

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- 067

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

Woda Corpse Companies, Inc.

by David B. Perry, Agent Date *6-16-2023*

Signature of Attorney

Donald Peak

Date *6/16/23*

Exhibit B
Statement of Hardship
CV23-067, 1456 Brentnell Avenue

The site is 6.0 +/- acres (gross) and being Franklin County Auditor Tax Parcels 010-108772, 010-108668, 010-108784, 010-108673 and 010-108796, located on the east side of Brentnell Avenue 134' +/- north of Oriole Place. The site is zoned SR, Suburban Residential (1956).

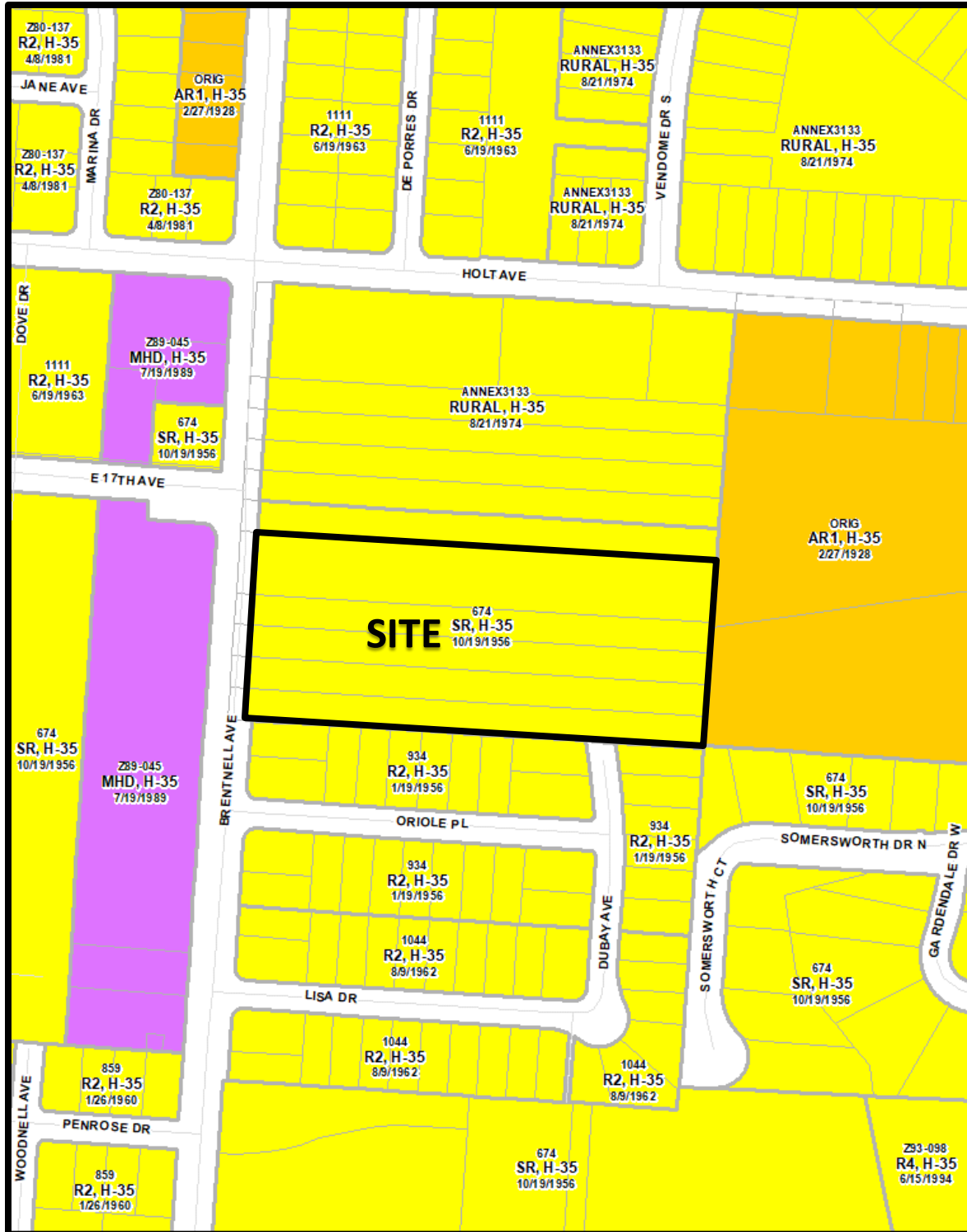
Applicant proposes to develop the site with an apartment complex consisting of four (4) apartment buildings totaling 76 dwelling units for affordable housing, as depicted on the site plan, "Brentnell Pointe", dated 7/25/2023, hereafter Site Plan. The existing buildings will be removed with site redevelopment. Brentnell Avenue is designated as a 80' Suburban Community Connector on the Columbus Multimodal Thoroughfare Plan. The Site Plan is drafted to show 40' right of way from centerline.

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 SR, Suburban Residential 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.

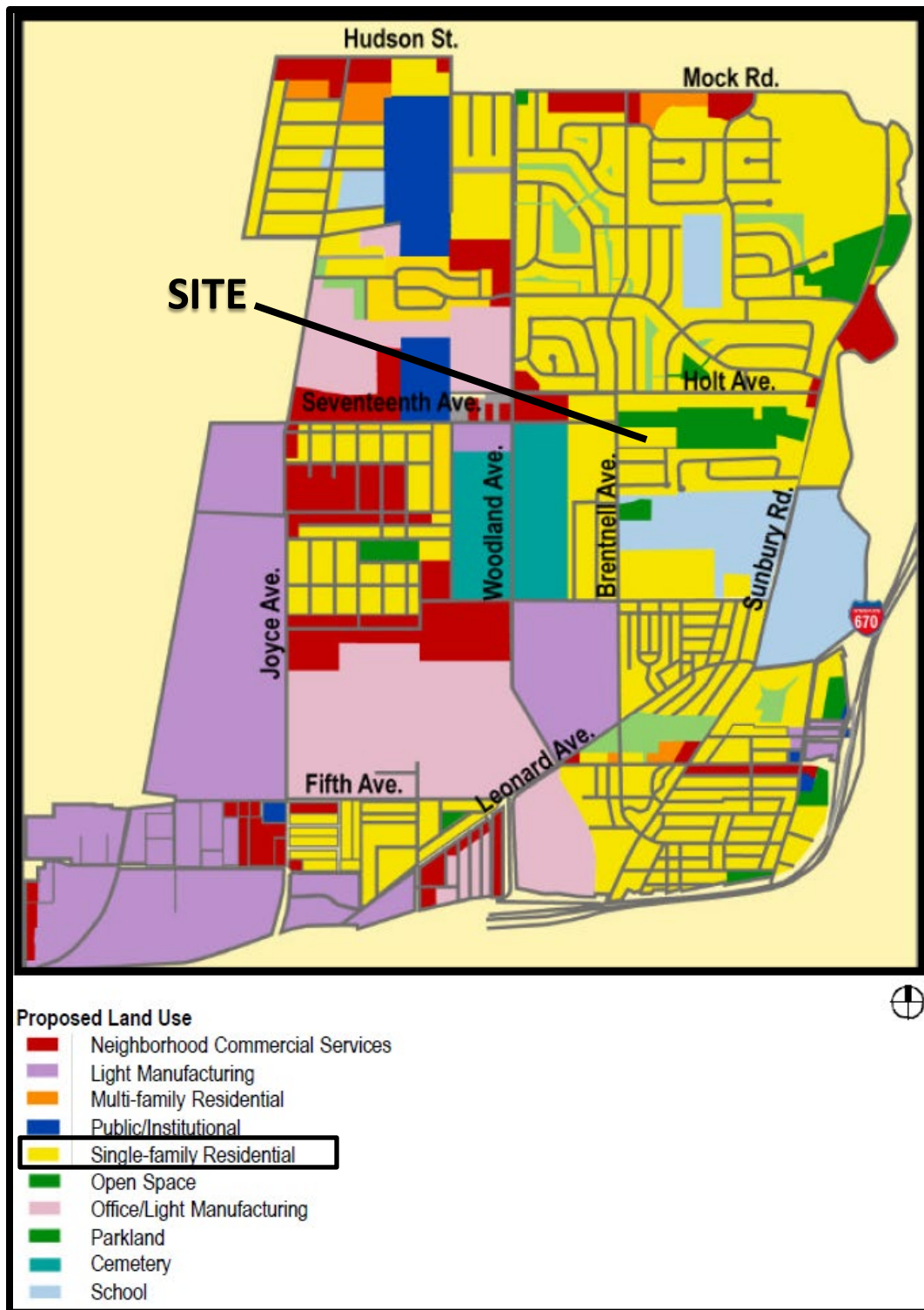
Applicant requests the following variances:

- 1). Section 3332.029, SR, Suburban Residential District, to permit a 76 dwelling unit four building multi-family development.
- 2). Section 3332.21(B), Building Lines, to reduce the Brentnell Avenue building setback line from 40' (Columbus Thoroughfare Plan, 80' ROW) to 20', net of 40' Brentnell Avenue right of way from centerline.
- 3). Section 3332.285, Perimeter Yard, to permit yard calculation by use of perimeter yard for the proposed 76 dwelling unit development.



CV23-067
1456 Brentnell Ave.
Approximately 6.00 acres

North Central Plan (2002)



CV23-067
1456 Brentnell Ave.
Approximately 6.00 acres



CV23-067
1456 Brentnell Ave.
Approximately 6.00 acres

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

Case Number	<u>CV23-067</u>
Address	<u>1456 Brentnell Ave.</u>
Group Name	<u>North Central Area Commission</u>
Meeting Date	<u>September 7th, 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 September, 7th, 2023 with a quorum.

Jessica Martin motion we recommend the variances related to CV23-067; Carl Lee seconded.

- Section 3332.029, SR, Suburban Residential District, to permit a 76 dwelling unit multi-family development.
- Section 3332.21(F), Building Lines, to reduce the Brentnell Avenue building setback line from 40' (Columbus Thoroughfare Plan) to 20', net of 40' Brentnell Avenue right of way from centerline. (which is alignment with the other homes)
- Section 3332.285, Perimeter yard to permit yard calculation by use of permitter for proposed used of 76-unit development. (distance from the City's property).

Results of roll-call vote: 0(Y) - 7(N) - 1(Abstained) – Variances are not recommended.

Vote	<u>Disapproval; 0(Y) - 7(N) - 1(Abstained)</u>
Signature of Authorized Representative	<u></u> <small>Digitally signed by Reno Lemons Date: 2023.09.09 00:07:31 -04'00'</small>
Recommending Group Title	<u>North Central Area Commission</u>
Daytime Phone Number	<u>6142716884</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.

PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV23- 067

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. Ronald L. Hoover, 1456 Brentnell Avenue, Columbus, OH 43219; # Cols-based emps: Zero (0) Contact: Ronald Hoover, (614) 972-9899	2. Woda Cooper Cos., Inc.; 500 S Front St, 10th Fl, Columbus, OH 43215; # Cols-based emps: 131 Contact: Jon White, (614) 396-3211
3. Christopher S. Corbin, 1472 Brentnell Avenue, Columbus, OH 43219; # Cols-based emps: Zero (0) Contact: Chris Corbin, (614) 893-3876	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 16th day of June, in the year 2023

Mary Alice Wolf
SIGNATURE OF NOTARY PUBLIC

Notary Seal Here

My Commission Expires



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

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