



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: CV12-055

Date Received: 11/5/12

Application Accepted By: D Hitt

Fee: Converted from Z12-051

Comments: 12315-00000-00680 Case Planner: Dana Hitt 645-2395
dahitt@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 3111 Hayden Road

Zip 43235

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: 590-173371 and 590-180803

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

Current Zoning District(s): PUD-8 / LAR-12

Recognized Civic Association or Area Commission: Northwest Civic Association

Proposed use or reason for Council Variance request: Applicant is requesting to permit existing athletic club use in PUD-8 district and to use a neighboring LAR-12 lot for additional parking.

Acreage: 6.748 +/-

APPLICANT:

Name Sawmill Athletic Club, LLC and Sawmill Ravine LLC

Address 470 Olde Worthington Road

City/State

Westerville, Ohio

Zip

43082

Phone # 614-540-2400

Fax # 614-719-4638

Email:

PROPERTY OWNER(S):

Name Sawmill Athletic Club, LLC and Sawmill Ravine LLC

Address 470 Olde Worthington Road

City/State

Westerville, Ohio

Zip

43082

Phone # 614-540-2400

Fax # 614-719-4638

Email:

☐ 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



City of Columbus

Address Plat



CERTIFIED HOUSE NUMBERS

The House Numbers Contained on This Form
are Herein Certified for Securing
of Building & Utility Permits

Parcel ID: 590173371

Project Name: PREMIER AT SAWMILL

House Number: 3111

Street Name: HAYDEN RD

Lot Number: 15

Subdivision: SAWMILL RAVINE

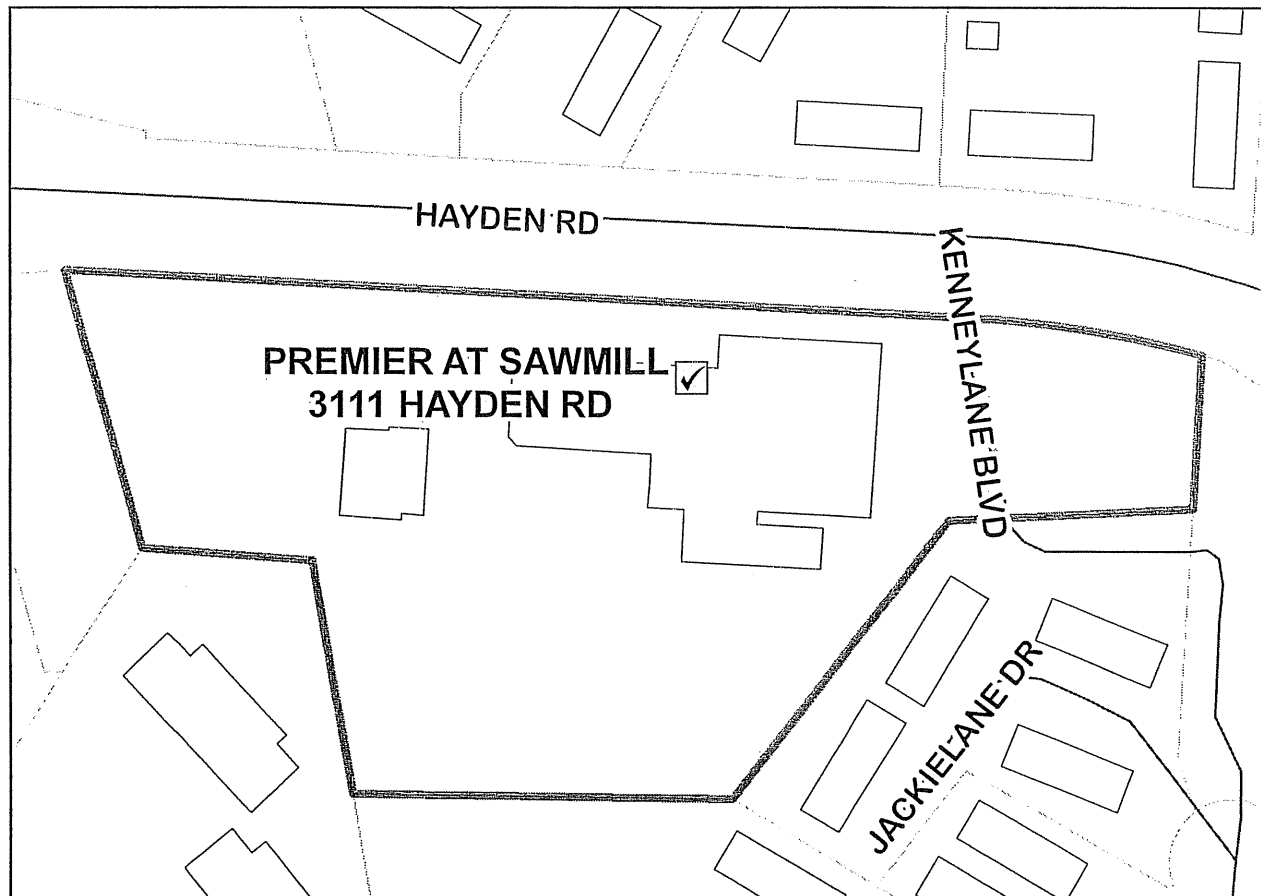
Work Done: REMODEL

Complex: N/A

Owner: SAWMILL ATHLETIC CLUB LLC

Requested By: VORYS SATER SEYMOUR AND PEASE LLP

Printed By: James P. Reagan Date: 8/28/2012

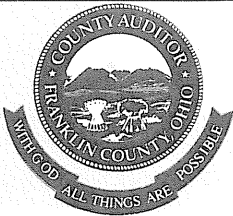


SCALE: 1 inch = 150 feet



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

GIS FILE NUMBER: 643317



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: S

DATE: 8/22/12



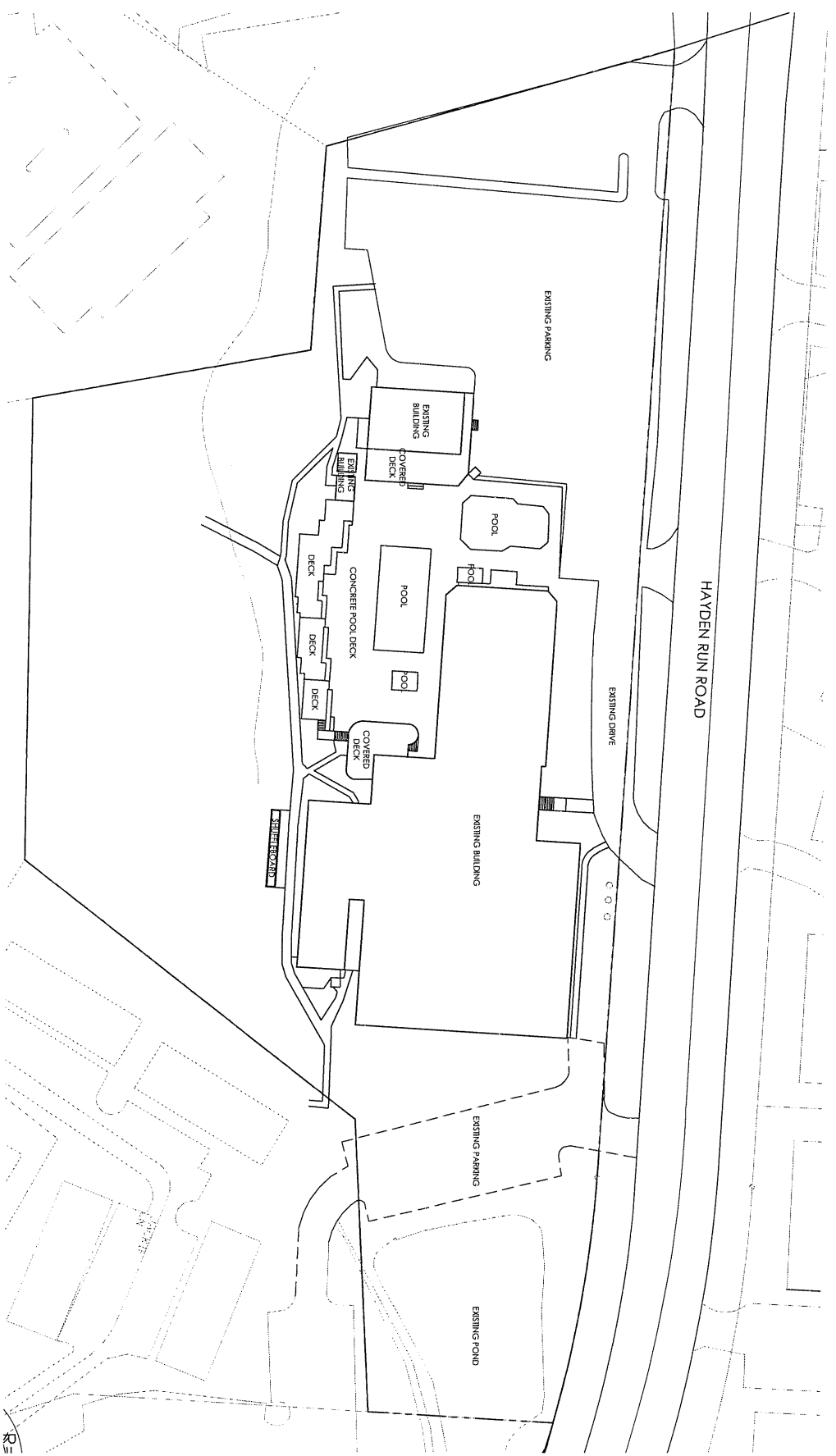
Disclaimer

Scale = 250

Grid
North

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

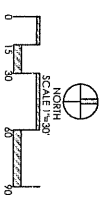


SITE PLAN

SAWMILL ATHLETIC CLUB

PREPARED FOR SAWMILL ATHLETIC CLUB LLC

DATE: OCTOBER 25, 2012





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City of Columbus, Ohio ■ Department of Building & Zoning Services

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

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:

10/31/2012

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SAWMILL ATHLETIC CLUB

STATEMENT OF HARDSHIP

The subject application includes two properties. The first property was zoned PUD-8, along with the neighboring multi-family development known as Sawmill Ravine in 1980. This parcel, located on the south side of Hayden Road was originally developed as a recreational facility for the neighboring multi-family development, but later expanded to a commercial exercise and health facility to serve a larger population. The PUD-8 zoning district does not, however, permit this use and therefore the athletic club is now a non-conforming use.

The second property is located on the north side of Hayden Road and is zoned AR-12. Parking for the athletic club is, in part, located across the street on property zoned AR-12.

The property zoned PUD-8 is improved with two buildings, a large fitness club and a small accessory building. There are also two outdoor pools and a cabana house on site. The property zoned AR-12 is improved with a small storage shed.

The applicant is requesting this Council Variance in order to allow the existing exercise and health facility to be a permitted use in the PUD-8 district and to allow parking for the existing exercise and health facility site for the purpose of correcting the non-conforming use and expanding the uses available for the accessory building on site. The applicant is also seeking to the small accessory building adjacent to the main fitness club building to be used for other C-3 uses, subject to parking requirements being met.

A site plan is attached as Appendix 1. There will be no new construction on site. Instead, the applicant will maintain the existing structures as shown on the site plan.

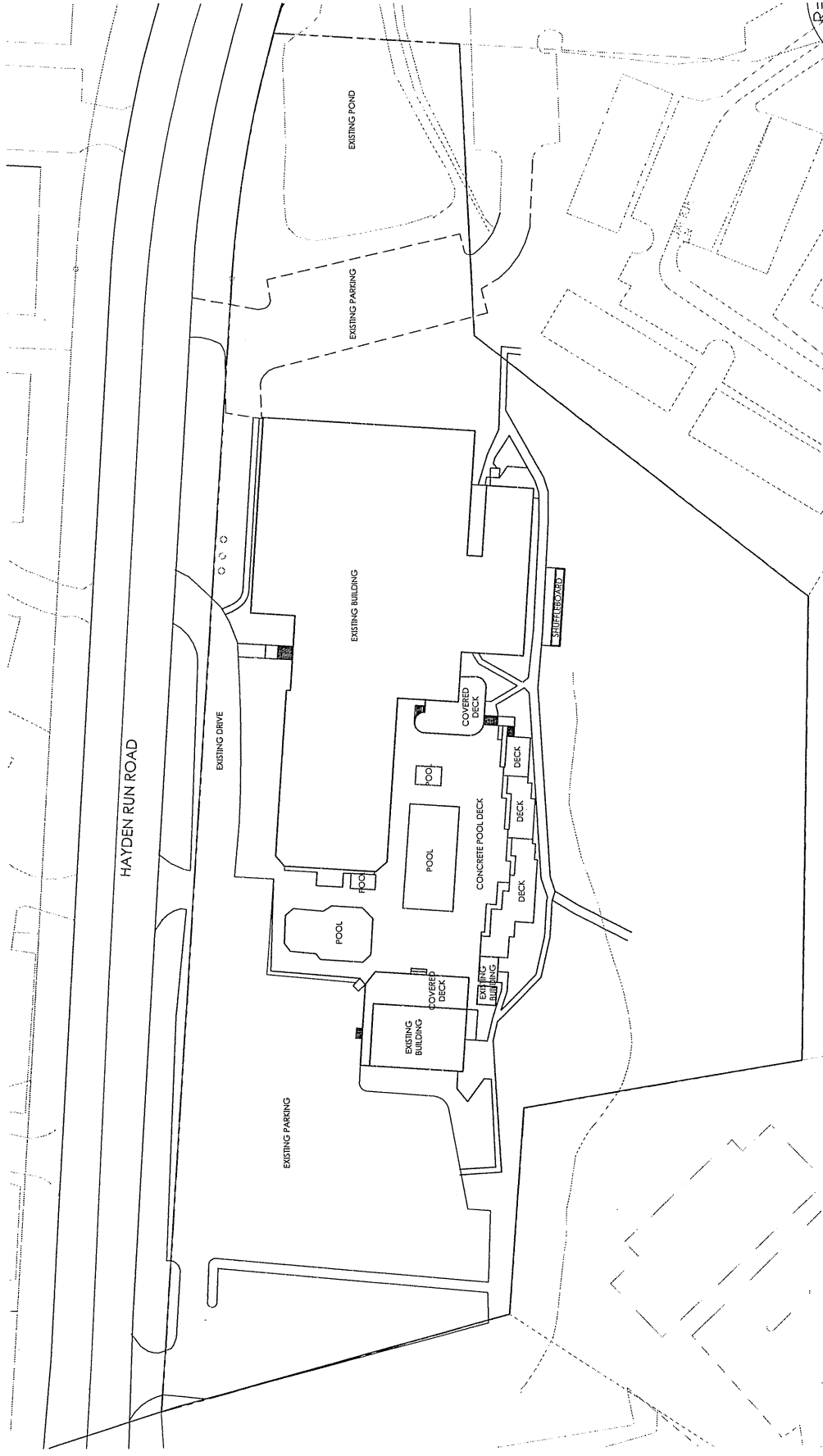
The applicant specifically requests the following variances:

3345.04 – To permit an exercise and health facility, which includes athletic and exercise equipment, classrooms, pools, community rooms, restaurant, retail store and spa services in the PUD-8 district and to permit C-3 uses in the accessory building as labeled on the site plan, so long as parking requirements are met

3333.02 – To permit an accessory parking lot in the AR-12 zoning district, so long as such parking lot is for the sole benefit of the property immediately south on Hayden Blvd. (Parcel No. 590-173371)

3312.03(D) – To permit required parking on a parcel different than the primary use.

In light of the fact that the health and exercise facility has been located in its current location since 1980 and the applicant is planning to maintain the facility as it now exists, the proposed change is compatible with the surrounding uses.

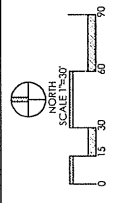


SITE PLAN

SAWMILL ATHLETIC CLUB

PREPARED FOR SAWMILL ATHLETIC CLUB LLC

DATE: OCTOBER 25, 2012



Paris Planning & Design

LAND PLANNING + LANDSCAPE ARCHITECTURE
203 N. 4th Street
P.O. Box 421
Columbia, OH 43101
www.parisplanninganddesign.com



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AFFIDAVIT

(See next page for instructions)

APPLICATION # CV12-055

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 3111 Hayden 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) 11/5/12

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) Sawmill Athletic Club LLC and Sawmill Ravine LLC
470 Olde Worthington Road
Westerville, OH 43082

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

(5) Sawmill Athletic Club LLC
#614-464-5608

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

(6) Northwest Civic Association
Attention: Rosemarie Lissko
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

(8)

Subscribed to me in my presence and before me this 2nd day of November, in the year 2012

SIGNATURE OF NOTARY PUBLIC

My Commission Expires: NA

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.

Sawmill Athletic Club LLC
3111 Hayden Road
Columbus OH 43235

Northwest Civic Association
Rosemarie Lissko
P.O. Box 20134
Columbus OH 43220

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

Bethel Road Family Partnership
2550 Brixton Road
Columbus OH 43221

Jackielane Investments LLC
965 Bluffpoint Dr
Columbus OH 43235

John W. Northrup
Evelyn B. Northrup
1634 River Lane
Ft Lauderdale FL 33316

Sawmill Ravine LLC
470 Olde Worthington Rd
Westerville OH 43082

Sylvia A. Sizemore
PO Box 377
Mt Gilead OH 43338

Jack D. Strader, Tr.
2550 Brixton Road
Columbus OH 43221



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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 # CV12-055

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. Sawmill Athletic Club LLC and Sawmill Ravine LLC 470 Olde Worthington Rd, Westerville, OH 43215 Tre Giller / #540-2400 20 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 2nd day of November, in the year 2012.

SIGNATURE OF NOTARY PUBLIC

My Commission Expires: NA

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.

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

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LEGAL DESCRIPTION

590-180803

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Quarter Township 3, Township 2, Range 19, United States Military Lands, containing 1.378 acres of land, more or less, said 1.378 acres being part of that 1.420 acre tract of land designated as PARCEL 6X and described in EXHIBIT 'C' of the deed to Donald R. Kenney, Trustee, of record in Deed Book 3719, Page 422, Recorder's Office, Franklin County, Ohio, said 1.378 acres of land being more particularly described as follows:

Beginning, for reference, at a monument found in the centerline of Hayden Run Road, said monument being located S88°22'43"E, a distance of 910.48 feet from a monument found in the centerline of said Hayden Run Road, as the same is delineated upon the recorded plat of Dedication of Bethel Road and Hayden Road, of record in Plat Book 49, Page 97, Recorder's Office, Franklin County, Ohio; thence N01°37'17"E, a distance of 50.00 feet to a 3/4-inch (I.D.) iron pipe found in the southerly line of that 1.498 acre tract of land designated as PARCEL II and described in the deed to Donald R. Kenney, Trustee, of record in Deed Book 3613, Page 750, Recorder's Office, Franklin County, Ohio, the same being in the northerly right-of-way of said Hayden Run Road; thence N88°22'43"W, with the northerly right-of-way of said Hayden Run Road a distance of 522.97 feet to a 3/4-inch (I.D.) iron pipe set at the true point of beginning, said point being located in the southeasterly corner of that 1.420 acre tract of land designated as PARCEL 6X and described in EXHIBIT C in the deed to Donald R. Kenney, Trustee, of record in Deed Book 3719, Page 422, the same being in the southwesterly corner of that 0.923 acre tract of land, designated as PARCEL 5X and described in EXHIBIT B in the deed to Donald R. Kenney, Trustee, of record in Deed Book 3719, Page 422, both being in the Recorder's Office, Franklin County, Ohio;

Thence, from said true point of beginning, N88 °22'43"W, with the northerly right-of-way line of said Hayden Run Road and with the southerly line of said 1.420 acre tract, a distance of 143.14 feet to a 3/4-inch (I.D.) iron pipe set at the southeasterly corner of that 0.035 acre tract of land designated as PARCEL No. 25-WD and described in the deed to the Franklin County Commissioners, of record in Official Record 03437C06 Recorder's Office, Franklin County, Ohio:

Thence northwardly and westwardly crossing said 1.420 acre tract, with the easterly and northerly lines of said 0.035 acre tract, the following two (2) courses and distances:

1) N01° 40'43"E, a distance of 5.62 feet to a 3/4-inch (ID.) iron pipe set:

2) N77°37'00"W, a distance of 107.67 feet to a 3/4-inch (I.D.) iron pipe set in the westerly line of said 1.420 acre tract and at the northwesterly corner of said 0.035 acre tract, the same being in the easterly line of that 3.489 acre tract of land described in the deed to Jack D. Strader and Ruth F. Strader, of record in Deed Book 2403, Page 508, Recorder's Office, Franklin County, Ohio;

Thence N17°27'00"W with the westerly line of said 1.420 acre tract, the same being with the easterly line of said 3.489 acre tract, a distance of 241.51 feet to a 3/4-inch (I.D.) iron pipe at the

northwesterly corner of said 1.420 acre tract, said point being both, at the northeasterly corner said 3.489 acre tract and in the southerly boundary of Hayden Falls as the same is

delineated upon the recorded plat thereof and being of record in Plat Book 60, Page 73, 74, 75 and 76, Recorder's Office, Franklin County Ohio;

Thence S88°21'34"E, with the northerly line of said 1.420 acre tract, the same being with the southerly line of said Hayden Falls, a distance of 245.00 feet to a 3/4-inch (I.D.) iron pipe set at the northeasterly corner of said 1.420 acre tract, said point also being at the northwesterly corner of said 0.923 acre tract;

Thence S16°26'42"E, with the easterly line of said 1.420 acre tract, the same being with the westerly line of said 0.923 acre tract, a distance of 267.06 feet to the true point of beginning and containing 1.378 acres of land, more or less.

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

We hereby state that the foregoing description was prepared from information obtained from an actual field survey conducted by Bauer, Davidson & Merchant, Inc. in December of 2005.

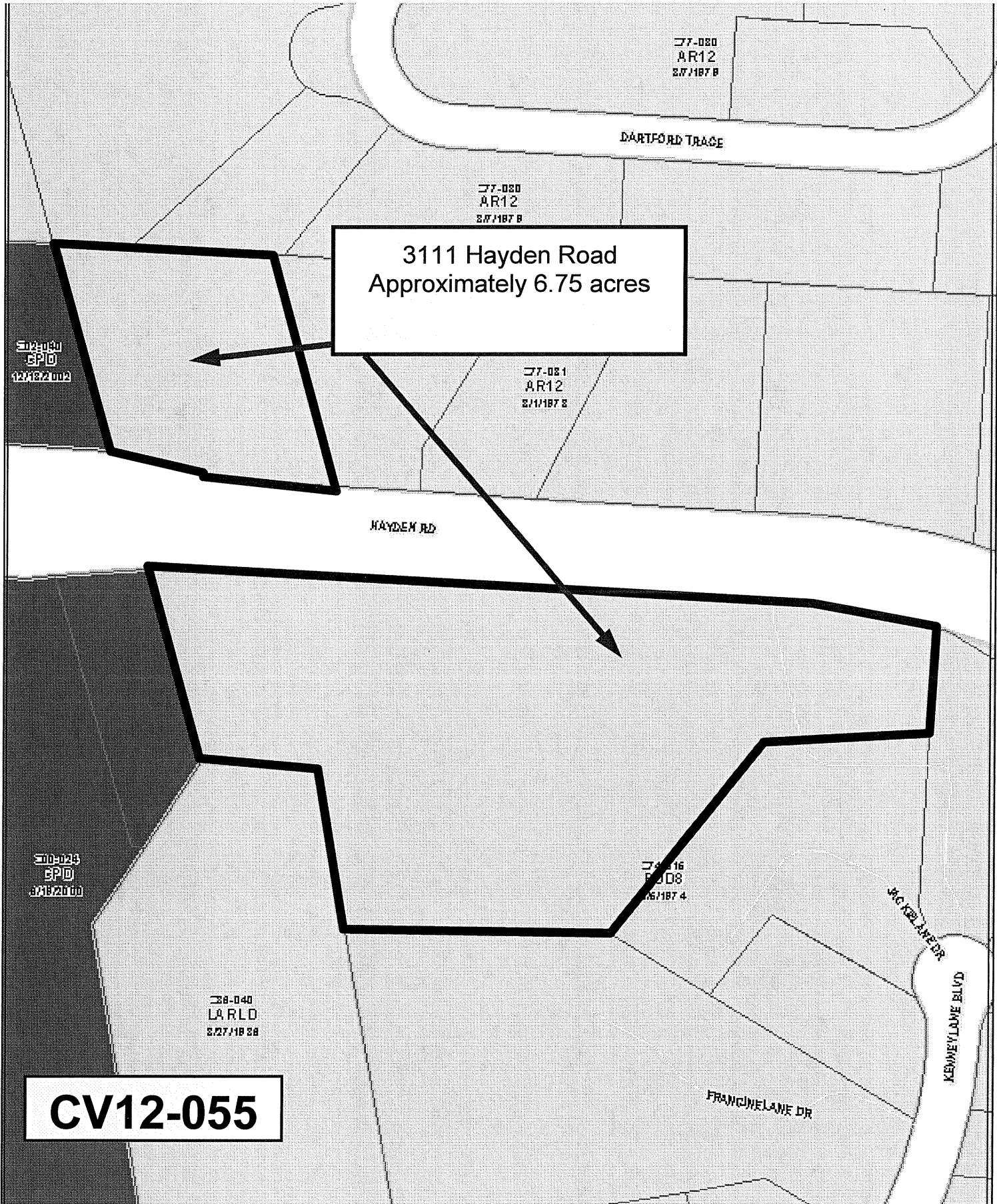
The bearings given in the foregoing description are based on the bearing N88°22'43"W, for the centerline of Hayden Run Road as the same is shown in said Plat Book 49, Page 97, Recorder's Office, Franklin County, Ohio.

590-17331

Situated in the State of Ohio, County of Franklin, and in the City of Columbus:

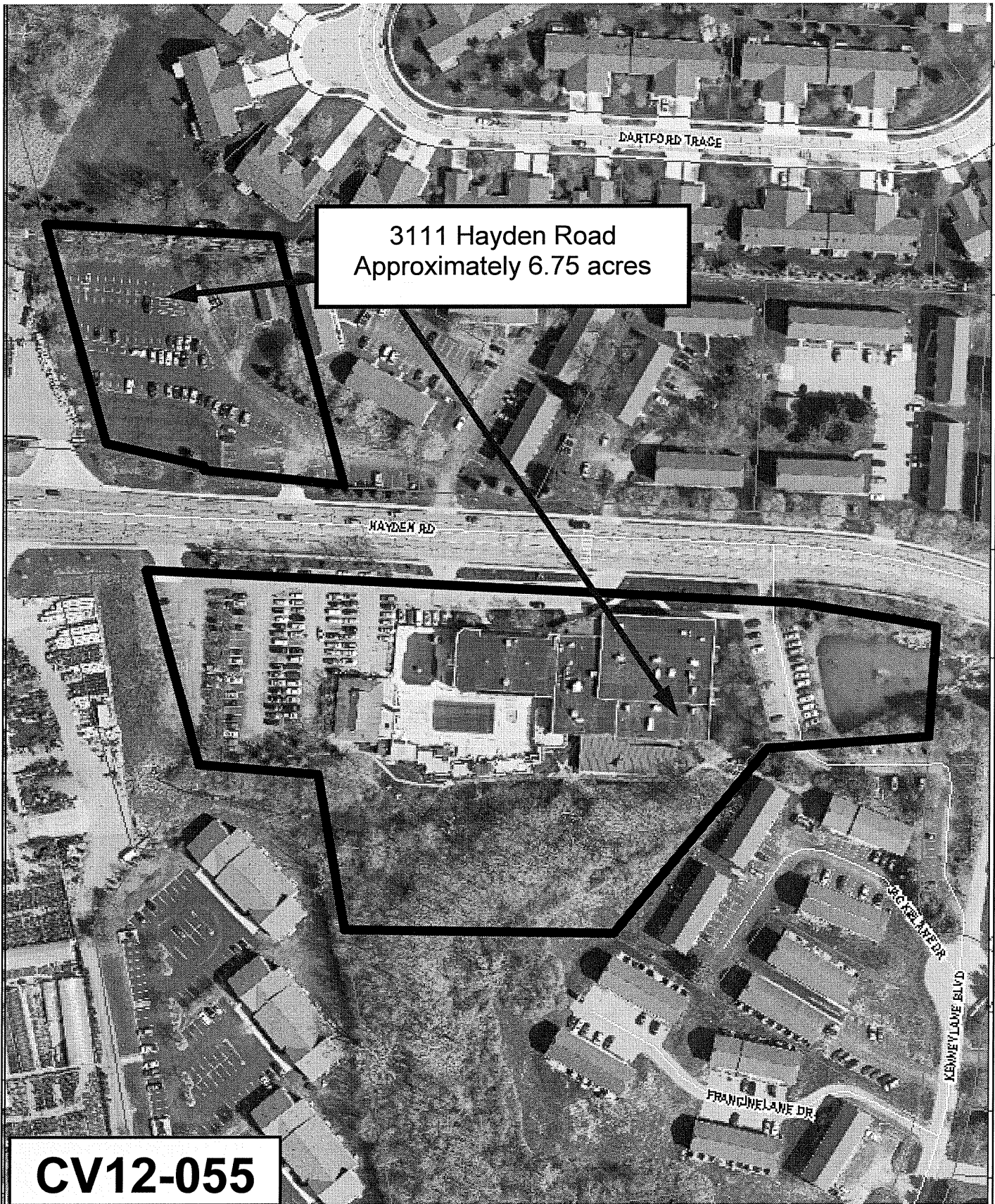
Being Lot Number Fifteen (15) in SAWMILL RAVINE, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 51, page 118, Recorder's Office, Franklin County, Ohio.

Containing 5.370+/- acres.



3111 Hayden Road
Approximately 6.75 acres

CV12-055



3111 Hayden Road
Approximately 6.75 acres

CV12-055