

**CITY COUNCIL – ZONING COMMITTEE  
STAFF REPORT  
COUNCIL VARIANCE**

**APPLICATION:** CV24-099  
**Location:** 625 E. NORTH BROADWAY (43214), being 1.27 ± acres on the south side of East North Broadway, 150± feet east of North Broadway Lane (010-032166; Clintonville Area Commission).  
**Existing Zoning:** I, Institutional District.  
**Proposed Use:** Animal shelter.  
**Applicant(s):** The Cat Welfare Association; c/o Sarah Pollyea, Atty.; 3 Easton Oval, Suite 100; Columbus, OH 43219.  
**Property Owner(s):** DM & JE Properties; 625 East North Broadway Street; Columbus, OH 43214.  
**Planner:** Joe Rose; 614-645-3526; [jmrose@columbus.gov](mailto:jmrose@columbus.gov)

**BACKGROUND:**

- The site consists of one parcel developed with an office building in the I, Institutional District. The requested Council variance will allow an animal shelter at this location.
- A Council variance is required because the I, Institutional District does not allow animal shelters.
- To the north, south, and west are single-unit dwellings in the R-3, Residential District. To the east is railroad right-of-way and manufacturing uses in the M, Manufacturing District.
- The site is located within the planning boundaries of the *Clintonville Neighborhood Plan* (2009), which recommends “Commercial (Neighborhood)” land uses at this location, consistent with the proposed use.
- The site is located within the boundaries of the Clintonville Area Commission, whose recommendation is for approval.
- Staff recognizes that there are practical difficulties with the reduction in required parking included in the request.

**CITY DEPARTMENTS’ RECOMMENDATION:** Approval

The requested Council variance will allow an animal shelter at this location. Since there are no external modifications proposed and the use is consistent with the *Clintonville Neighborhood Plan’s* (2009) land use recommendation of “Commercial (Neighborhood)”, Staff has no objection to requested animal shelter.

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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

The current use of the building is commercial office space, which is a beneficial use.  
However, the contemplated use of the property pursuant to the signed purchase agreement is a cat shelter

2. Whether the variance is substantial.

☐ Yes ☒ No

The exterior of the building will not be affected by the variance, the only effect is the property use  
of a cat shelter instead of an office building. No other characteristics of the building will be altered.

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

The essential character of the neighborhood would stay the same. Applicant's use would not affect  
the charcter or characteristics of the neighborhood at all.

4. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse service).  
☐ Yes ☒ No

5. Whether the property owner purchased the property with knowledge of the zoning restriction.  
☒ Yes ☐ No

The property has not yet been purchased by the Applicant yet, the purchase is contingent on  
whether Council decides to grant this variance.

6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.  
☐ Yes ☒ No

Applicant would not be able to purchase this building if a variance is not granted.

7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.  
☒ Yes ☐ No

Applicant is not asking for a substantial departure from the current use, in that its offices would  
still be run from that location, the only addition would be the rescue cats.

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.

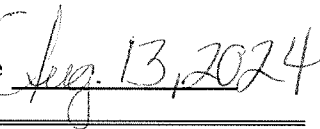
I have read the foregoing and believe my application for relief from the requirements of the Zoning Code contains the necessary hardship, will not adversely affect surrounding property owners, and will comply with the variance(s) requested as detailed below (use separate page if needed or desired):

Section 3349.03. See Hardship Essay for explanation.

Signature of Applicant



Date



625 East North Broadway is zoned I, Institutional, under Section 3349.03. An Animal shelter is not allowed under this use as a permitted use. The variance we are asking for is to allow a cat shelter to operate under the current I, Institutional District (Section 3349.03), despite it not being specifically listed in that section as a permitted use. The variance being requested is to the I Institutional District permitted uses to allow a cat shelter to operate. The proposed use, which is an animal shelter, is not permitted under the current I, Institutional District (Section 3349.03).

The building that sits on this parcel has been an office building since 1970. It is a single story building comprised of 10,182 square feet and has all utilities present.

The Applicant is the prospective purchaser of this property, under a purchase and sale agreement that is signed, and contingent upon this variance being granted. The Applicant currently operates at 741 Wetmore Road, Columbus, OH, which is zoned as a permitted use in C-4 Commercial Use. The new location, which offers greater space for the Applicant and greater flexibility in what they can offer to the care of and education about cats. The property is currently operated as office space, which is not a significant departure as to the prospective use, other than sheltered rescue and homeless cats being present. The Applicant would also run its business out of this property.

No veterinary services would be performed or provided on the premises. The proposed use of this building, which is limited strictly to a cat shelter until the cats are adopted by families, does not cause any changes or modifications to the existing exterior of the property. As the surrounding areas to this parcel are primarily residential, the variance will not adversely affect surrounding property owners. Cats would be kept contained within the building and would not cause a public nuisance or a change to the landscape of the property. There would also be no increase in traffic, excessive noise or unpleasant odors, as it would be operational during regular business hours. Additionally, there will not be after hours drop-off cages for the cats outside of the building, so there will be no unwanted noise or disturbances caused. The site engineering plan supports the fact that the building and the parcel would remain unchanged.

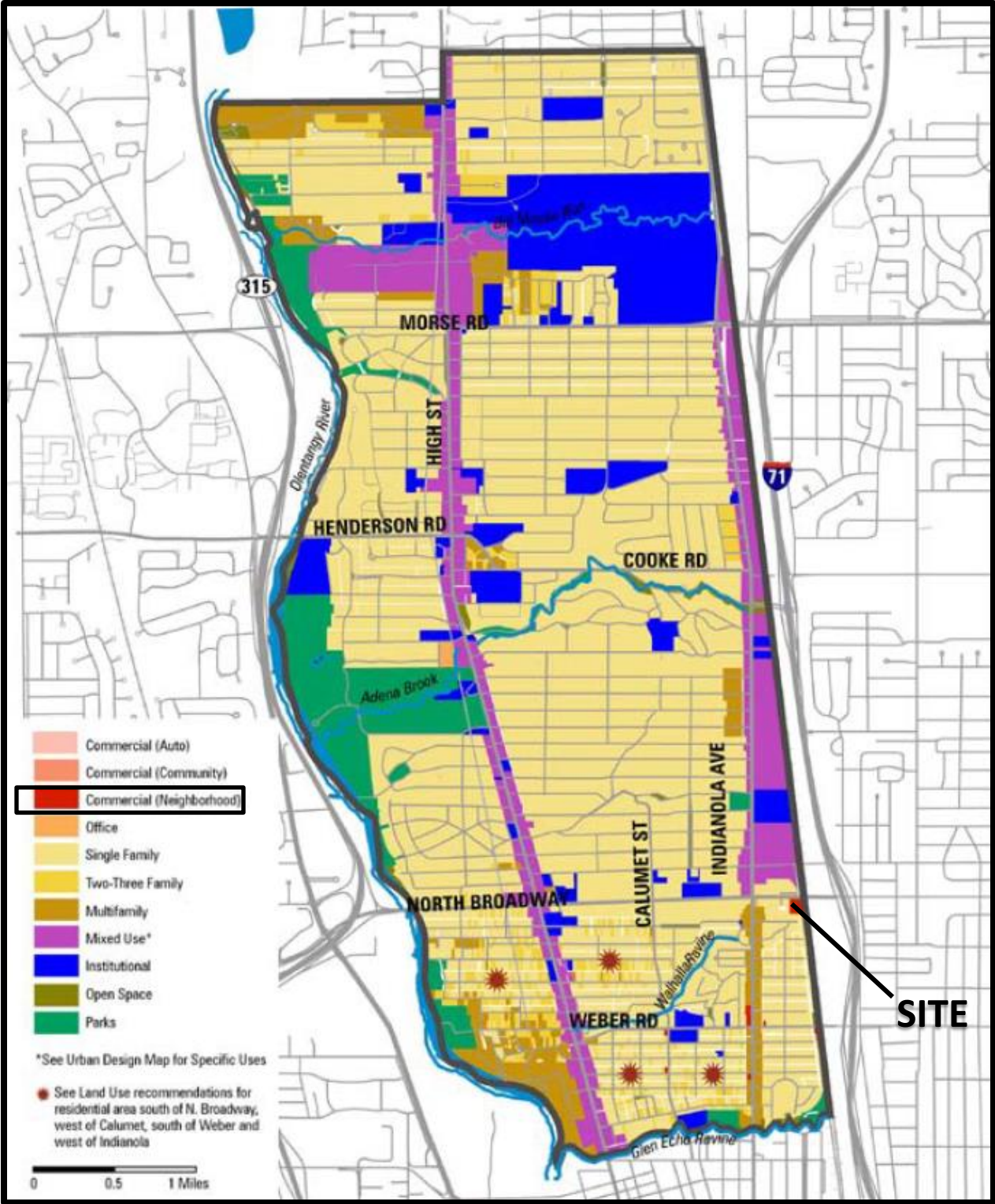
There are no proposed changes being requested to the exterior of the site that would require additional variances.

The Applicant has conducted a thorough search for properties that are feasible for its use in the area. This property, only two miles away from its current location, provides an ideal space for the Applicant to carry on its mission as a 501c3 non-profit organization.

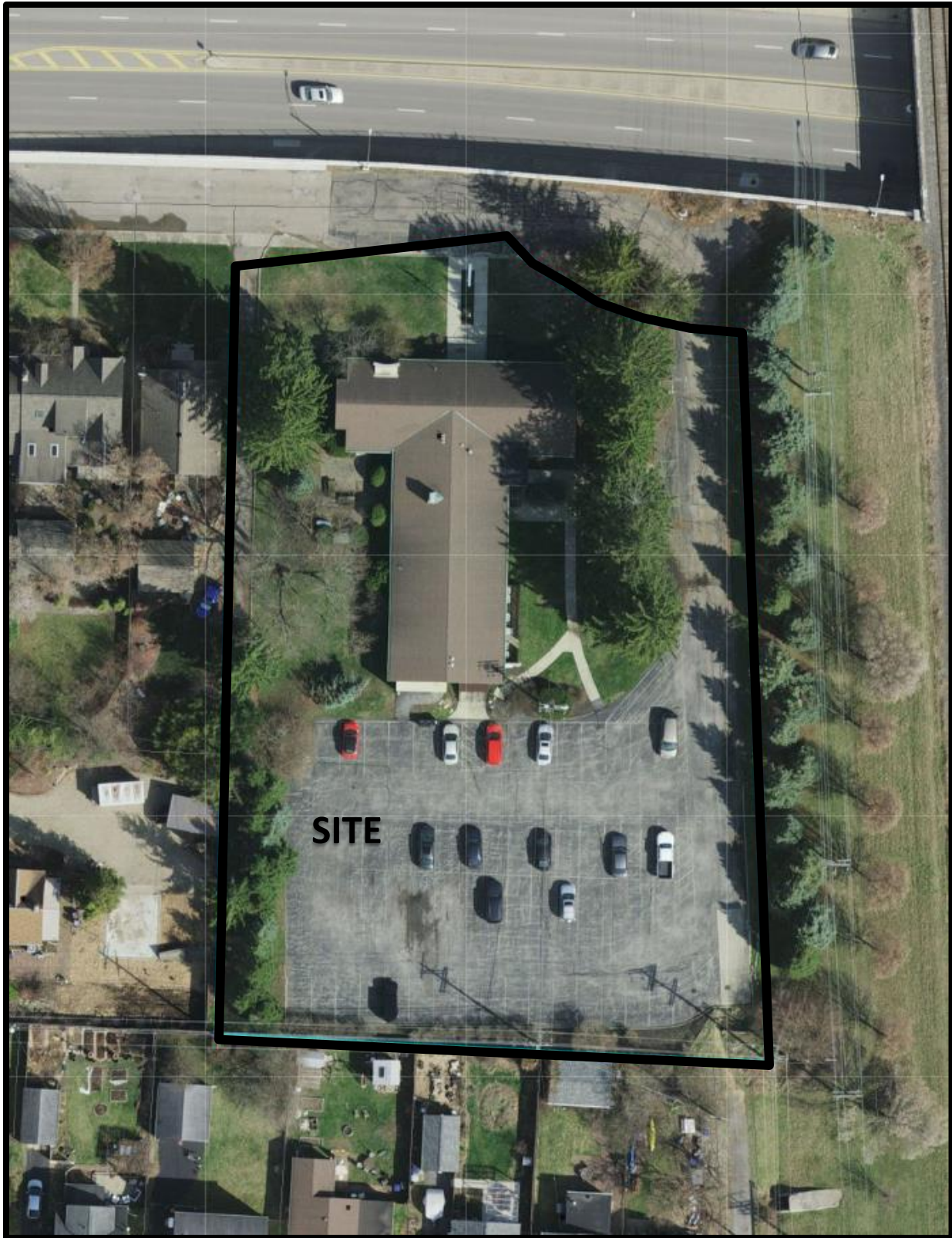


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Approximately 1.27 acres





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**Standardized Recommendation Form**

111 North Front Street, Columbus, Ohio 43215

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

**FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW**

(PLEASE PRINT)

**Case Number:** CV24-099

**Address:** 625 E North Broadway

**Group Name:** Clintonville Area Commission (CAC)

**Meeting Date:** September 5, 2024

**Specify Case Type:**

☐ BZA Variance / Special Permit  
☒ Council Variance  
☐ Rezoning  
☐ Graphics Variance / Plan / Special Permit

**Recommendation:**  
(Check only one and list basis  
for recommendation below)

☒ Approval  
☐ Disapproval

**NOTES:** The CAC approved the variance.

**Vote:** 6 yes, 3 absent

**Signature of Authorized Representative:** *Matthijs Moritz*

SIGNATURE

Clintonville Area Commission (CAC)

RECOMMENDING GROUP TITLE

614-641-5178

DAYTIME PHONE NUMBER

Please e-mail this form to the assigned planner within 48 hours of your meeting day; or FAX to Zoning at 614-645-2463; or MAIL to: Assigned Planner, City of Columbus, Department of Building & Zoning Services, 111 N. Front St., Columbus, OH 43215.



**PROJECT DISCLOSURE STATEMENT**

APPLICATION #: CV24-099

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) Lisa Strickland  
of (COMPLETE ADDRESS) 741 Wetmore Road, Columbus, OH 43214  
deposes and states that they are 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

1. Lisa Strickland Cat Welfare Association 741 Wetmore Road Columbus, OH 43214 614-483-2516	2.
3.	4.

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

SIGNATURE OF AFFIANT Lisa Strickland

Sworn to before me and signed in my presence this 13th day of August, in the year 2024

Hulda Jewel Dillon  
SIGNATURE OF NOTARY PUBLIC

June 9, 2029  
My Commission Expires

Notary Seal Here



HULDA JEWEL DILLON  
Notary Public  
State of Ohio  
My Comm. Expires  
June 9, 2029

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