



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: CV14-028/14315-00000-00343
Date Received: 5/21/14
Application Accepted By: TP Fee: \$1200
Comments: Assigned to Tori Proehl; 645-2749; vjproehl@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 7503 Worthington Galena Road Zip 43085
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: 610-146442

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

Current Zoning District(s): M-2

Civic Association or Area Commission: Far North Columbus Communities Coalition

Proposed use or reason for Council Variance request: Redevelopment of site for multi-family apartment project

Acreage: 5.294 acres

APPLICANT: Name Preferred Real Estate Investments II, LLC

Address 470 Olde Worthington Road City/State Westerville Zip 43082

Phone # 614-901-2400 Fax # _____ Email: _____

PROPERTY OWNER(S): Name Paul Schrock, Emmett Schrock, Sandra Lach, Paul Schrock Trustee

Address 7503 Worthington Galena Road City/State Columbus, Ohio Zip 43085

Phone # c/o Deanna Cook, Esq. 614-464-6349 Fax # 614-719-5135 Email: drcook@vorys.com

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

ATTORNEY / AGENT Attorney Agent

Name Deanna R. Cook

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

Phone # 614-464-6349 Fax # 614-719-5135 Email: drcook@vorys.com

SIGNATURES (ALL SIGNATURES MUST BE SIGNED IN BLUE INK)

APPLICANT SIGNATURE Deanna R. Cook for applicant

PROPERTY OWNER SIGNATURE Paul W. Schrock

ATTORNEY / AGENT SIGNATURE Deanna R. Cook

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



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CV14-028

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:

See attached Exhibit A.

Signature of Applicant _____ Date _____

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Exhibit A**STATEMENT OF HARDSHIP**

The 5.294+/- acre subject site (the "Site") is currently zoned M2 and is being used for a mulch business. The site is surrounded by a single family subdivision (zoned R-2) on the north and west and by other M2 uses on the east and south.

The Applicant is seeking to rezone the Site to L-AR-1 to allow for the construction of a multi-family apartment project and has submitted a "Site Plan" as part of its rezoning application. The Applicant intends to commit to the Site Plan, which includes placing buildings on the Site in a manner designed to provide as much green space and landscaped buffer area as possible between apartment and garage buildings to be located on the Site and the existing homes in the neighboring single family development to the north and west of the Site. Creating this green space and buffer area requires a setback of five (5) feet on the south boundary of the Site, as opposed to the twenty-five (25) foot perimeter yard setback required in the AR-1 district under Section 3333.255 of the City of Columbus zoning code.

The variance is necessary due to the limited amount of acreage available for development on the Site and because of the desirability of maintaining a buffer of green space in and along the north and west boundaries of the Site, which boundaries abut a single family subdivision.

The property to the south of the Site will not be affected or impacted by the 5 foot setback. This neighboring site is zoned M2 and itself has only a five (5) foot building setback along the boundary shared with the subject Site. Because the subject Site is currently zoned M2, the neighboring site to the south already anticipates a five (5) foot setback from its neighbor to the north. As such, and as previously stated, a variance to allow for a five (5) foot setback along the southern boundary of the subject Site will not affect the property immediately to its south.

None of the requested variances will impair an adequate supply of light and air to the adjacent properties, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, morals or welfare of the City of Columbus.



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AFFIDAVIT

(See next page for instructions)

APPLICATION # CV14-028

STATE OF OHIO _____
COUNTY OF FRANKLIN _____

Being first duly cautioned and sworn (1) NAME Deanna Cook, Esq.
of (1) MAILING ADDRESS 52 East Gay Street, 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 7503 Worthington Galena 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) _____

5/21/14
(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME AND MAILING ADDRESS
(4) Paul Schrock, et al.
7535 Worthington Galena Road
Columbus, OH 43085

APPLICANT'S NAME AND PHONE # (same as listed on front of application)
Preferred Real Estate Investments II, LLC
614-901-2400

AREA COMMISSION OR CIVIC GROUP AREA COMMISSION ZONING CHAIR OR CONTACT PERSON AND ADDRESS
(5) Far North Columbus Communities Coalition
P.O. 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)

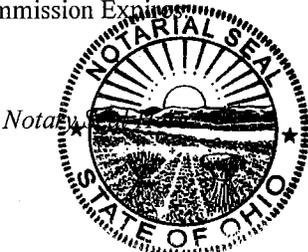
(7) Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT (8) Deanna R Cook

Subscribed to me in my presence and before me this 8th day of May, in the year 2014

SIGNATURE OF NOTARY PUBLIC (8) Torpy L. Yates

My Commission Expires _____



TORPY L. YATES
Notary Public, State of Ohio
My Commission Expires
07-15-2018

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Bryan Myers and Rachel A. Myers
8011 Golfview Court
Columbus, OH 43235

Bryan K. Myers and Rachel A. Myers
7530 Worthington Galena Road
Worthington, OH 43085

James D. Miller and Donna J. Miller
7520 Worthington Galena Road
Columbus, Ohio 43085

Three-D SAC Self-Storage LP
1250 E. Missouri Avenue
Phoenix, AZ 85014

Rubylafay LLC
5667 E. Schaaf Road
Cleveland, OH 44131

Rubylafay LLC
c/o Ann Marie Hawkins
1267 West 9th Street, Suite 500
Cleveland, OH 44113

Sujen T. Fung
7460 Liberton Place
Worthington, OH 43085

Richard D. Ives and Katina R. Hairston
7468 Liberton Place
Worthington, OH 43085

Abby R. Quinter
7476 Liberton Place
Worthington, OH 43085

Rebecca L. Puckett and
Christopher J. Rice
7484 Liberton Place
Worthington, OH 43085

Christopher C. Battig and May L. Battig
7492 Liberton Place
Worthington, OH 43085

Debra S. Demange
879 Larkfield Drive
Worthington, OH 43085

Brian P. Donahue, Trustee
6253 Riverside Drive, Suite #100
Dublin, OH 43017

Kerry J. Dickman
895 Larkfield Drive
Worthington, OH 43085

Rene G. Campbell and Cynthia S. Clay
903 Larkfield Drive
Worthington, OH 43085

Syeda A. Choudhury
911 Larkfield Drive
Worthington, OH 43085

Kyong H. Yi
919 Larkfield Drive
Worthington, OH 43085

Wladimero Villarroel and
Soraya Villarroel
927 Larkfield Drive
Worthington, OH 43085

Johnny D. Ross and Cynthia A. Ross
935 Larkfield Drive
Worthington, OH 43085

Bin Xie and Qian S. Wang
943 Larkfield Drive
Worthington, OH 43085

Wladimero Villarroel and
Soraya Villarroel
2352 Ratcliff Ct.
Lewis Center, OH 43035

Matthew E. Hoffman
959 Larkfield Drive
Worthington, OH 43085

Le Hang Truong
967 Larkfield Drive
Worthington, OH 43085

Harry F. Pierce and Jeanne M. Pierce
975 Larkfield Drive
Worthington, OH 43085

Troy W. Pattison and Valerie R. Pattison
983 Larkfield Drive
Worthington, OH 43085

Irene Ngayap
991 Larkfield Drive
Worthington, OH 43085

Sonya L. Jenkins
999 Larkfield Drive
Worthington, OH 43085

Liebert North America Inc.
Attn: Tax Department
1050 Dearborn Drive
Columbus, OH 43229

Sang H. Heo and Jung Hyun Heo
7452 Liberton Place
Worthington, OH 43085

Martin Gross Family
Limited Partnership
542 Industrial Drive
Lewisberry, PA 17339

Paul W. Schrock, et. al
c/o P. Mallory
7535 Worthington Galena Road
Worthington, Ohio 43085

Far North Columbus Communities
Coalition
Attention: Jim Palmisano, President
P.O. Box 66
Lewis Center, OH 43035

Paul W. Schrock, et. al
7503 Worthington Galena Road
Worthington, Ohio 43085

Heath B. Lafaber and
Cheryl A. Faust-Lafaber
951 Larkfield Drive
Worthington, OH 43085

Deanna R. Cook, Esq.
Vorys, Sater, Seymour and Pease LLP
52 East Gay Street
Columbus, Ohio 43215

Preferred Real Estate
Investments II, LLC
470 Olde Worthington Road
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 # CV14-028

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] Deanna R. Cook, Esq.

Of [COMPLETE ADDRESS] 52 E. Gay St. 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 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. Preferred Real Estate Investments, II, LLC 470 Olde Worthington Road Westerville, OH 43082 0 Columbus employees c/o Jared Smith # 614-901-2400	2.
3.	4.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Deanna R. Cook

Subscribed to me in my presence and before me this 8th day of May, in the year 2014

SIGNATURE OF NOTARY PUBLIC

Torpy L. Yates

My Commission Expires



TORPY L. YATES
Notary Public, State of Ohio
My Commission Expires
07-15-2018

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

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City of Columbus Zoning Plat



CV14-028

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: 610146442

Zoning Number: 7503

Street Name: WORTHINGTON GALENA RD

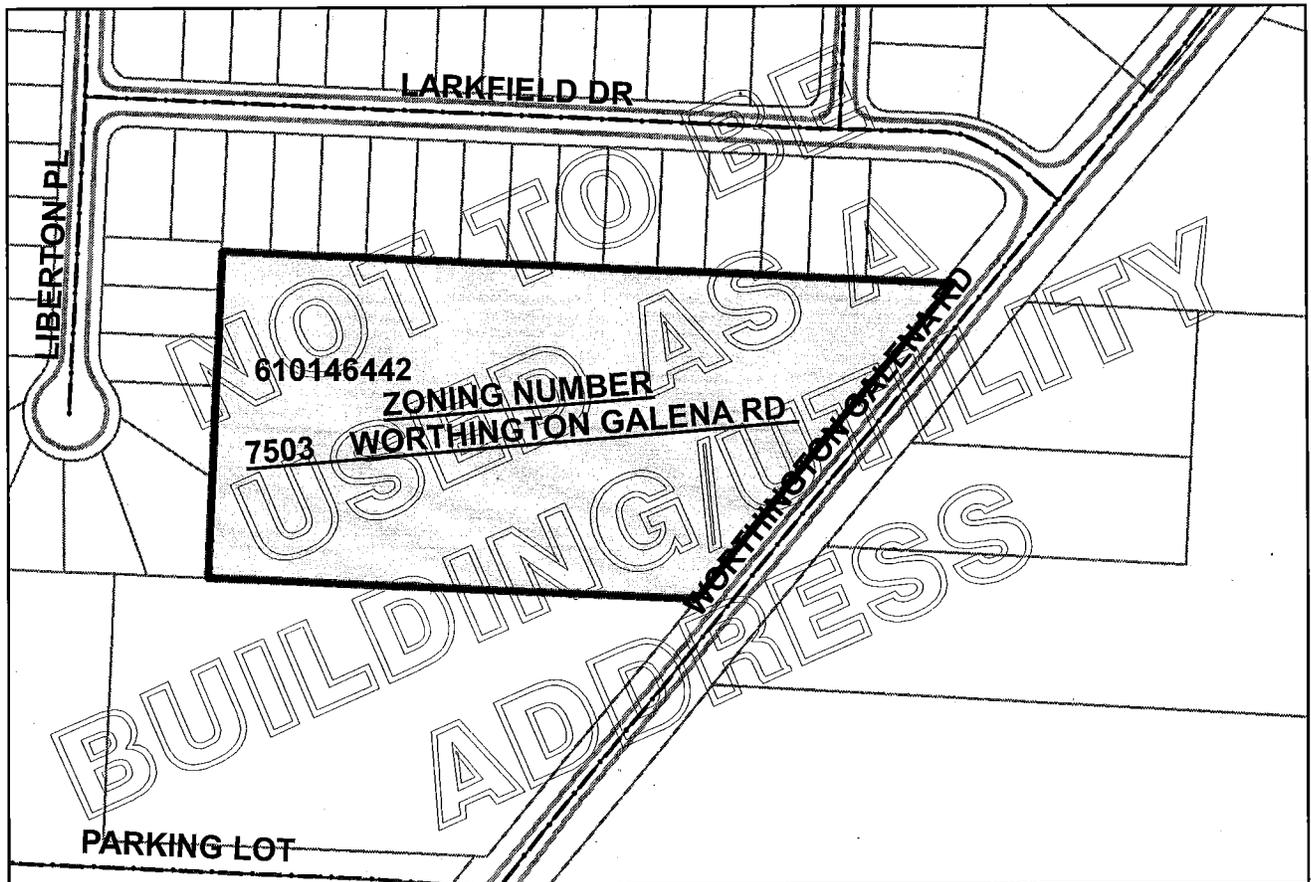
Lot Number N/A

Subdivision: N/A

Requested By: VORYS, SATER, SEYMOUR & PEASE (JILL S. TANGEMAN)

Issued By: *Patricia Austin*

Date: 3/12/2014



SCALE: 1 inch = 200 feet

GIS FILE NUMBER: 18346

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



LEGAL DESCRIPTION

7503 Worthington – Galena Road

Situated in the State of Ohio, County of Franklin, and City of Columbus, and containing 5.294 acres more or less, and being the remaining part of a 51.226 acre more or less acre tract, of Farm Lot 5, Section 1, Township 2, Range 18, and being more particularly described as follows;

Beginning for reference at a railroad spike found in the centerline of Worthington-Galena Road and the southeasterly corner of Worthington Village North, Section 1 of Plat Book 81, Pg 74 of the Franklin County Recorders Office, and being "THE TRUE POINT OF BEGINNING;"

thence with the centerline of said road, S 39°26'09"W a distance of 425.54 feet to the northeast corner of Millcraft Paper Company, OR 04619 C-02 of the Franklin County Recorders Office, and a railroad spike found,

thence with the northerly line of said Millcraft Paper Company, OR 04619 C-02 of the Franklin County Recorders Office and the southerly line of the herein described 5.294 acre tract, N 87°36'11" W a distance of 550.75' to the southeast corner of Worthington Village North, Section 3 of Plat Book 85, Pg 19 of the Franklin County Recorders Office, and an iron pin found,

thence with the easterly line of said Worthington Village North, Section 3 of Plat Book 85, Pg 19 of the Franklin County Recorders Office and westerly line of the herein described 5.294 acre tract, N 02°24'07" E a distance of 339.74' to a point on the southerly line of Worthington Village North, Section 1 of Plat Book 81, Pg 74 of the Franklin County Recorders Office, and an iron pin found,

thence with the southerly line of said Worthington Village North, Section 1 of Plat Book 81, Pg 74 of the Franklin County Recorders Office, and the northerly line of the herein described 5.294 acre tract, S 87°35'53" a distance of 806.97 feet to a railroad spike found in the centerline of Worthington-Galena Road and "THE TRUE POINT OF BEGINNING," containing 5.294 acres more or less.

Subject to any and all easements, restrictions, right-of-ways and highways of previous record.

Basis of bearing: Southerly subdivision of Worthington Village North Section 1 of Plat Book 81, Pg 74 of the Franklin County Recorders Office, and being S 87°35'53" E.



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: C

DATE: 3/13/14

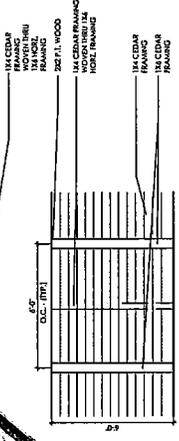
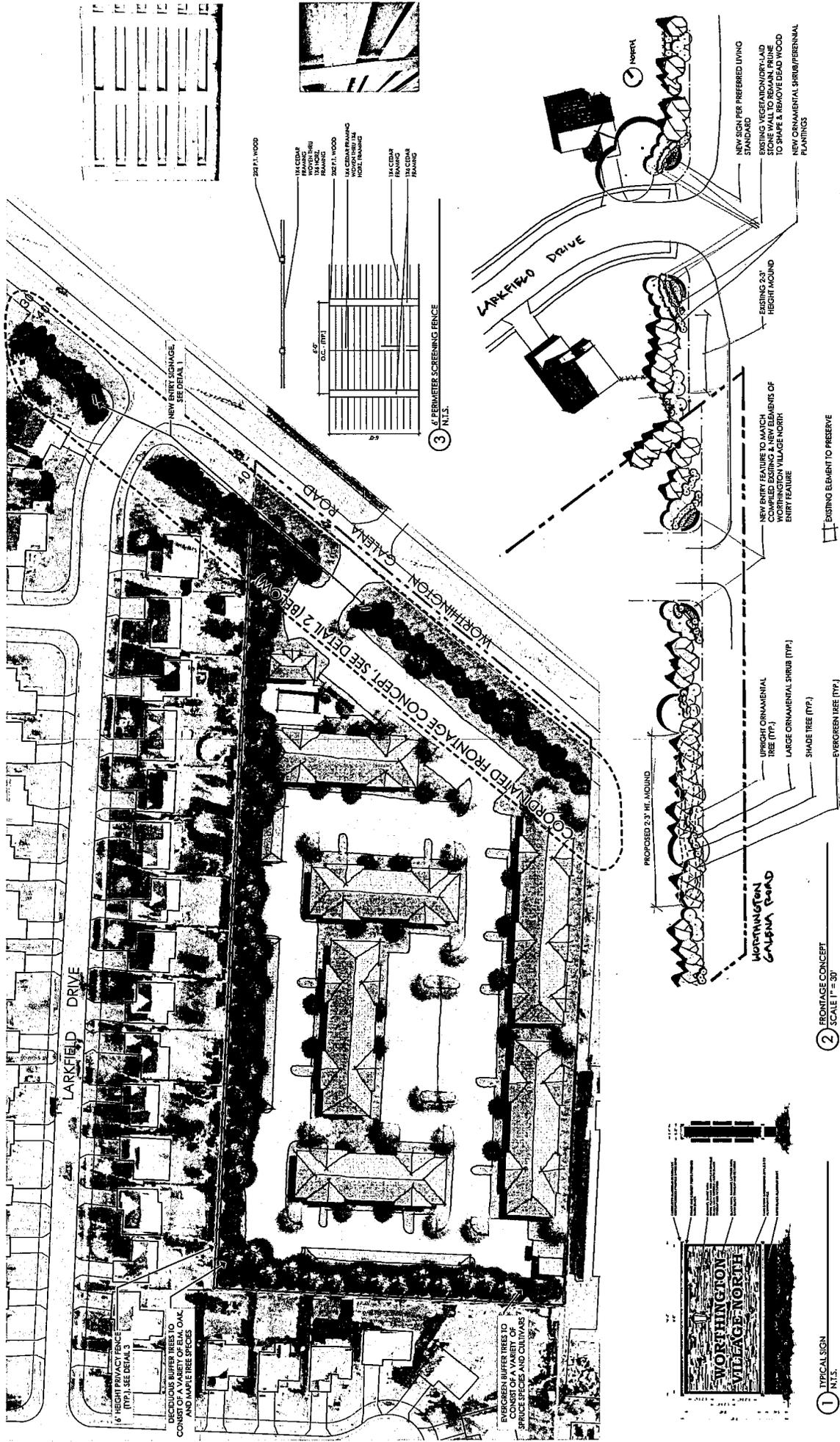
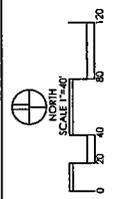


Disclaimer

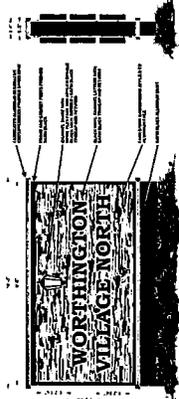
Scale = 150



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.



3 PERIMETER SCREENING FENCE
 N.T.S.



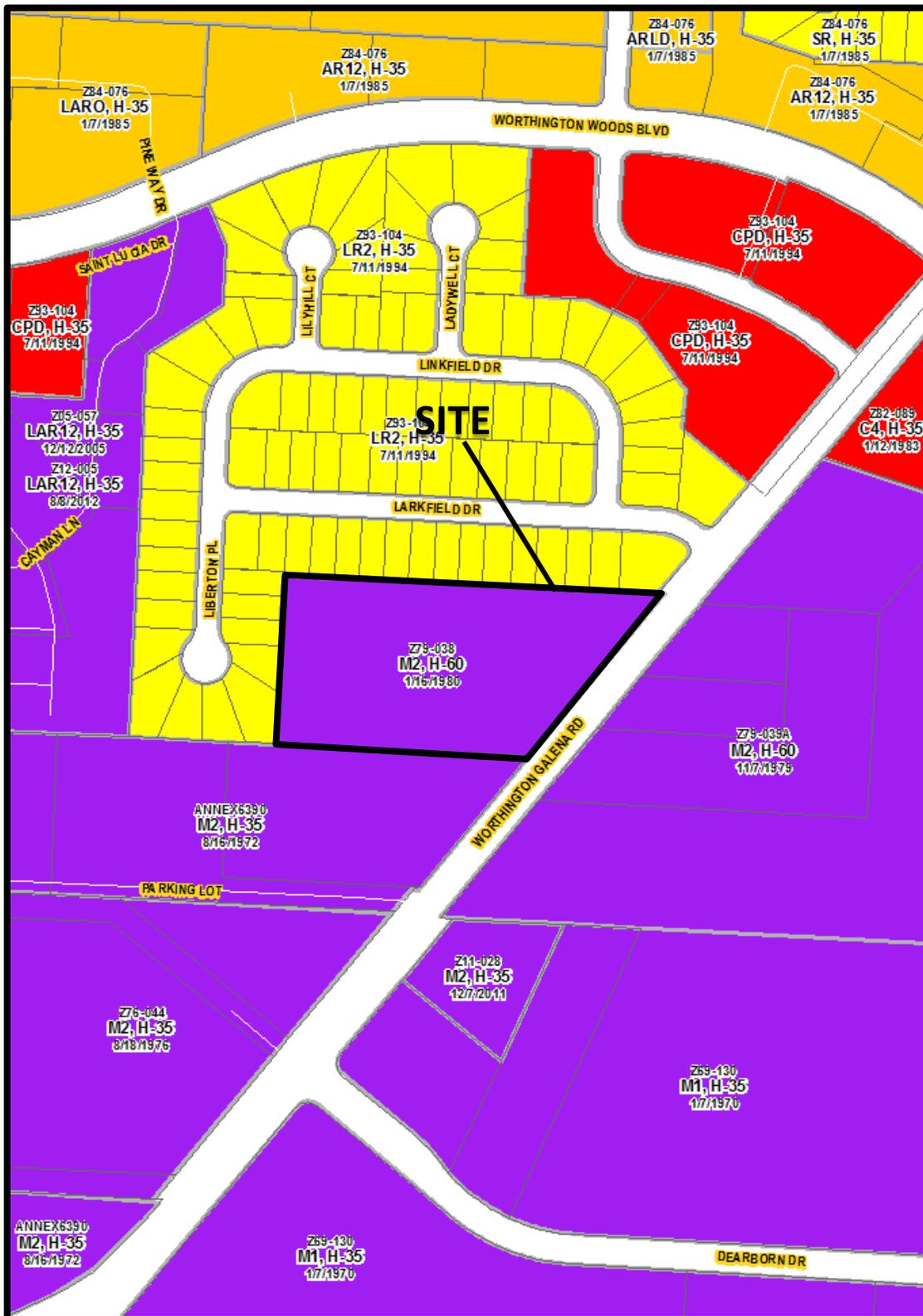
1 TYPICAL SIGN
 N.T.S.

2 FRONTAGE CONCEPT
 SCALE 1" = 30'

CONCEPT PLAN

WORTHINGTON GALENA ROAD

PREPARED FOR PREFERRED LIVING
 DATE: MARCH 24, 2014



CV14-028
 7503 Worthington Galena Road
 Approximately 5.29 acres



CV14-028
7503 Worthington Galena Road
Approximately 5.29 acres