



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: CV12-031/12315-00000-00358
Date Received: 6/26/12
Application Accepted By: S. Rine Fee: \$2800-
Comments: Case Planner: Dana Hitt 645-2395 dahitt@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 5081, 5115 and 5047 Warner Road Zip 43081
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: 220-000657 (annex #010-2905490); 220-000673 (annex #010-290550); and 220-000637
☐ Check here if listing additional parcel numbers on a separate page.
Current Zoning District(s): LAR-12 and R
Recognized Civic Association or Area Commission: Rocky Fork Blacklick Accord
Proposed use or reason for Council Variance request: Requesting reduction in perimeter yard requirement under §3333.255 from 25 feet to 10 feet
Acreage: 8.53+/-

APPLICANT: Name Hudson Square LLC

Address 470 Olde Worthington Road City/State Westerville, OH Zip 43082
Phone # 614-901-2400 Fax # _____ Email: _____

PROPERTY OWNER(S): Name Hudson Square LLC / Michael and Mary Adkins

Address 470 Olde Worthington Road City/State Westerville, OH Zip 43082
Phone # 614-901-2400 Fax # _____ 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, OH 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 Zoning Plat

C12-031

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

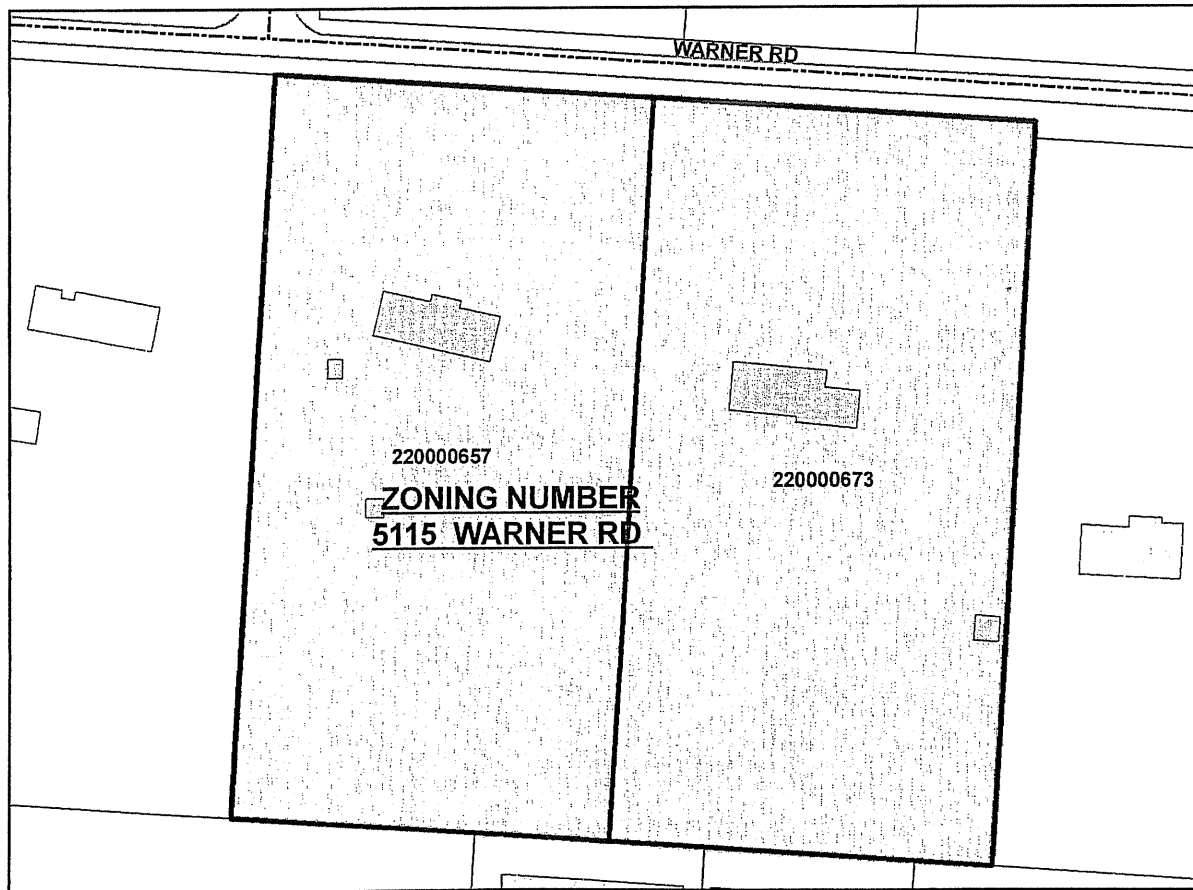
Subdivision: N/A

Requested By: VORYS (VIRGINIA BUDA)

Issued By:

Patricia A. Austin

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



City of Columbus Zoning Plat

C12-031

ZONING NUMBER

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Parcel ID: 220000637

Zoning Number: 5047

Street Name: WARNER RD

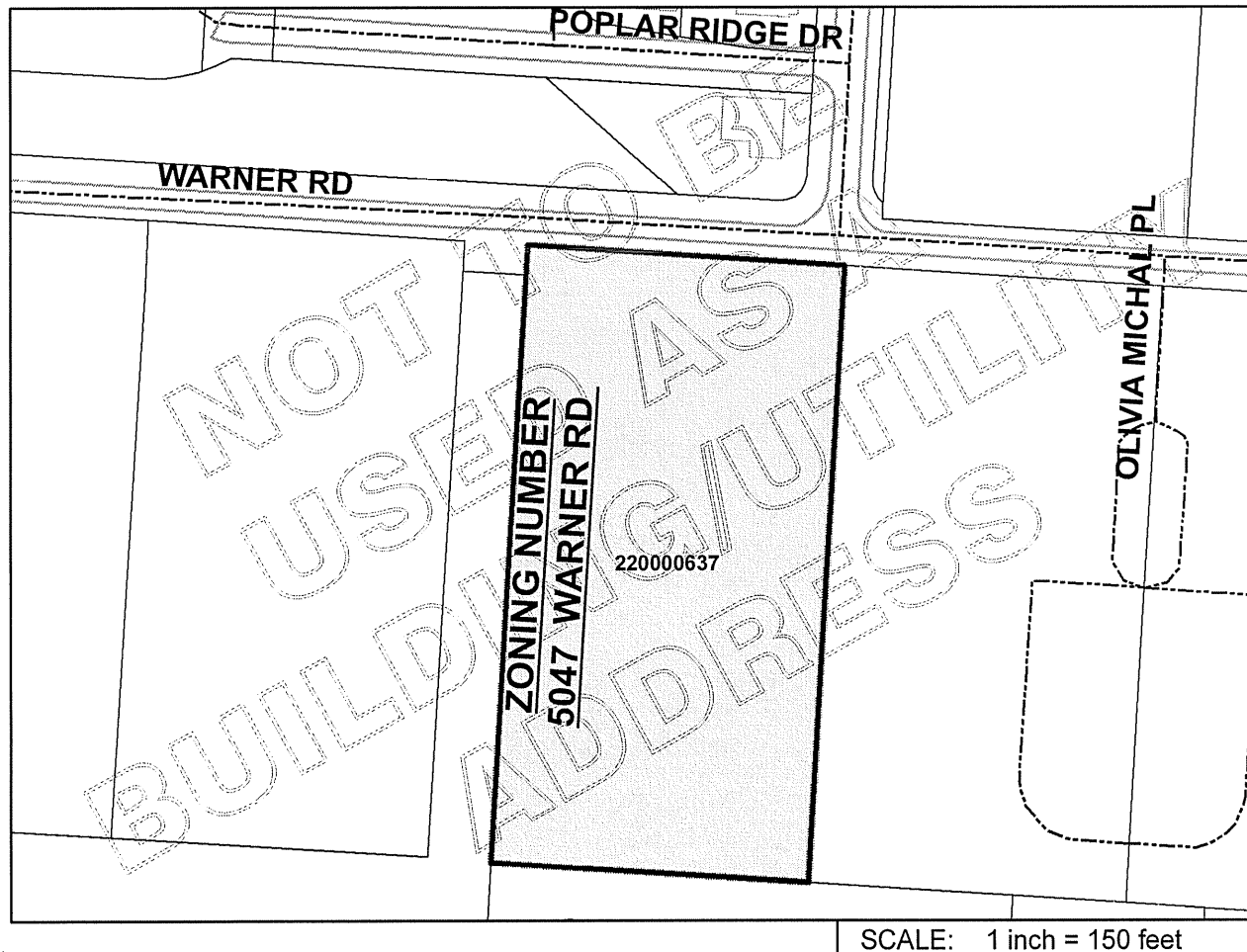
Lot Number: N/A

Subdivision: N/A

Requested By: VORYS, STATER & PEASE LLP (VIRGINIA BUDA)

Issued By: Adyana Amarion

Date: 6/7/2012



SCALE: 1 inch = 150 feet



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

GIS FILE NUMBER: 9051



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AFFIDAVIT

(See next page for instructions)

APPLICATION # CV12-031

STATE OF OHIO _____
COUNTY OF FRANKLIN _____

Being first duly cautioned and sworn (1) NAME Jill 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) per CERTIFIED ADDRESS FOR ZONING PURPOSES 5081, 5115 and 5047 Warner 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) 6/26/12
(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) Hudson Square LLC / Michael and Mary Adkins
470 Olde Worthington Road / 5047 Warner Road
Westerville, OH 43082 / Westerville, OH 43081

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

Hudson Square LLC
#614-901-2400

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

(5) Rocky Fork Blacklick Accord
c/o Devayani Puranik, City of Columbus, Division of Planning
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)

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

SIGNATURE OF AFFIANT

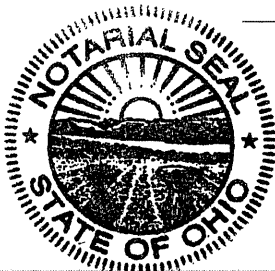
Subscribed to me in my presence and before me this 26th day of June, in the year 2012

SIGNATURE OF NOTARY PUBLIC

(8) Michelle L. Parmenter

My Commission Expires:

Notary Seal Here



MICHELLE L. PARMENTER
Notary Public, State of Ohio
My Commission Expires
October 16, 2012

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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

Hudson Square LLC
470 Olde Worthington Road
Westerville, OH 43082

Jill Tangeman, Esq.
Vorys, Sater, Seymour & Pease
52 East Gay Street
Columbus, OH 43216

Michael and Linda Lee
5009 Warner Road
Westerville, OH 43081

CUL2-031



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: S

DATE: 6/7/12



Disclaimer

Scale = 200



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



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C12-031

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.

Signature of Applicant

Date

6/26/2012

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STATEMENT OF HARDSHIP

Property Address: 5081, 5115 and 5047 Warner Road

Applicant: Hudson Square LLC / Michael and Mary Adkins

The subject site is 8.53 +/- 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. ~~12-03~~ 12-03). 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.



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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 # CV12-031

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 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 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. Hudson Square LLC 470 Olde Worthington Road Westerville, OH 43082 c/o Jill Tangeman, ESq. #614-464-5608 0 Columbus Employees	2.
3.	4.

☐ Check here if listing additional parties on a separate page.

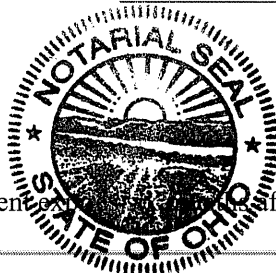
SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 26 day of June, in the year 2012

SIGNATURE OF NOTARY PUBLIC Michelle L. Parmenter

My Commission Expires: _____

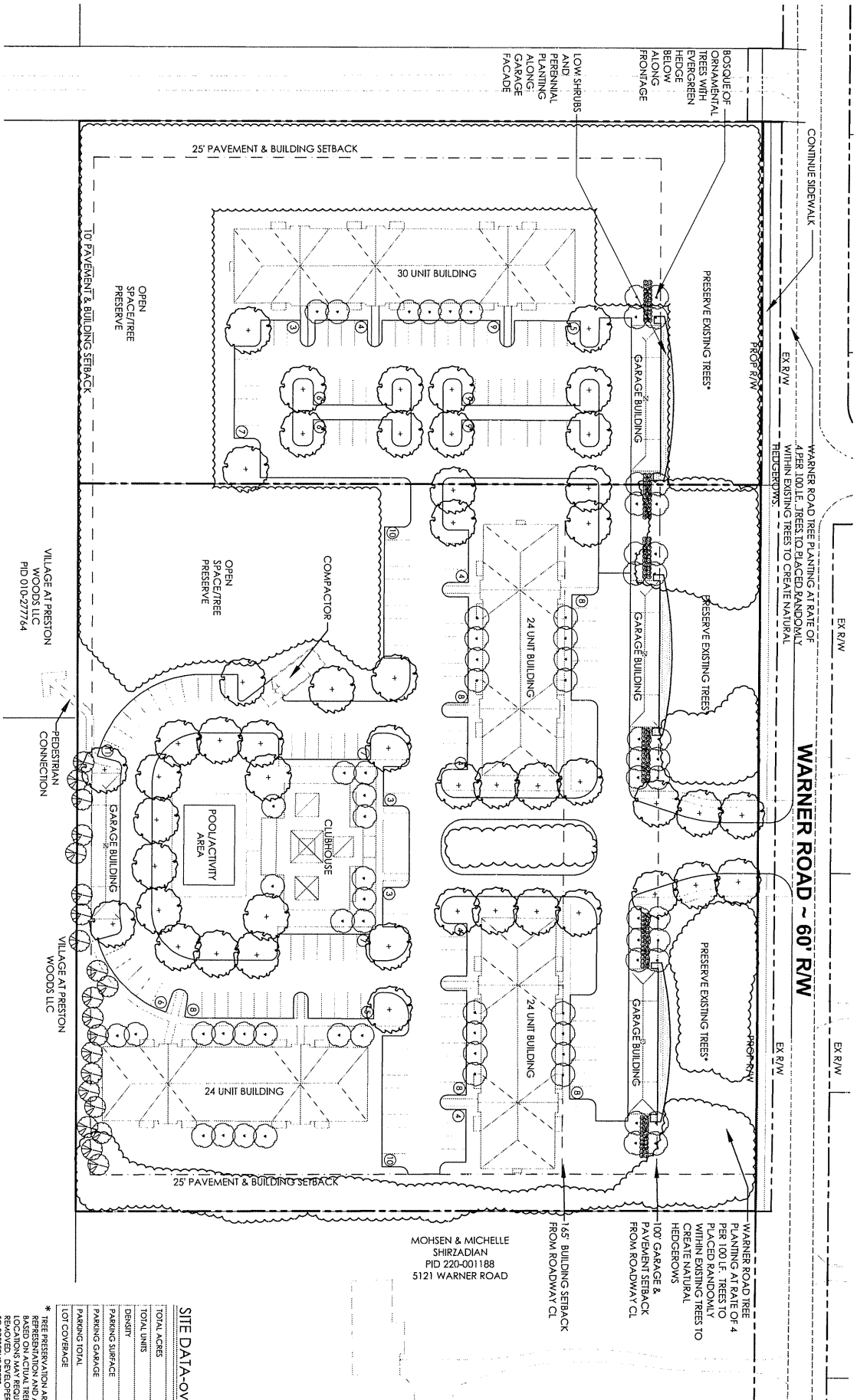
Notary Seal Here



MICHELLE L. PARMENTER
Notary Public, State of Ohio
My Commission Expires
October 16, 2012

This Project Disclosure Statement is valid after date of notarization.

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SITE DATA-OVERALL

TOTAL ACRES	41.83 ACRES
TOTAL UNITS	102
DENSITY	+/- 12 D.U./AC
PARKING SURFACE	174 SPACES
PARKING GARAGE	28 BAYS
PARKING TOTAL	204
LOT COVERAGE	37%

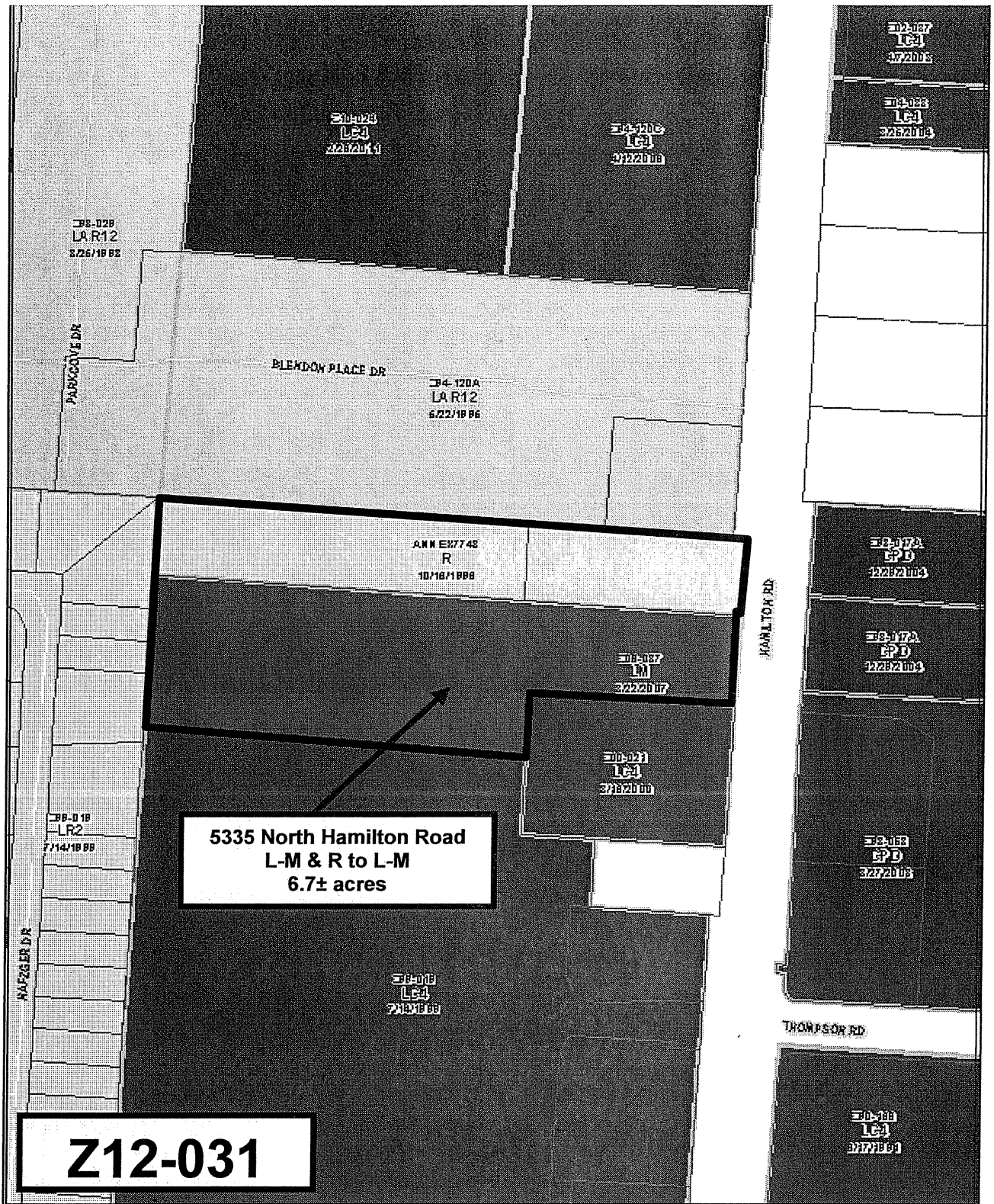
* TREE PRESERVATION AREAS ARE GRAPHIC REPRESENTATION AND ARE APPROXIMATE AND NOT LOCATIONS OF INDIVIDUAL TREES TO BE REMOVED. DEVELOPER TO MAKE BEST EFFORT POSSIBLE TO PRESERVE TREES.

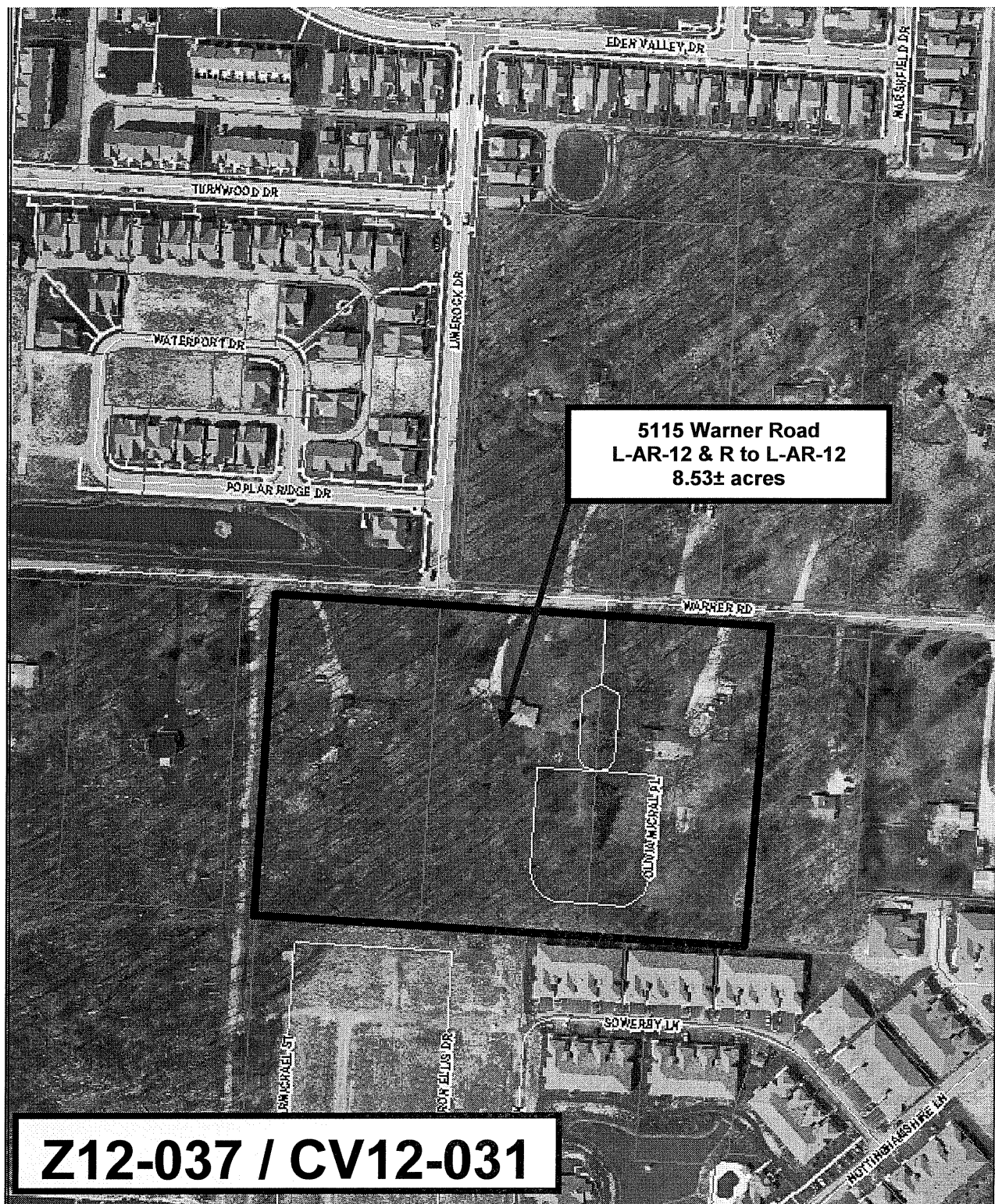
CONCEPTUAL SITE PLAN

WARNER ROAD MULTI-FAMILY - WEST EXPANSION

DATE: JUNE 28, 2012

CV12-031





Z12-037 / CV12-031