



# City of Columbus

Office of City Clerk  
90 West Broad Street  
Columbus OH 43215-9015  
columbuscitycouncil.org

## Legislation Text

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**File #:** 1871-2006, **Version:** 1

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**Council Variance Application: CV06-046**

**APPLICANT:** Platinum Lodging; LLC; c/o Jeffrey L. Brown, Atty.; Smith & Hale; 37 West Broad Street, Suite 725; Columbus, OH 43215.

**PROPOSED USE:** One hundred twenty-eight (128) multi-family dwelling units.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The applicant proposes a maximum of one hundred twenty-eight (128) multi-family dwelling units and parking in the L-AR-12, Limited Apartment Residential District. An extended stay hotel located just to the east of this site has established a residential element in the area. A Council variance for this development (CV06-024) was approved on July 10, 2006. The applicants have agreed to have a rezoning (Z06-058) on the Council agenda by the end of January 2007. This Council variance is necessary to re-establish the development standards of the previous Council variance which will be nullified with the passage of Z06-058. No recommendation is being made regarding the hardship aspect of this request .

To grant a Variance from the provisions of Sections 3333.18; Building lines; 3333.255, Perimeter yard; and 3333.26, Height district; of the Columbus City Codes for the property located at **4770 HILTON CORPORATE DRIVE (43232)**, to permit a maximum of one hundred twenty eight dwelling units with reduced development standards in the L-AR-12, Limited Apartment Residential District. (Council Variance # CV06-046).

**WHEREAS**, by application #CV06-046, the owner of property at **4770 HILTON CORPORATE DRIVE (43232)**, is requesting a Variance to permit a maximum of one hundred and twenty-eight (128) multi-family dwelling units with reduced development standards in the AR-12, Apartment Residential District; and

**WHEREAS**, Section 3333.18, Building lines, requires a building setback of twenty-five (25') feet from both Interstate 70 and Hilton Corporate Drive, while the applicant proposes a minimum building setback of eight (8') feet; and

**WHEREAS**, Section 3333.255, Perimeter yard, requires a perimeter yard of twenty-five (25') feet, while the applicant proposes a perimeter yard of zero feet.

**WHEREAS**, Section 3333.26, Height district, requires a maximum building height of thirty-five (35') feet, while the applicant proposes a building height of forty-five (45') feet.

**WHEREAS**, City Departments recommend approval because the applicant proposes a maximum of one hundred twenty-eight (128) multi-family dwelling units and parking in the L-AR-12, Limited Apartment Residential District. An extended stay hotel located just to the east of this site has established a residential element in the area. A Council variance for this development (CV06-024) was approved on July 10, 2006. The applicants have agreed to have a rezoning (Z06-058) on the Council agenda by the end of January 2007. This Council variance is necessary to re-establish the development standards of the previous Council variance which will be nullified with the passage of Z06-058. No recommendation is being made regarding the hardship aspect of this request; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy 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 **4770 HILTON CORPORATE DRIVE (43232)**, 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 from the provisions of Sections 3333.18, Building lines, 3333.255, Perimeter yard and 3333.26, Height district of the Columbus City Codes for the property located at **4770 HILTON CORPORATE DRIVE (43232)**, insofar as said sections prohibit a multi-family development with a maximum of one hundred twenty-eight (128) dwelling units, with a building line of 8 feet where 25 feet would be required, with a perimeter yard of zero (0) feet where 25-feet would be required; and with a building height of forty-five (45) feet; said property being more particularly described as follows:

**4770 HILTON CORPORATE DRIVE (43232)**, being 11.2± acres located on the north side of Hilton Corporate Drive, 150± feet east of Cloverleaf Street East, and being more particularly described as follows:

**LEGAL DESCRIPTION OF 11.188 ACRE TRACT**

Situated in the State of Ohio, County of Franklin, City of Columbus, located in part of Sections 21 & 22, T12N, R21W, Refugee Lands, and being part of Lot 2 of LIONMARK CORPORATE CENTER, as numbered and delineated in Plat Book 65, Page 87, Franklin County Recorder's Office, and being more particularly described as follows:

Beginning, for reference, at a PK Nail found marking the intersection of the centerline of Hilton Lane (60 feet wide) and Cloverleaf Street east (80 feet wide);

Thence South 89° 43' 46" East 182.80 feet, along the centerline of Hilton Lane, to a point;

Thence North 00° 16' 14" East 30.00 feet, to an iron pin found (3/4 inch) in the north line of Hilton Lane marking the southeast corner of a 16.592 acre tract currently owned by Platinum Lodging LLC, of record in Instrument Number 200410270248374, and being the PRINCIPAL PLACE OF BEGINNING of the herein described tract:

Thence North 00° 22' 16" West 605.46 feet, along the east line of said 16.592 acre tract, to an iron pin found (3/4 inch) in the north line of Lot 2 and south line of Interstate 70, marking the northeast corner of said 16.592 acre tract;

Thence North 85° 59' 00" East 16.99 feet, along the north line of Lot 2 and south line of Interstate 70, to an iron pin found (3/4 inch);

Thence South 87° 13' 53" East 484.74 feet, along the north line of Lot 2 and south line of Interstate 70, to an iron pin found (3/4 inch);

Thence South 82° 13' 10" East 389.07 feet, along the north line of Lot 2 and south line of Interstate 70, to an iron pin found (3/4 inch) marking the northwest corner of a 3.181 acre tract currently owned by Slam Properties IV LLC, of record in Instrument Number 199812310337707;

Thence South 00° 16' 14" West 537.71 feet, along the west line of said 3.181 acre tract, to an iron pin found in the north line of Hilton Lane marking the southwest corner of said 3.181 acre tract;

Thence the following five (5) courses along the south line of Lot 2 and north line of Hilton Lane:

North 89° 43' 46" West 257.20 feet, to an iron pin found (3/4 inch);

Along the arc of a curve to the right (Delta angle= 72° 53' 43", Radius = 20.00', Arc length = 25.45 feet), with a long chord bearing of North 53° 16' 55" West, and a chord length of 23.76 feet, to an iron pin found (3/4 inch);

Along the arc of a curve to the left (Delta angle=  $72^{\circ} 53' 43''$ , Radius = 150.00', Arc length 381.68 feet), with a long chord bearing of North  $89^{\circ} 43' 46''$  West, and a chord length of 286.73 feet, to an iron pin found (3/4 inch);

Along the arc of a curve to the right (Delta angle=  $72^{\circ} 53' 43''$ , Radius = 20.00', Arc length = 25.45 feet), with a long chord bearing of South  $53^{\circ} 49' 23''$  West, and a chord length of 23.76 feet, to an iron pin found (3/4 inch);

North  $89^{\circ} 43' 46''$  West 298.02 feet, to the principal place of beginning, containing an area of **11.188 acres**.

*Basis of bearings assumed, based of the centerline of Hilton Lane being South  $89^{\circ} 43' 46''$  East, as shown on Plat Book 65, Page 87. A survey was done by Bradley J. Patridge P.S. 7068, in September, 2005. All iron pins set are capped PATRIDGE SURVEYING.*

*All referenced documents are on file at the Franklin County Recorder's Office, Columbus, Ohio.*

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a maximum of one hundred twenty-eight (128) multi-family dwelling units, or those uses permitted in the AR-12, Apartment Residential District.

**SECTION 3.** That this ordinance is further conditioned upon the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

**SECTION 4.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.