



COUNCIL VARIANCE APPLICATION

Department of Building & Zoning Services

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

DEPARTMENT OF BUILDING AND ZONING SERVICES

STATEMENT OF HARDSHIP

Chapter 3307 of the Columbus Zoning Code

Section 3307.10 Variances by City Council

- A. Permit a variance 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 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 inhabitants 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

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

PLEASE NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are discovered after your application is approved, a new application 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):

Please see attached Statement of Hardship.

Multiple horizontal lines for providing details of the hardship.

Signature of Applicant By: [Handwritten Signature] Date July 10, 2017

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 checks payable to the Columbus City Treasurer

Statement of Practical Difficulty
3241 McKinley Avenue
November 8, 2017

In conjunction with this council variance request the applicant has filed a rezoning application requesting a zoning change on the property from its existing zoning district – which is predominately M-2 Manufacturing with a small portion being R Residential – to the L-AR-1 district. The rezoning application also comes with a commercial zoning request for property to the north with frontage on Trabue Road for future regional scale commercial development. The zoning change, and this concurrent council variance application, are in furtherance of the land use recommendations and the design criteria of the Trabue / Roberts Plan for the San Margherita subarea.

The application has developed its residential land plan, and crafted its commercial development text to meet that land use recommendation, and has done so collaboratively with the Planning Division of the City of Columbus. These companion zoning actions will come with a commitment to development in substantial conformity with the attached Site Plan. To develop in accordance with the Site Plan, the following variances are necessary:

C.C. 3312.09 Aisle.

This section requires dimensional standards for aisles that must be met for each property, while the applicant proposes aisles across property lines, subject to the aisle meeting minimum code dimensions, thereby allowing cross access maneuvering.

C.C. 3312.13 Driveway.

This section requires dimensional standards for driveways that must be met for each property, while the applicant proposes driveways across property lines, subject to the driveways meeting minimum code dimensions, thereby allowing cross access maneuvering.

C.C. 3312.21(B) Landscaping and screening.

This section requires perimeter screening for parking lots located within eighty (80) feet of residentially-zoned property while the applicant proposes different phases of its residential development, each phase being on a separate parcel. A variance is requested to not apply perimeter screening requirements to separate internal parcels created within the development. Perimeter properties are either being rezoned in conjunction with this rezoning to a commercial district, or are presently zoned LI – Limited Industrial in Franklin Township.

C.C. 3312.25 Maneuvering.

This section requires maneuvering area for parking spaces to be located on-site, while the applicant proposes vehicle maneuvering across property lines, as may be applicable with splitting the property into separate parcels, subject to the maneuvering area meeting minimum code dimensions.

C.C. 3312.27 Parking setback.

This section requires a parking setback from the edge of right-of-way of 25 feet. Here, the applicant will be giving a portion of its frontage to the City of Columbus to accommodate future road improvements. The applicant is requesting to reduce the parking setback to 7.5 feet along McKinley Avenue.

C.C. 3312.49 Minimum number of parking spaces required.

This section requires 1.5 parking spaces per dwelling unit, while the applicant proposes to meet this requirement for the over-all development, but individual lots may not.

C.C. 3333.02 AR-12, ARLD and AR-1 apartment residential district use.

This section would not allow vehicular access for commercial uses from being located on residentially zoned property, while the applicant proposes to establish commercial vehicular access to adjacent properties. This variance is necessary to achieve the desired mixed-use interconnected neighborhood and cross-access easements will be in place to allow circulation throughout the development.

C.C. 3333.16 Frontage

This section requires frontage on a public street, while the applicant is developing this property in phases and has the present intent for Phase II to have frontage on McKinley Avenue, for engineering and other reasons this is subject to change and Phase II may not have frontage on the public road. A cross access easement shall be granted to allow Phase II access to McKinley Avenue.

C.C. 3333.255 Perimeter yard.

This section applies to the north, south, and west perimeters of the property and requires setbacks dependent upon the width of the lot. The applicant is requesting a minimum perimeter yard of zero, which will allow for the property to have shared access with the Trabue Road commercial subarea to the zoning, and further will allow the property to develop as reflected on the Site Plan.

These variances are appropriate and necessary to foster redevelopment of the property to achieve the mix of uses recommended by the applicable land use plan and to achieve the desired aesthetic. There will be no adverse impact on any surrounding property or to the neighborhood – in fact that vast majority of the surrounding property for this portion of the zoning entitlement request is a participant owner. The approval of these variances will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets – in fact this zoning considers its impact, and property donated to the City for future roadway needs. These variances will not increase the danger of fires, endanger the public safety in any way, nor will it unreasonably diminish or impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus.

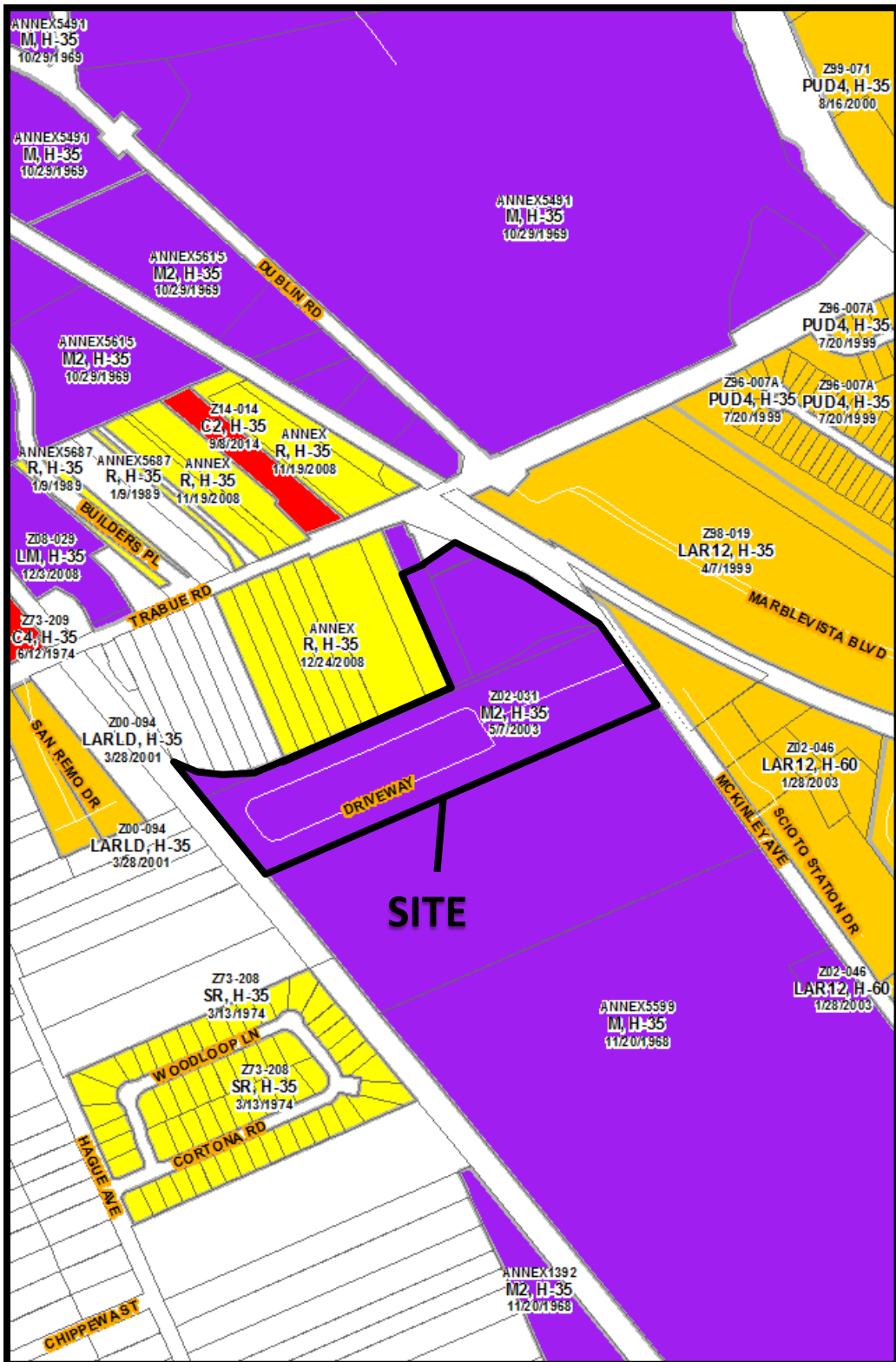
Preferred Living

Signature of Applicant By:



Date:

11/8/2017



CV17-050
3241 McKinley Avenue
Approximately 18.2 acres



CV17-050
3241 McKinley Avenue
Approximately 18.2 acres

Priebe, Kelsey R.

To: Jessica Dyszel
Subject: RE: Preferred - Trabue

Kelsey,

On September 21st, 2017 The West Scioto Area Commission voted on concurrent applications Z16-080 and CV17-50 for the property located at 3241 McKinley Ave.

Votes in Support: 2

Votes in Support with the modification that developers use native species in landscaping: 2

Votes Against: 2

Abstain: 1

1 Commissioner was absent and we have not officially appointed our student commissioner.

This was in no means a unanimous vote. Concerns were around traffic, and other support structures (sewer, fire and police) for the proposed density (3 stories apartments, no owner occupied space) and loss of green space. Community feedback was that some development is going to happen at this site and residential is better than manufacturing. The idea of the CPD is attractive to add to the area but that ideally more development details would have been worked out. Preferred did attend all of the meetings and provided us with all the information that we requested.

Jessica



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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.

APPLICATION # CV17-050

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) David Hodge
of (COMPLETE ADDRESS) Underhill & Hodge LLC, 8000 Walton Parkway, Suite 260, New Albany, Ohio 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
Business or individual's address
Address of corporate headquarters
City, State, Zip
Number of Columbus based employees
Contact name and number

Table with 2 columns and 2 rows. Row 1: 1. Preferred Living, 750 Communications Parkway, Columbus, Ohio 43214; 2. Please see attached list of property owners. Row 2: 3. (empty); 4. (empty).

Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT David Hodge

Sworn to before me and signed in my presence this 10th day of July, in the year 2017

SIGNATURE OF NOTARY PUBLIC Kimberly R. Grayson

My Commission Expires 1-11-2021 Notary Seal Here



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

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Owners of Property to be Rezoned

Angelo J. Dallas, Tr.
1673 North Hague Avenue
Columbus, Ohio 43204-1616

Joseph S. Dallas, Tr., et al.
3297 McKinley Avenue
Columbus, Ohio 43204

Anthony Tiberi and Margherita Filichia
1583 Linkhorn Drive
Grove City, Ohio 43123

Richard A. Capuano, Tr.
5384 Haughn Road
Grove City, Ohio 43123

Joseph and Kerma Dallas
3403 Trabue Road
Columbus, Ohio 43204

William J. Shaffer, Tr.
10731 Campden Lakes Boulevard
Dublin, Ohio 43016

Ida Q. Tiberi, Tr.
1068 South High Street
Columbus, Ohio 43206

Joseph and Rebecca Castorano
3445 Trabue Road
Columbus, Ohio 43204