



Council Variance Application

DEPARTMENT OF BUILDING AND ZONING SERVICES

111 N Front Street, Columbus, Ohio 43215
Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

STATEMENT OF HARDSHIP

APPLICATION #: CV22- 116

Columbus City Code Section 3307.10 - Variances by City Council.

City council may grant the following zoning variances:

- A. Permit a variation 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 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 established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the city.

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 not included, a new application (and applicable fees) 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 World Cooper Companies, Inc. Date 10/24/2022
by David B. Perry

Signature of Attorney Donald Shank Date 10/24/2022

Exhibit B
Statement of Hardship
CV22- 116 , 2337 Kimberly Parkway East

The site is 2.99 +/- acres and being part of Franklin County Auditor Tax Parcel 010-199877, located at the northwest corner of Kimberly Parkway East and Kimberly Parkway North. The site is zoned C-2, Commercial.

Applicant proposes to develop the site with a 78 dwelling unit, 4 story apartment building for affordable housing, as depicted on the site plan, "Kimberly Parkway Site", dated 3/2/23 hereafter Site Plan. While the C-2 district permits residential use above a ground floor commercial use, the proposed building won't have any commercial use. The existing buildings will be removed with site redevelopment.

An application for financing will be submitted to the Ohio Housing Finance Agency (OHFA). In accordance with City of Columbus application policy for affordable housing projects requiring zoning, this variance application is submitted for variance to the C-2, Commercial District and also related variances to permit the project. A rezoning application will be submitted prior to the variance ordinance being sent to Columbus City Council. The property is under contract for sale subject to: 1) zoning to permit the proposed multi-family development and 2) subject to OHFA and other applicable funding. The apartment building will provide affordable housing for residents with Area Median Income (AMI) ranging from 30% - 80%.

Until funding is secured, rezoning the site to a residential district will create a hardship on the current property owner as the property won't be purchased by applicant without Ohio Housing Finance Agency (OHFA) funding. This variance request will not impair an adequate supply of light and air to adjacent properties, unreasonably increase congestion on public streets, increase the risk of fire, nor endanger the public health, safety or welfare of the inhabitants of the City of Columbus. The multi-family development will provide needed affordable housing consistent with City of Columbus objectives for development of affordable housing.

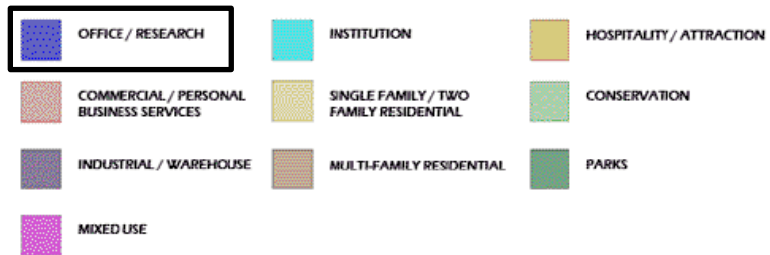
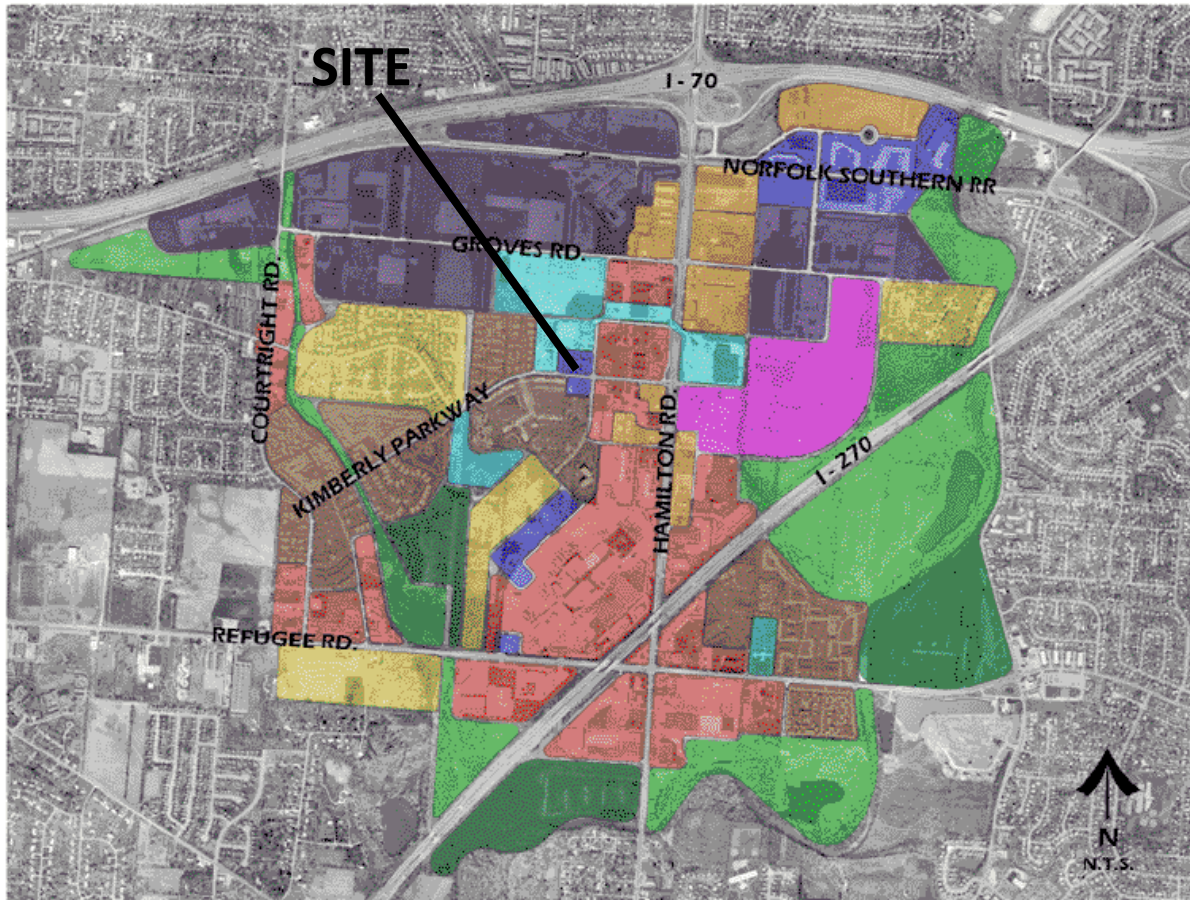
Applicant requests the following variances:

- 1). Section 3353.03, C-2 Permitted Uses, to permit ground level residential use, thereby permitting a 78 dwelling unit (max) apartment building.
- 2). Section 3309.14, Height Districts, to permit a 50' building height in the H-35 Height District.



CV22-116
2337 Kimberly Parkway East
Approximately 2.99 acres

Map 5.1: Hamilton Road Corridor/Eastland Area Future Land Use



CV22-116
2337 Kimberly Parkway East
Approximately 2.99 acres



CV22-116
2337 Kimberly Parkway East
Approximately 2.99 acres

Standardized Recommendation Form

DEPARTMENT OF BUILDING
AND ZONING SERVICES

111 N Front Street, Columbus, Ohio 43215
Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

FOR USE BY: AREA COMMISSION / NEIGHBORHOOD GROUP
(PLEASE PRINT)

Case Number CV22-116

Address 2337 Kimberly Parkway

Group Name Mideast Area Commission

Meeting Date January 17, 2023

Specify Case Type

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

Recommendation (Check only one)

- Approval
- Disapproval

LIST BASIS FOR RECOMMENDATION:

The MAC would like a Good Neighbor Agreement and will be working on that.

Vote Unanimously Approved

Signature of Authorized Representative [Signature]

Recommending Group Title Zoning Chair

Daytime Phone Number 614.456-9409

Please e-mail this form to the assigned planner within 48 hours of meeting day; OR FAX to Zoning at (614) 645-2463; OR MAIL to: Zoning, City of Columbus, Department of Building & Zoning Services, 111 N Front Street, Columbus, Ohio 43215.

Council Variance Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

111 N Front Street, Columbus, Ohio 43215
Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV22- 116

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

Being first duly cautioned and sworn (NAME) Donald Plank
of (COMPLETE ADDRESS) Plank Law Firm, 411 East Town Street, Floor 2, Columbus, OH 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 (including 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. Woda Cooper Cos., Inc.; 500 S Front St, Ste 10, Columbus, OH 43215; # Cols based emps: 131 Contact: Jon White, (614) 396-3211	2. John Gallick, 8121 Oregon Road, Canal Winchester, OH 43110; # Cols based emps: Zero (0) Contact: John Gallick, (614) 270-4478
3. -----	4. -----

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT Donald Plank

Sworn to before me and signed in my presence this 21st day of October, in the year 2022

MaryAlice Wolf
SIGNATURE OF NOTARY PUBLIC

My Commission Expires

Notary Seal Here



MaryAlice Wolf
Notary Public, State of Ohio
My Commission Expires October 24, 2023

This Project Disclosure Statement expires six (6) months after date of notarization.