



*Das J Hedge attorney
November 13, 2018*

SITE DATA

TOTAL ACRES	± 13.3 ACRES
TOTAL UNITS	240 UNITS
SURFACE PARKING	426 SPACES
GARAGE PARKING	54 SPACES
TOTAL PARKING	480 SPACES
PARKING	± 2.0 SPACES/D.U.

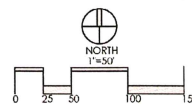
ILLUSTRATIVE CONCEPT PLAN

CV18-062 FINAL RECEIVED 11/13/18

MAGNOLIA TRACE

PREPARED FOR THE OXFORD CIRCLE DEVELOPMENT

DATE: 11/14/18



Faris Planning & Design

LAND PLANNING • LANDSCAPE ARCHITECTURE
243 N. 5th Street Suite 401 Columbus, OH 43215
p (614) 487-1944 www.farisplanninganddesign.com

STATEMENT OF HARDSHIP

Property Address: 5721 Cherry Bottom Road
Parcel ID: 111-298104, et al.
Property Owners: BZ Management Partners, et. al
Applicant: Oxford Circle LLC
Attorney: David Hodge
 Underhill & Hodge LLC
 8000 Walton Parkway, Suite 260
 New Albany, Ohio 43054
 david@uhlfirm.com

Date of Text: November 5, 2018

Applicant submits this Statement of Hardship in support of its companion Council Variance Application. The subject property consists of 13.3+/- acres located on the west side of Cherry Bottom Road, across from Blendon Woods Metro Park. The site was recently annexed from Blendon Township to the City of Columbus, effective April 2018, and is currently zoned R. This Council Variance application is being filed with a companion Rezoning Application requesting to rezone the property to AR-1.

The Site is bordered west by property which was annexed with the subject property and to remain zoned R, on the north by AR-12, on the east and across Cherry Bottom Road by Blendon Woods Metro Park, and on the south by Blendon Township property zoned R-8.

The Site is not situated within a Commercial Overlay, Planning Overlay, or Area Commission. The Site is situated within the boundary of the Northland Community Council and subject to the Northland Plan: Volume II. The Plan's General Use Guidelines provide that, for undeveloped land located in residential areas:

- zoning be used to protect residential neighborhoods from intrusion by commercial and manufacturing uses.
- zoning be used to encourage new development to be sensitive to density, buffering, traffic and circulation pattern, and architectural details of the surrounding area.
- all appropriate agencies be contacted in order to reserve adequate land for parks, recreation facilities, and schools in major rezoning areas.
- infill developments compatible with their surroundings be encouraged.

Applicant proposes the development of a multi-family residential apartment development at a density of approximately 18 dwelling units per acre. However, please note that the Applicant is in discussions with the City's Parks Department to donate property along Big Walnut Creek which was previously annexed with the subject property. This land along Big Walnut Creek has been long sought by the City's Parks Department to extend a trail along the creek. Were Applicant to keep this property and include it with this application, the density for the development would be approximately 10 units per acre.

Applicant is committing to the Site Plan submitted with this application. To deliver a development consistent with the Guidelines of the Plan, Applicant respectfully requests the following variances:

1. 3333.18(B) – Building Line – Cherry Bottom Road is a 4-2 Arterial with a 100-foot right-of way and the Code, therefore, requires a minimum building line of 50 feet from Cherry Bottom Road. Applicant requests a variance to decrease the building line to a minimum of 17 feet from Cherry Bottom Road. Please note that the building line shall effectively be 25 feet. However, this project proposes eight-foot balconies which have a foundation and therefore must be considered for the purpose of establishing a building line.

Applicant respectfully submits that the requested area variance is the result of unusual and practical difficulties and/or unusual hardships. The Applicant originally designed a development which did not require a building line variance. However, after working with the City’s Planning Department, it was recommended to the Applicant that parking should be removed from Cherry Bottom Road frontage and relocate the westernmost building closer to Cherry Bottom Road. As a result, the development’s design improved, and the Cherry Bottom Road streetscape is far less affected.

The Applicant’s goal is to redevelop the site in a manner that is consistent with the land use plan’s design principles. This unusual and practical difficulty, and unusual hardship in carrying out the zoning district provisions are conditions which warrant the approval of variances concurrent to a rezoning request. 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.

Oxford Circle LLC

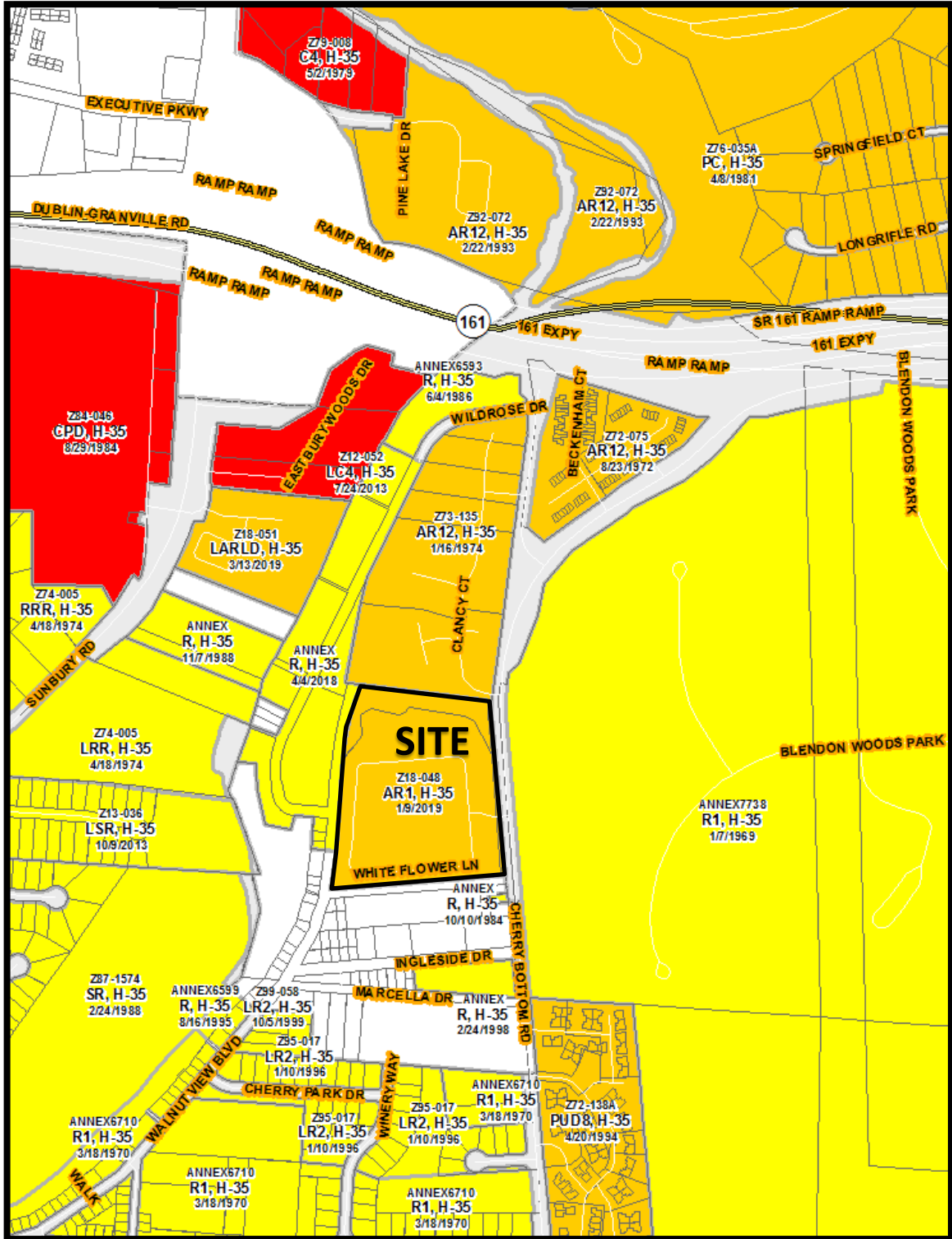
By: David Hodge, Attorney for Applicant

Signature of Applicant:

David Hodge (ESZ)

Date:

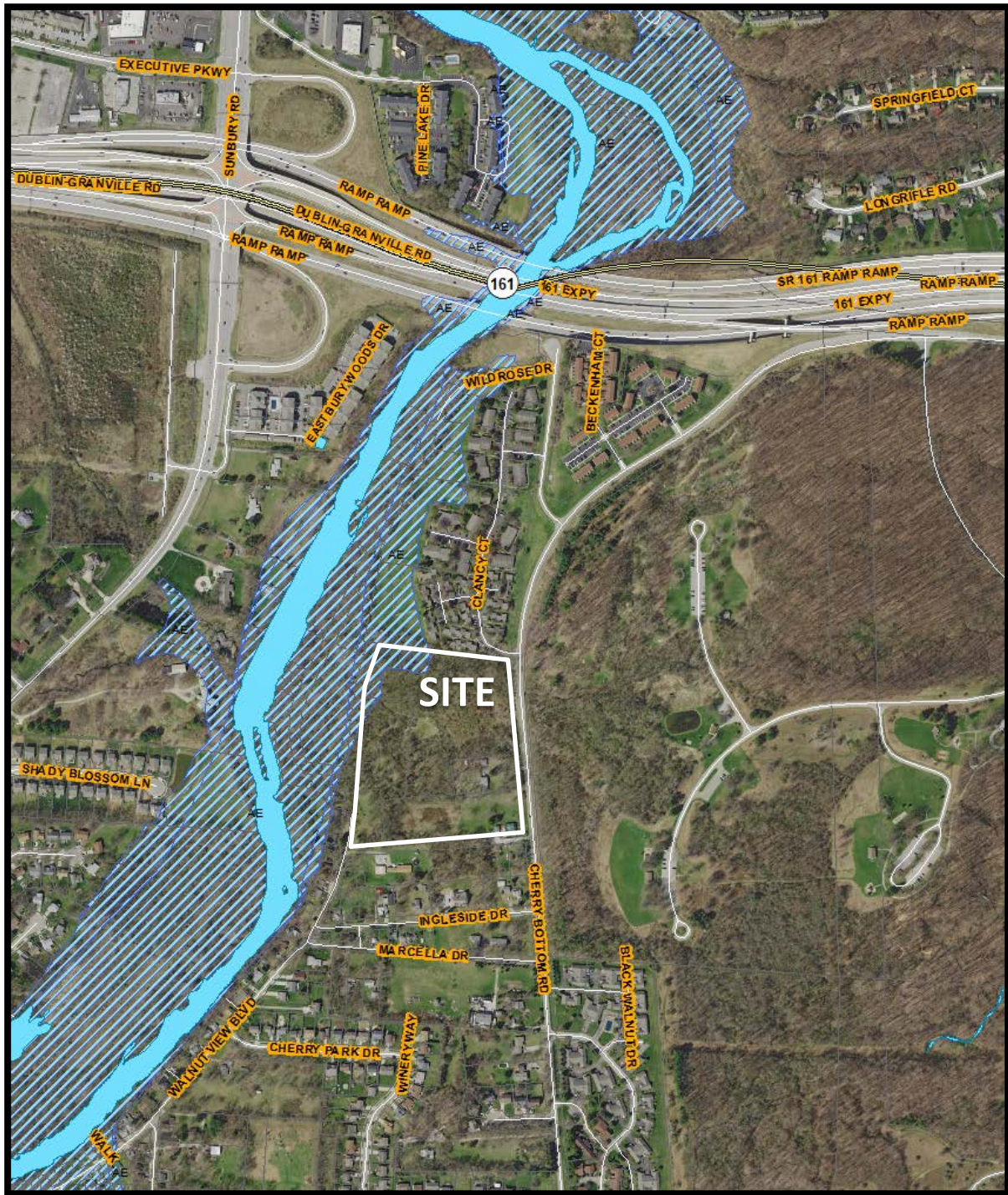
11-20-18



CV18-062
 5721 Cherry Bottom Road
 Approximately 13.3 acres



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Northland Community Council
Development Committee

Report

August 29, 2018 6:30 PM
Franklin County Job and Family Services
(Use south entrance)
1721 Northland Park Avenue (43229)

Meeting Called to Order: 6:30 pm by chair Dave Paul

Members represented:

Voting: (18): Albany Park (APHA), Asherton Grove (AGCA), Clinton Estates (CECA), Cooper Woods (CWCA), Devonshire (DCA), Forest Park (FPCA), Friendship Village (FVRA), Karmel Woodward Park (KWPCA), Lee/Ulry (LUCA), Maize/Morse Tri-Area (MMTACA), Northland Alliance (NA), Northland Area Business Association (NABA), Preston Commons (PCHA), Rolling Ridge (RRSHA), Salem (SCA), Sharon Woods (SWCA), Village at Preston Woods (VPW), Woodstream East (WECA).

Case #3: Application #Z18-048/CV18-062 (Rezone 13.3 AC± from R Residential to AR-1 for a new 240-unit multi-family development (±18 du/acre); concurrent Council variance from §3333.18(B) to reduce building line on Cherry Bottom Road from 50 feet to 25 feet)

David Hodge/Underhill and Hodge LLC *representing*
Oxford Circle LLC
5721 Cherry Bottom Road, 43230 (111-298102 *et al*)

- *The Committee approved (16-0 w/ 2 abstentions) a motion (by WECA, second by PCHA) to:*

RECOMMEND APPROVAL of the application for rezoning Z18-048;

and to:

RECOMMEND DISAPPROVAL of a variance from §3333.18(B) as requested in CV18-062.

Rezoning Application

111 North Front Street, Columbus, Ohio 43215

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

DEPARTMENT OF BUILDING
AND ZONING SERVICES

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 #: CV18-062A

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
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)

<p>1. Jurisprudent Holdings LLC 8000 Walton Parkway, Suite 260 New Albany, Ohio 43054</p>	<p>2. Magnolia Trace, LLC 470 Olde Worthington Road, Suite 101 Westerville, Ohio 43082</p>
<p>3.</p>	<p>4.</p>

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

[Handwritten signature of Eric Zartman]

Subscribed to me in my presence and before me this 11th day of October, in the year 2019

SIGNATURE OF NOTARY PUBLIC

[Handwritten signature of Kimberly R. Grayson]
1-11-2021

My Commission Expires:



KIMBERLY R. GRAYSON
Notary Public, State of Ohio
My Commission Expires
January 11, 2021

My Statement expires six months after date of notarization.

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