

## Board of Zoning Adjustment 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: BZA21-021 Date Received: 2/17/2021  
Assigned Planner: Michael Maret Fee: \$1500  
Contact Information: MJMaret@Columbus.gov  
Existing Zoning: ARLD, Apartment Commission/Civic: Near East AC  
Comments: Scheduled for Staff Review on 3/11/2021

**TYPE(S) OF ACTION REQUESTED** (Check all that apply):

☒ Variance ☐ Special Permit

Project Description:

See Exhibit B

**LOCATION**

Certified Address: 304 Woodland Avenue City: Columbus Zip: 43203

Parcel Number (only one required): 010 - 009498

**APPLICANT** (If different from Owner):

Applicant Name: Samuel E. McDaniel, c/o Dave Perry Phone Number: (614) 228-1727 Ext.: --

Address: David Perry Company, Inc., 411 E Town St, Fl. 1 City/State: Columbus, OH Zip: 43215

Email Address: dave@daveperryco.net Fax Number: --

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

Name: Samuel E. McDaniel Phone Number: (614) 378-2752 Ext.: --

Address: 69 Miami Avenue, Unit C City/State: Columbus, OH Zip: 43203

Email Address: 304woodland@gmail.com Fax Number: --

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

Name: Donald Plank, Plank Law Firm Phone Number: (614) 947-8600 Ext.: --

Address: 411 East Town Street, Floor 2 City/State: Columbus, OH Zip: 43215

Email Address: dplank@planklaw.com Fax Number: --

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

APPLICANT SIGNATURE Samuel E. McDaniel by David B. Perry, Agent

PROPERTY OWNER SIGNATURE Samuel E. McDaniel by David B. Perry, Agent

ATTORNEY / AGENT SIGNATURE Donald Plank

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### AFFIDAVIT

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 304 Woodland Avenue, Columbus, OH 43203

for which 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 OWNER'S NAME  
AND MAILING ADDRESS

(4) Samuel E. McDaniel  
69 Miami Avenue, Unit C  
Columbus, OH 43203

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

Samuel E. McDaniel  
c/o Dave Perry, (614) 228-1727

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

(5) Near East Area Commission, c/o Annie Womack  
823-1/2 East Long Street, Suite 200, Columbus, OH 43203  
awd44@aol.com

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

SIGNATURE OF AFFIANT

David B. Perry

Sworn to before me and signed in my presence this

15<sup>th</sup>

day of

February

in the year

2021

Notary Seal Here

(7) SIGNATURE OF NOTARY PUBLIC

My Commission Expires



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

**EXHIBIT A, PUBLIC NOTICE**  
**304 Woodland Avenue**  
**BZA21-\_\_\_\_\_**  
**February 16, 2021**

**APPLICANT:**

Samuel E. McDaniel  
c/o Dave Perry  
David Perry Company, Inc.  
411 East Town Street, Floor 1  
Columbus, OH 43215

**PROPERTY OWNER:**

Samuel E. McDaniel  
69 Miami Avenue, Unit C  
Columbus, OH 43203

**ATTORNEY:**

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

**COMMUNITY GROUPS:**

Near East Area Commission  
c/o Annie Womack  
823½ East Long Street, Suite 200  
Columbus, OH 43203

Near East Area Commission  
c/o Kathleen Bailey  
489 Linwood Avenue  
Columbus, OH 43205

**PROPERTY OWNERS WITHIN 125 FEET:**

Jeffrey Basnett  
(or current occupant)  
282 North Woodland Avenue  
Columbus, OH 43203

Laurie Gunzelman, AIA  
Gunzelman Architecture  
333 Stewart Avenue  
Columbus, OH 43206

Marshela N. McDaniel  
(or current occupant)  
322 Woodland Avenue  
Columbus, OH 43203

Isaac G. Miller, Jr.  
(or current occupant)  
334 Woodland Avenue  
Columbus, OH 43203

GOF House, LLC  
2885 Sanford Avenue SW, #41743  
Grandville, MI 49418

Kevin Reed, Tarey E. Hall  
(or current occupant)  
1720 Greenway Avenue  
Columbus, OH 43203

Central Ohio Transit Authority  
33 North High Street  
Columbus, OH 43215

Bishop S.C. Madison, Tr.  
1665 North Portal Drive, NW  
Washington, DC 20012-1053

Aaron McDaniel  
69 Miami Avenue, Unit C  
Columbus, OH 43203

Qian Ming Tian, Inc.  
289 Woodland Avenue  
Columbus, OH 43203

Alynata Properties, Ltd.  
Stanin Capital V, LLC  
2831 East Main Street  
Columbus, OH 43209

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**304 Woodland Avenue**  
**BZA21-\_\_\_\_\_, February 16, 2021**  
**Exhibit A, Public Notice List**  
**Page 1 of 2**

Kyle Green, AIA  
Gunzelman Architecture  
333 Stewart Avenue  
Columbus, OH 43206

Bishop S.C. Madison, Tr.  
1731 Greenway Avenue  
Columbus, OH 43203

Gregory B. Crafter  
(or current occupant)  
311 Woodland Avenue  
Columbus, OH 43203

Elizabeth Marie Chakeres  
Matthew David Grubb  
(or current occupant)  
323 Woodland Avenue  
Columbus, OH 43203

Redwood Investment Group, LLC  
3227 Genevieve Drive  
Columbus, OH 43219

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### STATEMENT IN SUPPORT OF VARIANCE(S)

#### **3307.09 Variances by Board.**

- A. The Board of Zoning Adjustment shall have the power, upon application, to grant variances from the provisions and requirements of this Zoning Code (except for those under the jurisdiction of the Graphics Commission and except for use variances under the jurisdiction of the Council). The board shall take into account all of the following facts and conditions when considering variances:
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.
  2. Whether the variance is 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.
  4. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse service).
  5. Whether the property owner purchased the property with knowledge of the zoning restriction.
  6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.
  7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.
- B. In granting a variance, the Board may impose such requirements and conditions regarding the location, character, and other features of the proposed *uses or structures* as the Board deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard public safety and welfare.
- C. Nothing in this section shall be construed as authorizing the Board to affect changes in the Zoning Map or to add to the uses permitted in any district.

**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 demonstrates practical difficulty as contemplated by that section, in the following ways (use separate page if needed or desired):**

See Exhibit B

Signature of Applicant

*Samuel E. McDermid by David B. Perry, Agent*

Date

*2-15-2021*

Signature of Attorney

*Donald Pank*

Date

*2/15/2021*

## **Exhibit B**

### **Statement of Support**

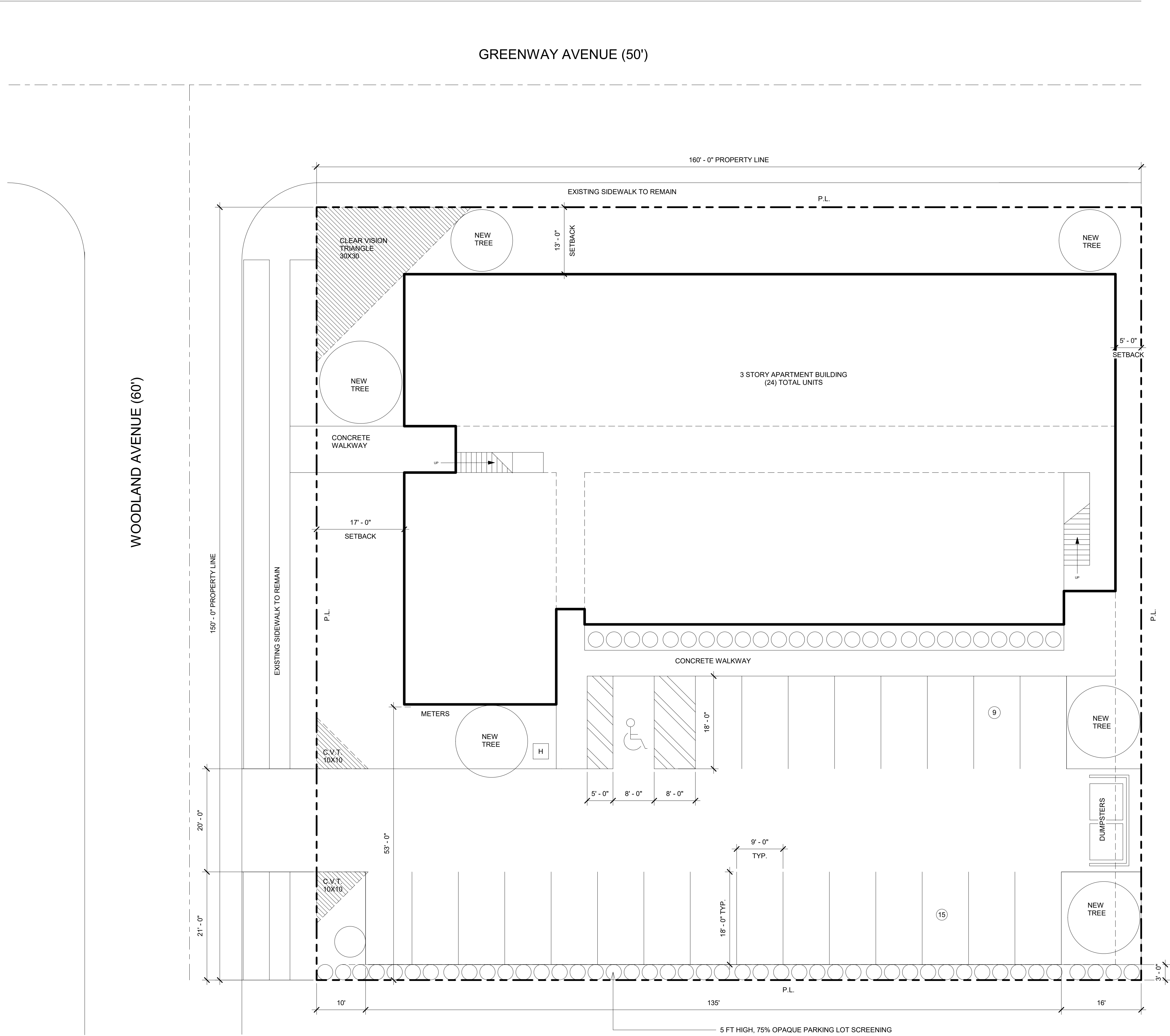
**BZA21-\_\_\_\_\_ , 304 Woodland Avenue**

The site (PID: 010-009498) is located at the southeast corner of Greenway Avenue and Woodland Avenue. The parcel is 0.55 +/- acres (23,958 +/- SF) and is zoned ARLD, Apartment Residential Low Density from 1973 Model Cities area rezoning (Z73-197). Applicant proposes to build an apartment building under the ARLD zoning and requests certain zoning variances, as itemized. Property zoned ARLD abuts the site to the south. Property zoned L-C-4 abuts the site to the east. Applicant proposes to build a 3 story 24 dwelling unit apartment building, as depicted on the site plan titled "Woodland Apartments", dated \_\_\_\_\_.

Applicant has a practical difficulty with compliance with the referenced code sections. The requested variances are not substantial, will not alter the essential character of the neighborhood, will not affect the delivery of government services, the variances are required for reasonable use of the property and are consistent with the spirit of the zoning requirement and a wide range of lot sizes in the area of the property. There is no means other than the proposed variances to build the proposed apartment building. The proposed use is consistent with a range of residential and non-residential land uses in the area.

Applicant requests the following variances:

- 1). Section 3312.21, Landscaping and Screening, to reduce the south parking lot setback from 4' to 3'.
- 2). Section 3312.49, Minimum Numbers of Parking Spaces Required, to reduce parking from 36 spaces (1.5 spaces/ DU) to 24 spaces (1.0 spaces/DU).
- 3). Section 3333.11, ARLD Area District Requirements, to reduce lot area per dwelling unit from 2,500 SF/DU to 998 SF/DU to permit a 24 dwelling unit apartment building.
- 4). Section 3333.18(C), Building Lines, to reduce the Woodland Avenue and Greenway Avenue building setback lines from 25 feet to 17 feet and 13 feet, respectively.
- 5). Section 3333.23(d), Minimum Side Yard Permitted, to reduce the minimum east side yard from 5.83 feet to 5.0 feet for the east setback of the building and to 2 feet for the dumpster enclosure in the parking lot.



**OWNER:**  
MCDANIEL SAMUEL E  
69 MIAMI AVE  
COLUMBUS OH 43203

**ARCHITECT:**  
GUNZELMAN  
architecture + interiors  
Laurie Gunzelman, AIA  
333 STEWART AVE  
COLUMBUS, OH 43206  
(C) 614-674-6696  
lgunzelman@gunzelmanai.com

**LEGAL DESCRIPTION:**  
304 WOODLAND AVENUE  
.551 ACRE  
NELSON HRS LOT 5

**SITE ADDRESS:** 304 WOODLAND AVENUE  
COLUMBUS OH 43203  
**TOTAL LOT AREA:** .55 ACRES, 23,958 SF  
**ZONING:** ARLD (Z73-197) APARTMENT RESIDENTIAL LOW DENSITY  
**EFFECTIVE:** 4/11/1974  
**PARCEL #** 010-009498-00

**PROPOSED:** APARTMENT BUILDING

THE LOCATIONS OF EXISTING BUILDINGS AND ZONING  
INFORMATION HAVE BEEN SHOWN ON THIS PLAN IN  
ACCORDANCE WITH AVAILABLE RECORDS. IT IS BELIEVED  
THAT THIS INFORMATION IS CORRECT.

LOT COVERAGE	
TOTAL LOT SF	23,958 SF
ALLOWABLE LOT COVERAGE	11,978 SF (50%)
ACTUAL LOT COVERAGE	9,665 SF (40.3%)

DENSITY	
43.6 DWELLING UNIT PER ACRE	
998 SF PER DWELLING UNIT	

PARKING	
24 DWELLING UNITS	
REQUIRED 1.5 SPACE PER D.U.	= 36 SPACES
PROPOSED 1 SPACE PER D.U.	= 24 SPACES

<b>HEIGHT DISTRICT</b>	<b>H-35</b>
HEIGHT OF PROPOSED BUILDING	35 FT

BUILDING AND PARKING SETBACK	
NORTH SETBACK	13 FT / NA
WEST SETBACK	17 FT / 10 FT
SOUTH SETBACK (ELLIOT ALLEY)	53 FT / 3 FT
EAST SETBACK	5 FT / 0-14 FT

DWELLING UNIT TREES	
1 PER 10 DWELLING UNITS = 3	
PROVIDED = 3 TREES	

PARKING LOT TREES	
1 PER 10 PARKING SPACES = 3	
PROVIDED = 3 TREES	

REAR YARD	
TOTAL LOT SF	23,958 SF
MINIMUM REQ REAR YARD	5,990 SF (25%)
ACTUAL REAR YARD	8,560 SF (34%)

① SITE PLAN -  
1" = 10'-0"

GAI

GUNZELMAN

architecture + interiors

88 N 5th Street Suite 202  
Columbus OH 43215  
P 614-674-6696

PJT # : Project Number

WOODLAND AVE APARTMENTS

304 WOODLAND AVE  
COLUMBUS OHIO 43203

ARCHITECTURAL SITE PLAN

REVISIONS

△ DATE

PHASE :

SITE REVIEW

DATE : 02/15/21

A0.4

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### PROJECT DISCLOSURE STATEMENT

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 and their mailing addresses:

NAME

COMPLETE MAILING ADDRESS

Samuel E. McDaniel

69 Miami Avenue, Unit C

Columbus, OH 43203

Aaron McDaniel

69 Miami Avenue, Unit C

Columbus, OH 43203

SIGNATURE OF AFFIANT

Donald Plank

Sworn to before me and signed in my presence this 15<sup>th</sup> day of February, in the year 2021

MaryAlice Wolf  
SIGNATURE OF NOTARY PUBLIC

Notary Seal Here

My Commission Expires



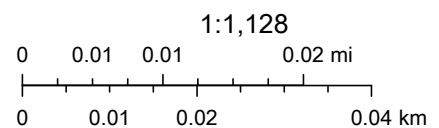
MaryAlice Wolf  
Notary Public, State of Ohio  
My Commission Expires October 24, 2023



# BZA21-021, 304 WOODLAND AVE.



2/18/2021, 4:20:08 PM



City of Columbus GIS, Franklin County Auditor, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

City of Columbus  
Esri, HERE, Garmin, FAO, USGS, NGA, EPA, NPS | City of Columbus GIS |

[illegible]

1:1,128

0 0.01 0.01 0.02 mi

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City of Columbus  
City of Columbus GIS |