

Statement of Hardship

5855 Central College Road

In 1998 the subject site was zoned L-AR-O which permitted multi-family units at a density of 12 units to an acre. The property was in contract to a buyer who built four unit condominium buildings. In 2005 a council variance request (CV05-048) for these four unit buildings was filed and approved by City Council. A 5+/- acre tract was annexed and zoned L-AR-12 along Central College road in 2007 (z06-090) to complete the subject site. In 2007 a second council variance was filed (CV07-039) when the buyer want to add detached single family units to its development. A different legal description was used in that second ordinance which City Council approved in 2008. The buyer developed a portion of the site but did not buy the balance of the site. The purpose of this council variance request is to create two subareas one in which the original buyer has its existing development and a second subarea which may be developed by a different buyer. The two prior council variances will be repealed as part of this council variance request.

Variances are requested to the following sections of the Columbus City Code:

Section 3333.02, Permitted uses does permit a multiple dwelling with no perimeter yard between internal tax parcel lines and with a density based on the total acreage.

Section 3333.04, Permitted uses, does not permit single-family units or two-family units and requires that three- and four-unit dwellings be developed in accordance with the R-4 standards, while the applicant proposes to construct more than one single-family, two-unit, three-unit, and four-unit dwellings on the parcel which could be considered a multiple-dwelling development which will not conform to the standards of the R-4, Residential District.

Section 3333.22, Maximum side yard, 3333.23, Minimum side yard, and 3333.24 Rear yard, permit a perimeter yard to meet the maximum, minimum and rear yard requirements for an apartment complex or multiple-dwelling development only, while the applicant does not wish to provide a perimeter yard along the common property line between the parcels which comprise this proposed development.

Section 3333.10, AR-12 area district requirements. The undeveloped portion of the site is zoned L-AR-12 and L-AR-O. When you calculate the density for the L-AR-12 and L-ARO, the proposed development is less than what the overall density would allow. Due to the preservation of a treed area and setbacks along a stream, the proposed layout shows more units on the L-AR-12 site then that acreage would permit.

Section 3312.25, Maneuvering, requires every parking space to have sufficient access and maneuvering area, while the applicant has agreed to provide a two-car garage and two additional stacked parking spaces, not required by code, in the driveway for each single family unit.

Section 3370.06, Standards, requires any use to meet or exceed each minimum development standard of the underlying zoning classification unless more limited standards are specifically identified in the limited overlay development plan, in which event such more limited standards shall apply, while the applicant does not propose to comply with standards specified in the underlying AR-O, Apartment Office District, AR-12 Apartment Residential District and the zoning text.

Section 3370.07, Conditions and Limitations, requires any use to conform to each condition or limitation specifically identified and imposed in the development plan, while the applicant does not wish to comply with the zoning text requirement that requires all multi-family buildings to be at least two stories and not more than three stories in height.

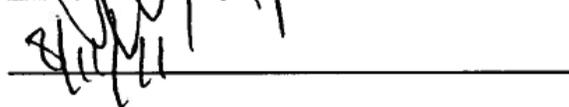
These variance requests are appropriate and consistent with variances that have previously been granted for the properties. The grant of these variances will not impair an adequate supply of light and air to any adjacent property, unreasonably increase the congestion of public streets, increase the danger of fire, endanger the public safety, unreasonably diminish or impair the public health, safety, comfort, morals, or welfare of the City of Columbus.

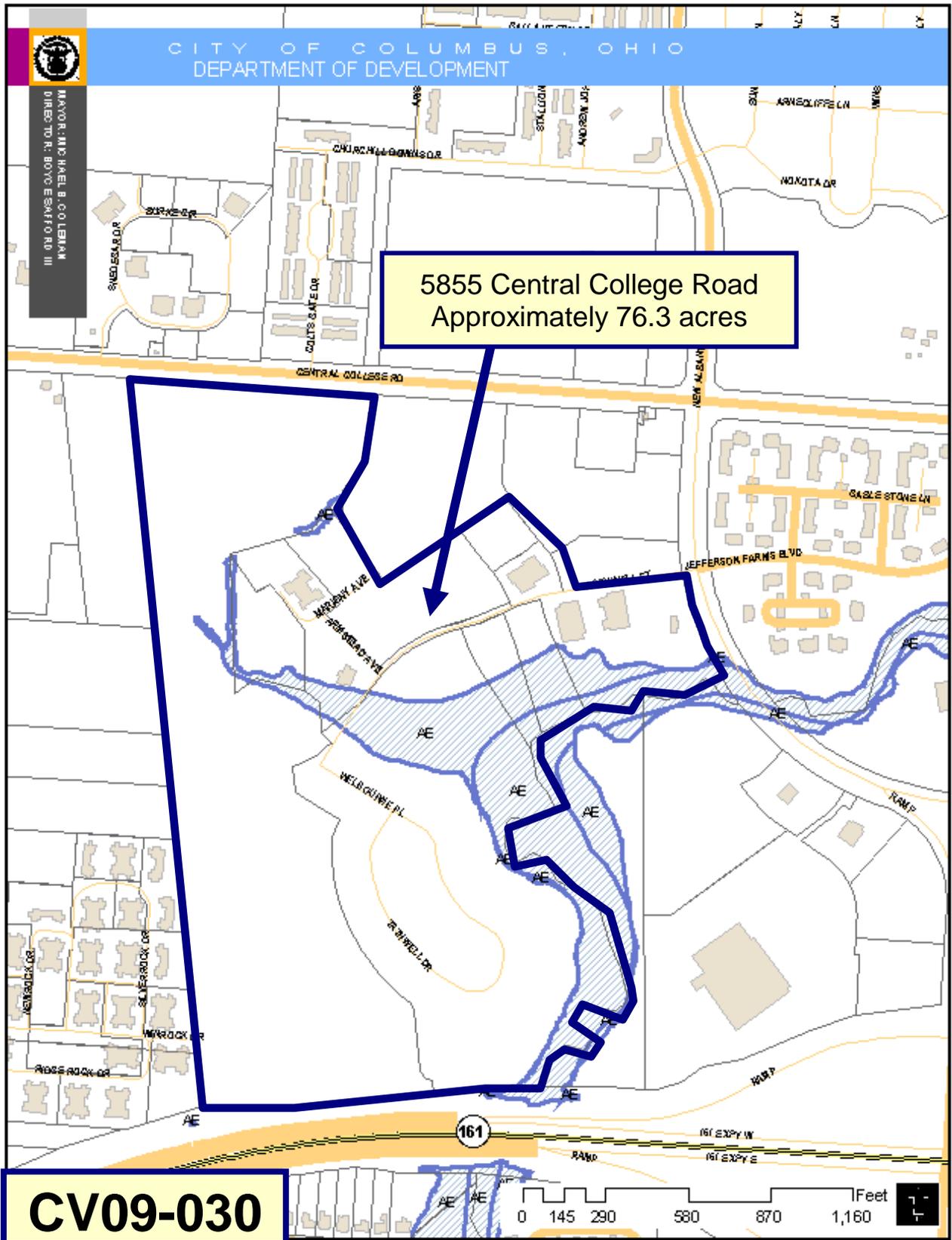
The applicant respectfully requests the grant of the above-referenced variances.

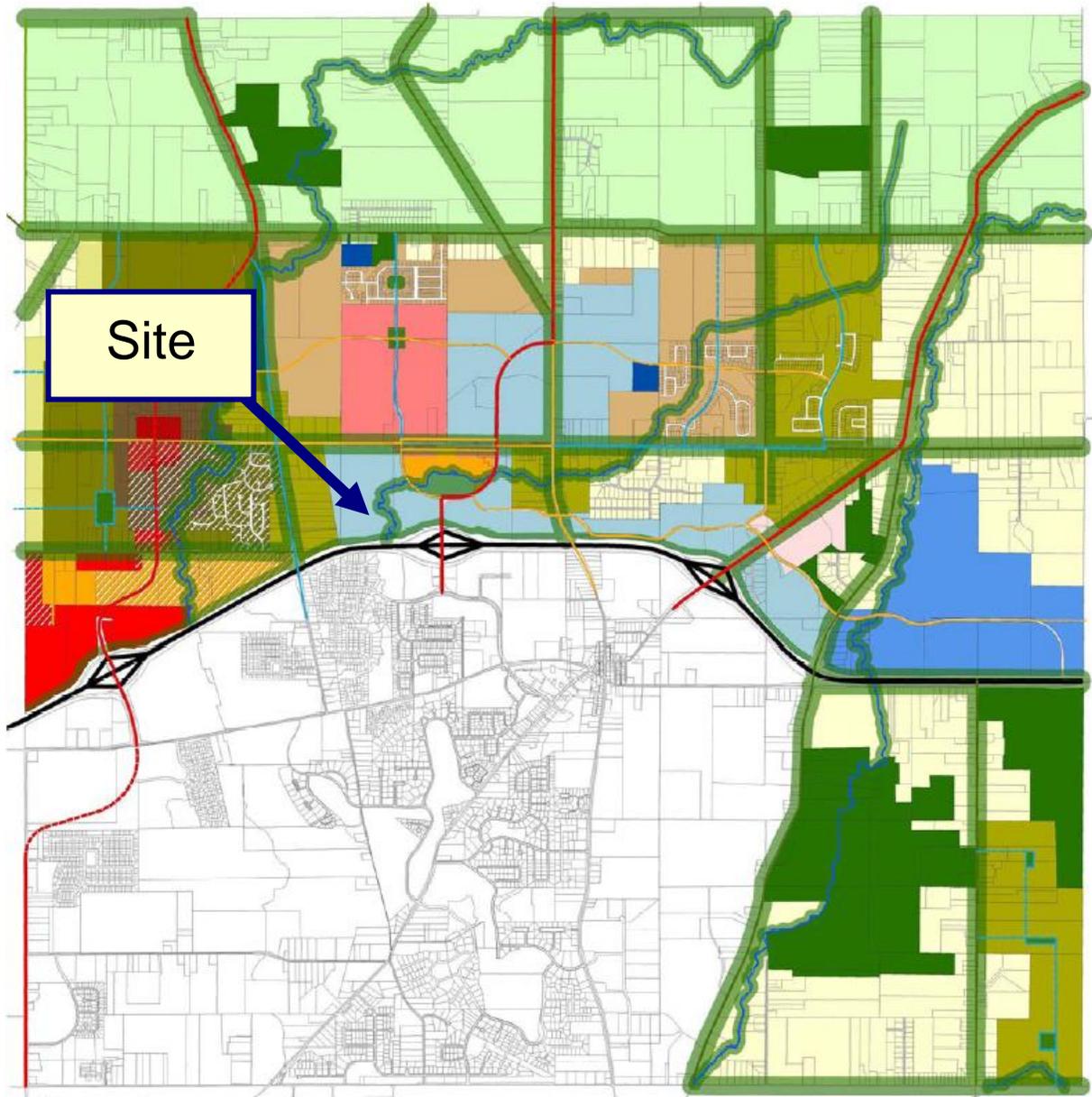
Signature of Applicant:



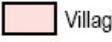
Date:







Legend

- | | | | |
|---|--|---|--|
|  |  Office |  Park/Open Space |  Edge |
| |  Office/Warehouse |  Village Mixed Use |  Neighborhood |
| |  Town Mixed Use |  Town Residential |  Neighborhood Center |
| |  Commercial |  Village Residential |  Neighborhood Center Commercial |
| |  Multi-Family |  Rural Residential |  Park Zone |
| |  Civic/Schools | | |

Preexisting zoning represented by hatching.

Hitt, Dana

From: Puranik, Devayani D.
Sent: Friday, September 16, 2011 9:01 AM
To: Hitt, Dana
Cc: Wheeler, Kevin J. (Planning); Jeff Brown
Subject: 5855 Central College Road

Dana,
Last night RFBA voted to approve zoning amendment case Z06-090A (6-0).
I will send the minutes once I have them ready.

Thank you
Devayani.

Devayani Puranik | Senior Planner | City of Columbus Planning Division | 109 N Front St | Columbus OH 43215 | Ph: 614 645 0663
F: 614 645 1483



COUNCIL VARIANCE APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.columbus.gov

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 # CV09-030

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] David Hodge

Of [COMPLETE ADDRESS] Smith & Hale LLC, 37 W. Broad Street, Suite 725, Columbus, OH 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 formats

- 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

1. New Albany Company LLC 8000 Walton Parkway, Suite 120 New Albany, OH 43054 614-939-8000 Zero Columbus based employees	2. Epcon Sugar Run LLC 500 Stonehenge Parkway Dublin, OH 43017 Zero Columbus based employees
3. Please see attachment	4. Schottenstein Real Estate Group 2 Easton Oval Columbus, OH 43219 614-418-8971

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me His 24th day of AUGUST, in the year 2011

SIGNATURE OF NOTARY PUBLIC Natalie C Timmons

My Commission Expires: 9/4/15



Natalie C. Timmons
Notary Public, State of Ohio
My Commission Expires 09-04-2015

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

PLEASE NOTE: incomplete information will result in the rejection of this submittal.
For all questions regarding this form and fees please call: 614-645-4522
Please make all checks payable to the Columbus City Treasurer