

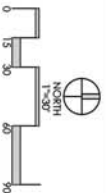
**SITE DATA**  
+/- 1.993 ACRES  
60 UNITS  
106 PARKING  
±1.77 SPACES/UNIT

**DEVELOPMENT PLAN**

**KENDALL PARK II**

PREPARED FOR PREFERRED LIVING  
DATE: 4.27.20

*Eric Szymanski* 10-7-20



**Farris Planning & Design**  
LAND PLANNING  
3401 N. 28th Street  
P.O. Box 487184  
SKW 401  
www.farrisplanning.com  
LANDSCAPE ARCHITECTURE  
COLUMBUS, OH 43215

Final Site Plan Received 10/7/20

CV20-030

### STATEMENT OF HARDSHIP

Application No.: CV20-20-030  
Location: 4660 KENNY ROAD (43220), located east of Kenny Road and north of Weybridge Road North (010-129794); Northwest Civic Association.  
Existing Zoning: L-AR-1  
Proposed Zoning: AR-1  
Proposed Height: H-60  
Request: Variances concurrent with rezoning to accommodate planned redevelopment with site plan and architectural commitments.  
Proposal: Multi-family residential development.  
Applicant(s): Kenny Road Storage, LLC  
750 Communications Parkway  
Columbus, Ohio 43214  
Attorney/Agent: David Hodge  
8000 Walton Parkway, Suite 260  
New Albany, Ohio 43054  
Property Owner(s): Applicant  
Date of Text: October 7, 2020

The Applicant submits this Statement of Hardship in support of its companion Council Variance Application.

The site is located east of Kenny Road and north of Weybridge Road North (010-129794). The site is bordered by City property zoned M-1 on the south (warehouse), CPD on the west (retail and restaurant), and L-AR-1 on the north (sister development to the proposed development). The site is bordered on the east by a railroad. The site is situated within the boundary of the Northwest Civic Association. The Site is also within the southeast quadrant of the Northwest Area Plan which recommends Mixed Use 1.

The site was rezoned from CPD and M-1 to L-AR-1 in 2016 (Z16-021) to permit the development of an apartment complex with 60 dwelling units with commitments to certain development standards and site plan. That rezoning was approved with a companion council variance (CV16-024) which reduced perimeter yards and maintained existing commercial vehicular access to adjacent properties.

The site was never developed pursuant to Z16-021 and CV16-024. The Applicant has redesigned the site plan with the same density but with an apartment house rather than an apartment complex. As a result, the proposed development provides more open space, more amenities, more parking, and reduced the lot coverage.

The Applicant respectfully request the following variances to develop the property as proposed:

1. Section 3333.02, AR-12, ARLD, and AR-1, apartment residential district use, prohibits vehicular access for commercial uses from being located on residentially zoned property, while the applicant proposes to maintain existing commercial vehicular access to adjacent properties.
2. Section 3333.24, Rear yard, requires each dwelling, apartment house or other principal building to be erected so as to provide a rear yard totaling no less than 25 percent of the total lot area, while the applicant proposes a minimum rear yard of 11 percent of the total lot area as shown on the site plan. Notably, the distance from the rear of the building to the rear property line is similar to that which was approved by Z16-021 and CV16-024, but perimeter yard is not a development standard available to an apartment house.
3. Section 3333.25, Side or rear yard obstruction, prohibits parking in the side or rear yard. The Applicant requests a variance to permit parking in the side and rear yards.
4. Section 3312.21, Landscaping and screening, requires any portion of a parking lot located within 80 feet of residentially zoned property to be screened on the perimeter affecting same. The Applicant requests a variance to eliminate the screening requirement along the north perimeter.

The Applicant submits that the requested variances will not adversely affect the surrounding property owners and denial of this variance would result in an unnecessary hardship. Indeed, maintaining the existing commercial vehicular access is for the benefit of the adjacent commercial property owner. It is significant to note that this is an existing use variance and that denial would render that adjacent commercial site without access.

The requested use variance will not impair an adequate supply of light and air to the adjacent property. Further, Applicant will work with all necessary divisions with the Department of Public Service to ensure that this development will not 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. Accordingly, that Applicant submits that denial of the requested use variance would result in an unnecessary hardship.

With respect to the requested variance to reduce rear yard, the Applicant also submits that the requested variance is warranted as a result of practical difficulties. The property has a unique shape because it is long and not very wide. Reducing the minimum rear yard allows the development to activate open space and amenity space on both sides of the apartment house, maximize the potential for parking spaces, and improve internal circuitry. The ability to provide two distinct open spaces on either side of the apartment house is preferable because it gives the tenants a choice for the activity they wish to participate and creates a feeling of more space. Combining the front amenity space with the rear yard would create congestion and reduce enjoyment.

The requested variances are not substantial. The rear yard which is permitted today as a result of Z16-021 and CV16-024 is substantially similar to the rear yard which is proposed by this

application. Different code sections are applicable due to the consolidation of dwelling units into a single apartment house, but the rear yard is practically the same. This condition which was deemed appropriate in 2016 should likewise be granted today. Further, the requested variances to eliminate the screening requirement along the north perimeter and to allow parking within the side and rear yard will not negatively affect any property owner because the property owner to the north is under the same umbrella of ownership as this property.

The essential character of the neighborhood would be not be substantially altered and whether adjoining properties would suffer a substantial detriment as a result of the variance. The only property owner technically affected by the requested reduced rear yard is the railroad company which runs along the rear of the site. The reduced rear yard will not affect the railroad operations. The neighborhood is a mix of commercial, industrial, and multifamily uses. The properties zoned manufacturing to the south do not require rear yards. The reduced rear yard allows the residential further separation from the commercial property to the west. The last neighbor to the north is a sister multifamily residential development. No neighbors will suffer a substantial detriment as a result of this variance.

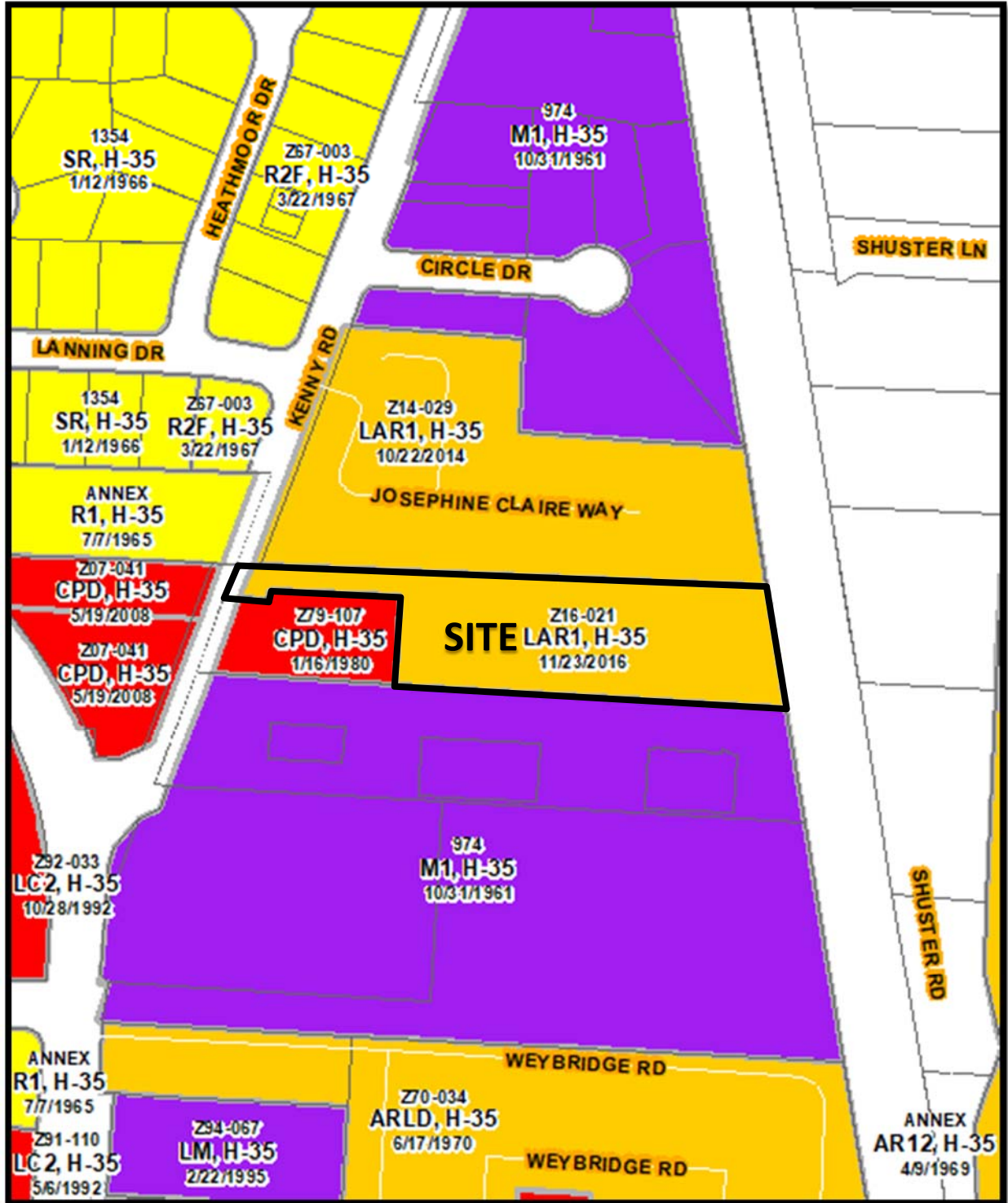
The Applicant's goal is to redevelop the site in a manner that is consistent with the Plan's development standards. The unusual and practical difficulty in carrying out the zoning district provisions with respect to building line and perimeter yard is a condition which warrants approval of variance concurrent to the rezoning request. Further, the requested variance is not substantial, nor will it cause substantial detriment to the neighborhood nor adjoining properties. The variance will not adversely affect the delivery of governmental services. Applicant respectfully submits that the intent behind the zoning requirements would be observed and substantial justice done by granting the requested variances.

Respectfully Submitted,

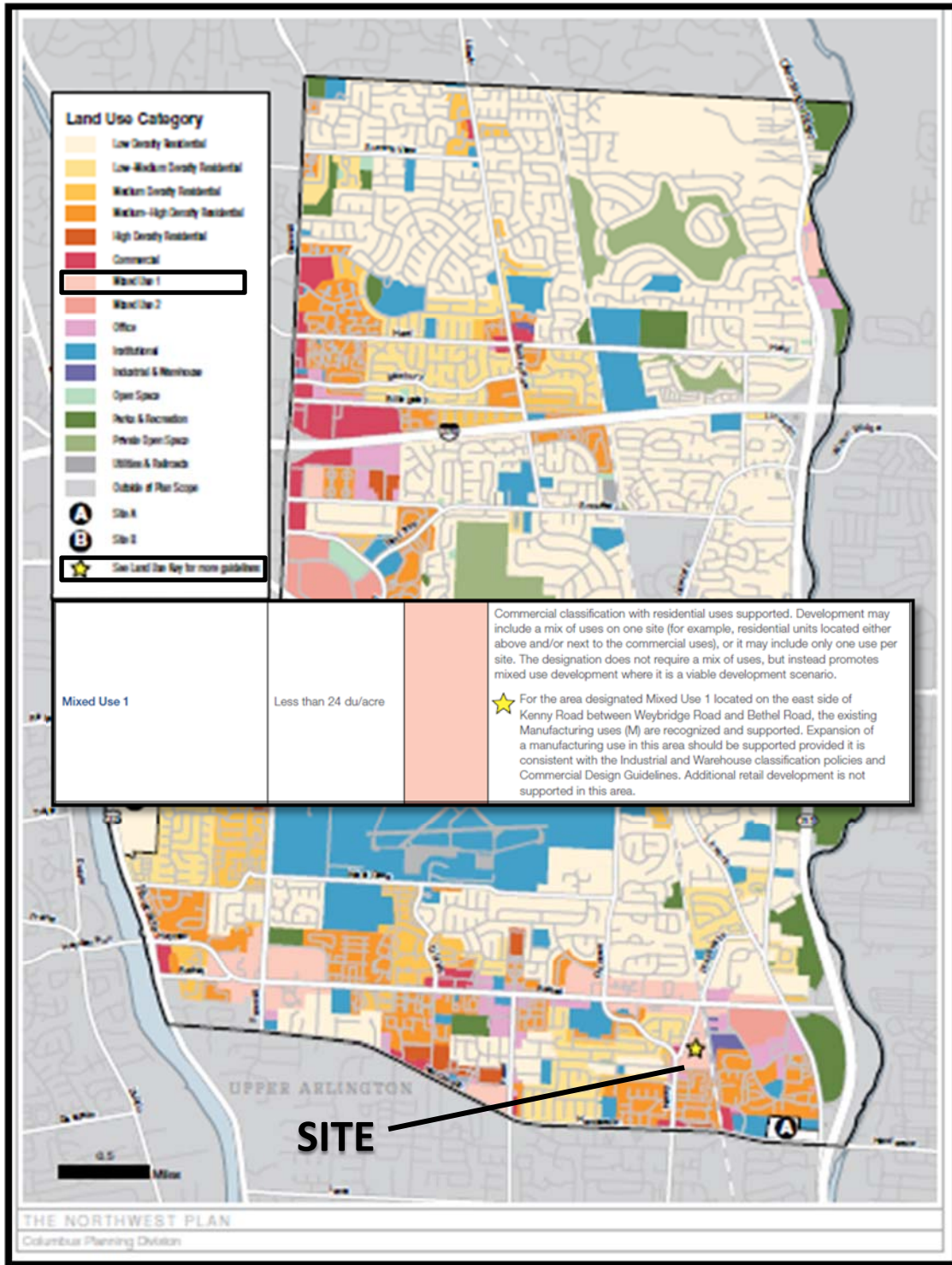


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David Hodge  
Attorney for Applicant



CV20-030  
4660 Kenny Rd.  
Approximately 1.99



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Approximately 1.99

# Standardized Recommendation Form

ORD #2806-2020; CV20-030; Page 9 of 10  
111 N. Front Street, Columbus, Ohio 43215

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

**FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW**  
(PLEASE PRINT)

**Case Number:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Group Name:** \_\_\_\_\_

**Meeting Date:** \_\_\_\_\_

**Specify Case Type:**

- BZA Variance / Special Permit**
- Council Variance**
- Rezoning**
- Graphics Variance / Plan / Special Permit**

**Recommendation:**

(Check only one and list basis for recommendation below)

- Approval**
- Disapproval**

**NOTES:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Vote:** \_\_\_\_\_

**Signature of Authorized Representative:** \_\_\_\_\_

SIGNATURE

RECOMMENDING GROUP TITLE

DAYTIME PHONE NUMBER

Please e-mail this form to the assigned planner within 48 hours of your meeting day; or FAX to Zoning at 614-645-2463; or MAIL to: Assigned Planner, City of Columbus, Department of Building & Zoning Services, 111 N. Front St, Columbus, OH 43215.





DEPARTMENT OF BUILDING AND ZONING SERVICES

Council Variance Application

111 North Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • www.columbus.gov • zoninginfo@columbus.gov

PROJECT DISCLOSURE STATEMENT

All parties having a 5% or more interest in the project that is the subject of this application should be listed. THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION #: CV20-030

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Eric Zartman
of (COMPLETE ADDRESS) Underhill & Hodge LLC, 8000 Walton Parkway, Suite 260, New Albany, OH 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 (include contact name and number)
Business or individual's address; City, State Zip Code
Number of Columbus based employees
(Limited to 3 lines per box)

Table with 2 columns and 2 rows for listing parties with interest in the project.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT [Signature]

Subscribed to me in my presence and before me this 4th day of November, in the year 2020

SIGNATURE OF NOTARY PUBLIC [Signature]

My Commission Expires: N/A

This Project Disclosure Statement expires six months after notarization.

Notary Seal Here



AARON L. UNDERHILL
ATTORNEY AT LAW
Notary Public, State of Ohio
My Commission Has No Expiration
Section 147.03 R.C.

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