



STATEMENT OF HARDSHIP

Chapter 3307 of Columbus Zoning Code
Section 3307.10 Variances by City Council

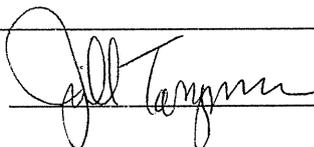
- A. Permit a variance in the yard, height, or parking requirement of any district only in conjunction with a change in zoning or a use variance and only where there are unusual and practical difficulties or unusual hardships in the carrying out of the zoning district provisions due to an irregular shape 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 the public health safety, comfort, morals, or welfare of the City of Columbus.

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.

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 requested as detailed below:

See attached.

Signature of Applicant  Date 2/27/2012

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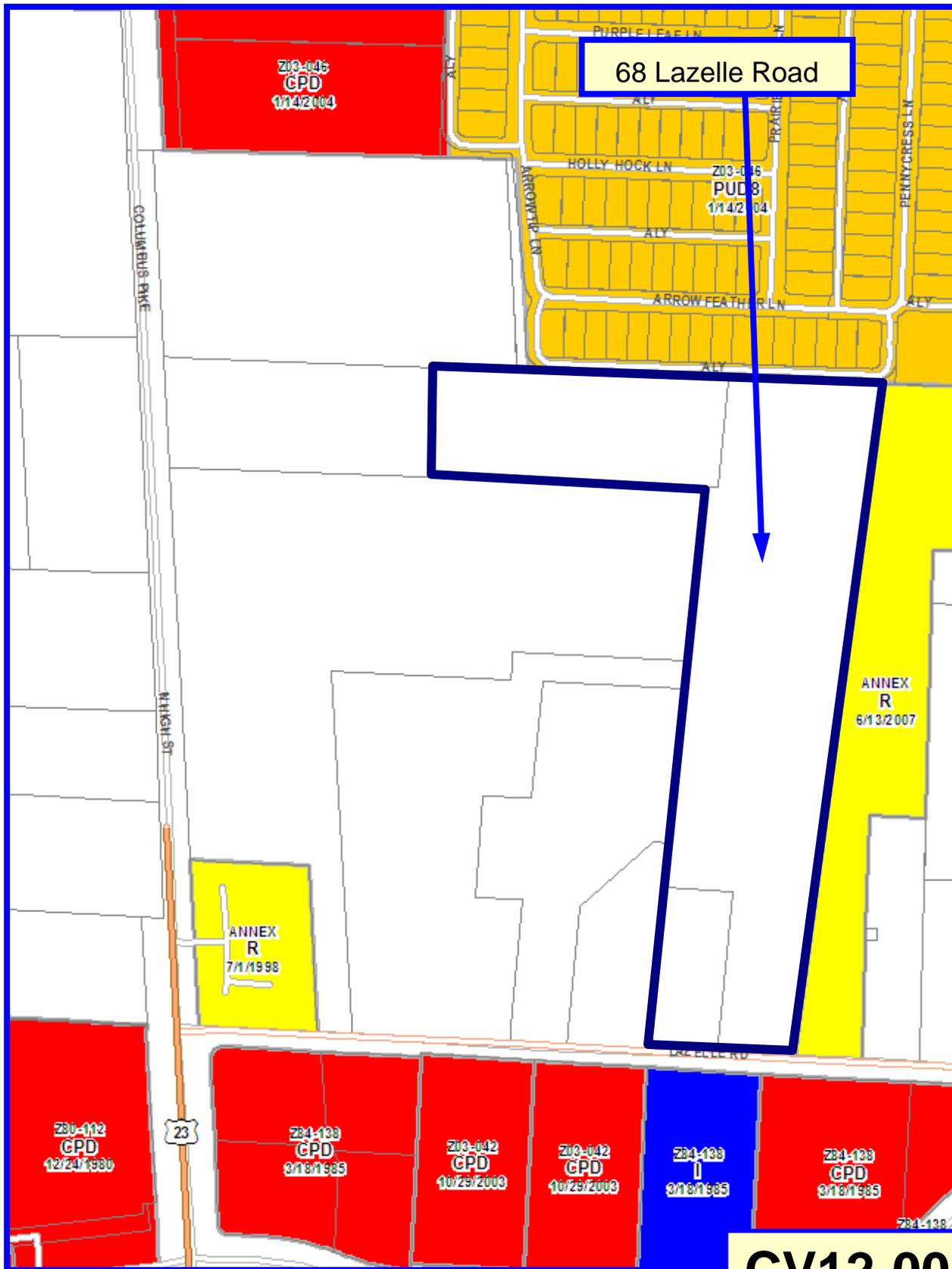
Property Address: 68 Lazelle Road

Applicant: Metro Development LLC

The subject site is 9.2 +/- acres on Lazelle Road, which is being rezoned by the Applicant to L-ARLD (Application Z12-002). 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 (including the west side yard connected to the proposed commercial zoning) and the east side yard set-back as ten (10) feet, as opposed to the twenty-five (25) feet for a perimeter yard required in the ARLD district. Notwithstanding the foregoing, the Applicant intends to commit to the site plan and buildings will be placed as identified on the site plan.

The subject site has significant natural features, including a stream and some mature tree stands. In addition, that portion of the site which fronts on Lazelle Road is very narrow. In order to protect these natural features but to allow the site to remain developable, the applicant has placed buildings close to the east and west property lines. The location of the buildings allows the stream to remain untouched and some trees to be preserved. There is no significant impact on the neighboring property owners as a result of this variance request. A similar stream branch runs along the property line on the parcel to the east of the subject site. Because the stream on this neighboring property will need to be protected, it is more than 100 feet between the subject site's property line and the eastern edge of the stream corridor on the neighboring property to the east. Similarly, there is a stream on the neighboring property to the west which will limit development along the contiguous property lines.

In this case, a perimeter yard of 25 feet isn't possible. In order to accommodate a 25-foot perimeter yard, the applicant would have to impact the stream and would not have the ability to retain trees. While it is important to protect the natural features of this site, the property owner has the right to develop the property. By allowing for this variance, the natural features of this site can be preserved and the site can be developed.



CV12-005





BOARD OF ZONING ADJUSTMENT APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services

757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.columbus.gov

STANDARDIZED RECOMMENDATION FORM

FOR USE BY: AREA COMMISSIONS / CIVIC ASSOCIATIONS / ACCORD PARTNERS

GROUP NAME FNCCC MEETING DATE 10/2/2012

CASE NUMBER CV12-005 companion to Z12-002 Case Type Variance Special Permit

ZONING ADDRESS 68 Lazelle Road APPLICANT Metro Development LLC

PERSON[S] REPRESENTING APPLICANT AT MEETING 3

CONDITIONS REQUESTED BY GROUP (Add continuation sheet if needed)

Applicant Response

	Yes	No
1. _____	<input type="checkbox"/>	<input type="checkbox"/>
2. _____	<input type="checkbox"/>	<input type="checkbox"/>
3. _____	<input type="checkbox"/>	<input type="checkbox"/>
4. _____	<input type="checkbox"/>	<input type="checkbox"/>
5. _____	<input type="checkbox"/>	<input type="checkbox"/>
6. _____	<input type="checkbox"/>	<input type="checkbox"/>
7. _____	<input type="checkbox"/>	<input type="checkbox"/>
8. _____	<input type="checkbox"/>	<input type="checkbox"/>

Recommendations

Approval Disapproval Conditional approval (list conditions and applicant response above)
 Explain the basis for the Approval, Disapproval or Conditional Approval below (Add continuation sheet if needed)

See attachment

Recommending Commission / Association / Accord Partner Vote: For 12 Against 0

Signature / Title of Authorized Representative Gloria J. Thomas - President FNCCC

Daytime phone number 614-781-0064

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

Attachment for CV12-005 Hardship Application, Companion to Z12-002
Submission Date: 10/2/2012
Location 68 Lazelle Road (43235)

FNCCC trustees designated by 12 – 0 in favor to **Approve with all conditions**¹

- Install 4-rail ranch (color) white vinyl fencing on property aligning Mr. Robert Rice's property and the proposed development.



The following conditions were stipulated in Z12-002 and will continue as a companion to CV12-005. Specifically items 1, 2, 3, 5 and mentioned below #4

- To address miniscule setbacks that violates city code. Setback on west will be minimum of 15-feet and other building setbacks remain as current plan or conform to the city-mandated 25-foot setback.

Furthermore, we believe -

This development and the applicant should be held to the same guidelines as everyone else. The proposed precedent being set will provide unnecessary momentum for a desire by others to overbuild future developments. This action skews the established level playing field that should remain consistent, especially in new-site development planning.

¹ FNCCC trustees designated by 12-0 in favor to Approve with all Conditions (10/2/2012)



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 # CV12-005

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

Metro Development LLC 470 Olde Worthington Road Westerville, Ohio 43082 614-540-2400 0 Columbus Employees	

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 12th day of November, in the year 2012
SIGNATURE OF NOTARY PUBLIC Michelle L. Parmenter
My Commission Expires: _____

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

Notary Seal Here



MICHELLE L. PARMENTER
Notary Public, State of Ohio
My Commission Expires
10-16-2017