

Council Variance Application

111 North Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • www.columbus.gov/bzs • zoninginfo@columbus.gov

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):

See Attached

Signature of Applicant

Date

5-6-2019

Statement of Applicants for Council Variance

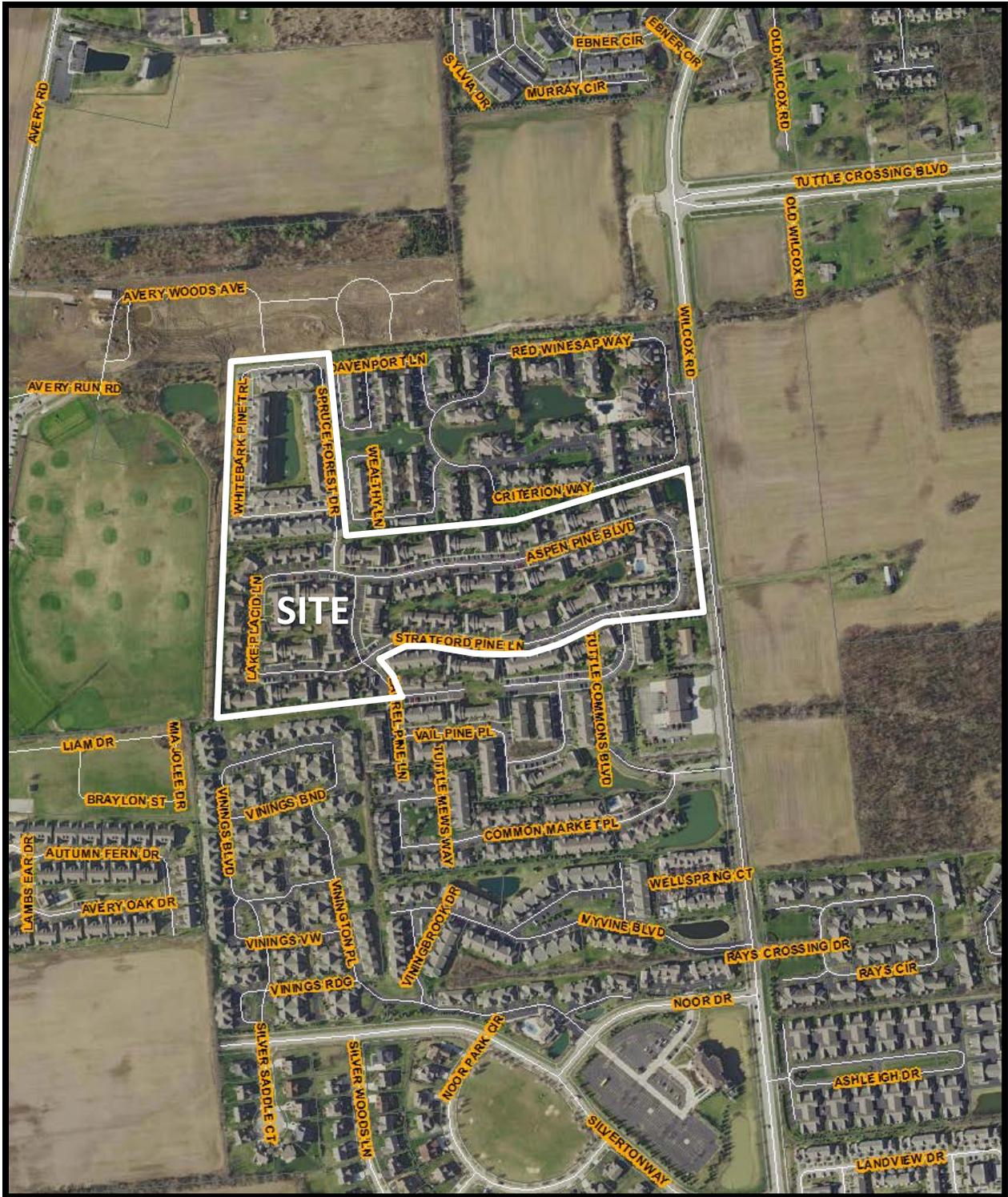
The Applicant, The Pines at Tuttle Crossing III, LLC, requests a variance to add approximately 27 parking spaces along Whitebark Pine Trail along the northern boundary of Applicant's property as shown on the site plan submitted herewith. The requested parking spaces will allow for additional parking for the residents of the subject apartment community.

The Applicants seek to vary Section 3333.255 of the Columbus City Code to allow parking in the perimeter yard. This Section of the Code provides as follows:

A perimeter yard may substitute for required side and rear yards in an apartment complex or a multiple-dwelling development. Perimeter yard width is determined by computing ten percent of the average lot width. A perimeter yard must be a minimum of ten feet wide but is not required to exceed 25 feet in width. Perimeter yards must be landscaped in accordance with a landscape plan approved as part of the zoning clearance review process.

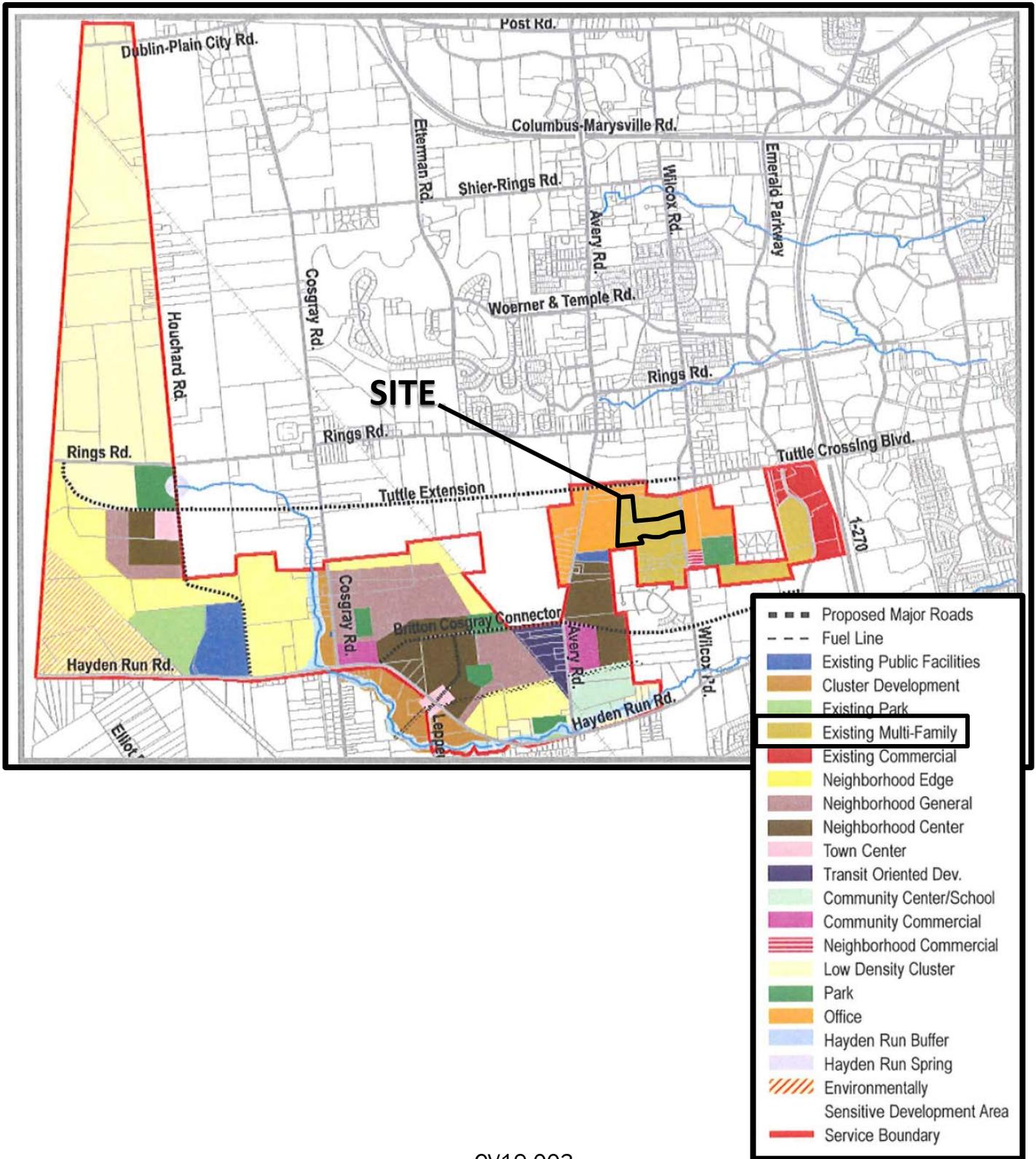
The Pines at Tuttle Crossing III, LLC also requests to vary Section 3333.16 because the subject parcel does not front a public street. This Section of the Code provides as follows:

Each dwelling, apartment house or principal building shall front upon a public street. However, those dwellings containing three or more dwelling units located in a multiple-dwelling development, as defined in Chapter 3303, C.C., or apartment houses located in an apartment complex, as defined in Chapter 3303, C.C., may front upon a private street if such plan is approved by the director with the director of public service and/or their designee. Such buildings shall be subject to all regulations pertaining to building lines of both fronting and side streets and corner lot requirements.

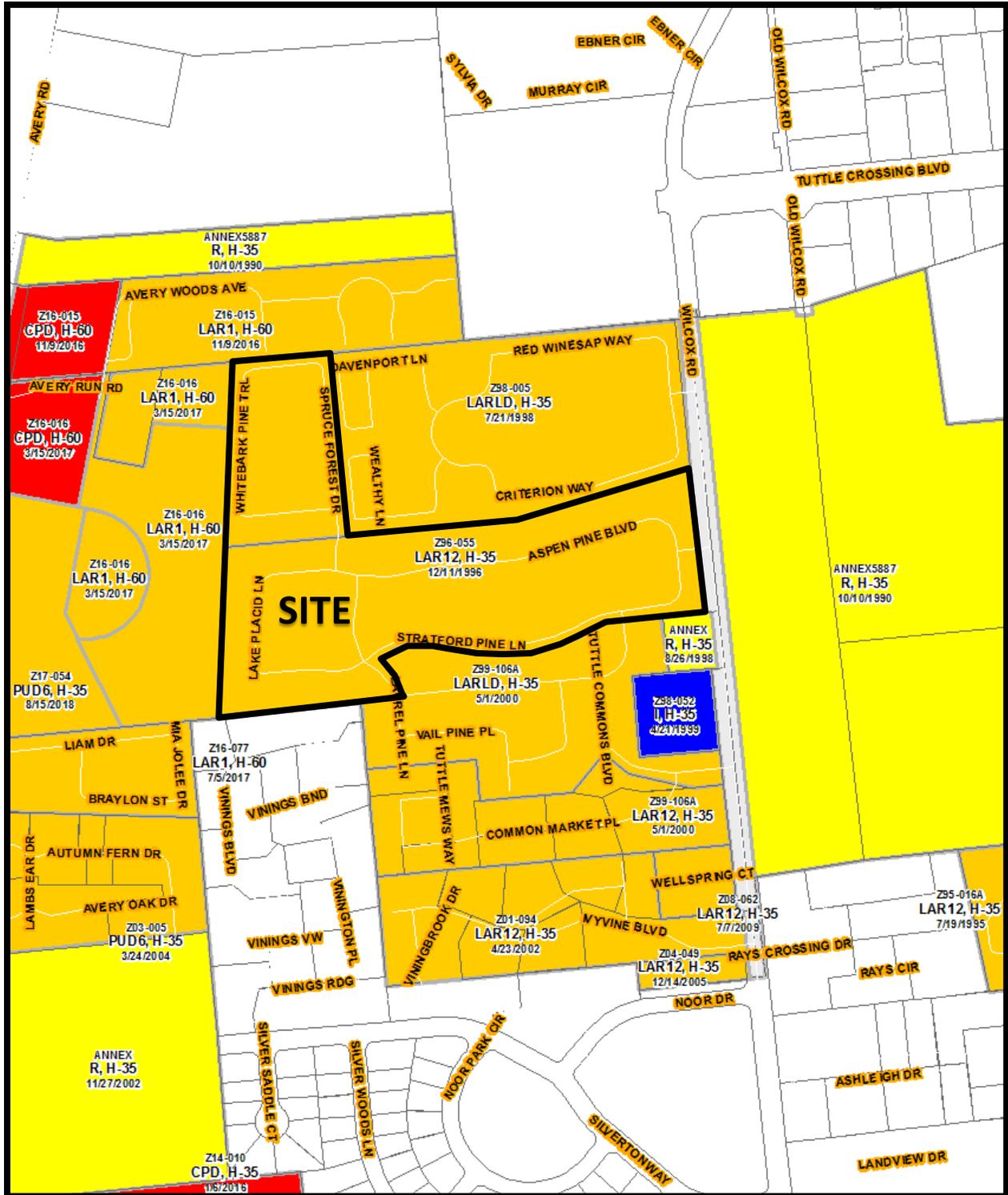


CV19-003
5303 Wilcox Road
Approximately 28.75 acres

Interim Hayden Run Corridor Plan (2004)



CV19-003
 5303 Wilcox Road
 Approximately 28.75 acres



CV19-003
5303 Wilcox Road
Approximately 28.75 acres

Standardized Recommendation Form

DEPARTMENT OF BUILDING
AND ZONING SERVICES

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FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW

Case Number Z19-002 and CV19-003

Address 5774 Bowery Brook Way, Dublin OH 43016

Group Name Hayden Run Civic Association

Meeting Date 4/12/19

Specify Case Type

BZA Variance / Special Permit

Council Variance

Rezoning

Graphics Variance / Plan / Special Permit

Recommendation **Approval**

(Check only one) **Disapproval**

NOTES: The Hayden Run Civic Association Zoning Committee met with the Pines Representatives and approved their zoning proposal for expansion of the Pines development - with connectors to the existing sidewalks/ trails AND the ADDITION of NATIVE TREES AND PLANTS for landscaping. We do ask that traffic egress/ ingress is studied as a part of this planned development and that the possibility of a pocket park/ green space is explored as an option for the property as a nice addition to the plan.

Vote Zoning Committee 4-0;

Signature of Authorized Representative Rebecca S. Obester, President of the Hayden Run Civic Association

Recommending Group Title Hayden Run Civic Association

Daytime Phone Number 614-702-8706

Please **e-mail** this form to **the assigned planner within 48 hours of meeting day**; OR **FAX** to Zoning at (614) 645-2463; OR **MAIL** to: Zoning, City of Columbus, Department of Building & Zoning Services, 111 N Front Street, Columbus, Ohio 43215.

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

PROJECT DISCLOSURE STATEMENT

All parties having a 5% or more interest in the project that is the subject of this application should be listed.
THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION #: CV19-003

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) W. Scott Newcomb
of (COMPLETE ADDRESS) 169 S. Liberty Street, Powell, OH 43065
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 (include contact name and number)
Business or individual's address
City, State, Zip Code
Number of Columbus based employees
(Limited to 4 lines per box)

1. <u>See Attached</u>	2.
3.	4.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT W. Scott Newcomb

Subscribed to me in my presence and before me this 6th day of May, in the year 2019

SIGNATURE OF NOTARY PUBLIC [Signature]

My Commission Expires: N/A

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



RICHARD BRIAN NEWCOMB
Attorney at Law
Notary Public, State of Ohio
My Commission Has No Expiration
Section 147.03 R.C.

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Pines at Tuttle Crossing Ownership of 5% or Greater

The Pines at Tuttle Crossing, LP

Patricia Igoe	30.00%
John W. Connor	13.00%
Mary C. Connor Trust	13.34%
Stephen T. Newcomb	15.00%
W. Scott Newcomb	13.00%
R. Brian Newcomb	8.00%
Jane Connor Hale SPA Trust	6.66%

Pines at Tuttle Crossing III, LLC

Patricia Igoe	21.25%
John W. Connor	21.25%
Stephen T. Newcomb	21.25%
W. Scott Newcomb	21.25%
Edwards Pines investment, LLC	15.00%

- The mailing address for all ownership parties is as follows:

5303 Wilcox Road
Dublin, Ohio 43016