Mayor Michael B. Coleman

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: CV14-021 / 14315-00000-00252
Date Received: 4/23/14
Application Accepted By: S. Pine Fee: $1200
Comments: Assigned to Shannon Pine, 645-2208, spine@columbus.gov

LOCATION AND ZONING REQUEST: 6395

Certified Address (for Zoning Purposes) Abbie Trails Dr Zip 43110
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: 530-228205-00
☐ Check here if listing additional parcel numbers on a separate page.
Current Zoning District(s): CPD
Recognized Civic Association or Area Commission: Southeast Community Coalition
Proposed use or reason for Council Variance request: Ranch Style Apartment Development
Acreage: 5.4 acres

APPLICANT: Name M. H. Murphy Development Company
Address 4442 Professional Parkway City/State Groveport OH Zip 43125
Phone # 614-836-4403 Fax # 614-836-2057 Email: deb@murphydevelopmentcompany.com

PROPERTY OWNER(S): Name Long Road Development Co. LLC c/o Don Kelley
Address 250 E Broad Street City/State Columbus OH Zip 43215
Phone # _____ Fax # _____ Email: _____
☐ Check here if listing additional property owners on a separate page.

ATTORNEY / AGENT ☐ Attorney ■ Agent
Name Steven J. Fulkert
Address 677 Notchbrook Dr. City/State Delaware OH Zip 43015
Phone # 614-620-9120 Fax # _____ Email: steve@fulkert.com

SIGNATURES (ALL SIGNATURES MUST BE SIGNED IN BLUE INK)

APPLICANT SIGNATURE Michael K. Murphy, Owner M.H. Murphy Dev. Co.
PROPERTY OWNER SIGNATURE _____
ATTORNEY / (AGENT) SIGNATURE Steven J. Fulkert Agent 4.3.2014

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 05/9/12

EXHIBIT B

Statement of Hardship

6593 Abbie Trails Dr

Abbie Cove Apartments

CV14-021

The 5.4 ± acre site is adjacent and to the west of the Abbie Cove Apartments. The 5.4 acre tract is currently being rezoned from CPD to LAR12 to permit a second phase of the Abbie Cove Apartments. Between the subject site and Abbie Trails Drive is a strip of commercially zoned frontage. To the west is additional commercially zoned property. Abbie Cove Drive currently connects to Abbie Trails Drive and includes a recently completed road widening and left turn lane improvement. Applicant proposes access on and across Abbie Cove Drive for the future commercial development, to allow access to the intersection and the turn lane. Commercial development will cause the use of Abbie Cove Drive, in part, for commercial purposes, which are not otherwise permitted in the LAR12 zoning. Applicant submits this application to permit the use of 404± entrance drive feet of the LAR12 parcel, being part of the perimeter set back, for use in conjunction with future planned commercial development to the north and west. Applicant has a hardship in that commercial use of part of a residential driveway is not permitted and a variance is the most appropriate way to permit the proposed commercial use of the driveway, allow the driveway to be in the proper location to serve both the residential and commercial development and to provide better traffic flow, and permit the construction of the drive before the commercial development.

Applicant request the following variance:

1. 3333.02, Permitted Uses, which Section does not permit commercial uses, while applicant proposes to provide vehicular access on Abbie Cove Drive, a private street in the Abbie Cove Apartments, in conjunction with future commercial development to the west, thereby providing improved access to applicant's commercial development and the Apartments.

2. 3333.255, Perimeter Yard, while this section does not permit drives or parking in the Perimeter Yard, the northern property line of the subject property actually is front property line and to have an access drive through this setback is the logical position for the drive to serve both the Apartments and the future commercial user to the north.

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AFFIDAVIT

(See next page for instructions)

APPLICATION # CV14-021

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Steven J. Fulkert Agent
of (1) MAILING ADDRESS 677 Notchbrook Dr, Delaware OH 43015
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 6395 Abbie Trails Dr
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) 4/23/14
(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME AND MAILING ADDRESS

(4) Long Road Development Co. LLC
c/o Don Kelley
250 E Broad St
Columbus OH 43215

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

Steven J. Fulkert
677 Notchbrook Dr, Delaware OH 43015

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

(5) Southeast Community Coalition
c/o Monte I. Johnson
2780 Millvale St, Columbus OH 43232

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 (8) Steven J. Fulkert

Subscribed to me in my presence and before me this 24th day of April, in the year 2014

SIGNATURE OF NOTARY PUBLIC (8) Debra A. Clark

My Commission Expires: 10/5/15

NOTARIAL SEAL
Notary Seal Here
STATE OF OHIO

DEBRA A. CLARK
NOTARY PUBLIC
STATE OF OHIO
Recorded in
Perry County
My Comm. Exp. 10/5/15

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Revised 05/9/12

APPLICANT
M.H. Murphy Development Co
4442 Professional Parkway
Groveport OH 43125

PROPERTY OWNER
Long Road Development Co LLC
c/o Don Kelley
250 E Broad St
Columbus OH 43215

AGENT
Steven J Fulkert
677 Notchbrook Dr
Delaware OH 43015

AREA NEIGHBORHOOD GROUP
Southeast Community Coalition
c/o Monte L Johnson
2780 Millvale St
Columbus OH 43232

SURROUNDING PROPERTY OWNERS

Harold L Schact TR
Norma Jeanne Schact TR
5950 Shannon Rd
Canal Winchester OH 43110

Mabel Varner
Dorothy Evans
PO Box 3
Brice OH 43109

Board of Metro Parks
Commissioners
1069 W Main St
Westerville OH 43081

Brice Grove Apartments LLC
3 Easton Oval, Ste 130
Columbus OH 43219

City of Columbus
Real Estate Management
90 W Broad St, Rm 425
Columbus OH 43215

CV14-021

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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 # CV14-021

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] Steven J. Fulkert

Of [COMPLETE ADDRESS] 677 Notchbrook Dr, Delaware OH 43015
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, Sate, Zip
Number of Columbus based employees
Contact name and number

1. M. H. Murphy Development Company 10685 Edgewood Dr Dublin OH 43017 100% Employees: 12 Michael H. Murphy 614-836-4403	2.
3.	4.

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

SIGNATURE OF AFFIANT Steven J. Fulkert

Subscribed to me in my presence and before me this 24th day of April, in the year 2014

SIGNATURE OF NOTARY PUBLIC Debra A. Clark

My Commission Expires: 10/5/15

NOTARIAL SEAL
Notary Seal Here
STATE OF OHIO

DEBRA A. CLARK
NOTARY PUBLIC
STATE OF OHIO
Recorded in
Perry County
My Comm. Exp. 10/5/15

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

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City of Columbus
Zoning Plat

N

CV14-021

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

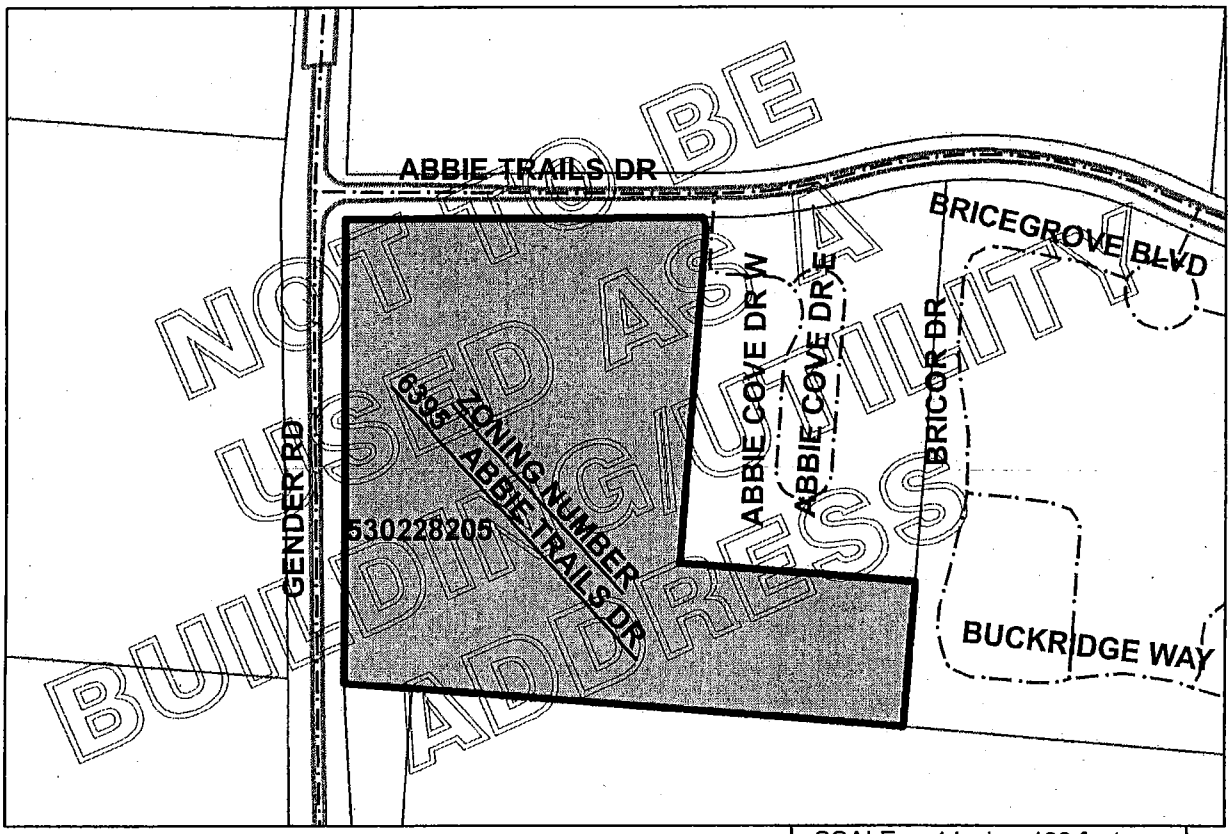
Parcel ID: 530228205

Zoning Number: 6395 **Street Name: ABBIE TRAILS DR**

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

Requested By: M.H. MURPHY DEVELOPMENT CO (STEVE FULKERT)

Issued By: Adriana Amariano **Date: 2/26/2014**



SCALE: 1 inch = 400 feet

GIS FILE NUMBER: 17741

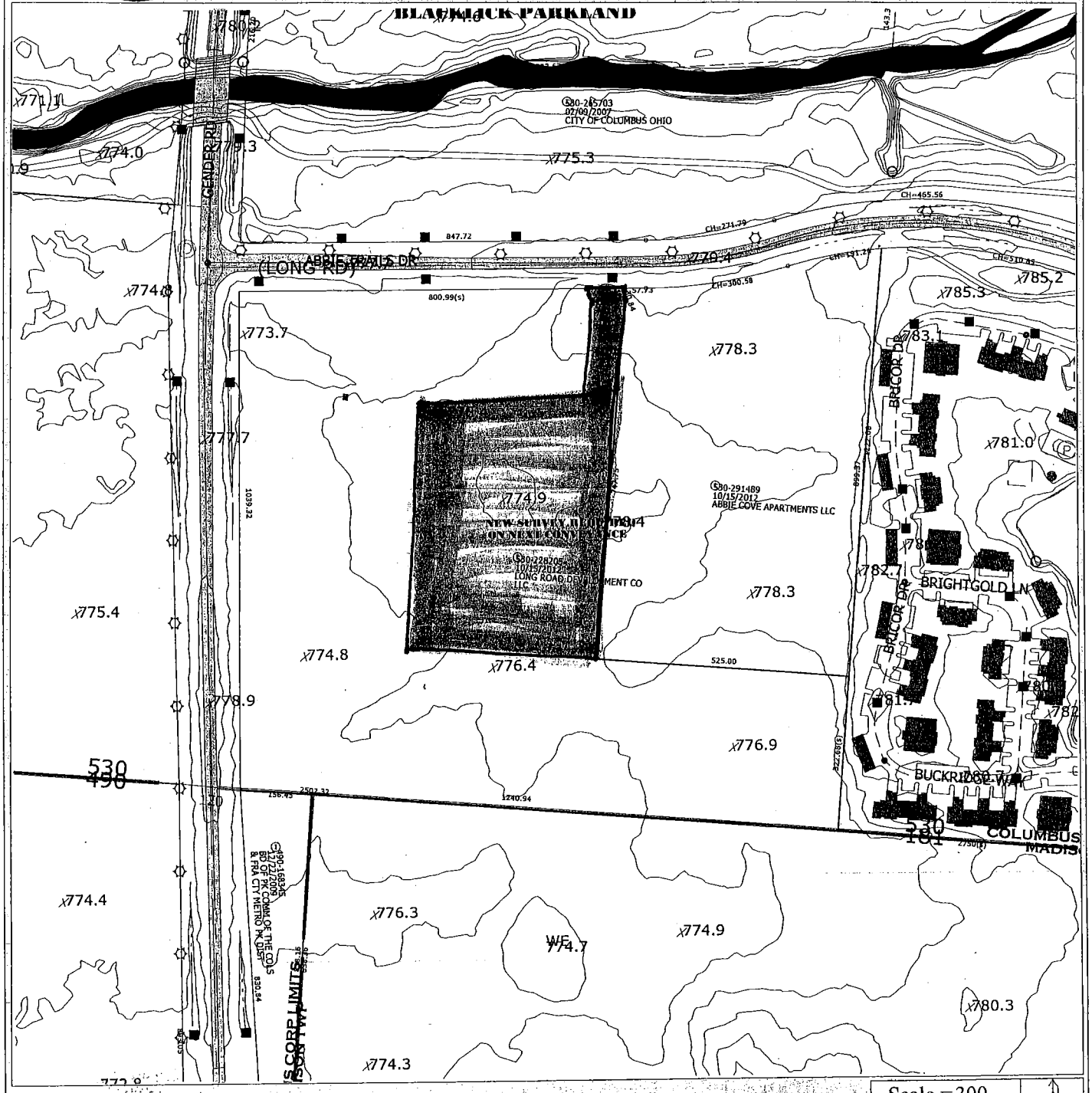
PATRICIA A. AUSTIN, P.E., ADMINISTRATOR
DIVISION OF PLANNING AND OPERATIONS
COLUMBUS, OHIO

printed: 2/26/2014 8:02:45 AM - P:\

CV14-021

CLARENCE E MINGO II
FRANKLIN COUNTY AUDITOR

MAP ID: S **DATE: 2/28/14**



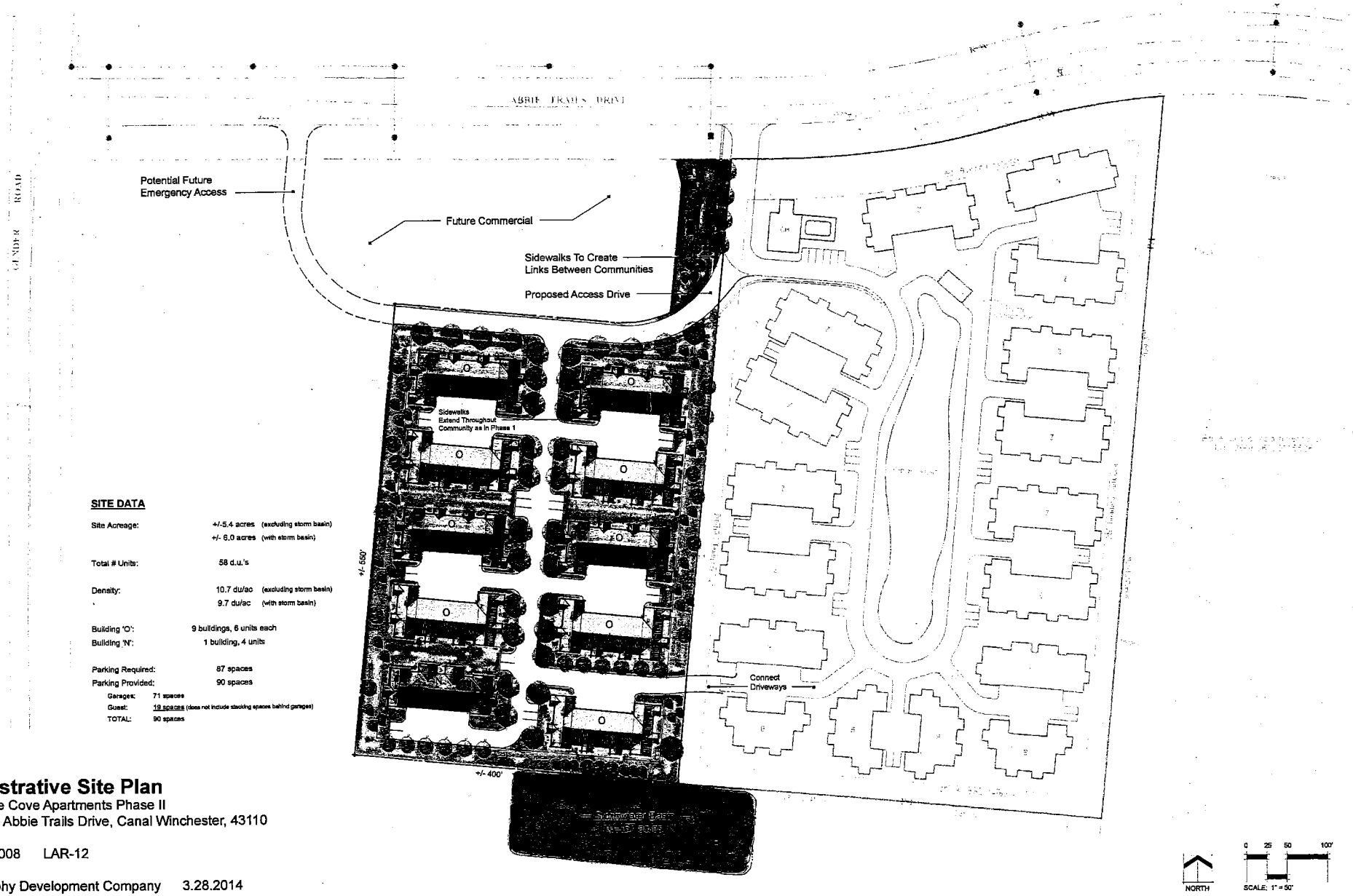
Scale = 300

Grid North

Disclaimer

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



SITE DATA

Site Acreage:	+/-5.4 acres	(excluding storm basin)
	+/- 6.0 acres	(with storm basin)
Total # Units:	58 d.u.'s	
Density:	10.7 du/ac	(excluding storm basin)
	9.7 du/ac	(with storm basin)
Building 'O':	9 buildings, 6 units each	
Building 'N':	1 building, 4 units	
Parking Required:	87 spaces	
Parking Provided:	90 spaces	
Garages:	71 spaces	
Guest:	19 spaces	(does not include stacking spaces behind garages)
TOTAL:	90 spaces	

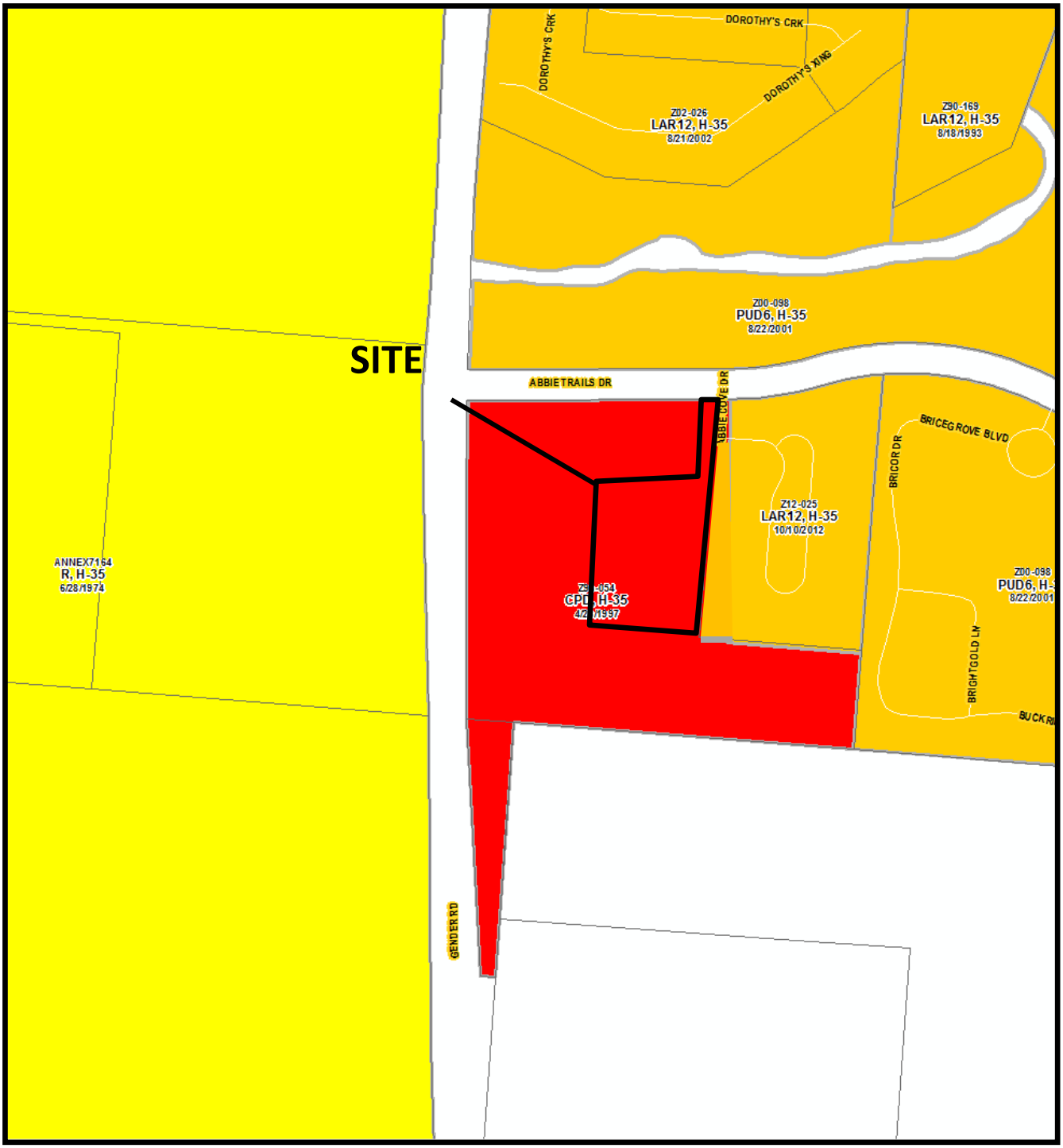
Illustrative Site Plan

Abbie Cove Apartments Phase II
6595 Abbie Trails Drive, Canal Winchester, 43110

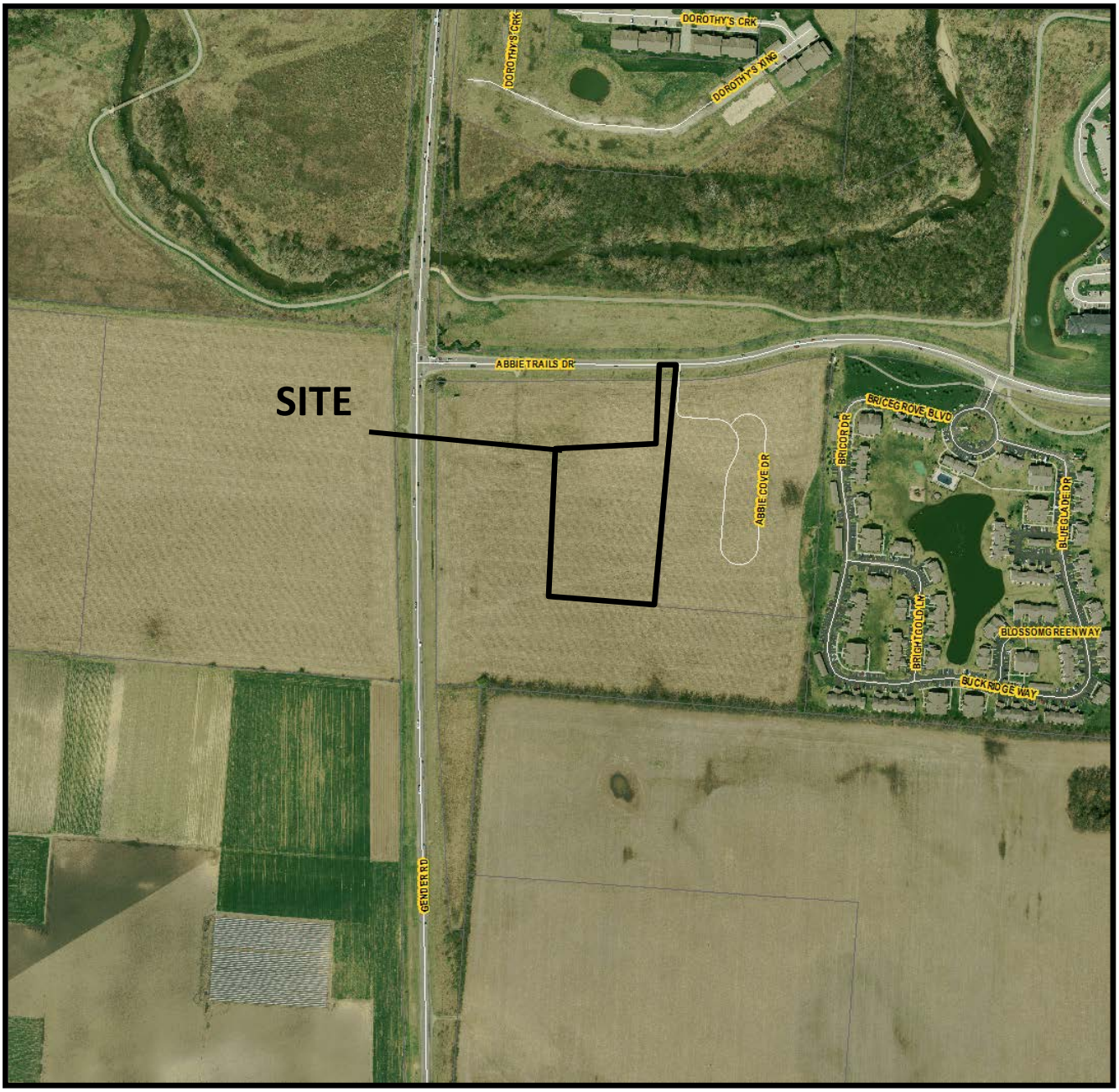
Z14-008 LAR-12

Murphy Development Company 3.28.2014

Conceptual Site Plan
CV14-021



CV14-021
6395 Abbie Trails Drive



CV14-021
6395 Abbie Trails Drive