



COUNCIL VARIANCE APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services

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

OFFICE USE ONLY

Application Number: CV14-012 / 14315-00000-00178

Date Received: 3/19/14

Application Accepted By: SP

Fee: \$1760

Comments: Assigned to Shannon Pine, 645-2208, spine@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 7801 Olentangy River Road Zip 43235

Is this property currently being annexed into the City of Columbus ☐ Yes ☐ No

If the site is pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.

Parcel Number for Certified Address: 610-146455 & 146436

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

Current Zoning District(s): R-1

Recognized Civic Association or Area Commission: Northwest Area Commission

Proposed use or reason for Council Variance request: replace existing council variance to add additional permitted uses and remove staffing restrictions

Acreage: 1.468 acres

APPLICANT: Name Dr. Chris Smiley

Address 7801 Olentangy River Road City/State Columbus, OH Zip 43235

Phone # 846-7574 Fax # _____ Email: csmileyod@gmail.com

PROPERTY OWNER(S): Name See Smiley Properties LLC

Address 7801 Olentangy River Road City/State Columbus, OH Zip 43235

Phone # 846-7574 Fax # _____ Email: csmileyod@gmail.com

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

ATTORNEY / AGENT

☒ Attorney ☐ Agent

Name Jackson B. Reynolds, III c/o Smith & Hale LLC

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

Phone # 221-4255 Fax # 221-4409 Email: jreynolds@smithandhale.com

SIGNATURES (ALL SIGNATURES MUST BE SIGNED IN BLUE INK)

APPLICANT SIGNATURE Dr. Chris Smiley By:

PROPERTY OWNER SIGNATURE See Smiley Properties LLC By:

ATTORNEY / AGENT SIGNATURE Jackson B. Reynolds, III

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.

For all questions regarding this form and fees please call: 614-645-4522

Please make all checks payable to the Columbus City Treasurer



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AFFIDAVIT

(See next page for instructions)

APPLICATION # CV 14-012

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Jackson B. Reynolds, III
of (1) MAILING ADDRESS 37 West Broad Street, Suite 460, 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) per CERTIFIED ADDRESS FOR ZONING PURPOSES 7801 Olentangy River Road
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

(4) See Smiley Properties LLC
7801 Olentangy River Road
Columbus, OH 43235

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

Dr Chris Smiley
846-7574

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

(5) Far Northwest Coalition
c/o John Best
7527 Foxfield Court
Columbus, OH 43235

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.

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this

(8) 10th day of March, in the year 2014

SIGNATURE OF NOTARY PUBLIC

(8)

My Commission Expires:

Natalie C. Timmons
9/4/15



Natalie C. Timmons
Notary Public, State of Ohio
My Commission Expires 09-04-2015

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APPLICANT

Dr. Chris Smiley
7801 Olentangy River Road
Columbus, OH 43235

PROPERTY OWNER

See Smiley Properties LLC
7801 Olentangy River Road
Columbus, OH 43235

AREA COMMISSION

Far Northwest Coalition
c/o John Best
7527 Foxfield Court
Columbus, OH 43235

ATTORNEY

Jackson B. Reynolds, III
Smith & Hale LLC
37 West Broad Street, Suite 460
Columbus, OH 43215

**SURROUNDING PROPERTY
OWNERS**

Columbus Energy #2 LLC
15 East Lane Avenue
Columbus, OH 43201

City of Columbus
Real Estate Management
90 West Broad Street, Room 425
Columbus, OH 43215

Russell H Jr. & Anita S Bettis
7809 Olentangy River Road
Columbus, OH 43235

John W Hill Jr.
7737 Olentangy River Road
Columbus, OH 43235

Ravines at Worthingridge Condo I
Homeowners Assoc.
771 Old Oak Trace
Columbus, OH 43235

Polcol Properties LLC
7730 Olentangy River Road
Columbus, OH 43235

James T & Iris E Todd
744 Old Oak Trace
Columbus, OH 43235

Nancy L & Charles T Sheley
759 Old Oak Trace
Columbus, OH 43235

Judy K Guzzo
730 Old Oak Trace
Columbus, OH 43235

Daniel J & Melinda K Staloch
718 Old Oak Trace
Columbus, OH 43235



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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 # CV14-012

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] Jackson B. Reynolds, III

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 formats

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. See Smiley Properties LLC 7801 Olentangy River Road Columbus, OH 43235 0 employees Dr. Chris Smiley - 846-7574	2.
3.	4.

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

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 10th day of March, in the year 2014

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

9/4/15



Natalie C. Timmons
Notary Public, State of Ohio
My Commission Expires 09-04-2015

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

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CV14-012

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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.

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 requested as detailed below:

The site was granted a council variance in 1984 (#912-84) which provided for one use within the existing single family structure. The owner/applicant would like to expand the list of permitted uses that would be allowed to operate on the property. The area along Olentangy River Road has changed over the last 30 years and the addition of additional C-2 uses for th site is appropriate. The list of uses requested in this case is carefully considered to issue that surrounding properties are not negatively impacted and that the home and yard maintains it single family character. The site's exterior will remain unchanged and will be served by 13 surface parking spaces and two (2) located inside the garage for a total of 15 parking spaces.

The additional uses will not harm surrounding values and is not in contravention of the comprehensive plan.

Signature of Applicant

Date

3/10/14

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Permitted Uses
7801 Olentangy River Road

Court Reporting and Stenotype Services
Credit Bureaus
Document Preparation Services
Telephone Answering Services
Chiropractors, Dentists, Optometrists, Physicians and Podiatrists
Physical, Occupational and Speech Therapists, and Audiologists
Claims Adjusting Offices
Commodity Contracts Brokerage and Dealing
Direct Casualty, Health, Life, Medical, Property and Title Insurance Carriers
Financial Transactions Processing, Reserve, and Clearinghouse Activities
Insurance Agencies, Brokerages, Carriers and Employee Benefit Funds
International Trade Financing
Investment Advice and Banking and Securities Dealing
Business, Professional, Labor, Political, and Similar Organizations
Conservation, Environment and Wildlife Organizations
Civic and Social Organizations
Religious, Grant making, Civic, Professional, and Similar Organizations
Social Advocacy Organizations
Voluntary Health Organizations
Accounting and Bookkeeping Services
Advertising Services
Administrative and General Management Consulting Services
Architectural, Drafting, Engineering, Graphic and Landscape Design Services
Certified Public Accountants
Contractors
Computer Centers, Programming and Systems Design Services
Corporate, Subsidiary and Regional Managing
Display Advertising
Human Resources and Executive Search Consulting Services
Interior Design Services
Industrial Design Services
Lawyers and Legal Services
Management, Companies and Enterprises and Consulting Services
Marketing Consulting, Public Opinion Polling and Research Services
Notaries
Payroll Services
Process, Physical Distribution, and Logistics Consulting Services
Public Relations Agencies
Real Estate Agents and Brokers
Surveying and Mapping Services
Tax Preparation Services
Title Abstract and Settlement

Beauty Shop and Nail Salon
Translation and Interpretation Services
Art Studios (No retail sales)
Photography Studios, Commercial and Portrait
R-1 Residential Uses

smiley-sr315.lst (nct) 3/12/14 F:Docs

Exhibit "A"

PARCEL I

Situated in the County of Franklin, State of Ohio and City of Columbus and bounded and described as follows:

Being in Section 2, Township 2, Range 18, United States Military Lands, containing 2.330 acres of land, more or less, out of that tract of land as described in a deed to Raymond E. Mason and Lula E. Mason and referred to as FIRST TRACT, of record in Deed Book 1281, Page 101, Recorder's Office, Franklin County, Ohio, said 2.330 acre tract of land being more particularly described as follows:

Beginning at a concrete monument in the northerly line of said FIRST TRACT, a southeasterly corner of Worthington Hills No. 1, as the same is shown and delineated upon the recorded plat of said Worthington Hills No. 1, of record in Plat Book 36, Page 22, said point being also in a southerly line of that tract of land as described in a deed of record in Deed Book 1086, Page 363, both being of record in the Recorder's Office, Franklin County, Ohio, the southeasterly corner of Lot No. 9, as the same is numbered and delineated upon the recorded plat of said Worthington Hills No. 1;

Thence S 87 deg. 48' 56" E, with the northerly line of said FIRST TRACT, a southerly line of said tract of land as described in D.B. 1086, Page 363, a distance of 479.41 feet to an iron pin in the northwesterly corner of that 3.90 acre tract of land as described in a deed to the State of Ohio, of record in D.B. 2909, Page 221, Recorder's Office, Franklin County, Ohio, said point being in a westerly right-of-way line of State Route 315;

Thence S 17 deg. 46' 02" E, with a westerly right-of-way line of said State Route 315, a distance of 148.43 feet to an iron pin; thence S 69 deg. 54' 28" W, a distance of 125.14 feet to an iron pin, thence S 82 deg. 47' 45" W a distance of 237.56 feet to an iron pin;

Thence N 62 deg. 37' 15" W, a distance of 172.17 feet to an iron pin; thence N 33 deg. 27' 48" W, a distance of 187.57 feet to an iron pin in the southerly line of said Worthington Hills No. 1, said point being located S 87 deg. 48' 56" E, a distance of 108.17 feet from the southwesterly corner of said Lot No. 9, the southeasterly corner of Lot No. 10 as the same is numbered and delineated upon the recorded plat of said Worthington Hills No. 1;

Thence S 87 deg. 48' 56" E with a southerly line of said Worthington Hills No. 1, the southerly line of said Lot No. 9 a distance of 85.23 feet to the point of beginning and containing 2.330 acres of land more or less.

EXCEPTING THEREFROM THE FOLLOWING:

Situated in the State of Ohio, County of Franklin and City of Columbus:

Being in Section 2, Township 2, Range 18, United States Military Lands, being part of Lot No. 3 and containing 0.552 acres of land, more or less, said 0.552 acres being part of that 2.330 acre tract of land described in a deed to Lula E. Mason, of record in D.B. 3017, Page 561, Recorder's Office, Franklin County, Ohio, said 0.552 acres being more particularly described as follows:

Beginning for reference at the southeasterly corner of said 2.330 acre tract, the same being in a westerly right-of-way line of relocated State Route 315 (Stratford South Road) and at the northeasterly corner if that 32.885 acre portion of the FIRST TRACT, lying west of the westerly right-of-way line of relocated State Route 315, conveyed to Raymond E. Mason, Jr., by deed of record in D.B. 3111, Page 469, said reference point of beginning also being in a westerly line of that 3.90 acre tract of land described in a deed to The State of Ohio, of record in D.B. 2090, Page 221, both being of record in the Recorder's Office, Franklin County, Ohio, said reference point of beginning being located N 74 deg. 24' 36" W, a distance of 59.72 feet from a monument at station 188 + 72.93 in the centerline of a survey made in 1996 by the Ohio Dept. of Highways for relocated State Route 315 (FRA-270-13.86 N);

Thence from said reference point of beginning, S 71 deg. 17' 04" W, with a southerly line of said 2.330 acre tract and with a northerly line of said 32.885 acres, a distance of 125.54 feet to an iron pin at the true point of beginning at an angle point in the southerly boundary of said 2.330 acres, the same being at an angle point in the northerly boundary of said 32.885 acres;

Thence from said true point of beginning, with the southerly boundary of said 2.330 acre tract and with the northerly boundary of said 32.885 acres, the following three courses and distances;

1. S 83 deg. 11' 22" W a distance of 236.85 feet to an iron pin;

2. N 62 deg. 14' 48" W a distance of 172.03 feet to an iron pin;

3. N 33 deg. 05' 20" W a distance of 187.61 feet to an iron pin at the westernmost corner of said 2.330 acre tract, the same being at a northeasterly corner of said 32.885 acres and in a southerly line of Worthington Hills No. 1, the subdivision plat of same being shown of record in Plat Book 36, page 22, Recorder's Office, Franklin County, Ohio;

Thence S 87 deg. 27' 27" E, with the northerly line of said 2.330 acre tract and with a southerly line of said Worthington Hills No. 1, a distance of 72.20 feet to a point;

Thence S 37 deg. 17' 05" E a distance of 84.49 feet to a point;

Thence S 0 deg. 47' 05" E a distance of 76.31 feet to a point;

Thence S 67 deg. 37' 12" E a distance of 28.59 feet to a point;

Thence N 72 deg. 43' 07" E a distance of 44.18 feet to a point;

Thence S 40 deg. 47' 41" E a distance of 95.18 feet to a point;

Thence N 81 deg. 28' 09" E a distance of 29.59 feet to a point;

Thence N 39 deg. 22' 10" E a distance of 52.01 feet to a point;

Thence N 65 deg. 05' 41" E a distance of 40.04 feet to a point;

Thence S 71 deg. 29' 56" E a distance of 140.30 feet to a point;

Thence S 17 deg. 13' 01" E a distance of 9.89 feet to the true point of beginning and containing 0.552 acres of land, more or less, leaving a residue of 1.778 acres more or less.

PARCEL II

Situated in the State of Ohio, County of Franklin, City of Columbus:

Beginning at the southeast corner of a 4.08 acre tract formerly owned by the Grantee herein, thence with the south line of said 4.08 acre tract North 87 deg. 48' 56" West 321.89 feet to a point;

Thence crossing said 4.08 acre tract North 82 deg. 35' 20" East 308.34 feet to a point on the centerline of State Route 315; thence along said centerline of State Route 315, along a curve to the left an arc distance of 54.42 feet to the point of beginning, said curve have a radius of 1904.59 feet and a chord distance of 54.42 feet, said chord bearing South 16 deg. 59' 07" East, being 0.19 acre more or less.

EXCEPTING THEREFROM THE ABOVE PARCELS THE FOLLOWING DESCRIBED PREMISES:

Situated in the State of Ohio, County of Franklin, City of Columbus:

Being in Section 2, Township 2, Range 18, United States Military Lands and being 0.500 acres off the westerly end of the Thomas D. Gilbert 1.778 acre tract of record in Official Record 4501, Page F15, Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Beginning at a set iron pipe at the northwest corner of said 1.778 acre tract, said pipe being a northeasterly corner of the Bob Webb Builders, Inc. 6.764 acre tract (O.R.V. 4604, Page B18) and being in the southerly line of Lot 9, Worthington Hills #1, as numbered and delineated upon the recorded plat thereof, of record in Plat Book 36, Page 22, said Recorder's Office;

Thence along the northerly line of said 1.778 acre tract and the southerly line of said Lot 9 and along the southerly line of the R.H. and A.S. Bettis, Jr. 3.89 acre tract (Deed Book 3415, Page 8), South 87 degrees 48 minutes 56 seconds East, 178.13 feet to a set iron pipe, (passing a set iron pipe at the southeast corner of said Lot 9 at 12.06 feet, said pipe being also the southwest

corner of said 3.89 acre tract);

Thence across said 1.778 acre tract, South 1 degree 48 minutes 39 seconds East, 205.66 feet to a set iron pipe at an angle point in the southerly line of said 1.778 acre tract and the northerly line of said 6.764 acre tract (passing a set iron pipe at 125.66 feet);

Thence the following five (5) courses along the southerly line of said 1.778 acre tract and the northerly line of said 6.764 acre tract;

1. North 41 degrees 09 minutes 09 seconds West, 95.38 feet to a set iron pipe;
2. South 72 degrees 21 minutes 39 seconds West, 44.18 feet to a set iron pipe;
3. North 67 degrees 58 minutes 41 seconds West, 28.59 feet to a set iron pipe;
4. North 1 degree 08 minutes 34 seconds West, 76.31 feet to a set iron pipe;

5. North 37 degrees 38 minutes 34 seconds West, 84.49 feet to the place of beginning containing 0.500 acres.

This description was prepared from a survey of the premises by Albert J. Myers, P.S. 6579 in January, 1985. Iron pipes are 30" x 1" O.D. with an orange plastic plug inscribed "P.S. 3352". The basis of bearings is the northerly line of said 1.778 acre tract per O.R.V. 4501, Page F15.

610-146436-00 and 610-146455-00



City of Columbus Zoning Plat



CV14-012

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: 610146455

Zoning Number: 7801

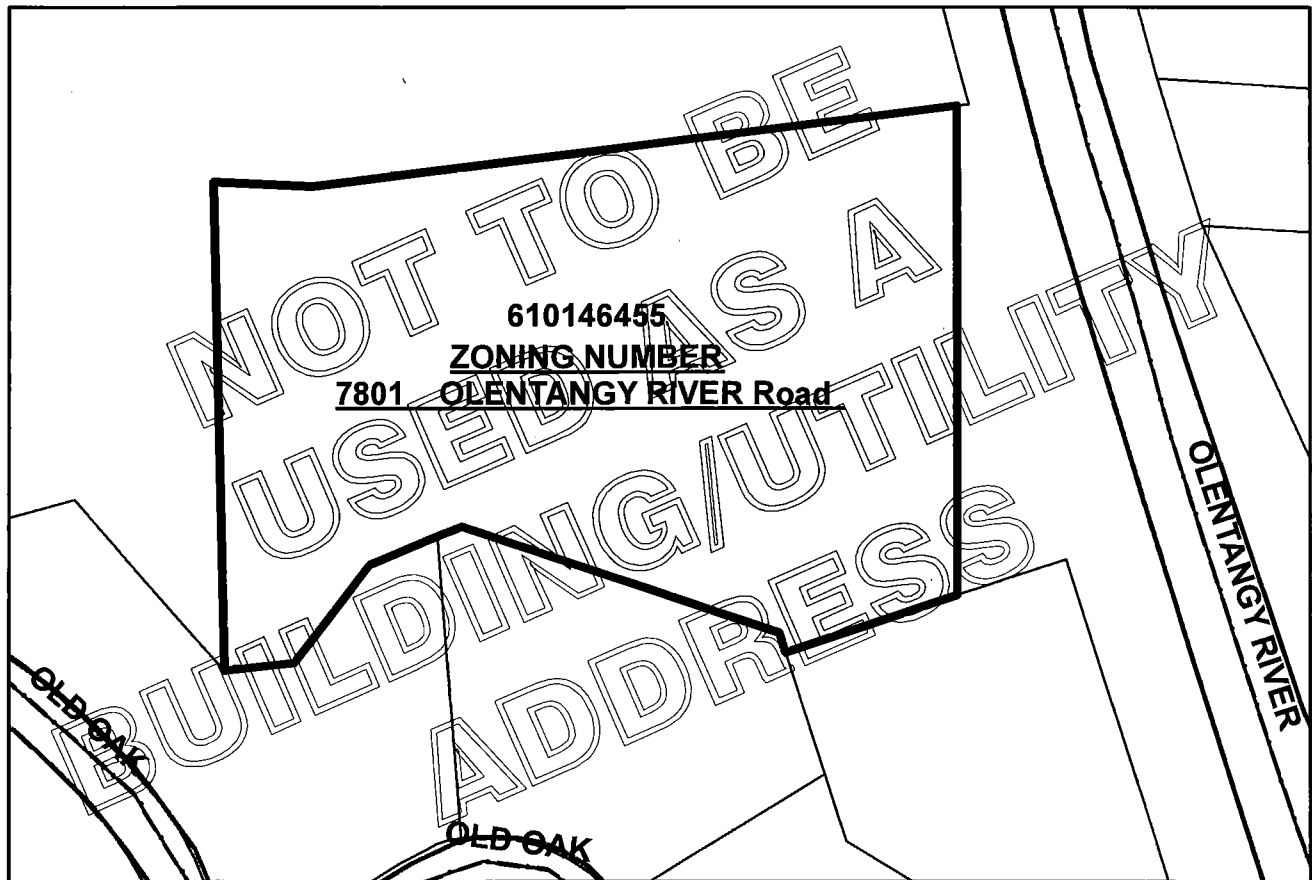
Street Name: OLENTANGY RIVER Road

Lot Number N/A

Subdivision: N/A

Requested By: SMITH & HALE (JACK REYNOLDS)

Issued By: Adriana Amador Date: 3/5/2014

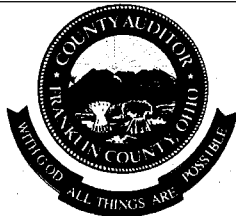


SCALE: 1 inch = 80 feet



PATRICIA A. AUSTIN, P.E., ADMINISTRATOR
DIVISION OF PLANNING AND OPERATIONS
COLUMBUS, OHIO

GIS FILE NUMBER: 18028



CLARENCE E MINGO II

FRANKLIN COUNTY AUDITOR

MAP ID: jbr

DATE: 3/5/14



Disclaimer

Scale = 856



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

MAP ID: jbr

DATE: 3/5/14



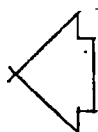
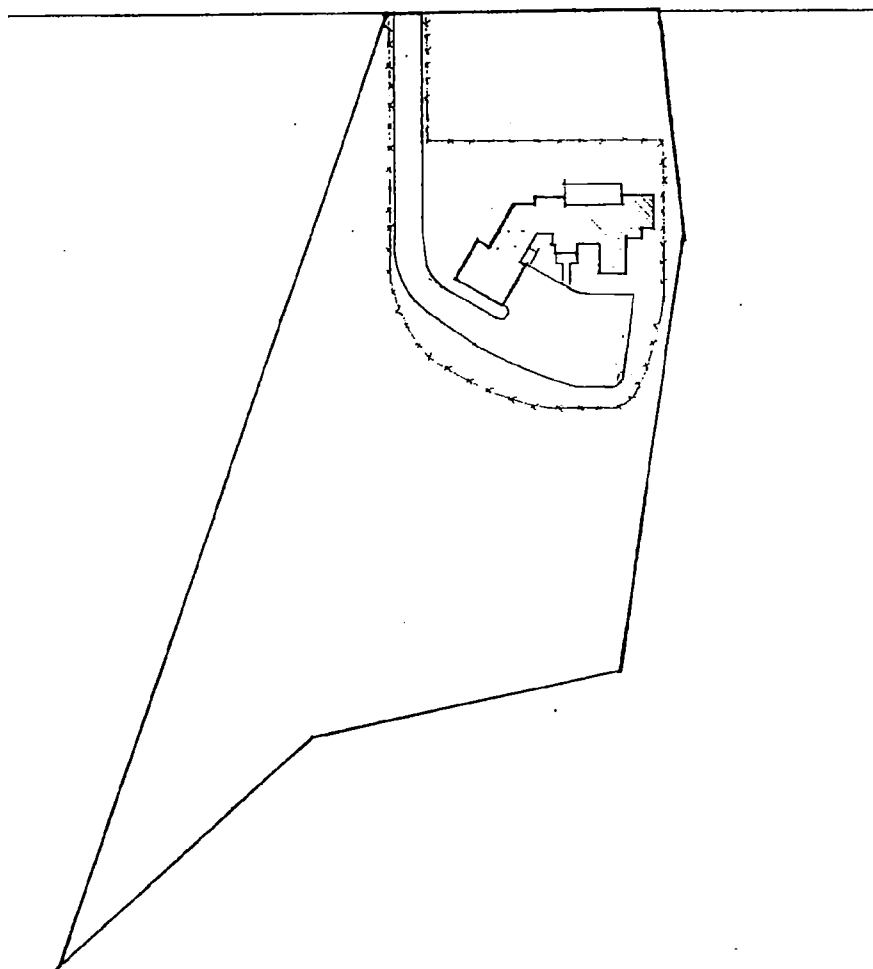
Scale = 100



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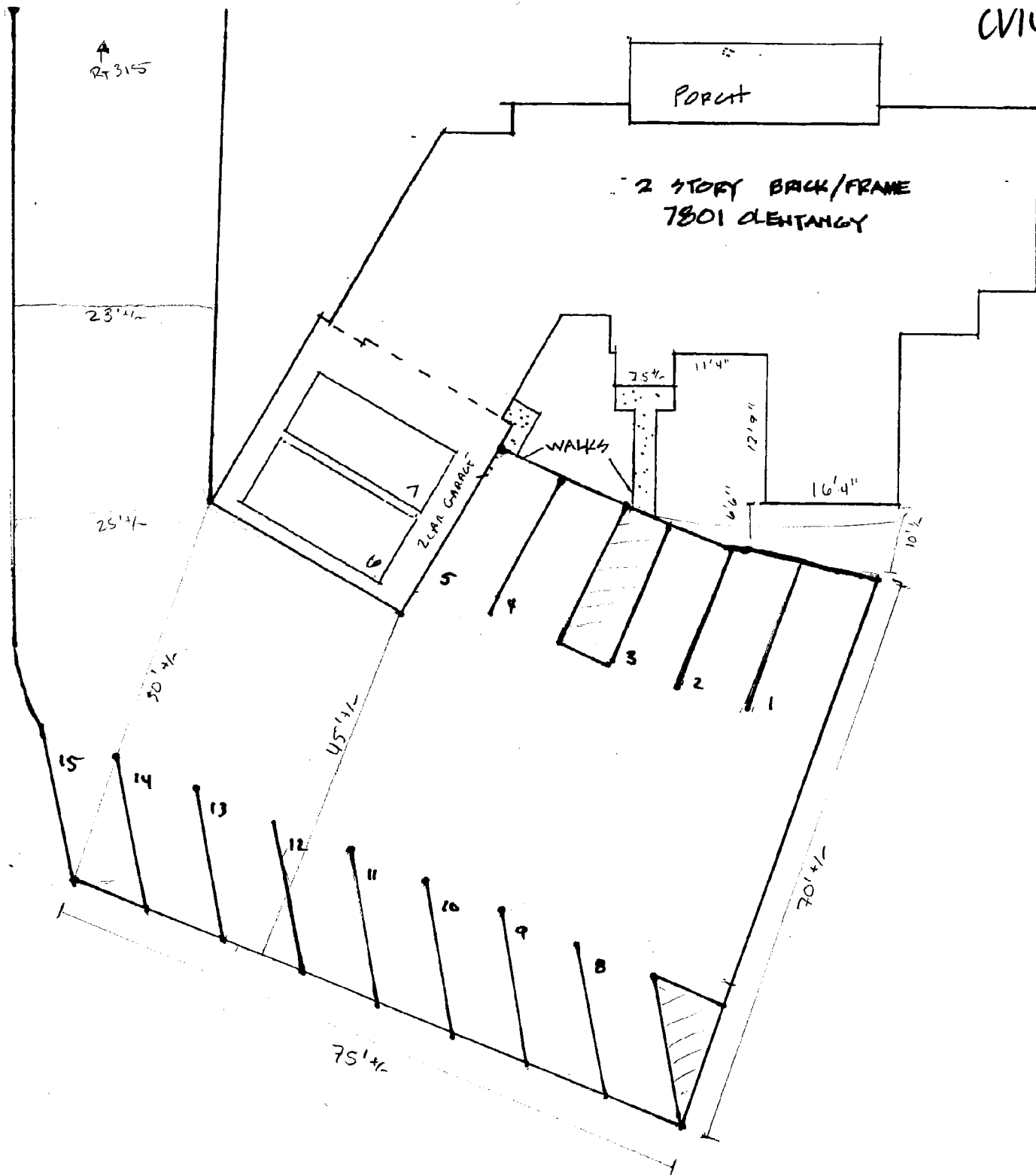
ROUTE 315



KEY PLAN 1"=100'-0" 7801 CENTANGY

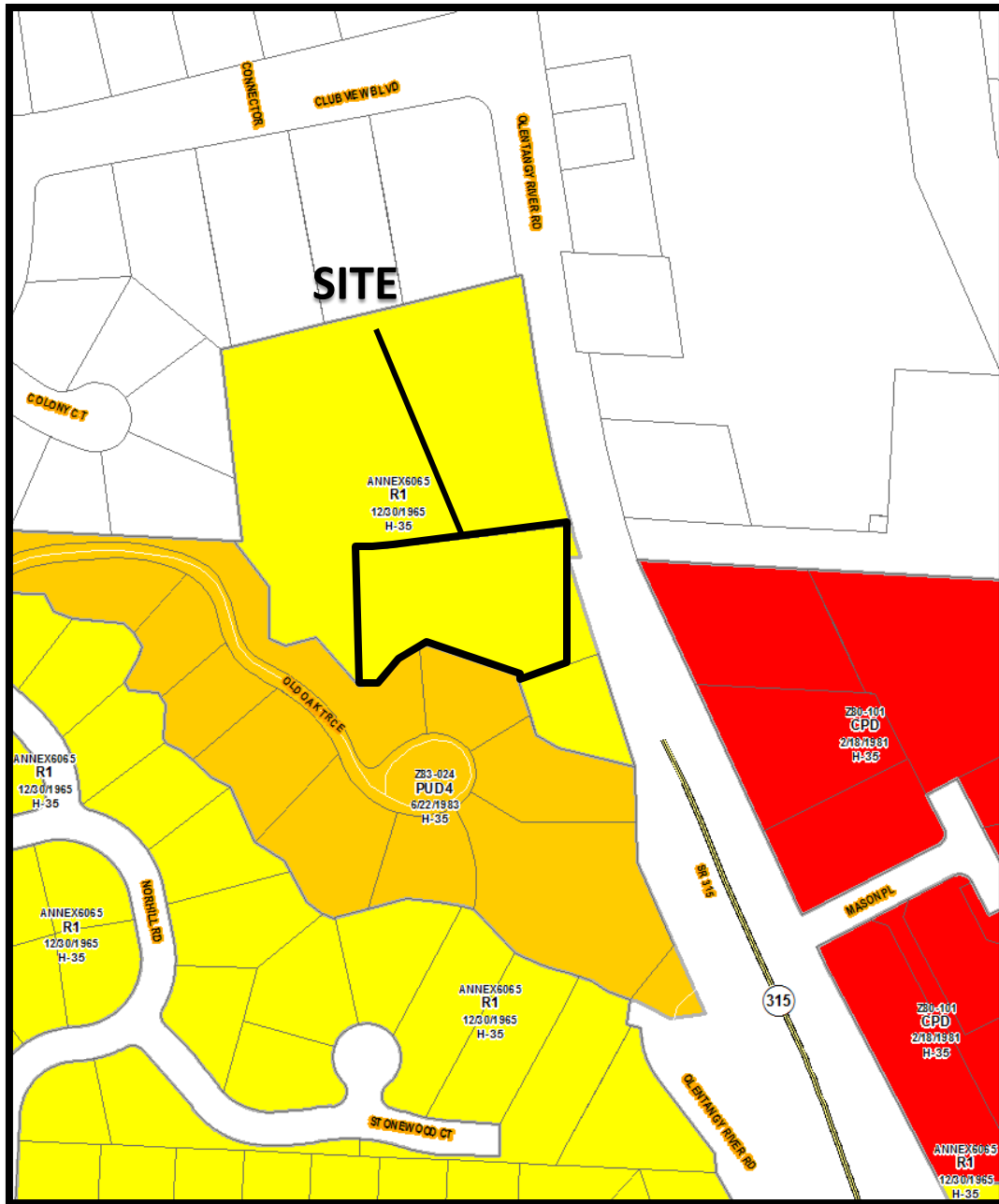
1.968 ACRE MORE OR LESS

(PROPERTY DIMENSIONS & ORIENTATION ARE APPROX.)



STRUCTURE + PAVEMENT PLAN 1/16" = 1'-0"

13 PARKING SPACES + 2 GARAGE = 15 TOTAL SPACES



CV14-012
7801 Olenyang River Road
Approximately 1.468 acres



CV14-012
7801 Olentangy River Road
Approximately 1.468 acres