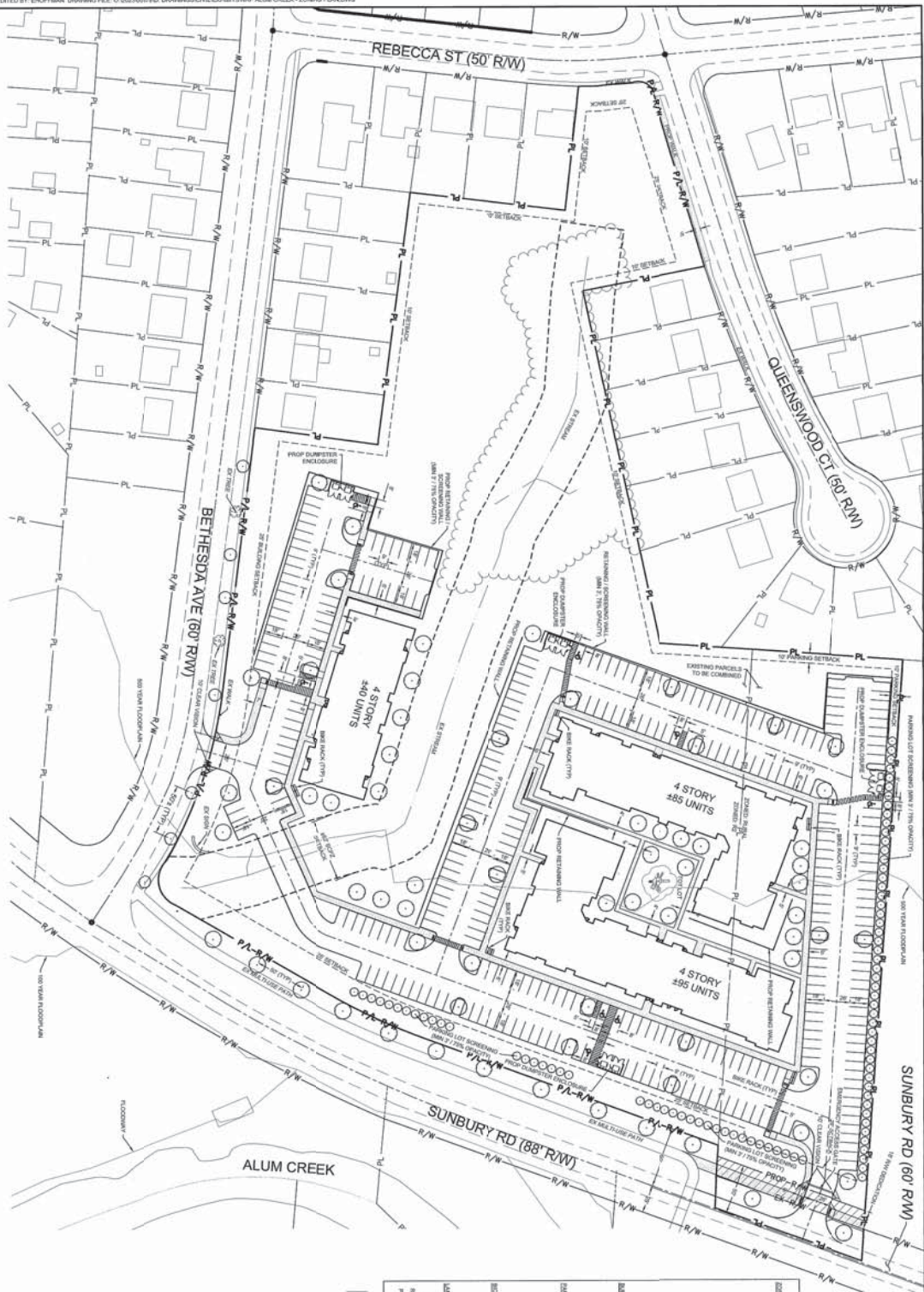


This acknowledgment on this drawing may be legally adjusted to reflect equipment, layout, material or other data developed at the time that development plans are completed. Any legal adjustment to the development shall be reviewed and may be approved by the Director of the Planning and Zoning Services Department or its designee upon submission of the appropriate data required for proposed adjustments.

David B. Perry Date: 06/23/2023
 David B. Perry, Agent
David B. Perry Date: 06/23/2023
 David B. Perry, Agent



SITE LEGEND

— P _u —	PROPERTY LINE
— R/W —	RIGHT-OF-WAY
— — —	STRAIGHT CURB
~~~~~	EX. TIE/DRAIN
	CONCRETE WALK
	SHADE TREE

[illegible][illegible]

## 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 No. CV23-_____

#### **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

*NRR Properties, LLC by  
David B. Perry, Jr.*

Date

*2-21-2023*

Signature of Attorney

*Donald Plank*

Date

*2/21/2023*

**Exhibit B**  
**Statement of Hardship**  
**CV23-022, 2618 Bethesda Avenue**

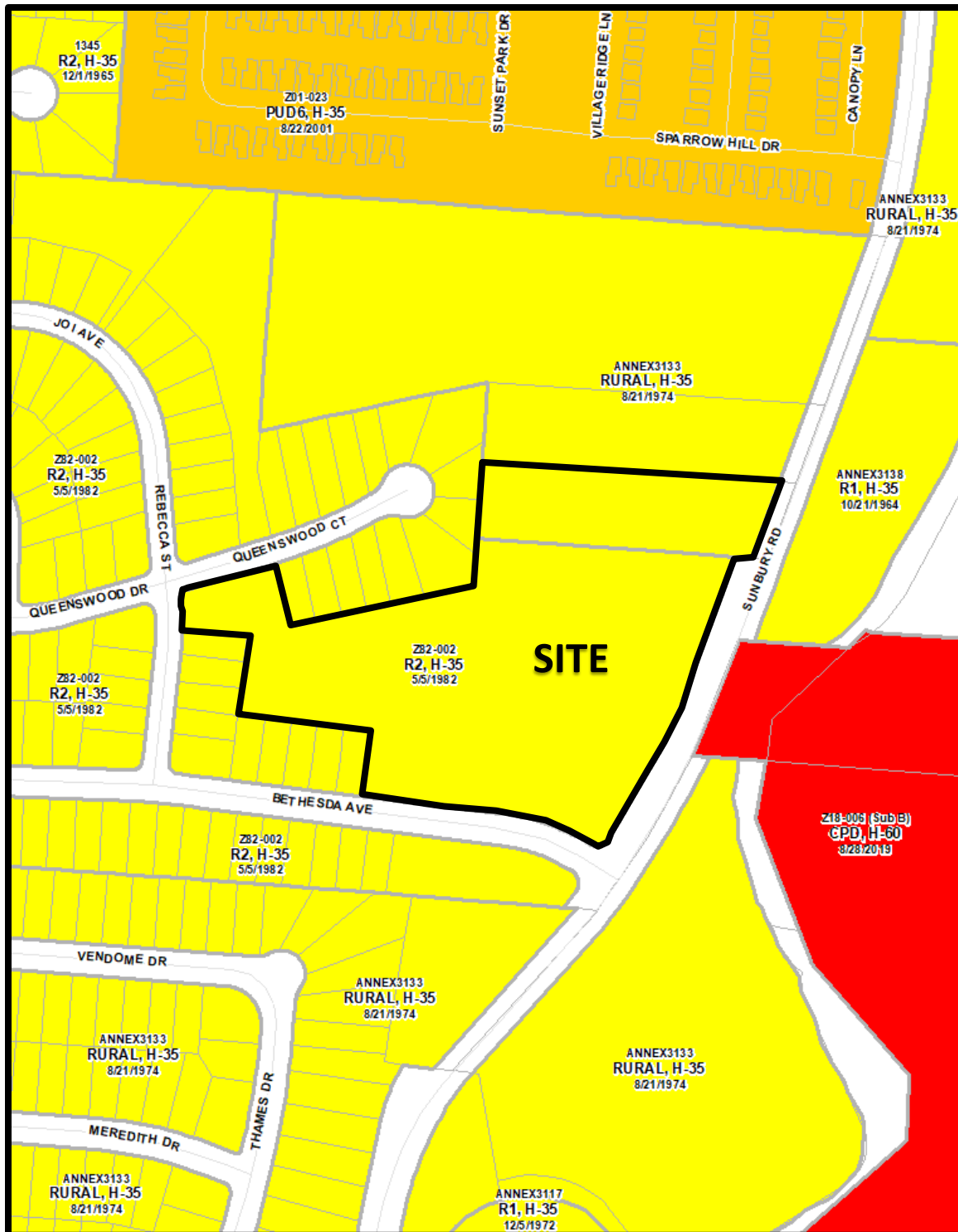
The site is 10.177 +/- acres at the northwest corner of Bethesda Avenue and Sunbury Road, being Franklin County Auditor Tax Parcels 010-156433 and 010-166702. Parcel 010-156433 is zoned R-2 and parcel 010-166702 is zoned R. Applicant proposes to develop the site with a 220 (max) dwelling unit apartment complex as affordable housing, as depicted on the site plan, "Zoning Plan for NRP – Alum Creek", 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 R-2, Residential and R, Rural Residential districts while funding is determined. 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 for residents with Area Median Income (AMI) ranging from 30% - 80% and averaging 60%.

Until funding is secured, rezoning the site to a residential district will create a hardship on the current property owners 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.

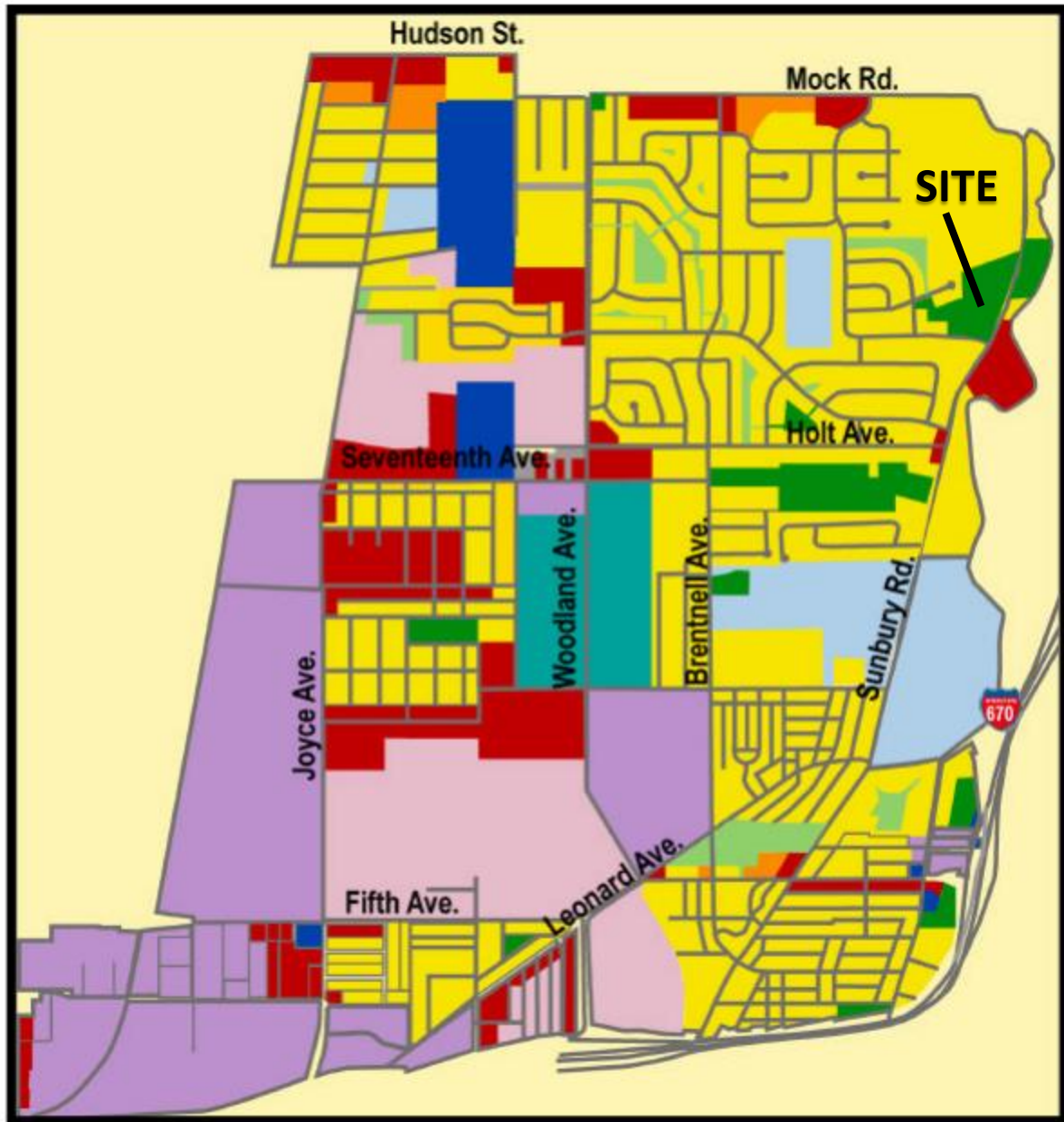
**Applicant requests the following variances:**

- 1). Section 3332.02, R, Rural District, to permit a multi-family development.
- 2). Section 3332.033, R-2, Residential District, to permit a multi-family development.
- 3). Section 3309.14, Height Districts, to permit a 60' building height in the H-35 Height District.
- 4). Section 3332.285, Perimeter Yard, to reduce Perimeter Yard from 25' to 10' in certain areas of the site to permit parking closer than 25' to a property line, as depicted on the Site Plan.



CV23-022  
2618 Bethesda Ave.  
Approximately 10.18 acres





**Proposed Land Use**

- Neighborhood Commercial Services
- Light Manufacturing
- Multi-family Residential
- Public/Institutional
- Single-family Residential
- Open Space
- Office/Light Manufacturing
- **Parkland**
- Cemetery
- School

CV23-022  
2618 Bethesda Ave.  
Approximately 10.18 acres





CV23-022  
2618 Bethesda Ave.  
Approximately 10.18 acres

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

Case Number	<u>CV23-022</u>
Address	<u>2618 BETHESDA AVE</u>
Group Name	<u>NORTH CENTRAL AREA COMMISSION</u>
Meeting Date	<u>May 4th, 2023</u>
Specify Case Type	<input type="checkbox"/> BZA Variance / Special Permit <input checked="" type="checkbox"/> Council Variance <input type="checkbox"/> Rezoning <input type="checkbox"/> Graphics Variance / Plan / Special Permit
Recommendation (Check only one)	<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Disapproval

**LIST BASIS FOR RECOMMENDATION:**

The North Central Area Commission met on May 4th, 2023 with a quorum.

A very large number of community members attended this meeting, with nearly universal opposition to this application expressed to the Area Commission body. Concerns were expressed by community members in regards to height / project size, project location, traffic, and incorporation into the greater community. There were also individuals who expressed concern over management practices in other properties managed by the applicant.


A motion was made to oppose the following variances:

Section 3332.02, R, Rural District, to permit a multi-family development.

Section 3332.033, R-2, Residential District, to permit a multi-family development.

Section 3309.14, Height Districts, to permit a 60' building height in the H-35 Height District.

Results of a roll-call vote were all in opposition (8 opposed - 0 for) of the variance, with no abstentions.

Vote	<u>All in opposition, with no abstentions</u>
Signature of Authorized Representative	<u></u> <small>Digitally signed by Reno Lemons Date: 2023.05.09 00:18:00 -04'00'</small>
Recommending Group Title	<u>North Central Area Commission</u>
Daytime Phone Number	<u>614-271-6884</u>

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.

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### PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV23-

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. Praise Temple Comm Church Inc; 1201 Riva Ridge Ct, Apt 126, Gahanna, OH 43230; # Cols-based emps: Contact: Gladys Stewart, President; (614) 806-0654	2. NRP Properties, LLC; 1228 Euclid Ave, 4th Fl, Cleveland, OH 44115; # Cols-based emps: 15 Contact: Scott Skinner, (408) 656-8126
3. Michael R. Patterson, Jr., 2991 Stirlingshire Court, Columbus, OH 43219, # Cols. based employees: 0, Contact: Justin Fox, Attorney, (614) 407-8998	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 February in the year 2023

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.**