



COUNCIL VARIANCE APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.columbus.gov

CV14-011

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.

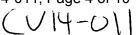
I have read the foregoing and believe my application for relief from the requirements of the Zoning Code contains the necessary hardship, will not adversely affect surrounding property owners and will comply with the variance requested as detailed below:

Application request is for three, (3), variances or relief from requirements as outlined in the City of Columbus Zoning Code

- 1. A use variance as allowed under Section 3332.029 and 3307.10 A to allow for a monopole wireless communication facility to be located in a S-R zoning district.
- 2. A variance as allowed under section 3307.10 to permit a 105 foot monopole wireless communications facility in
- a SR zoning district which has an imposed height limitation of 35 feet. a variance of 70 foot in height.
- 3. A variance as allowed under section 3307.10 A., to allow for a landscape buffer variance as required per section 3389.14 B. 3., of the City of Columbus Zoning ordinance.

Signature of Applicant

Date





TO: City of Columbus Planning Office

Attn: Shannon Pine

RE: Proposed wireless communications facility at:

The Bishop Hartley High School

3179 E Livingston Ave. Columbus, OH 43227

Executive Summary.

Within the municipal boundaries of the City of Columbus, Verizon Wireless is experiencing a condition known as "call blocking." During peak wireless telephone use periods, this condition prevents a growing percentage of calls placed from and sent to this eastern area of Columbus Ohio from connecting to the national telephone system. In the twelve month period from January 2013 – December 2013, there were **52,620** blocked calls registered among the company's existing sites providing service to the city. The trend in our data shows the number of blocked calls is growing.

These blocked calls are evidence of a service capacity gap in the applicant's existing wireless network.¹

Because of significant increases in customer demand for services, the Verizon Wireless Company's existing coverage and call carrying capacity in this eastern area of the City of Columbus has been exceeded, and its existing sites are no longer able to provide uninterrupted service within the eastern Columbus area. In order to close this service capacity gap, Verizon Wireless first identified the optimum location for a new communications facility.

Verizon Wireless is seeking approval to develop a new wireless communications facility to close this service capacity gap on the only parcel in the area where a wireless communications facility has sufficient land space to host the proposed facility and where the site is technically feasible;

The host parcel is zoned SR Suburban Residential, and is currently developed with the Bishop Hartley High School, a Catholic school of excellence and a college preparatory school. A 100 foot tall monopole tower with a 5 foot lighting arrestor is proposed on this site. This is the minimum height necessary to allow the proposed facility to connect to and hand off calls to adjacent antenna sites.

The proposed facility will allow the applicant to close the service and capacity gaps in the eastern portion of its wireless network in Columbus, and will operate to restore reliable connections to the national telephone network in this part of the city.

¹ The blocked calls reported in the twelve-month period preceding the preparation of this zoning application are just a fraction of the total number of calls that were prevented from connecting with the national telephone system while this site was being readied for zoning review. A one-year time frame is used merely as a standardized sampling and reporting period.

In conjunction with this application, Verizon Wireless has applied for a use variance, requesting relief from the height and proposed use of a wireless communications facility to be allowed in the SR-Suburban Residential Zoning district. Verizon Wireless presents evidence in its application and exhibits that shows that this proposed 105 foot wireless communications facility can be established at this site without compromising public safety and that this practical adjustment is a necessary accommodation under the provisions of the federal *Telecommunications Act of 1996* (47 USC §332).

The applicant also seeks relief from the zoning ordinance section requiring that its ground-level equipment enclosure be landscaped. Verizon Wireless presents evidence that landscaping this site would serve no useful purpose, and respectfully suggests that an eight-foot tall decretive fence would better serve the public interest in this case.

The proposed facility will allow the applicant to close the service and capacity gaps in the eastern portion of its wireless network in the City of Columbus and will operate to restore reliable connections to the national telephone network in this part of the Columbus Ohio.

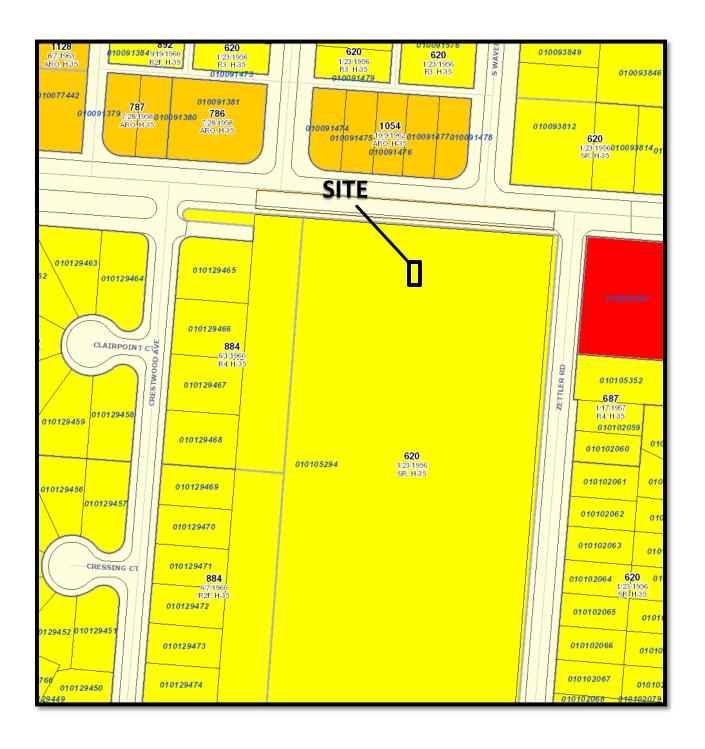
Sincerely,

Ďena Farmer

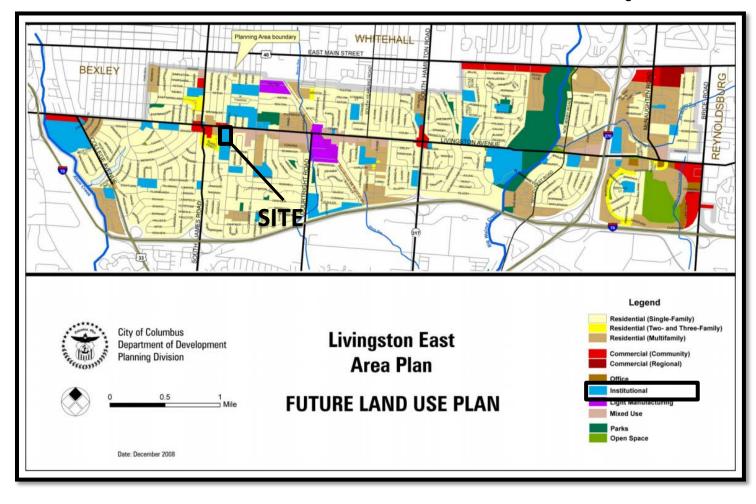
Verizon Wireless / Network Real Estate Manager

614-307-1056

dena.farmer@verizonwireless.com



CV14-011 3179 East Livingston Avenue Approximately 0.03 acres



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CV14-011 3179 East Livingston Avenue Approximately 0.03 acres



Berwyn East Civic Association

1480 Zettler Rd. Columbus, OH 43227

June 5, 2014

Shannon Pine
Zoning Planner
City of Columbus
Department of Building & Zoning Services
Zoning/Council Activities Section
757 Carolyn Avenue
Columbus, OH 43224

RE: Verizon Cell Tower at Bishop Hartley High School

Dear Ms. Pine:

The members of BECA appreciated the opportunity to hear the presentations given by both Rob Ferguson representing Verizon, and Tiffaney Hatem, Development Director at Bishop Hartley.

During that meeting we also had the opportunity to hear from three of our Civic Association members who opposed the construction of the tower. These members presented articles obtained from both printed and on-line sources. The concern in all the materials presented was the increased likelihood of illnesses, some as serious as cancer, that can occur when towers are located within close proximity of communities.

There was a lengthy question and answer portion followed by much discussion among members which concluded in at 16 – 11 vote to support the tower to be built on the Hartley property.

We want to thank the City of Columbus Building and Zoning Services for requiring those who seek to do business in our community to contact us. It allows our residents a much needed say in the activities and proposals that affect our neighborhood.

Sincerely,

Quay H. Barnes

(Mrs.) Quay H. Barnes President, Berwyn East Civic Association

Revised 02/14/11



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Being first duly cautioned and sworn [NAME] Robert Ferguson

PROJECT DISCLOSURE STATEMENT

COUNTY OF FRANKLIN

STATE OF OHIO

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.

Of[COMPLETE ADDRESS] UAS, 3960 Brown Park Dr., Ste I, Hilliard, OH 43026

Name of business or individual Business or individual's address

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 formats

	Address of corporate headquarters City, Sate, Zip Number of Columbus head annulances
	Number of Columbus based employees Contact name and number
1. See adjoining property list	2. SISHOP HARACEY HIGH SLHOOL
attached.	CATHOLIC DIOCESE COLUMBUS, OFFIO
	198 E. BROND ST. COLUMBUS OHY32
3 PORTE A. FERGUON LASS HILLNI VERITON WIRELESS 3960 FRENIN AMA DR. SUIF	4. VERIZON WIRELESS
ALLENT VERIED NUMBELESS	7575 CONNERCE COURT
3960 BROWN AMAN VE. SUIT	I CEWIS CENTER, OH.
HILLARD, QHO 43026 X Check here if listing additional parties on a se	/5 55
SIGNATURE OF AFFIANT Robert	4. Jagur
	12 day of March, in the year 2014
SIGNATURE OF NOTARY PUBLIC	Marie Company
My Commission Expires: 17/6/7	814
STEVEN W. STRAWSER II	
Notary Public, State of Ohio My Commission Expires	
The State State of the State of	after date of notarization.
PLEASE NOTE: incomplete information	n will result in the rejection of this submittal.
	rm and fees please call: 614-645-4522

Please make all checks payable to the Columbus City Treasurer