



Legislation Details (With Text)

File #: 0416-2007 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 3/6/2007 **In control:** Zoning Committee

On agenda: 4/9/2007 **Final action:** 4/11/2007

Title: To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, Apartment residential district use; 3309.148, Area district; 3333.16, Fronting; 3333.255, Perimeter yard; 3333.30, Private access and parking requirements; 3342.06, Aisle; 3342.15, Maneuvering; and 3342.28, Minimum number of parking space required of the Columbus City Codes, for the property located at 5135 WARNER ROAD (43081), to permit a lot split that will allow a shared clubhouse facility and two multi-family residential developments to be on their own parcels with reduced development standards in the L-AR-12, Limited Apartment Residential District (Council Variance # CV06-043).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD0416-2007Attachments.pdf, 2. ORD0416-2007Labels.pdf, 3. ORD0416-2007DataSheet.pdf

Date	Ver.	Action By	Action	Result
4/11/2007	1	CITY CLERK	Attest	
4/10/2007	1	MAYOR	Signed	
4/9/2007	1	COUNCIL PRESIDENT PRO-TEM	Signed	
4/9/2007	1	Zoning Committee	Approved	Pass
4/2/2007	1	Columbus City Council	Read for the First Time	
3/22/2007	1	Dev Zoning Drafter	Sent for Approval	
3/22/2007	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
3/22/2007	1	Dev Zoning Drafter	Sent to Clerk's Office for Council	
3/20/2007	1	Dev Zoning Drafter	Sent for Approval	
3/20/2007	1	Dev Zoning Reviewer	Reviewed and Approved	
3/20/2007	1	Dev Reviewer	Reviewed and Approved	

Council Variance Application: CV06-043

APPLICANT: Reserve at Preston Woods LLC; c/o Jill S. Tangeman and Sarah Herbert, Attys.; 52 East Gay Street; Columbus, OH 43215.

PROPOSED USE: Multi-family residential development.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The subject site is zoned L-AR-12, Limited Apartment Residential District, and is currently being developed with two multi-family residential developments known as The Village at Preston Woods (parcel number 010-277764) and The Reserve at Preston Woods (parcel number 010-242651). The applicant is requesting a Council variance to obtain lot split approval that will allow the shared clubhouse facility and each of the multi-family residential developments to be on their own parcels for financing purposes. As a result of the split, technical variances for density, fronting, perimeter yard, access, aisle width, and parking are needed. This Council variance is necessary because clubhouse facilities must be on the same

parcel as the multi-family residential developments in which they serve. No actual increase in density and no new construction are proposed with this request. The approved Zoning Clearance plan for this development will essentially remain the same; it is simply being sub-divided because each multi-family residential development is financed through a different lender.

To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, Apartment residential district use; 3309.148, Area district; 3333.16, Fronting; 3333.255, Perimeter yard; 3333.30, Private access and parking requirements; 3342.06, Aisle; 3342.15, Maneuvering; and 3342.28, Minimum number of parking space required of the Columbus City Codes, for the property located at **5135 WARNER ROAD (43081)**, to permit a lot split that will allow a shared clubhouse facility and two multi-family residential developments to be on their own parcels with reduced development standards in the L-AR-12, Limited Apartment Residential District (Council Variance # CV06-043).

WHEREAS, by application #CV06-043, the owner of property at **5135 WARNER ROAD (43081)**, is requesting a Variance to permit a lot split that will allow a clubhouse facility and two multi-family residential developments to be on their own parcels in the L-AR-12, Limited Apartment Residential District; and

WHEREAS, Section 3333.02, AR-12, ARLD and AR-1, Apartment residential district use, requires that accessory uses such as clubhouse facilities for multi-family residential developments be on the same parcel as the development for which they serve, while the applicant proposes a clubhouse facility and two multi-family residential developments to be on their own parcels in the L-AR-12, Limited Apartment Residential District; and

WHEREAS, Section 3309.148, Area district, allows a maximum density of one unit per 3,600 square feet, or 12.1 units/acre, while the applicant proposes a density of 12.9 units/acre for The Reserve at Preston Woods parcel as a result of the lot split; and

WHEREAS, Section 3333.16, Fronting, requires that principal buildings shall front upon a public street, while the applicant proposes no frontage on a public street for The Village at Preston Woods parcel as a result of the lot split; and

WHEREAS, Section 3333.255, Perimeter yard, requires a twenty-five (25) foot perimeter yard, while the applicant proposes reduced perimeter yards as a result of the lot split as shown on the submitted site plan; and

WHEREAS, Section 3333.30, Private access and parking requirements, requires that for each principal use, provision shall be made for private access and off-street parking facilities as required by Chapter 3342, while the applicant proposes off-site access through the clubhouse parcel for the multi-family residential developments, and the disbursement of required parking spaces as a result of the lot split; and

WHEREAS, Section 3342.06, Aisle, requires a minimum of twenty (20) foot wide aisles for ninety (90) degree parking, while the applicant proposes reduced aisle widths as a result of the lot split as shown on the submitted site plan; and

WHEREAS, Section 3342.15, Maneuvering, requires that sufficient maneuvering area be provided for each parking space, while the applicant proposes reduced maneuvering area, and to permit maneuvering on the adjacent parcels as a result of the lot split; and

WHEREAS, Section 3342.28, Minimum number of parking spaces required, requires two (2) parking spaces per residential unit, and one (1) parking space for each thirty (30) feet of gross floor area for a clubhouse facility as a principal use on its own parcel, while the applicant proposes a total of one-hundred fifty-five (155) parking spaces for one-hundred thirty-six (136) multi-family units on The Reserve at Preston Woods parcel, and eight (8) parking spaces for a 3,889 square-foot clubhouse facility, a technical reduction of two-hundred thirty-nine (239) required spaces. It should be noted that The Village at Preston Woods Parcel is providing an additional one-hundred ten (110) surface parking spaces above code requirements, and that clubhouse facilities provided on the same parcel as a multi-family residential development are not charged additional parking spaces. The total amount of parking spaces required for the two multi-family residential developments and the clubhouse facility if they were all on the same parcel is four-hundred twenty-four (424) spaces, and four-hundred twenty-five (425) spaces are provided; and

WHEREAS, City Departments recommend approval because the requested Council variance will permit a lot split that will allow the shared clubhouse facility and each of the multi-family residential developments to be on their own parcels for financing purposes. As a result of the split, technical variances for density, fronting, perimeter yard, access, aisle width, and parking are needed. This Council variance is necessary because clubhouse facilities must be on the same parcel as the multi-family residential developments in which they serve. No actual increase in density and no new construction are proposed with this request. The approved Zoning Clearance plan for this development will essentially remain the same; it is simply being sub-divided because each multi-family residential

development is financed through a different lender; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificate of Zoning Clearance for the proposed use; and

WHEREAS, said variance will not adversely affect the surrounding property or surrounding neighborhood; and

WHEREAS, the granting of said variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion of public streets, or unreasonably diminish or impair established property values within the surrounding area, or otherwise impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus; and

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at **5135 WARNER ROAD (43081)**, in using said property as desired and; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That a variance be granted from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, Apartment residential district use; 3309.148, Area district; 3333.16, Fronting; 3333.255, Perimeter yard; 3333.30, Private access and parking requirements; 3342.06, Aisle; 3342.15, Maneuvering; and 3342.28, Minimum number of parking space required of the Columbus City Codes for the property located at **5135 WARNER ROAD (43081)**, insofar as said sections prohibit a lot split of a clubhouse facility from a multi-family residential development, with increased density for The Reserve at Preston Woods parcel, no fronting for the Village of Preston Woods parcel, reduced perimeter yard, no private access for either of the multi-family residential developments, reduced aisle width, reduced maneuvering area, and a parking space reduction of one-hundred twenty-one required parking spaces; said property being more particularly described as follows:

5135 WARNER ROAD (43081), being 24.65± acres located on the south side of Warner Road 650± feet east of North Hamilton Road, and being more particularly described as follows:

**THE VILLAGE OF PRESTON WOODS
PARCEL # 010-277764
12.393 ACRE**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 3, Township 2, Range 16, United States Military District and being part of an original 33.918 acre tract (Parcel I) conveyed to Cardinal Title Holding Company, by deed of record in Official Record 12147 G06 and part of an original 10.256 acre tract conveyed to Cardinal Title Holding Company, by deed of record in Official Record 34012 120, all records herein are from the Recorder's Office, Franklin County, Ohio, said 12.393 acre tract being more particularly described as follows:

BEGINNING FOR REFERENCE, at a point at the centerline intersection of Warner Road and Hamilton Road, as shown and delineated in Plat Book 100, Page3;

Thence with the following three (3) courses along the centerline of said Hamilton Road:

1. South 03°42'28" West, a distance of 64.11 feet, to a point;
2. Along a curve to the right, having a delta of 45°02'45", a radius of 1000.00 feet, an arc length of 786.20 feet, and a chord which bears South 26°13'50" West, and a chord distance of 766.11 feet, to a point;
3. South 48°45'13" West, a distance of 890.62 feet, to a point;

Thence North 86°00'37" West, a distance of 417.94 feet, passing an iron pin set at a distance of 412.94 feet, leaving the centerline of said Hamilton Road and along the line common to said original 33.918 acre tract and a 1.503 acre tract conveyed to Stephen L. Harper, by deed of record in Instrument Number 200408190194833, to a point, referenced by an iron pin set North at a distance of 5.00 feet, at the common corner of said 1.503 acre tract and a 57.862 acre tract conveyed to New Albany Company, by deed of record in Official Record 15680 H04, said point also being in the south line of said original 33.918 acre tract and at the **POINT OF TRUE BEGINNING**;

Thence North 86°00'37" West, a distance of 677.25 feet, along the line common to said 57.862 acre tract, said original 33.819

acre tract and said original 10.256 acre tract, to a 5/8 inch rebar found at the common corner of said original 10.256 acre tract and a 11.809 acre tract conveyed to Dominion Homes, Inc., by deed of record Instrument Number 200506070109304;

Thence North 03°29'50" East, a distance of 891.49 feet, along the line common to said original 10.256 acre tract and said 11.809 acre tract, to a 5/8 inch rebar found at the common corner of said original 10.256 acre tract and a 2.869 acre tract conveyed to Michael W. Adkins and Mary A. Adkins, by deed of record in Instrument Number 200009130185146, and in the east line of said 11.809 acre tract;

Thence South 86°31'56" East, a distance of 411.07 feet, along the line common to said original 10.256 acre tract and said 2.869 acre tract, to an iron pin set in the line common to said original 10.256 acre tract and a 2.869 acre tract conveyed Glenn M. O'Neal and Martha L. O'Neal, by deed of record in Instrument Number 200006290128236;

Thence the following seventeen (17) courses and distances over and across said original 33.918 acre tract and said 10.256 acre tract:

1. South 03°28'04" West, a distance of 156.03 feet, to an iron pin set;
2. Along a curve to the right, having a delta angle of 36°47'56", a radius of 25.00 feet, an arc length of 16.06 feet, a chord which bears South 14°54'08" East, and a chord distance of 15.78 feet, to an iron pin set;
3. South 03°29'50" West, a distance of 162.51 feet, to an iron pin set;
4. South 86°30'10" East, a distance of 101.94 feet, to an iron pin set;
5. South 21°41'09" East, a distance of 74.08 feet, to an iron pin set;
6. South 89°44'28" West, a distance of 49.82 feet, to an iron pin set;
7. South 26°03'30" East, a distance of 43.50 feet, to an iron pin set;
8. North 89°10'34" East, a distance of 33.10 feet, to an iron pin set;
9. North 44°24'04" East, a distance of 63.15 feet, to an iron pin set;
10. North 77°36'41" East, a distance of 50.59 feet, to an iron pin set;
11. South 41°14'47" East, a distance of 106.15 feet, to an iron pin set;
12. North 48°45'13" East, a distance of 30.68 feet, to an iron pin set;
13. South 40°46'44" East, a distance of 159.58 feet, to an iron pin set;
14. South 48°45'13" West, a distance of 34.12 feet, to an iron pin set;
15. North 41°14'47" West, a distance of 18.98 feet, to an iron pin set;
16. South 48°45'13" West, a distance of 255.71 feet, to an iron pin set;
17. South 03°59'23" West, a distance of 115.00 feet, to the **POINT OF TRUE BEGINNING**, containing 12.393 acres, more or less. Of which being 9.561 acres from Parcel Number 010-242651 and 2.832 acres from Parcel Number 010-276432. Being subject to all easements restrictions and rights-of-way of record.

All iron pins set are 3/4 inch iron pipes, 30 inches in length, with a yellow cap bearing the name "CEC PROP. CORNER."

This Description was based on an actual field survey by Civil & Environmental Consultants, Inc. in February, 2005.

The bearings shown above are based on the bearing of North 85°23'52" West, determined between Franklin County Monuments FCGS 8824 and FCGS 5574 based on the State Plane Coordinate System, Ohio, South Zone, NAD 83 (1986 adjustment).

THE RESERVE AT PRESTON WOODS

PARCEL # 010-242651
10.492 ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 3, Township 2, Range 16, United States Military District and being part of a 24.650 acre tract conveyed to The Reserve at Preston Woods LLC, by deed of record in Instrument Number 200507080134441, all records herein are from the Recorder's Office, Franklin County, Ohio, said 10.492 acre tract being more particularly described as follows:

BEGINNING FOR REFERENCE, at a point at the centerline intersection of Warner Road and Hamilton Road, as shown and delineated in Plat Book 100, Page3;

Thence the following three (3) courses and distances along the centerline of said Hamilton Road:

1. South 03°42'28" West, a distance of 64.11 feet, to a point;
2. Along a curve to the right, having a delta of 45°02'45", a radius of 1000.00 feet, an arc length of 786.20 feet, and a chord which bears South 26°13'50" West and a chord distance of 766.11 feet, to a point;
3. South 48°45'13" West, a distance of 694.57 feet, to a point;

Thence North 41°14'47" West, a distance of 358.75 feet, leaving the centerline of said Hamilton Road and along the east line of said 24.650 acre tract, to the **TRUE POINT OF BEGINNING**;

Thence the following fourteen (14) courses and distances over and across said original 24.650 acre tract:

1. South 48°45'13" West, a distance of 22.88 feet, to an iron pin set;
2. Along a curve to the right, having a delta angle of 89°54'19", a radius of 25.00 feet, an arc length of 39.23 feet, a chord which bears North 86°17'38" West and a chord distance of 35.33 feet, to an iron pin set;
3. North 41°20'28" West, a distance of 98.62 feet, to an iron pin set;
4. Along a curve to the right, having a delta angle of 86°09'34", a radius of 25.00 feet, an arc length of 37.59 feet, a chord which bears North 01°44'19" East and a chord distance of 34.15 feet, to an iron pin set;
5. North 41°14'47" West, a distance of 11.01 feet, to an iron pin set;
6. North 48°45'13" East, a distance of 20.19 feet, to an iron pin set;
7. North 41°14'47" West, a distance of 104.70 feet, to an iron pin set;
8. South 49°15'46" West, a distance of 9.17 feet, to an iron pin set;
9. North 40°39'38" West, a distance of 10.95 feet, to an iron pin set;
10. North 85°40'09" West, a distance of 44.77 feet, to an iron pin set;
11. South 49°20'06" West, a distance of 25.63 feet, to an iron pin set;
12. South 04°20'22" West, a distance of 53.93 feet, to an iron pin set;
13. South 40°39'38" East, a distance of 4.48 feet, to an iron pin set;
14. South 49°20'22" West, a distance of 39.10 feet, to an iron pin set at the northeast corner of The Village at Preston Woods Condominium Phase 1, as shown in Condo Plat Book 167, Page 1;

Thence the following three (3) courses and distances along the north lines of said The Village at Preston Woods Condominium Phase 1:

1. South 77°36'41" West, a distance of 50.59 feet, to an iron pin set;
2. South 44°24'04" West, a distance of 63.15 feet, to an iron pin set;
3. South 89°10'34" West, a distance of 33.10 feet, to an iron pin set at a northeast corner of an original 12.393 acre tract conveyed to The Village at Preston Woods LLC, by deed of record in Instrument Number 200509200195889;

Thence the following seven (7) courses and distances along the east lines of said original 12.393 acre tract:

1. North 26°03'30" West, a distance of 43.50 feet, to an iron pin set;
2. North 08°44'28" East, a distance of 49.82 feet, to an iron pin set;
3. North 21°41'09" West, a distance of 74.08 feet, to an iron pin set;
4. North 86°30'10" West, a distance of 101.94 feet, to an iron pin set;
5. North 03°29'50" East, a distance of 162.51 feet, to an iron pin set;
6. Along a curve to the left, having a delta angle of 36°47'56", a radius of 25.00 feet, an arc length of 16.06 feet, a chord which bears North 14°54'08" West and a chord distance of 15.78 feet, to an iron pin set;
7. North 03°28'04" East, a distance of 156.03 feet, to an iron pin set in the line common to said 24.650 acre tract and a 2.869 acre tract conveyed Glenn M. O'Neal and Martha L. O'Neal, by deed of record in Instrument Number 200006290128236;

Thence South 86°31'56" East, a distance of 488.58 feet, along the line common to said 24.650 acre tract and said 2.869 acre tract, to a point referenced by a ½ inch iron pin found south at a distance of 0.48 feet, said point begin at the common corner of said 24.650 acre tract and a 1.722 acre tract conveyed to Mohsen Shirzadian and Michelle Shirzadian, by deed of record in Official Record 11994 H01;

Thence North 03°26'26" East, a distance of 87.11 feet, along the line common to said 24.650 acre tract and said 1.722 acre tract, to a ¾ inch iron pipe found at the common corner of said 24.650 acre tract and a 2.238 acre tract conveyed to Jamie Helber, by deed of record in Official Record 34190 D18, said point also being in the east line of said 1.722 acre tract;

Thence the following two (2) courses and distances along the lines common to said 24.650 acre tract and said 2.238 acre tract:

1. South 86°26'43" East, a distance of 254.12 feet, to a ¾ inch iron pin found;
2. North 01°04'46" West, a distance of 414.07 feet, passing a ¾ inch iron pin found at a distance of 394.65 feet, to a railroad spike found in the centerline of Warner Road;

Thence South 86°17'32" East, a distance of 190.62 feet, along the centerline of said Warner Road, to a railroad spike found at the common corner of said 24.650 acre tract and a 0.906 acre tract conveyed to Cardinal Title Holding Company, by deed of record in Official Record 12147 G06;

Thence South 00°28'58" East, a distance of 499.88 feet, passing a 5/8 inch rebar at a distance of 21.41 feet, along the line common to said 24.650 acre tract and said 0.906 acre tract, to a ½ inch rebar found at the common corner of said 24.650 acre tract, said 0.906 acre tract and a 1.951 acre tract, conveyed to Cardinal Title Holding Company, by deed of record in Instrument Number 200307080207589;

Thence the following three (3) courses and distances along the lines of said 24.650 acre tract:

1. South 09°52'06" West, a distance of 137.14 feet, to a ¾ inch iron pin found;
2. South 48°45'13" West, a distance of 510.00 feet, to a ¾ inch iron pin found;
3. South 41°14'47" East, a distance of 18.98 feet, to the **TRUE POINT OF BEGINNING**, containing 10.492 acres, more or less. Begin subject to all easements, restrictions and rights-of-way of record.

This Description was based on an actual field survey by Civil & Environmental Consultants, Inc. in February, 2005.

All iron pins set are $\frac{3}{4}$ inch iron pipes, 30 inches in length, with a yellow cap bearing the name "CEC PROP. CORNER."

The bearings shown above are determined between Franklin County Monuments FCGS 8824 and FCGS 5574 based on the State Plane Coordinate System, Ohio, South Zone, NAD 83 (1986 adjustment).

**CLUBHOUSE PARCEL
1.767 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 3, Township 2, Range 16, United States Military District and being part of an original 24.650 acre tract conveyed to The Reserve at Preston Woods LLC, by deed of record in Instrument Number 200507080134441, all records herein are from the Recorder's Office, Franklin County, Ohio, said 1.767 acre tract being more particularly described as follows:

BEGINNING FOR REFERENCE, at a point at the centerline intersection of Warner Road and Hamilton Road, as shown and delineated in Plat Book 100, Page3;

Thence the following three (3) courses and distances along the centerline of said Hamilton Road:

1. South $03^{\circ}42'28''$ West, a distance of 64.11 feet, to a point;
2. Along a curve to the right, having a delta of $45^{\circ}02'45''$, a radius of 1000.00 feet, an arc length of 786.20 feet, and a chord which bears South $26^{\circ}13'50''$ West, and a chord distance of 766.11 feet, to a point;
3. South $48^{\circ}45'13''$ West, a distance of 694.57 feet, to a point;

Thence North $41^{\circ}14'47''$ West, a distance of 50.00 feet, crossing said Hamilton Road, to a $\frac{3}{4}$ inch iron pin found in the northwesterly right-of-way line of said Hamilton, said iron pin also being the **TRUE POINT OF BEGINNING**;

Thence South $48^{\circ}45'13''$ West, a distance of 153.00 feet, along the northwesterly right-of-way line of said Hamilton Road, to a $\frac{3}{4}$ inch iron pin found;

Thence North $41^{\circ}14'47''$ West, a distance of 308.75 feet, along a southeast line of said original 24.650 acre tract, to an iron pin set at a southeast corner of an original 12.393 acre tract conveyed to The Village at Preston Woods LLC, by deed of record in Instrument Number 200509200195889;

Thence the following three (3) courses and distances along the east lines of said original 12.393 acre tract:

1. North $48^{\circ}45'13''$ East, a distance of 34.12 feet, to an iron pin set;
2. North $40^{\circ}46'44''$ West, a distance of 159.58 feet, to an iron pin set;
3. South $48^{\circ}45'13''$ West, a distance of 30.68 feet, to an iron pin set at the southeast corner of The Village at Preston Woods Condominium Phase 1 as shown in Condo Plat Book 167, Page 1;

Thence North $41^{\circ}14'47''$ West, a distance of 106.15 feet, along the east line of said The Village at Preston Woods Condominium Phase 1, to an iron pin set;

Thence the following fourteen (14) courses and distances over and across said original 24.650 acre tract:

1. North $49^{\circ}20'22''$ East, a distance of 39.10 feet, to an iron pin set;
2. North $40^{\circ}39'38''$ West, a distance of 4.48 feet, to an iron pin set;
3. North $04^{\circ}20'22''$ East, a distance of 53.93 feet, to an iron pin set;
4. North $49^{\circ}20'06''$ East, a distance of 25.63 feet, to an iron pin set;
5. South $85^{\circ}40'09''$ East, a distance of 44.77 feet, to an iron pin set;

6. South 40°39'38" East, a distance of 10.95 feet, to an iron pin set;
7. North 49°15'46" East, a distance of 9.17 feet, to an iron pin set;
8. South 41°14'47" East, a distance of 104.70 feet, to an iron pin set;
9. South 48°45'13" West, a distance of 20.19 feet, to an iron pin set;
10. South 41°14'47" East, a distance of 11.01 feet, to an iron pin set;
11. Along a curve to the left, having a delta angle of 86°09'34", a radius of 25.00 feet, an arc length of 37.59 feet, a chord which bears South 01°44'19" West and a chord distance of 34.15 feet, to an iron pin set;
12. South 41°20'28" East, a distance of 98.62 feet, to an iron pin set;
13. Along a curve to the left, having a delta angle of 89°54'19", a radius of 25.00 feet, an arc length of 39.23 feet, a chord which bears South 86°17'38" East and a chord distance of 35.33 feet, to an iron pin set;
14. North 48°45'13" East, a distance of 22.88 feet, to an iron pin set in a northeast line of said 24.650 acre tract;

Thence South 41°14'47" East, a distance of 308.75 feet, along the northeast line of said original 24.650 acre tract, to the **TRUE POINT OF BEGINNING**, containing 1.767 acres, more or less. Being subject to all easements, restrictions and rights-of-way of record.

This Description was based on an actual field survey by Civil & Environmental Consultants, Inc. in February, 2005.

All iron pins set are ¾ inch iron pipes, 30 inches in length, with a yellow cap bearing the name "CEC PROP. CORNER."

The bearings shown above are determined between Franklin County Monuments CGS 8824 and FCGS 5574 based on the State Plane Coordinate System, Ohio, South Zone, NAD 83 (1986 adjustment).

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a clubhouse facility that serves The Village at Preston Woods and The Reserve at Preston Woods multi-family residential developments, or those uses permitted in the AR-12, Apartment Residential District.

SECTION 3. That this ordinance is further conditioned on the Subject Site being developed in general conformance with the site plan titled "**1.776, 10.492, & 12.393 ACRES**," drawn by Civil and Environmental Consultants, Inc., dated February 21, 2007, and signed by Jerry A. Malott, Professional Surveyor. The Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments to the Site Plans shall be subject to review and approval by the Director of the Department of Development, or his designee, upon submission of the appropriate data regarding the proposed adjustment.

SECTION 4. That this ordinance is further conditioned upon the applicant recording any subsequent lot split approval granted by the City of Columbus with the Franklin County Recorder's Office within one year of issuance.

SECTION 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.