



# 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

## 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):**

See Exhibit A.

Signature of Applicant



Date

5/25/2021

## **Exhibit A**

### **3374 Sullivant Avenue**

#### **Background**

The 0.68 +/- acre parcel of real property is located at 3374 Sullivant Avenue, Columbus, Ohio 43204 (the “Property”). Shifflet Enterprises, Inc. (the “Applicant”) purchased the Property in 2006 and currently operates an auto repair facility. Applicant filed this Council Variance Application in order to permit three (3) storage containers, measuring forty feet (40’) long and nine feet (9’) high, and a trailer/stage on the Property. Applicant desires to install the storage containers and trailer near the rear property line to preclude open storage, decrease vandalism, and prevent personal property damage caused by debris from the adjacent alley.

#### **Use Variance**

1. Chapter 3356 of the City of Columbus Zoning Code (the “Zoning Code”) permits certain commercial uses in the C-4, Commercial District, but does not include storage. Applicant is requesting a variance to permit three (3) storage containers and a trailer/stage on the Property. Applicant agrees to paint the containers in order to avoid rust or decay.

#### **Area Variance**

1. Section 3372.607(C) requires that dumpsters shall be located behind the principal building and be screened from public view to the height of the dumpster. Applicant is requesting a variance to permit screening around the existing dumpster location, as depicted on the Site Plan, which cannot physically be placed behind the principal building.

#### **Statement in Support of Variance**

A Council variance may be granted if the proposed use will not adversely affect the surrounding properties or 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.

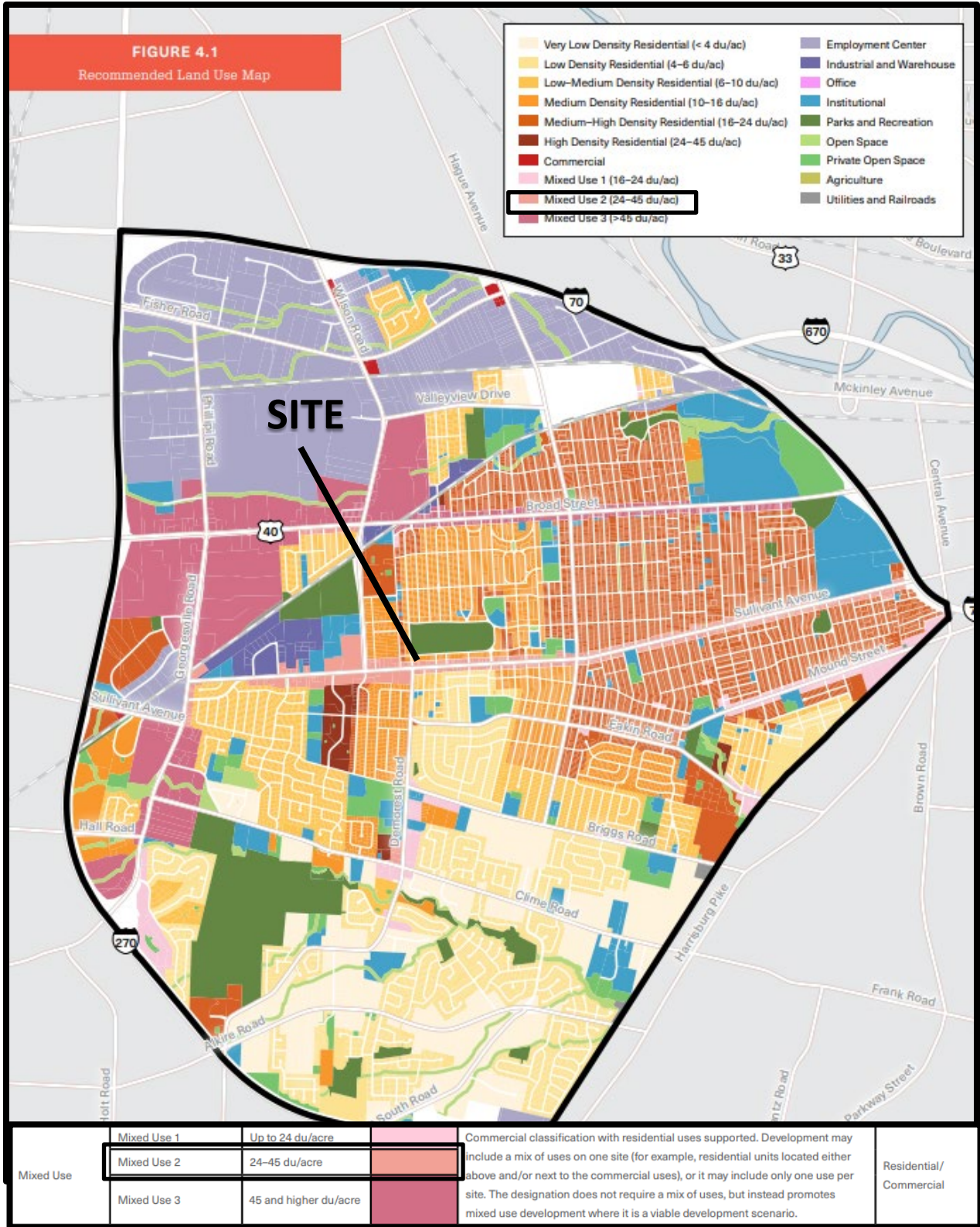
Permitting the requested storage containers will not adversely affect the adjacent properties or the neighborhood. The proposed use will be limited and is incidental to the auto repair use, which has been the primary use of the Property since the 1930’s. Applicant desires to install the storage containers in order to: (i) prevent open storage of business equipment, (ii) buffer the nearby residential properties from the auto repair facility and parked vehicles, and (iii) prevent car/personal property damage caused by debris and rocks from the alley to the north of the Property. The storage containers will be no more objectionable than the existing auto repair facility and will not cause any odor, noise, smoke, or vibration issues.

Granting the Council variance will alleviate the hardship of operating an equipment-intensive commercial use on an urban property. The Property was platted as part of the Westgate Park residential subdivision in 1925, which hinders its ability to match the character of a typical C-4 zoned property. Permitting the storage containers will allow the Applicant to store business equipment in an organized, secure manner and screen neighboring residential properties from the commercial operations on the Property. The storage containers will prevent water damage to scrap tires and cover scrap metal before it is disposed. Further, the storage containers will promote a long-standing local business. Applicant is actively involved in the Greater Hilltop Area, and was the President of the Hilltop Business Association in 2018. A letter of support from former Hilltop Business Association President Frederick L. Berkemer is attached to this application.

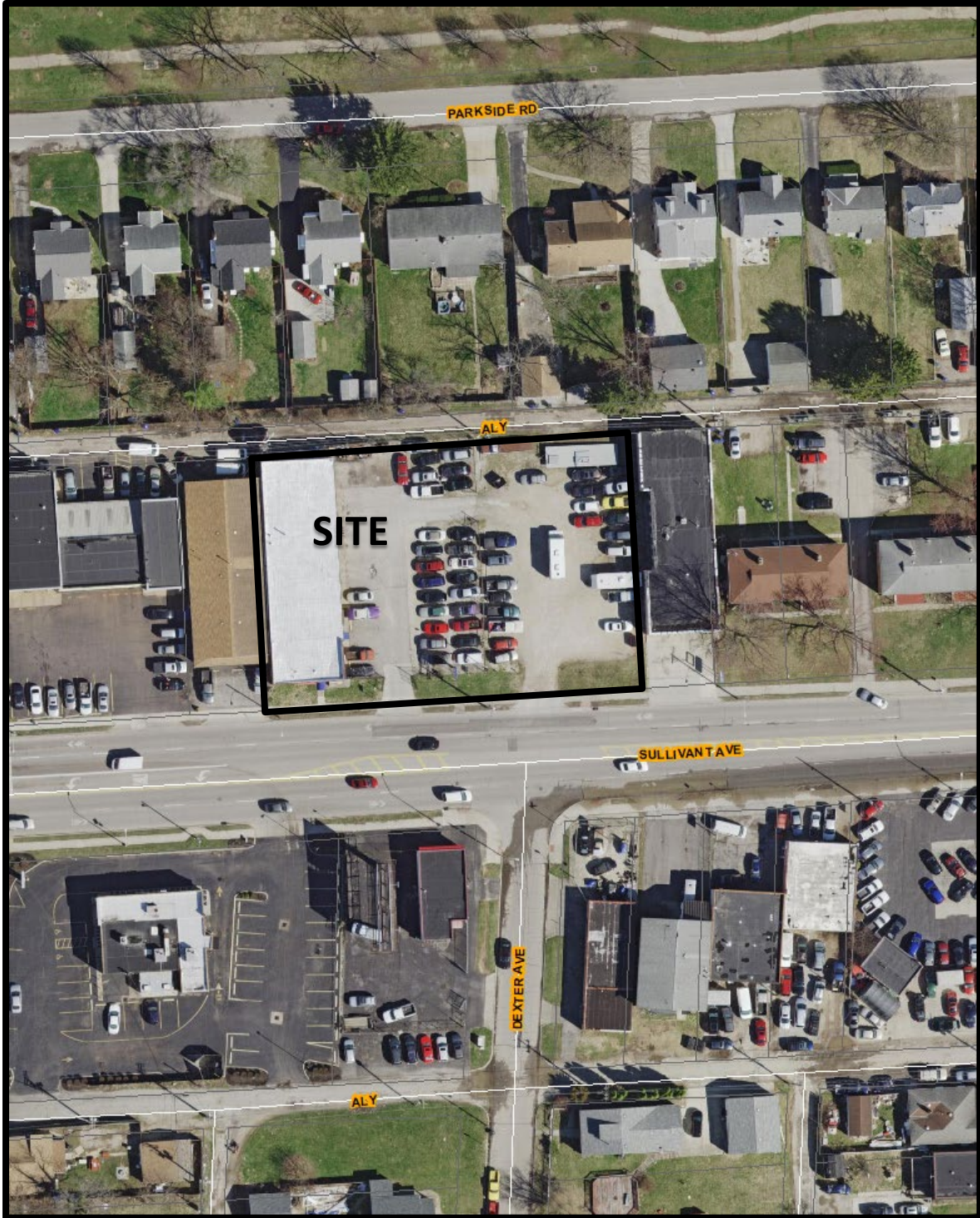
Granting this variance will not impair, or alter in any way, the adequate supply of light and air to the adjacent properties or unreasonably increase the congestion of public streets; increase the danger of fires; endanger the public safety; or unreasonably diminish or impair the public health, safety, comfort, morals or welfare of the inhabitants of the City of Columbus.



CV21-064  
3374 Sullivant Ave.  
Approximately 0.68 acres



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3374 Sullivan Ave.  
Approximately 0.68 acres



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# Standardized Recommendation Form

111 N. Front Street, Columbus, Ohio 43215

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DEPARTMENT OF BUILDING AND ZONING SERVICES

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

Case Number: CV21-064

Address: 3374 Sullivan Avenue

Group Name: Greater Hilltop Area Commission

Meeting Date: 7/6/2021

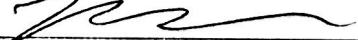
- Specify Case Type:
- BZA Variance / Special Permit
  - Council Variance
  - Rezoning
  - Graphics Variance / Plan / Special Permit

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

**NOTES:**

No noted community opposition. Recommended that approval based on painting of containers.

Vote: 13-2

Signature of Authorized Representative:   
SIGNATURE

Greater Hilltop Area Commission Zoning Chair  
RECOMMENDING GROUP TITLE

614-364-6486  
DAYTIME PHONE NUMBER

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



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**PROJECT DISCLOSURE STATEMENT**

APPLICATION #: CV21-064

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) Craig Moncrief  
of (COMPLETE ADDRESS) Plank Law Firm, LPA, 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 (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)

<p>1. Shifflet Enterprises, Inc. 4329 Alkire Road, Columbus, Ohio 43204 1</p>	<p>2.</p>
<p>3.</p>	<p>4.</p>

Check here if listing additional parties on a separate page.

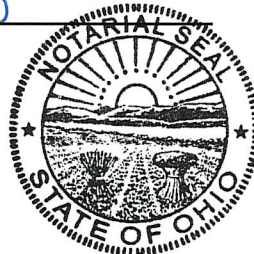
SIGNATURE OF AFFIANT *[Signature]*

Sworn to before me and signed in my presence this 22nd day of March, in the year 2022

*Lynette Mapes*  
SIGNATURE OF NOTARY PUBLIC

8/10/24  
My Commission Expires

Notary Seal Here



Lynette Mapes  
Notary Public, State of Ohio  
My Commission Expires 08-10-24

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