

UNIT A: 2 BEDROOM TOWNHOME: 20 UNITS
UNIT B: 3 BEDROOM TOWNHOME: 10 UNITS
UNIT C: 2 BEDROOM TOWNHOME: 5 UNITS
TOTAL UNITS: 41 UNITS

1 LANDSCAPE PLAN
SCALE: 1/8" = 1'-0"



L101

LANDSCAPE PLAN
10 NOV. 2022

40 SCALE: AS NOTED
PROJECT NO. 21025

These drawings are the property of the Architect and are not to be used for any other project without the written consent of the Architect. The Architect assumes no responsibility for the construction of the project.

SEAL/SIGNATURE
ZONING REVIEW

5695877 CLARENCE AVE.
COLUMBUS OHIO 43231

PROJECT NAME:
PROPOSED APARTMENT DEVELOPMENT

LANDSCAPING NOTES

- 1. EXISTING LOT SPACING TREES
- 2. 1" D. WHITE PINE TREES - 10' x 4' TREES
- 3. 1" D. WHITE PINE TREES - 10' x 4' TREES
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- 100. 1" D. WHITE PINE TREES - 10' x 4' TREES

F5 DESIGN/ARCHITECTURE INC.
1800 ALBANY, OHIO 43204
WWW.F5DESIGN.COM
TEL: 614.224.4545

Exhibit A**Council Use Variance – 5869-5877 Cleveland Avenue, Columbus, Ohio 43229****Area Variances (Practical Difficulties)**

Applicant is the owner of two (2) parcels of real property located at 5869-5877 Cleveland Avenue, Columbus, Ohio 43229, known as Franklin County Auditor Tax Parcel Id. No. 010-201611 and 010-201608 (collectively, the “Property”). The Property is currently improved with an approximately ten thousand (10,000) square foot office building and a surface parking lot. Approximately 1.73 acres of the Property is vacant. The majority of the Property is zoned C-2 and a portion near Brady Drive is zoned LAR-12. The properties to the east are zoned C-2 and the properties to the north, south, and west are zoned LAR-12 (there is also a church to the north of the Property that is zoned R-1). Applicant has filed a rezoning application in conjunction with this council variance application in order to demolish the office building and construct forty-one (41) apartment units, landscaping and amenities, and surface parking, as shown on the site plan dated November 10, 2022 (the “Site Plan”). Applicant is requesting two (2) area variances in conjunction with the rezoning request.

Area Variances Requested

1. City of Columbus Zoning Code Section 3333.10 provides that no building in the AR-12 district shall be erected except on a lot of record with an area that equals or exceeds 3,600 square feet in area per dwelling unit. After the dedication of approximately 2,300 square feet for right-of-way, the Property will be approximately 114,619 square feet, which would permit 40.12 units in the AR-12 district. Applicant is requesting a variance to permit forty-one (41) units on the Property, which complies with City of Columbus Zoning Code Section 3333.10 prior to the right-of-way dedication.
3. City of Columbus Zoning Code Section 3333.255 provides that a perimeter yard width is determined by computing ten percent (10%) of the average lot width. A perimeter yard must be a minimum of ten feet (10') wide but is not required to exceed twenty-five feet (25') in width. Applicant is requesting a variance from the required twenty-five foot (25') perimeter yard in order to permit a minimum perimeter yard of ten feet (10'), as depicted on the Site Plan. This variance shall apply to vehicle circulation areas, not buildings.

Practical Difficulties Standard

1. Whether the property will yield reasonable return or whether there can be any beneficial use of the property without the variances.

The variance requests are reasonable due to the Property shape and character of the neighborhood. The Property is located between, and connects to, Cleveland Avenue and Brady Drive. While the center of the Property is approximately two hundred and thirty-five feet (235') long, the Cleveland Avenue and Brady Drive frontages are only approximately one hundred and fifteen feet (115') and fifty-five feet (55'), respectively. The bottleneck shape of the Property hinders the ability to provide a perimeter yard that complies with the standards of the City of

Columbus Zoning Code. As depicted on the Site Plan, only a portion of the driveway obstructs the code required perimeter yard. The density variance is reasonable because the building setback from Cleveland Avenue is compatible with the setbacks on the adjacent properties and is only necessary due to the City's request for additional right of-way.

2. Whether the variances are substantial.

The requested variances are not substantial. The density variance is technical in nature and matches the character of the neighborhood. The perimeter yard variance is limited to certain portions of the Property and is similar to the perimeter yards in the neighboring apartment developments.

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

The essential character of the neighborhood will not be substantially altered and adjoining properties will not suffer substantial detriment as a result of the variances. The proposed development matches the character of the adjacent apartment developments and is in line with the goals of the Northland Area Plan (which recommends 10-16 dwelling units per acre). The existing driveway on the Property is approximately five feet (5') from the property line shared with the out-lot; therefore, the proposed perimeter yard is not a substantial detriment to the adjoining properties.

4. Whether variances would adversely affect delivery of governmental services.

There will be no adverse effect on the delivery of governmental services to the Property if the variances are approved. There are adequate public services and facilities, as well as utilities to the Property, and fire and police safety responders and vehicles will have adequate ingress-egress and maneuverability in and out of the Property.

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

Applicant knew the Property had two (2) zoning classifications and likely needed variances due to the unique shape of the Property. The Applicant did not know the exact variances until the Site Plan was recently finalized.

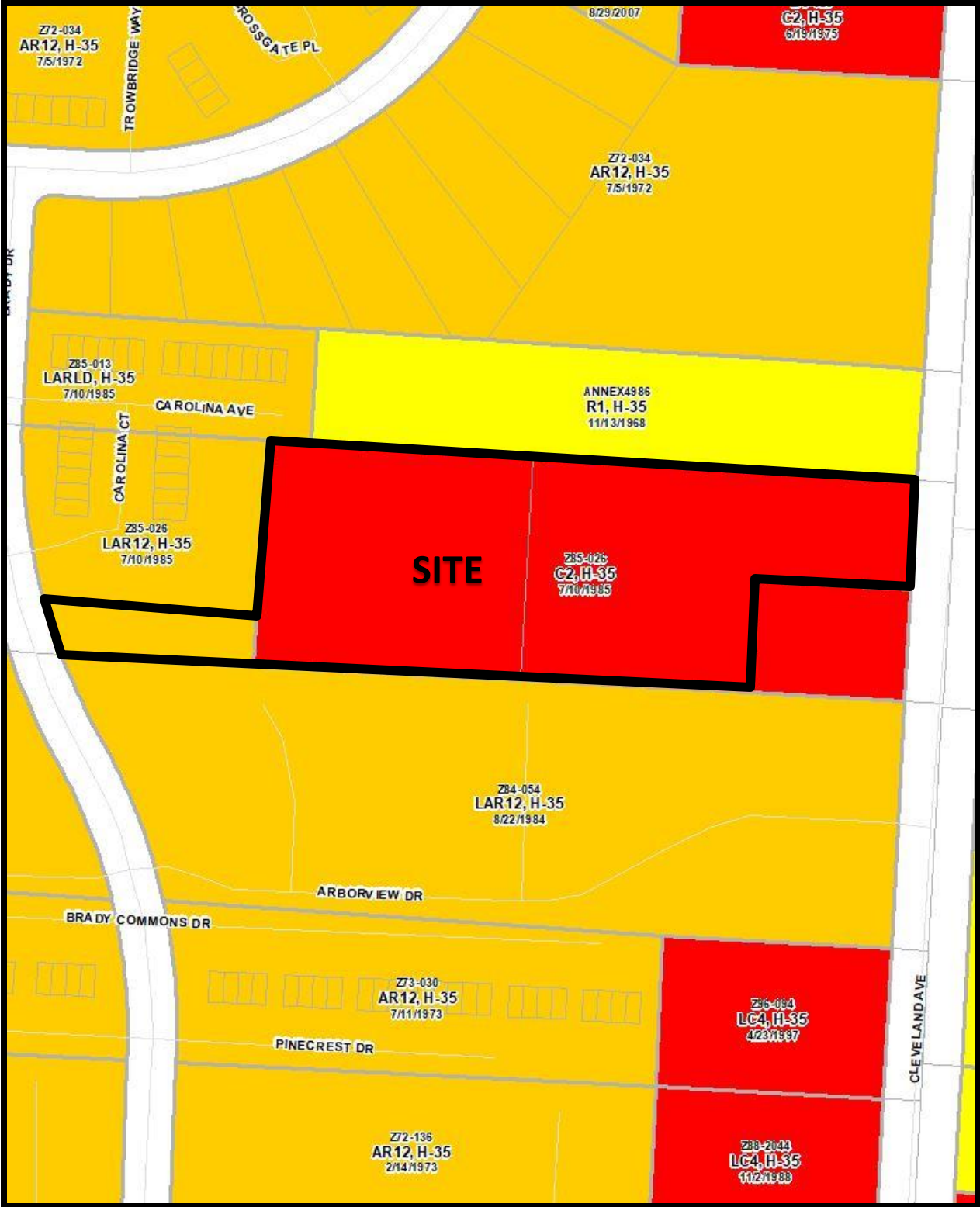
6. Whether the property owner's predicament feasibly can be obviated through some method other than variance.

The shape, frontage, and access to the Property make it virtually impossible to develop without a variance. The proposed development matches the essential character of the neighborhood, adheres to the best practices for infill development, and will not be detrimental to the adjacent properties.

7. Whether the spirit and intent behind the zoning requirements will be observed and substantial justice done by granting the variances.

The spirit and intent behind the zoning requirements will be observed and substantial justice will be done by granting the variances. The vast majority of the proposed development complies with the perimeter yard standard and the few obstructions are minute. The proposed development adds some much needed housing to the City in a manner that matches the character of the neighborhood and does infringe on the enjoyment of the adjacent property owners.


Donald T. Plank, Attorney for Applicant
12/13/2022



CV22-097
5869-5877 Cleveland Ave.
Approximately 3.1 F acres



CV22-097
5869-5877 Cleveland Ave.
Approximately 3.1 F acres



Northland Community Council Development Committee Report

October 26, 2022 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 co-chair Dave Paul

Members represented:

Voting: (17): Albany Park (APHA), Asherton Grove (AGCA), Blendon Chase (BCCA), Clinton Estates (CECA), Devonshire (DCA), Elevate Northland (EN), Karmel Woodward Park (KWPCA), Lee/Ulry (LUCA), Little Turtle (LTCA), Maize Morse Tri-Area (MMTACA), North Village (NVHA), Northland Alliance (NA), Northland Area Business Association (NABA), Rolling Ridge (RRSHA), Salem (SCA), Sharon Woods (SWCA), Westerwood (WRA).

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| Case #1 | <p>Application #BZA22-112 (BZA variance from §3312.13(A) to accommodate a driveway expansion from 20' to 29' 2", and from §3312.27 to reduce the parking setback from 25' to 0' from ROW to allow parking of vehicles on the driveway expansion)</p> <p>Ugo Nwoke/Aurtec Designs LLC <i>representing</i>
Kwaku Agyemang
2978 Wallcrest Blvd, 43231 (PID 010-245299) Smedley</p> <ul style="list-style-type: none"> • <i>The Committee approved (17-0) a motion (by SCA, second by APHA) to TABLE the application.¹</i> |
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| Case #2 | <p>Application #Z22-070 (Rezone 1.62 AC± from CPD to CPD to permit construction of an automatic car wash)</p> <p>Dave Perry/David Perry Co. <i>representing</i>
Driven Brands, Inc.
990 E Dublin Granville Rd, 43229 (PID 010-300590) Dietrich</p> <ul style="list-style-type: none"> • <i>The Committee approved (17-0) a motion (by SCA, second by APHA) to RECOMMEND APPROVAL of the application.</i> |
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| Case #3 | <p>Application #Z22-077/CV22-102 (Rezone 1.32 AC± from C-4 to L-M (text preserving all C-4 uses) for the construction and maintenance of an outside automobile storage lot for excess inventory associated with the dealership at 1888 Morse Road; concurrent Council variances from §3363.41 to reduce the setback required for any storage use along the lot line to 0' and along the street ROW line from 30' to 25'; and from §3363.27(b) to reduce the required separation of an M district from residential uses from 25' to 0')</p> <p>Jeff Brown/Smith and Hale <i>representing</i>
Caldwell Real Estate 161 LLC
1769 E Dublin Granville Rd, 43229 (PID 010-293623) Dietrich</p> <ul style="list-style-type: none"> • <i>The Committee approved (17-0) a motion (by KWPCA, second by APHA) to RECOMMEND DISAPPROVAL OF Z22-077.</i> • <i>The Committee approved (17-0) a motion (by KWPCA, second by APHA) to RECOMMEND APPROVAL OF CV22-102 WITH TWO (2) CONDITIONS:</i> <ul style="list-style-type: none"> ○ The CV application, no longer concurrent with Z22-077, will be amended to include a Council use variance to permit the use of the site for storage <u>only</u> of new, undamaged and operational automobiles (which would otherwise be permitted in an M district), in addition to uses already permitted in the existing C-4 zoning district. ○ The application will be amended to correct a misstatement in the summary of the proposed variance from §3363.41 to indicate that the variance as it pertains to the setback from the street right of way will be from 30 feet to 25 feet (not to zero), as the applicant's representative advised was the variance intended, without change to the other variances requested from §3363.41 and §3363.27(b) to accommodate the storage use. |
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Case #4

Application #Z22-078/CV22-103 (Rezone 2.476 AC± from C-4 (35' HD) to AR-O, with a 60' HD, to permit the construction of a multifamily affordable senior independent living facility, number of units and site plan TBD; concurrent Council variance from §3312.49 to reduce required parking from 1.5/unit to 0.5/unit)

Matt Bierlein and Stephanie Rhodes *representing*
National Church Residences
5860 Roche Dr, 43229 (PID 010-085780)

Rose

- *The Committee approved (14-2 w/ 1 abstention) a motion (by BCCA, second by NVHA) to **RECOMMEND DISAPPROVAL** of the application.²*

Case #5

Application #Z22-073/CV22-097 (Rezone 3.32 AC± from a combination of L-AR12 and C-2 to AR-12 to construct a 5-building, 41-unit apartment complex; concurrent Council variances from §3333.18 to reduce setback from ROW from 60' to 40'; from §3333.10 to reduce ft²/du sufficient to permit 41 dwelling units after required ROW dedication; and from §3333.255 to reduce the required perimeter yard from 25' to 5')

Craig Moncrief/Plank Law *representing*
HG Property Holdings LLC
5869-5877 Cleveland Ave, 43229 (PID 010-201611/010-201608)

Rose

- *The Committee approved (17-0) a motion (by EN, second by RRSOA) to **RECOMMEND APPROVAL** of the application.*

Executive Session**9:45 pm****Meeting Adjourned****10:35 pm**

¹ After reviewing the application and viewing images of the site, the Committee suggested to the applicant's representative that his client agree not to park any vehicles on the concrete paving abutting the original (14' 9") driveway, and that he install planters and/or other landscaping to preclude the use of the additional concrete paving for parking. The applicant's representative indicated that his client would do so. The Committee suggested that there was therefore no need for the requested variances and that the application should be withdrawn, since the additional paving would not be used as a driveway, and no vehicles would be parked within the existing 25' parking setback other than those already permitted to be stacked on the existing driveway behind the two required spaces in the garage. The Committee agreed to table the application rather than disapprove it while the applicant's representative discusses the withdrawal of the variance application with City staff.

² The Committee proposed that the applicant consider revising the rezoning application to seek an AR-2 district rather than AR-O, and to change the CV to reduce the parking requirement from 1.5 to 0.7 spaces/du rather than to 0.5 spaces/du; and the applicant agreed to these potential conditions of support. However, while generally supportive of the use, the Committee's consensus was that the absence of commitments to a specific site plan and to shared parking or other agreements to address the potential for overflow parking left it unable to support the application as presented.

Council Variance Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

111 N Front Street, Columbus, Ohio 43215
Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

PROJECT DISCLOSURE STATEMENT

APPLICATION #: _____

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) Donald T. Plank
of (COMPLETE ADDRESS) Plank Law Firm, LPA, 411 East Town Street, Floor 2, Columbus, Ohio 43215
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. HG Property Holdings LLC 7100 Armscote End, New Albany, Ohio 43054 0	2. Felix Tolani 7100 Armscote End, New Albany, Ohio 43054 0
3.	4.

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

SIGNATURE OF AFFIANT Donald Plank

Sworn to before me and signed in my presence this 21st day of September, in the year 2022

[Signature]
SIGNATURE OF NOTARY PUBLIC

NW Notary Seal Here
My Commission Expires



Grady J. Moncrief Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Sec. 147.03 R.C.

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