

**CITY COUNCIL – ZONING COMMITTEE
STAFF REPORT
COUNCIL VARIANCE**

APPLICATION: **CV25-042**
Location: **4000-4022 WESTERVILLE RD. (43224)**, being 4.32± acres located on the east side of Westerville Road at the terminus of Saville Row (010-104571, four others; Northeast Area Commission).
Existing Zoning: R-1, Residential District.
Proposed Use: Multi-unit residential development.
Applicant(s): EREG Housing Preservation LLC, c/o Thaddeus M. Boggs, Atty.; 10 West Broad Street, Fl. 23; Columbus, OH 43215.
Property Owner(s): Joseph Reichert; 4014 Westerville Road; Columbus, OH 43224, and Megan N. Vo; 4022 Westerville Road; Columbus, OH 43224
Planner: Dane Kirk; 614-645-7973; DEKirk@Columbus.gov

BACKGROUND:

- The 4.32± acre site consists of five parcels developed with single-unit dwellings and accessory buildings in the R-1, Residential District. The applicant proposes to develop the site with a multi-unit residential development consisting of 120 units. The applicant has requested the Council Variance in order to pursue competitive funding through the Ohio Housing Finance Agency (OHFA). A subsequent rezoning application will be pursued once OHFA funding is awarded. The ordinance includes a condition that Zoning Clearance will not be issued until rezoning of the property is completed.
- North, south, and east of the site is a golf course in the R-1, Residential District. West of the site are single-unit dwellings in the SR, Suburban Residential District.
- The site is within the planning boundaries of the *Northeast Area Plan* (2007), which recommends “Open Space” land use at this location.
- The *Columbus Multimodal Thoroughfare Plan* (2019) identifies Westerville Road as a Suburban Commuter Corridor requiring 120 feet of right-of-way from centerline.
- Practical difficulties were not considered as no variances to standards are included in this request.

CITY DEPARTMENTS’ RECOMMENDATION: Approval

The requested variance will allow the applicant to pursue funding for a multi-unit residential development, which is inconsistent with the *Northeast Area Plan’s* recommendation of “Open Space” land use at this location. However, staff notes the existing residential use of the site, lack of public ownership of the parcels that constitute the site, and the institutional character of the proposed use as mitigating factors for support of the proposed use. This variance is further supported in recognition of the fact that it will potentially provide additional affordable housing units consistent with the City’s priorities, and is conditioned on the applicant completing a rezoning of the site to an appropriate zoning district when/if funding is awarded.



DEPARTMENT OF BUILDING
AND ZONING SERVICES

Council Variance Application

111 N Front Street, Columbus, Ohio 43215

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

STATEMENT OF HARDSHIP

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.

The following factors shall be used in determining whether the applicant has encountered practical difficulties in the use of the property. Respond to the following statements:

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance.

☐ Yes ☒ No

This variance is necessary to facilitate an application to the Ohio Housing Finance Agency and receipt of tax credits for the multi-unit senior housing use, without which the use would be infeasible. The property is currently vacant and has not attracted development with currently permitted uses.

2. Whether the variance is substantial.

☐ Yes ☒ No

The variance is insubstantial.

3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.

☐ Yes ☒ No

Nearby properties include single-family detached dwellings across Westerville Road to the west; the property is bounded to the north, south, and east by the Champions Golf Course, a Columbus municipal course. This use would serve a need for assisted living options as area residents age.

4. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse service).

☐ Yes ☒ No

The variance would not adversely affect service delivery.

5. Whether the property owner purchased the property with knowledge of the zoning restriction.

☒ Yes ☐ No

The applicant intends to pursue a rezoning application, but the variance is necessary to facilitate the Ohio Housing Finance Agency application on the necessary project timeline.

6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.

☐ Yes ☒ No

The applicant intends to pursue a rezoning application, but the variance is necessary to facilitate the Ohio Housing Finance Agency application on the necessary project timeline.

7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

☒ Yes ☐ No

Nearby properties include single-family detached dwellings across Westerville Road to the west; the property is bounded to the north, south, and east by the Champions Golf Course, a Columbus municipal course. This use would serve a need for assisted living options as area residents age.

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

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):

This variance is necessary to facilitate an application to the Ohio Housing Finance Agency and receipt of tax credits for the multi-unit senior housing use, without which the use would be infeasible.

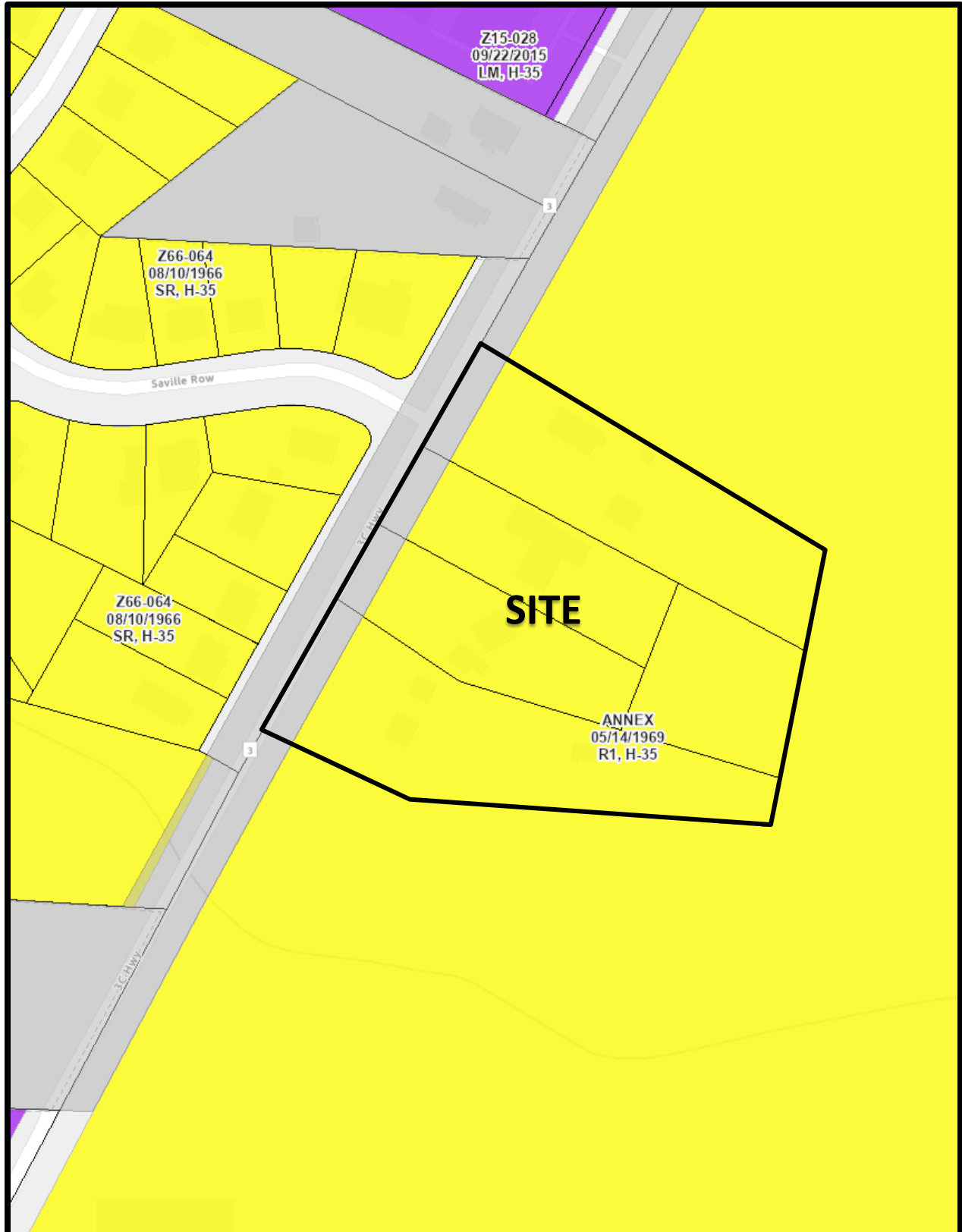
Code section to be varied by this request: Section 3332.03 (Permitted Uses) to allow multi-unit senior assisted living.

THADDEUS M. BOGGS, ATTY FOR APPLICANT

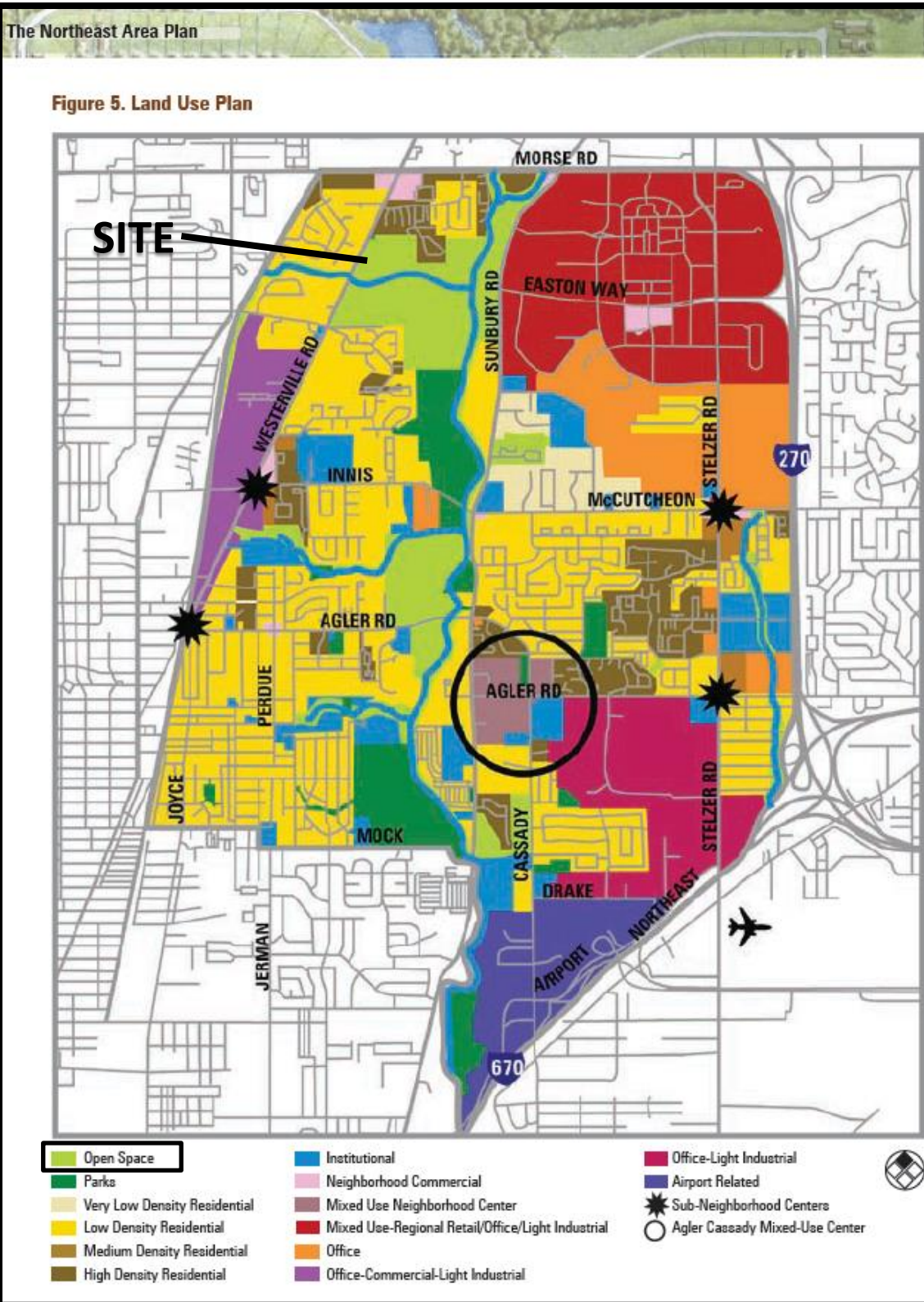
MAY 14, 2025

Signature of Applicant

Date



CV25-042
4000-4022 Westerville Rd.
Approximately 4.32 acres



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Standardized Recommendation Form

111 N Front Street, Columbus, Ohio 43215

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

Case Number CV25-042

Address 4000; 4004; 4014; 4022 WESTERVILLE RD

Group Name NORTHEAST AREA COMMISSION

Meeting Date June 12, 2025

Specify Case Type

☐ BZA Variance / Special Permit

☒ Council Variance

☐ Rezoning

☐ Graphics Variance / Plan / Special Permit

Recommendation ☒ Approval

(Check only one) ☐ Disapproval

LIST BASIS FOR RECOMMENDATION:

The commission has no objections and recommend approval of variance.

Vote 6 yes, 0 no

Signature of Authorized Representative Commissioner Donna Moore

Recommending Group Title Northeast Area Commission

Daytime Phone Number 614-519-2195

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



DEPARTMENT OF BUILDING
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PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV25-042

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~~ Hamilton

Being first duly cautioned and sworn (NAME) THADDEUS M. BOGGS, FROST BROWN TODD

of (COMPLETE ADDRESS) 10 WEST BROAD ST., 23RD FL. COLUMBUS, OH 43215

deposes and states that they are 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:

For Example: Name of Business or individual
 Contact name and number
 Business or individual's address; City, State, Zip Code
 Number of Columbus-based employees

1. EREG HOUSING PRESERVATION LLC JARED ISENTHAL, 317-517-1498 566 WEST LAKE ST., #400, CHICAGO, IL 60661 COLUMBUS-BASED EMPLOYEES (04/22/2025): 0	2.
3.	4.

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

eSigned by Black Knight EXP-DocVerify: 2025-05-13 09:33:20 EDT
Thad Boggs
5541956:31845203:38145454

SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 13th day of May, in the year 2025

eSigned by Black Knight EXP-DocVerify: 2025-05-13 09:35:04 EDT

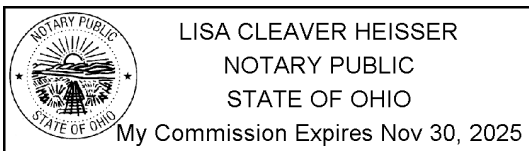
SIGNATURE OF NOTARY PUBLIC

Lisa Cleaver Heisser
5541956:31845203:246655

11-30-2025

Notary Seal Here

My Commission Expires



This Project Disclosure Statement expires six (6) months after date of notarization.
Notarial Act Performed by Audio Visual communication