

Case Planner: Dana Hitt 645-2395 dahitt@columbus.gov

COUNCIL VARIANCE APPLICATION

CVII-020 / 11315-00000-00352



OFFICE USE ONLY:

Planning Area: REBA

Received By: SPine

\$2400

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes): 5115 Warner Road Zip: 43081

Is this property currently being annexed into the City of Columbus? ☐ 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: 220-000657; 220-000673

☐ If applicable, check here if listing additional parcel numbers on a separate page (REQUIRED)

Current Zoning District(s): R

Recognized Civic Association or Area Commission: Rocky Fork Blacklick Accord

(See instructions in "Things to Remember" on front of application packet.)

Proposed Use or reason for Council variance request: Requesting reduction in perimeter yard requirement under §3333.255 from 25 feet to 10 feet for multi-family development

Proposed Height District: 35' Acreage: 5.5+/-acres

(Columbus City Code Section 3309.14)

APPLICANT:

Name Margaret O'Neal, et al. (*See attached list)

Address c/o Jill Tangeman, 52 East Gay Street City Columbus Zip 43216

PROPERTY OWNER(S):

Name: Margaret O'Neal

Address: 5081 Warner Rd.
Westerville, OH 43081

Phone # c/o Jill Tangeman 614-464-5608

Name: Paul and Delila Cochenour

Address: 5115 Warner Rd.
Westerville, OH 43081

Phone # c/o Jill Tangeman 614-464-5608

☐ If applicable, check here if listing additional property owners on a separate page (REQUIRED)

ATTORNEY / AGENT

☐ Attorney

☐ Agent

Name Jill S. Tangeman, Esq.

Address 52 East Gay Street City Columbus 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 [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

COUNCIL VARIANCE APPLICATION

C11-020



OFFICE USE ONLY:

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Phone# c/o Jill Tangeman 614-464-5608

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Applicant Signature _____

Property Owner Signature *Delila Cochenour Paul Cochenour*

Attorney/Agent Signature _____

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C/11-020

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Applicant Signature _____

Property Owner Signature Martha O'Neal

Attorney/Agent Signature _____

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COUNCIL VARIANCE APPLICATION



CV11-020/ 11315-00000-00352

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Planning Area: REBA

Received By: Spine

LOCATION AND ZONING REQUEST:

\$2400

Return stamp paid
copy to

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City of Columbus Zoning Plat

C/11-020

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: 220000673, 220000657

Zoning Number: 5115

Street Name: WARNER RD

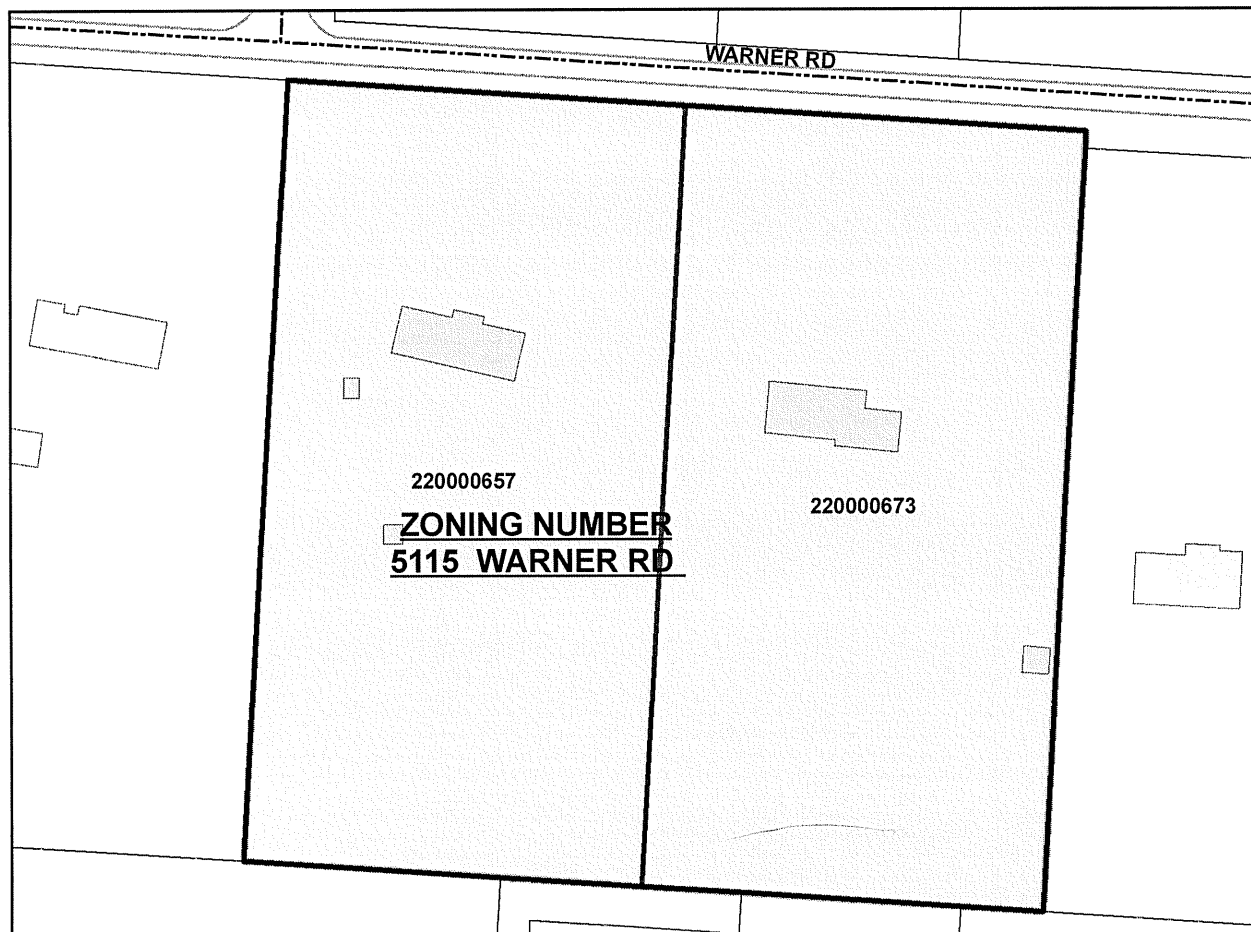
Lot Number: N/A

Subdivision: N/A

Requested By: VORYS (VIRGINIA BUDA)

Issued By: *Virginia Buda*

Date: 6/22/2011



SCALE: 1 inch = 120 feet

GIS FILE NUMBER:



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

CJ11-020

AFFIDAVIT

(See reverse side for instructions)



STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Jill Tangeman
of (1) MAILING ADDRESS 52 East Gay Street, Columbus, Ohio 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 5115 Warner Rd.
for which the application for a rezoning, variance, special permit or graphics plan was filed with the
Department of Development, Building Services Division on (3) 6/30/11
(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNER'S NAME AND MAILING ADDRESS (4) Margaret O'Neal / Paul & Delila Cochenour
5081 Warner Rd / 5115 Warner Rd.
Westerville, Ohio 43081 / Westerville, Ohio 43081

APPLICANT'S NAME AND PHONE # (same as listed on front of application) Margaret O'Neal / Paul & Delila Cochenour
c/o Jill Tangeman / 614-464-5608

AREA COMMISSION OR CIVIC GROUP (5) Rocky Fork Blacklick Accord
AREA COMMISSION ZONING CHAIR OR c/o Kevin Wheeler
CONTACT PERSON AND ADDRESS City of Columbus, Planning Division
109 North Front Street, Columbus, OH 43215

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)

SIGNATURE OF AFFIANT (8) [Signature]
Subscribed to me in my presence and before me this 30 day of June, in the year 2011
SIGNATURE OF NOTARY PUBLIC (8) Deanna R. Cook
My Commission Expires: N/A

Notary Seal Here



Deanna R. Cook, Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Sec. 147.03 R.C.

Cv11-020

Applicant

Martha L. O'Neal
5081 Warner Road
Westerville OH 43081

Paul D. Cochenour and
Delila A. Cochenour
5115 Warner Road
Westerville OH 4381-9390

Preferred Real Estate Investments II, LLC
470 Olde Worthington Road
Westerville, Ohio 43082

Property Owner

Martha L. O'Neal
5081 Warner Road
Westerville OH 43081

Paul D. Cochenour and
Delila A. Cochenour
5115 Warner Road
Westerville OH 4381-9390

Commission/Civic Association

Rocky Fork-Blacklick Accord
Attn: Kevin Wheeler
City of Columbus, Planning Division
109 North Front Street, First Floor
Columbus OH 43215

Attorney

Jill S. Tangeman, Esq.
Vorys, Sater, Seymour and Pease LLP
52 East Gay Street
P. O. Box 1008
Email: jstangeman@vorys.com
Telephone: (614) 464-5608

CV11-020

Michael W. Adkins and
Mary A. Adkins
P O Box 757
New Albany OH 43054

Mohsen Shirzadian and
Michelle Shirzadian
5121 Warner Road
Westerville OH 43081

Albany Crossing Master Association
9054 Cotter Street
Lewis Center, OH 43035

Peak Property Management
P O Box 1128
Dublin OH 43017

Anthony S. Capuano
5130 Warner Road
Westerville OH 43081

Eugene T. Carty and Myra L. Carty
5068 Warner Road
Westerville OH 43081-9331

Dominion Homes, Inc.
4900 Tuttle Crossing Boulevard
Dublin OH 43016-5555

George Hartig and Leanna Hartig
5050 Warner Road
Westerville OH 43081

Ronald L. Vance
5100 Warner Road
Westerville OH 43081

The Reserve at Preston Woods
Condominium Association
c/o Sandi Crnko
9054 Cotter Street
Lewis Center, OH 43035

The Village at Preston Woods
Condominium Association
c/o Sandi Crnko
9054 Cotter Street
Lewis Center, OH 43035

Rocky Fork-Blacklick Accord
Attn: Kevin Wheeler
City of Columbus, Planning Div.
109 N. Front Street, First Floor
Columbus OH 43215

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Westerville OH 43081

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Preferred Real Estate Investments
II, LLC
470 Olde Worthington Road
Westerville, OH 43082

Jill S. Tangeman, Esq.
Vorys, Sater, Seymour and Pease LLP
52 East Gay Street
P. O. Box 1008
Columbus OH 43216-1008

STATEMENT OF HARDSHIP

Property Address: 5081 and 5115 Warner Road

Applicant: Margaret O'Neal, et al.

The subject site is 5.5 +/- acres on Warner Road west of Hamilton Road, which is being rezoned by the Applicant to L-AR-12 for use as a multi-family development (Application No. ~~21-019~~). The Applicants have submitted a site plan as part of the rezoning request. The site plan shows the south side yard set-back as ten (10) feet, as opposed to the twenty-five (25) feet for a perimeter yard required in the AR-12 district.

The Applicants purposely moved all proposed buildings south in order to create a large setback from Warner Road with significant landscaping and in order to provide a large tree preservation area on the west side of the site. The property to the south of the site is owned by one of the Applicants and is zoned L-AR-12 for multi-family use. The proposed development on the subject site is very compatible with the neighboring development. Even with the reduction in the setback, there will still be at least thirty-five (35) feet between the buildings on the subject site and the buildings on the neighboring multi-family development.

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

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.

STATE OF OHIO
COUNTY OF FRANKLIN

APPLICATION # CW11-020

Being first duly cautioned and sworn (NAME) Jill Tangeman
of (COMPLETE ADDRESS) 52 East Gay Street, Columbus, Ohio 43216

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

Preferred Real Estate Investments II LLC 470 Olde Worthington Road Westerville, Ohio 43082 0 Columbus employees c/o Jill Tangeman Phone: 614-464-5608	Margaret O'Neal 5081 Warner Road Westerville, OH 43081
Paul & Delila Cochenhour 5115 Warner Road Westerville, OH 43081	

☐ If applicable, check here if listing additional parties on a separate page (REQUIRED)

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 20th day of Jun, in the year 2011

SIGNATURE OF NOTARY PUBLIC

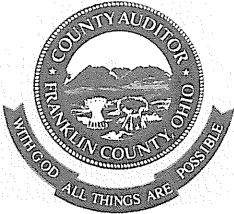
My Commission Expires:

Deanna R. Cook
N/A



Disclosure Statement expires six months after date of notarization.

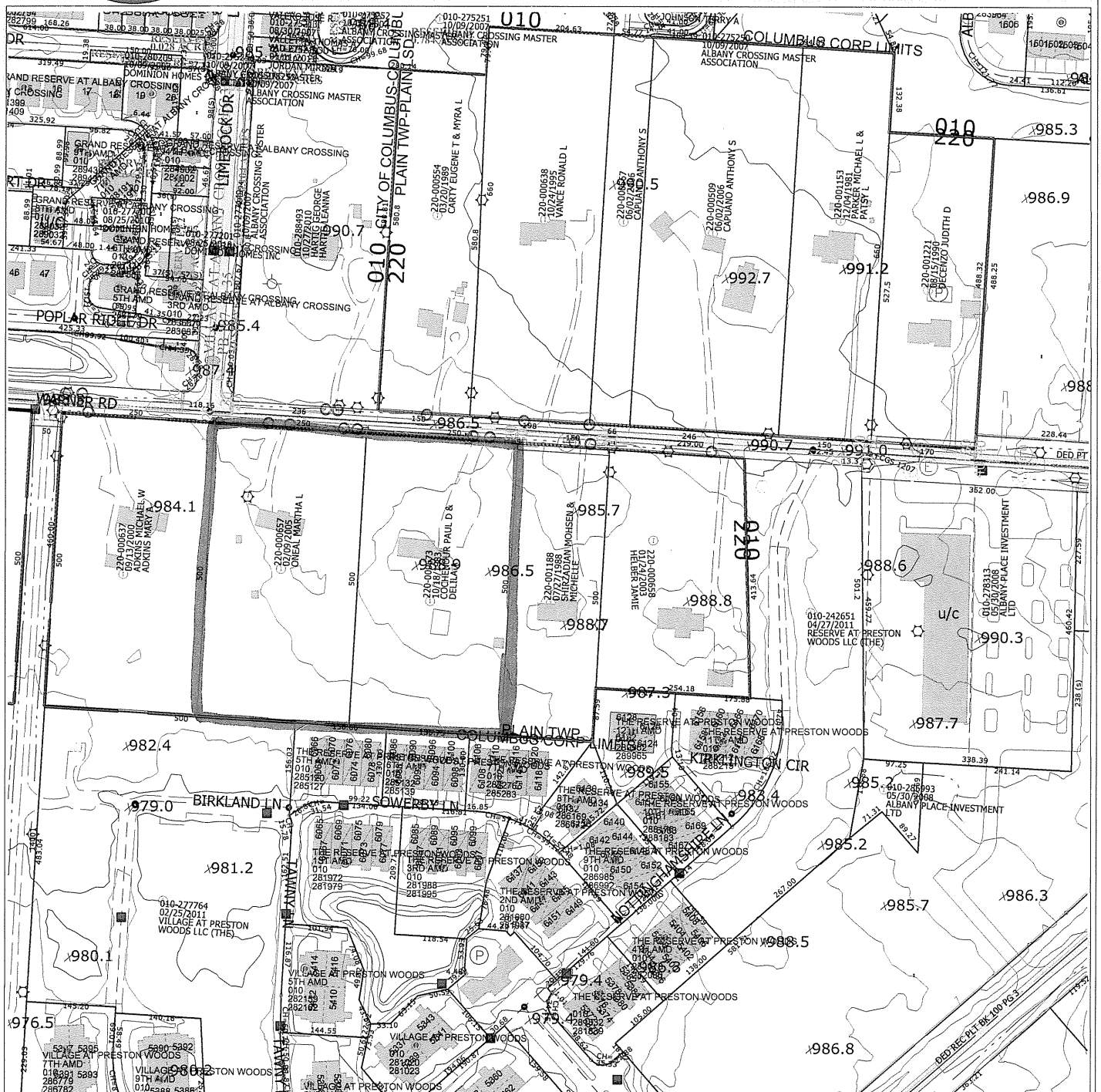
Deanna R. Cook, Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: m

DATE: 5/27/11



Disclaimer

Scale = 240

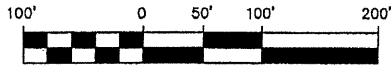
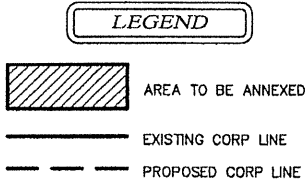


This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on 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.

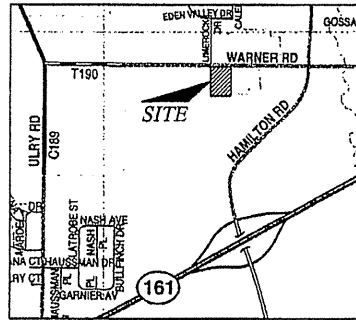
Real Estate / GIS Department

Cull-020

5.5 ACRE ANNEXATION TO THE CITY OF COLUMBUS
EXPEDITED TYPE II ANNEXATION UNDER ORC §709.021 AND §709.023
SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, TOWNSHIP OF PLAIN
LOCATED IN QUARTER TOWNSHIP 3, TOWNSHIP 2, RANGE 16
UNITED STATES MILITARY DISTRICT



1" = 100'



Location Map - NTS



City of Columbus
Corp. Line
Case No. 60-03
Ord. No. 432-04
I.N. 200407190166446

George &
Leanna Hartig
3.106 Ac.
APN 010-288493

City of Columbus Corp. Line
Case No. 04-09
Ord. No. 0838-2009
I.N. 201001270010220

Eugene T. &
Myra L. Carty
2 Ac.
APN 220-000554

Ronald L. Vance
3 Ac.
APN 220-000638

City of Columbus
Corp. Line
Case No. 60-03
Ord. No. 432-04
I.N. 200407190166446

Michael W. &
Mary A. Adkins
2.869 Ac.
APN 220-000637

Martha L. O'Neal
I.N. 200006230128236
I.N. 200502090024964
2.869 Ac.
APN 220-000657

Paul D. &
Della A. Cochran
O.R. 3455E19
2.869 Ac.
APN 220-000673

Mohsen &
Michelle Shirzadian
1.722 Ac.
APN 220-001188

ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER

By BB Date 5/4/11

RECEIVED

MAY 04 2011

Franklin County Engineer
Dean C. Ringle, P.E., P.S.

City of Columbus Corp. Line
Case No. 01-97
Ord. No. 1388-97
I.N. 199710070113511

The Village at
Preston Woods LLC
7.244 Ac.
APN 010-277764

The Reserve at
Preston Woods
Condominiums
Fifth Amendment,
Phase VI
C.P.B. 189, Pg. 65

City of Columbus Corp. Line
Case No. 22-86
Ord. No. 2982-86
O.R. 8860E19

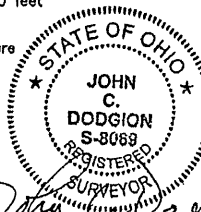
The Reserve at
Preston Woods
Condominiums
Sixth Amendment,
Phase VII
C.P.B. 189, Pg. 84

The Reserve at
Preston Woods
Condominiums
Seventh Amendment,
Phase VIII
C.P.B. 191, Pg. 1

City of Columbus
Corp. Line
Case No. 2-97
Ord. No. 1387-97
O.R. I.N. 199710070113535

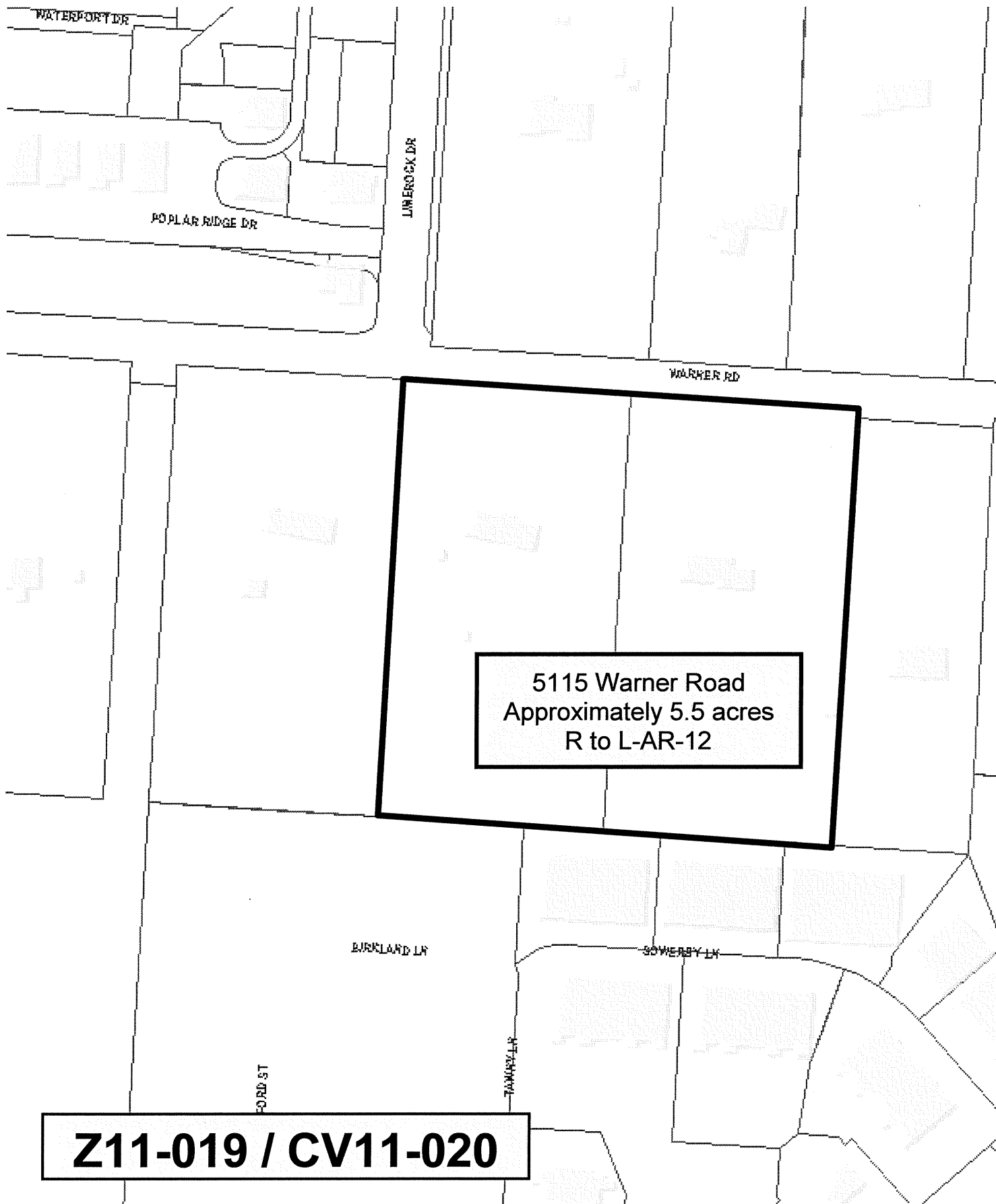
Length of Contiguity: $\pm 1,000$ feet
Total Length of Perimeter: $\pm 1,960$ feet
Percentage of Contiguity: $\pm 51\%$

No Islands of township property are
created by this annexation.



John C. Dodgion, P.S. 8069
Advanced Civil Design, Inc
422 Beecher Road
Gahanna, OH 43230
Phone 614-428-7750

Job No.: 10-0028-65
Date: 04/07/2011



5115 Warner Road
Approximately 5.5 acres
R to L-AR-12

Z11-019 / CV11-020



5115 Warner Road
Approximately 5.5 acres
R to L-AR-12

Z11-019 / CV11-020

WATERPORT LR

Z05-104C
NG
12/7/2005

POPLAR RIDGE DR

LIMESTONE DR

WARNER RD

5115 Warner Road
Approximately 5.5 acres
R to L-AR-12

Z05-030
PUD8
4/6/2005

BIRKLAND LN

SOWERBY LN

Z07-050A
LAR12
11/4/1998

DET

LAUREL LN

Z11-019 / CV11-020