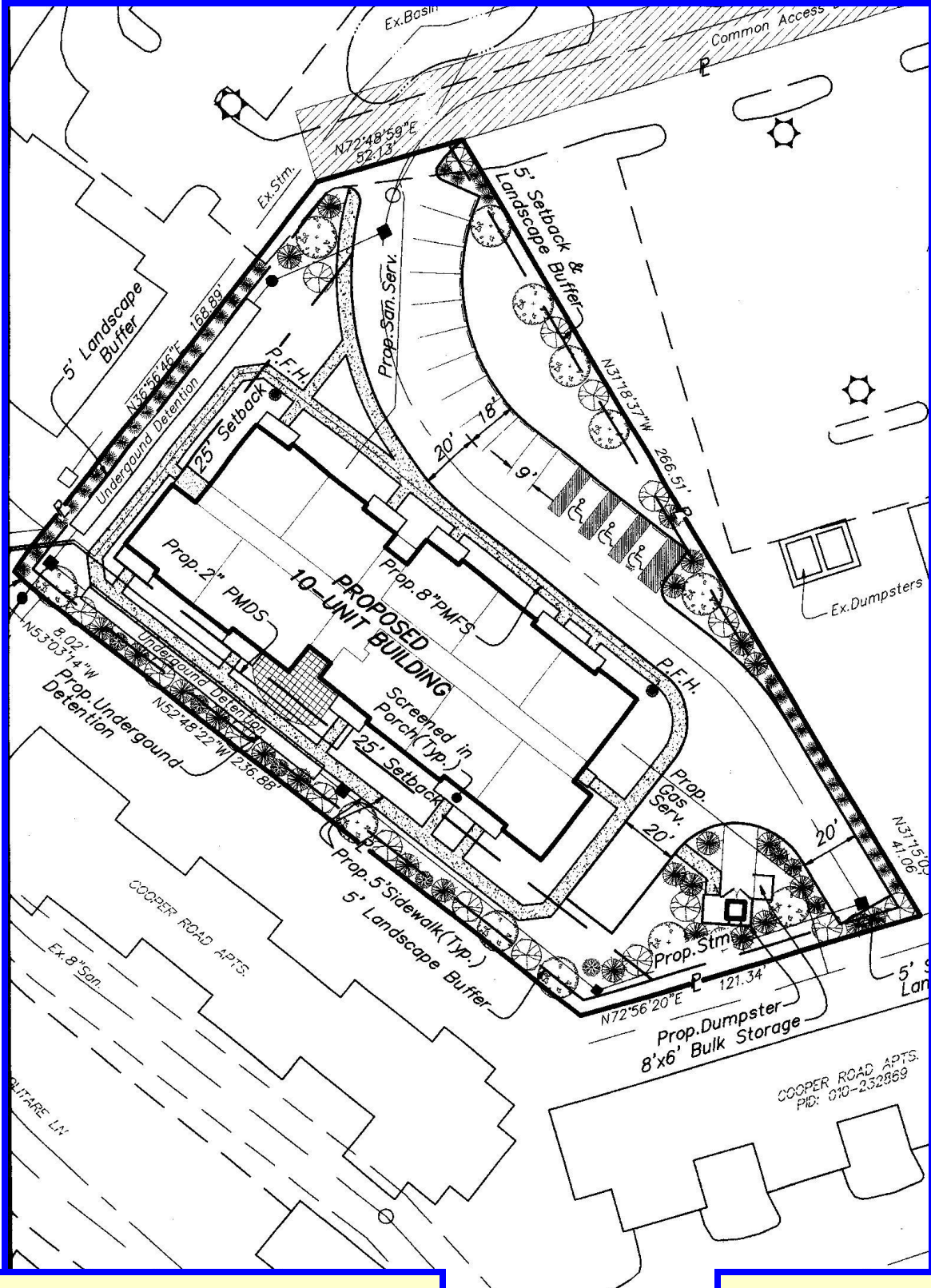


Site Plan

CV07-054



Enlarged Site Plan

CV07-054

CW 07-054

City of Columbus | Department of Development | Building Services Division | 757 Gayden Avenue Columbus, Ohio 43224



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:

SEE ATTACHED

Signature of Applicant George J. Klema Date 11.29.07

STATEMENT OF HARDSHIP

PRESIDENTIAL DRIVE

1.068 ACRES

The subject 1.068 acres is part of an approximate 5.00 acre, unimproved lot (the 1.068 acres is to be split from the 5.00 acre lot) that is located between Cooper Road and Presidential Gateway south of Corporate Exchange Dr. The acreage is part of a 96+ acre area that was zoned in 1995 to mixed uses of L-C-2 (limited commercial), L-AR-12 (limited apartment residential), L-ARLD (limited apartment residential), and L-R-1 (limited residential). (Z94-082A).

The Applicant proposes the development of a ten (10) unit, single story, residential building with limitation text.

The existing L-C-2 zoning requires commercial uses on the first floor and permits residential uses above the first floor. Because the structure will provide residential use on the first floor, the Applicant requests a variance to permit use of the first floor for residential purposes.

Residential and commercial uses surround the subject 1.068 acres. The proposed residential use will not be adverse to the surrounding property or neighborhood. Existing multi-family structures are located contiguous to the subject 1.068 acres.

As a result of the shape of the existing 5.00 acre lot, which includes a bottleneck at its center, the subject 1.068 acres requires a split at the bottleneck to accommodate a buildable lot area. While the development plan satisfies required building setbacks and vehicular and emergency access and turn-around requirements, restrictions to the size and shape of the lot require a parking variance from 20 parking spaces to 15 parking spaces. Given the fact each of the ten (10) units in the proposed structure will be one bedroom, provision of 2 parking spaces per unit is not needed.

The single story building will not impair an adequate supply of light and air to the adjacent property. The variances will not increase the congestion of public streets or increase the danger of fires any more than the permitted commercial use would cause. In addition, it will not endanger the public safety or unreasonably diminish or impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus.

**LIST OF VARIANCES
&
DEVELOPMENT STANDARDS**

**PRESIDENTIAL DRIVE
ZONED: L-C-2
ZONING LIMITATION TEXT: (Parcel "E") Z94-082A**

1. 3353.03(H): Variance to permit a residential use on the first floor;
2. 3342.28(a): Variance to permit 15 parking spaces from the required 20 parking spaces;
3. 3370.06: Variance from limitation text standards;
4. 3370.07: Variance from conditions and limitations of Limitation Text for Parcel "E" as follows:
 - Section 7(c): A variance to permit the parking setback on the southern perimeter to be less than 30' as shown on the site plan;
 - Section 9(g): A variance to permit intermittent, minimum 30 inch high screening along the northeastern property line.

Development Standards:

The site shall be developed in accordance with the following March 1992 Northland Standards (Northland Development Standards) unless approved otherwise by the Northland Community Council, specifically the following:

Street Standards

(1) A through street network shall not be required. The property has no frontage on a public right of way but is accessible by a common access drive shared by surrounding property owners. Previously planned use of the property was for forty (40) additional parking spaces for an adjacent parcel. Use of this common access by tenants and care givers shall not promote congested arterials and collectors, and the City of Columbus Fire Department has approved this site with the turn-around area on the east portion of the site plan in lieu of a through street.

Accessibility

A common access drive, owned by others, provides access from the public right-of-way/street (Cooper Road) to the property.

Pedestrian and Handicapped Accessibility Standards

- (1) A pedestrian sidewalk shall be provided on site.
- (2) Minimum sidewalk width shall be four (4) feet allowing passage of wheelchairs.

Adjacencies

Compatibility Standards

Outside speakers shall not be used.

Buffering and Setback Standards

(1) The intent of the Northland Community Standards shall be met: including defining the edge of property; the screening of headlights and parking, etc. The minimum building setback shall be twenty-five (25) as shown on the site plan. The minimum parking setback shall be five (5) feet. To compensate for the reduced setback, there shall be denser plantings of trees and shrubs which shall not materially obscure the visibility of the proposed building as shown on the site plan.

(2) Headlights of cars shall be screened from adjacent property and streets to a height of 30 inches. Exception: reduced spacing in plantings/screening along the property line adjacent to the existing Parcel 010-237240, as shown on the site plan, as required by the Columbus Fire Prevention Bureau to provide direct view of the building and site from Cooper Road.

Internal Site Design

Lot Coverage Standard

For structures and paved areas, lot coverage shall not exceed eighty percent (80%).

Landscaping Standards

(1) *General:* A minimum five (5) inches of cumulative tree trunk size shall be provided. In addition, one inch of trunk size shall be provided for each 4,000 square feet of building and parking ground coverage, up to 100,000 square feet.

(2) *Maintenance:* All shrubs, trees, grass, ground covers, and other plantings shall be well-maintained, properly weeded, mulched and kept free of trash and other unsightly material and debris. Plant material which does not survive shall be replaced within six (6) months.

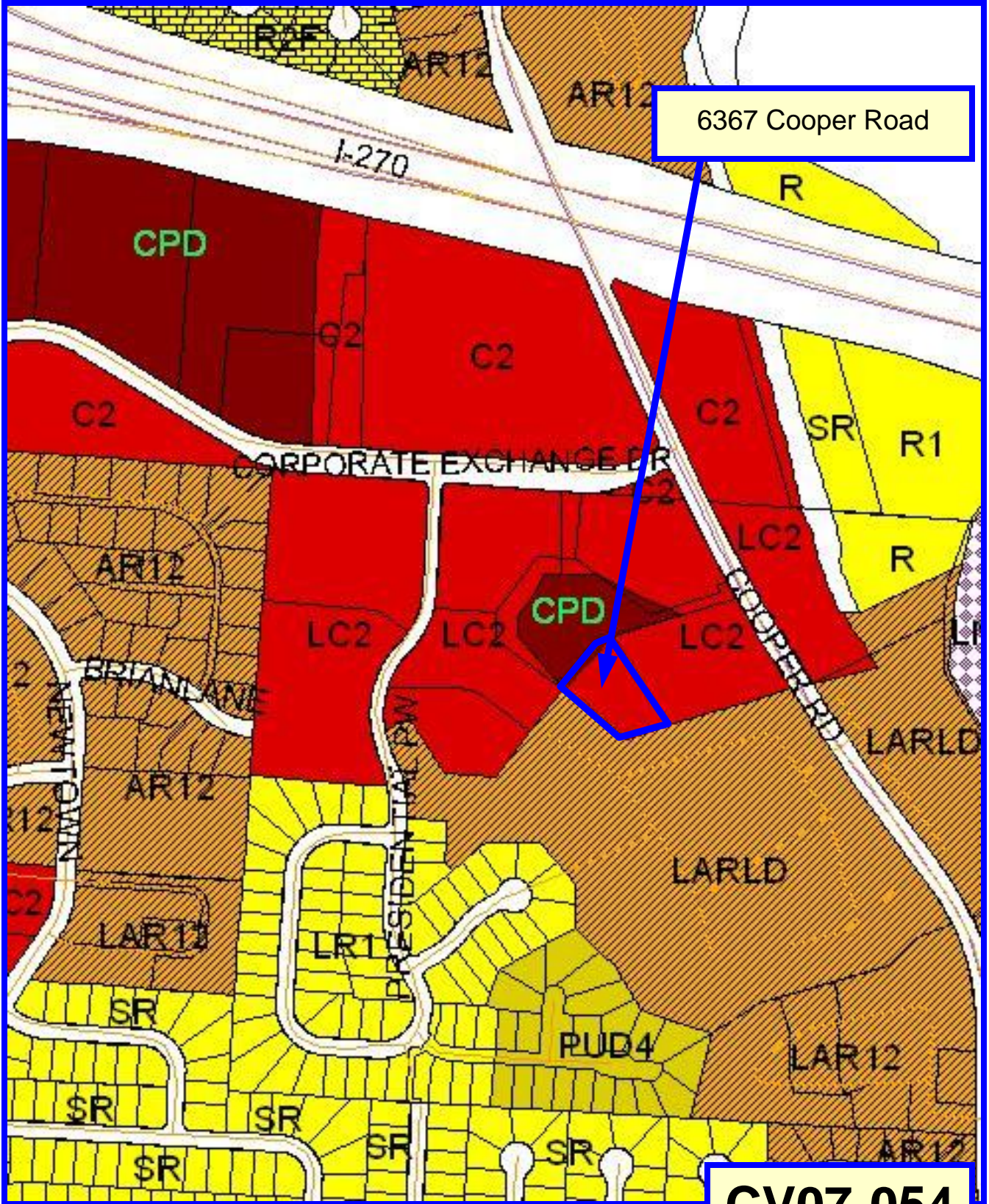
Lighting Standards

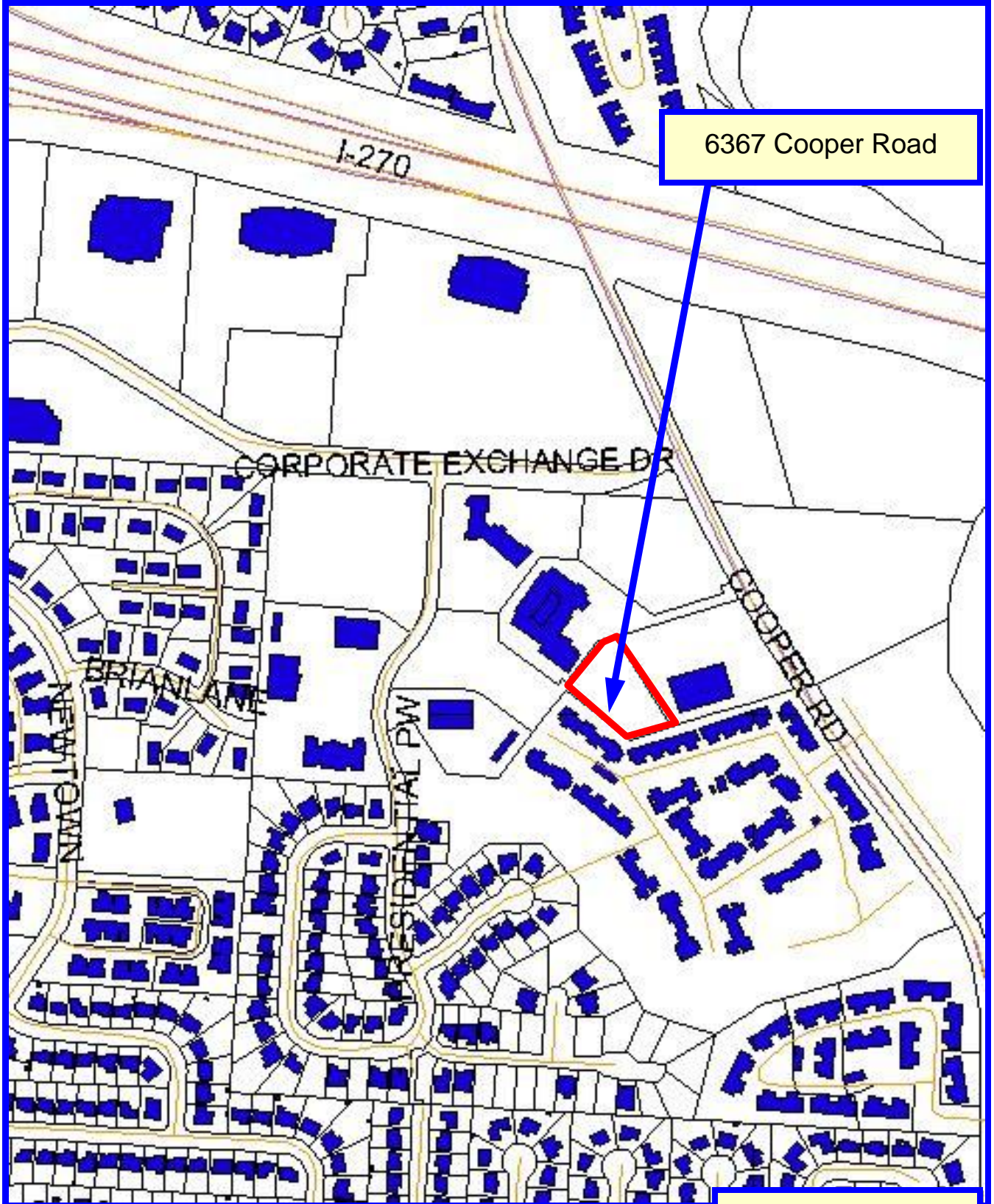
(1) Down lighting shall be used for exterior general lighting areas including parking lots. Exception: Not more than 4,000 lumens shall be provided at less intense pedestrian level lighting areas, and globe lighting may be used.

(2) In parking lots, lights shall be placed in raised islands or medians to protect lights and vehicles from possible damage.

Structure

(1) The structure will have the following finishes: a) double lap vinyl siding on all sides, b) brick wainscot on all sides, and c) asphalt composite shingles.





6367 Cooper Road

CV07-054

Mr. Jeff S. Murray – Chairperson FAX 614-818-4399



Fax

To: Connie Klemma, Esq.	From: Jeff Murray
Fax: 740-927-0749	Pages: 1
Phone: 740-927-1482	Date: 12/30/07
Re: Council Variance Cooper & Presidential	Email: cklema@rrohio.com

Dear Ms. Klemma,

The Development Committee of the Northland Community Council voted to support your application for:

1. 3353.03(H): Variance to permit a residential use on the first floor;
2. 3342.28(a): Variance to permit 15 parking spaces from the required 20 parking spaces.

Development Standards:

The site shall be developed in accordance with the Northland Development Standards, March 1992, unless approved otherwise by the Northland Community Council.

The structure shall have the following finishes: a) double lap vinyl siding on all sides, b) brick wainscot on all sides, and c) asphalt composite shingles.

Subject to review of the final text meeting the above conditions.

If you have any questions please contact me at:

Work, 614-882-8558, ext. 207

Fax, 614-818-4399

Email, jeffmurray@wideopenwest.com.

Best regards,

Jeff S. Murray
Chairperson, Development Committee, Northland Community Council



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

APPLICATION # CJ07-054

Being first duly cautioned and sworn (NAME) CONNIE J. KLEMA, ATTORNEY
of (COMPLETE ADDRESS) P.O. Box 991 PATASKALA OH 43062

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

- 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

<p><u>CREATIVE HOUSING, INC.</u> <u>2233 CITYGATE DR.</u> <u>Columbus, OH 43219</u></p> <p><u>No OF EMPLOYEES: 21</u></p> <p><u>CONTACT: CRISTY BHENLONSEJO</u> <u>614-418-7125 x26</u></p>	
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If applicable, check here if listing additional parties on a separate page (required)

SIGNATURE OF AFFIANT Connie J. Klemma, attorney
Subscribed to me in my presence and before me this 29th day of NOVEMBER, in the year 2007

SIGNATURE OF NOTARY PUBLIC Sharon L Shipley
My Commission Expires: AUGUST 20, 2011

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

Notary Seal Here



OHIO
MY COMMISSION EXPIRES
AUGUST 20, 2011