

Council Variance Application

DEPARTMENT OF BUILDINGS
AND ZONING SERVICES

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

OFFICE USE ONLY

Application Number: CV15-039 Date Received: 6/29/15
Application Accepted by: ET Fee: \$4320
Comments: Assigned to Shannon Pine, 645-2200, spine@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 5372 Central College Rd Zip: 43209

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: 010-237999

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

Current Zoning District(s): NE, NG, NC

Area Commission or Civic Association: Redevelopment Black Levee Accord

Proposed Use or reason for Council Variance request:

To allow for development consistent with surrounding
44.62 TND Developments

Acreage: 44.62

APPLICANT:

Name: 111 Homes of Central Ohio Phone Number: 614 560 1488 Ext.: —

Address: c/o Laura Cornick
300 E. Broad St., Ste 450 City/State: Cols, Oh Zip: 43215

Email Address: laura@cornicklaw.com Fax Number: —

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

Name: Horneewood Corp Phone Number: 614 7200 Ext.: —

Address: 2700 E. Dublin Granville Rd City/State: Cols, Oh Zip: 43231

Email Address: jlipnos@horneewoodcorp.com Fax Number: —

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

Name: Laura MacGregor Cornick Phone Number: 614 560 1488 Ext.: —

Address: 300 E. Broad St., Ste 450 City/State: Cols, Oh Zip: 43215

Email Address: laura@cornicklaw.com Fax Number: —

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

MI: Parcel #s)

015-039

010 - 237991

992

- 237990

993

- 237989

994

- 237988

995

- 237987

996

237986

997

- 237985

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984

999

83

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238 000

81

238 001

80

238 002

979

977

970

976 partial

STATEMENT OF HARDSHIP

Applicant: MI Homes of Central Ohio
c/o Laura MacGregor Comek, Esq.
Address: 5372 Central College Rd.
Parcel Nos.: 010-237999, et al.
Zoning Districts: NE, NG, NC

This Statement is provided in support of the Applicant's rezoning submitted contemporaneous herewith. The rezoning seeks to substitute single family neighborhood edge lots for the existing single family, alley loaded, neighborhood general lots.

This Council Variance is being sought to vary certain development standards within the TND Code (regulating plan stage):

CCC Section 3320.17(b)(8) – to eliminate the requirement for 1 tot lot per district.

The premise of this request is based on the concept for development. MI Homes has developed the Upper Albany West subdivision to the immediate adjacent west of the current Site. This Site is contemplated as an extension of that development, which already contained a large percentage of the alley loaded neighborhood general lots. The market does not support continued development of those lots, but rather, the traditional edge lots. The MI development already has a tot lot within walking distance.

This reality allows for the MI community to extend to this sub area, allowing for more joint uses of the designated green space among the existing TND developments and within the relatively small neighborhood setting.

Contemplated relatively between these developments and the existing large scale TND development immediately south of Central College Road, west of Hamilton Road, there remains a diverse housing stock.

The essential character of this corridor is TND residential. The commercial components of TND are to the south, concentrated around Hamilton Road south of central college. The uses proposed are residential, which is compatible and reflect diversity of housing stock. The request is in keeping with the general character of the area, has no effect on the delivery of governmental services. There are many parks and greens as civic spaces. As the two developments exist together, having an additional tot lot

For these reasons, the Applicant respectfully requests approval of these variances.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Laura MacGregor Comek', written over the typed name and address.

Laura MacGregor Comek, Esq.

300 E Broad St., Ste 450

Columbus, Ohio 43215

Phone: (614) 228-5511; Fax: (614) 229-4559

LComek@cbjlawyers.com

Counsel for Owners/Applicant

Council Variance Application

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

AFFIDAVIT (See instruction sheet)

Application Number: CV15-039

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME

of (1) MAILING ADDRESS Laura Macgregor Comek, Esq
300 E. Broad St., Suite 450 Col., 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 5372 Central College Rd

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 6/29/15

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) Homewood Corp.
2700 E Dublin Granville Rd
Col., Oh 43231

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

All Homes of Central Ohio
c/o Laura Macgregor Comek 614.1488

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

(5) Portley Fork Blacklick Accord
c/o Mark Dravillas, Planning Dir
50 W. Gay St. Col., Oh 43215
2nd floor

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.

(8) SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 26th day of June, in the year 2015

Marian R. Geer
(8) SIGNATURE OF NOTARY PUBLIC

Notary Seal Here



Marian R. Geer
Notary Public, State of Ohio
My Commission Expires 11-02-18

This Affidavit expires six (6) months after the date of notarization.

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CARDINAL TITLE HOLDING CO
141 E TOWN STREET
STE 200
COLUMBUS, OH 43215

ANDREW & DEANNA MARGRAFF
550 CENTRAL COLLEGE RD
WESTERVILLE, OH 43081

HOMEWOOD CORP
2700 E DUBLIN GRANVILLE
COLUMBUS, OH 43231

M/I HOMES OF CENTRAL OHIO
3 EASTON OVAL
STE 310
COLUMBUS, OH 43219

HARLEM ROAD REAL ESTATE LLC
JUDY WOLFE
6840 HAVENSPORT RD
CARROLL, OH 43112

CARL & ILA SOUDER CO TRS
5241 E WALNUT ST
WESTERVILLE, OH 43081

CARL & ILA SOUDER CO TRS
1047 SEBASTIAN RD
BAREFOOT BAY, FL 32976

ROBERT N PHILLIPS
2101 S YORK RD
ALEXANDRIA, OH 43001

CAROL J JONES
6186 UPPER ALBANY CROSSING DR
WESTERVILLE, OH 43081

UPPER ALBANY WEST
HOMEOWNERS ASSOC INC
5550 BLAZER PKWY, STE 175
DUBLIN, OH 43017

VICKY L KIMPTON
6030 TRUMHALL AVE
WESTERVILLE OH 43081

ANA CUELLAR
LUIS GOMEZ
6026 TRUMHALL AVE
WESTERVILLE, OH 43081

STEVEN M WEBER
6022 TRUMHALL AVE
WESTERVILLE, OH 43081

BETHANY L WITTEN
6018 TRUMHALL AVE
WESTERVILLE, OH 43081

TINA & CORY KIMBER
6014 TRUMHALL AVE
WESTERVILLE, OH 43081

BETHANY BALCH
JORDAN HAMM
6010 TRUMHALL AVE
WESTERVILLE, OH 43081

APRIL E LOTT
6006 TRUMHALL AVE
WESTERVILLE, OH 43081

KELLY ANN HIGGINS
6002 TRUMHALL AVE
WESTERVILLE, OH 43081

JOSE E LENZ
5998 TRUMHALL AVE
WESTERVILLE, OH 43081

ANDREA R ROCHE
5994 TRUMHALL AVE
WESTERVILLE, OH 43081

BENJAMIN D FITHIAN
5990 TRUMHALL AVE
WESTERVILLE, OH 43081

GREG & CHARLOTTE PREWITT
5986 TRUMHALL AVE
WESTERVILLE, OH 43081

BETH A TAULBEE
5982 TRUMHALL AVE
WESTERVILLE, OH 43081

ADRIENNE L BURTON
5978 TRUMHALL AVE
WESTERVILLE, OH 43081

CATHY SPEICH
5974 TRUMHALL AVE
WESTERVILLE, OH 43081

LAUREN M PIATAK
5970 TRUMHALL AVE
WESTERVILLE, OH 43081

DIANNE & JOSEPH KREMER
5966 TRUMHALL AVE
WESTERVILLE, OH 43081

NICOLE JEAN MOLINE
5962 TRUMHALL AVE
WESTERVILLE, OH 43081

MARK TOWERS
STEVEN KRAUSS
5950 TRUMHALL AVE
WESTERVILLE, OH 43081

ANGELINE L ROBERTS
5946 TRUMHALL AVE
WESTERVILLE, OH 43081

CVS-039

DAVID & DARLENE DESANTIS
5942 TRUMHALL AVE
WESTERVILLE, OH 43081

ROBERT & RUBI ARTHUR
5938 TRUMHALL AVE
WESTERVILLE, OH 43081

DONN D WHITE
6177 BRAET RD
WESTERVILLE, OH 43081

VINCENT & KAREN GOLDEN
6935 HARLEM RD
WESTERVILLE, OH 43081

KYLE & SABRINA SELLERS
6138 HIGHLANDER DR
WESTERVILLE, OH 43081

CHRISTINE A MARTIN
6144 HIGHLANDER DR
WESTERVILLE, OH 43081

THOMAS & PAULA BARNHARDT
6152 FOXMEADOW DR
WESTERVILLE, OH 43081

DENISE A FURTICK
6146 FOXMEADOW DR
WESTERVILLE, OH 43081

BRYAN & JESSICA STEWART
6140 FOXMEADOW DR
WESTERVILLE, OH 43081

BRETT A BLOCK
6134 FOXMEADOW DR
WESTERVILLE, OH 43081

CYNTHIA L BRONSON
6128 FOXMEADOW DR
WESTERVILLE, OH 43081

DAVID & NITA JEFFRIES
6122 FOXMEADOW DR
WESTERVILLE, OH 43081

SUAD S HAIBEH
6116 FOXMEADOW DR
WESTERVILLE, OH 43081

JASON A KELLER
6110 FOXMEADOW DR
WESTERVILLE, OH 43081

DONALD & MALORIA MCATEER
6088 FOXMEADOW DR
WESTERVILLE, OH 43081

KEVIN & KIRBY ROADS
6082 FOXMEADOW DR
WESTERVILLE, OH 43081

JOHN & JULIE SCHMEITZEL
6076 FOXMEADOW DR
WESTERVILLE, OH 43081

CHRISTOPHER ROSTER
ANNE HINKSON
6070 FOXMEADOW DR
WESTERVILLE, OH 43081

MONICA RODRIGUEZ
GREG STEINKE
6175 JENNIS RD
WESTERVILLE, OH 43081

STEVEN DUNBAR
CINDY WARD
5180 CENTRAL COLLEGE RD
WESTERVILLE, OH 43081

MELINDA & RONALD MURPHY
5430 CENTRAL COLLEGE RD
WESTERVILLE, OH 43081

SANDRA & WILLIAM CLARY
5420 CENTRAL COLLEGE RD
WESTERVILLE, OH 43081

COLLEEN & DONALD BOYD
5410 CENTRAL COLLEGE RD
WESTERVILLE, OH 43081

JONATHAN & RENE OLIVER
5378 CENTRAL COLLEGE RD
WESTERVILLE, OH 43081

MARGARET E REEB
5388 CENTRAL COLLEGE RD
WESTERVILLE, OH 43081

ELSIE A KIRKPATRICK
5244 CENTRAL COLLEGE RD
WESTERVILLE, OH 43081

RAYMOND D MCFARLAND
5214 CENTRAL COLLEGE RD
WESTERVILLE, OH 43081

5290 CENTRAL COLLEGE RD LLC
5290 CENTRAL COLLEGE RD
WESTERVILLE, OH 43081

VIRGINIA FREET
6537 BEVELHYMER RD
WESTERVILLE, OH 43081

SELECT MANAGEMENT &
INVESTMENTS LLC
5368 CENTRAL COLLEGE RD
WESTERVILLE, OH 43081

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DEBORAH L SARTORI
5400 CENTRAL COLLEGE RD
WESTERVILLE, OH 43081

NANCY CREANEY
MARY ARNDT
5364 CENTRAL COLLEGE RD
WESTERVILLE, OH 43081

CVIS-039
JASON & TAYLOR STUDER
5370 CENTRAL COLLEGE RD
WESTERVILLE, OH 43081

JAMES & ANNA HORNE
5352 CENTRAL COLLEGE RD
WESTERVILLE, OH 43081

*Homewood Corp.
2700 E Granville Rd
Columbus Oh 43219*

*Laura Macgregor Comek
300 E Broad St. 450
Columbus, Oh 43215*

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Council Variance Application

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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 # CV15-039

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Laura MacGregor Comele, Esq

of (COMPLETE ADDRESS) 300 E. Broad St., Ste 450 Col. 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. <u>All Homes of Central Ohio</u> <u>3 Easton Oval, Ste 310</u> <u>Col. Ohio 43219</u> <u>#</u>	2.
3. <u>c/o Laura MacGregor Comele</u> <u>614 560 1488</u>	4.

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

SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 26th day of June, in the year 2015

Marian R. Geer
SIGNATURE OF NOTARY PUBLIC

Notary Seal Here



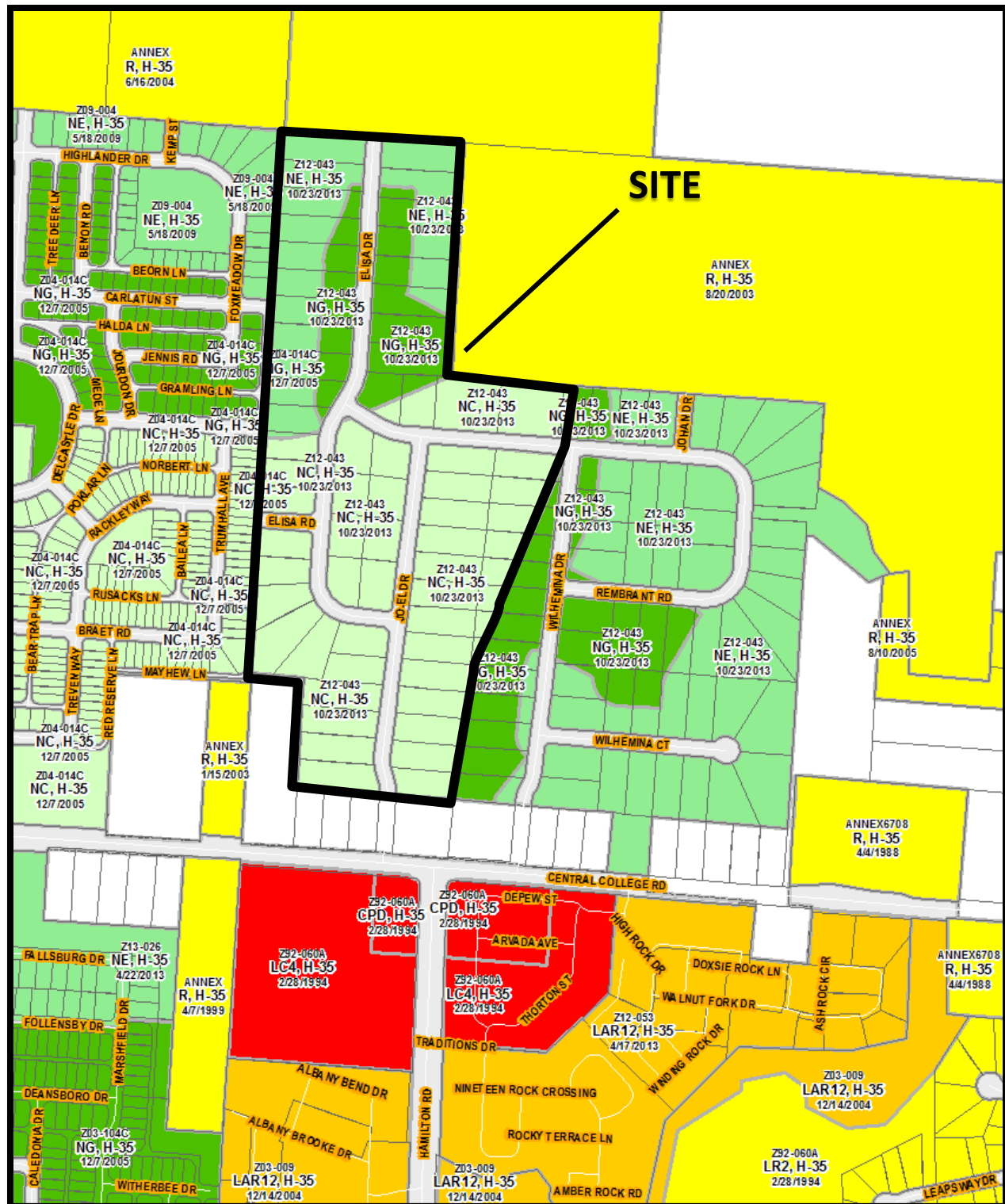
Marian R. Geer
Notary Public, State of Ohio
My Commission Expires 11-02-18

This Project Disclosure expires six (6) months after the date of notarization.

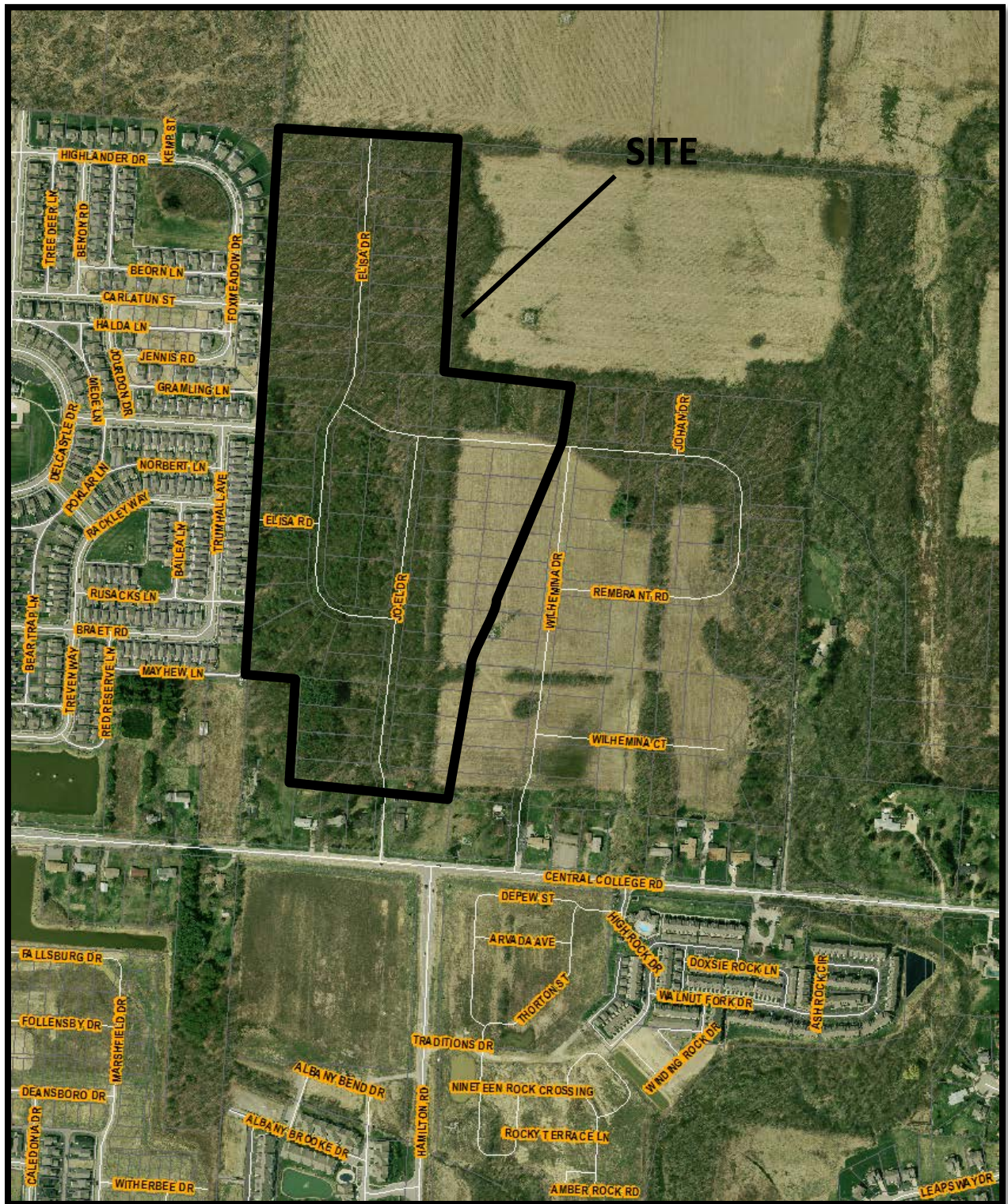
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CV15-039
 5372 Central College Road
 Approximately 44.62 acres



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5372 Central College Road
Approximately 44.62 acres