

EXISTING ZONING:
R1 - RESIDENTIAL

ADJACENT TO: 350 EAST BARTHMAN AVENUE

TOTAL AREA: 1,352 V.V. ACRES
LOT AREA: 0.444 V.V. ACRES
DOB AREA: 0.444 V.V. ACRES
PD: 010-011462 010-058484
 010-024649 010-024650
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 010-024697 010-024698
 010-024699 010-024700

EXISTING ZONING:
R1 - RESIDENTIAL

PROPOSED ZONING: COMMERCIAL - GENERAL (C-1) (11-0293)
 COUNCIL VOUCHER (CV-0293)

HEIGHT DISTRICT: H-40

PROPOSED USE:
SIB AREA - PROPOSED 20,000 SQ. FT. BUILDING

SETBACKS AS NOTED:

LOT COVERAGES AS

INDICATED BY CORE

REAR YARD

FRONT YARD

REAR YARD

FRONT YARD

REAR YARD

FRONT YARD

REAR YARD

FRONT YARD

REAR YARD

FRONT YARD

REAR YARD

FRONT YARD

REAR YARD

FRONT YARD

REAR YARD

FRONT YARD

REAR YARD

FRONT YARD



NOTE: LANDSCAPE TO BE DETERMINED AT A LATER DATE

REAR YARD: 50' MIN. CLEARANCE TO ADJACENT PROPERTY

FRONT YARD: 10' MIN. CLEARANCE TO ADJACENT PROPERTY

REAR YARD: 10' MIN. CLEARANCE TO ADJACENT PROPERTY

FRONT YARD: 10' MIN. CLEARANCE TO ADJACENT PROPERTY

REAR YARD: 10' MIN. CLEARANCE TO ADJACENT PROPERTY

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REAR YARD: 10' MIN. CLEARANCE TO ADJACENT PROPERTY

FRONT YARD: 10' MIN. CLEARANCE TO ADJACENT PROPERTY

REAR YARD: 10' MIN. CLEARANCE TO ADJACENT PROPERTY

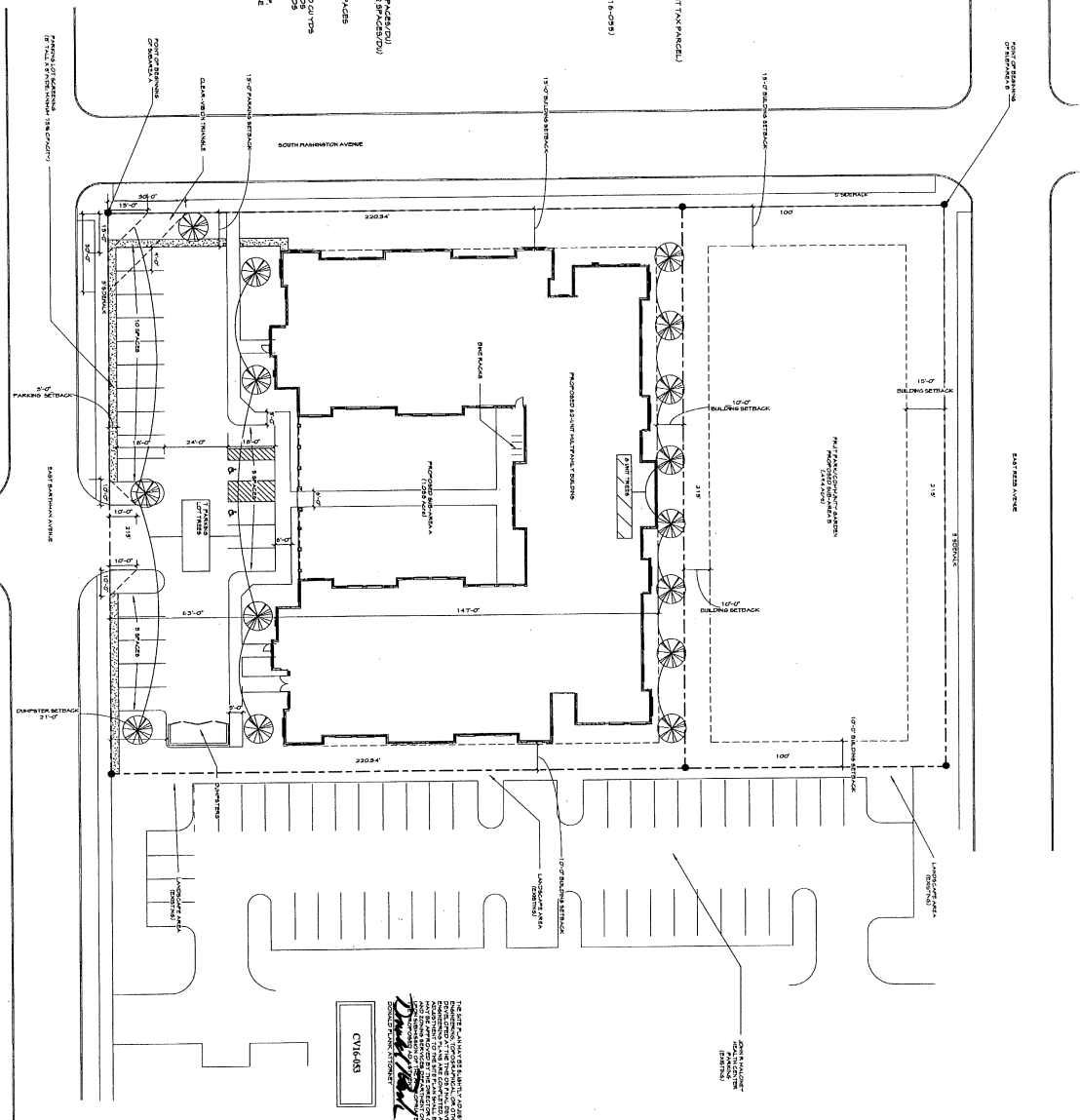
FRONT YARD: 10' MIN. CLEARANCE TO ADJACENT PROPERTY

REAR YARD: 10' MIN. CLEARANCE TO ADJACENT PROPERTY

SITE PLAN

1" = 20'-0"

CV16-053, Final Received 11/11/2016, Page 1 of 1



CV16-053

THE SITE PLAN HAS BEEN SUBMITTED TO THE CITY OF CLEVELAND FOR REVIEW AND APPROVAL. THE CITY ENGINEER HAS REVIEWED THE PLAN AND HAS DETERMINED THAT IT COMPLIES WITH THE CITY ZONING ORDINANCES AND THE CITY ENGINEERING DEPARTMENT HAS REVIEWED THE PLAN AND HAS DETERMINED THAT IT COMPLIES WITH THE CITY ENGINEERING DEPARTMENT REGULATIONS. THE CITY ENGINEER HAS REVIEWED THE PLAN AND HAS DETERMINED THAT IT COMPLIES WITH THE CITY ZONING ORDINANCES AND THE CITY ENGINEERING DEPARTMENT HAS REVIEWED THE PLAN AND HAS DETERMINED THAT IT COMPLIES WITH THE CITY ENGINEERING DEPARTMENT REGULATIONS.

PROJECT DATE: 11/11/2016
 PROJECT # 11326
 SHEET DATE: 11/11/2016
 SHEET # 1A

Schematic Design

350 EAST BARTHMAN AVENUE
 PROPOSED SITE PLAN

1A

berardi +

Architectural & Interior Design Engineering
 10000 Eastman Avenue, Suite 100
 Cleveland, Ohio 44130
 Phone: (216) 771-1111
 Fax: (216) 771-1111
 Website: www.berardi.com

Parsons Community
PARSONS PLACE
 350 East Barthman Avenue
 Cleveland, Ohio 44130
 Phone: (216) 771-1111
 Fax: (216) 771-1111
 Website: www.parsonsplace.com



DEPARTMENT OF BUILDING AND ZONING SERVICES

COUNCIL VARIANCE APPLICATION

Department of Building & Zoning Services

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224

Phone: 614-645-7433 • www.bzs.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 Exhibit B

Signature of Applicant

Donald Plank

Date

11/11/16

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

Exhibit B

Statement of Hardship

CV16-053, 350 E Barthman Avenue

Rezoning application Z16-055 is pending to rezone the 1.582 +/- acre property to the L-AR-O Limited Apartment Residential District. This variance application is submitted for variances to certain applicable site development standards of the L-AR-O district as a companion application to the pending rezoning. By rezoning, applicant proposes two (2) subareas, as follows: Subarea A: 1.088 acres, for development of a 62 unit apartment building, and Subarea B: 0.494 acres, for a community garden/fruit park. The plan titled "350 East Barthman Avenue, Proposed Site Plan", hereafter "Site Plan", dated 11/11/16 and signed by Donald Plank, Attorney for Applicant, is submitted as the development plan for the site.

Subarea A is proposed to be developed with a 62 dwelling unit apartment building. Subarea B is exclusively for the purpose of a community garden/fruit park. Subareas A and B must be on separate tax parcels. A lot split application will be submitted after the rezoning and variance applications have been completed. The Site Plan reflects the proposed split of the property. Applicant has a hardship in that there is no zoning district to which the property could be rezoned for the proposed development and not need variances to code standards. Applicant has a practical difficulty with compliance to develop the property in a comprehensive, coordinated way, as proposed.

Applicant requests the following variances:

- 1). 3333.04, Permitted uses in AR-O apartment office district, to permit the use of Subarea B as a community garden/fruit park.
- 2). 3312.21 (D)(1), Landscaping and Screening, to reduce the required width of headlight screening landscaping bed from four (4) feet to three (3) feet along E Barthman Avenue.
- 3). 3312.27 (3), Parking setback line, to reduce the E. Barthman Avenue and S. Washington Avenue parking setback lines from 10' and 25' to 3' and 13', respectively.
- 4). 3312.49, Minimum Numbers of Parking Spaces Required, to reduce required parking in Subarea A from 93 spaces (1.5 space/DU) to 20 spaces (0.32 space/DU).

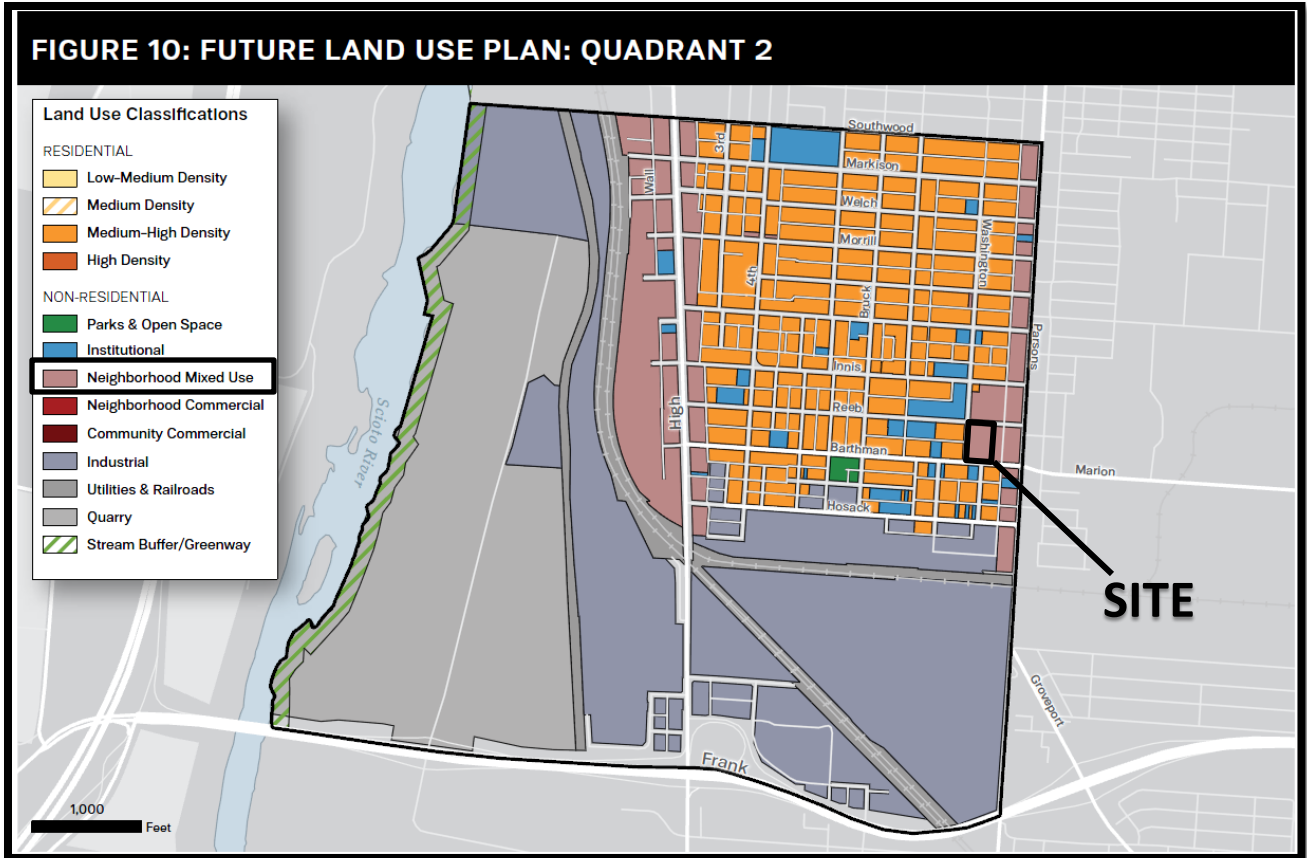
Community Housing Network, Inc. (CHN) owns and operates over 1,200 apartment units in Franklin County. Nearly all of the units are single occupancy. Through many years of managing these units for the population CHN serves, it is CHN's experience that the proposed number of parking spaces is more than adequate and likely even overstates the parking demand for both residents and visitors. It is CHN's mission as well as obligation through public financing requirements to provide affordable apartments. It is CHN's experience that few CHN residents have cars.

- 5). 3321.05(B)(1), Vision Clearance, to reduce the 30'x30' clear vision triangle at the intersection of E. Barthman Avenue and S. Washington Avenue to 15'x15'.
- 6). 3333.18, Building lines, to reduce the S. Washington Avenue and E. Reeb Avenue building setback lines from 25 feet to 15 feet.
- 7). 3333.24, Rear Yard, to reduce the required rear yard for the apartment building in Subarea A from 25% to 9% of lot area.

11/11/2016



CV16-053
350 East Barthman Avenue
Approximately 1.581 acres



CV16-053
350 East Barthman Avenue
Approximately 1.581 acres



CV16-053
350 East Barthman Avenue
Approximately 1.581 acres

Department of Building & Zoning Services

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224-3218

Phone: 614-645-7433 www.columbus.gov

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

Case Number Z16-055 / CV16-053

Address 350 E. Barthman Avenue

Group Name Columbus Southside Area Commission

Meeting Date October 25, 2016

Specify Case Type

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

Recommendation
(Check only one)

- Approval
- Disapproval

NOTES:

Vote 13 For 0 AGAINST

Signature of Authorized Representative 

SIGNATURE

SOUTH SIDE AREA COMMISSION

RECOMMENDING GROUP TITLE

614-332-3355

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: Zoning, City of Columbus, Department of Building & Zoning Services, 757 Carolyn Avenue, Columbus, Ohio 43224.



COUNCIL VARIANCE APPLICATION

Department of Building & Zoning Services

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224

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DEPARTMENT OF BUILDING AND ZONING SERVICES

PROJECT DISCLOSURE STATEMENT

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.

APPLICATION # CV16-053

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) John Turner

of (COMPLETE ADDRESS) Land Bank - City of Columbus, 50 West Gay Street, Columbus, Ohio 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
Business or individual's address
Address of corporate headquarters
City, State, Zip
Number of Columbus based employees
Contact name and number

Table with 2 columns and 2 rows containing property owner information. Row 1: 1. City of Columbus, 50 West Gay Street, Columbus, Ohio 43215, # of Columbus Based Employees: 10,000 +/-, Contact: John Turner 614-645-2551; 2. Community Housing Network, 1680 Watermark Drive, Columbus, Ohio 43215, # of Columbus Based Employees: 93, Contact: Walt Whitmyre (614) 487-6745. Row 2: 3. (blank), 4. (blank).

Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT [Handwritten Signature]

Sworn to before me and signed in my presence this 29th day of August, in the year 2016

SIGNATURE OF NOTARY PUBLIC [Handwritten Signature] My Commission Expires 11-5-2018 Notary Seal Here

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



Stacey L. Danza
Notary Public, State of Ohio
My Commission Expires 11-05-2018

Relevant code and policy explained for community gardens



Interpreting codes and policies to understand what is and is not permitted in a typical community garden can be confusing; therefore, as a service to our gardeners, we have compiled this information in a simplified format below.

1) Land

- Gardens are an acceptable use on properties in all zoning districts (i.e. residential, commercial, manufacturing, apartment). *Reference city code chapters 3332 and 3333.*
- The city's Land Bank holds vacant parcels until they are able to be purchased for development or use as a side yard. Meanwhile, these parcels can be leased for \$10 per year to groups wishing to establish a community garden. Contact the Land Bank at 645-LAND for more information.
 - While the city cannot guarantee that garden leases will continue indefinitely, it is the general practice that parcels being used for gardens are not listed for sale and every effort will be made to ensure gardens do not need to be relocated without cause.
 - The safety of the soil for growing cannot be guaranteed by the city; therefore, the use of raised beds is recommended, but not required.
 - As an alternative to leasing property from the city, some Land Bank properties can be purchased for gardening. Applicable garden properties would be sold for fair market value. The property owner would then be responsible for paying taxes, insurance and other related fees.

2) Water:

- The city is unable to provide free water service to gardens due to city code. Reference *charter section 122 and code chapter 1105 & 1109.*
- If access to an outdoor water spigot is available, the property owner can install an auxiliary meter in order to avoid paying sewer fees. Contact 645-8276 for more information.
- Use of water storage systems such as cisterns and rain barrels is allowed. However, these items are considered to be structures and therefore must adhere to city code (reference item 6 below). Ensure mosquitoes are not able to enter and breed in the water storage system to prevent health risks and nuisance complaints.

3) Composting:

- Composting is allowed as long as material being composted was generated onsite. Your garden site should not accept food scraps from any outside source as doing would be required to be located in a manufacturing district, obtain permission from the city as well as a permit from the state. *Reference city code: 3303.03, 3389.034, 3332.039, 3332.34, 3333.31, 4703.01 and Ohio Administrative Code: 3745-27-03.*
 - Bins, boxes or other large items installed to accommodate composting are considered to be structures and therefore must adhere to city code (reference item 6 below).
 - Take care in managing compost to avoid nuisance complaints.

4) Supplies & Services:

- The city is unable to provide free tilling, tree removal or other services to community gardens. Free tool rental is available through Rebuilding Together Central Ohio and, when funds are available, the city offers grants to assist with these types of expenses, among others.

5) Fencing:

- Fences are acceptable in most cases. *Reference city code: 4113.55*
 - Before installing a fence, contact the Department of Building and Zoning Services at 645-8637 to ensure your fence is in compliance with your applicable zoning regulations, including overlay, which can vary depending on location.
 - Fences greater than six feet tall require a building permit (fees apply).
 - If you are using Columbus owned Land Bank property for your garden, you must submit a site plan in order to receive approval for a fence (or any other improvement) in writing from the city.

6) Structures:

- Structures include items such as sheds, gazebos, cisterns, composting bins, sales displays, etc. These items are allowed in community gardens. Structures of 169 square feet or greater require a certificate of zoning clearance (fees apply). Additionally, if the structure is greater than 100 square feet it may also require a building permit (fees apply). Although, in some cases building permits are not required when constructed for an agricultural use. Placement of structures must be setback from the property line to allow for visual clearance. Contact the Department of Building and Zoning Services to ensure your structure adheres to all regulations at 645-8637.
- If you are using Columbus owned Land Bank property for your garden, you must submit a site plan in order to receive approval to install structures in writing from the city.

7) Signage:

- A permanent, non-illuminated sign of ten square feet or less installed on garden property is allowed without need for a permit on private property; however, signage must be installed according to city code. Contact the Department of Building and Zoning Services before you begin your signage project at 645-8637.
- All other graphics on private property require a graphics permit (fees apply) from the city's Department of Building and Zoning Services, prior to installation and may require the services of a licensed signs erector. Contact the Department of Building and Zoning Services at 645-6090 before you begin your signage project.
- Community signage is allowed in the public right of way; however, before these signs are approved, sign specifications and plan details must be submitted with a permit application to the Department of Public Service (fees apply). Additionally, insurance is required in order to receive final approval to install the signage. Contact the Department of Public Service before beginning your signage project at 645-1584.

8) Sales:

- Much like a garage sale, occasional sales of unprocessed fruits and vegetables are allowed to take place on the community garden site without the need for any permits. *Reference city code: 3390.02 and Columbus health code: 255.02*
- Regular or permanent sales of unprocessed fruits and vegetables are allowed only in manufacturing or commercial districts. *Reference city code: 3351.03, 3363.01*
 - Parking is required for regular or permanent sales. *Reference city code: 3312.49*
- Regular sales of any processed foods require approval from the Ohio Department of Agriculture and must obtain a retail food establishment license. Food will be subject to inspection at the sale location by Columbus Public Health. Depending on where and how the food is prepared, additional licenses and rules apply. Please thoroughly research these policies before proceeding with sale of processed foods. *Reference Ohio revised code: 3717.221, 3717.22, 3717.22(B)(3), 3715.01(A)(20) and 3715.023, Ohio Administrative Code: 901:3-20-04 and 901:3-20, City code: 3332.37 and 3333.34.*

