

# COUNCIL VARIANCE APPLICATION

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

Date Received: Application Accepted By: LOCATION AND ZONING REQUEST: Zip 43205 Certified Address (for Zoning Purposes) 1422 East Livingston Avenue Yes ls this property currently being annexed into the City of Columbus If the site is pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition. Parcel Number for Certified Address: 010013757 Check here if listing additional parcel numbers on a separate page. Current Zoning District(s): \_ Civic Association or Area Commission: Livingston Avenue Area Commission & Driving Park C.A. Proposed use or reason for Council Variance request: New library branch / see attached APPLICANT: Name Columbus Metropolitan Library - c/o Steve Prater, Dir. of Property Mgt. City/State Columbus, OH Zip 43215 Address 96 S. Grant Avenue Phone # 614-849-1072 Fax # 614-645-2539 Email: sprater@cml.lib.oh.us 

ATTORNEY/AGENT Attorney Agent

Name Christopher N. Slagle

Address Bricker & Eckler, 100 S. 3rd Street City/State Columbus, OH Zip 43215

Phone # 614-227-8826 Fax # 614-227-2390 Email: cslagle@bricker.com

Fax # \_\_\_\_\_ Email: \_\_\_\_\_

City/State Zip

SIGNATURES (ALL SIGNATURES MUST BE SIGNED IN BLUE INK)

PROPERTY OWNER(S): Name - Same As Above -

Check here if listing additional property owners on a separate page.

Address \_\_\_\_\_

APPLICANT SIGNATURE Stephen K, Inate

PROPERTY OWNER SIGNATURE

ATTORNEY / AGENT SIGNATURE

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that the City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc. may delay the review of this application.



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CV13-023

# STATEMENT OF HARDSHIP

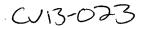
Chapter 3307 of the Columbus Zoning Code Section 3307.10 Variances by City Council

- 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:
- Please See Attached -
Signature of Applicant Compet - Columbia, Mary Date 4/30/2013



Columbus Metropolitan Library - Council Variance Application – 1422 East Livingston Avenue

## STATEMENT OF HARDSHIP

This statement of hardship is submitted in support of Applicant Columbus Metropolitan Library's request for council variances related to the development and construction of its Driving Park Branch Library to be located at 1422 East Livingston Avenue, Columbus, Ohio.

The newly-constructed Driving Park Library Branch will occur approximately 15,000 square feet at the northwest corner of East Livingston Avenue and Kelton Avenue, and replaces the current Driving Park Branch at 1566 East Livingston Avenue. The current Branch was built in 1972 and occupies only about 6,000 square feet. Clearly, the new Branch represents a high-quality solution in this neighborhood and a valuable, long-term community asset. Among the new facilities will library staff to continue assisting patrons, as well as an educational areas for children, homework assistance, computer work stations, and adult skills development.

As the attached site plans illustrate, the new Driving Park Branch will accommodate entry from both the front sidewalk along Livingston Avenue for pedestrians and COTA travelers, as well as prominent rear entry for those accessing the site from the rear parking lot. The design will employ sustainable building and site design, energy efficient building systems, and a rain garden to manage natural storm water runoff.

# Variances Requested:

The Columbus Metropolitan Library requests variances from the permitted use of the existing zoning district of the subject property as follows:

- (1) Variance from C.C.C. Section 3332.035 R3 Residential Use for Parking
- (2) Variance from C.C.C. Section 3312.21(A) Interior Tree Islands
- (3) Variance from C.C.C. Section 3321.05(B)(2) Vision Triangle Clearance
- (4) Variance from C.C.C. Section 3356.11 Building Setbacks

The variances from the above Sections of the Columbus City Code are necessary for the development of the new library branch and will fit into the urban commercial overlay encompassing the area.

Variance (1), R3 Residential Use for Additional Parking. Three parcels sit just to the north of the proposed library construction and will be used for additional parking. These three parcels – 010008156; 010008157; and 010008158 – will accommodate parking overflow across the east-west alley just to the immediate north of the proposed branch. Appropriate screen, striping, cross walks, and pedestrian connections are planned to provide patron access to the main library parking lot through which access to the rear

Columbus Metropolitan Library – Driving Branch - Council Variance Application
Page 2 of 2

main entrance to the new Driving Branch site will occur. Therefore a variance is necessary to permit parking in the R3 parcels.

Variance (2). Interior Tree Islands. A variance request is sought to exclude interior tree islands as required by Columbus Zoning Code within the parking areas. Extensive landscaping and the planting of a total of 30 trees will surround the parking lots and will take the place of any interior islands.

Variance (3). Vision Triangle Clearance. A variance is also requested from the 30 foot vision triangle required at the corner of Livingston Avenue and Kelton Avenue. Current design and set back will accomplish a 15 foot clear vision line similar to that which exists with other developments within the Livingston Avenue area.

Variance (4). Building Setbacks. C4 District Setback Lines – variance to the building setback requirements for Kelton (30 feet) and Livingston (50 feet) to proposed setbacks (includes overhang – so if overhang is at zero then variance should be to make the setback zero). The development will not encumber the to-be-constructed new COTA bus stop or utilities issues along Livingston Avenue. Merely, the setbacks within this area will comport with surrounding development and assist in creating a positive, location in the Driving Branch area.

For the reasons stated above, Applicant request the above-referenced variances in connection with its new Driving Park Library Branch. The variance will enable the facility to fit fully within function and appeal in the urban area in which it will be located along East Livingston Avenue. We appreciate the City of Columbus' support with this project.

Respectfully submitted,

Christopher N. Stagle

Bricker & Eckler LLP 100 South Third Street

Columbus, OH 43215

Phone: 614.227.8826 Fax: 614.227.2390

E-mail:cslagle@bricker.com

Counsel for Applicant - Columbus Metropolitan Library



# REZONING APPLICATION

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# **AFFIDAVIT**

·~		
(See	instruction	sheet)

(See instruction sheet)	
	APPLICATION # W13-073
STATE OF OHIO COUNTY OF FRANKLIN	
deposed and states that (he/she) is the applican list of the name(s) and mailing address(es) of a (2) CERTIFIED ADDRESS FOR ZONING PURPOSE	an Library, 101 S. Stygler Road, Gahanna, OH 43230  at, agent, or duly authorized attorney for same and the following is a all the owners of record of the property located at  1422 E. Livingston Avenue, Columbus, OH 43205  all permit or graphics plan was filed with the Department of Building
SUBJECT PROPERTY OWNERS NAME AND MAILING ADDRESS Check here if listing additional property owners on a separate page.	(4)
APPLICANT'S NAME AND PHONE # (same as listed on front of application)	Cindie Hayes 614-849-1081
AREA COMMISSION OR CIVIC GROUP AREA COMMISSION ZONING CHAIR OR CONTACT PERSON AND ADDRESS	(5) Livingston Avenue Area Commission  1232 E. Livingston Avenue  Columbus, OH 43205
shown on the County Auditor's Current Trecord of property within 125 feet of the ex-	of the names and complete mailing addresses, including zip codes, as ax List or the County Treasurer's Mailing List, of all the owners of terior boundaries of the property for which the application was filed, and feet of the applicant's or owner's property in the event the applicant or out to the subject property(7)
SIGNATURE OF AFFIANT	(8) Cindi Hayes
Subscribed to me in my presence and before me this SIGNATURE OF NOTARY PUBLIC My Commission Expires:	18 day of April , in the year 2013  (8) Kuchtler of Warnerh  4-21-2018
This Affidavit expires six months after data	afinotarization.
Notary Seal Here	Kathleen J Warnock  Notary Public, State of Ohio  My Commission Expires 04-21-2018

### **APPLICANT**

#### **PROPERTY OWNER**

CU13-023

Columbus Metropolitan Library c/o Cindie Hayes 101 S. Stygler Road Gahanna, OH 43230 Board of Trustees of the Columbus Metropolitan Library 96 S. Grant Avenue Columbus, OH 43215

# AREA COMMISSION or NEIGHBORHOOD GROUP

Livingston Avenue Area Commission c/o Brian Scarpino 1232 E. Livingston Avenue Columbus, OH 43205 Driving Park Civic Coalition c/o Gina Hawthorne-Hill 730 Kelton Avenue Columbus, OH 43205

### **SURROUNDING PROPERTY OWNERS**

Africentric Personal Development Shop 1409 E. Livingston Avenue Columbus, OH 43205

City of Columbus 109 N. Front Street Columbus, OH 43215 City of Columbus Ohio 90 W. Broad Street Columbus, OH 43215

Four Corners Investment LLC PO Box 2460 Westerville, OH 43086 Howard J. Givets 512 N. Columbia Avenue Columbus, OH 43209 Jacob & Bertha Mae Holloway 1641 Adair Road Columbus, OH 43227

Ali Jefferson 45 Bluegrass Drive Pataskala, OH 43062 Julia M. Dibaggio 814 Kelton Avenue Columbus, OH 43205 Donna Keels LLC 1459 E. Livingston Avenue Columbus, OH 43205

Network Restorations III LLC 910 E. Broad Street Columbus, OH 43205 Leslie Attwooll & Joseph Chapman PO Box 77622 Columbus, OH 43207 Carolyn Radney 8638 Kingsley Drive Reynoldsburg, OH 43068

Sherman & Yolanda Willis 1717 Roseview Drive Columbus, OH 43209 Besco LLC 640 Bear Run Lane Lewis Center, OH 43035 Minnie McGee 1015 Euclid Avenue Columbus, OH 43201 Misty Dawson 794 Miller Avenue Columbus, OH 43205 Benjamin Hudson 788 Miller Avenue Columbus, OH 43205 Michael & Sherry Boyd 1378 E. Livingston Avenue Columbus, OH 43205

City of Columbus Ohio 90 W. Broad Street Columbus, OH 43215 Emmanuel Church of God in Christ 225 Sherborne Drive Columbus, OH 43219 Abalin Long 1382 E. Livingston Avenue Columbus, OH 43205

RB Property Investments LLC 5081 Kingbridge Pass Powder Springs, GA 30127



3.

#### COUNCIL VARIANCE APPLICATION

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## 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 # \_CV13-027 STATE OF OHIO COUNTY OF FRANKLIN Stephen K. Prater Being first duly cautioned and sworn [NAME] Of [COMPLETE ADDRESS] 1422 E. Livingston Ave, Columbus, OH 43205 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, Sate, Zip Number of Columbus based employees Contact name and number 2. Columbus Metropolitan Library 96 S. Grant Ave. Columbus, OH 43215 400 Employees Stephen Prater - 614-849-1072 4. Check here if listing additional parties on a separate page. SIGNATURE OF AFFIANT , in the year **2013** Subscribed to me in my presence and before me th SIGNATURE OF NOTARY PUBLIC My Commission Expires: CHRISTINE M. STEIN Notary Public, State of Ohio

> 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 all checks payable to the Columbus City Treasurer

My Commission Expires 07-17-2015

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



# City of Columbus **Zoning Plat**



# **ZONING NUMBER**

The Zoning Number Contained on This Form is Herein Certified to Obtain Zoning, Rezoning, and Variances, and is NOT to be Used for the Securing of Building & Utility Permits

Parcel ID: 010013757

Zoning Number: 1422

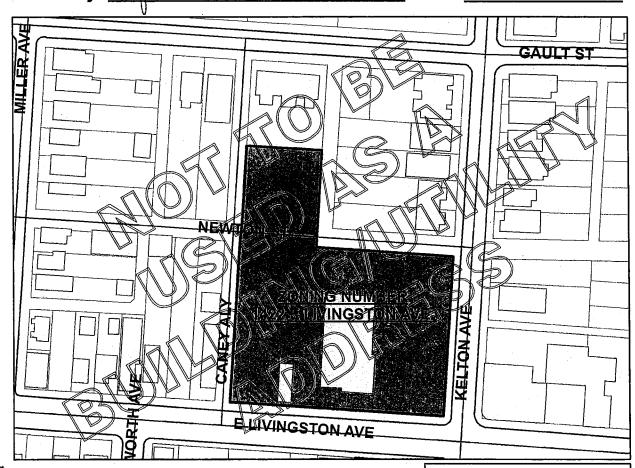
Street Name: E LIVINGSTON AVE

Lot Number: N/A

Subdivision: N/A

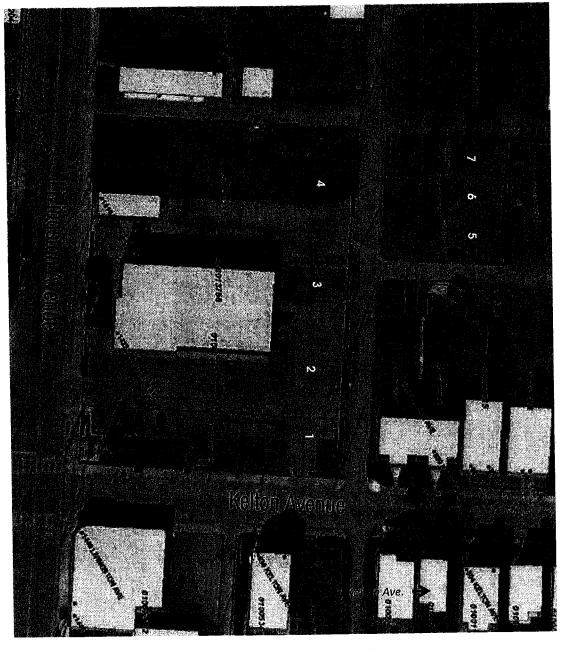
Requested By: COLUMBUS METROPOLITAN LIBRARY (TOM SAMSON)

Date: 4/5/2013



PATRICIA A. AUSTIN, P.E., ADMINISTRATOR DIVISION OF PLANNING AND OPERATIONS COLUMBUS, OHIO

SCALE: 1 inch = 120 feet GIS FILE NUMBER: 13113



# Site Location

CU13-023

# SITE DETAILS:

- Total Building Footprint: +/-15,000 Square Feet Total Parking: 67 spaces Outdoor space / landscape

# L , 1 Site Boundary (1.556 acres):

Parcel 010013757 Parcel 010013756 Parcel 010013755 acres  Parcel 010008156 Parcel 010008157 Parcel 010008158	Lot 2 - 0.444 Lot 3 - 0.129 Lot 4 - 0.535 <b>Total 1.328 acres</b> Lot 5076 Lot 6076 Lot 7076
Parcel 010013759	Lot 1 - 0.220

Total 0.228 acres

Columbus Metropolitan Library-Proposed Driving Park Branch

mbbj

April 24, 2013

