

The development depicted on this drawing may be subject to change or adjustment to the development plan as the project progresses. Any change to the development plan shall be reviewed and approved by the Director of Planning and Zoning. The developer shall be responsible for obtaining all necessary permits and approvals from the appropriate city and state agencies. The developer shall be responsible for obtaining all necessary permits and approvals from the appropriate city and state agencies.

David E. Perry, Agent  
David E. Perry, Agent  
Date: 6-29-20  
Date: 6-29-20



**DENTON CORP.**  
228 HUBER VALLEY BLVD., SUITE 100  
COLUMBUS, OH 43201  
CONTACT: JOSEPH M. MCCABE  
PHONE: 614-294-2020  
EMAIL: JMC@DENTONCORP.COM

**OWNER**  
1573 EAST LIVINGSTON PARTNERSHIP  
228 HUBER VALLEY BLVD., SUITE 100  
COLUMBUS, OH 43201  
CONTACT: JOSEPH M. MCCABE  
PHONE: 614-294-2020  
EMAIL: JMC@DENTONCORP.COM

EXISTING		PROPOSED	
228 HUBER VALLEY BLVD.	1573 EAST LIVINGSTON PARTNERSHIP	228 HUBER VALLEY BLVD.	1573 EAST LIVINGSTON PARTNERSHIP
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**BICYCLE BACK DETAIL**

SEE DETAIL



CV20-023

6/29/20  
VARIANCE SITE PLAN

PCI DESIGN GROUP, INC. 500 SOUTH FRONT STREET, SUITE 975, COLUMBUS, OHIO 43215 PHONE: 614-369-3265, FAX: 614-396-3268

DESIGN GROUP  
C001

**THE LIVINGSTON - APARTMENTS**  
1573 E. LIVINGSTON AVENUE COLUMBUS, OHIO 43205



DEPARTMENT OF BUILDING  
AND ZONING SERVICES

### Council Variance Application

111 North Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • www.columbus.gov/bzs • zoninginfo@columbus.gov

### 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

**List all sections of Code to be varied and explain your reasoning as to why this request should be granted.**

**PLEASE NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are discovered after your application is approved, a new application 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 Exhibit B

Signature of Applicant

*Woda Cooper Companies, Inc.*  
*by David B. Perry, Agent*

Date

*2-24-2020*

Signature of Attorney

*Donald Blank*

Date

*2/24/2020*

**PLEASE NOTE: Incomplete information will result in the rejection of this submittal.**

Applications must be submitted by appointment. Call 614-645-4522 to schedule.

**Please make checks payable to the Columbus City Treasurer**

**Exhibit B**  
**Statement of Hardship**  
**CV20-023**  
**1573 E. Livingston Avenue**

Development of the southeast and southwest corners of E. Livingston Avenue and Geers Avenue with a 45 dwelling unit apartment building and a parking lot to provide accessory parking, respectively, is underway, as permitted by Ordinance 0182-2019 (CV16-075). Rezoning application Z20-021 is pending to rezone the southeast corner (PID: 010-080525) to AR-3, Apartment Residential and the southwest corner to CPD, Commercial Planned Development. This variance application is submitted as a companion application to Z20-021 for applicable variances for the AR-3 district.

Applicant has a hardship and practical difficulty with compliance with the referenced code sections. The site is an urban development with close setbacks and high building coverage typical of urban development. Off-site parking is provided by the CPD (Z20-021) parcel directly across Geers Avenue. Site development shall be as depicted on the submitted Site Plan.

Variances are requested as follows:

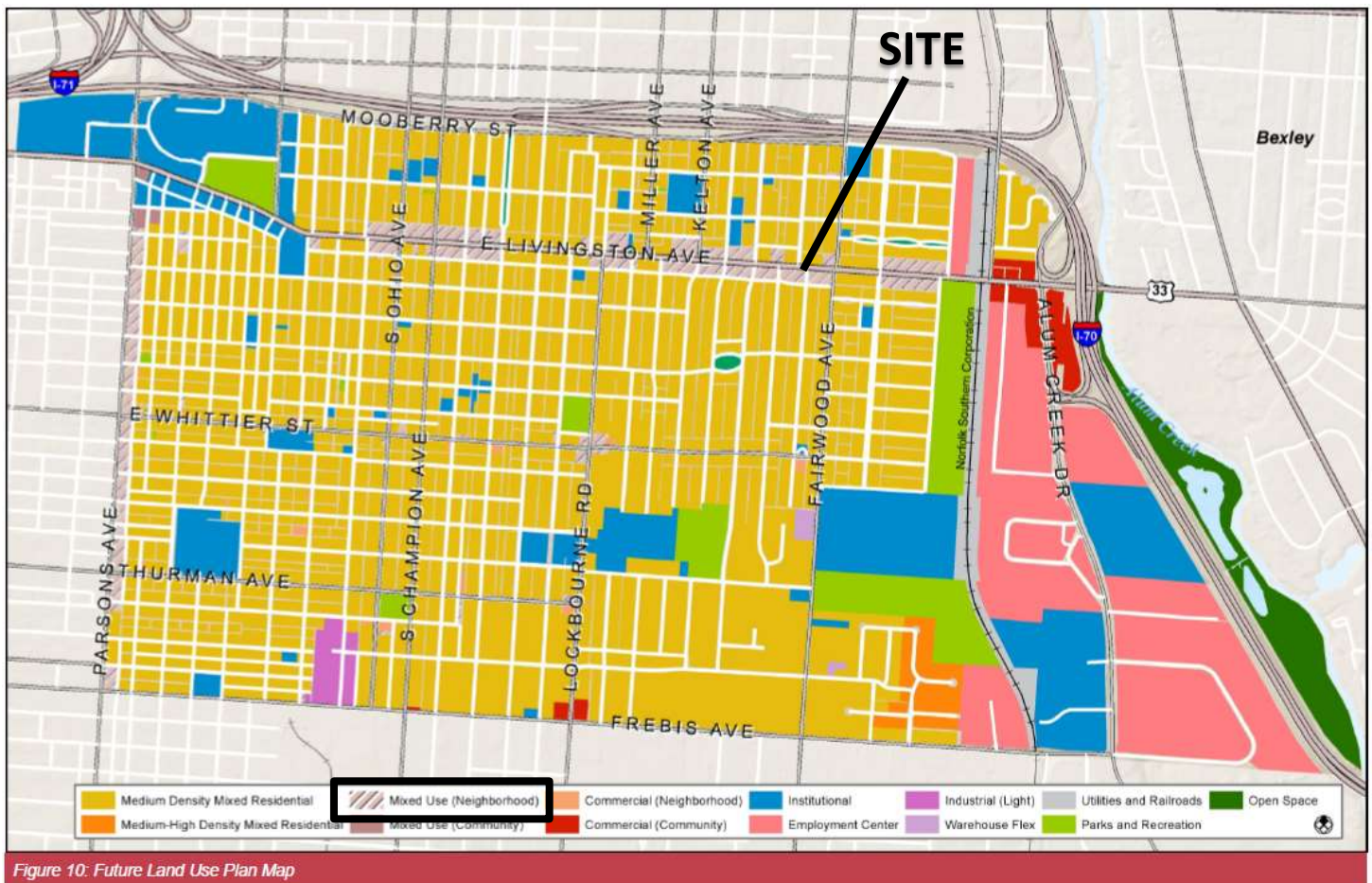
- 1) 3312.49, Minimum Numbers of Parking Spaces Required, to reduce code required parking for 45 dwelling units from 68 spaces, at 1.5 spaces/DU, to zero (0), subject to 37 spaces being provided off-site on PID: 010-080524, located at the southwest corner of E Livingston Avenue and Geers Avenue.
- 2) Section 3321.05(B)(2), Vision Clearance, to reduce the 30'x30' clear vision triangle at the southeast corner of E. Livingston Avenue and Geers Avenue to 13'x13'.
- 3) Section 3333.15(C), Basis of Computing Area, to increase lot coverage from 50% to 64%.
- 4) Section 3333.18, Building Lines, to reduce the Geers Avenue building setback line from 25 to 2 foot for part of the multi-family building and to reduce the E Livingston Avenue building setback line from 10 feet to zero (0) feet.
- 5) Section 3333.22, Maximum Side Yard Required, to reduce total side yard from 16 feet to two (2) feet.
- 6) Section 3333.23, Minimum Side Yard Permitted, to reduce the east side yard from 5 feet to zero (0) for the building and for the dumpster and to reduce the west side yard from 5.6 feet to two (2) feet
- 7) Section 3333.24, Rear Yard, to reduce rear yard from 25% of site area to 14%.



CV20-023  
1573 E. Livingston Rd.  
Approximately 0.71 acres



Near Southside Plan (2011)



CV20-023  
1573 E. Livingston Rd.  
Approximately 0.71 acres



CV20-023  
1573 E. Livingston Rd.  
Approximately 0.71 acres



## Standardized Recommendation Form

111 N. Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • www.columbus.gov/bzs • zoninginfo@columbus.gov

**FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW**  
(PLEASE PRINT)

Case Number:

CV20-023

Address:

1573 E. LIVINGSTON AVE.

Group Name:

LIVINGSTON AVENUE AREA COMMISSION

Meeting Date:

MAY 19, 2020

Specify Case Type:

- ☐ BZA Variance / Special Permit  
☒ Council Variance  
☐ Rezoning  
☐ Graphics Variance / Plan / Special Permit

Recommendation:

(Check only one and list basis  
for recommendation below)

- ☒ Approval  
☐ Disapproval

**NOTES:**

NONE.

Vote:

FOR: 8 ; AGAINST 0 ; ABSENT 1

Signature of Authorized Representative:

*M. L.*  
SIGNATURE

COMMISSION PRESIDENT  
RECOMMENDING GROUP TITLE

(614) 580-8365  
DAYTIME PHONE NUMBER

Please e-mail this form to the assigned planner within 48 hours of your meeting day; or MAIL to: Assigned Planner, City of  
MAIL to: Columbus, Department of Building & Zoning Services, 111 N. Front St, Columbus, OH 43215.



DEPARTMENT OF BUILDING  
AND ZONING SERVICES

## Rezoning Application

111 North Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • www.columbus.gov • zoninginfo@columbus.gov

## PROJECT DISCLOSURE STATEMENT

All parties having a 5% or more interest in the project that is the subject of this application should be listed.

**THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED.** Do not indicate 'NONE' in the space provided.

APPLICATION #: Z20-021 & CV20-023

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald Plank  
of (COMPLETE ADDRESS) Plank Law Firm, 411 East Town Street, Floor 2, Columbus, Ohio 43215  
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 format:

Name of business or individual (include contact name and number)  
Business or individual's address; City, State Zip Code  
Number of Columbus based employees  
(Limited to 3 lines per box)

1. 1573 E Livingston Limited Partnership; 500 S Front St. 10th Fl.; Columbus, OH 43215; # Columbus based Emps: Zero (0); Contact Joe McCabe 614-396-3223	2. Woda Cooper Companies, Inc., 500 S Front St. 10th Fl.; Columbus, OH 43215; # Columbus based Emps: 131; Contact Joe McCabe 614-396-3223
3. _____	4. _____

☐ Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Donald Plank

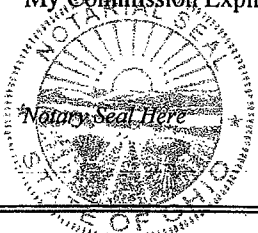
Subscribed to me in my presence and before me this 24th day of February, in the year 2020

SIGNATURE OF NOTARY PUBLIC

Kelly B. Shiflet

My Commission Expires:

09/10/2024



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

KELLY B. SHIFLET  
Notary Public, State of Ohio  
My Commission Expires  
September 10, 2024

**PLEASE NOTE: Incomplete information will result in the rejection of this submittal.**

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**Please make all checks payable to the Columbus City Treasurer**