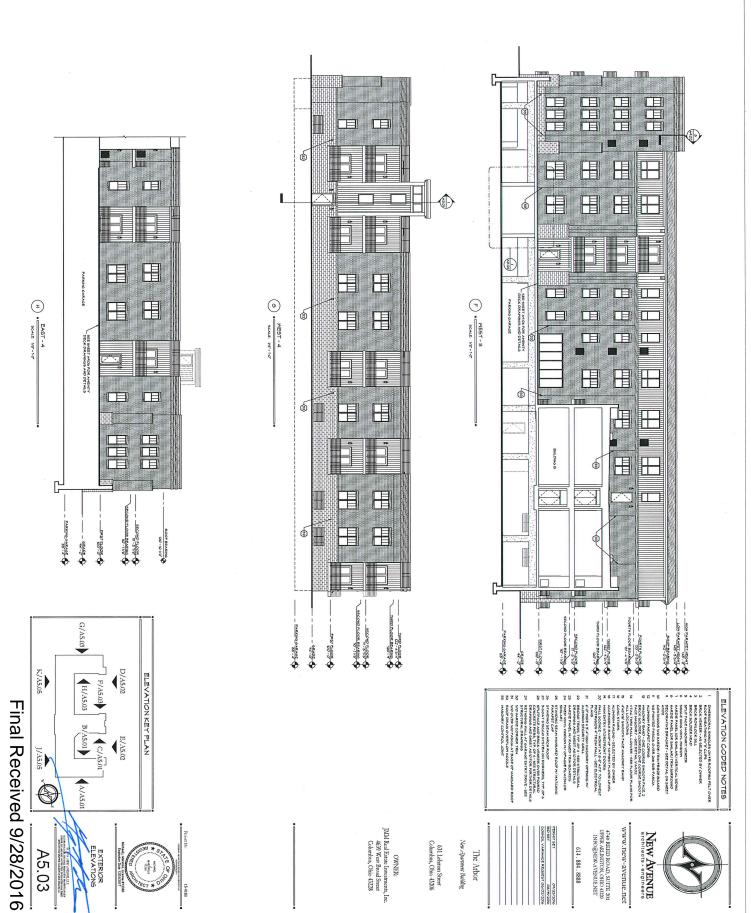


Final Received 9/28/2016 Page 3 of 5



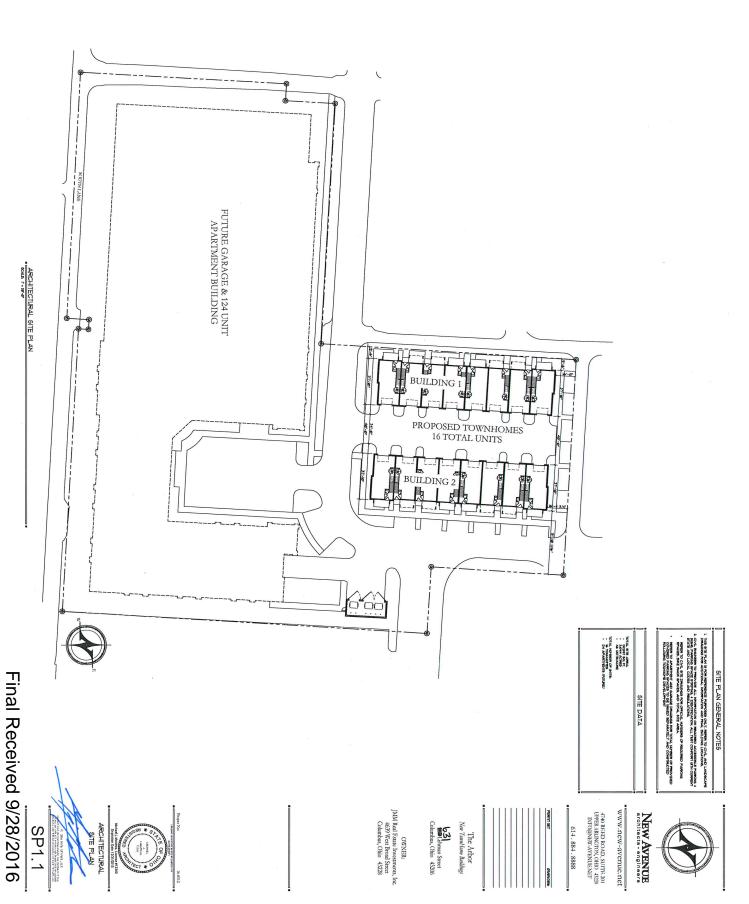
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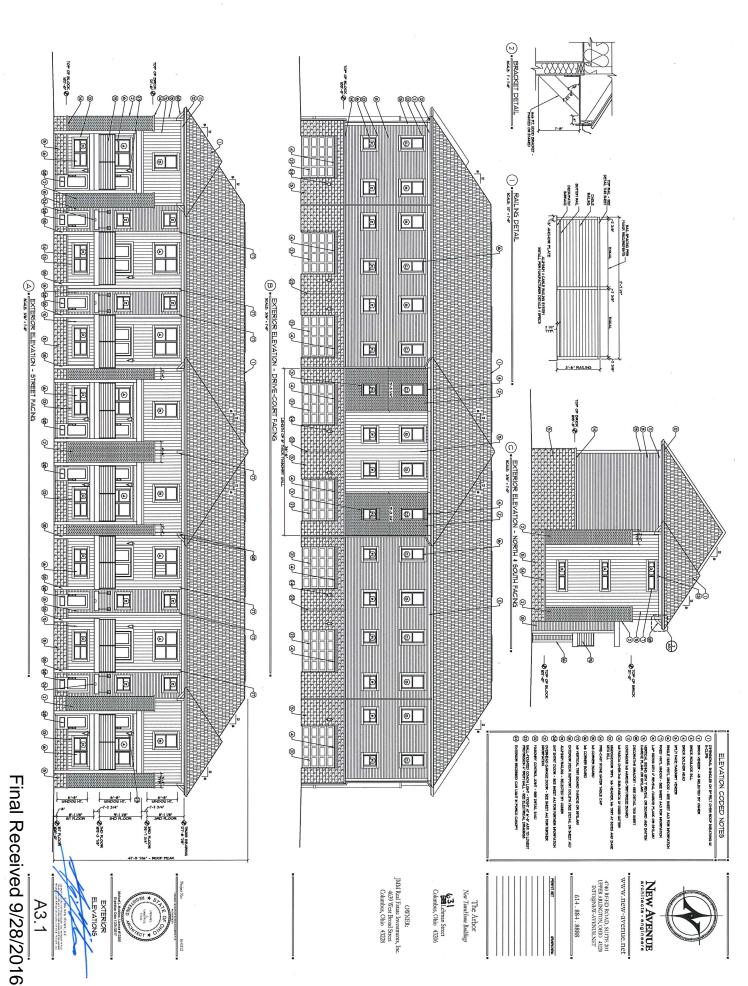
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COUNCIL VARIANCE APPLICATION Department of Building & Zoning Services Page 8 of 13

Scott Messer, Director 757 Carolyn Avenue, Columbus, Ohio 43224 Phone: 614-645-7433 • www.bzs.columbus.gov

CV16-051

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 conjuction 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

ariance requested as de	tailed below:	•			
SEE ATTACHED	" REVISED	COUNCIL	VARIANCE	REQUE.	ST3"
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The Arbor Apartments

Revised Council Variance Requests

September 13, 2016

This Council Variance is requested for the following items:

1. Commercial Access to Property - Section 3333.03

In order to create a physical connection from the residential properties in Schumacher Place and the commercial developments at the corner of Livingston and Parsons Avenue, Jackson Street must be able to cross through the subject property. The current building design allows for Jackson Street to continue from the west side of the subject property and connect to Lehman Street and the neighboring access road for CVS and the Fitness Lofts building. Section 3333.03 prohibits this commercial access being located on residentially zoned property. However, this connection was provided in an effort to establish a vehicular and pedestrian connection from the residential area to the commercial areas near Livingston and Parsons, which was described as being very important to both the neighborhood commission (Schumacher Place) and the Area Commission (South Side Area Commission).

2. Landscaping and Screening - Section 3312.21

To make this proposed residential project viable for the Developer of the property, the usable square footage of the buildings must allow for an appropriate number of dwelling units, which limits the amount of green space remaining for overall landscape plantings. Section 3312.21 requires one (1) tree per ten (10) parking spaces, which shall be accommodated with a combined total minimum number of Seventeen (17) trees that shall be provided throughout the site and along the street. Three (3) trees would be required for the surface parking spaces (29) being added to the site. The Developer has chosen to name the property "The Arbor", so every effort shall be made to provide the maximum amount of trees around the site.

3. Dumpster location and screening within the perimeter yard - Section 3321.01

Infill unban residential developments of this nature naturally create an issue with the placement of necessary, yet undesirable, structural like trash receptacles. Much effort was taken in order to choose a location that would be the less disruptive for both the existing surrounding neighbors as well as for the residents of this new apartment complex. This location happens to be within the perimeter yard setback. Section 3321.01 requires the dumpster to not be located within this required yard, but the negative effect on the property and surrounding is limited. The current design has the dumpster enclosure located approximately 10 feet from the East property line and fully screened by a masonry wall on three side and hinged access gates on the West side. This requires a variance request of approximately 15 feet into the perimeter yard of 25 feet.

4. Landscaping - Section 3321.07(B)

To make this proposed residential project viable for the Developer of the property, the usable square footage of the buildings must allow for an appropriate number of dwelling units, which limits the amount of green space remaining for overall landscape plantings. Section 3321.07(B) requires one (1) tree per ten (10) residential units, which shall be accommodated with a combined total minimum number of Seventeen (17) trees that shall be provided throughout the site and along the street. Fourteen (14) trees would be required based on the proposed number of dwelling units (140).

5. Parking within the perimeter yard - Section 3333.255

Section 3333.255 requires a minimum perimeter yard of 25 feet. However, the urban friendly design of the building creates the need to reduce this distance for driveways, parking, and some accessory structures related to the complex.

STANDARDIZED RECOMMENDATION FORM

ORD # 2573-2016; CV16-051, Page 11 of 13

Department of Building & Zoning Services

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224 Phone: 614-645-7433 • www.bzs.colombus.gov

DEPARTMENT DISCULLING and zowie services

FOR USE BY: AREA COMMISSION / COMMUNIT	Y GROUP / HISTORIC ARCHITECTURAL REVIEW
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Case Number	CV16-051				
Address	On SITE				
Group Name	SOUTH SIDE AREA COMMISSION SCHUMACHER CIVIC				
Meeting Date	AUG 13,7016				
Specify Case Type	□ BZA Variance / Special Permit □ Council Variance □ Rezoning □ Graphics Variance / Plan / Special Permit				
Recommendation (Check only one)	Approval Disapproval				
NOTES: THIS	IMPOMATIONAL HENRING WAS HELD WITH 30 PLUS				
	NOACE, AS PER ATTACHED NO ONE REQUESTED				
Another Hap	RING OR MEETING ON THE MATTER.				
Mr. May has	been very TRANSPARENT WITH the COMMUSION AND QUIC				
MR. May has been very transparent with the Commusion AND QUIC AND SEE NO REASON to Delay STALTOF THE PROJECT					
Vote Signature of Authorize Recommending Group Daytime Phone Numb	Title SouthSIDE PRED GMANGSION 614-785-4901 X1100				

Please e-mail this form to the assigned planner within forty-eight (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.

SPCA Special Meeting Notes August 13, 2016

Kathy Green, President, called the meeting to order at 10:30 AM.

This special meeting was called due to August not having a regularly scheduled meeting and was held on the regular date of the Columbus South Side Area Commission Zoning committee. Notices were sent via US mail to the adjacent neighbors listed in the zoning application. The Schumacher Place Civic Association email list, Nextdoor.com Schumacher Place residents and Schumacher Place website also had notices sent or posted.

Kathy Green opened the meeting with only one agenda item. Jeff May, the Developer for the project, was also in attendance to answer any questions regarding the downsizing of the project known as The Arbors.

The developer has reduced the project size from 163 to 140 units. In addition, the parking ratio is also improved. There will be 214 parking spots to support 140 units. The Arbors will be 100% rental.

Since this was an informational session, no vote was necessary. No member in attendance made a formal motion to ask for a vote or to table the decision.

Jim Griffin, chair of the CSSAC, and Curtis Davis, vice chair of the CSSAC and Zoning Committee, chair, were also in attendance to answer any questions pertaining to the CSSAC and the zoning process.

The meeting adjourned at 11:15AM.



COUNCIL VARIANCE APPLICATION Department of Building & Zoning Services Page 13 of 13

Scott Messer, Director 757 Carolyn Avenue, Columbus, Ohio 43224 Phone: 614-645-7433 • www.bzs.columbus.gov

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 #CVI6-051			
STATE OF OHIO COUNTY OF FRANKLIN	1 Noistras AIA			
Being first duly cautioned and sworn (NAME) of (COMPLETE ADDRESS) 4740 REED Rep, Soite 20 deposes and states that (he/she) is the APPLICANT, AGENT, OR is a list of all persons, other partnerships, corporations or entities this application in the following format:	DULY AUTHORIZED ATTORNEY FOR SAME and the following having a 5% or more interest in the project which is the subject of			
	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			
1. JMM REAL ESTATE LIVESTMENTS, LUC 4639 W. BROAD ST. COLUMBUS, OH #3228	LEFF MAT FO BOX 247 CAMAL MUCHESTEN, 04 43110			
3.	4.			
Check here if listing additional property owners on a separa	ate page.			
Sworn to before me and signed in my presence this 2nd day	of August, in the year 2016			
SIGNATURE OF NOTARY PUBLIC	Notary Seal Here Tamara R. Sines Notary Public, State of Ohio My Commission Expires 07/13/202/			
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