

Tyler Nicholson
Evan Nicholson (*or current occupant*)
3745 Peak Ridge Drive
Columbus, OH 43230

City of Columbus (*or current occupant*)
90 W Broad Street, Room 425
Columbus, OH 43215-9000

ALSO NOTIFY

Homeport
c/o Justin Metzler
3443 Agler Road
Columbus, Ohio 43219

Homeport
c/o Leah Evans
3443 Agler Road
Columbus, Ohio 43219

Homeport
c/o Jim Baugh
3443 Agler Road
Columbus, Ohio 43219

Homeport
c/o Roy Lowenstein
3443 Agler Road
Columbus, Ohio 43219

THE CITY OF
COLUMBUS
ANDREW J. GINTHER, MAYOR

DEPARTMENT OF BUILDING
AND ZONING SERVICES

REZONING APPLICATION

Department of Building & Zoning Services
Scott Messer, Director
757 Carolyn Avenue, Columbus, Ohio 43224-3218
Phone: 614-645-7433 www.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 # 217-045

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald Plank (Plank Law Firm) ----------
of (COMPLETE ADDRESS) 411 E Town Street, 2nd FL, 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. Homeport 3443 Agler Road Columbus, Ohio 43219 # of Columbus Based Employees: 51 Contact: Justin Metzler (614) 545-4854	2. Charles L. and Cynthia S Herndon 9110 Laylin Lane Kelleys Island, OH 43438 # of Columbus Based Employees: 0 Contact: Charles L Herndon 419-746-2249
3. ----------	4. ----------

☐ *Check here if listing additional parties on a separate page.*

SIGNATURE OF AFFIANT Donald Plank

Subscribed to me in my presence and before me this 23rd day of October, in the year 2017

SIGNATURE OF NOTARY PUBLIC Stacey L. Danza

My Commission Expires: 11-5-2018

Notary Seal Here

NOTARY SEAL STATE OF OHIO

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

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

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Revised 10/16 slp

City of Columbus
Zoning Plat

N
W E
S

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

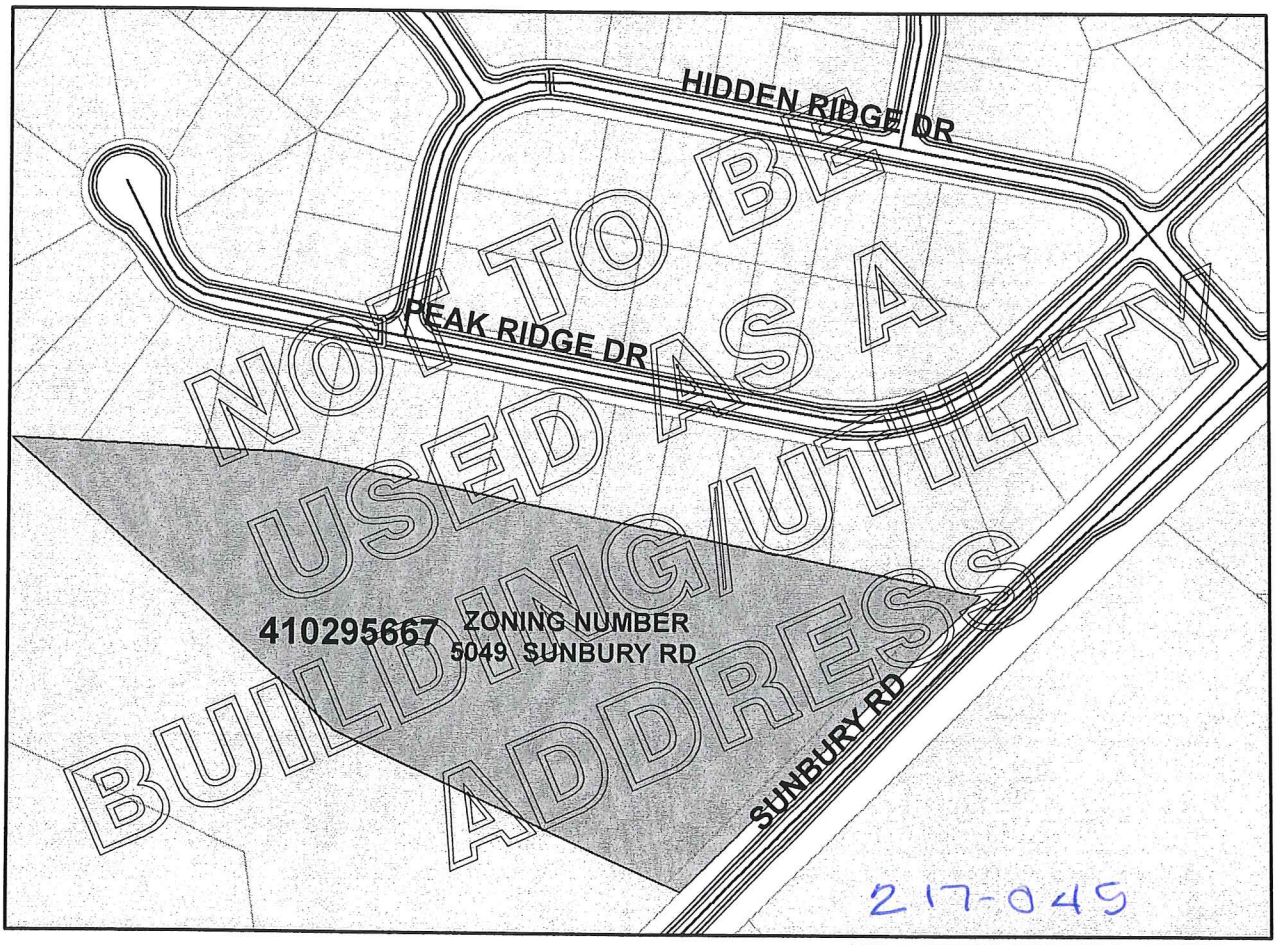
Parcel ID: 410295667

Zoning Number: 5049 **Street Name: SUNBURY RD**

Lot Number: N/A **Subdivision: N/A**

Requested By: DAVID PERRY COMPANY, INC. (DAVE PERRY)

Issued By: Adyana Umarian **Date: 10/18/2017**



SCALE: 1 inch = 200 feet

GIS FILE NUMBER: 35635

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

EXHIBIT "A"
5049 SUNBURY ROAD
ZONING DESCRIPTION

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 3, Township 2 North, Range 17 West, United States Military Lands, and being the remainder of that original 5.564 acre tract of land described in a deed to **Charles L. Herndon and Cynthia S. Herndon, Trustees, under the Charles L. Herndon and Cynthia S. Herndon Family Trust dated (UDT) October 30, 2001**, of record in Instrument Number 200201310028625, all records referenced are on file at the Office of the Recorder for Franklin County, Ohio, being further bounded and described as follows:

BEGINNING at a point on the existing west right-of-way line for Sunbury Road, as established by a 0.510 acre right-of-way parcel described in a deed to City of Columbus, Ohio, of record in Instrument Number 201510230150579, being the southwest corner of said 0.510 acre right-of-way parcel, being on a southwest line of said original 5.564 acre tract, and being on a northeast line of that 8.336 acre tract of land described in a deed to Daniel G. Myers and Cie Ann Myers, of record in Instrument Number 201706140080450;

Thence **North 67 degrees 38 minutes 00 seconds West**, along a southwest line of said original 5.564 acre tract and along a northeast line of said 8.336 acre tract, a distance of **382.84 feet** to the southwest corner of said 5.564 acre tract, being a northeast corner of said 8.336 acre tract;

Thence **North 45 degrees 46 minutes 00 seconds West**, continuing along a southwest line of said original 5.564 acre tract and continuing along a northeast line of said 8.336 acre tract, a distance of **452.44 feet** to the west corner of said 5.564 acre tract, being a northeast corner of said 8.336 acre tract, said point being on a south line of Creek Ridge Section 1, as recorded in Plat Book 67, Page 61;

Thence **South 85 degrees 56 minutes 00 seconds East**, along a northeast line of said original 5.564 acre tract and along a southwest line of said Creek Ridge Section 1, a distance of **273.07 feet** to a northeast corner of said 5.564 acre tract, being a southwest corner of said Creek Ridge Section 1;

Thence **South 79 degrees 13 minutes 16 seconds East**, continuing along a northeast line of said original 5.564 acre tract and continuing along a southwest line of said Creek Ridge Section 1, a distance of **732.31 feet** to a point on the existing west right-of-way line for said Sunbury Road, being at a northwest corner of said 0.510 acre right-of-way parcel;

Thence **South 47 degrees 37 minutes 00 seconds West**, along the west right-of-way line for said Sunbury Road, along a northwest line of said 0.510 acre right-of-way parcel and across said original 5.564 acre tract, a distance of **54.68 feet** to a point;

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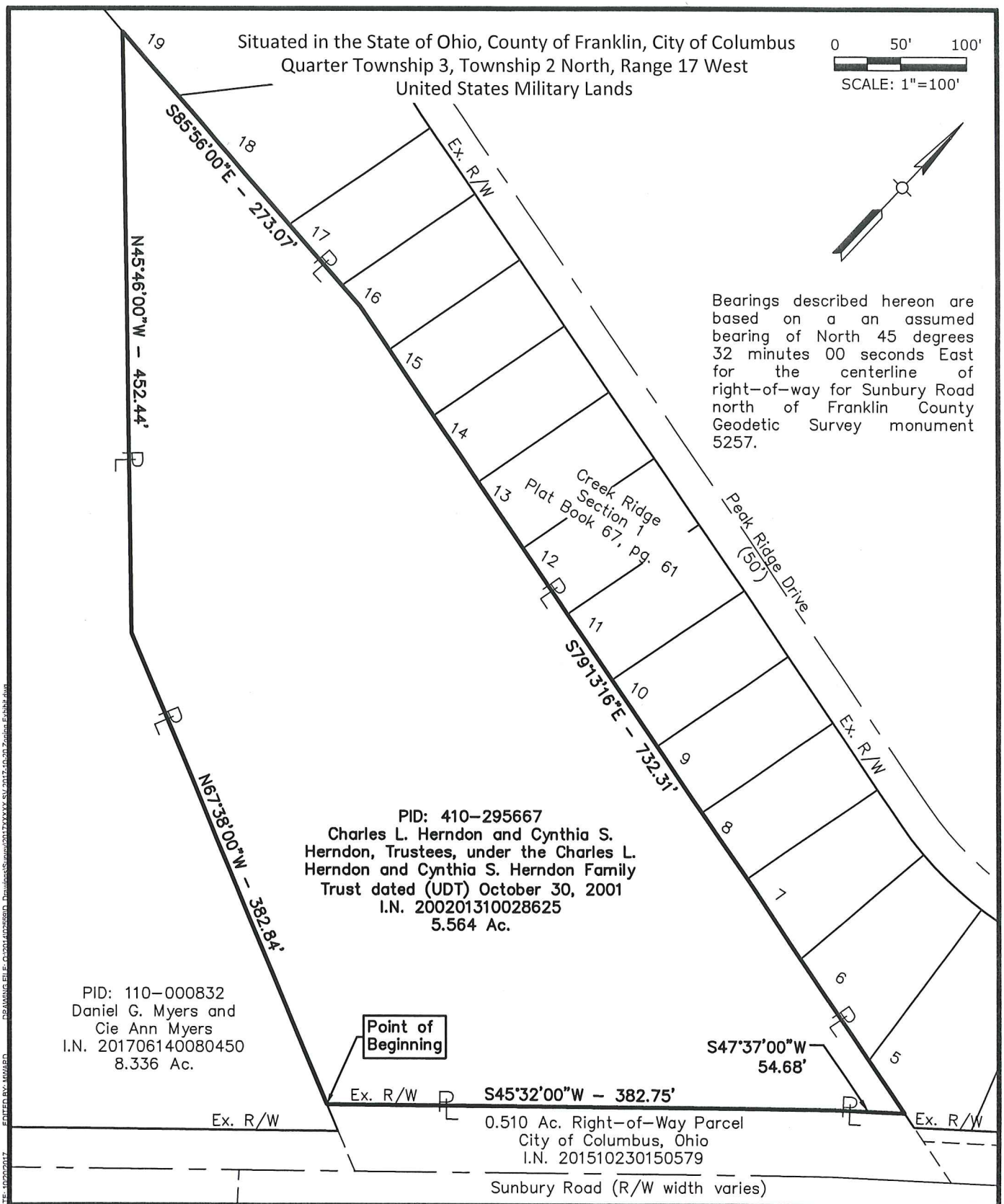
Thence **South 45 degrees 32 minutes 00 seconds West**, continuing along the west right-of-way line for said Sunbury Road, continuing along a northwest line of said 0.510 acre right-of-way parcel and continuing across said original 5.564 acre tract, a distance of **382.75 feet** to the **POINT OF BEGINNING** for this zoning description.

The above description contains a total area of **5.035 acres**, within Franklin Co. Auditor Tax Parcel Number 410-000832;

Bearings described herein are based on an assumed bearing of North 45 degrees 32 minutes 00 seconds East for the centerline of right-of-way for Sunbury Road north of Franklin County Geodetic Survey monument 5257.

This description was prepared on October 20, 2017 by American Structurepoint, Inc. and is intended for zoning purposes only.

217-045



HOMEPORT	AMERICAN STRUCTUREPOINT INC. 2550 Corporate Exchange Drive | Suite 300 Columbus, Ohio 43231 TEL 614.901.2235 | FAX 614.901.2236 www.structurepoint.com	5049 SUNBURY ROAD ZONING EXHIBIT COLUMBUS, OHIO 43230	DATE: 10/20/2017 DRAWN BY: MJW CHECKED BY: BPB JOB NUMBER: 2017.02401 1 of 1

217-045

DEVELOPMENT TEXT

EXISTING ZONING:	R, Rural
PROPOSED DISTRICT:	L-AR-12, Limited Apartment Residential
PROPERTY ADDRESS:	5049 Sunbury Road, Columbus, OH 43230
OWNER:	Charles L. and Cynthia S. Herndon, 110 Laylin Lane, Kelleys Island, OH 43438
APPLICANT:	Homeport c/o Dave Perry, David Perry Company, Inc. 411 E Town Street, FL 1, Columbus, OH 43215 and Donald Plank, Plank Law Firm, 411 E Town Street, FL 2, Columbus, OH 43215
DATE OF TEXT:	October 23, 2017
APPLICATION NUMBER:	Z17-045

INTRODUCTION:

The subject property is 5.035 +/- acres located on the west side of Sunbury Road, 473 +/- feet south of Hidden Ridge Drive. Applicant proposes to develop the site with two (2) apartment buildings with a total of 60 dwelling units. The plan titled "5049 Sunbury Road", hereafter the "Site Plan", dated _____, 2017, and referenced in Section 2.G. of this text, depicts the proposed development. Council Variance application CV17-045 is a companion ordinance with this rezoning.

1.PERMITTED USES: Uses of Section 3333.02, AR-12, ARLD and AR-1 apartment residential district use, which are hereby specifically limited to a maximum of 60 dwelling units and accessory uses.

2.DEVELOPMENT STANDARDS: Except as specified herein and in CV17-____, the applicable development standards of Chapter 3333, Apartment Residential Districts, Chapter 3312, Off-Street Parking and Loading and Chapter 3321, General Site Development Standards of the Columbus City Code shall apply. Council variance application CV17-045 is a companion ordinance to this rezoning and modifies certain development standards, as itemized in the variance ordinance.

A.Density, Height Lot and/or Setback Commitments.

1.There shall be a maximum of 60 dwelling units.

2. Subject to CV17-045, the Sunbury Road building setback line shall be 25'.

B.Access, Loading, Parking and/or Traffic Related Commitments.

1.Developer shall dedicate right of way totaling fifty (50) feet from centerline of Sunbury Road, if not already dedicated.

2.Vehicular access shall be as depicted on the Site Plan.

C.Buffering, Landscaping, Open Space, and/or Screening Commitments.

1.Open space corresponding to the Alum Creek tributary Stream Corridor Protection Zone (SCPZ) adjacent to the south property of the site shall be preserved in its natural state.

2. Street trees shall be provided, by either new tree planting or preservation of existing trees, along Sunbury Road in the 25' building setback, at the rate of one (1) tree per 50 lineal feet. With preservation of existing trees, trees may be grouped.

3. Existing trees of 2" caliper or greater in the north 20' setback shall be preserved. Additional trees and other landscaping material and/or 5' fence shall be placed in the 20' setback and/or along the north property line to establish or supplement maintaining a 5' tall/75% opaque screen. Existing mature trees in the north 20' buffer may die over time. Applicant shall replace tree(s) as applicable with deciduous (2" caliper) and/or evergreen (min 5') trees as needed.

D. Building design and/or Interior-Exterior treatment commitments.

Primary exterior building materials shall consist of lap siding with accents of other materials, and asphalt shingle roofing.

E.Dumpsters, Lighting, Outdoor Display Areas and/or Environmental Commitments.

N/A

F.Graphics and Signage Commitments.

All graphics shall conform to Article 15 of the Columbus Graphics Code, as it applies to the AR-12, Apartment Residential District. All signage shall be monument style or shall be incorporated into an entrance feature. Any variance to the applicable sign requirements of the AR-12, Apartment Residential District shall be submitted to the Columbus Graphics Commission.

G.Miscellaneous.

1.The developer shall comply with applicable requirements of Chapter 3318, Parkland Dedication, Columbus City Code.

2. The plan titled "5049 Sunbury Road", dated _____, 2017, and signed by David B. Perry, Agent for applicant, and Donald Plank, Attorney for applicant,

217-045

depicts the planned site development. The plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time final development and engineering plans are completed. Any slight adjustment to any of the drawings shall be reviewed and may be approved by the Director of the Building and Zoning Services Department or his designee upon submission of the appropriate data regarding the proposed adjustment.

4. See also CV17-045

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, conditions, and commitments regarding development of the subject property and for such purpose each states that he fully understands and acknowledges that none of the foregoing restrictions, conditions, or commitments shall in any manner act to negate, nullify, alter or modify any more restrictive provision of the Columbus City Codes.

Signature: _____ Date: _____
David B. Perry, Agent for Applicant

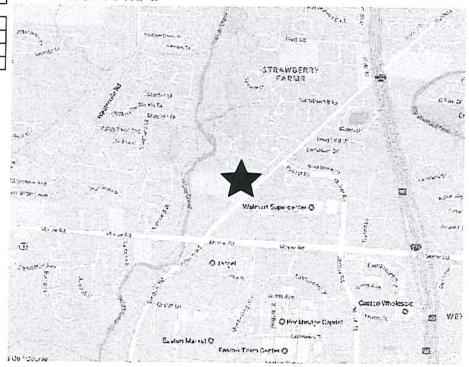
Signature: _____ Date: _____
Donald Plank, Attorney for Applicant

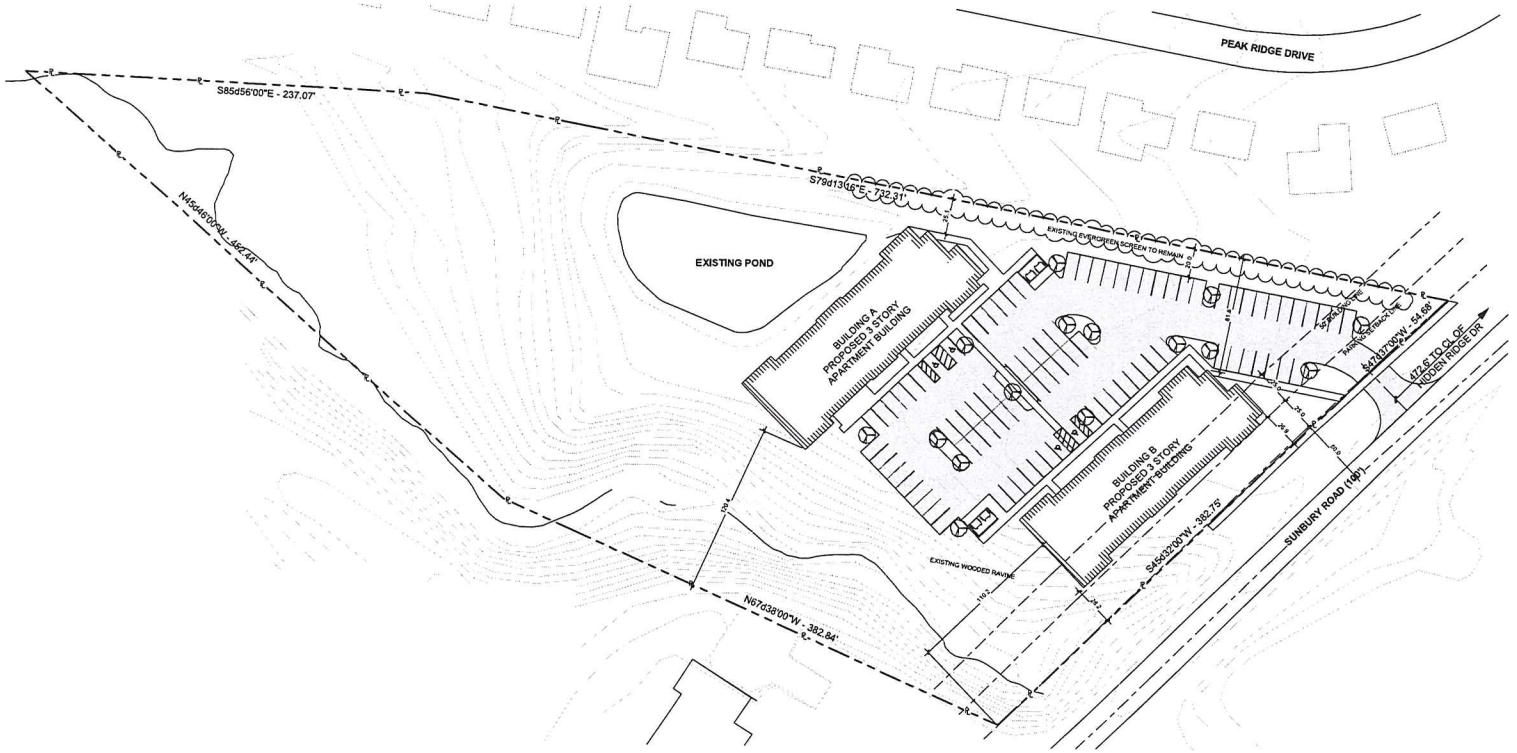
217-045

SITE DATA TABLE

SITE AREA - PID-410-295667	5.035 AC
NUMBER OF UNITS	60 UNITS
DENSITY	11.9 UNITS/AC
PARKING	60 DU @ 1.5 = 90 SPACES

LOCATION MAP





217-045

SHREMSHOCK

SHREMSHOCK ARCHITECTS, INC.
7400 West Campus Road, Suite 150 New Albany, OH 43054
t 614 545 4550 f 614 545 4255 www.shremshock.com

HOMEPORT
5049 SUNBURY ROAD

DRAWING DISPOSITION

DATE ISSUED: 10/23/17

REVISIONS:

TITLE: ARCHITECTURAL SITE PLAN

SCALE 1" = 40'-0"

© 2017 SHREMSHOCK ARCHITECTS, INC. THE NUMBERS OF HOURS, THESE DRAWINGS AND SPECS WERE PREPARED OR UNDER ON A SPECIFIC PROJECT AND FOR A SPECIFIC SITE AT A SPECIFIC DATE. THEY ARE NOT INTENDED FOR USE ON A DIFFERENT PROJECT SITE OR AT A LATER TIME. REUSE OF THESE DRAWINGS WILL RESULT THE AND THE ARCHITECT. THE ARCHITECT OWNS THE PROJECT IS PROTECTED AND COPYRIGHT TO LAW UNLESS EXPRESSLY AUTHORIZED IN WRITING BY SHREMSHOCK ARCHITECTS, INC.

SAI # 170541 R4

DRAWING NUMBER: V2

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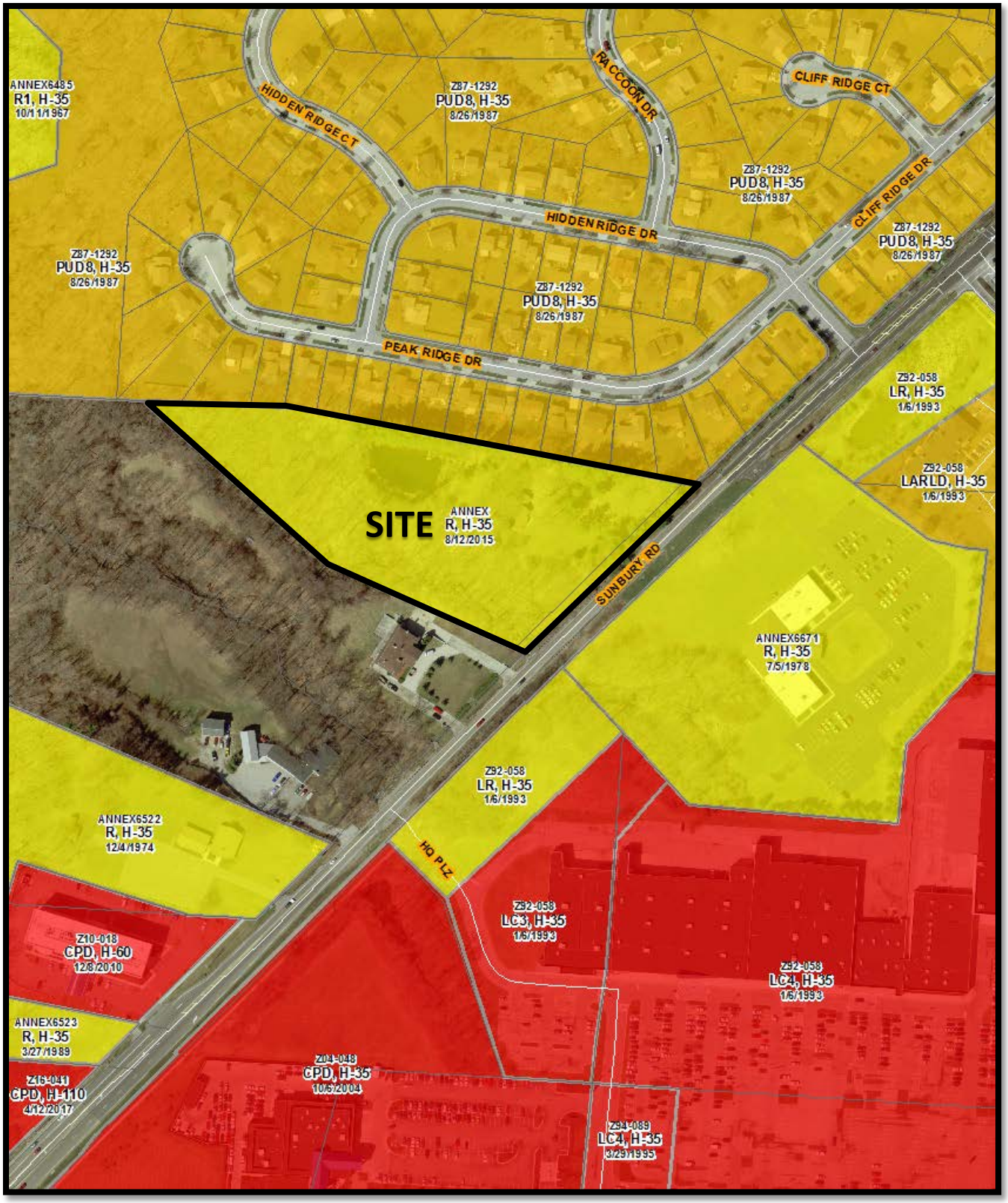
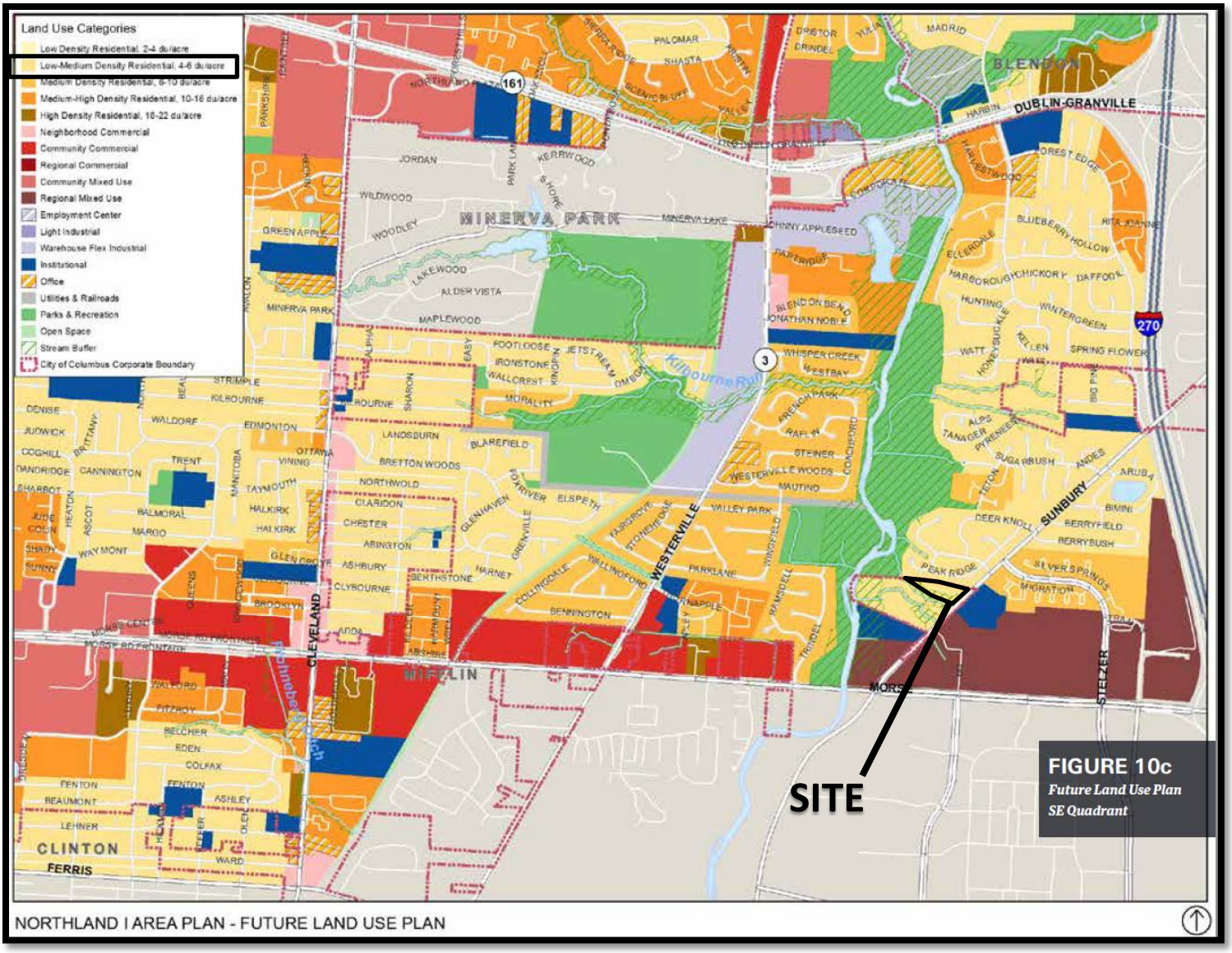


Z17-045
5049 Sunbury Road
Approximately 5.04 acres
From R to L-AR-12



Low-Medium Density Residential: Predominantly single-family development, with limited amounts of 2–4 unit buildings interspersed - often at intersections or along larger streets. This category may also include lower density townhouses/condominiums. Typical Density: 4–6 dwelling units per acre.

Z17-045
5049 Sunbury Road
Approximately 5.04 acres
From R to L-AR-12

Z17-045
5049 Sunbury Road
Approximately 5.04 acres
From R to L-AR-12