

THE CITY OF
COLUMBUS

ANDREW J. GINTHER, MAYOR

Council Variance ApplicationDEPARTMENT OF BUILDING
AND ZONING SERVICES111 N Front Street, Columbus, Ohio 43215
Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

OFFICE USE ONLY

Application Number: CV24-152 Date Received: 12/3/24
 Application Accepted by: ADS Fee: \$2,400
 Assigned Planner: Alyssa Saltzman; 614-645-9625; adsaltzman@columbus.gov

LOCATION AND ZONING REQUEST:Existing Address or Zoning Number: 100 Noe Bixby Road, Columbus, OH Zip: 43213Is this application being annexed into the City of Columbus? YES NO (select one)
If the site is currently pending annexation, the Applicant must show documentation of County Commissioner's adoption of the annexation petition.Parcel Number for Address or Zoning Number: 010 - 191434 Check here if listing additional parcel numbers on a separate page.Current Zoning District(s): I, Institutional Acreage: 2.35 +/-Neighborhood Group: Far East Area CommissionProposed Use or reason for request: See Exhibit B

(Elaborate in Statement of Hardship)

APPLICANT:Applicant Name: Woda Cooper Cos., Inc.; c/o Dave Perry Phone Number: (614) 228-1727 Ext.: --Address: David Perry Company, Inc.; 411 East Town St, Fl 1 City/State: Columbus, OH Zip: 43215Email Address: dave@daveperryco.net**PROPERTY OWNER(S):** Check here if listing additional property owners on a separate pageName: Maryhaven, Inc.; c/o Oyauma Garrison, Pres & CEO Phone Number: (614) 445-8131 Ext.: --Address: 4249 Easton Way, Suite 195 City/State: Columbus, OH Zip: 43219Email Address: OGarrison@Maryhaven.com**ATTORNEY /-AGENT:** (Check one if applicable) Attorney Agent FOR APPLICANTName: Donald Plank Phone Number: (614) 947-8600 Ext.: --Address: Plank Law Firm, 411 East Town St, Fl 2 City/State: Columbus, OH Zip: 43215Email Address: dtp@planklaw.com**SIGNATURES:**APPLICANT SIGNATURE Woda Cooper Companies, Inc. by David B. PerryPROPERTY OWNER SIGNATURE Maryhaven Inc. by Oyauma Garrison AgentATTORNEY /-AGENT SIGNATURE Donald Plank

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that the City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc. may delay the review of this application.

Council Variance Application

DEPARTMENT OF BUILDING
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AFFIDAVIT

Application # CV24- 152

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME David B. Perry
of (1) MAILING ADDRESS David Perry Company, Inc., 411 East Town Street, Floor 1, Columbus, OH 43215

deposes and states that he is the ~~applicant, agent, or duly authorized attorney~~ for same and the following is a list of the name(s) and mailing address(es) of all the owners of record of the property located at

(2) per PROPERTY ADDRESS or ZONING NUMBER 100 Noe Bixby Road, Columbus, OH 43213

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services

SUBJECT PROPERTY OWNER'S NAME

(3) Maryhaven, Inc.

AND MAILING ADDRESS

c/o Oyauma Garrison, President & CEO

Check here if listing additional property owners on a separate page.

4249 Easton Way, Suite 195, Columbus, OH 43219

APPLICANT'S NAME AND PHONE #

Woda Cooper Companies, Inc.

(same as listed on front application)

c/o Dave Perry, (614) 228-1727

NEIGHBORHOOD GROUP

(4) Far East Area Commission

ZONING CHAIR OR CONTACT PERSON

c/o Keith Dodley

AND EMAIL ADDRESS

Email: KDodley@FarEastAC.org

and that the attached document (5) is a list of the names and complete mailing addresses, including zip codes, as shown on the County Auditor's Current Tax List or the County Treasurer's Mailing List, of all the owners of record of property within 125 feet of the exterior boundaries of the property for which the application was filed, and all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property.

SIGNATURE OF AFFIANT David B. Perry

Sworn to before me and signed in my presence this 11th day of November in the year 2024

(6) SIGNATURE OF NOTARY PUBLIC MaryAlice Wolf

Notary Seal Here
My Commission Expires _____



MaryAlice Wolf
Notary Public, State of Ohio
My Commission Expires:
October 24, 2028

This Affidavit expires six (6) months after date of notarization.

CV24- 152
100 Noe Bixby Road
Exhibit A, Public Notice List
November 11, 2024

APPLICANT:

Woda Cooper Companies, Inc.
c/o Dave Perry, Agent
David Perry Company, Inc.
411 East Town Street, Floor 1
Columbus, OH 43215

PROPERTY OWNER:

Maryhaven, Inc.
c/o Oyauma Garrison, Pres. & CEO
4249 Easton Way, Suite 195
Columbus, OH 43219

ATTORNEY:

Donald Plank
Plank Law Firm
411 East Town Street, Floor 2
Columbus, OH 43215

COMMUNITY GROUP:

Far East Area Commission
c/o Jennifer Chamberlain
2500 Park Crescent Drive
Columbus, OH 43232

Far East Area Commission
c/o Keith Dodley
2500 Park Crescent Drive
Columbus, OH 43232

SURROUNDING PROPERTY OWNERS WITHIN 125 FEET

Woda Cooper Companies, Inc.
c/o Jonathan McKay
500 South Front Street, Suite 10
Columbus, OH 43215

Trouville East Condominium Assn.
c/o Real Property Management
5550 Blazer Parkway, Suite 175
Dublin, OH 43017

BAPS Columbus, LLC
P.O. Box 519
Windsor, NJ 08561

Robert D., Elizabeth A. Dahlen
(or current occupant)
5688 Bastille Place
Columbus, OH 43213

Michael P. Nolan, Ttee.
(or current occupant)
5684 Bastille Place
Columbus, OH 43213

Trouville East Condominium Assn.
5655 Notre Dame Place
Columbus, OH 43213

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PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV24- 152

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.

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 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:

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

<p>1. Woda Cooper Companies, Inc.; 500 South Front Street, 10th Floor, Columbus, OH 43215 Number of Columbus-based employees: 131 Contact: Jonathan McKay, (614) 377-1750</p>	<p>2. Maryhaven, Inc.; 4249 Easton Way, Suite 195, Columbus, OH 43219 Number of Columbus-based employees: 300 Contact: Oyauma Garrison; (614) 445-8131</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 13th day of November, in the year 2024

MaryAlice Wolf
SIGNATURE OF NOTARY PUBLIC

My Commission Expires

Notary Seal Here



MaryAlice Wolf
Notary Public, State of Ohio
My Commission Expires:
October 24, 2028

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

CV24-152
100 Noe-Bixby Road
Columbus, OH
Legal Description

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Section 3 of Township 12, Range 21, Refugee Lands and being part of the 50.65 acre tract conveyed to The Hawkes Hospital of Mt. Carmel Association, by Deed of record in Deed Book 468, page 65, all references being to records as follows:

Beginning at a railroad spike found in the centerline of Noe Bixby Road at the Southwesterly corner of said 50.65 acre tract, the northwesterly corner of the 13.92 acre tract conveyed to State of Ohio, by Deed of record in Deed Book 2557, page 65;

Thence along said centerline of Noe Bixby Road, North 4° 12' 51" East, 327.50 feet to a railroad spike in the southwesterly limited access, right-of-way line of Interstate Route 270 (as said right-of-way was conveyed to State of Ohio, by Deed of record in Deed Book 3229, page 643);

Thence along said right-of-way line of Interstate Route 270, South 58° 11' 22" East, 262.16 feet to an iron pin at an angle point in said line;

Thence continuing along said right-of-way line of Interstate Route 270, South 57° 38' 00" East, 441.95 feet to an iron pin in the northerly line of the State of Ohio 13.92 acre tract;

Thence along said line of the 13.92 acre tract, North 85° 33' 32" West, 622.00 feet to the place of beginning, containing 2.351 acres, more or less.

TOGETHER WITH all rights, title and interest over and through those certain appurtenant easements of record in Official Record 02195G06 and Official Record 02195G07.

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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

Consistent with City of Columbus policy on permitting proposed affordable housing developments to proceed initially by variance pending determination of Ohio Housing Finance Agency (OHFA) funding, this application is submitted for variance. Rezoning application will be submitted.

2. Whether the variance is substantial.

Yes No

Consistent with City of Columbus policy in support of affordable housing development, the variances aren't substantial.

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

Property abutting the site is I-270 (north), 14 acre tract to the west developed with a large religious facility and open space for a condominium development to the south. The proposed use won't substantially alter the neighborhood nor be detrimental to adjoining properties.

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

Yes No

There will be no impact on governmental services.

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

Yes No

The property owner didn't purchase the property with knowledge of the zoning restrictions.

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

Yes No

The proposed variance is consistent with City of Columbus policy on permitting proposed affordable housing developments to proceed initially by variance pending determination of Ohio Housing Finance Agency (OHFA) funding.

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

Yes No

The spirit and intent of the zoning requirement will be observed and substantial justice done, as well as advancing City of Columbus goals to support the development of affordable housing, by granting the variance.

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):

See Exhibit B

Signature of Applicant

*Whelan Cooper Companies, Inc. by
David D. Dewey, Agent*

Date

11/11/2024

Signature of Attorney

Donald Blank

Date

11/11/2024

Exhibit B
Statement of Hardship
CV24-152, 100 Noe Bixby Road, Columbus, OH 43213

The site is 2.35 +/- acres and being Franklin County Auditor Tax Parcel 010-191434, located 1,855 +/- feet southwest of E Broad Street. The site is zoned I, Institutional (1983).

Applicant proposes to redevelop the site with a 70 dwelling unit multi-family building for affordable supportive housing, as depicted on the Site Plan titled "Bixby Apartments" dated _____, hereafter Site Plan. 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 I, Institutional District to permit the proposed 70 DU multi-family development 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 permanent supportive housing.

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. The multi-family development will provide needed affordable supportive housing consistent with City of Columbus objectives for development of affordable housing.

Applicant requests the following variances:

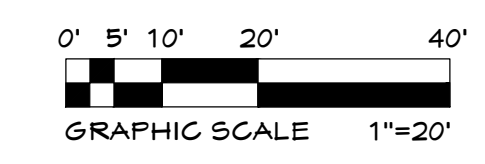
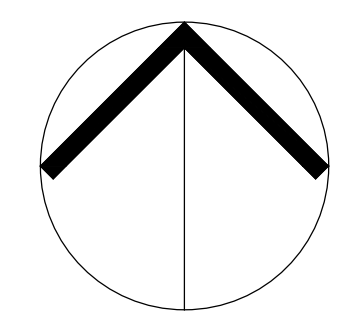
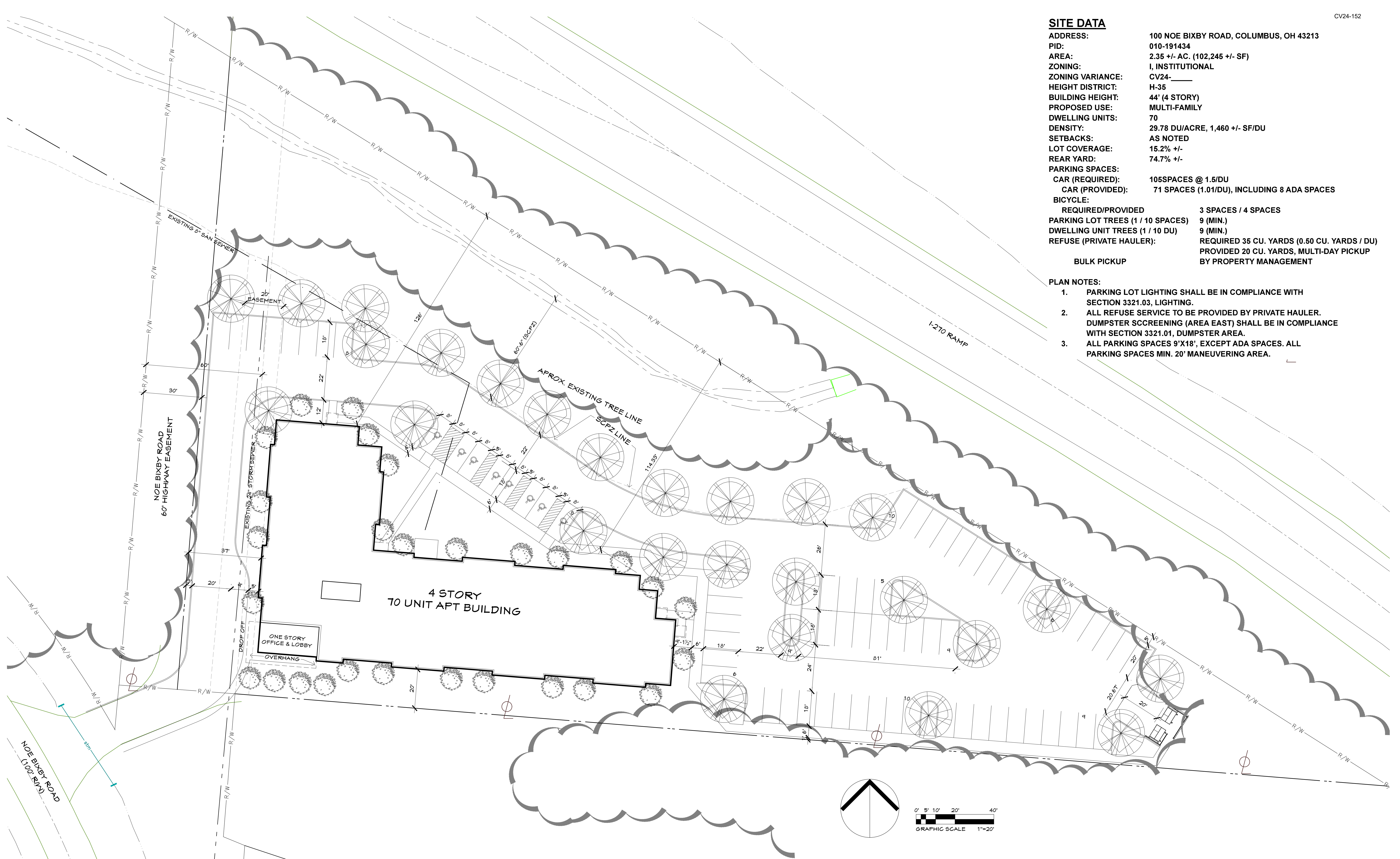
- 1). Section 3349.03, Permitted Uses, to permit a 70 dwelling unit multi-family apartment building.
- 2). Section 3309.14, to permit a 44' tall building (4 story) in the H-35.
- 3). Section 3312.27, Parking Setback Line, to reduce part of the I-270 parking setback from 25' to 5', as depicted on the Site Plan.
- 4). Section 3312.49, Required Parking, to reduce parking from 105 spaces (70 DU at 1.5 spaces / DU) to 71 spaces (1.05 spaces / DU).
- 5). Section 3349.04(a)(b)(c), Height, Area and Yard Regulations, to increase permitted height from 35' to 44', to reduce minimum frontage from 100' to 25' pending request to release the Noe Bixby roadway easement along the west property line of parcel, north of dedicated Noe Bixby Road and to reduce the building setback from 50' to 25' at the southwest corner of the proposed building.

SITE DATA

ADDRESS:	100 NOE BIXBY ROAD, COLUMBUS, OH 43213
PID:	010-191434
AREA:	2.35 +/- AC. (102,245 +/- SF)
ZONING:	I, INSTITUTIONAL
ZONING VARIANCE:	CV24-_____
HEIGHT DISTRICT:	H-35
BUILDING HEIGHT:	44' (4 STORY)
PROPOSED USE:	MULTI-FAMILY
DWELLING UNITS:	70
DENSITY:	29.78 DU/ACRE, 1,460 +/- SF/DU
SETBACKS:	AS NOTED
LOT COVERAGE:	15.2% +/-
REAR YARD:	74.7% +/-
PARKING SPACES:	
CAR (REQUIRED):	105 SPACES @ 1.5/DU
CAR (PROVIDED):	71 SPACES (1.01/DU), INCLUDING 8 ADA SPACES
BICYCLE:	
REQUIRED/PROVIDED	3 SPACES / 4 SPACES
PARKING LOT TREES (1 / 10 SPACES)	9 (MIN.)
DWELLING UNIT TREES (1 / 10 DU)	9 (MIN.)
REFUSE (PRIVATE HAULER):	REQUIRED 35 CU. YARDS (0.50 CU. YARDS / DU) PROVIDED 20 CU. YARDS, MULTI-DAY PICKUP BY PROPERTY MANAGEMENT
BULK PICKUP	

PLAN NOTES:

1. PARKING LOT LIGHTING SHALL BE IN COMPLIANCE WITH SECTION 3321.03, LIGHTING.
2. ALL REFUSE SERVICE TO BE PROVIDED BY PRIVATE HAULER. DUMPSTER SCREENING (AREA EAST) SHALL BE IN COMPLIANCE WITH SECTION 3321.01, DUMPSTER AREA.
3. ALL PARKING SPACES 9'X18', EXCEPT ADA SPACES. ALL PARKING SPACES MIN. 20' MANEUVERING AREA.



ARCHITECT OF RECORD:
PCI DESIGN GROUP, INC.
 500 SOUTH FRONT STREET SUITE 975
 COLUMBUS, OHIO 43215

DEVELOPER:

WODA COOPER COMPANIES

PROJECT TYPE:
SUPPORTIVE HOUSING

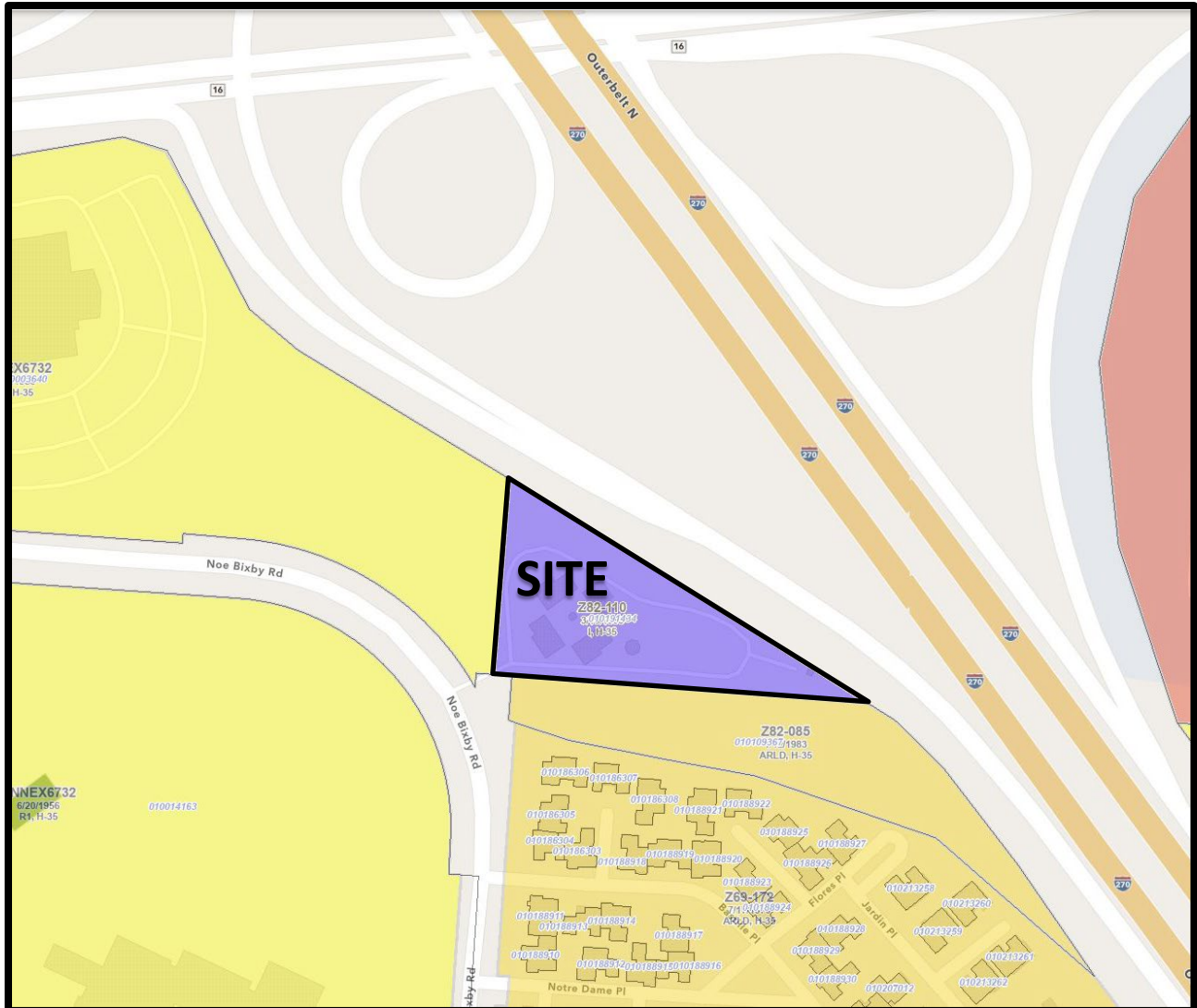
SITE PLAN

DATE:
 11-05-2024

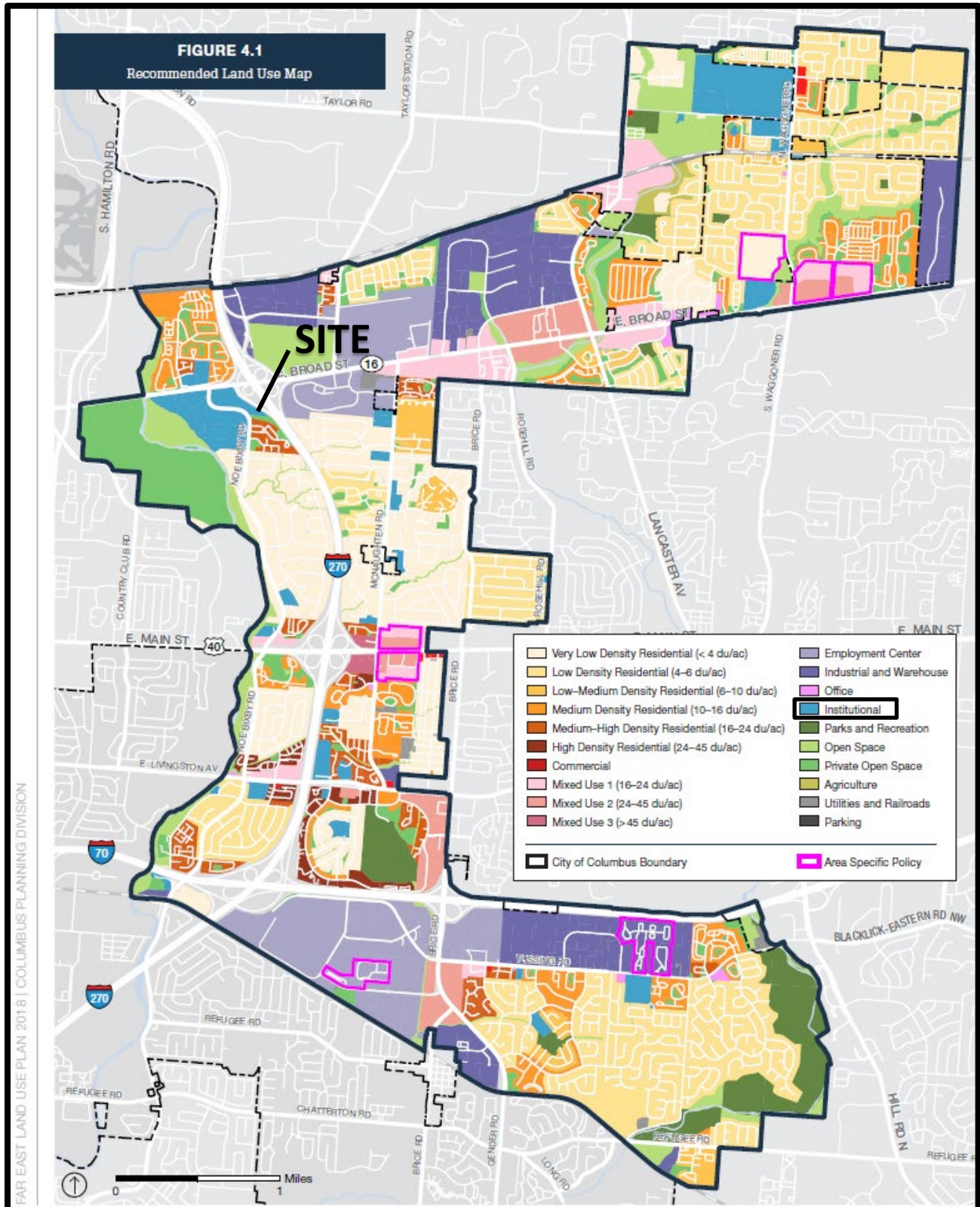
PROJECT NAME:
BIXBY APARTMENTS
 100 NOE BIXBY ROAD
 COLUMBUS, OHIO 43213

SUBMISSION
CITY OF COLUMBUS

SHEET:
S1.1



CV24-152
100 Noe Bixby Rd.
Approximately 2.35 acres



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