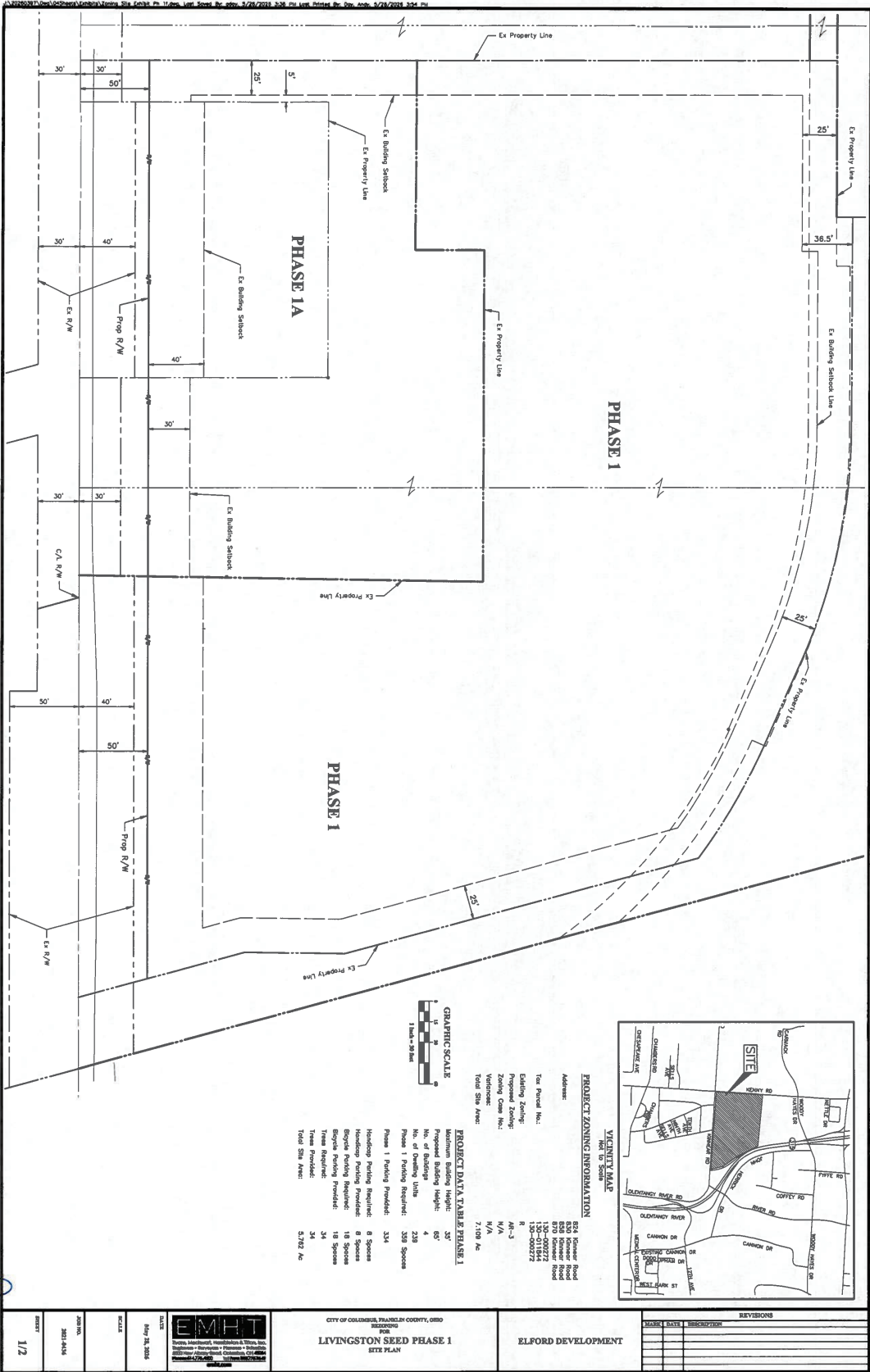
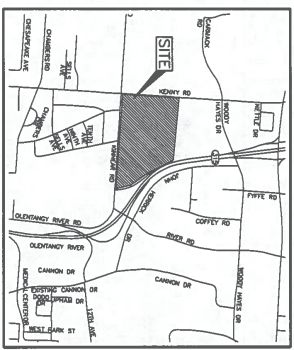


Final Site Plan Received 6.2.26; Sheet 1 of 2; CV22-062



PROJECT ZONING INFORMATION
 Not to Scale
 Address: 824 Inlander Road
 Tax Parcel No.: 824 Inlander Road
 Building Zoning: R
 Proposed Zoning: R
 Planning Case No.: N/A
 Vol. Case No.: N/A
 Total Site Area: 7,109 sq. ft.



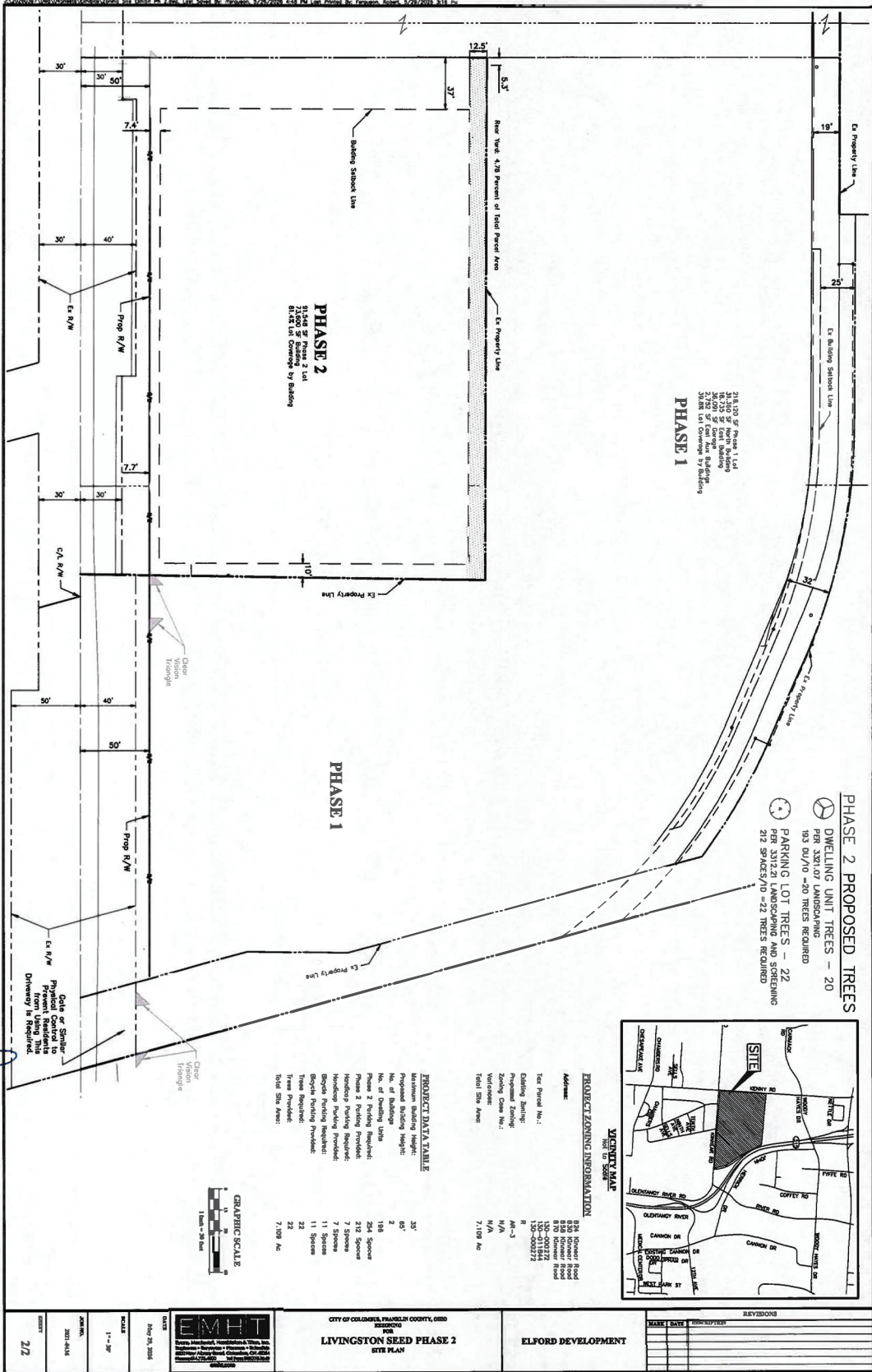
PROJECT DATA TABLE PHASE 1

Proposed Building Height:	32'
No. of Buildings:	4
No. of Dwelling Units:	239
Phase 1 Parking Required:	339 Spaces
Handicap Parking Required:	33
Handicap Parking Provided:	8 Spaces
Single Parking Required:	18 Spaces
Single Parking Provided:	18 Spaces
Tram Required:	34
Tram Provided:	34
Total Site Area:	5,762 sq. ft.

Agguy A Inc 6/2/26

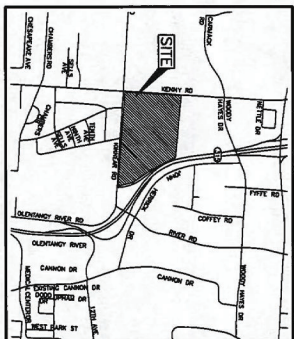
	CITY OF COLUMBUS, FRANCIS COUNTY, OHIO FOR LIVINGSTON SEED PHASE 1 SITE PLAN	ELFDOR DEVELOPMENT	REVISIONS <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	NO.	DATE	DESCRIPTION						
	NO.	DATE	DESCRIPTION									
DATE: May 26, 2024 JOB NO.: 2023-0416 SHEET: 1/2												

Final Site Plan Received 6.2.26; Sheet 2 of 2; CV22-062



PHASE 2 PROPOSED TREES

- PHASE 2 DWELLING UNIT TREES - 20
- PER SECTION 15.02.010 - 20 TREES REQUIRED
- PER 212 SPACES/10 = 22 TREES REQUIRED



PROJECT ZONING INFORMATION

Address: 830 River Road
 830 River Road
 830 River Road
 130-00122
 130-00122

Parcel No.: R
 Projected Zoning: R
 Projected Zone No.: N/A
 Total Site Area: 7.109 Ac

PROJECT INFORMATION

Maximum Building Height:	35'
Proposed Building Height:	60'
Number of Buildings:	2
No. of Dwelling Units:	198
Phase 2 Parking Required:	242 Spaces
Phase 2 Parking Provided:	27 Spaces
Handicap Parking Required:	7 Spaces
Handicap Parking Provided:	11 Spaces
Bicycle Parking Required:	22
Bicycle Parking Provided:	22
Tree Required:	22
Tree Provided:	7,109 Ac
Total Site Area:	7.109 Ac



Handwritten signature and date: [Signature] 6/2/26

<p>EMHT Engineering, Mechanical, Hydrological & Traffic 10000 E. 15th Avenue, Suite 100 Denver, CO 80231 Phone: 303.751.1100 Fax: 303.751.1101 www.emht.com</p>	CITY OF COLORADO, FRANKLIN COUNTY, ORID FOR LIVINGSTON SEED PHASE 2 SITE PLAN	ELFDOR DEVELOPMENT	REVISIONS MARK DATE REVISIONS
	DATE: May 26, 2025 SCALE: 1" = 30' SHEET: 2025-014 TOTAL SHEETS: 2/2		



Council Variance Application

Address: 111 N. Front St., Columbus, Ohio 43215

Email: zoninginfo@columbus.gov

Website: www.columbus.gov/bzs

Phone: 614-645-4522

DEPARTMENT OF BUILDING AND ZONING SERVICES

Statement of Hardship:

Columbus City Code Section 3307.10 - Variances by City Council. City council may grant the following zoning variances:

- A. Permit a variation 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 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 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.

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.

The following factors shall be used in determining whether the applicant has encountered practical difficulties in the use of the property. Respond to the following statements:

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance. Yes No

The existing building may be used for the uses permitted by the prior council variance.

2. Whether the variance is substantial. Yes No

The setback variances and the perimeter yard and rear yard are substantial, the parking variance is not.

3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance. Yes No

The area is a mixture of educational uses, self storage and residential. The proposed development of multi family would not change the essential character of the neighborhood, nor would adjoining properties suffer a substantial detriment.

4. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse service). Yes No

Governmental services exist to the site and the variances will not affect the delivery of the governmental services.

5. Whether the property owner purchased the property with knowledge of the zoning restriction.

Yes No

The property owner was not aware of these issues until there were discussions with the city staff.

6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance. Yes No

A variance is the only way to address these issues.

7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance. Yes No

see attached sheet

List all sections of Code to be varied and explain your reasoning as to why this request should be granted. NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are not included, a new application (and applicable fees) 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 sheet

Signature of Applicant: Jeffrey R. Brown Attorney General

Date: 6-2-26

Hardship Statement
824 Kinnear Road

7.

The city created a new zoning code that is more urban and more density friendly. Although this site is in the next phase of Zone In, the requested variances are in keeping with the new zoning code. Some of the variances are the result of internal parcels lines since the development will be done in phases. By allowing this variance the city will match the spirit and intent behind these requirements and substantial justice would be done by granting the request.

Conclusion

The council variance applicant is requesting the following variances: Phase 1 - Section 3333.18 – Building Lines: to reduce the building setback from 50 feet to 3 feet along Kinnear Road. Section 3333.255 – Perimeter Yard: to reduce the perimeter yard for buildings from 25 feet to 5 feet along the east property line, to 9 feet along the west property line. To reduce the perimeter yard for parking from 25 feet to 3 feet along the east property line, to 5 feet along the west property line and to zero along the south property line. Section 3312.21 Landscaping and screening: to eliminate the perimeter screening along the east and west property lines. Section 3312.27 Parking Setback Line: to reduce the parking setback from 25 feet to 3 feet along Kinnear Road. Section 3312.49 – Minimum Number of Parking Spaces Required: to reduce the required number of parking spaces from 357 to 334. (A reduction of 25 spaces). Maximum of 239 dwelling units in Phase 1.

Phase 1A - Section 3333.255 – Perimeter Yard: to reduce the perimeter yard for parking from 25 feet to 2 feet along the west; Section 3312.27 – Parking Setback Line: to reduce the parking setback from 25 feet to zero feet along Kinnear Road. Section 3312.21 Landscaping and screening: to eliminate the parking lot screening along Kinnear Road and the perimeter screening along the east, west and north property lines and Phase 2 – Section 3333.15 – Basis of Computing Area: to permit residence building to increase the lot coverage from 50% to 82% of the lot area. Section 3333.18 – Building Lines: to reduce the building setback from 50 feet to 2 feet along Kinnear Road; Section 3333.24 Rear Yard: to reduce the rear yard from 25% of the total lot area to 4.7%. Section 3312.49 – Minimum Number of Parking Spaces Required: to reduce the required number of parking spaces from 254 to 212. (A reduction of 42 spaces). Maximum of 196 dwelling units in Phase 2.

The proposed redevelopment of this site is for multi-family use which will be developed in phases. Since the project will be done in phases separate parcel lines will be created and will be in different ownership.

The reduction in the building and parking setback is to bring the buildings and parking closer to the street to create a more pedestrian feel to the site. The reduction in the perimeter yard allows for larger buildings and a better site layout. The increase in lot coverage gives the site a more urban feel by creating a large building. The reduction in screening reflects the internal parcel lines as well as the adjacent uses, which will not suffer a substantial detriment.

The parking reduction reflects the needs of the residential community. The site's location allows for other types of transportation. The Lennox Shopping Center is within walking distance of the site.

The reduction in the rear yard reflects that a single building will be in Phase 2 and the required rear yard is an internal parcel line.

The requested variances are substantial in some cases but do not change the essential character of the neighborhood nor would adjoining properties suffer a substantial detriment. One of the neighbors is a self-storage facility. Governmental services to the site are not adversely affected by the variances. The variance process is the only way to resolve these issues.

Given the above analysis, the applicant believes that a necessary hardship exists and that the variance shall be granted.

livingston-kinnear-hardship.ste (nct)
6/1/26 S:Docs

Phase 1

Section 3333.18 – Building Lines: to reduce the building setback from 50 feet to 3 feet along Kinnear Road.

Section 3333.255 – Perimeter Yard:

To reduce the perimeter yard for buildings from 25 feet to 5 feet along the east property line, to 9 feet along the west property line.

To reduce the perimeter yard for parking from 25 feet to 3 feet along the east property line, to 5 feet along the west property line and to zero along the south property line.

Section 3312.21 Landscaping and screening: to eliminate the perimeter screening along the east and west property lines.

Section 3312.27 Parking Setback Line: to reduce the parking setback from 25 feet to 3 feet along Kinnear Road.

Section 3312.49 – Minimum Number of Parking Spaces Required: to reduce the required number of parking spaces from 357 to 334. (A reduction of 25 spaces)

Maximum of 239 dwelling units in Phase 1.

Phase 1A

Section 3333.255 – Perimeter Yard: to reduce the perimeter yard for parking from 25 feet to 2 feet along the west.

Section 3312.27 – Parking Setback Line: to reduce the parking setback from 25 feet to zero feet along Kinnear Road.

Section 3312.21 Landscaping and screening: to eliminate the parking lot screening along Kinnear Road and the perimeter screening along the east, west and north property lines.

Phase 2

Section 3333.15 – Basis of Computing Area: to permit residence building to increase the lot coverage from 50% to 82% of the lot area.

Section 3333.18 – Building Lines: to reduce the building setback from 50 feet to 2 feet along Kinnear Road.

Section 3333.24 Rear Yard: to reduce the rear yard from 25% of the total lot area to 4.7%.

Section 3312.49 – Minimum Number of Parking Spaces Required: to reduce the required number of parking spaces from 254 to 212. (A reduction of 42 spaces)

Maximum of 196 dwelling units in Phase 2.

**CITY COUNCIL – ZONING COMMITTEE
STAFF REPORT
COUNCIL VARIANCE**

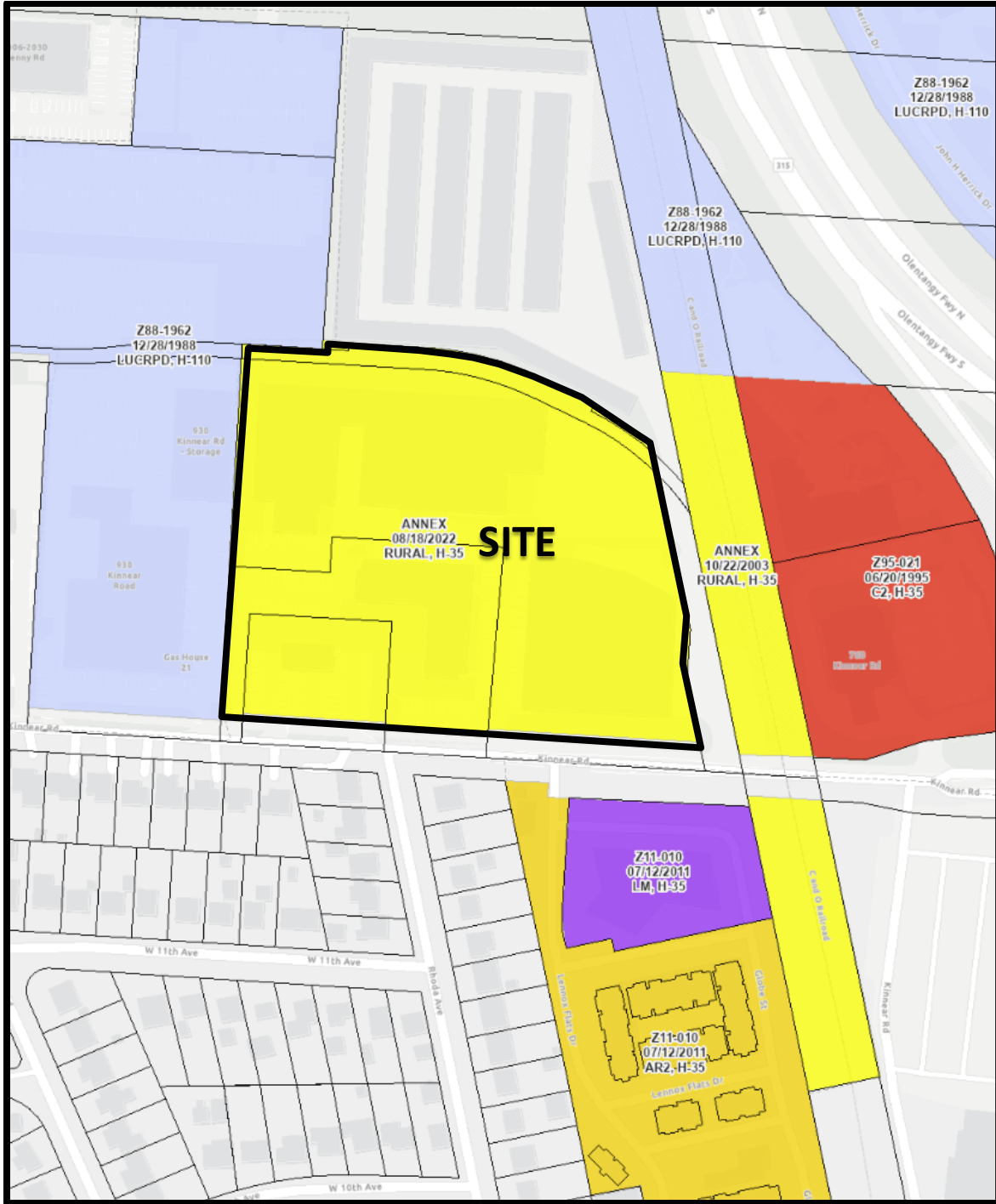
APPLICATION: CV22-062
Location: 824 KINNEAR RD. (43212), being 7.7± acres located on the north side of Kinnear Road, 900± feet west of Olentangy River Road (420-307999 and 420-308000; No Group).
Pending Zoning: AR-3, Apartment Residential District.
Proposed Use: Multi-unit residential development.
Applicant(s): Livingston Limited, LLC; c/o Jeffrey L. Brown, Atty.; 172 East State Street, Suite #550 Columbus, OH 43215.
Property Owner(s): Livingston Limited, LLC; 2099 Lytham Road; Columbus, OH 43220.
Planner: Tim Dietrich; 614-645-6665; tedietrich@columbus.gov

BACKGROUND:

- The 7.7± acre site consists of two parcels developed with a variety of uses including office, warehouse and multi-unit residential, in the R, Rural District, due to annexation into the city of Columbus. The Applicant has received a recommendation of approval from Staff and from the Development Commission for a concurrent rezoning request (Z25-058) to the AR-3, Apartment Residential District.
- The request includes variances for not providing parking lot landscaping and screening, reduced building and parking setbacks, required parking, rear yard, perimeter yard, and increased lot coverage, for a proposed multi-unit residential development containing up to 435 units.
- North and east of the site is a self-storage facility in the LI, Limited Industrial District in Clinton Township. South of the site is an office building in the L-M, Limited Manufacturing District and single-unit dwellings in the R-8, Restricted Urban Residential District in Clinton Township. West of the site is a university-related building in the L-UCRPD, Limited University-College Research-Park District.
- *The Columbus Multimodal Thoroughfare Plan (2019)* identifies this portion of Kinnear Road as an Urban Commuter Corridor requiring 120 feet of right-of-way.
- Staff concurs with the applicant's analysis of the seven practical difficulties regarding the requested variances to landscaping and screening, building and parking setbacks, required parking, lot coverage, rear yard, and perimeter yard.

CITY DEPARTMENTS' RECOMMENDATION: Approval.

The requested variance will allow the property to be redeveloped with multi-unit residential development, over three phases, consistent with similar residential developments in urban areas of the city, including the nearby Fifth by Northwest neighborhood.



CV22-062
824 Kinneer Rd.
Approximately 7.7 acres



CV22-062
824 Kinnear Rd.
Approximately 7.7 acres

Council Variance Application

ORD #0378-2026; CV 22-062, Page 11 of 11



Address: 111 N. Front St., Columbus, Ohio 43215

Email: zoninginfo@columbus.gov

Website: www.columbus.gov/bzs

Phone: 614-645-4522

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.

STATE OF OHIO, COUNTY OF FRANKLIN
Being first duly cautioned and sworn (NAME) Jeffrey L. Brown

of (COMPLETE ADDRESS) 172 E. State Street STE 550 Columbus, OH 43215

deposes and states that they are 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:

- For Example: Name of Business or Individual
- Contact name and number
- Business or Individual's address; City, State, Zip Code
- Number of Columbus-based employees

1. Livingston Limited LLC. Andy Livingston 614 328 4630 2099 Lytham Road Columbus, OH 43220. No Columbus based employees.	2.
3.	4.

Check here if listing additional parties on a separate page.

Signature of Affiant [Signature]

Sworn to before me and signed in the presence this 1st day of June, in the year 2020

Signature of Notary Public: [Signature] My Commission Expires: 9/4/2030

This affidavit expires six (6) months after date of notarization



Notary Seal Here
Natalie C. Timmons
Notary Public, State of Ohio
My Commission Expires 09-04-2030