

STATEMENT IN SUPPORT OF VARIANCES

Application: CV22-141

Location: 5142 CENTRAL COLLEGE ROAD (43081), being 9.89± acres (220-002126 and two others; Rocky Fork Blacklick Accord Panel).

Existing Zoning: R, Rural District.

Proposed Zoning: L-AR-1 (H-35).

Proposed Use: Multi-unit residential use.

Applicant(s): David Ruma, DC Building Company, 285 Metro Pl. S., Dublin, Ohio 43017; and Michael Shannon, Atty.; Underhill and Hodge; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

Property Owner(s): Aleks and Natasha Babamovski, 5142 Central College Road, Westerville, Ohio 43081, and two others.

Date: February 6, 2023

The Applicant proposes development of the property for multi-unit residential use. The site is three parcels which total approximately 32.0± acres in area. Two of the parcels are currently being annexed to the City of Columbus. The site is currently zoned R, Rural District and are used for single-unit residential use. This proposed development will complement its sister Fenimore development, across Central College Road, in style and aesthetic.

The site is bordered on the west, north, and east by a residential development zoned Neighborhood Center. The immediate adjacent uses are generally a mix of single- and two-family residential units. The site is also bordered by the adjacent residential development's reserve areas.

The site is within the boundary the Rocky Fork Blacklick Accord. The site is also within the boundary of the *Rocky Fork Blacklick Accord Community Plan* which recommends neighborhood center uses.

The Applicant proposes development of the site with 216 dwelling units on 9.89± acres, a density of 21.84 du/a. The Applicant is committed to design standards set forth by the Rocky Fork Blacklick Accord Community Plan design standards.

To develop the property as proposed, the Applicant requests the following companion area variances:

1. 3309.14 – Height. The Applicant requests a variance to increase the maximum building height from 35 feet to 40 feet.
2. 3312.25 – Maneuvering. The Applicant requests a variance to allow maneuvering across the site's internal parcel lines, with the total required maneuvering area being provided.
3. 3312.29 – Parking space. The Applicant requests a variance to reduced parking space size for parking spaces impacted by the site's internal parcel lines, with the overall parking space meeting the minimum required dimensions.
4. 3312.49(C) – Parking required. The Applicant requests a variance to waive the minimum parking requirement for individual parcels and to require parking based on the overall site, with the overall minimum number of parking spaces being provided.

5. 3333.12 – AR-1 area district requirements. The Applicant requests a variance to waive the area district requirements for individual parcels, with the site's total density meeting the maximum area district requirements.

6. 3333.255 – Perimeter yard. The Applicant requests a variance to reduce the minimum perimeter yard along the west perimeter from 25 feet to 5 feet, to reduce the minimum perimeter yard along the site's internal parcel lines from 25 feet to zero feet, and to allow access in the east perimeter yard drive to antenna/satellite.

City Council may permit a variation in the yard, height, or parking requirements of any district in conjunction with a change in zoning and 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 and providing such variance will not seriously affect any adjoining property or the general welfare.

The Applicant requests companion area variances to reduce the perimeter yard along the west perimeter and to increase the maximum building height. Neither of these variances are substantial deviations from the code requirements and neither will seriously affect any adjoining property owners or the general welfare.

The site is subject to topography and other conditions which warrant granting of the requested variances. The site currently has a retention pond which helps with the adjacent property's storm water management. There is also a substantial area of trees around this retention pond. This development proposes preserving that retention pond and those trees, but preservation restricts the site's developable area. As a result, the site must be designed with a limited but reduced west perimeter to achieve the proposed density. This reduced perimeter yard will not affect adjacent neighbors because there are no residences along this limited portion of the west perimeter.

There are a number of other area variances requested due to the practical difficulty that the site cannot be combined into a single parcel. Two of the site's three parcels are being annexed from Plain Township to the City of Columbus. These two recently annexed parcels are designated with a tax number that is different from the third parcel already incorporated in Columbus. Parcels with different tax numbers cannot be combined. As a result, the site will have parcel lines dividing the development and this caused a number of technical area variances.

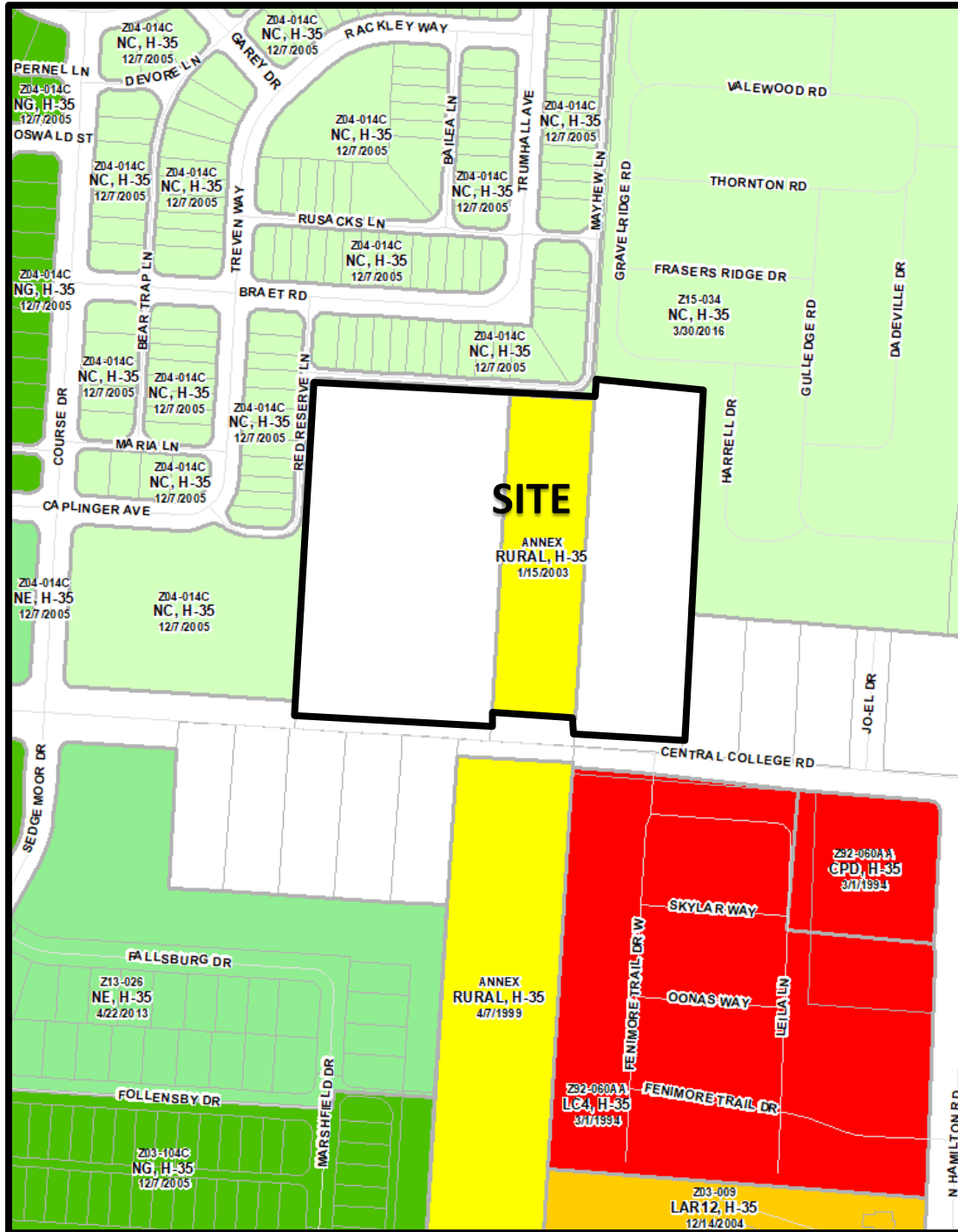
The requested variances will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the city.

The Applicant respectfully requests the Columbus City Council weigh these factors in its consideration and find that this Applicant suffers from a practical difficulty. These variances will not seriously affect any adjoining property or the general welfare. Further, the spirit and intent behind the zoning requirements would be observed and substantial justice done by granting the requested variances.

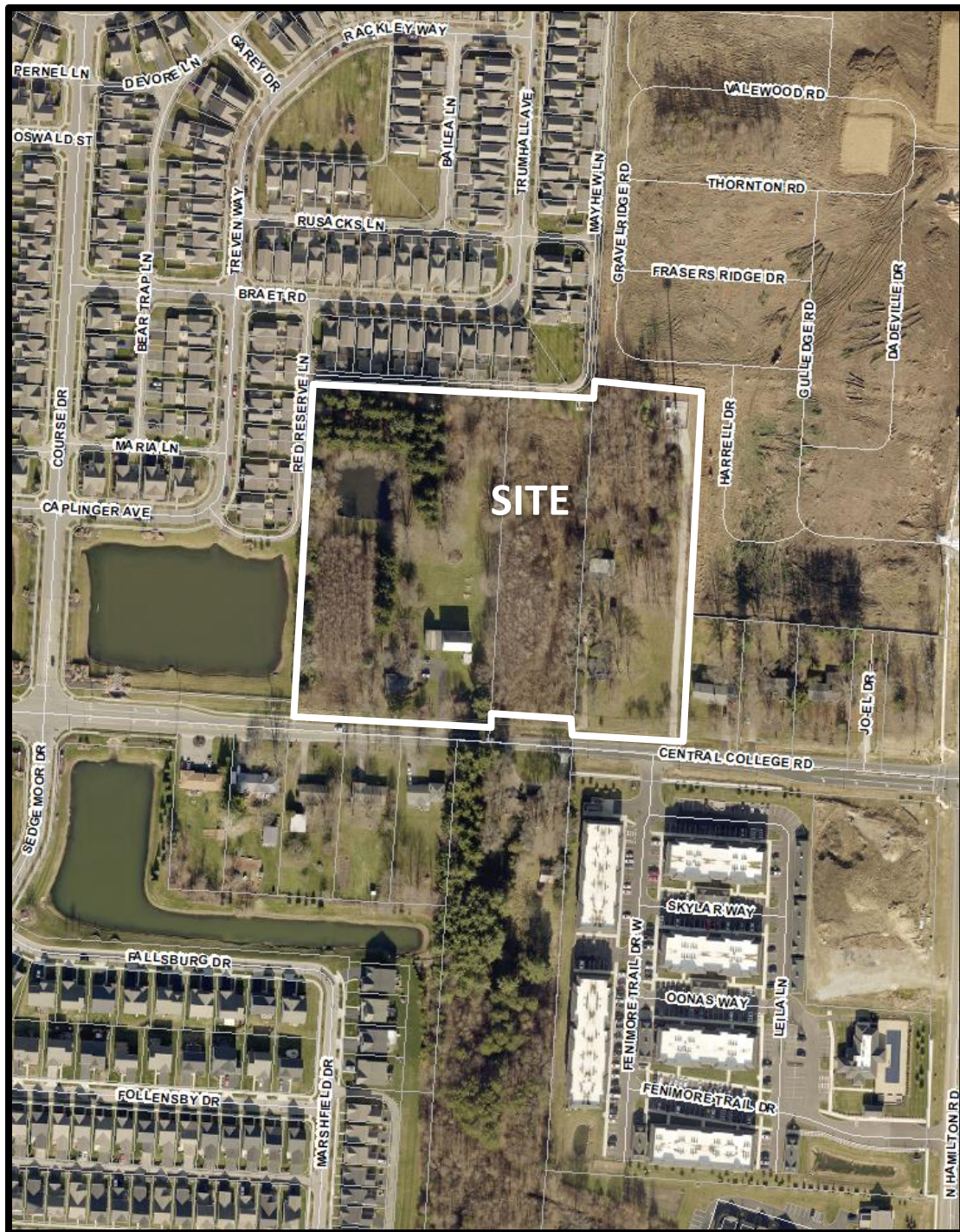
Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Michael Shannon", with a long horizontal flourish extending to the right.

Michael Shannon



CV22-141
5142 Central College Rd.
Approximately 10.0 acres



CV22-141
5142 Central College Rd.
Approximately 10.0 acres



DEVELOPMENT PLAN

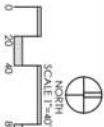
CENTRAL COLLEGE RD.

PREPARED FOR DC BUILDING LLC

DATE: 3/17/2023

Z22-092 - FOR REFERENCE

4-19-23

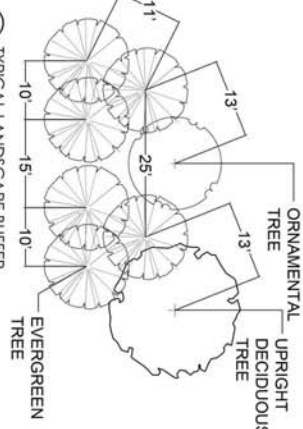


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① TYPICAL LANDSCAPE BUFFER

• ORNAMENTAL AND DECIDUOUS TREES WILL BE PLANTED AT A MINIMUM OF 2.5 CALIPER. EVERGREENS WILL BE PLANTED AT A MINIMUM OF 6' HEIGHT.



SITE DATA

TOTAL SITE ACRES	+/- 9.89 ACRES
TOTAL UNITS	216
2 BED/1 BATH	24
2 BED/2 BATH	120
1 BED/1 BATH	12
TOTAL PARKING	374 SPACES
DRIVEWAY SPACES	338 SPACES
PARKING RATIO	1.73 SP/UT

**THE ROCKY FORK BLACKLICK ACCORD
IMPLEMENTATION PANEL
March 16, 2023
RECORD OF PROCEEDINGS**

Z22-092& CV22-141 (5142 Central College Rd)

Review and Action regarding a Columbus application to rezone, with variances, a site generally located west of Hamilton Rd, north of Warner Rd, east of Lee Rd.

Acreage: 9.89 ac +/-

Current Zoning: R, Rural

RFBA District: West Village-Neighborhood Center

Proposed Zoning: L-AR-1 (H-35)

Applicant(s): David Ruma, Dc Building Company; c/o Michael Shannon, Atty.

Property Owner(s): Aleks and Natasha Babamovski

STAFF COMMENTS:

The proposal was considered for conceptual review at the January 2023 meeting, where panel comments surrounding connectivity, traffic, and preservation of natural resources were noted. The applicant has taken steps to address this feedback in their revised site plan.

It is the opinion of staff that for reasons of a density appropriate for the area's emerging development pattern, the applicant's responsiveness to panel and staff feedback with site revisions, and a site design that generally adheres to the spirit of the Accord, this proposal is recommended for approval.

MOTION:

To recommend approval of a City of Columbus rezoning and council variance application within the Accord study area with conditions listed in staff report, the addition of bicycle parking on site, and that the westernmost windows of building 6 and the northernmost windows of building 5 be removed.

RESULT:

This motion was approved (6-0-2)

Ms. Boni	Yes
Mr. Brubaker	Yes
Mr. Chappellear	No
Mr. Herskowitz	No
Mr. Harper	Yes
Mr. Paul	Yes
Mr. Smithers	Yes
Mr. Sellers	Yes

Council Variance Application

111 N Front Street, Columbus, Ohio 43215

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

PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV22-141

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, Underhill and Hodge

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)

1. Aleks and Natasha Babmovski 5142 Central College Road Westerville, Ohio 43081	2. Christoff Land Development LLC 102 West Main Street, Suite 507 New Albany, Ohio 43054
3. Steven Dunbar and Cindy Ward 5180 Central College Road Westerville, Ohio 43081	4. David Ruma, DC Building Company 485 Metro Pl. S. Dublin, Ohio 43017

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

SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 22nd day of November, in the year 2022

SIGNATURE OF NOTARY PUBLIC

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.