



BOARD OF ZONING ADJUSTMENT APPLICATION

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

OFFICE USE ONLY

Application Number: # 11311-00000-00499
Date Received: 15 Aug. 2011
Commission/Group: N/A
Existing Zoning: _____ Application Accepted by: *JS* Fee: \$1,900
Comments: _____

TYPE(S) OF ACTION REQUESTED

(Check all that apply)

- Variance Special Permit

Indicate what the proposal is and list applicable code sections. State what it is you are requesting.

The Applicant requests a Special Permit pursuant to 3389.033 to construct a columbarium to be used for interment of cremated remains.

LOCATION

1. Certified Address Number and Street Name 3500 Mill Run Drive
City Columbus State Ohio Zip 43026
Parcel Number (only one required) 560-~~1~~208405

APPLICANT: (IF DIFFERENT FROM OWNER)

Name _____
Address _____ City/State _____ Zip _____
Phone # _____ Fax # _____ Email _____

PAID
AUG 15 2011
BUILDING & ZONING SERVICES

PROPERTY OWNER(S):

Name Upper Arlington Lutheran Church
Address 2300 Lytham Road City/State Columbus Zip 43220
Phone # 614-451-3736 Fax # 614-451-0993 Email dbowersox@UALC.org
 Check here if listing additional property owners on a separate page.

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

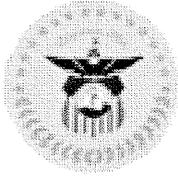
- Attorney Agent

Name Timothy C. Long
Address 455 S. Ludlow Street City/State Columbus Zip 43215
Phone # 614-255-4430 Fax # 614-469-1002 Email: tlong@chutegerdeman.com

SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE *Steve J. Gault, CHM COLUMBARIUM COMMITTEE*
PROPERTY OWNER SIGNATURE *Steve J. Gault, CHM COLUMBARIUM COMMITTEE*
ATTORNEY / AGENT SIGNATURE *TC Long*

PLEASE NOTE: incomplete information will result in the rejection of this submittal.
For all questions regarding this form and fees please call: 614-645-4522
Please make all checks payable to the Columbus City Treasurer



CITY OF COLUMBUS

DEPARTMENT OF BUILDING AND ZONING SERVICE

11311-00000-00499
3500 MILL RUN DRIVE

One Stop Shop Zoning Report Date: Thu Aug 25 2011

Zoning General Inquiry: 614-645-8637

SITE INFORMATION

Address: 3500 MILL RUN DR COLUMBUS OH 43026
Mailing Address: 2300 LYTHAM RD
COLUMBUS OH 43220

Owner: UPPER ARLINGTON LUTHERAN CHURCH
Parcel Number: 560220672

ZONING INFORMATION

Zoning: Z92-078, Multi-family, LARLD
effective 12/21/1992, Height District H-110

Historical District: N/A

Council Variance: N/A

Historical Site: No

Board of Zoning Adjustment (BZA): N/A

Overlay: N/A

Graphic Commission: N/A

Flood Zone: OUT

Area Commission: N/A

Airport Noise Environ: N/A

Planning Overlay: N/A

PENDING ZONING ACTION

Zoning: N/A

Council Variance: N/A

Board of Zoning Adjustment (BZA): N/A

Graphic Commission: N/A





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AFFIDAVIT

11311-00000-00499
3500 MILL RUN DRIVE

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Timothy C. Long
of (1) MAILING ADDRESS 455 S. Ludlow Street, Columbus, Ohio 43215
deposed and states that (he/she) is the applicant, agent, or duly authorized attorney for same and the following is a list of the name(s) and mailing address(es) of all the owners of record of the property located at (2) per ADDRESS CARD FOR PROPERTY for which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) _____

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME (4) Upper Arlington Lutheran Church
AND MAILING ADDRESS 3500 Mill Run Drive
Columbus, Ohio 43026

APPLICANT'S NAME AND PHONE # (same as listed on front of application) Upper Arlington Lutheran Church
614-451-3736

AREA COMMISSION OR CIVIC GROUP (5) N/A
AREA COMMISSION ZONING CHAIR OR CONTACT PERSON AND ADDRESS _____

and that the following is a list of the names and complete mailing addresses, including zip codes, as shown on the County Auditor's Current Tax List or the County Treasurer's Mailing List, of all the owners of record of property within 125 feet of the exterior boundaries of the property for which the application was filed, and all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property:

(6) PROPERTY OWNER(S) NAME (6A) ADDRESS OF PROPERTY (6B) PROPERTY OWNER(S) MAILING ADDRESS
See attached Exhibit "6" incorporated herein by this reference

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

SIGNATURE OF AFFIANT (8) [Signature]
Subscribed to me in my presence and before me this 12th day of August, in the year 2011

SIGNATURE OF NOTARY PUBLIC (8) [Signature]
My Commission Expires: 7/7/2013

Notary Seal Here



Janet Moore
Notary Public, State of Ohio

My Commission Expires 07-07-2013

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Exhibit "A"

Upper Arlington Lutheran Church is located at 3500 Mill Run Drive, Columbus, Ohio 43026. The Church, like a growing number of churches, has many members which wish to provide a means in which the cremated remains of deceased members may be interred at the church property for visitation by relatives and the church membership before or after services in a setting for prayer and reflection. Upper Arlington Lutheran Church seeks to accomplish these goals through construction of a columbarium on the side yard of the church building. The columbarium shall contain small niches, in rows of columns, in which cremated remains will be interred. Such a use will not adversely affect the surrounding neighborhood or properties and, in fact, will be visually similar to the current church building. The columbarium will be located in a landscaped prayer garden.

The current Columbus Zoning Code does not provide a zoning district in which columbariums are allowed, as of right, as they are technically cemeteries under both the Columbus Zoning Code and the Ohio Revised Code. Cemeteries are prohibited uses under the current Columbus Zoning Code and may not be established without a Special Permit pursuant to Section 3389.033 of the Zoning Code. As such, a columbarium may not be established in Columbus (except on the grounds of an existing cemetery, of course) without a Special Permit. Therefore, a hardship exists that warrants the granting of a Special Permit, pursuant to Section 3389.033 of the Zoning Code, to allow for construction of the columbarium.

11311-00000-00499
3500 MILL RUN DRIVE

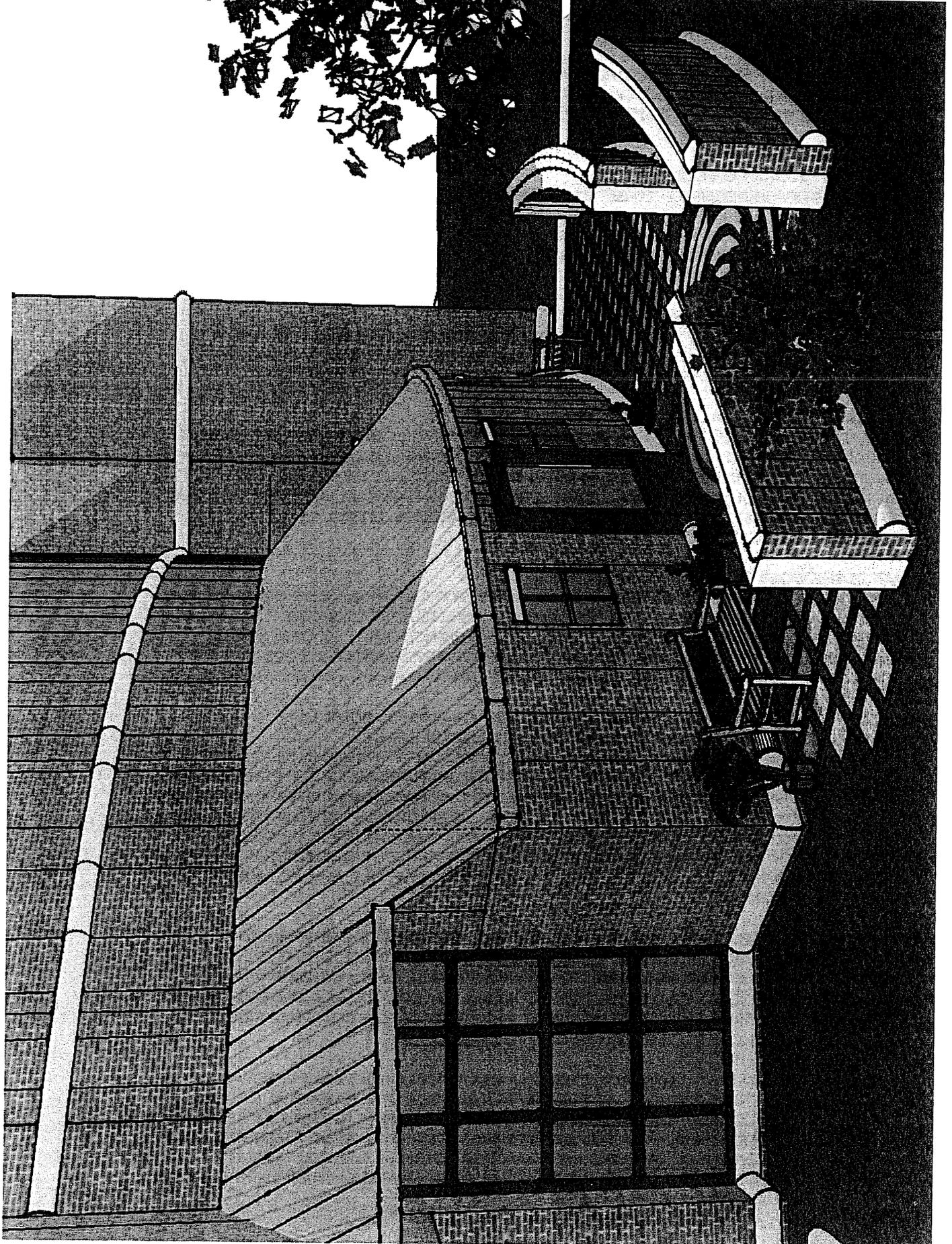
FREQUENTLY ASKED QUESTIONS

11311-00000-00499
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1. COLUMBARIUM - WHAT IS IT?
 - A. IT IS A WALL OF NICHEs OR A STRUCTURE FOR THE INTERMENT OF CREMATED ASHES.
2. WHY NOW?
 - A. TWO REASONS. FIRST, MANY PEOPLE WISH TO HAVE THESE ISSUES RESOLVED BEFORE THE TIME OF GRIEF. SECOND, IN A CULTURE SHIFT, CREMATION IS BECOMING THE SOLUTION OF CHOICE. BY 2015, IT IS EXPECTED TO BE SELECTED FIFTY PERCENT OF THE TIME.
3. HOW DOES IT WORK FOR OUR CHURCH?
 - A. THIS MINISTRY IS REQUIRED TO BE TOTALLY SELF SUPPORTING. FUNDS FROM THE SALE OF THE NICHEs MUST PAY FOR THE CONSTRUCTION, ENGRAVING, INTERMENT, AND PERPETUAL CARE. THEREFORE, THE COMMITTEE IS PROVIDING EDUCATION ON THE VISION AND SOLICITING COMMITMENTS TO PURCHASE A NICHE, SUBJECT TO CONGREGATIONAL APPROVAL.
4. WHO ADMINISTERS THIS COMMITMENT?
 - A. THERE WILL BE A COMMITTEE RESPONSIBLE TO COUNCIL FOR SALE, INTERMENT, ENGRAVING, AND PERPETUAL CARE. THEY WILL HAVE A VOLUNTEER, OR A MINOR FUNCTION OF A STAFF MEMBER TO HANDLE THESE DAY TO DAY MATTERS.
5. HOW DO I KNOW THIS WILL REMAIN A COLUMBARIUM?
 - A. TWO REASONS. FIRST, THIS IS ONE OF TWO SITES AT MILL RUN THAT THE CHURCH WILL NOT BE USING FOR EXPANSION. THE FORM, FLOOR PLAN, AND USE OF THAT PART OF THE BUILDING DOES NOT ALLOW AN ADDITION. SECOND, LIKE EVERY PLACE OF BURIAL, THIS COLUMBARIUM WILL BE SUBJECT TO THE LAWS OF THE STATE OF OHIO. LEGALLY, IT QUALIFIES AND IS PROTECTED AS A CEMETERY. IT WILL BE AS SAFE AS ANY OTHER CEMETERY.
6. WHAT IS THE COST?
 - A. THERE ARE TWO SIZES OFFERED AND THE NUMBER OF EACH WILL BE DETERMINED BY THE COMMITMENTS RECEIVED. THE SMALL NICHE IS APPROXIMATELY 8"x8"x12". IT WILL HOLD TWO SMALL URNS OF 6"x6"x6". THIS NICHE WILL COST \$1500. THE LARGE NICHE IS THE MORE STANDARD SIZE OF APPROXIMATELY 12"x12"x12". THIS WILL ACCOMMODATE TWO LARGER MORE ORNATE URNS. THIS NICHE IS \$3000.
7. AFTER A NICHE IS PURCHASED, WHAT IF THERE IS A CHANGE IN MIND OR CIRCUMSTANCES, AND WE NO LONGER WISH TO USE THE SPACE?
 - A. THERE ARE MULTIPLE CHOICES. FIRST, YOU COULD DO NOTHING AND LET IT NOT BE USED EVER. THIS IS WHAT HAPPENS WHEN FAMILIES HAVE MULTIPLE BURIAL PLOTS THAT GO UNUSED. SECOND, YOU COULD WILL IT TO SOMEONE IN THE FAMILY AS ARE BURIAL PLOTS. USE AND ADDITIONAL COST WILL DEPEND ON WHETHER THE FRONT IS ALREADY ENGRAVED. THIRD, IT COULD BE SOLD TO SOMEONE ELSE SUBJECT TO APPROVAL BY THE COLUMBARIUM COMMITTEE. THIS WILL BE CONSIDERED ON A CASE BY CASE BASIS. BY LAW, ANY NICHE OR BURIAL PLOT CAN ONLY BE SOLD FOR THE PURCHASE AMOUNT.
8. HOW WILL NICHE LOCATION IN THE WALL FOR EACH PERSON BE DETERMINED?
 - A. IN THE FIRST PHASE, THERE ARE TWO ROWS OF 2'x2' STONES. EACH STONE CONTAINS EITHER FOUR LARGE NICHEs, OR NINE SMALL ONES. AS EACH NICHE IS SOLD, IT WILL BE LOCATED ON A STONE. THIS WILL ALLOW FAMILY AND FRIENDS TO REMAIN CLOSE. SINCE WE NEED THE FIRST PHASE SOLD TO START, THE FILLED STONES WILL BE LOCATED BY LOTTERY IN THE WALL.
9. WHAT ABOUT FLOWERS, ADDITIONAL ENGRAVING, OR ADD ON METAL PIECES?
 - A. DUE TO THE NATURE AND SIZE OF THE NICHEs, THESE EXPRESSIONS ARE EITHER LIMITED OR EXCLUDED. FLOWERS COULD BE PLACED ON THE GROUND IN FRONT OF A SECTION BUT THERE IS NO WAY TO IDENTIFY THE INTENDED NICHE. SIZE PRECLUDES ADDITIONAL ENGRAVING, AS NAME, BIRTH AND DEATH YEAR ARE ALL THAT IS ENVISIONED. COLUMBARIUMs, BY NATURE, ARE BASIC, SIMPLE, UNIFIED EXPRESSIONS THAT FULFILL A NEED.

E

11311-00000-00499
3500 MILL RUN DRIVE

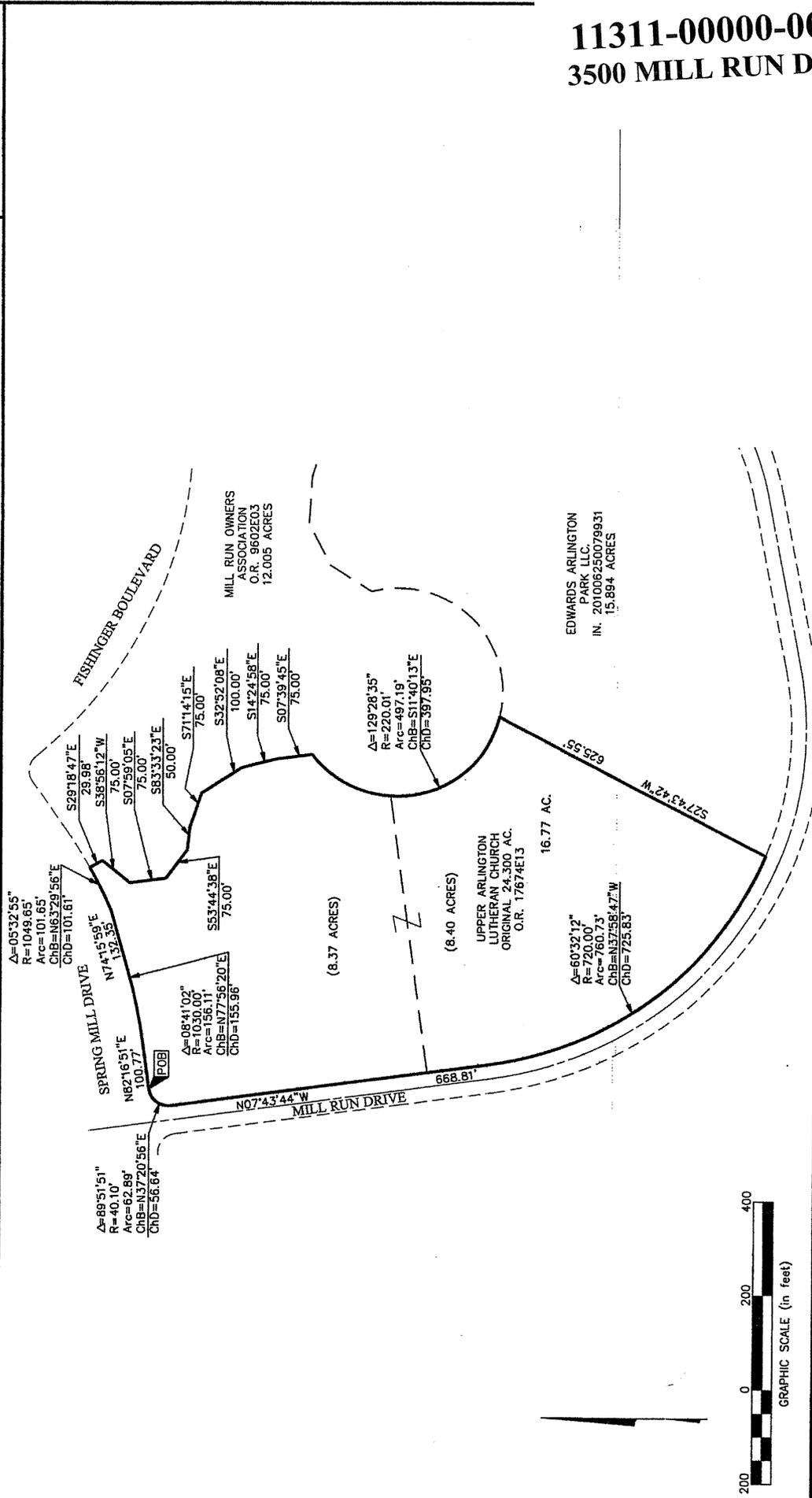


C

Date: July 18, 2011
 Scale: 1" = 200'
 Job No: 2011-0996

ZONING EXHIBIT
 PART OF "PARCEL E"
 MILL RUN SUBDIVISION STREET AND EASEMENT DEDICATION PLAT SECTION 2
 PLAT BOOK 64, PAGE 38
 UNITED STATES MILITARY LANDS
 CITY OF COLUMBUS, COUNTY OF FRANKLIN, STATE OF OHIO

EMHT
 Evans, Mechwart, Hombleron & Tillon, Inc.
 Engineers, Surveyors & Planners • Scientists
 5300 North State Road, Columbus, OH 43241
 Phone: 614.775.4300 Fax: 614.775.3448
 emht.com



11311-00000-00499
3500 MILL RUN DRIVE

Upper Arlington Lutheran Church / 20110996



APPROVAL OF PLANNED COLUMBARIUM AND PRAYER GARDEN

I, the undersigned PETER H. EDWARDS (name), the OWNER (title) of EDWARDS COS. (company) have received notice of the planned Columbarium and Prayer Garden to be located at Upper Arlington Lutheran Church, with a physical address of 3280 Mill Run Drive, Hilliard, Ohio 43026 and the mailing address indicated below ("Project") and have reviewed area site plans and graphic depictions of the same and have no objections to the Project or the granting of a Special Permit by the Board of Zoning Adjustment to allow the Project and approve of all of the same.

I can be reached at:

PETER H. EDWARDS (name)
OWNER (title)
EDWARDS COS. (Company)
495 S. HIGH ST (address)
72412070 (phone)

(email)

By: Peter H Edwards

11311-00000-00499
3500 MILL RUN DRIVE

Its: OWNER

Date: 7/23/11

Upon execution, return to:

Via email (Rapel@directedlifestyle.com)

Robert J. Apel, AIA
C/o Upper Arlington Lutheran Church
3500 Mill Run Drive
Columbus, Ohio 43220

APPROVAL OF PLANNED COLUMBARIUM AND PRAYER GARDEN

I, the undersigned Robert T. TAGGART (name), the President / Trustee (title) of Mill Run Owners Assoc (company) have received notice of the planned Columbarium and Prayer Garden to be located at Upper Arlington Lutheran Church, with a physical address of 3280 Mill Run Drive, Hilliard, Ohio 43026 and the mailing address indicated below ("Project") and have reviewed area site plans and graphic depictions of the same and have no objections to the Project or the granting of a Special Permit by the Board of Zoning Adjustment to allow the Project and approve of all of the same.

I can be reached at: same as above (name)
" (title)
" (Company)
3780 Fishmeyer Blvd (address)
Hilliard Ohio 43026
876-4848 ext 13 (phone)
TaggartBob@AOL.com (email)

By: 

11311-00000-00499
3500 MILL RUN DRIVE

Its: Pres / Trustee

Date: 7-28-11

Upon execution, return to:

Via email (Rapel@directedlifestyle.com)

Robert J. Apel, AIA
C/o Upper Arlington Lutheran Church
3500 Mill Run Drive
Columbus, Ohio 43220



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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 # **11311-00000-00499**
3500 MILL RUN DRIVE

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Upper Arlington Lutheran Church
of (COMPLETE ADDRESS) 3500 Mill Run Drive, Columbus, OH 43026

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 and their mailing addresses:

NAME	COMPLETE MAILING ADDRESS

SIGNATURE OF AFFIANT Ernst J. Giel, Chair COLUMBIANUM COMMITTEE

Subscribed to me in my presence and before me this 12th day of August, in the year 2011

SIGNATURE OF NOTARY PUBLIC [Signature]

My Commission Expires: _____

Notary Seal Here



TIMOTHY C. LONG
NOTARY PUBLIC, STATE OF OHIO
My commission has no expiration date.
Section 147.03 R.C.

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