

MINIMUM LOT SQUARE FOOTAGE = 6,240

1 SUBAREA A - TYPICAL LOT CONFIGURATION
SCALE: 1:30

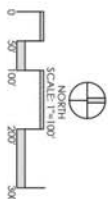
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SITE DATA - PUD 4

TOTAL SITE		± 34 ACRES
ACREAGE		
SUBAREA A 		
ACREAGE	± 29.7 ACRES	
UNITS	106	
DENSITY	± 3.54 U/AC	
OPEN SPACE REQUIRED (600 SF PER UNIT)	600' x 106' = 63,600 SF (1.14 AC)	
OPEN SPACE PROVIDED	± 63 AC (12,500 SF PER UNIT)	
SUBAREA B 		
ACREAGE	± 2.3 ACRES	
UNITS	2	
DENSITY	± 0.88 U/AC	
SUBAREA C 		
ACREAGE	± 1.8 ACRES	
UNITS	1	
DENSITY	± 0.55 U/AC	

DEVELOPMENT PLAN

CUBBAGE RD

PREPARK
DATE: 5.21.2025

Paris Planning & Design

LAND PLANNING • LANDSCAPE ARCHITECTURE

4874 Cemetery Road
D 16149 487.1794
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Hilford, OH 43026

5-12-25

**CITY COUNCIL – ZONING COMMITTEE
STAFF REPORT
COUNCIL VARIANCE**

APPLICATION: C25-020
Location: 7444 CUBBAGE RD. (43081), being 34± acres located on the east side of Cubbage Road 2,400± feet north of Central College Road (110-006075, 600-318726, 600-318728, 600-318729, and 600-318727; no area commission).
Request: R-1, Residential District (H-35).
Proposed Use: Single-unit residential development.
Applicant(s): EC New Vision Ohio, c/o Michael Shannon, Atty.; 8000 Walton Parkway, Suite 120, New Albany, OH 43054.
Property Owner(s): Ciminello Land Co, LLC; 7858 Calverton Square, New Albany, OH 43054.
Planner: Dane Kirk; 614-645-7973; DEKirk@Columbus.gov

BACKGROUND:

- The site consists of portions of two parcels which are developed with single-unit dwellings in the R-Rural District. The applicant has received a recommendation of approval from Staff and the Development Commission for a concurrent rezoning (ORD #1485-2025; Z25-009) to the R-1, Residential District on 4.1 acres, known as Subareas B and C. That application also included Subarea A, a rezoning to the PUD-4, Planned Unit Development District to allow for the development of up to 106 single-unit dwellings on 29.9 acres.
- The Council Variance is necessary because the request would result in the existing single-unit dwellings in Subareas B and C not fronting a public street.
- North and south of the site are single-unit dwellings in the R-1, Restricted Suburban Residential District under the jurisdiction of Blendon Township. East of the site are single-unit dwellings in the PUD-4, Planned Unit Development District. West of the site is the Hoover Reservoir Park which is located within the jurisdiction of Blendon Township within the P, Parkland District.
- The applicant has received a recommendation of approval from Staff and from the Development Commission for concurrent rezoning request Z25-009.
- The site is not located within the boundaries of an area commission.
- Staff concurs with the applicant's analysis of the seven practical difficulties in achieving this proposed development.

CITY DEPARTMENTS' RECOMMENDATION: Approval

The requested Council variance will allow the existing single-unit dwellings to not front a public street. Staff are supportive of the proposal, as it is technical in nature, resulting from the proposed lot split facilitating the broader subdivision development. The lack of public road frontage is mitigated by the fact that Subarea B will have access to Cubbage Road through

Subarea A's private street network while Subarea C will have access to Cubbage Road through an existing driveway and access easement through adjacent parcels.

Council Variance Application

111 N Front Street, Columbus, Ohio 43215

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STATEMENT OF HARDSHIP

Columbus City Code Section 3307.10 - Variances by City Council.

City council may grant the following zoning variances:

- A.** Permit a variation 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 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 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.

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.

The following factors shall be used in determining whether the applicant has encountered practical difficulties in the use of the property. Respond to the following statements:

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance.

Yes No

2. Whether the variance is substantial.

Yes No

3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.

Yes No

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DEPARTMENT OF BUILDING
AND ZONING SERVICES

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4. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse service).

Yes No

5. Whether the property owner purchased the property with knowledge of the zoning restriction.

Yes No

6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.

Yes No

7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.


Yes No

List all sections of Code to be varied and explain your reasoning as to why this request should be granted.

NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are not included, a new application (and applicable fees) will be required.

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(s) requested as detailed below (use separate page if needed or desired):

Signature of Applicant



Date

STATEMENT IN SUPPORT

PROPOSED DISTRICT: PUD-4, Planned Unit Development District
PROPERTY ADDRESS: 7444 Cabbage Road
PARCELS: 600-318726 and 600-318727
PROPERTY OWNERS: Jon-David and Jodi Charlton; Earl and Stephanie Yeager,
APPLICANT: EC New Vision Ohio, LLC
DATE OF TEXT: April 16, 2025
APPLICATION: CV25-020

The Applicant submits this statement in support of its council variance application.

The Applicant submitted a rezoning application concerning a 34 +/- acre, 5-parcel site located on the east side of Cabbage Road in north Columbus. Part of the site was recently annexed from Blendon Township to the City of Columbus. The site is mostly vacant but part is used for single-family residential and accessory uses.

The Applicant proposes rezoning this site into three subareas and requests an area variance to allow lot splits along subarea lines. If approved, the site would result in the following:

Subarea A – Zoned PUD-4; 29.9 +/- acres; 106 lots

Subarea B – Zoned R-1; 2.3 acres; 2 lots

Subarea C – Zone R-1; 1.8 acres

The primary purpose of the companion rezoning application is to establish entitlements for a proposed PUD-4 residential development. However, the Applicant must also address Subareas B and C, which are essentially remainder tracts left over from the Subarea A PUD development. The Applicant proposes rezoning Subareas B and C to R-1 to complement and legitimize their existing uses.

The site is not situated within the boundary of an Area Commission or an adopted plan.

Subareas B and C are the subject of this companion council variance application. The Applicant requests the following variance for those subareas to allow the proposed lot splits:

1. Section 3332.19 – Fronting. The Applicant requests a variance to allow dwellings or principal buildings which do not front upon a public street.

City Council may permit a variation in the yard, height or parking requirements of any district in conjunction with a use variance and where there are unusual and practical difficulties in the carrying out of the zoning district providing such variance will not seriously affect any adjoining property or the general welfare.

As discussed above, Subareas B and C are essentially remainder tracts which were not included within the primary Subarea A PUD-4 residential development. The Applicant is experiencing an

unusual and practical difficulty because these remainder tracts will no longer have frontage to Cubbage Road as a result of the lot split. The only manner to alleviate this difficulty is to request a variance to allow these properties to exist without having frontage on a public road.

The requested variance is necessary to ensure that the property may yield a reasonable return and realize a beneficial use of the property. The owners of these properties desire to sell a major portion of their property to the developer but wish to split out their existing homes and remain on the property.

This variance is not substantial because both subareas will still have access to a public road. Subarea B will have access through Subarea A's private street network to Cubbage Road. Subarea C will have access to Cubbage Road through an existing driveway and access easement through adjacent parcels 110-001002 and 110-002994 (Franklin County Recorder, Instrument 195607140012816).

The requested variance will not alter the essential character of the neighborhood nor cause adjacent property owners to suffer a substantial detriment. The variance is requested so that the property owners can maintain and preserve their existing homes. These homes are already part of the character of the neighborhood and lack of private road frontage will not cause adjacent property owners any detriment.

The Applicant believes that the requested variance will not seriously affect any adjoining property or the general welfare because the requested variance only affect this property and the proposed development.

The Applicant respectfully requests that City Council weigh these factors in its consideration, determine that the variance is within the spirit and intent behind the zoning code, and grant the requested variance.

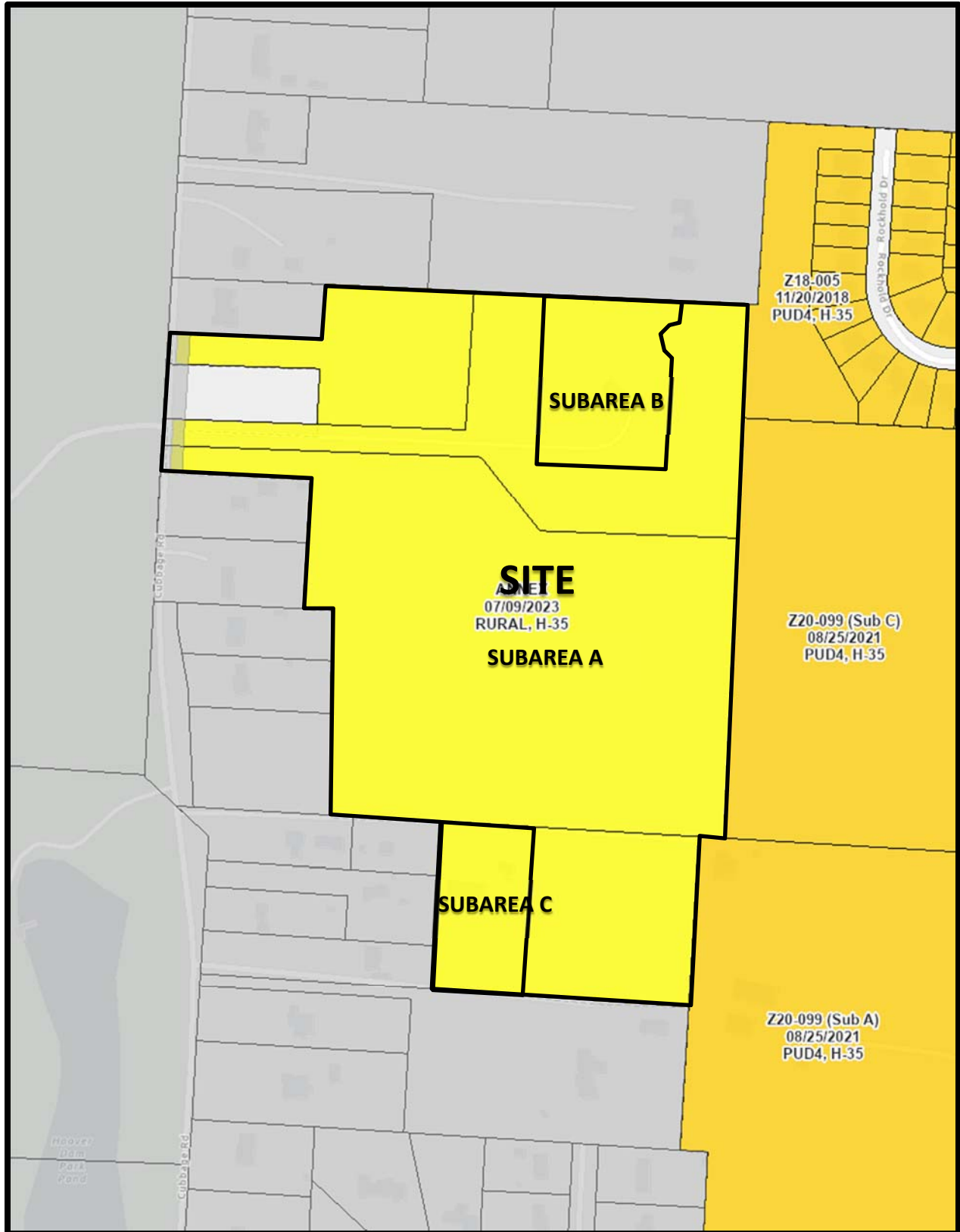
Respectfully,

A handwritten signature in blue ink, appearing to read "Michael T. Shannon", with a long horizontal flourish extending to the right.

Michael T. Shannon



CV25-020
7444 Cubbage Rd.
Approximately 4.31 acres



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7444 Cubbage Rd.
Approximately 4.31 acres



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PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV25-020

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 120 New Albany, Ohio 43054

deposes and states that they are 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:

For Example: Name of Business or individual
 Contact name and number
 Business or individual's address; City, State, Zip Code
 Number of Columbus-based employees

1. EC NEW VISION OHIO 500 STONEHENGE PARKWAY DUBLIN OH 43017	2. JON-DAVID CHARLTON, JODI M CHARLTON 7356 CUBBAGE RD WESTERVILLE OH 43081
3. EARL T YEAGER, STEPHANIE YEAGER 7444 CUBBAGE RD WESTERVILLE OH 43081	4.

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

SIGNATURE OF AFFIANT 

Sworn to before me and signed in my presence this 26 day of Feb, in the year 2025


SIGNATURE OF NOTARY PUBLIC

January 26, 2030
My Commission Expires

Notary Seal Here



ELIZABETH CARON
Notary Public, State of Ohio
My Commission Expires
January 26, 2030

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