

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

APPLICATION: CV24-056
Location: 4130 E. LIVINGSTON AVE. (43227), being 0.18± acres located on the north side of East Livingston Avenue, 441± feet east of South Yearling Road (010-122920; Mideast Area Commission).
Existing Zoning: SR, Suburban Residential District.
Proposed Use: Shared living facility.
Applicant(s): Buckeye Clinic; c/o Bryant Curry; 3121 West Broad Street; Columbus, OH 43016.
Property Owner(s): The Applicant.
Planner: Eastman Johnson; 614-645-7979; roejohnson@columbus.gov

BACKGROUND:

- The site consists of one parcel developed with a single-unit dwelling in the SR, Suburban Residential District. The site is subject to zoning code violations #24470-01186 and #24440-01808 for failure to obtain a certificate of zoning clearance and rooming house license. The requested Council variance will legitimize a shared living facility with a reduction in required parking.
- A Council variance is required because while the SR district allows a residential care facility for up to five occupants, but does not allow a shared living facility. The applicant proposes to use the dwelling as a recovery adult care facility for a maximum of ten occupants, including three staff members, within a single-unit dwelling.
- To the north, east, and west of the site are single-unit dwellings in the SR, Suburban Residential District. To the south is a charitable use in the CAC, Community Activity Center District.
- The site is located within the planning boundaries of the *Livingston East Area Plan (2008)*, which recommends “Residential (Single-Family)” land uses at this location. Although the proposed adult care facility use deviates from the Plan’s recommended land use, retaining the underlying zoning classification will ensure that the residential character of the neighborhood will be maintained.
- The site is located within the boundaries of the Mideast Area Commission, whose recommendation is for approval.
- Staff recognizes that there are practical difficulties with the reduction in required parking included in the request.

CITY DEPARTMENTS’ RECOMMENDATION: Approval

The requested Council variance will allow a shared living facility that provides residents a home and a network of support that promotes recovery, health, and responsible living. Furthermore, retaining the underlying zoning classification will ensure that the residential character of the neighborhood will be maintained. The Division of Traffic Management is in support of the request for reduced parking spaces as the residents will not have personal vehicles. The requested use must comply with Ohio Revised Code requirements, be issued a rooming house license, and be inspected yearly.

Council Variance Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

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

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.

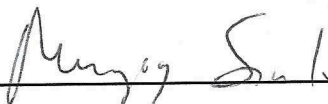
In granting a variance pursuant to this section, council may impose such requirements and conditions regarding the location, character, duration, and other features of the variance proposal as council deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.

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):

Signature of Applicant



Date 5/3/2024

STATEMENT OF HARDSHIP

4130 E. Livingston Ave Columbus, Ohio 43227

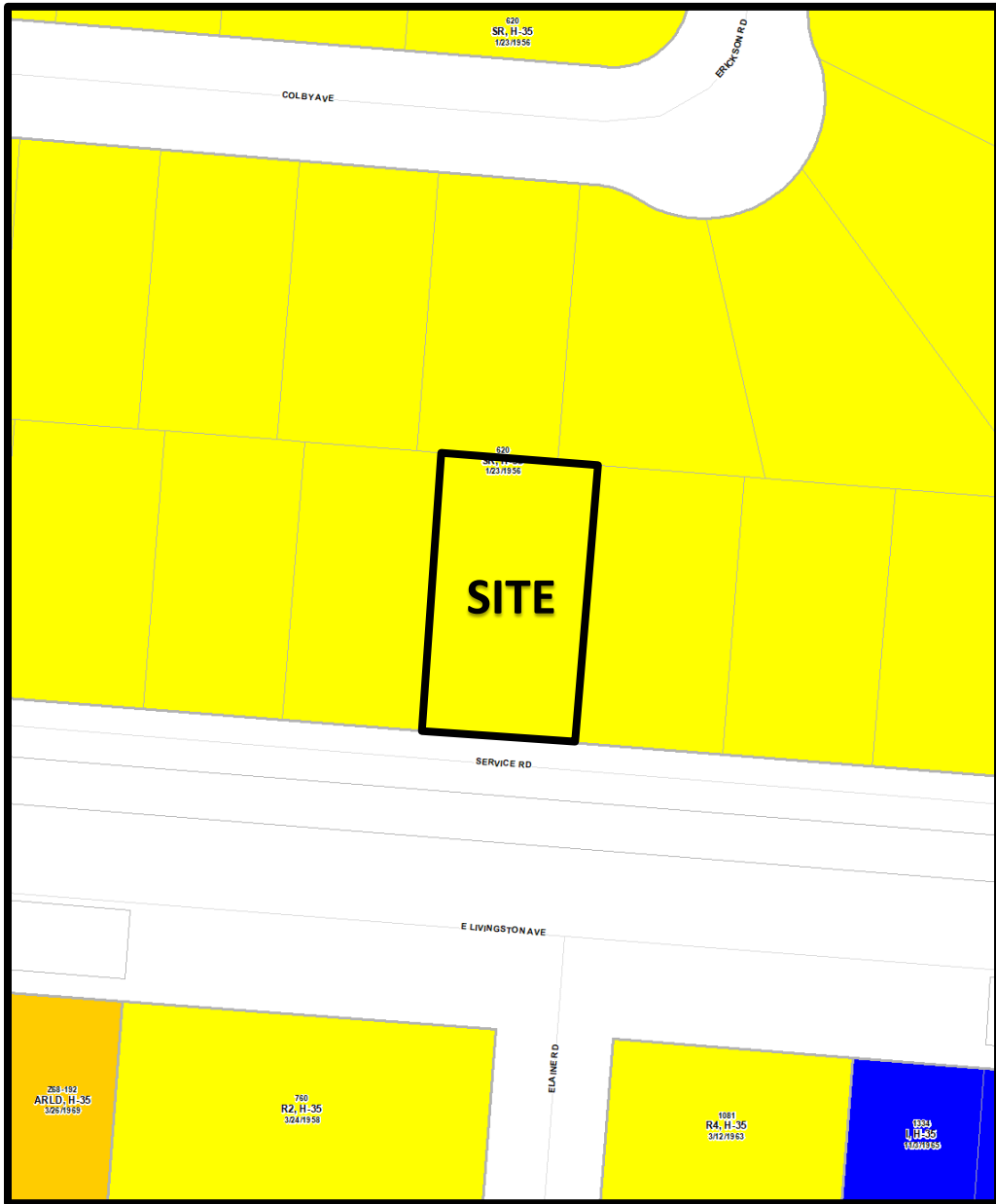
Code 3332.029

This code requires a rooming house license to operate our recovery residence with more than five persons (shared living facility). Our recovery residence houses 11 individuals, who participate in intensive outpatient treatment programming which is six months long. Clients do not receive any treatment service at our recovery residence, recovery residence is used for housing only. All treatment programming is done off site at our treatment facility . Clients participating in recovery housing are under strict supervision with accountability and receive positive reinforcement from treatment programming , individual counseling and case management . Clients attend community based 12-step meetings five days per week. Clients have a curfew of 10:00 pm during the week and 11:00 pm on weekends . We believe our program and recovery housing are an asset to the community based on positive changes clients are making in their lives and the lives of their families. By addressing their substance use disorder , they are able to; obtain employment, seek higher education , support their communities and become productive members of society.

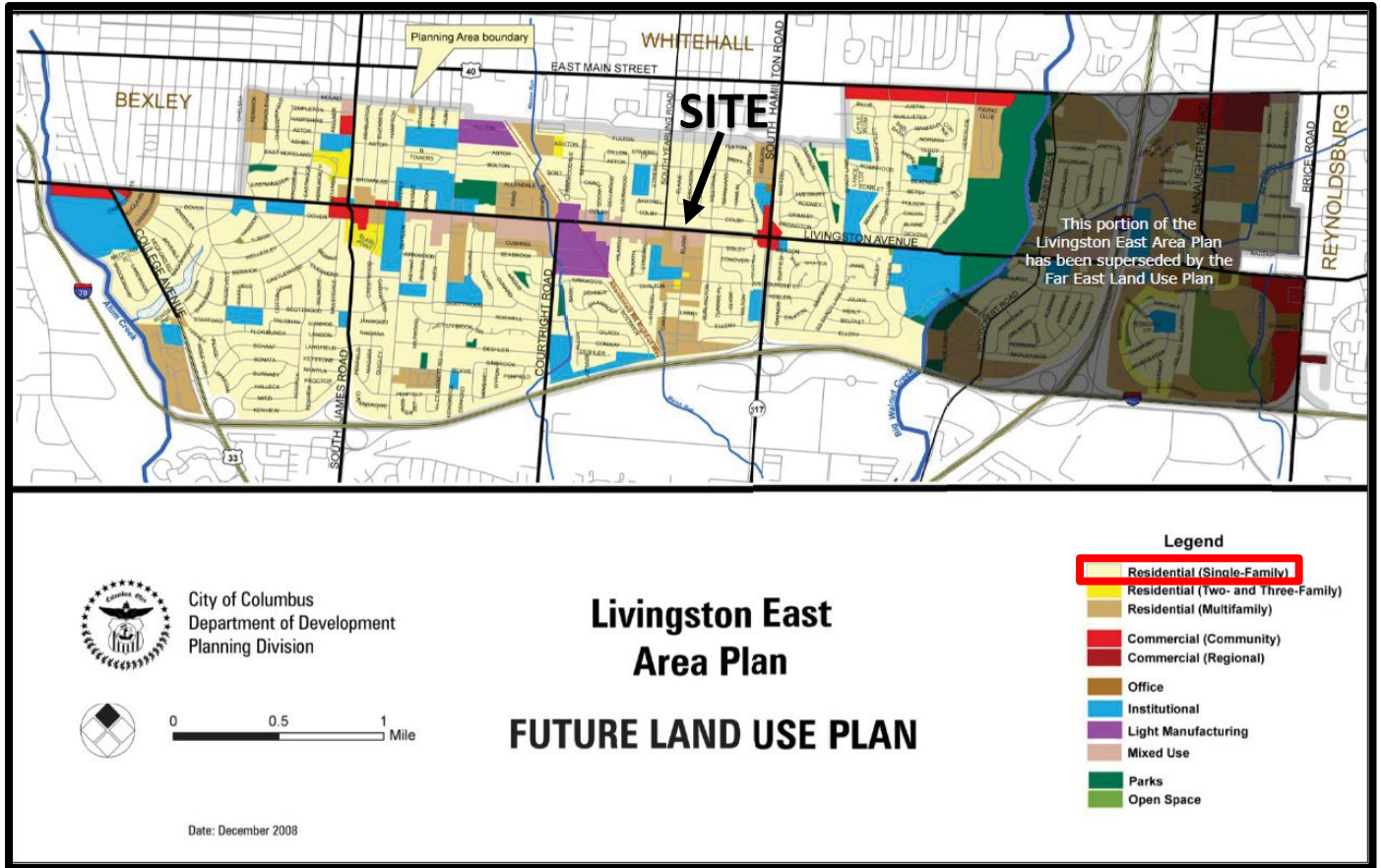
The applicant has agreed to have a maximum of 10 residents; 7 occupants and 3 staff members as requested in the Mideast Area Commission's recommendation letter.

Code 3312.49

Based on square footage of 2,323 6 spaces of parking are required which we cannot accommodate. Based on our plan submitted for parking ,we have 2 9' x 18' foot spaces located in the garage area, and 2 9'x18 spaces outside the garage area. We are asking for hardship relief based on the fact that our clients will not have personal vehicles at the property (other than our housing managers) . All clients are transported to and from the treatment facility , using a company Vehicles. Our resident house managers will have no more than two vehicles on the property at any time. These vehicles are essential for emergencies to transport clients. Clients who are going out to visit family or friends, will utilize public transportation.



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Approximately 0.18 acres



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FOR USE BY: AREA COMMISSION / NEIGHBORHOOD GROUP
(PLEASE PRINT)

Case Number _____

Address _____

Group Name _____

Meeting Date _____

Specify Case Type **BZA Variance / Special Permit**
 Council Variance
 Rezoning
 Graphics Variance / Plan / Special Permit

Recommendation **Approval**
(Check only one) **Disapproval**

LIST BASIS FOR RECOMMENDATION:

Vote _____

Signature of Authorized Representative *Felicia A. Saunders*

Recommending Group Title _____

Daytime Phone Number _____

Please e-mail this form to the assigned planner within 48 hours of meeting day; OR MAIL to: Zoning, City of Columbus, Department of Building & Zoning Services, 111 N Front Street, Columbus, Ohio 43215.

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AND ZONING SERVICES

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PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV24-056

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) Bryant Curry
of (COMPLETE ADDRESS) 3121 W. Broad st Columbus , Ohio 43227
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

| | |
|---|-----------|
| <p>1. Buckeye Clinic 6805 Avery Muirfeild Drive Dublin , Ohio 43016 (614) 869- 2002 Buckeye Clinic current has between 45 - 50 employees.</p> | <p>2.</p> |
| <p>3.</p> | <p>4.</p> |

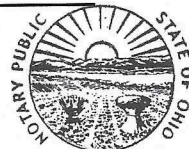
Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT Mary Lynn Buzard

Sworn to before me and signed in my presence this 3rd day of May, in the year 2024

Amanda Abercrombie
SIGNATURE OF NOTARY PUBLIC

Notary Seal Here
Dec. 22, 2025
My Commission Expires



AMANDA D ABERCROMBIE
Notary Public
State of Ohio
My Comm. Expires
December 22, 2025

This Project Disclosure Statement expires six (6) months after date of notarization.