



DEVELOPMENT PLAN

MAGNOLIA TRACE 2

PREPARED FOR THE KENNEY COMPANY

DATE 5/20/21

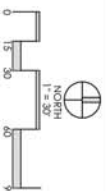
FINAL SITE PLAN RECEIVED 6.16.21

CV21-033

*Handwritten signature and date: 6-16-21*

**SITE DATA**

TOTAL ACRES	8.325 ACRES
TOTAL UNITS	72 UNITS
TOTAL DENSITY	# 22.15 DU/AC
SURFACE PARKING	145 SPACES
GARAGE PARKING	18 SPACES
TOTAL PARKING	163 SPACES
PARKING RATIO	1.236 SPACES/DU
LOT 600 AREA	2,400 SF
LOT 600 LOT COVERAGE	4.530%
TOTAL LOT COVERAGE	1.230%



**Farris Planning & Design**  
 LAND PLANNING  
 2541 SW 15th St  
 Ft. Lauderdale, FL 33304  
 305.461.1111  
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LANDSCAPE ARCHITECTURE  
 CHARLES CHAIKIN  
 www.farrisplanning.com

# 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

## STATEMENT OF HARDSHIP

**Columbus City Code Section 3307.10 - Variances by City Council.**

CV21-033

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.

**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 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

David Hoge

Date

**STATEMENT OF HARDSHIP**

**Property Address:** 4701 Beechwood Drive  
**Property Owners:** Floyd and Jacqueline Blackburn  
Agoston and Anne Varsanvi  
**Applicant:** Magnolia Trace, LLC  
**Attorney:** David Hodge, Underhill & Hodge  
**Date of Text:** May 11, 2021  
**Application:** CV21-033

Applicant submits this statement of hardship in support of its companion council variance application. The site consists of 3.22+/- acres and is located on the west side of Cherry Bottom Road across from Blendon Woods Metro Park. The Applicant proposes this site as a second phase to the Magnolia Trace development which was approved for zoning in December 2018 (Ord. 3330-2018, Z18-048 and CV18-062A).

Specifically, the Applicant proposes development of the site with 72 dwelling units for a total density of 22.36 dwelling units per acre. The development Magnolia Trace Phase II and will match the design and architectural elements of Magnolia Trace Phase I to the north to ensure quality and compatible design.

The Site is bordered on the west and south by Blendon Township property zoned R-8, on the north by Columbus property zoned AR-1 (Magnolia Trace Phase I), and on the east and across Cherry Bottom Road by Blendon Woods Metro Park.

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.

This Site presents a circumstance which must be highlighted and results in a number of technical variances listed below. The cause of this technicality is that parcel 600-198841 was annexed a number of years ago. The other nine parcels which make up this site are currently being annexed and it is expected that their tax number will start with either 111- or 010-. As a result, parcel 600-198841 cannot be combined with these other nine parcels because they will not have the same tax number. The result is that there will be a property line which cuts through building 1 as shown on the site plan.

Applicant is committed 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:

Variances for parcels 110-000376, 110-000358, 110-000357, 110-000374, 110-000356, 110-000373, 110-000402, 110-000401, 110-000377:

1. 3312.21(D)(1) – Landscaping and screening. This section requires perimeter parking lot screening for any portion of a parking lot located within 80 feet of residentially zoned property. Applicant requests a variance to eliminate the perimeter parking lot screening requirement along the internal boundary between Magnolia Trace Phases I and II.
2. 3312.25 – Maneuvering. This section requires every parking space to have sufficient maneuvering area within a lot. The Applicant requests a variance to permit vehicular maneuvering across parcel lines.
3. 3312.29 – Parking space – This section requires parking spaces to be a rectangular area of not less than 9 feet by 18 feet. The Applicant requests a variance to permit parking spaces which are divided by lot line to have reduce parking space size as shown on the site plan.
4. 3333.18(B) – Building Line – Cherry Bottom Road is a 100- Suburban Community Connector with a 100-foot right-of way and the Code, therefore, requires a minimum building line of 50 feet from Cherry Bottom Road. The Applicant requests a variance to decrease the building line to a minimum of 25 feet from Cherry Bottom Road and to allow above ground vaults and utility enclosures within the building setback line.
5. 3333.255 – Perimeter yard – This section requires a minimum perimeter yard of 25 feet for parcels of this size. The Applicant requests a variance to reduce the perimeter yard from 25 feet to zero feet along north perimeter and zero feet along the perimeter shared with parcel 600-198841.

Variations for parcel 600-198841:

6. 3312.49 – Minimum number of parking spaces. This section requires 1.5 parking spaces per dwelling unit. The Applicant requests a variance to reduce the minimum number of parking spaces to zero.
7. 3333.02 – AR-1 district use. This section permits use for an apartment house which contains five or more dwelling units. Due to the nature of the parcel lines through the building, the Applicant cannot determine at this time how many dwelling units will be within this segment of Building 1. The Applicant requests a use variance to permit less than five dwelling units.
8. 3333.12 – AR-1 area district requirements. This section requires lot area of 1,200 square feet per dwelling unit. The Applicant requests a variance to allow a lot with area which is less than 1,200 square feet per dwelling unit.
9. 3333.18(B) – Building Line – Cherry Bottom Road is a 100- Suburban Community Connector with a 100-foot right-of way and the Code, therefore, requires a minimum building line of 50 feet from Cherry Bottom Road. The Applicant requests a variance to decrease the building line to a minimum of 25 feet from Cherry Bottom Road and to allow above ground vaults and utility enclosures within the building setback line.
10. 3333.22 – Maximum side yard required – This section requires the sum of the widths of each side yard to equal or exceed 20 percent of the width of the lot. The Applicant requests a variance to reduce the maximum side yard required to zero feet.



11. 3333.23(D) – Minimum side yard permitted - This building is three-stories and 35 feet in height. The Applicant requests a variance to reduce the minimum side yard from 5.8 feet to zero feet.

12. 3333.24 – Rear yard. This section requires a minimum rear yard of no less than 25% of the total lot area. The Applicant requests a variance to reduce the minimum rear yard to 0% of the total lot area.

Applicant respectfully submits that the requested area variances are the result from the practical difficulty of carrying out of the zoning district provisions due to the shape of the lot, topography, and other conditions. The requested area variance will not seriously affect any adjoining property or the general welfare.

The variance requests for reduced parking lot perimeter landscaping along north perimeter, parking space maneuverability, reduced parking space size, and reduced yard along the north perimeter are technical variances. Magnolia Trace Phases I and II are intended to be a cohesive unit which complement design and provide shared circuitry and access. However, there is a lot line which divides the two phases and this lot line causes these technical variances to become necessary. Notably, the only property owner impacted by these variances is the developer itself and its own Magnolia Trace Phase I development. The neighbors to the west and south will not be impacted by these variances.

The variance for reduced building line is requested so that this phase of the development matches the style and character of Magnolia Trace Phase I, which had a similarly reduced building line. The building lines on Magnolia Trace Phases I and II are reduced in order to create enough space in the rear for vehicular parking and eliminate all parking areas between the principal buildings and Cherry Bottom Road. Elimination of parking between the principal building and the street is a standard which is encouraged by the plan and improves the aesthetic of the neighborhood.

The variances requested for parcel 600-198841 are the result of a technicality. Because the parcel cannot be combined with the rest of Magnolia Trace Phase II parcels, there is a property line which goes through building 1. As a result, this parcel technically does not have any rear or side yards. This section of the building within this parcel also cannot fit under the definition of apartment complex. As a result, the perimeter yard standard is not available and rather the rear and side yard standards must be used. Similar to the other requested parcels, these technical variances only affect this Applicant and this project, and they are not detrimental to neighboring properties or the neighborhood.

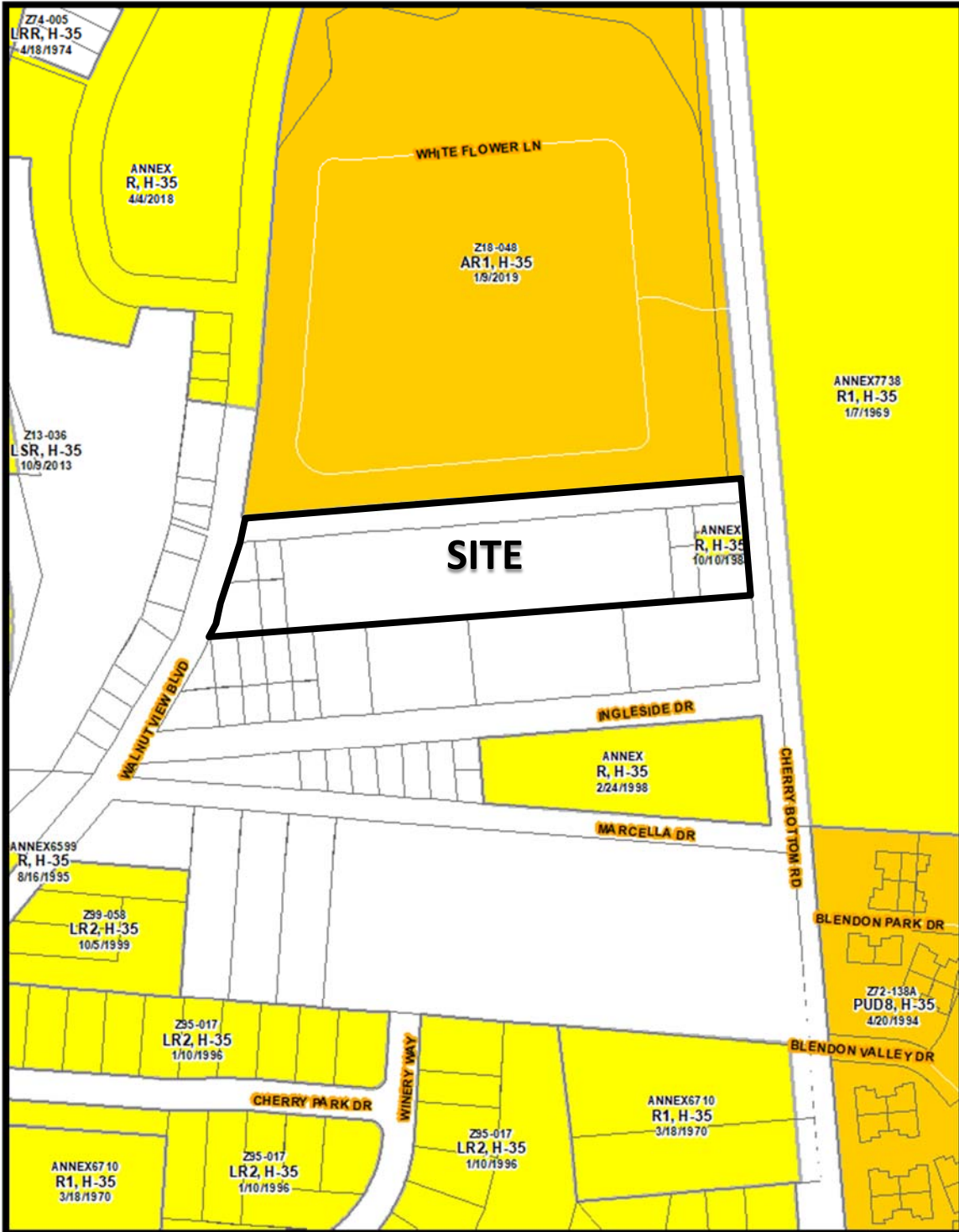
The Applicant's goal is to redevelop the site in a manner that is consistent with the land use plan's design principles. This unusual and practical difficulty in carrying out the zoning district provisions are conditions which warrant the approval of variances concurrent to a rezoning request. The requested variances are not substantial, nor will they cause substantial detriment to the neighborhood nor adjoining properties. The variances will not adversely affect the delivery of governmental services.

Respectfully Submitted,



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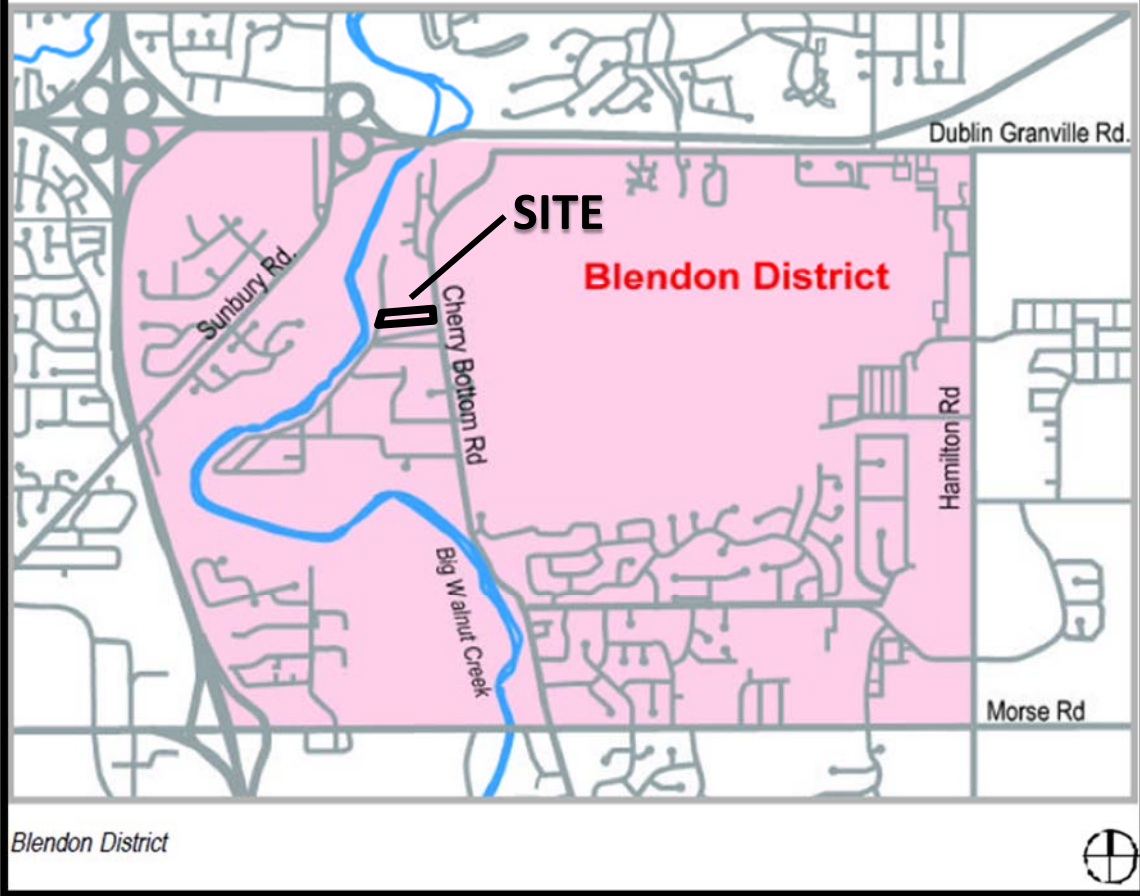
David Hodge



CV21-033  
4701 Beechwood Dr.  
Approximately 3.25 acres

### Blendon District

This district is almost completely annexed and zoned in the city of Columbus. The district stretches from Hamilton Road to I-270 (east to west), and SR-161 to Morse Road (north to south). The predominant land-uses are the Blendon Woods Metro Park, Hap Cremean Water Plant (Columbus), detached single-family subdivisions, some condominium and apartment units, and burgeoning commercial uses along Hamilton Road. Additional roadways in this district include Sunbury and Broadview roads.



Blendon District

Northland Plan Volume II

CV21-033  
4701 Beechwood Dr.  
Approximately 3.25 acres





CV21-033  
4701 Beechwood Dr.  
Approximately 3.25 acres



**Meeting Called to Order:** **6:35 pm** by chair **Dave Paul**

Members represented:

*Voting: (13):* Albany Park (APHA), Blendon Chase (BCCA), Cooperwoods (CWCA), Elevate Northland (EN), Forest Park (FPCA), Lee/Ulry (LUCA), Little Turtle (LTCA), Maize Morse (MMTACA), Northland Alliance (NA), Preston Commons (PCHA), Rolling Ridge (RRSHA), Salem (SCA), Westerwoods (WRA).

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**Case #1** Application #GC21-009 (Graphics variances for a 14.2 AC± parcel zoned CPD; in Subarea H1: from §3377.10 (B) to permit both wall and ground signs to address the same street and from §3372.806 (D) and (E) Regional Commercial Overlay requirements to permit ground signs to match others in the Hamilton Quarter district to the north; in Subarea H2: from §3377.10 (B) to permit both wall and ground signs to address the same street, from §3370.20 (E) to allow use of a ground sign and side and rear wall signs, from §3377.24(A), (B) and (D) to increase graphic area of wall signs and canopy, from §3372.806 (D) and (E) Regional Commercial Overlay requirements to permit ground signs to match others in the Hamilton Quarter district to the north, and from 3377.18 (A) and (A)(1) pertaining to on-premises projecting signs. *Consideration of variances requested in Subarea H1 postponed from March 2021; reconsideration of variances pertaining to Subarea H2 supported in March 2021 but subsequently modified.*)

Charlie Fraas, CASTO *representing*  
Hamilton Crossing LLC  
6229 Dublin Granville Rd., 43054 (PID 545-251414)

- *The Committee approved (9-3 w/ 1 abstention) a motion (by APHA, second by LTCA) to **RECOMMEND APPROVAL** of the application, including amendments and additions reflected in documentation compiled on April 23 and shared with the chair by email on 4/27.*

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**Case #2** Application #Z21-022/CV21-033 (Rezone 10 parcels zoned Blendon R-8 and Columbus R-Rural to create a 3.22 AC± AR-1 district to permit expansion of the existing Magnolia Trace Phase I development to the immediate north, with 72 new multi-family residential dwelling units (~22.36 du/AC) as Magnolia Trace Phase II; concurrent Council variances pertaining to parking, screening, maneuverability and perimeter, and to reduce building setback from Cherry Bottom Road.)

David Hodge/Underhill and Hodge LLC *representing*  
Magnolia Trace LLC  
4701 Beechwood Dr., 43230 (PID 110-000376 *et seq*)

- *The Committee approved (12-0 w/ 1 abstention) a motion (by LTCA, second by LUCA) to **RECOMMEND APPROVAL** of the application.*

# Council Variance Application

DEPARTMENT OF BUILDING  
AND ZONING SERVICES

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**PROJECT DISCLOSURE STATEMENT**

APPLICATION #: CV21-033

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 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 (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)

<p>1. Magnolia Trace LLC 470 Olde Worthington Road Westerville, Ohio 43082</p>	<p>2.</p>
<p>3.</p>	<p>4.</p>

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT *Eric Zartman*

Sworn to before me and signed in my presence this 23<sup>rd</sup> day of February, in the year 2021

SIGNATURE OF NOTARY PUBLIC *Aaron L. Underhill* N/A Notary Seal Here  
My Commission Expires \_\_\_\_\_



AARON L. UNDERHILL  
ATTORNEY AT LAW  
Notary Public, State of Ohio  
My Commission Has No Expiration  
Section 147.03 R.C.

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