

# Council Variance Application

111 N Front Street, Columbus, Ohio 43215

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

OFFICE USE ONLY

Application Number: \_\_\_\_\_ Date Received: \_\_\_\_\_

Application Accepted by: \_\_\_\_\_ Fee: \_\_\_\_\_

Assigned Planner: \_\_\_\_\_

## **LOCATION AND ZONING REQUEST:**

Existing Address or Zoning Number: \_\_\_\_\_ Zip: \_\_\_\_\_

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: \_\_\_\_\_

***Check here if listing additional parcel numbers on a separate page.***

Current Zoning District(s): \_\_\_\_\_ Acreage: \_\_\_\_\_

Area Commission or Civic Association: \_\_\_\_\_

Proposed Use or  
reason for request: \_\_\_\_\_

*(Elaborate in Statement of Hardship)*

## **APPLICANT:**

Applicant Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_ Ext.: \_\_\_\_\_

Address: \_\_\_\_\_ City/State: \_\_\_\_\_ Zip: \_\_\_\_\_

Email Address: \_\_\_\_\_

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

Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_ Ext.: \_\_\_\_\_

Address: \_\_\_\_\_ City/State: \_\_\_\_\_ Zip: \_\_\_\_\_

Email Address: \_\_\_\_\_

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

Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_ Ext.: \_\_\_\_\_

Address: \_\_\_\_\_ City/State: \_\_\_\_\_ Zip: \_\_\_\_\_

Email Address: \_\_\_\_\_

## **SIGNATURES:**

APPLICANT SIGNATURE \_\_\_\_\_

PROPERTY OWNER SIGNATURE \_\_\_\_\_

ATTORNEY / AGENT SIGNATURE \_\_\_\_\_

*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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## **COUNCIL VARIANCE APPLICATION CHECKLIST**

The application package must consist of TWO (2) COMPLETE SETS of all items (except for fees) listed below, one of which must contain the original signed forms.

### **The Application Form**

### **Statement of Hardship**

### **Notarized Affidavit Form and Label Sets** (See instructions on form)

### **Notarized Project Disclosure Statement** (See instructions on form)

### **Zoning Number** (required only for property that does not already have an existing address):

A Zoning Number can be obtained by contacting [OneStopPlans@columbus.gov](mailto:OneStopPlans@columbus.gov).

### **Legal Description of the Subject Property:**

Current property survey to include acreage of the subject property and all metes and bounds, referencing the centerline intersection of two public streets. If more than one zoning district or multiple sub-areas are requested in this application, separate legal descriptions must be submitted for each district and/or sub-area. All legal descriptions must be submitted as an original on 8-1/2" x 11" paper and in digital format on a storage device or via email to staff in advance of filing (MS Word document left justified, no indentations, in Times New Roman font, size 11).

### **Site Plan** (required for CPD, PUD, and Limited zoning districts committing to a plan):

The site plan must be drawn to Engineer's scale and provide applicable information as itemized on the Zoning Review Checklist Form or Site Plan Information Required for 1-2-and-3-unit Form available at [www.columbus.gov/bzs](http://www.columbus.gov/bzs). Each page shall be submitted as a 2' x 3' original scale plan, and as an 8-1/2" x 11" reduction included in each set, and in digital format as a TIF or PDF file saved on a storage device or via email to staff in advance of filing.

### **Approved Annexation Petition from County:**

A copy of the approved annexation petition is required for properties that are in annexation status at time of application.

### **Application Fees (Non-Refundable):**

Checks are to be made payable to: Columbus City Treasurer

- |                             |  |
|-----------------------------|--|
| • 1-4 Dwelling Units        | \$300.00   |
| • All Other Variances       | \$1,500.00 per acre for the first acre or fraction thereof, plus<br>\$150.00 for each additional acre or fraction thereof<br>(Maximum Fee: \$7,000.00) |
| • Concurrent with Rezoning: | \$750.00 per acre for the first acre or fraction thereof, plus<br>\$75.00 for each additional acre or fraction thereof<br>(Maximum Fee: \$3,500.00)    |

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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.

**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):**

**Signature of Applicant** \_\_\_\_\_ **Date** \_\_\_\_\_

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## **INSTRUCTIONS FOR AFFIDAVIT**

- (1) Name and address of the person who did the research. It is important that the person who does the research is the same person who signs the notarized affidavit.
- (2) Address of the subject site as indicated on the address card from the Department of Building & Zoning Services, Map Room; Phone (614) 645-5661.
- (3) Leave blank - we will fill this out at the time of application.
- (4) From real property records located on the 19th floor of the Franklin County Court House Building, 373 South High Street, or other applicable government records; enter the name and address of the owner(s) of the property the application is for (this must be the same as the "Property Owners" shown on the application).
- (5) Fill in the appropriate Area Commission/Civic Association and complete contact information. Contact the Department of Neighborhoods at 614-645-1993 or go to [www.columbus.gov/areacommissions/](http://www.columbus.gov/areacommissions/) to confirm this information.
- (6) A "Variance Report" listing the surrounding property owners can be obtained at the Franklin County Auditor's office. Similar reports can also be obtained on the applicable County Auditor website. From the same records as in Item #4, enter the name and complete the mailing address (including zip code) of the owners of all property located within 125 feet of the subject site or the boundaries of ownership in the event that one or more property owners of the subject site owns contiguous property. This shall include properties across the street and in other municipalities and jurisdictions, if applicable. Also, include the owners of any property within 125 feet of the applicant's property in the event the applicant or the property owner of the subject site owns the property contiguous to the subject property.
  - (6a) It is the affiant's responsibility to determine the actual address, including personally visiting the properties, if necessary.
  - (6b) DO NOT list a mortgage company as a mailing address** for the property unless title to the property is held by the mortgage company, thereby making the company the actual property owner. It is the affiant's responsibility to exercise reasonable diligence to determine the address of the actual property owner.
  - (6c) For **owner-occupied** dwelling units, please also include "or Current Occupant" after the owner(s) name.
  - (6d) If property owners appear on the list more than once, please provide only one mailing label.
  - (6e) Please submit 1 sticker label set in Avery #5160 format (example provided), plus 1 master set on paper, plus 1 master set saved as an MS Word document on a storage device or e-mailed to staff in advance of filing, listing the names and complete addresses of the applicant; the property owner(s); attorney/agent; applicable Area Commission or neighborhood group; and surrounding real property owners as explained in (6) above. Make sure that the last two lines of the address label contain the street address and the city, state, and zip code.**
- (7) This Affidavit form must be signed in the presence of a Notary Public. The Affidavit expires six (6) months after date of notarization.

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## AFFIDAVIT

APPLICATION #: \_\_\_\_\_

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn **(1)** NAME \_\_\_\_\_  
of **(1)** MAILING ADDRESS \_\_\_\_\_

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)** PROPERTY ADDRESS OR ZONING NUMBER \_\_\_\_\_

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 **(4)** \_\_\_\_\_  
AND MAILING ADDRESS \_\_\_\_\_  
*Check here if listing additional property owners on a separate page.*

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

AREA COMMISSION OR CIVIC GROUP **(5)** \_\_\_\_\_  
ZONING CHAIR OR CONTACT PERSON \_\_\_\_\_  
AND EMAIL ADDRESS \_\_\_\_\_

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 \_\_\_\_\_

Sworn to before me and signed in my presence this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_

Notary Seal Here

**(7)** SIGNATURE OF NOTARY PUBLIC \_\_\_\_\_

My Commission Expires \_\_\_\_\_

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

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## **PROJECT DISCLOSURE STATEMENT**

APPLICATION #: \_\_\_\_\_

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) \_\_\_\_\_  
of (COMPLETE ADDRESS) \_\_\_\_\_  
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.	2.
3.	4.

*Check here if listing additional parties on a separate page.*

SIGNATURE OF AFFIANT \_\_\_\_\_

Sworn to before me and signed in my presence this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_

Notary Seal Here

\_\_\_\_\_  
SIGNATURE OF NOTARY PUBLIC

\_\_\_\_\_  
My Commission Expires

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

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## PRE-APPLICATION REVIEW WORKSHEET

THIS PAGE WILL BE COMPLETED AT THE PRE-APPLICATION REVIEW MEETING BY CITY STAFF.

Address of the site	
Annexation status	
Current development on the property	
Current zoning and legal use of the property (attach computer record if applicable)	
Proposed use of the site	
Zoning Districts, Variances, or Special Permit requested	
Total acreage of the site	
Special development review standards	(1)
	(2)
Other Considerations:	
Traffic / Parking Standards (Right-of-Way, TIS, other)	Dan Blechschmidt; <a href="mailto:DRBlechschmidt@columbus.gov">DRBlechschmidt@columbus.gov</a> ; 614-645-1694
Parkland (land, easements, bike paths, other)	Kathy Spatz; <a href="mailto:KASpatz@columbus.gov">KASpatz@columbus.gov</a> ; 614-645-0487
Preliminary Site Compliance review	<a href="mailto:EngineeringInfo@columbus.gov">EngineeringInfo@columbus.gov</a> ; 614-645-0032
Department of Development	Planning Division; <a href="mailto:PlanningInfo@columbus.gov">PlanningInfo@columbus.gov</a> ; 614-724-4437
Area Plan and Recommendation	
Historic District or Review Board	
Pay As We Grow / Other	
Department of Neighborhoods	David Hooie; <a href="mailto:DEHooie@columbus.gov">DEHooie@columbus.gov</a> ; 614-645-7343
Area Commission or other Community Group	
Zoning Chair or Contact	
Review of application checklist	
Preliminary Review of Limited/CPD/PUD text or variance lists	
Cut-off Date / Proposed Hearing Date	
Items to be completed or revised before submittal:	(1)
	(2)
	(3)
	(4)
Requested Variances:	

Comments:

Staff met with \_\_\_\_\_ on \_\_\_\_\_ regarding this proposed application and applicant received a copy of this pre-application worksheet.

City Staff Representative \_\_\_\_\_

Note: This **Pre-Application Review** is preliminary, based upon the information presented. This document is a tool to allow staff to become acquainted with the proposal and to identify issues relevant to the application. Additional information may be necessary after City Staff formally reviews your request.

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## EXAMPLE LABEL SET

APPLICANT	PROPERTY OWNER	ATTORNEY
ACME Inc. C/O Brad Clark 555 Main Street Anytown, USA 10000	Jeffrey Jackson 430 Main Street Anytown, USA 10000	John W. Smith Law Office LP 123 Main Street Anytown, USA 10000
AREA COMMISSION OR NEIGHBORHOOD GROUP		
Civic Group c/o Zoning Chair Person 100 Main Street Anytown, USA 10000		
	SURROUNDING PROPERTY OWNERS	
Jeffrey Johnson/or current occupant 430 Main Street Anytown, USA 10000	Robert Miller/or current occupant 425 Main Street Anytown, USA 10000	Jane Lewis/or current occupant 429 Main Street Anytown, USA 10000
Country Snaps LP/or current occupant c/o Shopping Centers Inc. 355 Town Street Anytown, USA 10000	Joel and Carla Nelson/ or current occupant 434 Main Street Anytown, USA 10000	Susan Griffin/or current occupant 505 High Street Anytown, USA 10000

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### SUBMITTAL CUT-OFF\*

November 24, 2020

December 29, 2020

January 26, 2021

February 23, 2021

March 23, 2021

April 27, 2021

May 25, 2021

June 22, 2021

July 27, 2021

August 24, 2021

September 28, 2021

October 26, 2021

November 23, 2021

December 28, 2021

January 25, 2022

February 22, 2022

### STAFF REVIEW DATE\*\*

December 17, 2020

January 21, 2021

February 18, 2021

March 18, 2021

April 15, 2021

May 20, 2021

June 17, 2021

July 15, 2021

August 19, 2021

September 16, 2021

October 21, 2021

November 18, 2021

December 16, 2021

January 20, 2022

February 17, 2022

March 17, 2022

\*FOR BOTH REZONING AND COUNCIL VARIANCE APPLICATIONS

\*\*DEVELOPMENT COMMISSION AND CITY COUNCIL MEETING DATES TBD

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## **PUBLIC HEARINGS APPLICATION INSTRUCTIONS**

Call 614-645-4522 or email [ZoningInfo@columbus.gov](mailto:ZoningInfo@columbus.gov) to schedule an appointment.

### **THINGS TO REMEMBER:**

- ☐ Applications are submitted in **duplicate** and are accepted by appointment only. Incomplete applications will NOT be accepted.
- ☐ 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 (and applicable fees) will be required.
- ☐ Applicants must confirm whether the subject site lies within the boundaries of an Area Commission, Historic Architectural Review Commission or recognized civic association. Information can be obtained at [www.columbus.gov/areacommissions/](http://www.columbus.gov/areacommissions/); search by address for Area Commission or click the link at the bottom of the page for the civic association listing. You may also contact the Department of Neighborhoods at 614-645-1993 to confirm the area where the site is located. The applicant must arrange to meet with the group identified above, and obtain a written recommendation prior to the public hearing.
- ☐ Be advised that the applicant will be assessed additional fees for requests for tabling, reconsideration, amended proposals, etc. These fees are listed on the Department of Building and Zoning Services website.
- ☐ The City of Columbus makes no determination whether a property contains area(s) that might be classified as wetlands by the Army Corps of Engineers and the Ohio Environmental Protection Agency; nor does approval at the public hearing imply the site has complied with wetlands guidelines. It is the applicant's responsibility to determine if wetlands exist on the site.
- ☐ A traffic impact and/or access study may be required by the Department of Public Service, Division of Traffic Management; the applicant should make contact for this determination as early as possible. All traffic studies must be submitted forty-five (45) days prior to the deadline for the public hearing agenda.
- ☐ The Development Department Planning Division, as part of the variance or special permit process, reviews applications for consistency with adopted city plans. As part of that review, detailed information such as a site plan or building elevations may be requested. These materials are not necessarily required as part of the rezoning or variance application, but may be requested as part of the application review. Contact the Planning Division at [planninginfo@columbus.gov](mailto:planninginfo@columbus.gov) or 614-724-4437 for more information.
- ☐ For properties undergoing annexation, applications cannot be accepted until the County Commissioners have approved the annexation petition.
- ☐ Final materials for ordinance preparation must be submitted to staff two weeks prior to the targeted ordinance submittal deadline. The submittal deadline is 17 days prior to the Council Zoning Meeting date. Check with Council Activities Staff for specific deadline dates. Late submittals will be held for the next ordinance submittal deadline. The Council Zoning Chair decides which items are to be scheduled on the Zoning Agendas, and inquiries regarding scheduling should be directed to that office.
- ☐ All zoning legislation passed by City Council becomes effective 30 days after passage unless amended to emergency with the approval of the City Clerk's Office. Applicants should contact the City Clerk's Office at 614-645-7380 for information about requesting emergency legislation.
- ☐ Other permits, clearances, and/or licenses may be required.

## Standardized Recommendation Form

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**FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW**  
(PLEASE PRINT)

**Case Number** \_\_\_\_\_

**Address** \_\_\_\_\_

**Group Name** \_\_\_\_\_

**Meeting Date** \_\_\_\_\_

**Specify Case Type**      **BZA Variance / Special Permit**  
                                 **Council Variance**  
                                 **Rezoning**  
                                 **Graphics Variance / Plan / Special Permit**

**Recommendation**      **Approval**  
(Check only one)      **Disapproval**

**LIST BASIS FOR RECOMMENDATION:**

**Vote** \_\_\_\_\_

**Signature of Authorized Representative** \_\_\_\_\_

**Recommending Group Title** \_\_\_\_\_

**Daytime Phone Number** \_\_\_\_\_

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.