

10315-00000-00349
CV10-029

8/19/10
\$2720 total

City of Columbus | Department of Development | Building Services Division | 757 Carolyn Avenue, Columbus, Ohio 43224

Assigned to Shannon Pine, 645-2208, spine@columbus.gov

COUNCIL VARIANCE APPLICATION



OFFICE USE ONLY:

Planning Area: Northland Received By: S. Pine

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes): 5101 Thompson Rd Zip: 43230

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: 220-000597; 220-00634

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

Current Zoning District(s): L-AR-1

Recognized Civic Association or Area Commission: Northland Community Council

(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 5 feet for multi-family development

Proposed Height District: 35' Acreage: 7.20

(Columbus City Code Section 3309.14)

APPLICANT:

Name Preferred Real Estate Investments II LLC

Address 470 Olde Worthington Road City Westerville Zip 43082

PROPERTY OWNER(S):

Name Judith Davis / Daniel Galiardi

Address 5101 Thompson Rd. / 5151 Thompson Rd. City Columbus Zip 43230

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 x Judith A. Davis

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.



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 _____
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) _____
(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNER'S NAME AND MAILING ADDRESS (4) Judith Davis / Daniel Galiardi
5101 Thompson Rd. / 5151 Thompson Rd.
Columbus, OH 43230 / Columbus, OH 43230

APPLICANT'S NAME AND PHONE # (same as listed on front of application) Preferred Real Estate Investments II LLC
614-901-2400

AREA COMMISSION OR CIVIC GROUP AREA COMMISSION ZONING CHAIR OR CONTACT PERSON AND ADDRESS (5) Northland Community
c/o Dave Paul
PO Box 297836, Columbus, OH 43229

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) Jill Tangeman
Subscribed to me in my presence and before me this 18th day of August, in the year 2010
SIGNATURE OF NOTARY PUBLIC (8) Deanna R. Cook
My Commission Expires: NA

Notary Public Here



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

CMD-079

Windsor Bridge at the Preserve
Condominium Association
c/o Real Property Management
Attn: Jeff Comerford
9054 Cotter Street
Lewis Center OH 43035

Epcon Cobblestone LLC
500 Stonehenge Parkway
Dublin OH 43017

Cobblestone at the Preserve Condominium
Association
c/o The Case Bowen Company
Attn: Robin Bollinger
6940 Wilcox Place, Suite B
Dublin OH 43016

Willows at Preserve Crossing LLC
470 Olde Worthington Road
Westerville OH 43082

Kenneth J. Horton
4147 Sweet Shadow Avenue
Columbus OH 43230

Lyndi R. Yenne
4141 Sweet Shadow Avenue
Columbus OH 43230

James C. Nelson and
Cherie J. Nelson
4135 Sweet Shadow Avenue
Columbus OH 43230

Xing C. Dong
4129 Sweet Shadow Avenue
Columbus OH 43230

Robert J. Ball
4123 Sweet Shadow Avenue
Columbus OH 43230

Sheri Cameron
25015 Larkspur Drive
Mission Viejo CA 92692

Meredith A. Sweeney and
Thomas J. Sweeney, Jr.
4111 Sweet Shadow Avenue
Columbus OH 43230-7430

Zachary R. Barber and
Coleen N. Barber
4105 Sweet Shadow Avenue
Columbus OH 43230

Sikyu Lau
6156 Willow Knoll Avenue
Columbus OH 43230

Susan M. Angel
6150 Willow Knoll Avenue
Columbus OH 43230-7429

Steven P. George and
Sue George
6144 Willow Knoll Avenue
Columbus OH 43230

Daniel M. Rayak
6138 Willow Knoll Avenue
Columbus OH 43230

Justin Caple
6132 Willow Knoll Avenue
Columbus OH 43230

Donna B. Poland
6126 Willow Knoll Avenue
Columbus OH 43230

Eric J. Livingston and
Jenna C. Reed
4061 Summerstone Drive
Columbus OH 43230

Jeanette A. Bury
4055 Summerstone Drive
Columbus OH 43230

Kenneth W. Crissman, Jr., Trustee
and Janice A. Crissman, Trustee
4049 Summerstone Drive
Columbus OH 43230

John Russell Maley and
Laurie Lea Maley
4043 Summerstone Drive
Columbus OH 43230

John Russell Maley and
Laura Lea Maley
268 Marjoram Drive
Columbus OH 43230

Wells Fargo Bank NA
3476 Stateview Boulevard
Fort Mill SC 29715

Robert L. Hutchinson, Jr. Trustee
and Cynthia M. Hutchinson, Trustee
420 McKinley Street, 111-264
Corona CA 92879

Todd Wyer and
Jean Wyer
4100 Pathfield Drive
Columbus OH 43230-6325

Jo Ellen Rock
4106 Pathfield Drive
Columbus OH 43230

Victor A. Peddicord and
Jane A. Peddicord
4112 Pathfield Drive
Columbus OH 43230-6325

William S. Giroux and
Jill R. Giroux
4118 Pathfield Drive
Columbus OH 43230-63

Mengqi Wu and
Kanglin Li
4124 Pathfield Drive
Columbus OH 43230

HCP Emfin Properties LLC
3760 Kilroy Airport Way
Long Beach CA 90806

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

Judith A. Davis
5101 Thompson Road
Columbus OH 43230

Daniel J. Galiardi
5151 Thompson Road
Columbus OH 43230

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

CV10-029

STATEMENT OF HARDSHIP

Property Address: 5101 Thompson Road

Applicant: Preferred Real Estate Investments II, LLC

The subject site is 7.20 +/- acres on Thompson Road, which is being rezoned by the Applicant to AR-1 for use as a multi-family development (Application Z10-016). The Applicant has submitted a site plan as part of the rezoning request. The site plan shows the west side yard set-back as five (5) feet, as opposed to the twenty-five (25) feet for a perimeter yard required in the AR-1 district.

At the request of both the surrounding neighbors and city staff, the Applicant purposely moved all proposed buildings west in order to create a tree preservation zone on the east and south sides of the property. The property to the west of the subject site is zoned I-Institutional and therefore has no side yard set-back requirement. In contrast, the properties to the east and south are zoned for residential uses. As a result, the Applicant determined it was appropriate to move the proposed development closer to the west property line in order to provide a buffer to the residential uses to the east and south.

Although the set-back will be five (5) feet along the west property line, the site plan shows that only pavement will exist within five (5) feet of the property line. The buildings are all situated at least twenty-five (25) feet from the property line. The Applicant will screen the pavement and parking areas neighboring the west property line per the requirements set forth in the Northland Plan Development Standards.

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 # CV10-029

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	

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

SIGNATURE OF AFFIANT Jill Tangeman
 Subscribed to me in my presence and before me this 18th day of August, in the year 2010
 SIGNATURE OF NOTARY PUBLIC Deanna R. Cook
 My Commission Expires: NA

This Project 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
 Sec. 147.03 R.C.



City of Columbus Zoning Plat

CV10-09

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: 460289147

Zoning Number: 5101

Street Name: THOMPSON RD

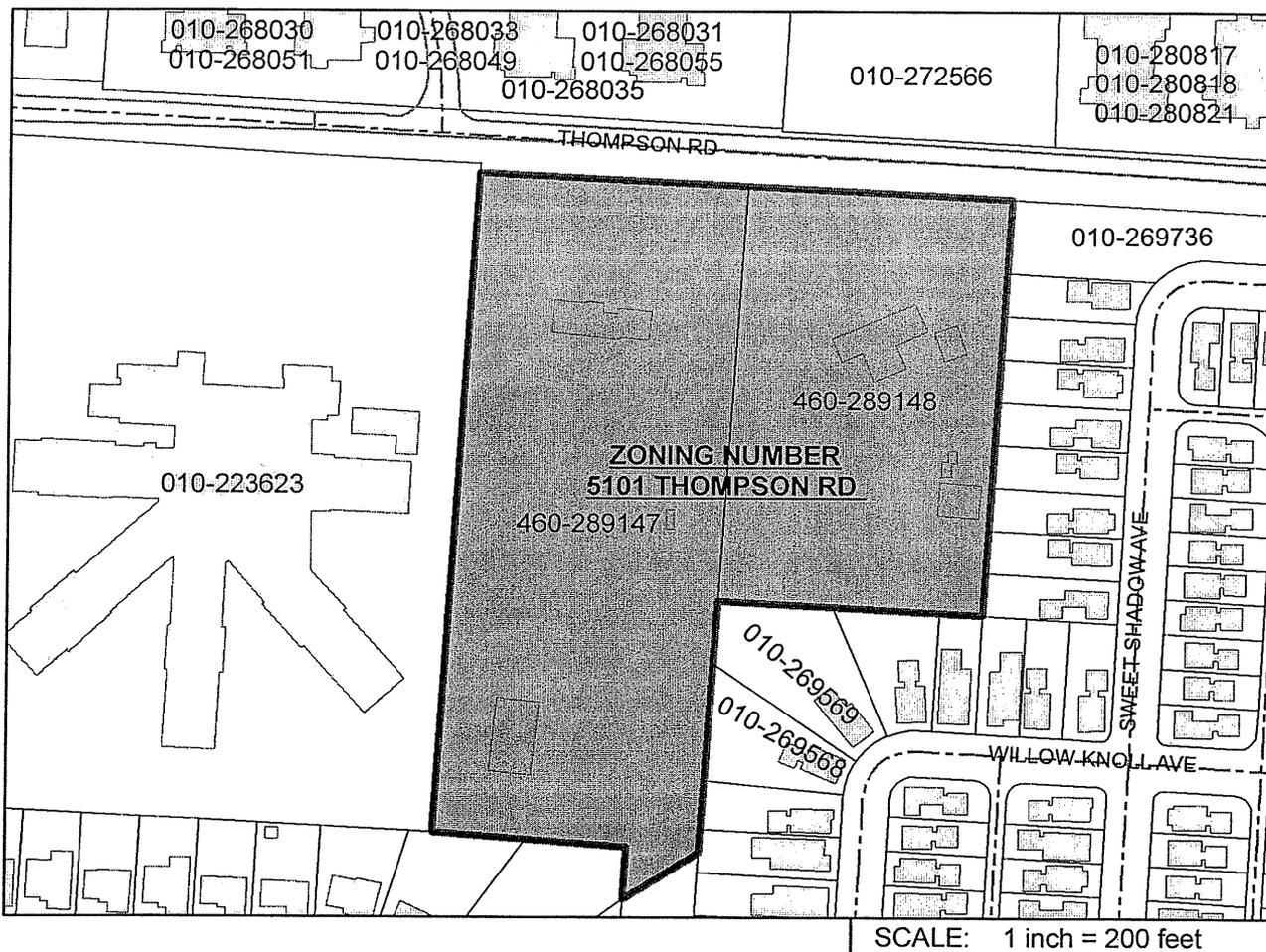
Lot Number: N/A

Subdivision: N/A

Requested By: VORYS (VIRGINIA S. BUDA)

Issued By: *Virginia Amarican*

Date: 6/2/2010



SCALE: 1 inch = 200 feet

GIS FILE NUMBER: 4486



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

**DESCRIPTION OF 7.2 ACRES LOCATED IN PLAIN TOWNSHIP
TO BE ANNEXED TO THE CITY OF COLUMBUS
EXPEDITED II ANNEXATION UNDER ORC §709.021 AND §709.023**

Situated in the State of Ohio, County of Franklin, Township of Plain, Quarter Township 3, Township 2, Range 16, United States Military District, and being all the residuum of that tract conveyed to Daniel J. Galiardi of record in Official Record 18002B02 and Instrument Number 200312150394705 (A.P.N. 220-000634) and all the residuum of those tracts conveyed to Judith A. Davis of record in Deed Book 3251, Page 357, Deed Book 3555, Page 361 and Official Record 30152J08 (A.P.N. 220-000597), and described as follows:

Beginning at the current northeast corner of said Galiardi tract, the same being the southeast corner of that tract conveyed to City of Columbus of record in Instrument Number 200502040022202 and in the south right-of-way line for Thompson Road, being in an existing City of Columbus Corporation Line (Case No. 42-99, Ord. No. 0018-00, I.N. 200003170052263);

Thence **Southerly**, with the east line of said Galiardi tract, being said corporation line, about **438 feet** to the southeast corner of said Galiardi tract;

Thence **Westerly**, with the south line of said Galiardi tract, being said corporation line and an existing City of Columbus Corporation Line (Case No. 55-90, Ord. No. 935-91, O.R. 16932H09), about **272 feet** to the southwest corner of said Galiardi tract, in the east line of said Davis tract;

Thence **Southerly**, with the east line of said Davis tract, being said corporation line, about **263 feet** to the current southeast corner of said Davis tract;

Thence **Southwesterly**, with a current south line of said Davis tract, about **92 feet** to a current corner of said Davis tract, in an existing City of Columbus Corporation Line (Case No. 4-78, Ord. No. 1441-78, M.R. 170, Pg. 555);

Thence **Northerly**, with a west line of said Davis tract, being said corporation line, about **54 feet** to a corner of said Davis tract;

Thence **Westerly**, with a south line of said Davis tract, being said corporation line, about **200 feet** to the southwest corner of said Davis tract;

Thence **Northerly**, with the west line of said Davis tract, being an existing City of Columbus Corporation Line (Case No. 89-88, Ord. No. 642-89, O.R. 13292F10), about **691 feet** to the current northwest corner of said Davis tract, the same being the southwest corner of that tract conveyed to City of Columbus of record in Instrument Number 200309270310626 and in said south right-of-way line for Thompson Road;

Thence **Easterly**, with said south right-of-way line, about **549 feet** to the **Point of Beginning**. Containing approximately **7.2 acres** of land, more or less. The above description was written by John C. Dodgion, P.S. 8069 on June 04, 2009. A drawing of the above description has been prepared and is a part hereof.

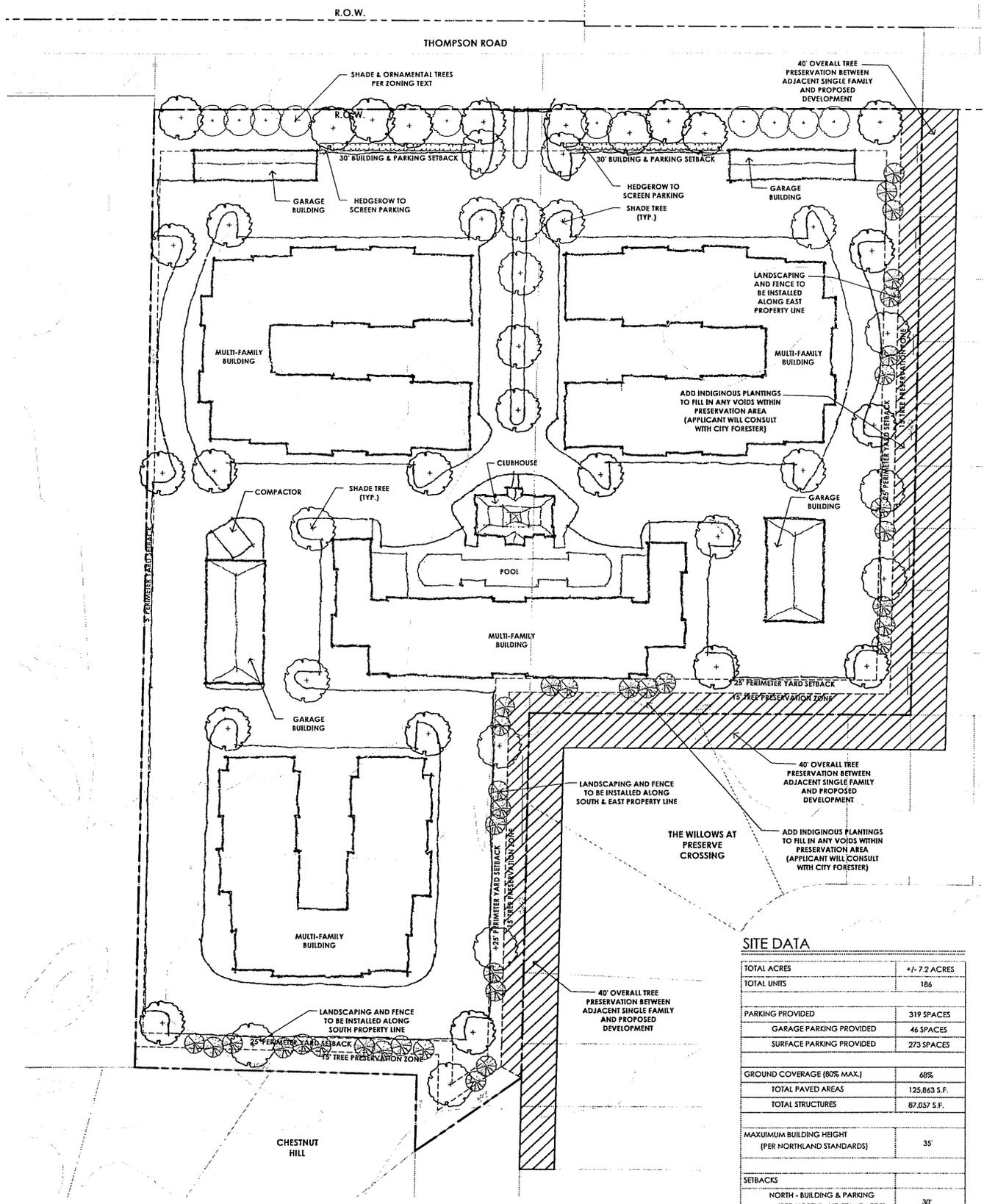
The total length of the annexation perimeter is about 2559 feet, of which about 1918 feet are contiguous with existing City of Columbus Corporation Lines, being about 75% contiguous. This annexation does not create any islands of township property.

This description was written for annexation purposes only and was not intended to be used in the transfer of lands.

ADVANCED CIVIL DESIGN, INC.

John C. Dodgion, P.S. 8069 Date:

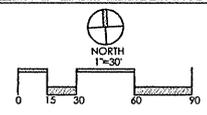
CV10-029



SITE DATA

TOTAL ACRES	+/- 7.2 ACRES
TOTAL UNITS	186
PARKING PROVIDED	
Garage Parking Provided	46 SPACES
Surface Parking Provided	273 SPACES
GROUND COVERAGE (80% MAX.)	
Total Paved Areas	125,863 S.F.
Total Structures	87,057 S.F.
MAXIMUM BUILDING HEIGHT (PER NORTHLAND STANDARDS)	
	35'
SETBACKS	
North - Building & Parking (PER NORTHLAND STANDARDS)	30'
West - Perimeter Yard	5'
South & East - Perimeter Yard	25'
South & East - Tree Preservation	15'

ZONING SITE PLAN
THOMPSON ROAD
 PREPARED FOR PREFERRED LIVING
 DATE: JUNE 22, 2010 REV. JULY 28, 2010



Paris Planning & Design
 LAND PLANNING & LANDSCAPE ARCHITECTURE
 243 N. 5th Street Suite 401 Columbus, OH 43215
 p (614) 481-1164 www.parisplanninganddesign.com