

CV12-051



COUNCIL VARIANCE APPLICATION

City of Columbus, Ohio - Department of Building & Zoning Services
757 Carolyn Avenue, Columbus, Ohio 43224 - Phone: 614-645-7433 - www.columbus.gov

STATEMENT OF HARDSHIP

Chapter 3307 of the Columbus Zoning Code
Section 3307.10 Variances by City Council

- A. Permit a variance 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 or unusual hardships 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 the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus.

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.

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 requested as detailed below:

Please see attached Hardship Statement.

Signature of Applicant

Michael B. Coleman

Date

9/28/2012

PLEASE NOTE: incomplete information will result in the rejection of this submittal.
For all questions regarding this form and fees please call: 614-645-4522
Please make all checks payable to the Columbus City Treasurer

JOHNSON & FISCHER INC.
499 DERRER ROAD
COLUMBUS, OHIO 43204

STATEMENT OF HARDSHIP

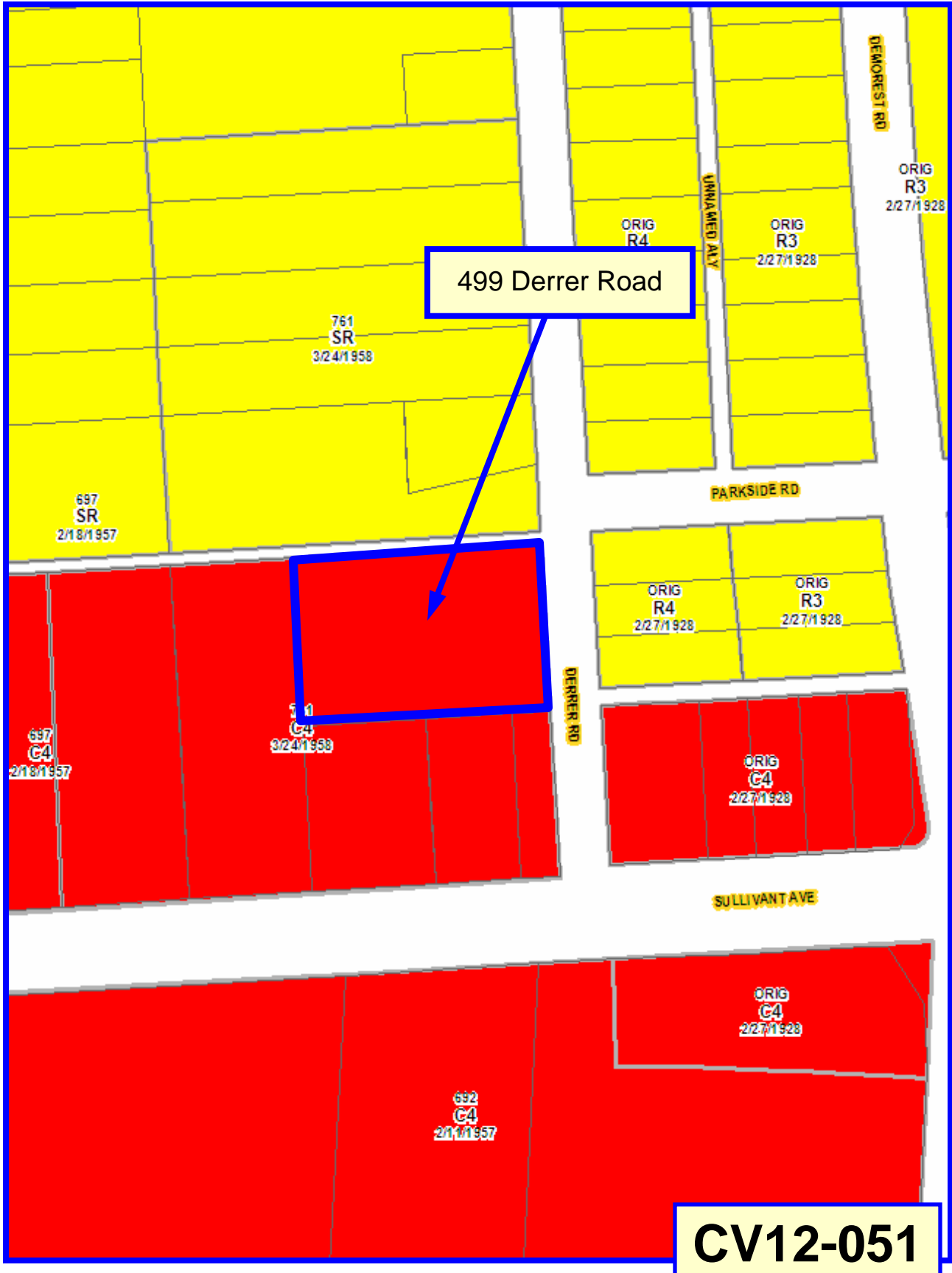
Johnson & Fischer Inc., (hereafter "Applicant") is the owner of the subject property at 499 Derrer Road, Columbus, Ohio 43204. Applicant is a painting company currently located at 5303 Trabue Road, Columbus, OH 43228.

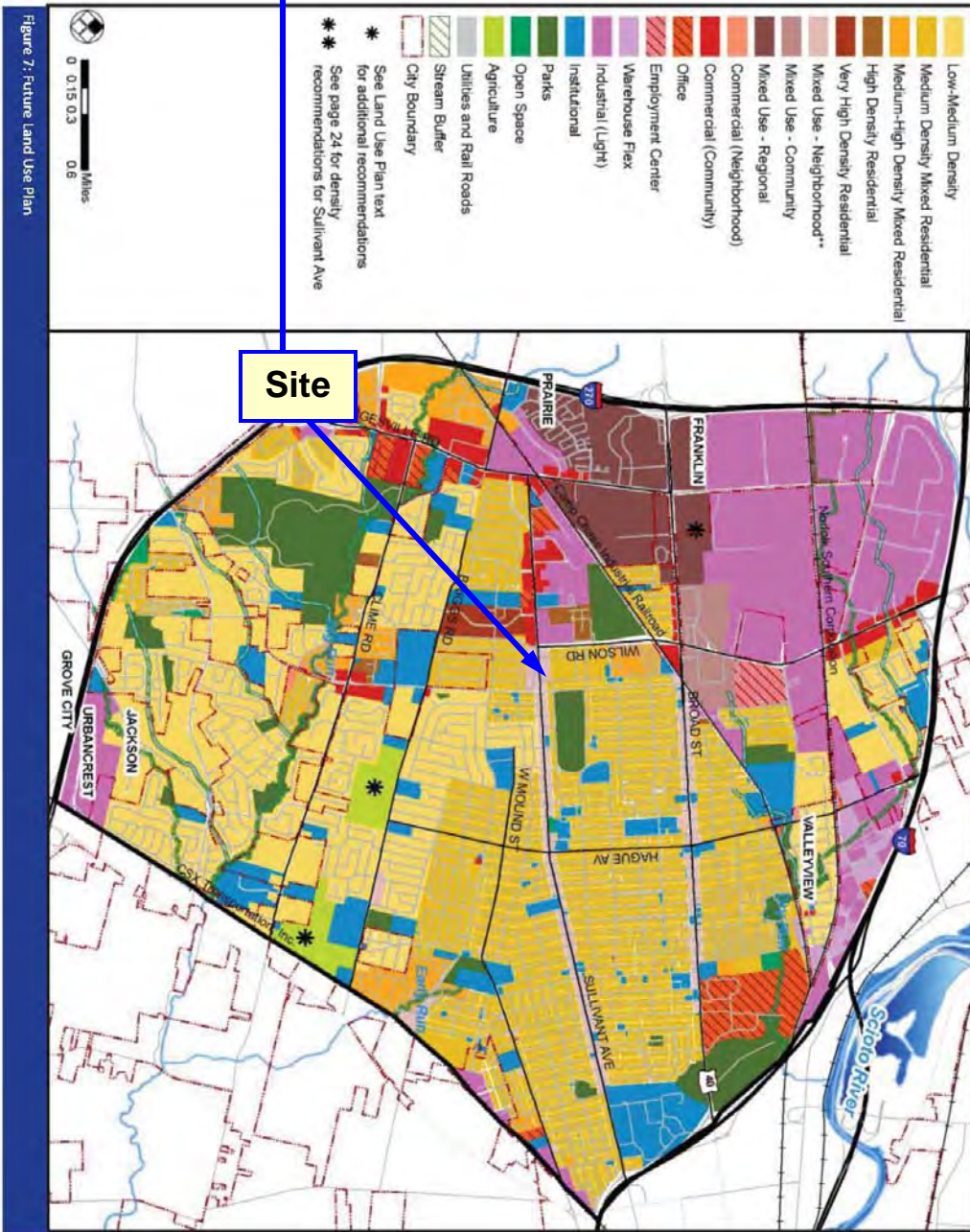
The subject property is currently zoned C-4. City Council granted a Council Variance (#CV05-015) in July of 2005 to permit a storage building associated with a contractor's office in the C-4 Commercial District. Thereafter, the Applicant developed a 78' x 41' building on the property. Since that time, the applicant leased the property to Excellent Arborists Tree Service, a tree cutting service. The tenant operates its business out of the building and the nature of the tenant's business requires outdoor storage of company trucks, vehicles, chippers, log splitters and other equipment. The tenant is also storing wood outdoors. Since the tenant's storage of equipment and wood is on an unimproved service, a variance is needed from Columbus City Code § 3312.43.

The Applicant faces hardship if the tenant is not permitted to continue to store its business equipment and wood outdoors on the unimproved service. If the tenant is unable to use the property for its business, it will be forced to relocate. The tenant currently has 3 employees and will potentially purchase the property if permitted to continue its current use.

The property is not located directly on Sullivant Avenue, and thus the property is not conducive to a traditional C-4 commercial use. Additionally, a retail use of the property would undoubtedly cause more traffic and would thus be detrimental to the neighboring properties. The intended use of the subject property is no more intrusive than existing commercial uses in the area. Due to the nature of the commercial zoning, the proposed use will not adversely affect the surrounding properties. The proposed use will not create an increased risk of fire or pose a danger to public safety. The proposed use will not increase traffic in the area and will not diminish property values in the surrounding areas.

Granting the use variance will have a positive impact on the neighborhood. The proposed continued use of the subject property will sustain the tax value of the subject property and the tax revenue to the City. The Applicant respectfully requests that City Council grant the variance to permit the above described use of the subject property.







499 Derrer Road

CV12-051



REZONING APPLICATION

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STANDARDIZED RECOMMENDATION FORM

FOR USE BY: AREA COMMISSIONS / CIVIC ASSOCIATIONS / ACCORD PARTNERS

GROUP NAME GREATER HILLTOP AREA COMMISSION MEETING DATE 2/5/2013
CASE NUMBER CV12-051/12315-0000-00587 Case Type Council Variance Rezoning
ZONING ADDRESS 499 DERRER ROAD 43204 APPLICANT JANSON + FISHER INC.
PERSON[S] REPRESENTING APPLICANT AT MEETING DARCY SHAFER, ATTY FOR APPLICANT

CONDITIONS REQUESTED BY GROUP (Add continuation sheet if needed)

Area Commission see note at the bottom.

Applicant Response

	Yes	No
1. _____	<input type="checkbox"/>	<input type="checkbox"/>
2. _____	<input type="checkbox"/>	<input type="checkbox"/>
3. _____	<input type="checkbox"/>	<input type="checkbox"/>
4. _____	<input type="checkbox"/>	<input type="checkbox"/>
5. _____	<input type="checkbox"/>	<input type="checkbox"/>
6. _____	<input type="checkbox"/>	<input type="checkbox"/>
7. _____	<input type="checkbox"/>	<input type="checkbox"/>
8. _____	<input type="checkbox"/>	<input type="checkbox"/>

Recommendations

Approval Disapproval Conditional approval (list conditions and applicant response above)

Explain the basis for the Approval, Disapproval or Conditional Approval below (Add continuation sheet if needed.)

Recommending Commission / Association / Accord Partner Vote: For 13 Against 0

Signature / Title of Authorized Representative Myra Jaze, CO-CHAIR ZONING COMMITTEE, VICE-CHAIR SAAC

Daytime Phone Number 614-653-7653

NOTE TO AREA COMMISSIONS: Ordinances sent Council will contain only recommendations for "Approval" or "Disapproval". Recommendations for "Conditional Approval" will be treated as "Disapproval". If, at the time the ordinance is sent to Council, any condition that has checked "No" on the *Standardized Recommendation Form* has not been resolved as documented in writing by the recommending body or party.

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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.

APPLICATION # CV12-051

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] Darcy A. Shafer, Esq.

Of [COMPLETE ADDRESS] 39 East Whittier Street, Columbus, Ohio 43206
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 formats

- Name of business or individual
- Business or individual's address
- Address of corporate headquarters
- City, State, Zip
- Number of Columbus based employees
- Contact name and number

1. Johnson & Fisher Inc. 5303 Trabue Road Columbus, Ohio 43228 29 Employees Tonyia Ward, Office Manager, 614-276-8868	2. Robert Johnson 1120 Josiah Morris Road London, Ohio 43140 Cell 614-554-2995
3.	4.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 25th day of June, in the year 2013

SIGNATURE OF NOTARY PUBLIC

My Commission Expires: _____

Notary Seal Here



Renee J. Davis
Notary Public, State of Ohio
My Commission Expires 04-12-2016

This Project Disclosure Statement expires six months after date of notarization.

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Applications must be submitted by appointment. Call 614-645-4522 to schedule.
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