



# 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

**Columbus City Code Section 3307.10 - Variances by City Council.**

CV21- 094

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

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

Date

8-23-2021

Signature of Attorney

*Donald Plank*

Date

8/23/21

**Exhibit B**  
**Statement of Hardship**  
**CV21-094, 70 Obetz Road**

The site is 2.689 +/- acres and being part of Franklin County Auditor Tax Parcel 010-111574, located on the north side of Obetz Road, 280 +/- feet east of S. High Street and adjacent to the intersection of Obetz Road and Southpoint Boulevard. The site will be split from the remainder of PID 010-111574.

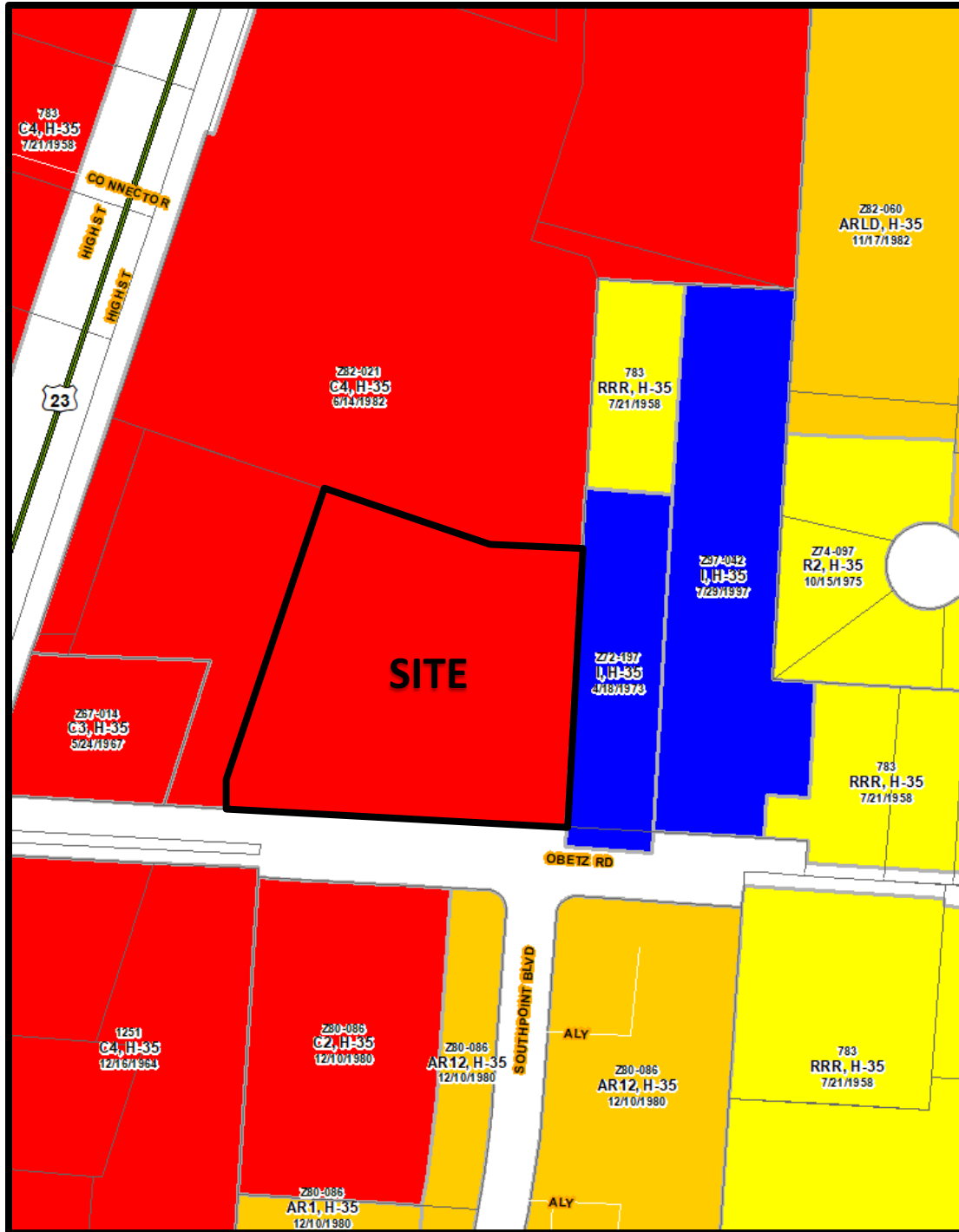
Applicant proposes to develop the site with an 80 dwelling unit apartment building as affordable housing for seniors, as depicted on the site plan, "Site Plan – 70 Obetz Road", hereafter Site Plan.

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-4, 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 housing targeted for senior residents with Area Median Income (AMI) averaging 60%.

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.

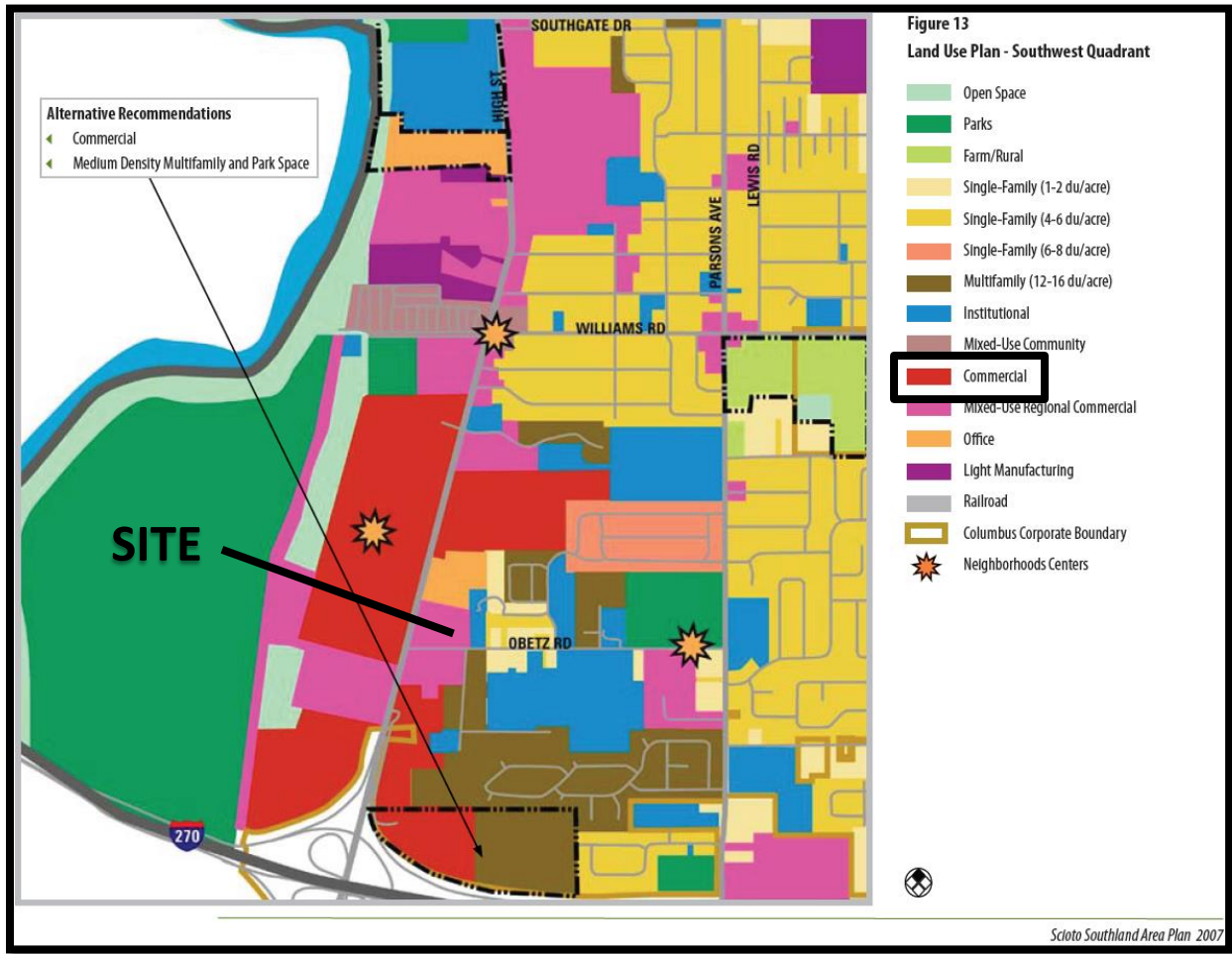
Applicant requests the following variances:

- 1). Section 3356.03, C-4 Permitted Uses, to permit ground level residential use, thereby permitting an 81 dwelling unit (max) apartment building.
- 2). Section 3309.14, Height Districts, to permit a 45' building height in the H-35 Height District.
- 3). Section 3312.21(A)(2), Landscaping and Screening, to reduce the area and radius of three (3) parking lot islands for one tree from 145 SF / 4' radius to 104 SF, 135 SF and 137 SF with the 104 SF island having a 3' radius and to reduce the area and radius of six (6) parking lot islands for two (2) trees from 290 SF / 4' radius to 232 SF with a 3.5' radius
- 4). Section 3312.49, Minimum Numbers of Parking Spaces Required, to reduce parking from 122 spaces (1.5 spaces/DU) to 115 spaces (1.4 spaces/DU).



CV21-094  
70 Obetz Rd.  
Approximately 2.69 acres

Scioto Southland Plan (2007)



CV21-094  
70 Obetz Rd.  
Approximately 2.69 acres



CV21-094  
70 Obetz Rd.  
Approximately 2.69 acres

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

**Case Number:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Group Name:** \_\_\_\_\_

**Meeting Date:** \_\_\_\_\_

**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:**

**Vote:** \_\_\_\_\_

**Signature of Authorized Representative:** Michael D. Walker, Sr  
SIGNATURE

RECOMMENDING GROUP TITLE

DAYTIME PHONE NUMBER

Please e-mail this form to the assigned planner within 48 hours of your meeting day; qt O CKN\q<Cuuki pgf 'Rrcppgt.'Ek{ "qh  
**MAIL** to: Columbus, Department of Building & Zoning Services, 111 N. Front St, Columbus, OH 43215.

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**PROJECT DISCLOSURE STATEMENT**

APPLICATION #: CV21-094

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)

<p>1. T. Ronald Sams, Trustee, Barbara A. Sams, Trustee 138 Jana Kay Court, Columbus, OH 43207 # Columbus based employees: Zero (0) Contact: T. Ronald Sams, (614) 402-0223</p>	<p>2. Woda Cooper Companies, Inc., 500 S. Front Street, Suite 10, Columbus, OH 43215 Number Columbus based emps: 131 Contact: Jon White, (614) 396-3211</p>
<p>3. _____ _____</p>	<p>4. _____ _____</p>

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 23<sup>rd</sup> day of August, in the year 2021

SIGNATURE OF NOTARY PUBLIC MaryAlice Wolf

Notary Seal Here  
My Commission Expires \_\_\_\_\_



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.*