

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

OFFICE USE ONLY

Application Number: CV22-024 Date Received: 3/29/2022
Application Accepted by: JMR Fee: \$1,800
Assigned Planner: Joseph Rose; jmrose@columbus.gov; 614-645-3526

LOCATION AND ZONING REQUEST:

Existing Address or Zoning Number: 30 Forno Road, 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, the Applicant must show documentation of County Commissioner's adoption of the annexation petition.
Parcel Number for Address or Zoning Number: 010 - 104058 (part)
 Check here if listing additional parcel numbers on a separate page.
Current Zoning District(s): M, Manufacturing Acreage: 2.07 +/-
Neighborhood Group: Far South Columbus Area Commission
Proposed Use or reason for request: See Exhibit B

(Elaborate in Statement of Hardship)

APPLICANT:

Applicant Name: NRP Properties, LLC; 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: 43215
Email Address: dave@daveperryco.net

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

Name: Man S. Leung and Man H. Leung Phone Number: (614) 580-9770 Ext.: --
Address: 723 Westray Drive City/State: Westerville, OH Zip: 43081
Email Address: leung2618@sbcglobal.net

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

Name: Donald Plank Phone Number: (614) 947-8600 Ext.: --
Address: Plank Law Firm, 411 East Town Street, Floor 2 City/State: Columbus, OH Zip: 43215
Email Address: dplank@planklaw.com

SIGNATURES:

APPLICANT SIGNATURE NRP Properties, LLC by David B. Perry, Agent
PROPERTY OWNER SIGNATURE Man S and Man H Leung by David B. Perry,
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.

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STATEMENT OF HARDSHIP

Application #: CV22- 024

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

NRP Properties LLC
by David B. Perry, Agent Date 3/10/2022

Signature of Attorney

Donald Plunk Date 3/10/2022

Exhibit B
Statement of Hardship
CV22- 024 , 30 Fornof Road

The site is 2.07 +/- acres located on the north side of Fornof Road, 100' +/- east of S. High Street. The site is part of PID 010-104058. The other part is to the west along S. High Street and separated from this 2.07 acre site by a service road. The site is zoned M, Manufacturing.

Applicant proposes to redevelop the site with a mixed use affordable housing apartment building (80 DU max) and commercial uses(s) that may include daycare, a financial institution and/or other services for area residents. Applicant completed Ordinance 0188-2022, passed February 7, 2022 (CV21-092) to permit an affordable housing development. The 2.07 acre site of this variance application is additional land to be developed in conjunction with the development approved by Ord. 0188-2022.

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 M. Manufacturing District to permit multi-family housing and also related variances to permit the proposed development. A rezoning application will be submitted prior to the variance ordinance being sent to Columbus City Council. Time is of essence to make timely application to OHFA. 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 complex will provide housing targeted for residents with income at 30% - 80% of Area Median Income (AMI).

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 3363.01, M, Manufacturing District, to permit an apartment building with up to 80 dwelling units.
- 2). Section 3309.14(A), Height Districts, to permit a 60' building height in the H-35 Height District.
- 3). Section 3312.49, Minimum Numbers of Parking Spaces Required, to reduce parking from 144 spaces to 110 spaces for 80 (max) dwelling units and 6,000 SF of commercial use.
- 4). Section 363.24, Building Lines in an M, Manufacturing District, to reduce the west building setback from 25' to 5' along a public service road ("Service Road C").

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AFFIDAVIT

Application #: CV22-024

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/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) per PROPERTY ADDRESS or ZONING NUMBER 30 Fornof Road, Columbus, OH 43207

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 AND MAILING ADDRESS (3) Man S. and Man H. Leung
723 Westray Drive
Westerville, OH 43081

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

APPLICANT'S NAME AND PHONE # (same as listed on front application) NRP Properties, LLC
c/o Dave Perry, (614) 228-1727

NEIGHBORHOOD GROUP (4) Far South Columbus Area Commission
ZONING CHAIR OR CONTACT PERSON Mike Walker
AND EMAIL ADDRESS Email: m_walker_sr@yahoo.com

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 25th day of March, in the year 2022

(6) SIGNATURE OF NOTARY PUBLIC MaryAlice Wolf My Commission Expires _____
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.

Exhibit A, Public Notice List
30 Forno Road
CV22- 024
February 25, 2022

APPLICANT:

NRP Properties, LLC
c/o Dave Perry, Agent
David Perry Company, Inc.
411 East Town Street, Floor 1
Columbus, OH 43215

PROPERTY OWNER:

Man S. and Man H. Leung
723 Westray Drive
Westerville, OH 43081

ATTORNEY FOR APPLICANT:

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

COMMUNITY GROUP:

Far South Columbus Area Commission
c/o Mike Walker
926 Tellega Avenue
Columbus, OH 43207

SURROUNDING PROPERTY OWNERS WITHIN 125 FEET

Ohio Wire Form & Spring Co.
2270 South High Street
Columbus, OH 43207

COB Tail Properties, LLC
100 Forno Road
Columbus, OH 43207

Muze Property Management, LLC
2320 South High Street
Columbus, OH 43207

Frieland High, LLC
2100 Integrity Drive South
Columbus, OH 43209

Allora Properties, LLC
13663 South Duskywing Way
Riverton, UT 84096

NRP Properties, LLC
c/o Scott Skinner
1228 Euclid Avenue, 4th Floor
Cleveland, OH 44115

Randy Burchfield
1313 East Broad Street, Suite 101
Columbus, OH 43205

John Mally
NAI Ohio Equities, LLC
605 South Front Street, Suite 200
Columbus, OH 43215

30 Forno Road
CV22- 024 , February 25, 2022
Exhibit A, Public Notice List
Page 1 of 1

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PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV22- 024

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. Man S. Leung and Man H. Leung; 723 Westray Dr, Westerville, OH 43081; # Cols based emps: Zero (0) Contact: Man S. Leung, (614) 580-9770	2. NRP Properties, LLC; 1228 Euclid Avenue, 4th Fl., Cleveland, OH 44115; # Cols based emps: 15 Contact: Aaron Pechota, (216) 584-0601
3. -----	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 4th day of March, in the year 2022

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

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

DESCRIPTION OF 2.070 ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Section 4, Township 4, Range 22, Congress Lands, being part of that 3.97 acre tract of land conveyed to **Sze Chun Leung and Yim Sheung Leung** by the instrument filed as **Instrument Number 199712010155829**, on file at the Office of the Recorder for Franklin County, Ohio, and being further bounded and described as follows:

BEGINNING at the intersection of the north line of said 3.97 acre tract with the existing east right-of-way line for Service Road "C" (50 feet wide – public);

Thence **South 85 degrees 27 minutes 56 seconds East**, along the north line of said 3.97 acre tract, a distance of **365.54 feet** to a northeast corner of said 3.97 acre tract;

Thence **South 01 degrees 54 minutes 17 seconds West**, along an east line of said 3.97 acre tract, a distance of **246.79 feet** to a southeast corner of said 3.97 acre tract, being on the existing north right-of-way line for Fornoff Road (40 feet wide – public);

Thence **North 86 degrees 27 minutes 00 seconds West**, along a south line of said 3.97 acre tract, the existing north right-of-way line for Fornoff Road, a distance of **348.17 feet** to a southwest corner of said 3.97 acre tract;

Thence **North 23 degrees 53 minutes 12 seconds West**, along a southwesterly line of said 3.97 acre tract, the existing north right-of-way line for Fornoff Road, the existing east right-of-way line for Service Road "C", a distance of **22.97 feet** to a southwest corner of said 3.97 acre tract;

Thence **North 00 degrees 08 minutes 51 seconds East**, along a west line of said 3.97 acre tract, the existing east right-of-way line for said Service Road "C", a distance of **233.00 feet** to the **POINT OF BEGINNING** for this description.

The above description contains a total area of **2.070 acres**, all of which is located within Franklin County Auditor's parcel number 010-104058.

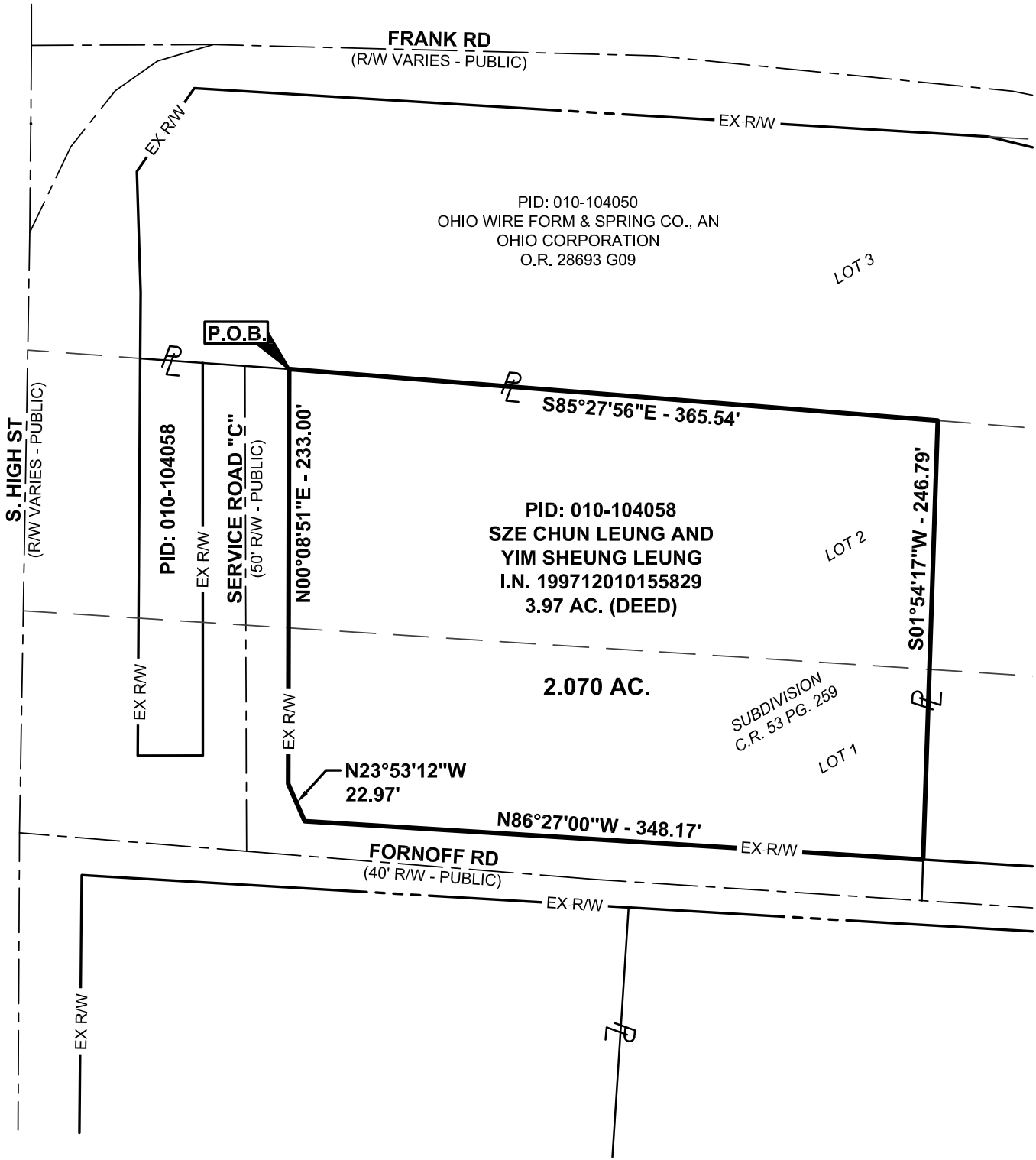
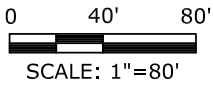
Bearings described herein are based on Grid North, NAD 83, per the Franklin County GIS.

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

STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF COLUMBUS

SECTION 4, TOWNSHIP 4, RANGE 22

CONGRESS LANDS



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**

DATE: 3/2/2022 1:56 PM
 PLOT: 2021.00860
 DRAWING: E:\E_C\2021\00860\Drawings\Survey\2021.00860_SV\2021.00860_SV.dwg
 NORTH: North of Franklin Ave.
 EDITED BY: MMAYES




**AMERICAN
STRUCTUREPOINT**
INC.

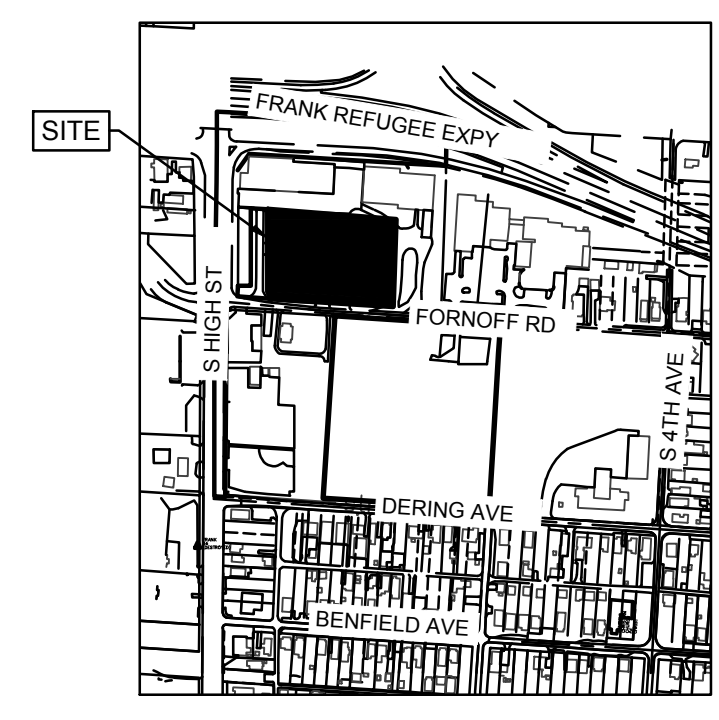
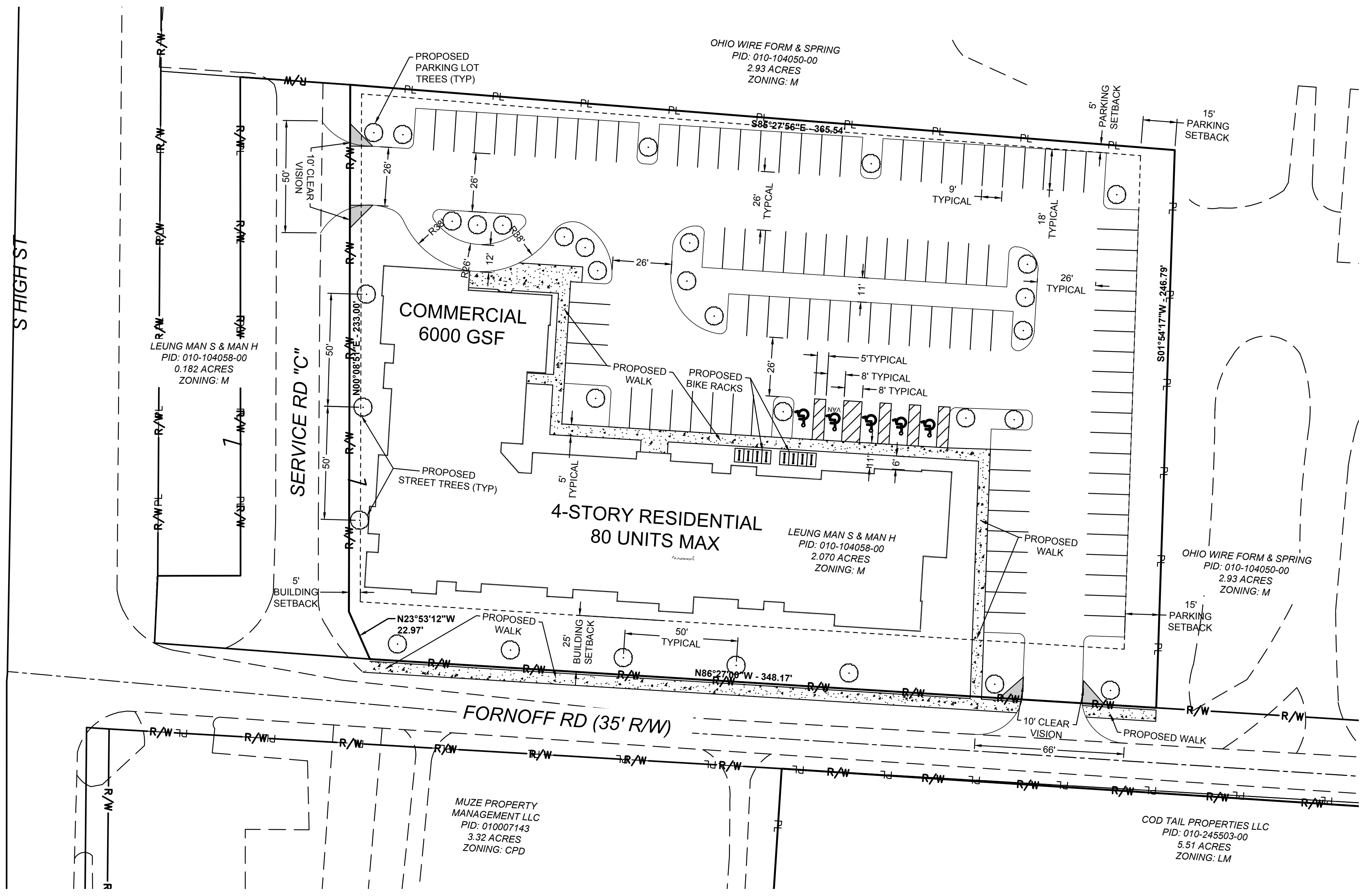
2550 Corporate Exchange Dr, Ste 300 | Columbus, Ohio 43231
 TEL 614.901.2235 | FAX 614.901.2236
 www.structurepoint.com

ZONING EXHIBIT
 FOR
NRP - DERING MULTIFAMILY
 COLUMBUS, OHIO

DATE:	03/03/2022
DRAWN BY:	MWM
CHECKED BY:	BPB
JOB NUMBER:	2021.00860

1 of 1

PLOT SCALE: 1"=30' DATE: 3/25/22 7:16 PM EDITED BY: GBAKER DRAWING FILE: 012021100860.D DRAWINGS\CIVIL\CONSTRUCTION DOCUMENTS\NORTHSIDE ZONING PLAN\2021.00860.ZONING.PLAN.DWG

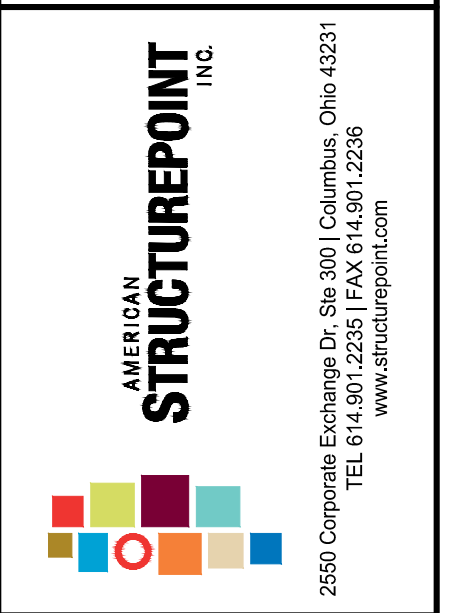


OWNER
LEUNG MAN S & MAN H
2300 S HIGH ST
COLUMBUS, OH 43207

DEVELOPER
NRP HOLDINGS LLC
1228 EUCLID AVE, 4TH FLOOR
CLEVELAND, OH 44115
CONTACT: DONALD FIX
PHONE: (216) 865-9803
EMAIL: DFIX@NRPGROUP.COM

ENGINEER
AMERICAN STRUCTUREPOINT
2550 CORPORATE EXCHANGE DRIVE, SUITE 300
COLUMBUS, OHIO 43231
CONTACT: GARRETT BAKER
PHONE: (614) 901-2235
EMAIL: GBAKER@STRUCTUREPOINT.COM

DEVELOPMENT DATA	
ZONING:	PROPERTY OWNER: LEUNG MAN & MAN H PARCEL ID: 010-104058 PART ZONING ADDRESS: 30 FORNOFF RD SITE ACREAGE: 2.070 ACRES ZONING: M PROPOSED USE: MULTIFAMILY HEIGHT DISTRICT: H-35 BUILDING HEIGHT: 60' FEMA FLOODPLAIN: 39049CO336K (eff. 6/17/2008)
SITE DATA:	LOT COVERAGE: 74%
BUILDING DATA:	TOTAL DWELLING UNITS: 80 UNITS MAX DENSITY: 39 DU/AC
PARKING DATA:	80 DU @ 1.5 SPACE/DU 120 COMMERCIAL, 6,000 SF @ 1 SPACE/250 SF 24 TOTAL REQUIRED: 144 STANDARD TOTAL PROVIDED: 110 SPACES (5 ADA)
BICYCLE PARKING DATA:	REQUIRED (1 PER 20 SPACES): 8 SPACES PROVIDED: 8 SPACES
LANDSCAPING DATA:	REQUIRED PARKING LOT TREES (1 PER 10 SPACES): 11 TREES PROVIDED PARKING LOT TREES: 21 TREES PROVIDED STREET LOT TREES: 10 TREES



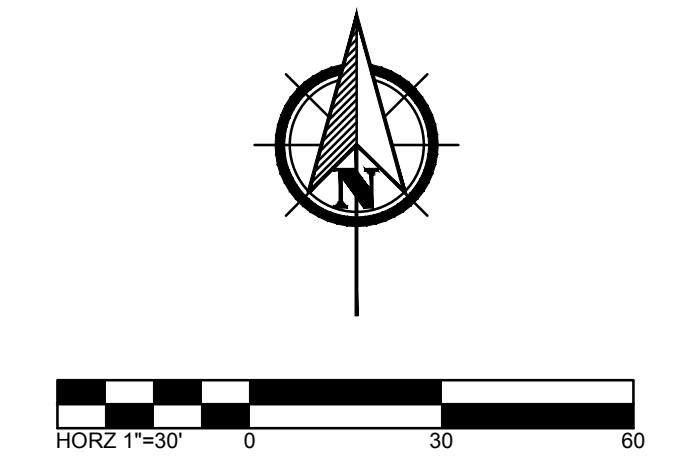
ZONING SITE PLAN FOR
30 FORNOFF RD
CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO

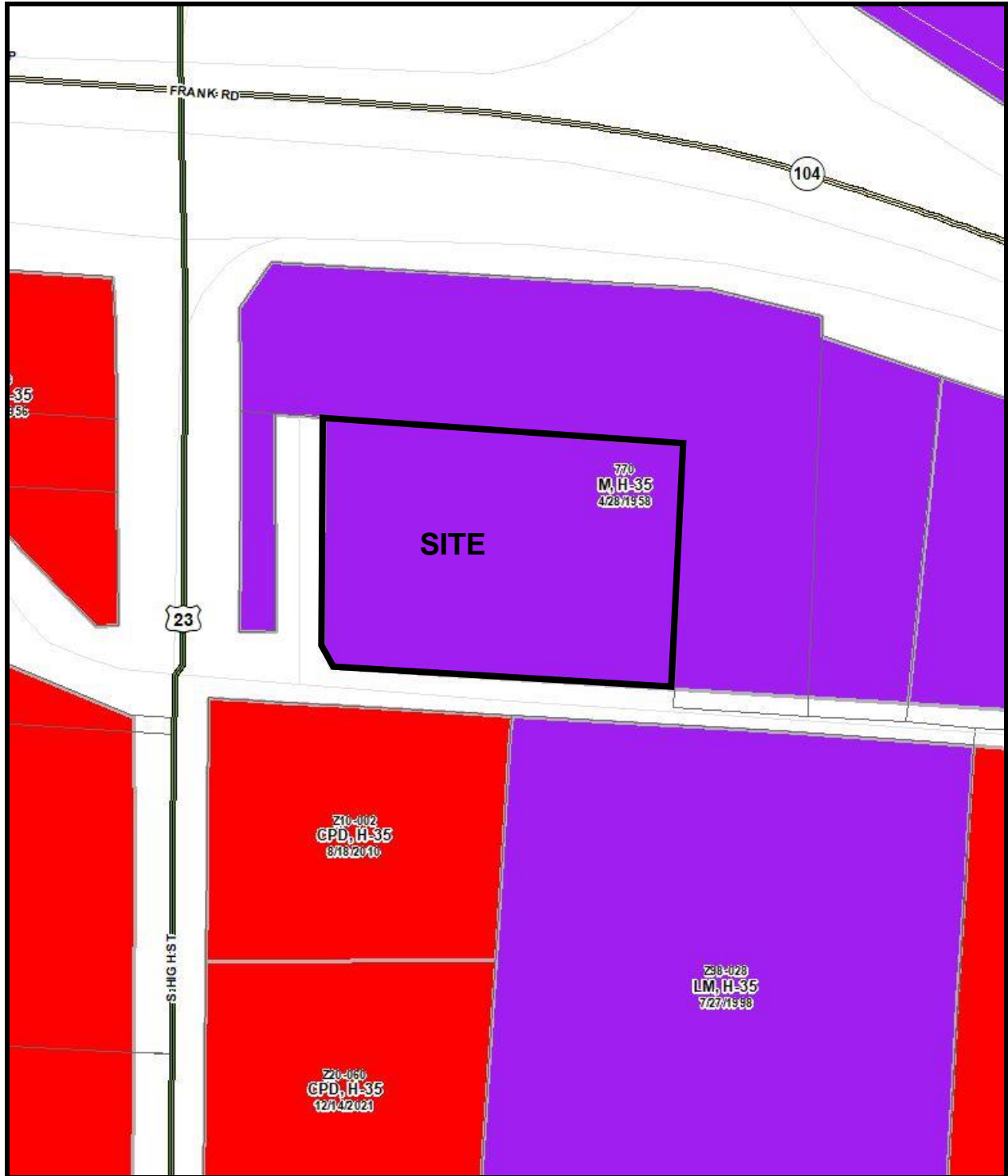
REVISIONS	DATE	SHEET NO.	DESCRIPTION

APPROVAL PENDING NOT FOR CONSTRUCTION
IN SUBMITTING BIDS IN RELIANCE ON THESE PLANS THE CONTRACTOR ASSUMES ALL RISKS OF ADDITIONAL COSTS OF REVISIONS DUE TO REQUIREMENTS OF THE OWNER OR GOVERNMENTAL AUTHORITIES AND MATERIAL REVISIONS IN THE COURSE OF COMPLETING THE FINAL DESIGN.

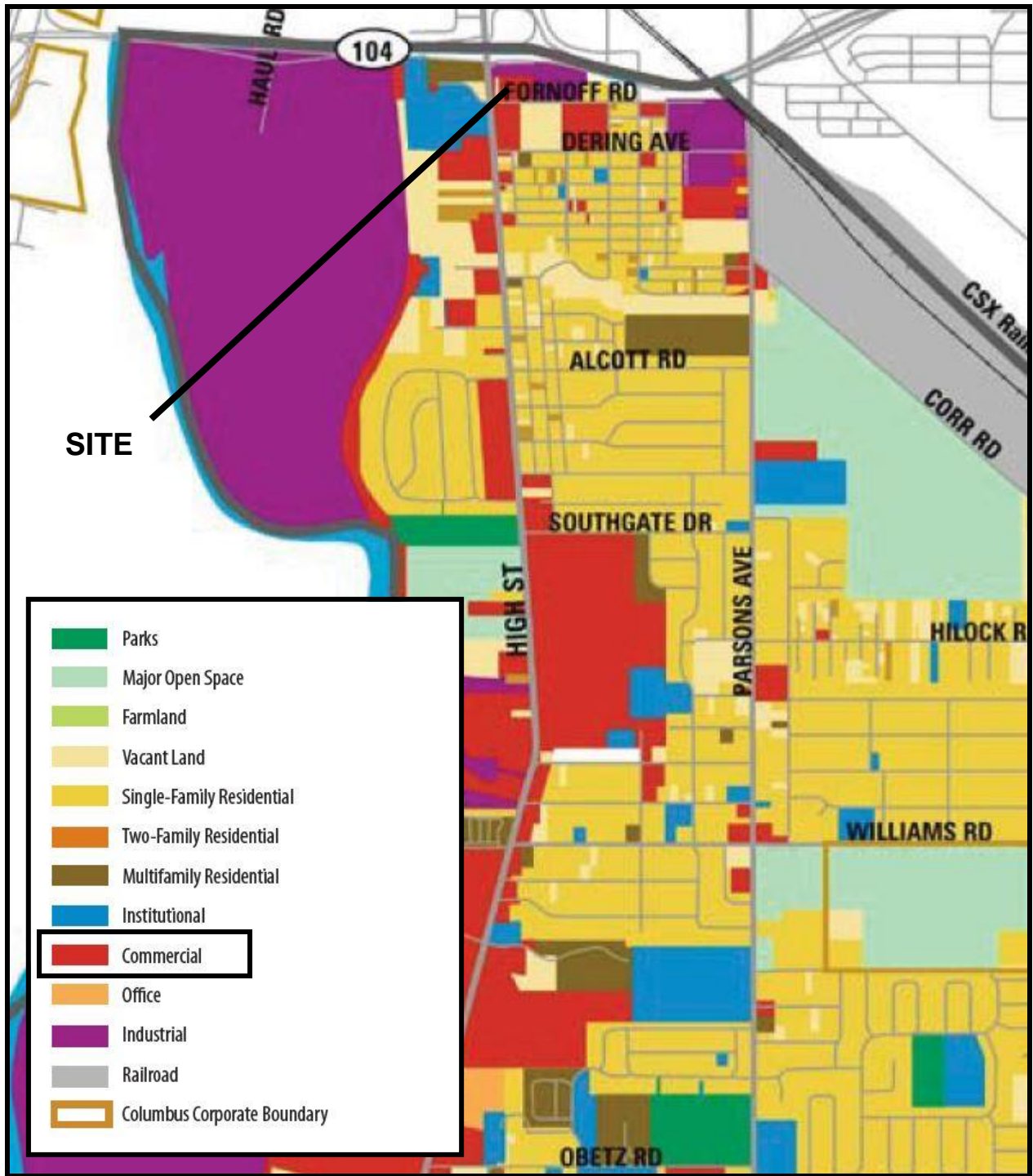
DATE: 3/25/2022
DRAWN BY: MFS
CHECKED BY: GPB
JOB NUMBER: 2021.00860

Z100





CV22-024
30 Fornof Rd.
Approximately 2.07 acres



CV22-024
 30 Forno Rd.
 Approximately 2.07 acres



CV22-024
30 Fornof Rd.
Approximately 2.07 acres