



## 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

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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.

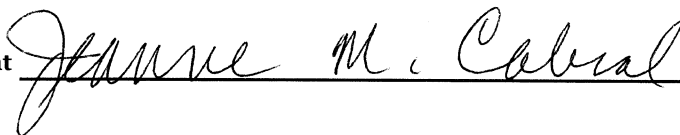
**List all sections of Code to be varied and explain your reasoning as to why this request should be granted.**

**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):**

See attached Statement of Hardship.

Signature of Applicant



Date 6-20-21

**Jeanne Cabral, Architect**  
**2939 Bexley Park Road**  
**Columbus, OH 43209-2236**  
**614-239-9484 Office**  
**614-537-2654 Cell**  
**614-754-5113 Fax**  
[jeannecabral@aol.com](mailto:jeannecabral@aol.com)

**3-12-22**

**STATEMENT OF HARDSHIP:**  
**2671 PALMETTO ST.**  
**PARCEL 010-053726**  
**R-3 ZONING**

The subject property is currently zoned R-3. Located on the property, at the corner of S. Warren Ave. and Palmetto St., are a two story two family house built in 1928 and a commercial building with two apartments above which was constructed in 1913.

As constructed, the commercial building sits on the lot line along the alley, Palmetto and the property line to the south. The commercial building faces Palmetto and access to the two apartments are via stairs located in the backyard of the house. As is typical of a building in a neighborhood of this age, the subject property does not have surface parking spaces, and there is no available space on the subject property for such parking. Grade constraints (the land slopes up steeply from Palmetto to the yard) do not allow placement of a dumpster for the commercial business anywhere but where it is now located on the parcel.

The first floor of the building has historically been used for a retail use. The second floor has been historically used for residential uses as there are two apartments on the second floor.

The applicant is requesting this Council Variance in order to allow for the first floor of the building on the subject property to continued to be used for the operation of a store with retail sale of goods and products, including the sale of food and beverages for offsite consumption. Uses such as office would be allowed. There will be a fenced outside storage area for recyclables. The second floor of the subject property will remain residential use (there are currently two occupied living units on the second floor). There will be no new construction on the site. The applicant will maintain the existing structure in the location shown on the site plan.

In order to fulfill the intended use of the property by the applicant, the applicant requests the following variances:

1. Variance from Section 3332.035(A) to permit two apartments on the second floor of the existing mixed use building at the rear of the property, a retail use or office to be

operated in the existing building in the rear of the subject property, to allow for retail sale of goods and products from the first floor of the subject property building facing Palmetto, including the sale of food and beverages for offsite consumption and to allow a 60 square foot outdoor, fenced storage for the retail use for recyclables in containers. To allow the residential building facing S. Warren Ave. to continue to operate as a two family building.

2. Variance from Section 3312.49 Off-street parking: To reduce the required off-street parking spaces from 13 to 0.

3. Variance from Section 3321.05(B)(1) the required 10 ft. Vision Clearance to be reduced to 0 as the building is existing and is built to the northeast corner of the lot along the property lines.

4. Variance to Section 3332.13, R-3 area district requirements, requires each single-unit dwelling or other principal building to have a lot of no less than 5,000 square feet; where as a 2-unit dwelling and a mixed use building are located on a lot that is 5,063 square feet.

5. Variance from 3332.22, to reduce the required building setback line from 9 feet to zero feet to accommodate the existing building, which is located on the subject property lot line (as shown on the attached site plan). and a dumpster located at 1'-10" setback.

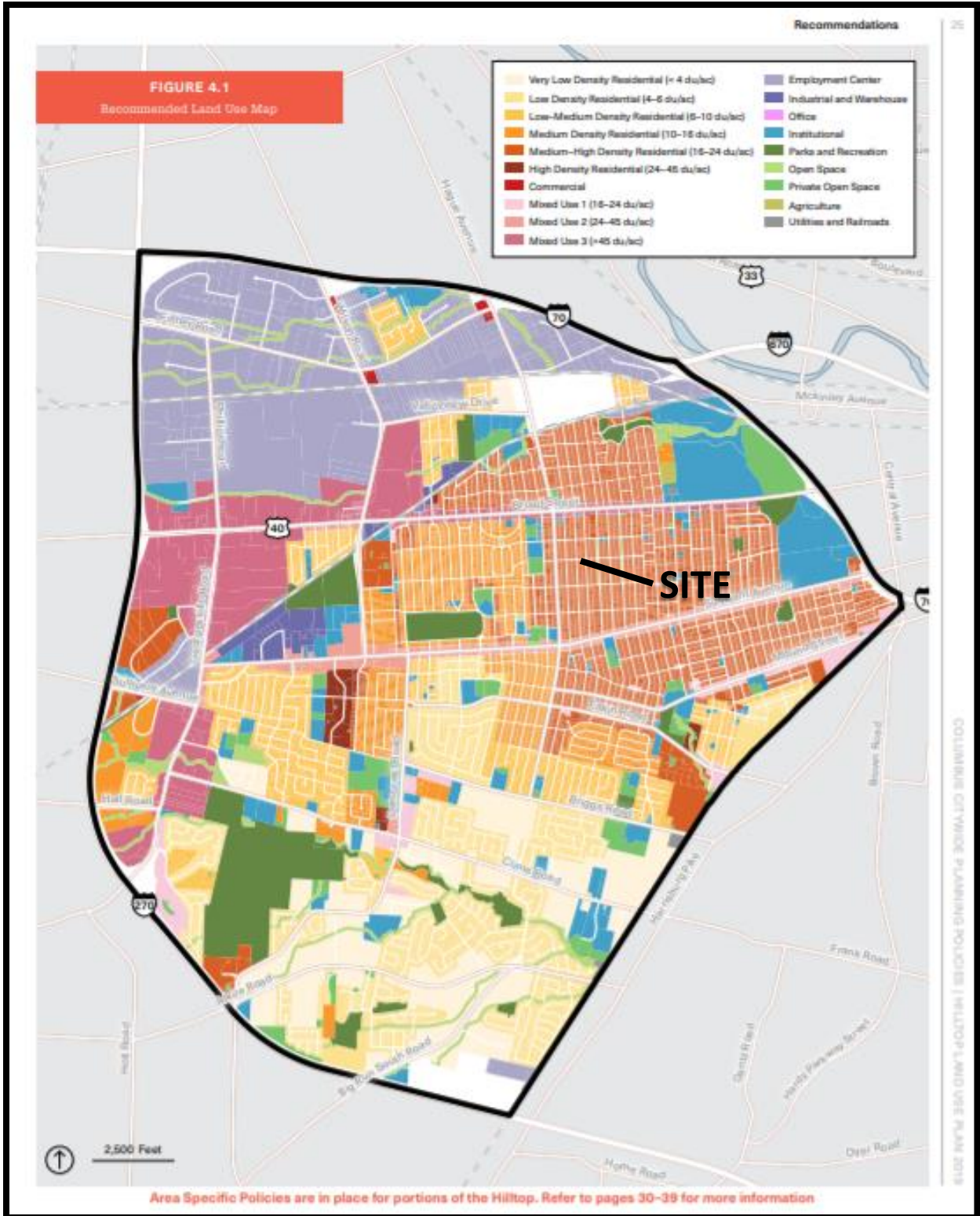
6. Variance from Section 3332.26 to reduce the minimum side yard requirement from 5 feet to zero (0) feet for the east side yard of the mixed use building to conform the current building location.

7. Variance to Section 3332.27 Rear Yard: Each dwelling, residence or principal building shall be erected so as to provide a rear yard totaling no less than 25 percent of the total lot area, whereas the existing mixed use building has 0% rear yard.

The proposed variances will not have any significant impact on the existing conditions of the site as no construction on the site will occur with respect to the requested variances and the dumpster location does not face a major thoroughfare and is a longtime existing condition. The proposed variances will not be injurious to neighboring properties or contrary to public interest or the intent and purpose of the City of Columbus Zoning Code, nor will the proposed variances impair the supply of light, endanger the public safety, or unreasonably diminish or impair public health, safety, comfort or welfare of City of Columbus residents.

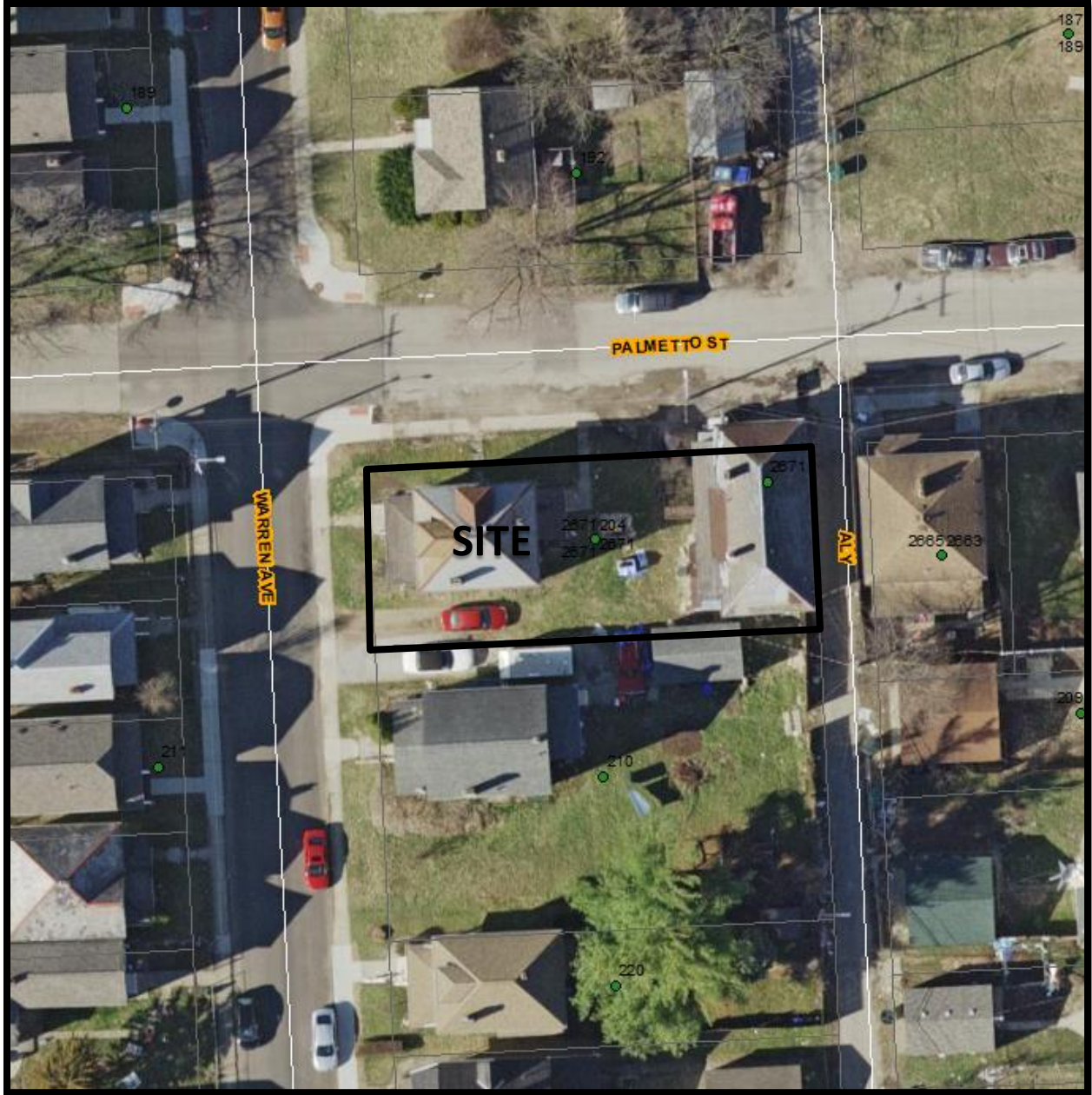


CV21-075  
2671 Palmetto St.  
Approximately 0.116 acres



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# Standardized Recommendation Form

111 N. 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: CV21-075

Address: 2671 PALMETTO ST.

Group Name: GREATER HILLTOP AREA COMMISSION

Meeting Date: 9/7/20201

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:**

Final site plan fits neighborhood and is generally a historic existing condition

Vote: 12-1

Signature of Authorized Representative: 

SIGNATURE

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 #: CV21-075

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) Jeanne M. Cabral, Architect  
of (COMPLETE ADDRESS) 2939 Bexley Park Rd. Columbus, OH 43209  
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. Sufian Ahmed 347-833-0185 2671 Palmetto St. sufianchaudhry@hotmail.com Cols, OH 43204 (4 employees)</p>	<p>2.</p>
<p>3.</p>	<p>4.</p>

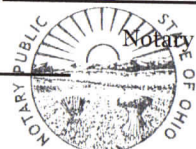
Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT Jeanne M Cabral

Sworn to before me and signed in my presence this 27 day of MARCH, in the year 2023

SIGNATURE OF NOTARY PUBLIC [Signature]

3/7/2027  
My Commission Expires



CHRISTOPHER SPANN  
Notary Public  
State of Ohio  
My Comm. Expires  
March 7, 2027

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