



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: CV14-032/14315-00000-00450
Date Received: 6/30/14
Application Accepted By: TP Fee: \$1040.00
Comments: Assigned to Eliza Thrush, ECThrush@Columbus.gov, 614-645-1341

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 4692 Kenney 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: 010-129789 and 010-129792

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

Current Zoning District(s): M-1 Manufacturing Requested Zoning District(s) L-AR-1

Recognized Civic Association or Area Commission: Northwest Civic Association

Proposed use or reason for Council Variance request: Applicant is requesting a reduction in perimeter yard requirement under §3333.255 from 25 feet to 5 feet for multi-family development and a reduction in the front yard setback requirement under §3333.18 from one half the right of way to 25 feet.

Acreage: 3.77 +/-

APPLICANT:

Name Preferred Real Estate Investments II LLC

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

Phone # 614-901-2400 Fax _____ Email: jsmith@livepreferred.com

PROPERTY OWNER(S):

Name William C. Brunk

Address 2001 Circle Drive City/State Columbus, OH Zip 43220

Phone c/o Jill Tangeman, Esq. #464-5608 Fax _____ Email: jstangeman@vorys.com

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

ATTORNEY / AGENT

Attorney

Agent

Name Jill Tangeman, Esq.

Address 52 East Gay Street City/State Columbus, Ohio Zip 43216

Phone # 614-464-5608 Fax # 614-719-4638 Email jstangeman@vorys.com

SIGNATURES (ALL SIGNATURES MUST BE SIGNED IN BLUE INK)

APPLICANT SIGNATURE _____

PROPERTY OWNER SIGNATURE _____

ATTORNEY / AGENT 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 all checks payable to the Columbus City Treasurer



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CM4-032

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:

Please see attached statement.

Applicant Signature: _____

Date: _____

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STATEMENT OF HARDSHIP

Property Address: 4692 Kenny Road

Applicant: Preferred Real Estate Investments II LLC

The subject site is 3.772 +/- acres on Kenny Road, which is being rezoned by the Applicant to AR-1 (Application Z14-~~029~~). The Applicant has submitted a site plan as part of the rezoning request. The site plan shows the building and parking setbacks on the north, south and east as five (5) feet, as opposed to the twenty-five (25) feet for a perimeter yard required in the AR-1 district. The site plan also shows a twenty-five (25) foot building and parking setback from Kenny Road.

The subject site is currently zoned M-1 and is contiguous to existing industrial uses on the north and south property lines. A railroad corridor is to the immediate east of the site. In light of the surrounding industrial uses, the applicant is asking to reduce the required perimeter yard for the proposed development. Similarly, many of the uses on Kenny Road were established before the front yard setback requirements based upon the Columbus Thoroughfare Plan were established. Consequently, a building and parking setback of twenty-five (25) feet from Kenny Road is consistent with other developments in the area.

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



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AFFIDAVIT

(See next page for instructions)

APPLICATION # CN4-032

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 43216

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 4692 Kenny 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) 6/30/14

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) William C. Brunk
2001 Circle Drive
Columbus, Ohio 43220

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

(5) Preferred Real Estate Investments II, LLC
#614-901-2400

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

(6) Northwest Civic Association
Attention: Rosemarie Lissko, Zoning Chair
P.O. Box 20134, Columbus, OH 43220

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 continuous to the subject property: (7)

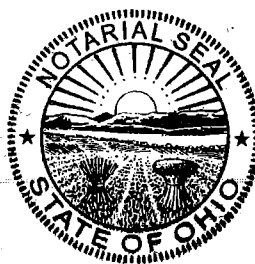
SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 27th day of June, in the year 2014

SIGNATURE OF NOTARY PUBLIC

My Commission Expires: _____

Notary Seal Here



MICHELLE L. PARMENTER
Notary Public, State of Ohio
My Commission Expires
10-16-2017

Heidi Pavoni and Virginia Berry,
Co-Trustees of the Erika Strawn Trust
75 Longview Drive
Dublin, Ohio 43017

James R. Marshall
5504 Blue Ash Road
Columbus, Ohio 43229

John J. Ryle
3854 Maize Road
Columbus, Ohio 43224

John Ryle
208 Piedmont Road
Columbus, Ohio 43214

Thomas R. and Diane L. Persinger
1103 Lanning Drive
Columbus, Ohio 43220

Kenneth A. Kreinbrink
3554 Skipstone Place
Columbus, Ohio 43221

Gamma Club of Omega Tau Sigma Inc.
c/o Omega Tau Sigma
P.O. Box 12136
Columbus, Ohio 43212

E-R Development Northwest LLC
403 East Broad Street
Columbus, Ohio 43215

Carol J. Baker, Trustee
4150 Randmore Court
Columbus, Ohio 43220

Plahuta Properties LLC
4832 Kenny Road
Columbus, Ohio 43220

Kenroad LLC
4658 Kenny Road
Columbus, Ohio 43220

Kenny Road 4660 LLC
3900 Tarrington Lane
Columbus, Ohio 43220

CSX Transportation Inc.
Chesapeake & Ohio RY
c/o Tax Department
500 Water Street (J-910)
Jacksonville, Florida 32202

Savko Bros. Properties II, L.L.C.
4636 Shuster Road
Columbus, Ohio 43214

William C Brunk
2001 Circle Drive
Columbus, Ohio 43220

Vorys, Sater, Seymour and Pease LLP
Attention: Jill S. Tangeman, Esq.
52 East Gay Street
Columbus, Ohio 43215

Northwest Civic Association
Attention: John Ehlers
P.O. Box 20134
Columbus, Ohio 43220



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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 # **CV14-032**

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Jill 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. Preferred Real Estate Investments II, LLC c/o Jared Smith 614-901-2400 470 Olde Worthington Road, Westerville, OH 43082 0 Columbus employees	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 27th day of June, in the year 2014.

SIGNATURE OF NOTARY PUBLIC Michelle L. Parmenter

My Commission Expires: _____

Notary Seal Here



MICHELLE L. PARMENTER
Notary Public, State of Ohio
My Commission Expires
10-16-2017

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

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4692 Kenney Road – Legal Description**TRACT I – 010-129792 (.819 acres)**

Being a part of Section 1, Township 1, Range 19, US Military Lands.

Beginning at a spike in the centerline of Kenny Road, at the southwest corner of the H. B. Sells Subdivision as recorded in Plat Book 21, Page 8, Recorder's Office, Franklin County, Ohio; thence and with the southerly line of said H. B. Sells Subdivision and with the northerly line of the herein described tract, South 89 degrees 58 ' 11" East (passing an iron pin on line at 20.75 Feet) a distance of 263.91 feet to an iron pin marking the northeasterly corner of the herein described tract;

Thence and with the easterly line of the herein described tract, and along the westerly line of Lot 2 of the said H. B. Sells Subdivision, South 4 degrees 2 ' 12 " East a distance of 125. 15 feet to an iron pin marking the southeast corner of the herein described tract and the southwest corner of the said Lot 2 of H. B. Sells Subdivision;

Thence and with the southerly line of the herein described tract North 89 degrees 58' 11" West a distance of 307.33 feet (passing an iron pin on line 286.58 feet) to a spike in the centerline of Kenny Road, said spike marking the southwest corner of the herein described tract;

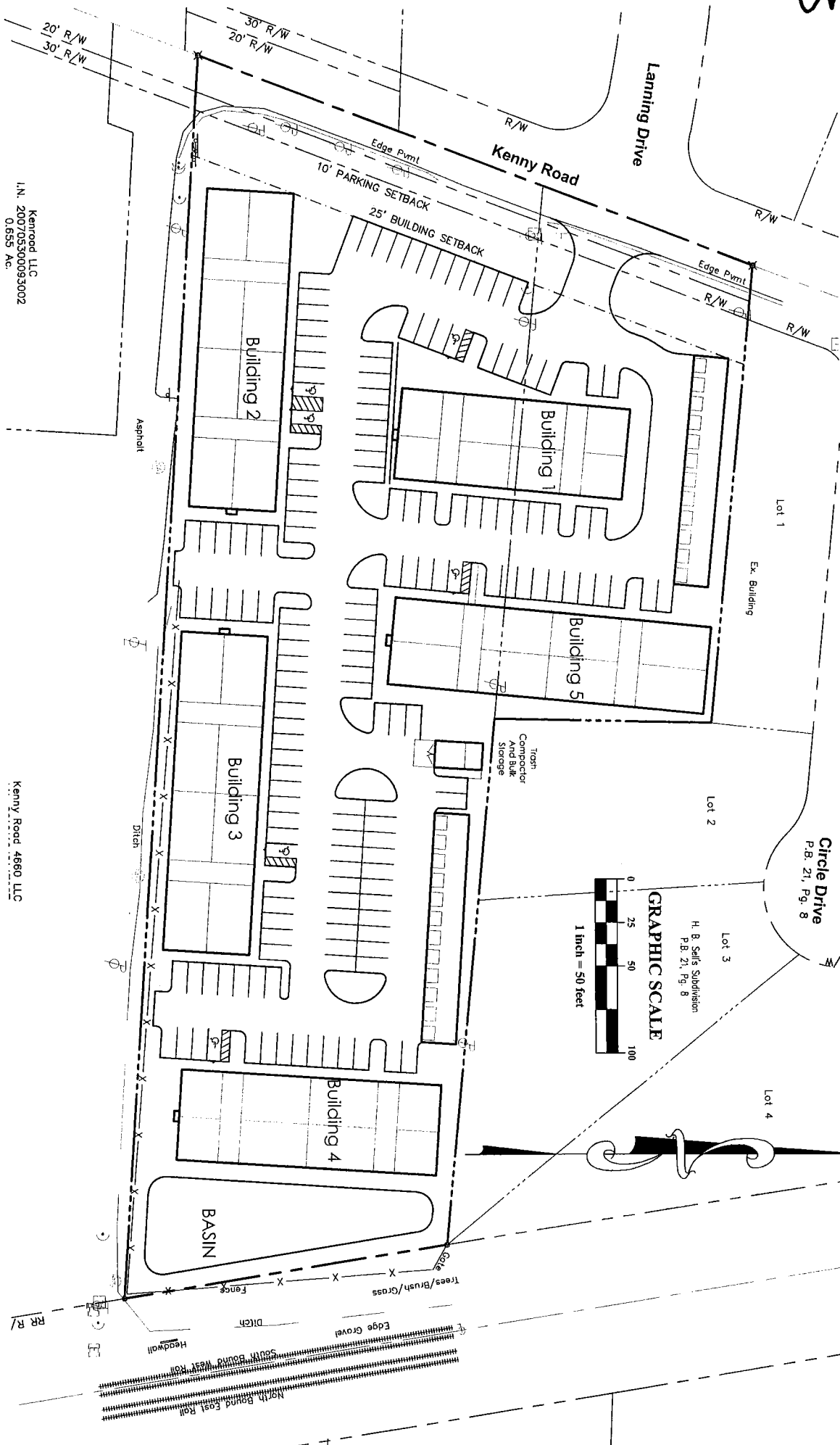
Thence and with the centerline of Kenny Road, and with the west line of the herein described tract, North 15 degrees 30 ' East a distance of 129.53 feet to the place of beginning. Containing .819 acres of land more or less.

TRACT II – 010-129789 (2.9530 acres)

Being a part of Section 1, Township I, Range 19, US Military Lands.

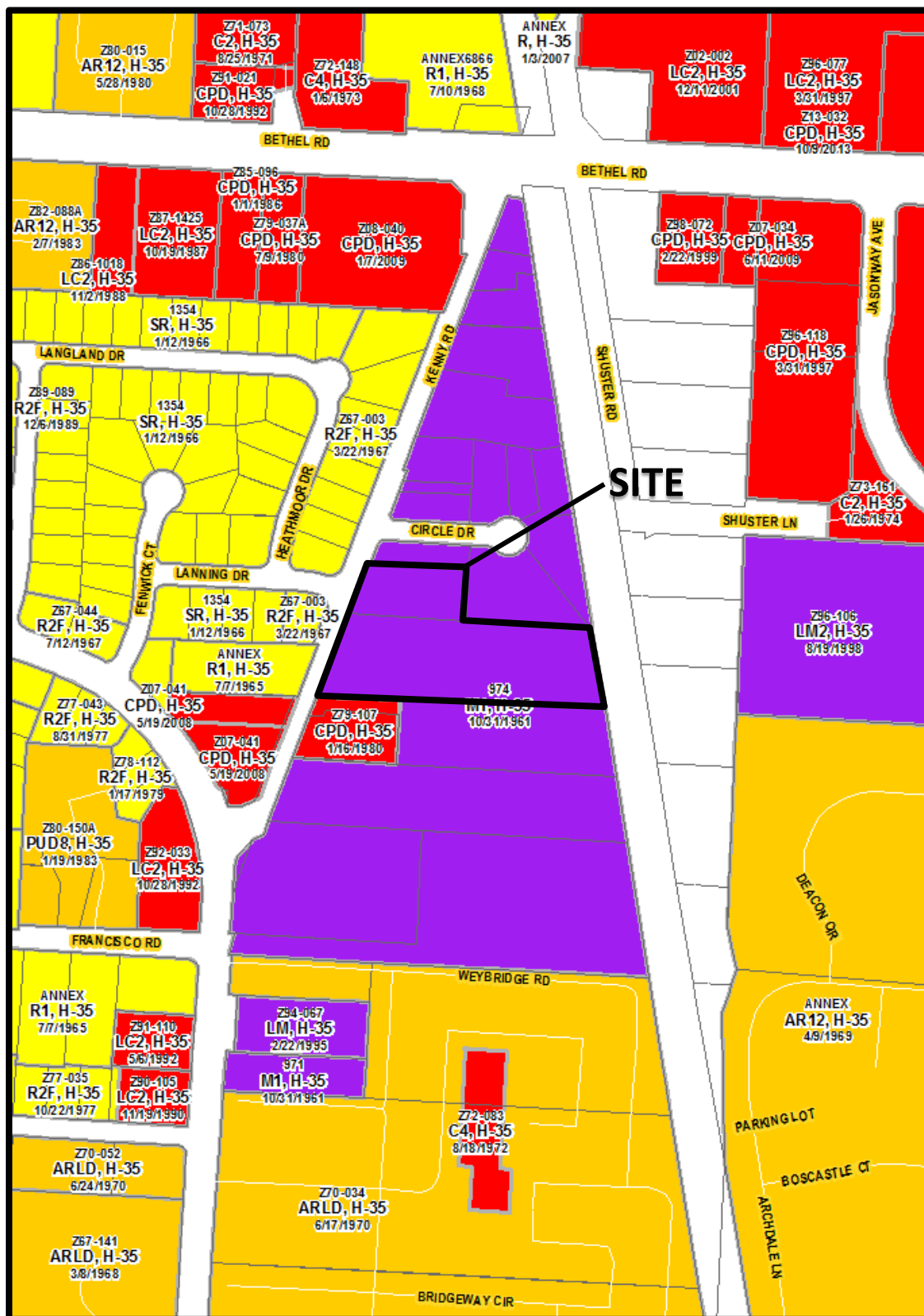
Beginning at a point in the centerline of Kenny Road, at the northwest corner of this described tract; thence S. 89 degrees 57 ' E. a distance of 611.2 feet to an iron pin in the west right of way line of the C. & O. R. R. at the southeast corner of H. B. Sells Subdivision as recorded in Plat Book 21, Page 8, Recorder's Office, Franklin County, Ohio, (passing an iron pin in the east line of Kenny Road at 31.12 feet); thence S. 14 degrees 32 ' E. along the west right of way line of the C. & O. R.R. a distance of 188.42 feet to an iron pin; thence S. 88 degrees 11 ' W. a distance of 715.85 feet to a point in the centerline of Kenny Road (passing an iron pin in the east line of Kenny Road at 684.43 feet); thence N. 15 degrees 30 ' E. along the centerline of Kenny Road a distance of 213.33 feet to the place of beginning. Containing 2.953 acres of land more or less.

Real Estate / GIS Department



Kenrod LLC
I.N. 200705300093002
0.655 Ac.

Kenny Road 4660 LLC



CV14-032
 4692 Kenny Road
 Approximately 3.77 acres



CV14-032
4692 Kenny Road
Approximately 3.77 acres