

STATEMENT IN SUPPORT OF VARIANCES

Application: CV22-054

Location: 5159 CENTRAL COLLEGE ROAD (43081), being 5.0± acres (010-249597; Rocky Fork Blacklick Accord Panel).

Existing Zoning: R, Rural District.

Proposed Zoning: L-AR-1, Limited Apartment Residential District (H-35).

Proposed Use: Multi-unit residential use.

Applicant(s): The Robert Weiler Company, 10 North High Street, Suite 401, Columbus, Ohio 43215; and Michael Shannon, Atty.; Underhill and Hodge; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

Property Owner(s): Marjorie Bevelhymer Tr., 5159 Central College Road, Westerville, Ohio 43081.

Date: May 25, 2022

The Applicant proposes development of the property for multifamily residential use. The site is a single parcel which is approximately 5.0 acres in area. The site is currently zoned Rural Residential and is used for single-family residential use. This development is proposed to be a sister development of the adjacent Fenimore Apartments to the east. This development will provide similar design and cross access.

The site is bordered by property zoned LC4 (Fenimore Apartments) and LAR12 on the east, and NE and NG on the west and south. The site is within the boundary of the Rocky Fork Blacklick Accord. The site is also within the boundary of the Rocky Fork Blacklick Accord Community Plan which recommends neighborhood center uses.

The Applicant proposes development of the site with 96 dwelling units on +/- 5.0 acres. The Applicant is committed to design standards set forth by the Rocky Fork Blacklick Accord Community Plan design standards.

To develop the property as proposed, the Applicant requests the following companion area variances:

1. 3333.255 – Perimeter yard. The Applicant requests a variance to reduce the perimeter yard along the east perimeter from 25 feet to 5 feet.

City Council may permit a variation in the yard, height, or parking requirements of any district in conjunction with a change in zoning and where there are unusual and practical difficulties in the carrying out of the zoning district provisions due to an irregular shape of lot, topography, or other conditions and providing such variance will not seriously affect any adjoining property or the general welfare.

The Applicant's requested companion area variance concerns a reduction of the perimeter yard along the east perimeter. This is the property line that this development will share with its sister development known as the Fenimore. No reduction is requested for the west and south perimeter yards.

The Applicant suffers from a practical difficulty to develop the site as proposed under the AR1 development standards. This site is proposed to be zoned under the Chapter 3333 apartment residential district. The Fenimore was zoned under Chapter 3356 commercial district and operates as an extended stay hotel. This variance could technically be avoided if this site were to be combined with the Fenimore site, however, this would cause an undesirable condition where a single parcel would have multiple zoning districts. This variance request is the most appropriate avenue to allow development of the site as proposed while maintaining independent parcels and zoning districts.

The requested variance will not seriously affect any adjoining property or the general welfare of the community. The requested perimeter yard reduction is only located between this site and its sister development to the east. Only property owners under this collective umbrella will be affected in any manner.

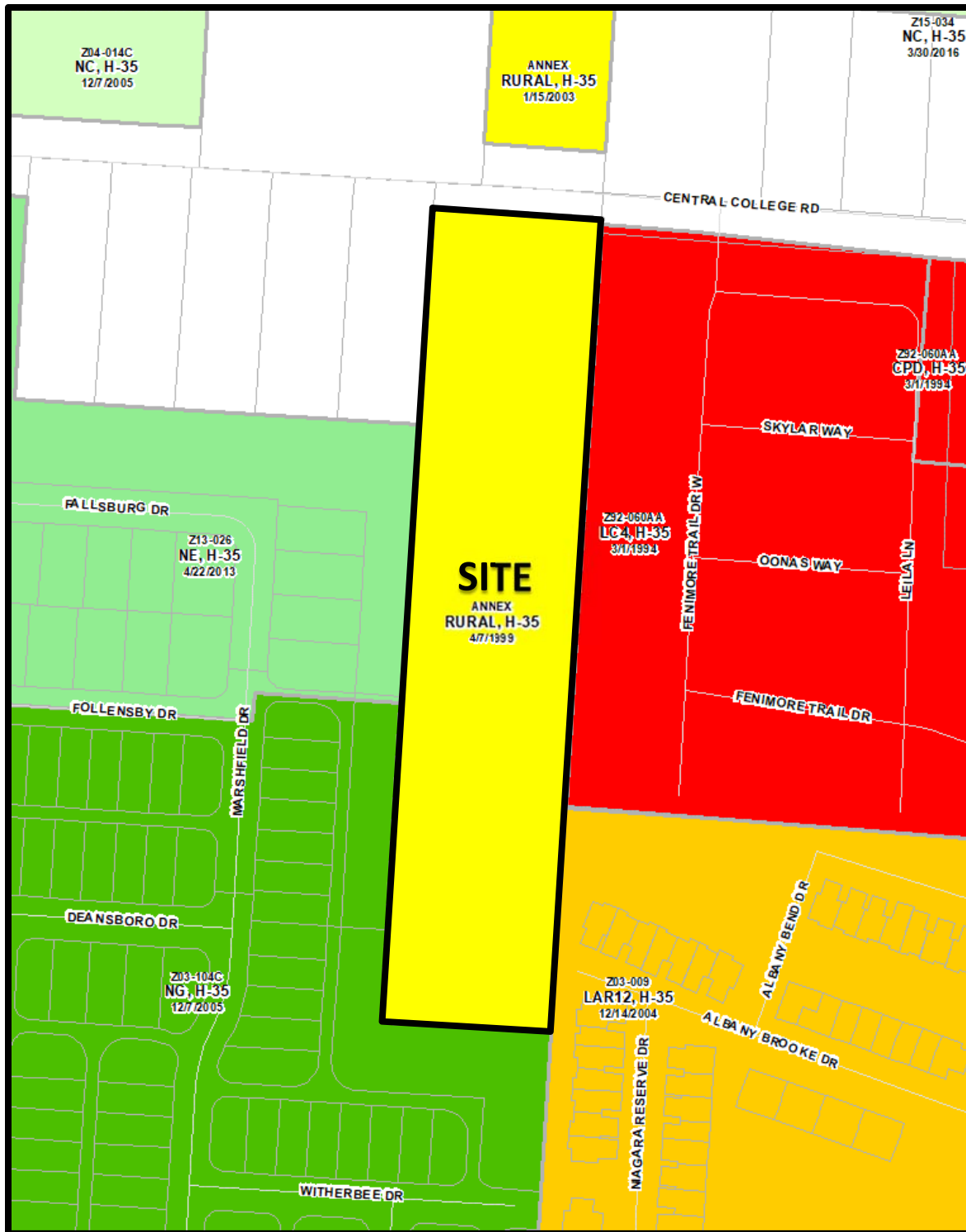
The requested variance will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the city.

The Applicant respectfully requests the Columbus City Council weigh these factors in its consideration and find that this Applicant suffers from a practical difficulty. This variance will not seriously affect any adjoining property or the general welfare. Further, the spirit and intent behind the zoning requirements would be observed and substantial justice done by granting the requested variances.

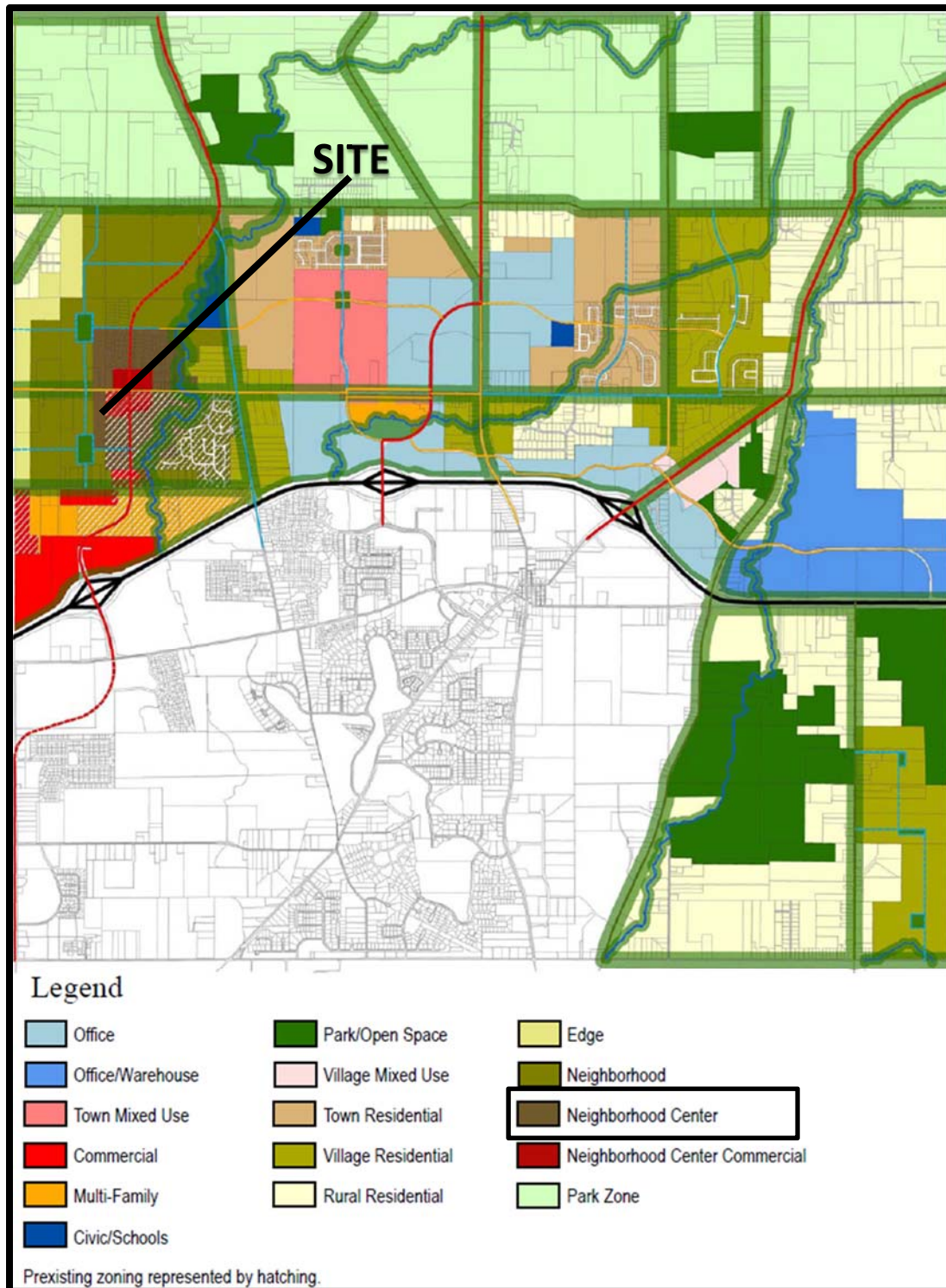
Respectfully submitted,



Michael Shannon



CV22-054
5159 Central College Rd.
Approximately 5.0 acres



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Approximately 5.0 acres



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Approximately 5.0 acres

**THE ROCKY FORK BLACKLICK ACCORD
IMPLEMENTATION PANEL
August 18, 2022
RECORD OF PROCEEDINGS**

Z22-040& CV22-054 (5159 Central College Rd):

Review and action regarding a Columbus application to rezone, with variances, a site generally located west of Hamilton Rd, north of Warner Rd, east of Lee Rd.

<i>Acreage:</i>	<i>19.24 ac +/-</i>
<i>Current Zoning:</i>	<i>R, Rural (Annexation Pending)</i>
<i>RFBA District:</i>	<i>West Village-Neighborhood Center</i>
<i>Proposed Zoning:</i>	<i>L-AR-1 (H-35)</i>
<i>Applicant(s):</i>	<i>The Robert Weiler Company; C/O Michael Shannon, Atty.</i>
<i>Property Owner(s):</i>	<i>M/I Homes of Central Ohio LLC</i>

STAFF COMMENTS:

The proposal was considered for conceptual review at the July meeting, where panel comments surrounding connectivity, traffic, and preservation of natural resources were noted. The applicant has taken steps to address this feedback in their revised site plan.

It is the opinion of staff that for reasons of a density appropriate for the area's emerging development pattern, the applicant's responsiveness to panel and staff feedback with site revisions, and a site design that generally adheres to the spirit of the Accord, this proposal is recommended for approval.

MOTION:

To recommend approval of a City of Columbus rezoning and council variance applications within the Accord study area as presented.

RESULT:

This motion was approved (7-0-0)

Mr. Brubaker	Yes
Mr. Chapplear	Yes
Mr. Herskowitz	Yes
Mr. Harper	Yes
Mr. Smithers	Yes
Mr. Paul	Yes
Mr. Sellers	Yes

Council Variance Application

111 N Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV22-054

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

Being first duly cautioned and sworn (NAME) Eric Zartman

of (COMPLETE ADDRESS) 8000 Walton Parkway, Suite 260, New Albany, Ohio 43054

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 (including contact name and number)
Business or individual's address; City, State, Zip Code
Number of Columbus-based employees
(Limited to 3 lines per box)

1. The Robert Weiler Company 10 N. High Street, Suite 401 Columbus, OH 43215	2. Marjorie Bevelhymer, Tr. 5159 Central College Road Westerville, OH 43081
3.	4.

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

SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 25th day of May, in the year 2022

SIGNATURE OF NOTARY PUBLIC

My Commission Expires

Notary Seal Here



KIMBERLY R. GRAYSON
Notary Public, State of Ohio
My Commission Expires
01-11-2026

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