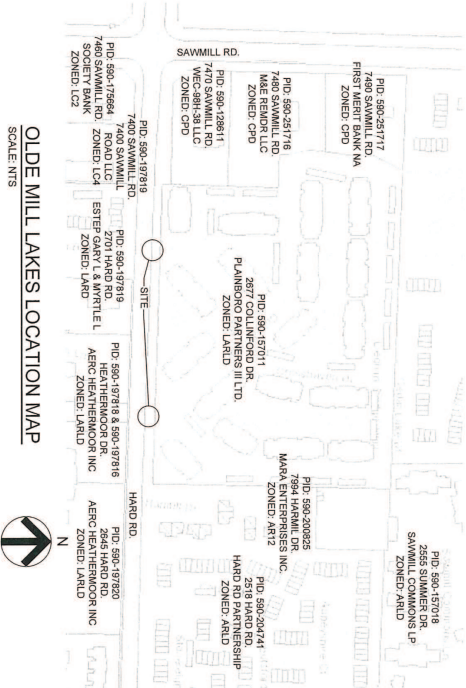


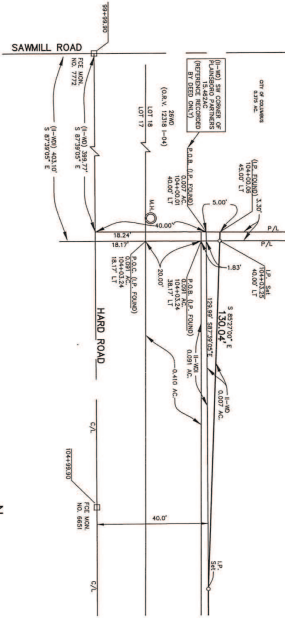
[illegible][illegible][illegible]

Final Site Plan Received 9-4-19 Sheet ① of ⑤ CUL9-047

Thank You
Attorney for App.
9-9-19

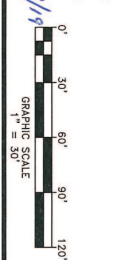
Final Site Plan Received 9-4-19 Sheet 2 of 5 CV19-047

PROPERTY CORNER DETAIL
SCALE: 1/20



ALBERT J. MYERS
REGISTERED PROFESSIONAL SURVEYOR
STATE OF OHIO
NO. 6579

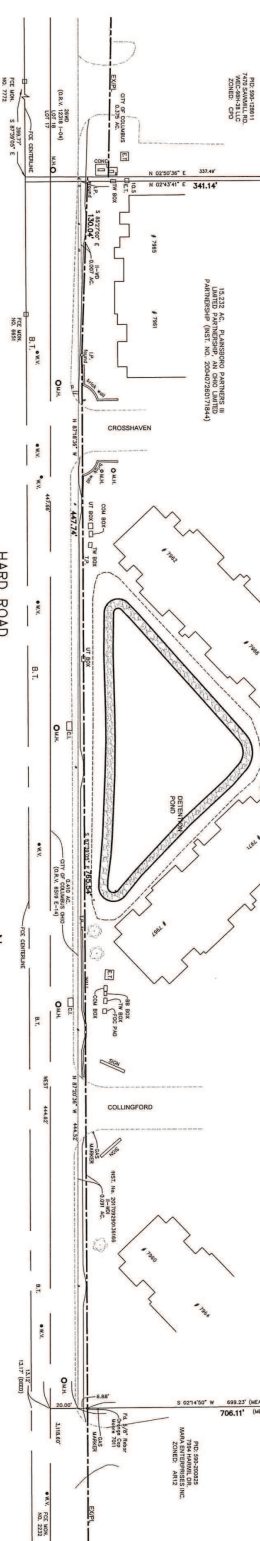
DATE: 9/3/19
BY: Albert J. Myers



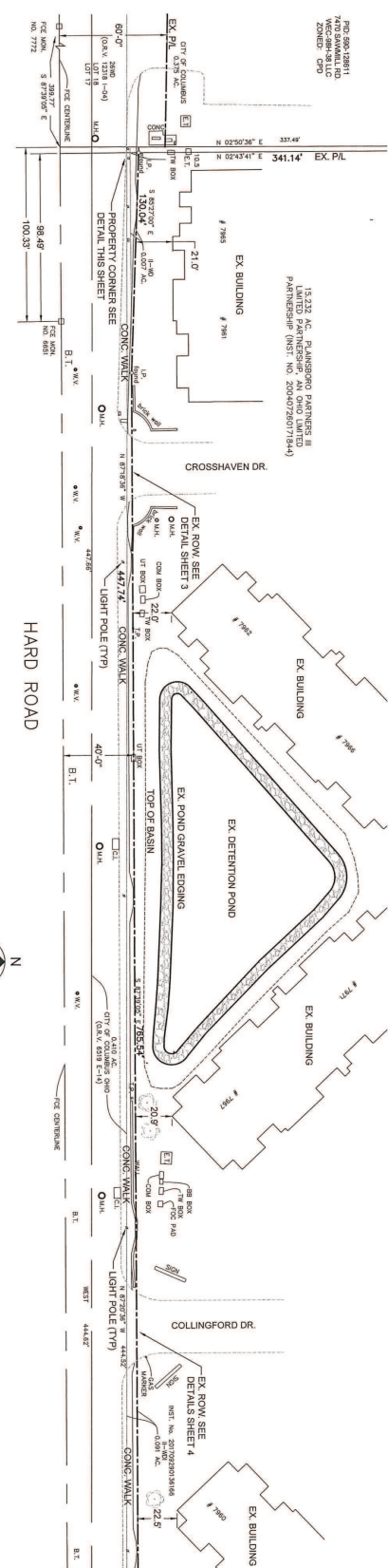
© COPYRIGHT 2017 KRAMER ENGINEERS

REVISIONS	DATE	BY	DESCRIPTION
1	9/3/19	Albert J. Myers	Final Site Plan Received

HARD RD. ROW OVERVIEW
SCALE: 1/40



HARD RD. BUILDING SETBACK ROW PLAN
SCALE: 1/30



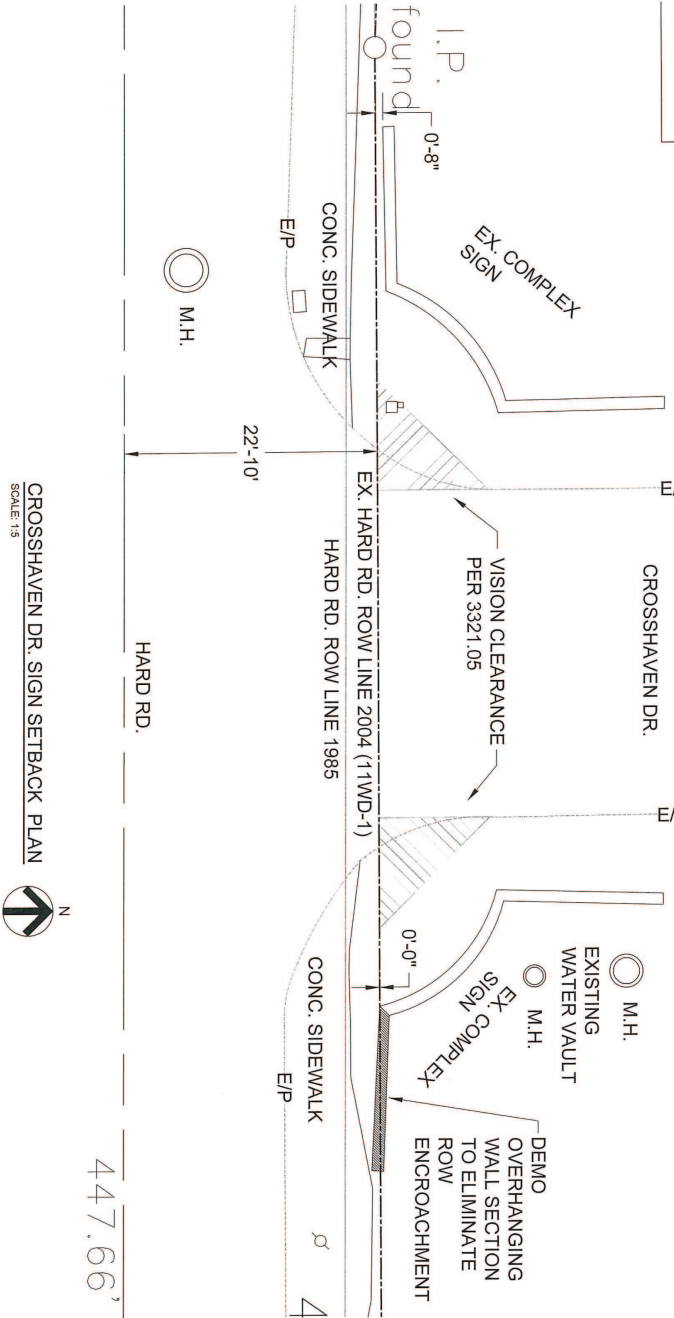
OLDE MILL LAKES ROW VARIANCE
2677 COLLINFORD DR.
DUBLIN, OHIO 43016



KRAMER ENGINEERS
MECHANICAL/ELECTRICAL/CIVIL ENGINEERING
394 DAK STREET
COLUMBUS, OHIO 43215
WWW.KRAMERENGINEERS.COM
TEL: 614.233.6911
FAX: 614.233.6914



Final Site Plan Received 9-4-19 Sheet 3 of 5 CV19-047




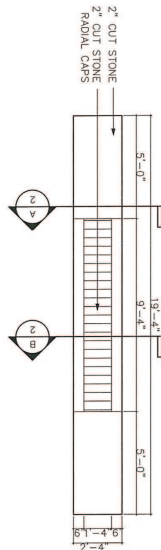
VARIANCES REQUIRED SHEETS 2 & 3

VARIANCE 1: HARD RD. BUILDING SETBACK
 MINIMUM BUILDING SETBACK FOR THIS SITE PER 267-07 IS 30' DUE TO THE ROW LINE BEING ADJACENT TO THE ROW LINE. THE BUILDING SETBACK FOR THIS SITE IS 22'-10" WHICH IS LESS THAN THE 30' REQUIRED BY THE ORDINANCE. THE VARIANCE REQUESTED IS FOR THE BUILDING SETBACK TO BE 22'-10" INSTEAD OF 30'.

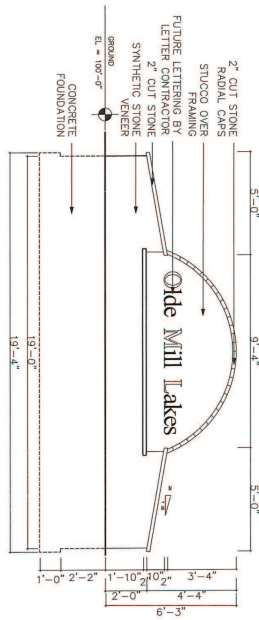
VARIANCE 2: EXISTING SIGN SETBACK LOCATION, HARD RD. AND CROSSHAVEN DR.
 THE EXISTING SIGN IS LOCATED ON THE EAST SIDE OF CROSSHAVEN DR. THE VARIANCE REQUESTED IS FOR THE SIGN TO BE MOVED TO THE WEST SIDE OF CROSSHAVEN DR. TO ELIMINATE THE ROW ENCROACHMENT. THE VARIANCE REQUESTED IS FOR THE SIGN TO BE MOVED TO THE WEST SIDE OF CROSSHAVEN DR. TO ELIMINATE THE ROW ENCROACHMENT.

VARIANCE 3: DEMO OVERHANGING WALL SECTION TO ELIMINATE ROW ENCROACHMENT
 THE DEMO OVERHANGING WALL SECTION IS LOCATED ON THE EAST SIDE OF CROSSHAVEN DR. THE VARIANCE REQUESTED IS FOR THE DEMO OVERHANGING WALL SECTION TO BE ELIMINATED. THE VARIANCE REQUESTED IS FOR THE DEMO OVERHANGING WALL SECTION TO BE ELIMINATED.

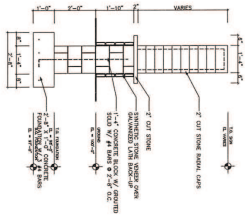
 <p>KRAMER ENGINEERS MECHANICAL/ELECTRICAL/CIVIL ENGINEERS 394 OAK STREET COLUMBUS, OHIO 43215 WWW.KRAMERENGINEERS.COM TEL: 614.233.6911 FAX: 614.233.6914</p>	<p>OLDE MILL LAKES ROW VARIANCE 2677 COLLINFORD DR. DUBLIN, OHIO 43016</p>	<p>EXISTING SIGNS</p> <p>DATE: 08-18-19 SCALE: 1/8" = 1'-0" DRAWN BY: [blank] CHECKED BY: [blank] DATE: [blank]</p>	<p>PROJECT: [blank] DATE: 08-18-19 SCALE: 1/8" = 1'-0" DRAWN BY: [blank] CHECKED BY: [blank] DATE: [blank]</p>
	<p>3</p>	<p>3</p>	<p>3</p>



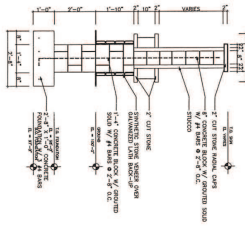
CROSSHAVEN DRIVE WALL TOP VIEW
SCALE: 3/8"=1'-0"



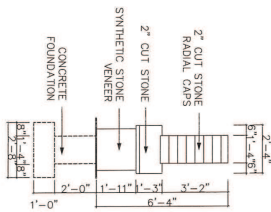
CROSSHAVEN DRIVE WALL FRONT VIEW (REAR SIMILAR)
SCALE: 3/8"=1'-0"



CROSSHAVEN DRIVE WALL SECTION A
SCALE: 3/8"=1'-0"



CROSSHAVEN DRIVE WALL SECTION B
SCALE: 3/8"=1'-0"



CROSSHAVEN DRIVE WALL SIDE VIEW
SCALE: 3/8"=1'-0"

Final Site Plan Received 9-4-19 Sheet 5 of 5 CV19-047

5

<p>WALL DETAILS</p>		<p>DATE: 6-18-19</p> <p>SCALE: 3/8"=1'-0"</p> <p>DRAWN BY: [Signature]</p> <p>CHECKED BY: [Signature]</p>		<p>OLDE MILL LAKES ROW VARIANCE</p> <p>2677 COLLINFORD DR.</p> <p>DUBLIN, OHIO 43016</p>		<p>KE</p>		<p>KRAMER ENGINEERS</p> <p>MEDICAL/ELECTRICAL/CIVIL ENGINEERING</p> <p>394 OAK STREET</p> <p>COLUMBUS, OHIO 43215</p> <p>WWW.KRAMERENGINEERS.COM</p> <p>TEL: 614.233.6911</p> <p>FAX: 614.233.6914</p>		<p>STATE OF OHIO</p> <p>Professional Engineer Seal</p>	
---------------------	--	---	--	--	--	------------------	--	---	--	--	--

THE CITY OF
COLUMBUS
ANDREW J. GINTHER, MAYOR

111 North Front Street, Columbus, Ohio 43215
Phone: 614-645-4522 • www.columbus.gov/bzs • zoninginfo@columbus.gov

Council Variance Application

111 North Front Street, Columbus, Ohio 43215

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

STATEMENT OF HARDSHIP

CV19-047

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 statement.

X Signature of Applicant

[Handwritten Signature]

Date

4/23/19

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

OLDE MILL APARTMENTS
2677 COLLINFORD DRIVE (3740 HARD ROAD original zoning)
REVISED STATEMENT IN SUPPORT OF COUNCIL VARIANCE APPLICATION
June 13, 2019

Property Owner: Plainsboro Partners III, Ltd.

2677 Collinford Drive

BACKGROUND OF COUNCIL VARIANCE REQUEST

In October 2014 the City of Columbus started preliminary construction on widening Hard Road in front of the subject property. The City believed it owned a 40-foot portion of Right-of-Way from the center line easement from the original development. This was generally correct except for a strip of property that was not owned or controlled by the City. This was pointed out to the City, but this fact was ignored and the City proceeded to take all the Right-of-Way, including the portion it did not own or have the right to control. This created an encroachment by the City on the subject property from two to seven feet along the entire length of the Hard Road Frontage.

After the City filed a legal action, the applicant/property owner, Plainsboro Partners, III Ltd. ("Plainsboro") filed a counter-claim to clarify the ownership rights and a judgment was granted in favor of Plainsboro by the Franklin County Common Pleas Court in May of 2016. The City's appeal to the Appeals Court was found to be without merit.

This project and the City's taking of the subject property was finally settled in early 2017 when the City agreed voluntarily to pay \$550,000 in damages and most importantly agreed to assist as needed to help the applicant/owner obtain the variances necessary to bring monument signage walls and all buildings into code compliance. Signage has been in place for many years, and was compliant with Right-of-Way requirements prior to the widening of Hard Road. Buildings were previously properly located outside the 25-foot setback but now violate setback rules as applied based on the road widening and City's Right-of-Way take. In addition, the sign wall on the east side of Crosshaven Drive encroaches into the Hard Road public Right-of-Way up to -9 7/16 inches because of the road widening. This encroachment needs eliminated to comply with code section 902.02.

The applicant/owner has suffered significant legal costs, loss of business and a 30-month court battle to protect its interests. At this point, the applicant/owner's lender is asking for confirmation from the City that the buildings and property they hold a

mortgage on, are lawfully zoned, located and in compliance with City codes. Thus, the requested variances, the accompanying Right-of-Way Dedication Exception request (see attached and explanation below) and the elimination of the Right-of-Way encroachment are proposed to gain compliance and such confirmation.

VARIANCES REQUESTED:

1. Building Setback

Four apartment buildings setbacks were changed due to the Right-of-Way being relocated based on the Hard Road widening. Zoning Ord. Z85-076 requires 25' setback from ROW line. Since the ROW was moved during widening, four (4) buildings are now less than 25 feet. The new building setbacks are 21.0', 22.0', 20.9' and 22.5', so the request is for a building setback of not less than 20 feet in all cases.

2. Existing Collinford Road Entrance Signs (2)

Columbus Code 3376.04 requires ground entrance signs to be set back 15 feet from ROW.

- Eastern Collinford Road entrance sign is 10'-0-13/16"
- Western Collinford Road entrance sign is 10'-3-3/4"

These are current conditions and the variance request is for sign wall locations of not less than 10 feet from the ROW line at Collinford Road and Hard Road.

3. Crosshaven Drive Entrance Signs (2)

Columbus Code 3376.04 requires ground entrance signs to be set back 15 feet from ROW. Because of the road widening, sign walls at Crosshaven Drive are now as close as 8 inches from the Hard Road public ROW on the west side and encroach a distance of up to 97/16 inches into the ROW on the east side. Due to existing water box/utility locations the sign wall placement cannot be moved very far from its existing location, but the future sign wall can be reduced and lowered to improve driver site lines to Hard Road, improving the safety of access. The applicant would like the option of keeping much of the existing sign wall in place for now with the future ability to change the sign to match the Collinford Road signage in design but with a smaller, safer wall profile. The applicant proposes demolition of the sign wall portion on the east side of Crosshaven to eliminate any ROW encroachment in compliance with code section 902.02 and requests the establishment of a zero setback for all private walls and signage at Crosshaven in relation to the Hard Road public ROW. (See Plan Sheet 3)

The variance request is for sign wall placement to be approved at a zero setback distance from the Hard Road ROW line.

RIGHT OF WAY DEDICATION EXCEPTION REQUEST

Along with this revised Council Variance application, a Right-of-Way Dedication Exception request has been submitted to the Department of Public Service, Division of Traffic Management to waive the requirement to dedicate an additional 10 feet of right-of-way along Hard Road per code section 4309.17. This waiver request is attached to this revised Council Variance application narrative and is pending review.

RATIONALE IN SUPPORT OF VARIANCES REQUESTED

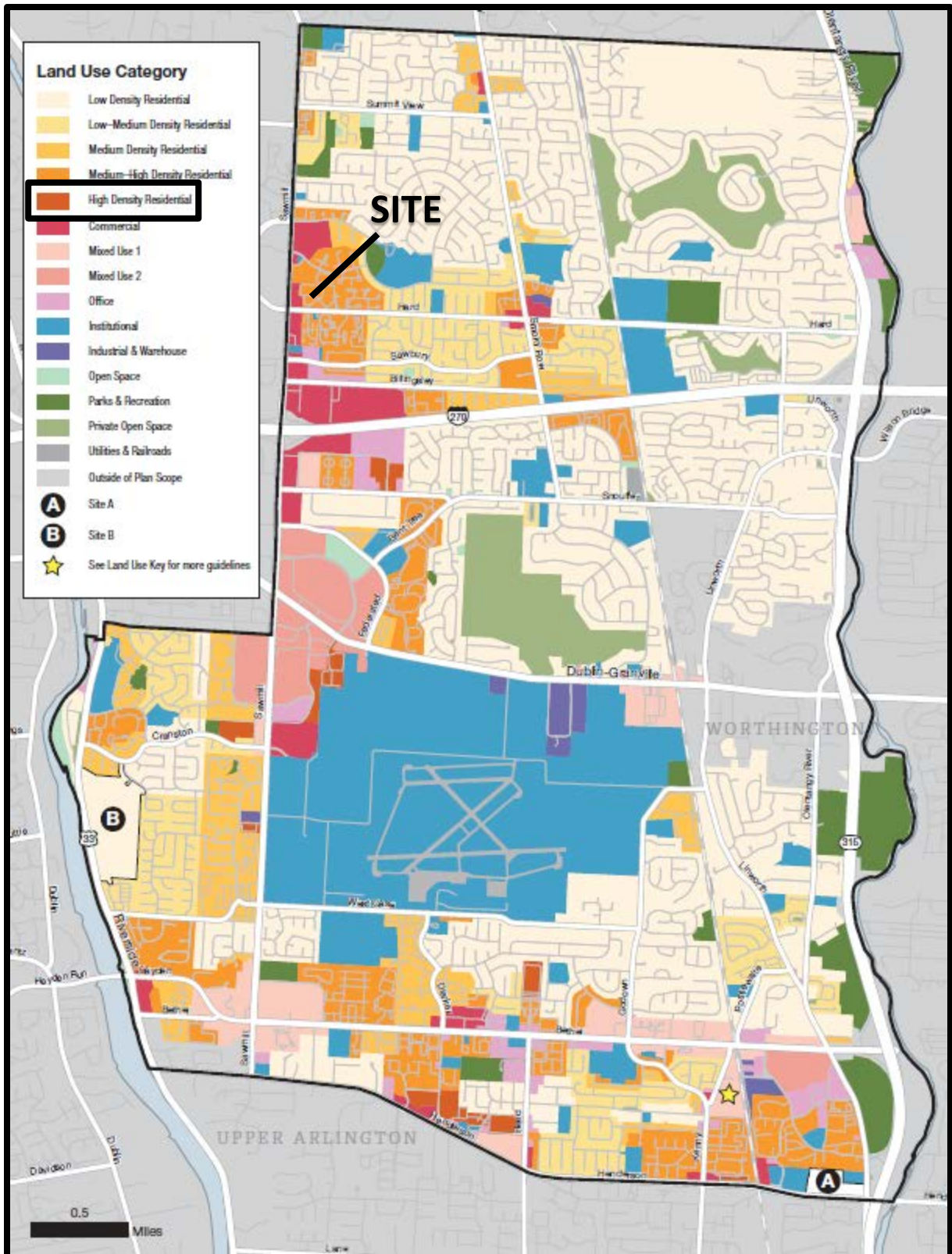
1. The property's ability to meet lender requirements for title compliance, gain access to future financing, and the ability to convey the property for value are potentially impacted without zoning compliance and the requested variances. The property's ability to yield a reasonable return and the future viability of beneficial uses without the variances may be impacted.
2. The building setback location variances are not substantial, amounting to approximately four (4) feet or less in all cases. The requested variances for sign locations are not substantial in as much as such existing sign locations were compliant prior to the City's action to change the ROW location along Hard Road and the requested sign locations only seek to overcome the challenges created by the City's actions. Site lines for safer access to Hard Road from Crosshaven Drive will improve with the future sign/wall alteration requested and demolition proposed.
3. The signage, site lines and sign locations are needed because the City changed the ROW lines, creating the non-compliant conditions, and altered the character of the site in relation to the roadways. The property owner did not have knowledge of the City's road widening and change in ROW lines as the property was zoned and developed in the current condition since at least 1985 and the City changes came many years later.
4. The variances requested are reasonable based on the circumstances and based on the City's alteration of the ROW condition, and the applicant's willingness to remove the sign wall encroachment. As part of the court settlement the City agreed to cooperate and support the owner's need for a zoning compliant site.
5. The essential character of the neighborhood will not be changed by granting the variances as this is an existing, fully developed apartment complex and the buildings and the sign locations that are the subject of the variances exist today. There is no detriment to the neighborhood or adjacent property owners.

6. No delivery of governmental services is impacted by the variance requests. In fact, the governmental interest will be improved with the removal of the sign wall encroachment from the ROW as proposed, in compliance with code section 902.02.

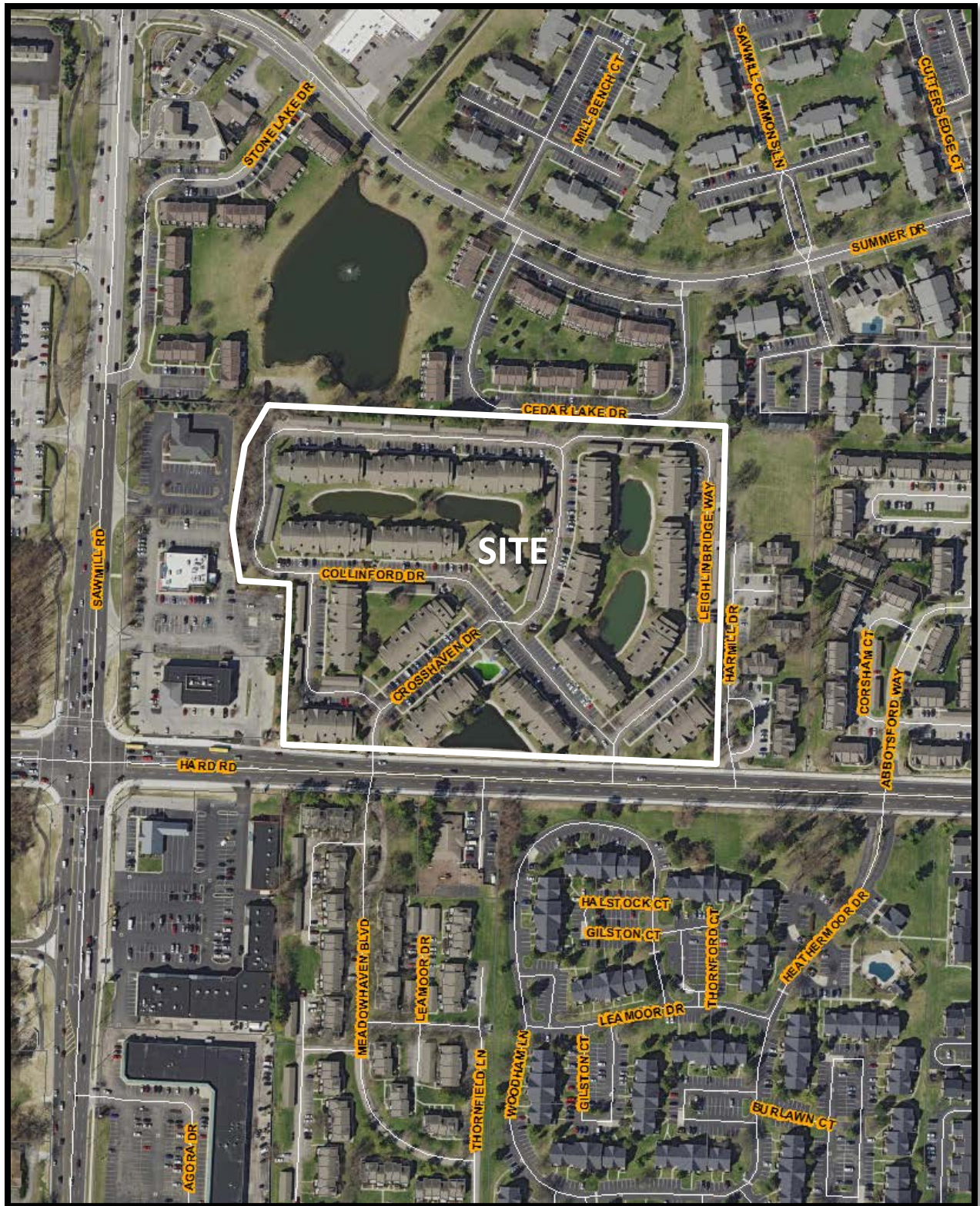
7. The spirit and intent of the zoning resolution, ROW and setback regulations can be met by granting the reasonable requests of the applicant/property owner to provide the sign conditions and building locations that pre-existed the City's road widening and the ROW change and to put the landowner in the relative same position it enjoyed prior to the city's actions. Substantial fairness and justice will be done, and landowner's rights restored by granting the variances requested, along with elimination of the ROW encroachment and site lines for vehicle access to Hard Road from Crosshaven Drive will improve in the future.

CV19-047
2677 Collinford Rd
Approximately 15.23 acres

The Northwest Plan (2016)



CV19-047
 2677 Colinford Rd
 Approximately 15.23 acres



CV19-047
2677 Collinford Rd
Approximately 15.23 acres

Standardized Recommendation Form

ORD #2280-2019; CV19-047; Page 14 of 15
111 N. Front Street, Columbus, Ohio 43215

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

FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW
(PLEASE PRINT)

Case Number: CV19-047
Address: 2677 COLLINFORD DRIVE
Group Name: FAR NORTHWEST COALITION
Meeting Date: JUNE 19, 2019

Specify Case Type:

- ☐ BZA Variance / Special Permit
- ☒ Council Variance
- ☐ Rezoning
- ☐ Graphics Variance / Plan / Special Permit

Recommendation:
(Check only one and list basis
for recommendation below)


- ☒ Approval
- ☐ Disapproval

NOTES:

THE FAR NORTHWEST COALITION BOARD RECOMMENDS APPROVAL.

Vote: 5 TO APPROVE - 0 TO DISAPPROVE

Signature of Authorized Representative:


SIGNATURE

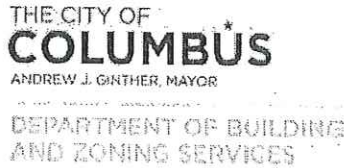
PRESIDENT

RECOMMENDING GROUP TITLE

202-631-3370

DAYTIME PHONE NUMBER

Please e-mail this form to the assigned planner within 48 hours of your meeting day; or FAX to Zoning at 614-645-2463; or
MAIL to: Assigned Planner, City of Columbus, Department of Building & Zoning Services, 111 N. Front St, Columbus, OH 43215.



Council Variance Application

111 North Front Street, Columbus, Ohio 43215

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

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 #: CV19-047STATE OF OHIO
COUNTY OF FRANKLINBeing first duly cautioned and sworn (NAME) Thomas L. Hartof (COMPLETE ADDRESS) Two Miranova Pl, Ste 700, 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 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. Plainsboro Partners III Ltd. 6125 Frantz Rd Dublin, OH 43017	2.
3.	4.

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

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 24 day of April in the year 2019

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

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

Notary Seal Here



LIZBETH A. RUSSELL-PICKARD
 Notary Public, State of Ohio
 My Comm. Expires 05-20-22

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 all checks payable to the Columbus City Treasurer