

RECEIPT

CITY OF COLUMBUS, MAYOR ANDREW J. GINTHER
DEPARTMENT OF BUILDING AND ZONING SERVICES
111 NORTH FRONT STREET
(614) 645-6090

Application: CV19-107
Application Type: Zoning/Council Variance/NA/NA
Address: 33 W MORRILL AVE, COLUMBUS, OH 43207

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
1144705	1310	\$1,800.00	10/29/2019	JJONES		

Owner Info.: 33 WEST MORRILL, LLC
CHRISTOPHER J. KNOPPE
WORTHINGTON, OH 43085,

Work Description: CV19-107 33 WEST MORRILL AVENUE 010-035183 M, AR-1, VARIANCE TO PERMIT MULTI-UNIT RESIDENTIAL DEVELOPMENT COLUMBUS SOUTH SIDE AREA COMMISSION NOVEMBER 21, 2019 STAFF REVUEW

DEPARTMENT OF BUILDING
AND ZONING SERVICES

OFFICE USE ONLY

Application #: CV19-107 Date Received: 10/29/19
Application Accepted by: KIP Fee: \$1000
Assigned Planner: _____

LOCATION AND ZONING REQUEST:

Certified Address or Zoning Number: 33 West Morrill Avenue, Columbus, Ohio Zip: 43207
Is this application being annexed into the City of Columbus? YES NO (select one)
If the site is currently pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.
Parcel Number for Certified Address: 010 - 035183
 Check here if listing additional parcel numbers on a separate page.
Current Zoning District(s): M, Manufacturing, and A R - 1, Apartment Residential
Area Commission or Civic Association: Columbus Southside Area Commission
Proposed Use or reason for Council Variance request: multi-family
Acreage: 2.75 +/-

APPLICANT:

Name: Woda Cooper Companies, Inc.; c/o Dave Perry Phone #: 614-228-1727 Ext.: _____
Address: David Perry Company, Inc., 411 East Town Street, Fl. 1 City/State: Columbus, Ohio Zip: 43215
Email: dave@daveperryco.net Fax #: n/a

PROPERTY OWNER(S): Check here if listing additional property owners on a separate page

Name: 33 West Morrill, LLC; c/o Christopher J. Knoppe Phone #: 614-972-7799 Ext.: _____
Address: P.O. Box 732 City/State: Worthington, Ohio Zip: 43085
Email Address: ChrisK@NewCityOhio.com Fax #: n/a

ATTORNEY / AGENT (Check one if applicable): Attorney Agent

Name: Donald Plank Phone #: 614-947-8600 Ext.: _____
Address: Plank Law Firm, 411 East Town Street, Floor 2 City/State: Columbus, Ohio Zip: 43215
Email Address: dplank@planklaw.com Fax #: n/a

FOR APPLICANT

SIGNATURES (All signatures must be provided and signed in blue ink):

APPLICANT SIGNATURE: Woda Cooper Companies, Inc. by David B. Perry, Agent
PROPERTY OWNER SIGNATURE: 33 West Morrill, LLC by David B. Perry, Agent
ATTORNEY / AGENT SIGNATURE: Donald Plank by permission

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.

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.
Applications must be submitted by appointment. Call 614-645-4522 to schedule.
Please make checks payable to the Columbus City Treasurer

OFFICE USE ONLY

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Application Accepted by: _____ Fee: _____
Assigned Planner: _____

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Email Address: ChrisK@NewCityOhio.com Fax #: n/a

ATTORNEY / AGENT (Check one if applicable): Attorney Agent

FOR APPLICANT

Name: Donald Plank Phone #: 614-947-8600 Ext.: _____

Address: Plank Law Firm, 411 East Town Street, Floor 2 City/State: Columbus, Ohio Zip: 43215

Email Address: dplank@planklaw.com Fax #: n/a

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Council Variance Application

111 North Front Street, Columbus, Ohio 43215

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

AFFIDAVIT

(See instruction sheet)

APPLICATION #: _____

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, Ohio 43215

deposed and states that (he/she) 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) CERTIFIED ADDRESS FOR ZONING PURPOSES 33 West Morrill Avenue, Columbus, Ohio 43207
for which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) _____

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

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

(4) 33 West Morrill Avenue, LLC
P.O. Box 723
Worthington, Ohio 43085

APPLICANT'S NAME AND PHONE #
(same as listed on front of application)

Woda Cooper Companies, Inc.
Dave Perry, 614-228-1727

AREA COMMISSION OR CIVIC GROUP
AREA COMMISSION ZONING CHAIR OR
CONTACT PERSON AND ADDRESS

(5) Columbus Southside Area Commission
c/o Curtis Davis; 584 Moler Street
Columbus, Ohio 43207

and that the attached document (6) 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 (7)

SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 28th day of October in the year 2019

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

(8) MaryAlice Wolf

Notary Seal Here



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

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

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EXHIBIT A, PUBLIC NOTICE
33 WEST MORRILL AVENUE
CV19-_____
OCTOBER 28, 2019

APPLICANT:

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

PROPERTY OWNER:

Joseph McCabe
Vice President – Development
Woda Cooper Companies, Inc.
500 South Front Street, 10th Floor
Columbus, Ohio 43215

ATTORNEY FOR APPLICANT:

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

COMMUNITY GROUP:

Columbus Southside Area Commission
c/o Curtis Davis
584 Moler Street
Columbus, Ohio 43207

PROPERTY OWNERS WITHIN 125 FEET:

CSX Transportation, Inc.
Chesapeake & Ohio Railway
(or current occupant)
500 Water Street (C910)
Jacksonville, Florida 32202

Pennsylvania Lines, LLC
(or current occupant)
110 Franklin Road, SE
Roanoke, Virginia 24042

40 Welch Avenue, LLC
(or current occupant)
P.O. Box 673
Pickerington, Ohio 43147

Dashnor Kodhelaj
(or current occupant)
36 West Welch Avenue
Columbus, Ohio 43207

William H. Ballenger, TR
(or current occupant)
5806 Blacklick Eastern Road
Pickerington, Ohio 43147

Alpett Properties, LLC
(or current occupant)
4991 Mengel Lane
Hilliard, Ohio 43026

Geraldine Cline, et al.
(or current occupant)
1730 Sandhurst Road
Columbus, Ohio 43229

Kathryn A. Heinlein
(or current occupant)
1557 South High Street
Columbus, Ohio 43207

Gregory D. Krahn
(or current occupant)
1565 South High Street
Columbus, Ohio 43207

Marlin A. and Cynthia L. Ellis
(or current occupant)
1569 South High Street
Columbus, Ohio 43207-1804

Kevin L. and Kyle L. Heiberger
(or current occupant)
458 West Waterloo Street
Canal Winchester, Ohio 43110

Bresco Solutions, LLC
(or current occupant)
775 South 6th Street
Columbus, Ohio 43206

Anita Nilavar
(or current occupant)
96 Lookout Court
Urbana, Ohio 43078

Southside Baptist Church
(or current occupant)
1621 South High Street
Columbus, Ohio 43207

Salvation Army
(or current occupant)
1675 South High Street
Columbus, Ohio 43207

Stephen H. Eichhorn
(or current occupant)
2990 Canal Drive
Millersport, Ohio 43046

PROJECT DISCLOSURE STATEMENT

All parties having a 5% or more interest in the project that is the subject of this application should be listed.
THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION #: _____

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, Ohio 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 (include contact name and number)
Business or individual's address
City, State, Zip Code
Number of Columbus based employees
(Limited to 4 lines per box)

<p>1. 33 West Morrill, LLC; P.O. Box 732; Worthington, Ohio 43085; # Columbus based Employees: Zero (0) Contact: Christopher J. Knoppe, 614-972-7799</p>	<p>2. Woda Cooper Companies, Inc.; 500 South Front Street, 10th Floor; Columbus, Ohio 43215; # Columbus based Emps: 131 Contact: Joseph McCabe, 614-396-3223</p>
<p>3. -----</p>	<p>4. -----</p>

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Donald Plank

Subscribed to me in my presence and before me this 28th day of October, in the year 2019

SIGNATURE OF NOTARY PUBLIC

MaryAlice Wolf

My Commission Expires:

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

Notary Seal Here



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

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STATEMENT OF HARDSHIP

Chapter 3307 of the Columbus Zoning Code

Section 3307.10 Variances by City Council

- A. Permit a variance 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 or unusual hardships 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 the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus.
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 discovered after your application is approved, a new application 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. Perry, Agent Date 10-28-19

Signature of Attorney Donald Plank Date 10/28/19

Exhibit B

Statement of Hardship

CV19-_____, 33 W. Morrill Avenue

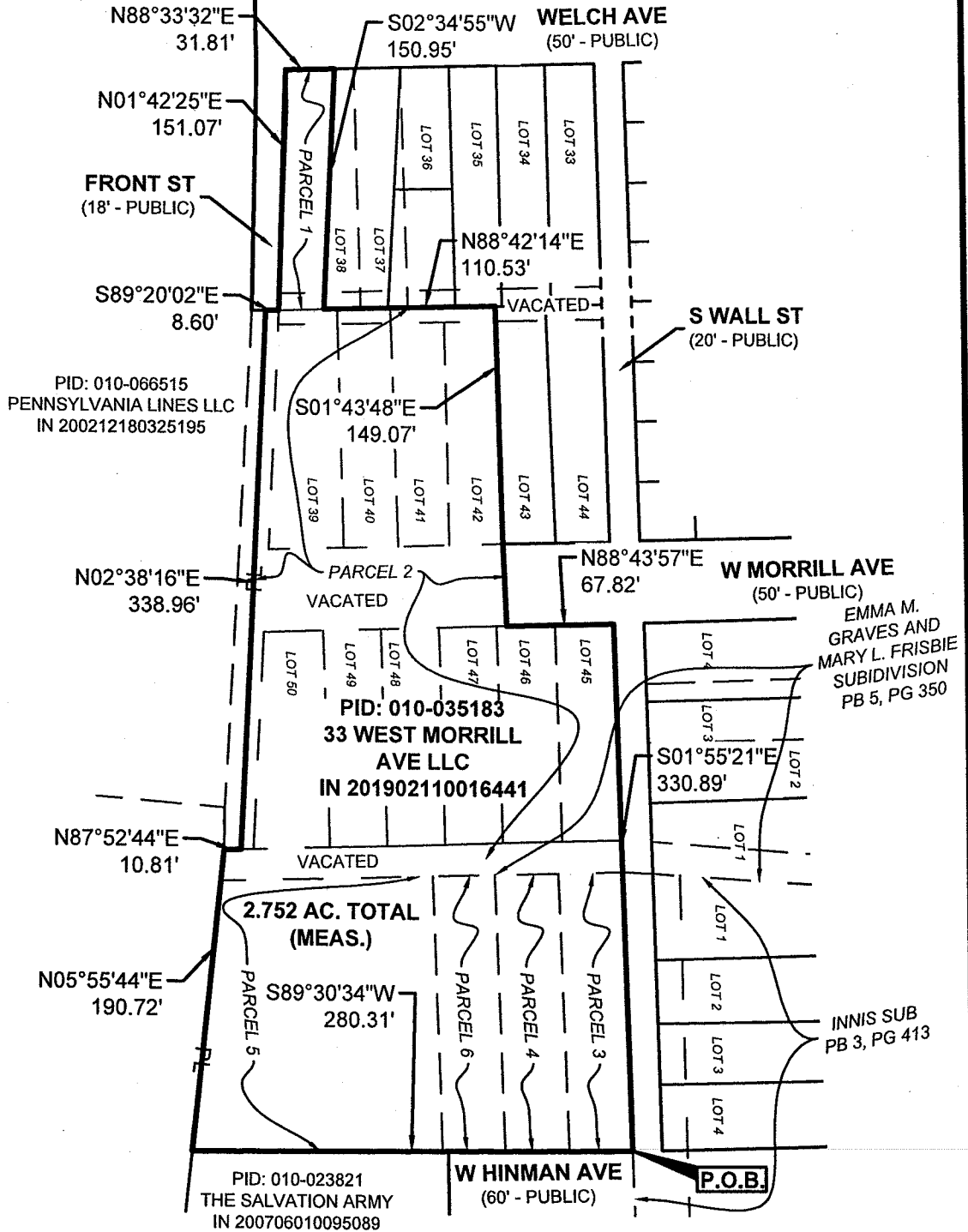
The site is 2.75 +/- acres located at the west terminus of W. Morrill Avenue, 255 +/- feet west of S. High Street. The site is zoned M, Manufacturing. Applicant proposes to develop the site with 46 dwelling unit apartment building.

Applicant has a hardship in that there is no zoning district to which the site could be rezoned without also needing variances. Rezoning the site 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, which won't be determined until approximately July 2020, while applicant has a February 2020 OHFA application deadline. Applicant will submit for rezoning if OHFA funding is granted and the property is purchased. 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 use is appropriate given the location and adjacent zoning.

Applicant requests the following variances:

- 1). Section 3363.01, M, Manufacturing District, to permit a 46 dwelling unit apartment building.
- 2). Section 3312.21(D)(1), Landscaping and Screening, to reduce the height of parking lot screening from five (5) feet to three (3) feet for the north end of the parking lot less than 80 feet from residentially zoned (AR-1) property to the north.
- 3). Section 3363.24(C)(D), Building Lines in an M, Manufacturing District, to reduce the W. Morrill Avenue building setback line from five (5) feet to three (3) feet and to reduce the W. Hinman Avenue building setback line from 25 feet to ten (10) feet.
- 4). Section 3367.27(b)(1), Height and Area Regulations, to reduce the W. Morrill Avenue building setback line from five (5) feet to three (3) feet and to reduce the W. Hinman Avenue building setback line from 25 feet to ten (10) feet.

STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF COLUMBUS HALF SEC. 42, T-5-N, R-22-W, REFUGEE LANDS



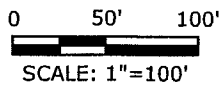
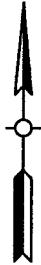
PID: 010-066515
PENNSYLVANIA LINES LLC
IN 200212180325195

PID: 010-035183
33 WEST MORRILL
AVE LLC
IN 201902110016441

PID: 010-023821
THE SALVATION ARMY
IN 200706010095089

EMMA M.
GRAVES AND
MARY L. FRISBIE
SUBDIVISION
PB 5, PG 350

INNIS SUB
PB 3, PG 413




BASIS OF BEARINGS

Bearings are based on Grid North,
NAD 83, per the Franklin County GIS.

**THIS EXHIBIT IS INTENDED FOR ZONING PURPOSES ONLY,
WAS PREPARED FROM FRANKLIN COUNTY GIS DATA, AND
DOES NOT REPRESENT AN ACTUAL FIELD SURVEY**

PLOT DATE: 10/23/2019 1:25 PM
 PLOT SCALE: 1:1
 DRAWING FILE: \\c:\work\2019\10\23\10218650_Draft\10218650.dwg
 EDITED BY: ALDRAM

<p>FINANCE FUND</p>	 <p>AMERICAN STRUCTUREPOINT INC.</p> <p><small>2550 Corporate Exchange Dr, Ste 300 Columbus, Ohio 43231 TEL 614.901.2235 FAX 614.901.2236 www.structurepoint.com</small></p>	<p>ZONING EXHIBIT FOR 33 W. MORRILL AVE. COLUMBUS, FRANKLIN COUNTY, OHIO</p>	<table border="1" style="font-size: 8px;"> <tr><td>DATE:</td><td>10/23/2019</td></tr> <tr><td>DRAWN BY:</td><td>ATJ</td></tr> <tr><td>CHECKED BY:</td><td>ATJ</td></tr> <tr><td>JOB NUMBER:</td><td>2019.02486</td></tr> </table>	DATE:	10/23/2019	DRAWN BY:	ATJ	CHECKED BY:	ATJ	JOB NUMBER:	2019.02486
DATE:	10/23/2019										
DRAWN BY:	ATJ										
CHECKED BY:	ATJ										
JOB NUMBER:	2019.02486										
1 of 1											

ZONING DESCRIPTION OF 2.752 ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, being in Half Section 42, Township 5 North, Range 22 West, in the Refugee Lands, being part of Lot 38, all of Lots 39 through 50 of Emma M. Graves and Mary L. Frisbie Subdivision as recorded in Plat Book volume 5, page 350, all records referenced herein are to the records of Franklin County, Ohio Recorder's Office, unless otherwise stated, being all of Parcels 1, 2, 3, 4, 5 & 6 as conveyed to **33 West Morrill Ave LLC, an Ohio limited liability company** by the instrument filed as **Instrument Number 201902110016441**, and being more particularly described for zoning purposes as follows:

BEGINNING at the southeast corner of the above reference Parcel 3, being the intersection of the northerly right-of-way of West Hinman Avenue (60' R/W width) and the westerly right-of-way line of South Wall Street (20' R/W width);

Thence along the said northerly right-of-way of West Hinman Avenue, the south lines of the above referenced Parcels 3, 4, 5 & 6, **South 89 degrees 30 minutes 34 seconds West for a distance of 280.31 feet**, to the southwest corner of the said Parcel 6 and being the easterly right-of-way line of the Pennsylvania Lines LLC railroad as conveyed in the instrument filed as Instrument Number 200212180325195;

Thence along the westerly line of the said Parcel 6, along the westerly line of the said Parcel 2, the easterly railroad right-of-way, **North 05 degrees 55 minutes 44 seconds East for a distance of 190.72 feet**;

Thence continuing along the said Parcel 2 and the said easterly railroad right-of-way, **North 87 degrees 52 minutes 44 seconds East for a distance of 10.81 feet**;

Thence continuing along the last said line, **North 02 degrees 38 minutes 16 seconds East for a distance of 338.96 feet** to the northwest corner of the said Parcel 2 and being on the south right-of-way line of Front Street (18' R/W width);

Thence continuing along the last said line and the said south right-of-way line of Front Street, **South 89 degrees 20 minutes 02 seconds East for a distance of 8.60 feet**, to the southwest corner of the said Parcel 1, being the intersection of the south right-of-way line of Front Street and the east right-of-way line of Front Street, and being the southwest corner of the said Lot 38 of the Emma M. Graves and Mary L. Frisbie Subdivision;

Thence along the westerly line of the said Parcel 1, the east right-of-way line of Front Street, and the westerly line of the said Lot 38, **North 01 degrees 42 minutes 25 seconds East for a distance of 151.07 feet**, to the intersection of the said east right-of-way line of Front Street and the southerly right-of-way line of Welch Avenue (50' R/W width) and being the northwest corner of the said Lot 38;

Thence along the said southerly right-of-way line of Welch Avenue, the northerly line of the said Parcel 1, and the northerly line of the said Lot 38; **North 88 degrees 33 minutes 32 seconds East for a distance of 31.81 feet**, to the northeast corner of the said Parcel 1;

Thence along the easterly line of the said Parcel 1 and through the said Lot 38, **South 02 degrees 34 minutes 55 seconds West for a distance of 150.95 feet**, to the southeast corner of the said Parcel 1, on the northerly line of the said Parcel 2;

Thence along the northerly line of the said Parcel 2, **North 88 degrees 42 minutes 14 seconds East for a distance of 110.53 feet**, to the northeast corner of the said Parcel 2;

Thence along the easterly line of the said Parcel 2, the easterly line of Lot 42 of the said subdivision, the westerly line of Lot 43 of the said subdivision, and partially along the westerly right-of-way line of West Morrill Avenue (50' R/W width), **South 01 degrees 43 minutes 48 seconds East for a distance of 149.07 feet**, to a northeast corner of the said Parcel 2, on the northerly line of Lot 46 of the said subdivision, and at the intersection of the said westerly right-of-way line of West Morrill Avenue and the southerly right-of-way line of the said West Morrill Avenue;

Thence continuing along the said easterly line of Parcel 2, along the said southerly right-of-way of West Morrill Avenue, and the northerly lines of Lots 46 and 45 of the said subdivision, **North 88 degrees 43 minutes 57 seconds East for a distance of 67.82 feet**, to a northeast corner of the said Parcel 2, the northeast corner of the said Lot 45, and being the intersection of the said southerly right-of-way line of West Morrill Avenue and the said westerly right-of-way line of South Wall Street;

Thence along the easterly lines of the said Parcel 2 and Parcel 3, the said westerly right-of-way line of South Wall Street, and the easterly line of the said Lot 45, **South 01 degrees 55 minutes 21 seconds East for a distance of 330.89 feet** to the **POINT OF BEGINNING** for this description.

The above description contains a total of **2.752 acres**, all of which are located in Franklin County Auditor's parcel number **010-035183**.

Bearing described herein are based on Grid North, NAD 83, per the Franklin County GIS.

This description is intended for zoning purposes only, was prepared from Franklin County GIS Data, and does not represent an actual field survey.

