

## 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: CV18-003 Date Received: 1/23/18  
Application Accepted by: MM + KP Fee: \$1,520  
Assigned Planner: Kelsey Priebe; kpriebe@columbus.gov; 614-645-1341

#### LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes): 104 Lauriston Lane Zip: 43235

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: 610-290759

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

Current Zoning District(s): L-C-4; L-AR-12

Area Commission or Civic Association: Far North Columbus Communities Coalition

Proposed Use or reason for Council Variance request:

Reduce required perimeter yard setback in L-AR-12 subarea from 25' to 10' for parking only.

Acreage: 9.2 +/-

#### APPLICANT:

Name: Metro Development LLC c/o Joe Thomas Phone Number: 614-540-2400 Ext.: \_\_\_\_\_

Address: 470 Olde Worthington Road City/State: Westerville, Ohio Zip: 43082

Email Address: jthomasjr@villagecommunities.com Fax Number: \_\_\_\_\_

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

Name: BRG Liberty Crossing LLC Phone Number: 614-464-5608 Ext.: \_\_\_\_\_

Address: 7265 Kenwood Road, Suite 111 City/State: Cincinnati, Ohio Zip: 45236

Email Address: jstangeman@vorys.com Fax Number: 614-719-4638

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

Name: Jill S. Tangeman, Esq. Phone Number: 614-464-5608 Ext.: \_\_\_\_\_

Address: 52 East Gay Street City/State: Columbus, OH Zip: 43215

Email Address: jstangeman@vorys.com Fax Number: 614-719-4638

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

APPLICANT SIGNATURE [Signature]

PROPERTY OWNER SIGNATURE [Signature]

ATTORNEY / AGENT SIGNATURE [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**

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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

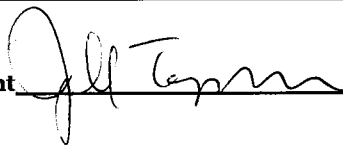
**List all sections of Code to be varied and explain your reasoning as to why this request should be granted.**

**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 Statement of Hardship

Signature of Applicant



Date

1/23/2010

CV18-003

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### **STATEMENT OF HARDSHIP**

**Property Address:** 104 Lauriston Lane

**Applicant:** Metro Development LLC

The subject property is located along North High Street and is currently improved with a residential hotel in the L-C-4 zoning district and a multi-family development in the L-AR-12 zoning district. The applicant is in the process of adding parking to the L-AR-12 zoning district and is requesting a variance to reduce the required 25' perimeter yard setback for parking only from 25' to 10'.

The existing landscape buffer consisting of mounding and trees will be maintained as installed.

The addition of parking will avoid having guests to the multi-family development park on neighboring public streets.

The grant of the above variances will not be injurious to the neighboring properties nor have any negative impact on city services.

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**AFFIDAVIT** (See instruction sheet)

Application Number: CV18-003

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn **(1)** NAME Jill S. Tangeman, Esq.

of **(1)** MAILING ADDRESS 52 East Gay Street, 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 104 Lauriston Lane

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on **(3)** 1/23/18

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME  
AND MAILING ADDRESS

**(4)** BRG Liberty Crossing

7265 Kenwood Road, Suite 111

Cincinnati, OH 43236

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

Metro Development LLC c/o Joe Thomas

614-540-2400

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

**(5)** Far North Columbus Communities Coalition

Jim Palmisano

PO Box 66, Lewis Center, 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

Jill Tangeman

Sworn to before me and signed in my presence this 23rd day of January, in the year 2018

Michelle L. Parmenter

**(8)** SIGNATURE OF NOTARY PUBLIC

My Commission Expires

Notary Seal Here



**MICHELLE L. PARMENTER**

Notary Public, State of Ohio

My Commission Expires

10-16-2022

My Commission Expires six (6) months after the date of notarization.

**PLEASE NOTE: Incomplete information will result in the rejection of this submittal.**

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**Please make checks payable to the Columbus City Treasurer**

Robert Holton  
8444 Cliffthorne Way  
Columbus, OH 43235

Ellen Dury  
8406 Cliffthorne Way  
Columbus, OH 43235

Tim Donut US Limited Inc  
8333 North High Street  
Columbus, OH 43235

Michael Baker  
8442 Cliffthorne Way  
Columbus, OH 43235

Ronald Bartolomucci  
8404 Cliffthorne Way  
Columbus, OH 43235

BRG Liberty Crossing LLC  
7265 Kenwood Road, Suite 111  
Cincinnati, OH 43236

Nathan Everard and Misty Henderson  
8440 Cliffthorne Way  
Columbus, OH 43235

David Strapp  
8402 Cliffthorne Way  
Columbus, OH 43235

WH Capital LLC  
8303 North High Street  
Columbus, OH 43235

Darlene Kalb  
8438 Cliffthorne Way  
Columbus, OH 43235

Michael Lavette  
8400 Cliffthorne Way  
Columbus, OH 43235

Stephen Coats  
8355 Orchard Knoll Lane  
Columbus, OH 43235

Kenneth Chapman  
8436 Cliffthorne Way  
Columbus, OH 43235

Ryan Callahan  
8392 Cliffthorne Way  
Columbus, OH 43235

Gary White  
8357 Orchard Knoll Lane  
Columbus, OH 43235

Timothy Rice  
8434 Cliffthorne Way  
Columbus, OH 43235

Deborah Wildi  
8486 Nuthatch Way  
Columbus, OH 43235

William Snell  
8359 Orchard Knoll Lane  
Columbus, OH 43235

Joanie Guaragno Trustee  
8424 Cliffthorne Way  
Columbus, OH 43235

Amy Hall  
8480 Nuthatch Way  
Columbus, OH 43235

Sue Ann Webster  
8361 Orchard Knoll Lane  
Columbus, OH 43235

Deneice Brownfield  
8422 Cliffthorne Way  
Columbus, OH 43235

Mark Kossmann  
8480 Nuthatch Way  
Columbus, OH 43235

H&N Real Properties LLC  
110 Gifford Road  
Columbus, OH 43235

Christine Olsen  
8420 Cliffthorne Way  
Columbus, OH 43235

Metropolitan 8311-8325 NH LLC  
8311 North High Street  
Columbus, OH 43235

H&N Real Properties LLC  
112 Gifford Road  
Columbus, OH 43235

Rodolfo Olivo  
8418 Cliffthorne Way  
Columbus, OH 43235

Orchard Knoll Operating Associates  
8351 North High Street  
Columbus, OH 43235

Karen Schuerger  
114 Gifford Road  
Columbus, OH 43235

Trey Sean Lowery  
116 Gifford Road  
Columbus, OH 43235

Olenbluffs Way Homeowners  
Association  
8422 Cliffthorne Way  
Columbus, OH 43235

SK Estates LLC  
118 Gifford Road  
Columbus, OH 43235

Cliffthorne Association  
8386 Cliffthorne Way  
Columbus, OH 43235

Xu Zheng X  
120 Gifford Road  
Columbus, OH 43235

Katherine Szudy  
8341 Bruntsfield Road  
Columbus, OH 43235

Renhao Cui  
8343 Bruntsfield Road  
Columbus, OH 43235

Ryan Sanders and Sarah Sanders  
8345 Bruntsfield Road  
Columbus, OH 43235

Ramadevi Perali and Hari Krishna Perali  
8347 Bruntsfield Road  
Columbus, OH 43235

Far North Columbus Communities  
Coalition  
c/o Jim Palisa0o  
PO Box 66  
Lewis Center, Ohio 43035

Jill S. Tangeman  
Vorys, Sater, Seymour & Pease  
52 East Gay Street  
Columbus, OH 43215

Metro Development LLC  
c/o Joe Thomas  
470 Olde Worthington Road, Suite 100  
Westerville, OH 43082

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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 # CV18-003

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Jill S. Tangeman, Esq.

of (COMPLETE ADDRESS) 52 East Gay Street, 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. BRG Liberty Crossing LLC 7265 Kenwood Road, Suite 111 Cincinnati, OH 45236 0 Columbus Employees	2. Metro Development LLC 470 Olde Worthington Road Westerville, OH 43082 0 Columbus Employees
3.	4.

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

SIGNATURE OF AFFIANT

*Jill Tangeman*

Sworn to before me and signed in my presence this 23rd day of May, in the year 2018

*Michelle L. Parmenter*

SIGNATURE OF NOTARY PUBLIC

Notary Seal Here

My Commission Expires



**MICHELLE L. PARMENTER**  
Notary Public, State of Ohio  
My Commission Expires  
10-16-2022

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## LEGAL DESCRIPTION

### **Sub Area 1, L-C-4 6.7 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Township 2, Township 2, Range 18, United States Military Lands, being out of that 19.658 acre tract conveyed to Traditions at Highbluffs, LLC by deed of record in Instrument Number 200503170049255 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

Beginning, for reference, at the centerline intersection of Lazelle Road  
and High Street (U.S. Route 23); thence South  $03^{\circ} 03' 48''$  East, with the  
centerline of said High Street, a distance of 48.58 feet to a point;

thence South  $86^{\circ} 56' 12''$  West, across the right-of-way of said High Street, a distance of 75.99 feet to a point in the southerly right-of-way line of said Lazelle Road;

thence South  $83^{\circ} 43' 29''$  West, with the northerly line of that 1.127 acre tract conveyed to Tim Donut U.S. Limited, Inc., by deed of record in Instrument Number 200706140104131, the southerly right-of-way line of said Lazelle Road, a distance of 231.47 feet to the westerly terminus of said southerly right-of-way line of said Lazelle Road, being the TRUE POINT OF BEGINNING;

thence with the easterly perimeter of said 19.658 acre tract, the  
following courses and distances: South  $55^{\circ} 48' 36''$  West, a  
distance of 69.98 feet to a point of curvature to the left;

with the arc of said curve to the left, having a central angle of  $24^{\circ} 38' 44''$ , a radius of 132.02 feet, an arc length of 56.79 feet, a chord bearing and distance of South  $09^{\circ} 28' 43''$  West, 56.35 feet to a point;

South  $02^{\circ} 50' 39''$  East, a distance of 313.31 feet to a point; and

North  $87^{\circ} 09' 21''$  East, a distance of 322.28 feet to a point in the westerly right-of-way line of said High Street;

thence South  $02^{\circ} 52' 06''$  East, with the westerly right-of-way line of said High Street, a distance of 245.00 feet to a point;

thence across said 19.658 acre tract, the following courses and distances:

South  $87^{\circ} 09' 21''$  West, a distance of 271.37 feet to a point of curvature to the right;

with the arc of said curve to the right, having a central angle of  $60^{\circ} 07' 31''$ , a radius of 46.00 feet, an arc length of 48.27 feet, a chord bearing and distance of North  $62^{\circ} 46' 54''$  West, 46.09 feet to a point of reverse curvature;



with the arc of said curve to the left, having a central angle of  $09^{\circ} 26' 32''$ , a radius of 161.45 feet, an arc length of 26.61 feet, a chord bearing and distance of North  $27^{\circ} 36' 13''$  West, 26.58 feet to a point of compound curvature;

with the arc of said curve to the left, having a central angle of  $57^{\circ} 43' 23''$ , a radius of 90.00 feet, an arc length of 90.67 feet, a chord bearing and distance of North  $61^{\circ} 11' 11''$  West, 86.89 feet to a point;

South  $89^{\circ} 57' 08''$  West, a distance of 44.24 feet to a point;

North  $02^{\circ} 08' 11''$  West, a distance of 77.65 feet to a point;

North  $47^{\circ} 49' 36''$  West, a distance of 97.81 feet to a point;

South  $87^{\circ} 07' 59''$  West, a distance of 202.15 feet to a point; and

North  $02^{\circ} 52' 01''$  West, a distance of 470.59 feet to a point in the northerly line of said 19.658 acre tract;

thence North  $83^{\circ} 43' 29''$  East, with the northerly line of said 19.658 acre tract, a distance of 455.88 feet to a point;

thence South  $06^{\circ} 16' 31''$  East, with the westerly terminus of said Lazelle Road, a distance of 90.00 feet to the TRUE POINT OF BEGINNING and containing 6.7 acres of land more or less.

### **Sub Area 2, L-AR-12**

#### **2.5 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Township 2, Township 2, Range 18, United States Military Lands, being out of that 19.658 acre tract conveyed to Traditions at Highbluffs, LLC by deed of record in Instrument Number 200503170049255 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

Beginning, for reference, at the centerline intersection of Lazelle Road

and High Street (U.S. Route 23); thence South  $03^{\circ} 03' 48''$  East, with the

centerline of said High Street, a distance of 48.58 feet to a point;

thence South  $86^{\circ} 56' 12''$  West, across the right-of-way of said High Street, a distance of 75.99 feet to a point in the southerly right-of-way line of said Lazelle Road;

thence South  $83^{\circ} 43' 29''$  West, with the northerly line of that 1.127 acre tract conveyed to Tim Donut U.S. Limited, Inc., by deed of record in Instrument Number 200706140104131, the southerly right-of-way line of said Lazelle Road, a distance of 231.47 feet to the westerly terminus of said southerly right-of-way line of said Lazelle Road;

thence North  $06^{\circ} 16' 31''$  West, with the westerly terminus of said Lazelle Road, a distance of 90.00 feet to a point at a northeasterly corner of said 19.658;

thence South  $83^{\circ} 43' 29''$  with the northerly line of said 19.658 acre tract, a distance of 455.88 feet to the TRUE POINT OF BEGINNING;

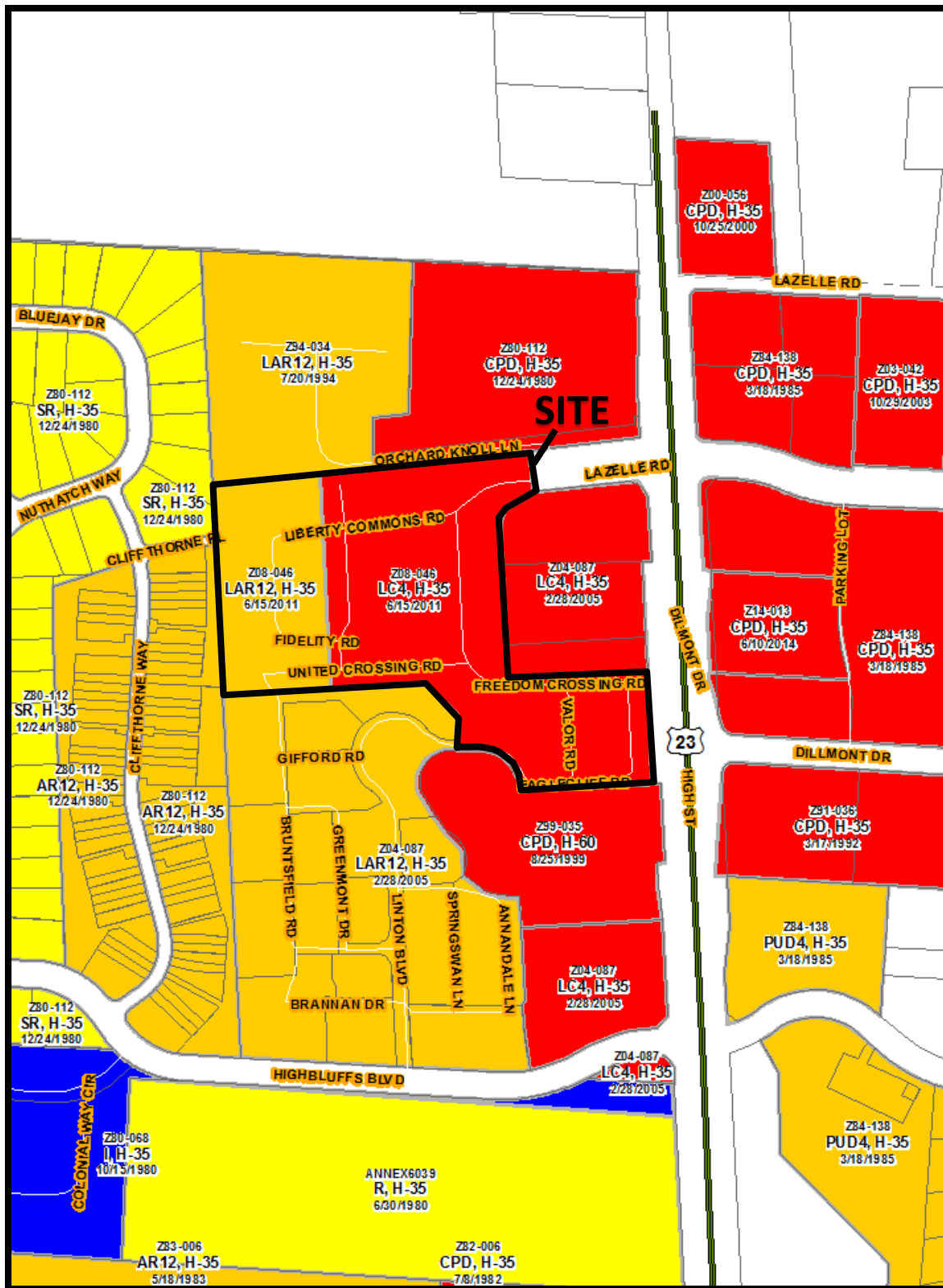
thence across said 19.658 acre tract, the following courses and distances:

thence South  $02^{\circ} 52' 01''$  East, across said 19.658 acre tract, a distance of 470.59 feet to a point;

thence South  $87^{\circ} 07' 59''$  West, continuing across said 19.658 acre tract, a distance of 240.00 feet to a point in the westerly line of said 19.658 acre tract;

thence North  $02^{\circ} 52' 01''$  West, with the westerly line of said 19.658 acre tract, a distance of 456.29 feet to a point;

thence North  $83^{\circ} 43' 29''$  East, with the northerly line of said 19.658 acre tract, a distance of 240.43 feet to the TRUE POINT OF BEGINNING, and containing 2.5 acres of land, more or less.



CV18-003  
104 Lauriston Lane  
Approximately 9.2 acres

Far North Area Plan (2014)

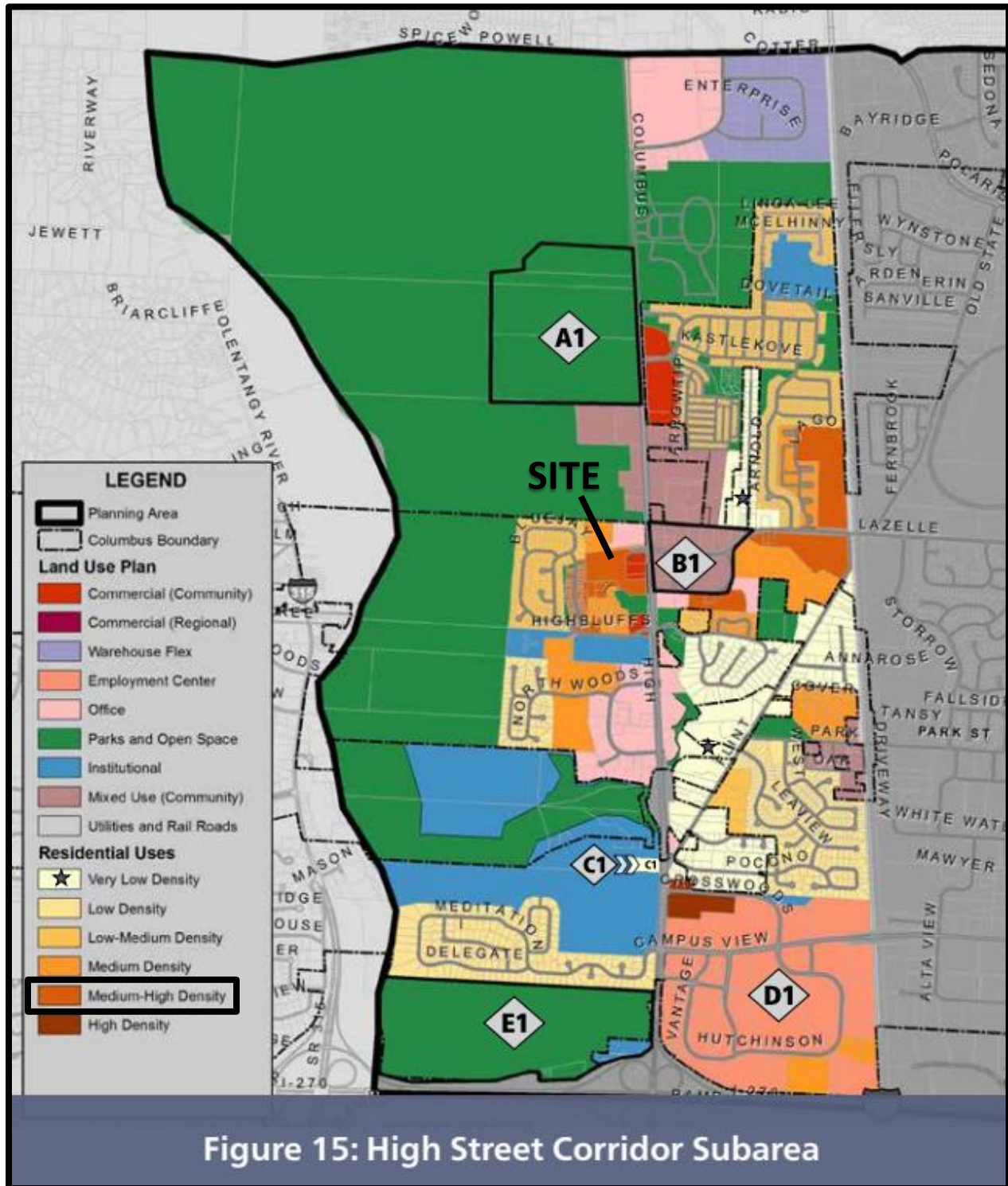


Figure 15: High Street Corridor Subarea

CV18-003  
104 Lauriston Lane  
Approximately 9.2 acres





CV18-003  
104 Lauriston Lane  
Approximately 9.2 acres