

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

APPLICATION: CV24-155
Location: 616 E. WHITTIER ST. (43206), being 0.08± acres located at the northeast corner of East Whittier Street and Ann Street (010-030146; Columbus South Side Area Commission).
Existing Zoning: C-4, Commercial District.
Proposed Use: Automobile storage.
Applicant(s): Jared Bock; 931 Strimple Avenue; Columbus, OH 43229.
Property Owner(s): Rivendell Properties LLC; 2813 Bexley Park Road; Columbus, OH 43209.
Planner: Eastman Johnson; 614-645-7979; roejohnson@columbus.gov

BACKGROUND:

- The site consists of one parcel developed with a commercial garage in the C-4, Commercial District. The site is subject to Violation 24470-06907 for parking or keeping inoperable vehicles. The requested Council variance will allow automobile storage with a reduction in required parking, dumpster area, and storage.
- A Council variance is requested to vary required parking, dumpster area, and storage requirements of the commercial garage.
- To the north, east, and west of the site are single and two-unit dwellings in the R-2F, Residential District. To the south is a single-unit dwelling in the C-4, Commercial District.
- The site is within the planning boundaries of the *Near Southside Plan* (2011), which recommends “Commercial (Neighborhood)” land uses at this location. Additionally, the Plan includes complete adoption of the *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018).
- The site is located within the boundaries of the Columbus South Side Area Commission, whose recommendation is for approval.
- Staff concurs with the applicant’s analysis of the seven practical difficulties in achieving this proposed development.

CITY DEPARTMENTS’ RECOMMENDATION: Approval

The requested Council variance will allow automobile storage with reduced development standards. Staff supports the proposal as it is consistent with the *Near Southside Plan’s* recommendation and the mesh screening is a mitigating factor that is consistent with C2P2 Design Guidelines.

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

THIS WILL ALLOW THE PROPERTY TO MAINTAIN ITS CURRENT
USE AND AID THE BUSINESS BY ALLOWING MORE PARKING
AND TEMPORARY VEHICLE STORAGE AS A MECHANIC SHOP

2. Whether the variance is substantial.

☒ Yes ☐ No

THIS ALLOWS THE BUSINESS TO FUNCTION EFFICIENTLY WITHOUT
FORCING EXPENSIVE OFFSITE CAR STORAGE

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

NO CHANGE IN USE JUST ALLOWS MORE TEMPORARY PARKING

THE CITY OF
COLUMBUS
ANDREW J. GINTHER, MAYOR

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

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

NO CHANGE

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

PURCHASED AS SAME USE, NO KNOWLEDGE OF PARKING
RESTRICTIONS

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

PARKING ISSUE ONLY SOLVED BY ALLOWING TEMP PARKING

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

WOULD ALLOW THE BUSINESS TO FUNCTION PROPERLY

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

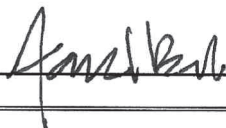
NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are not included, a new application (and applicable fees) will be required.

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):

3356.03 C-4 PERMITTED USE

TO ALLOW FOR TEMPORARY VEHICLE STORAGE AS A SECONDARY
USE.

Signature of Applicant

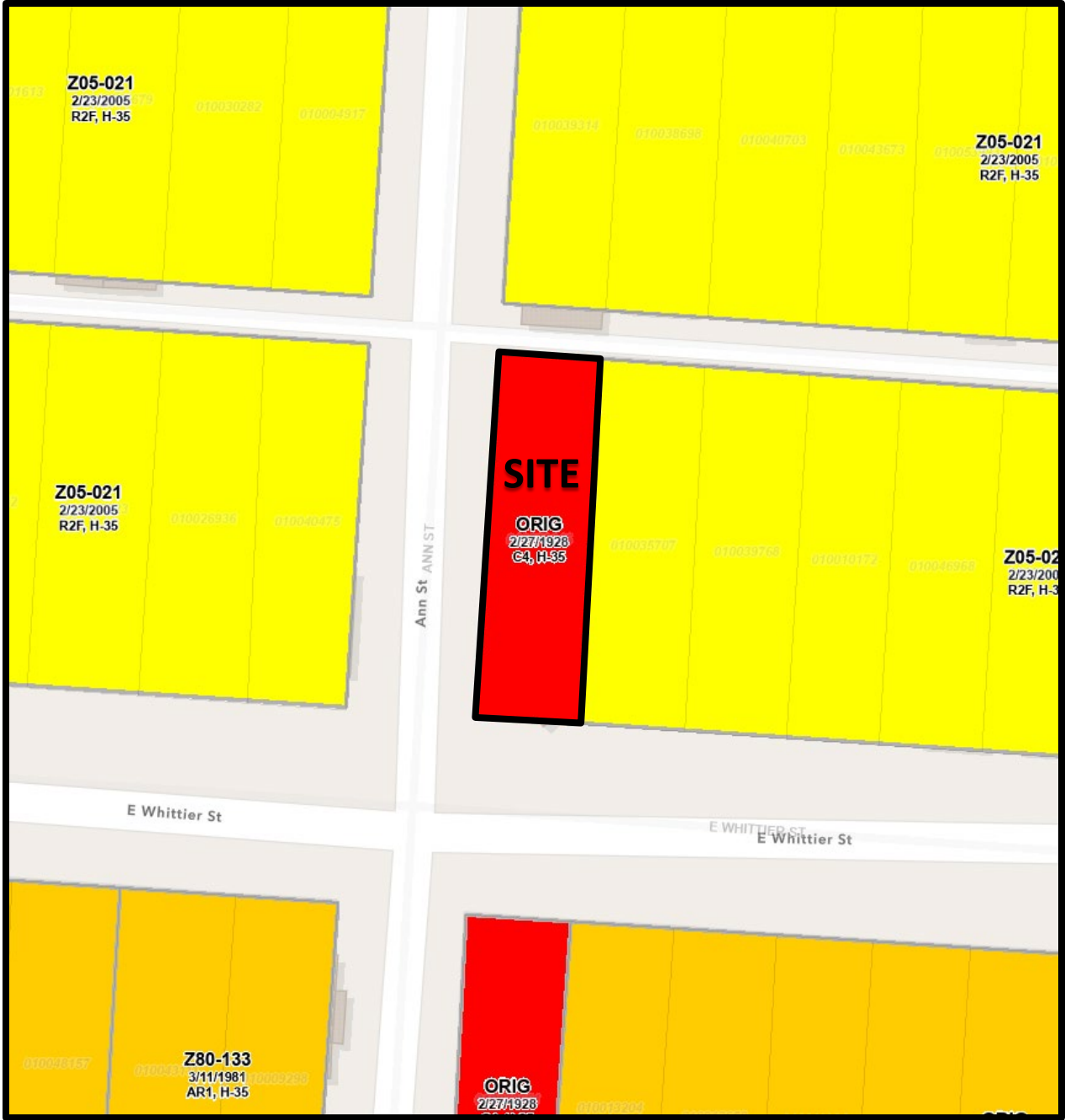


Date

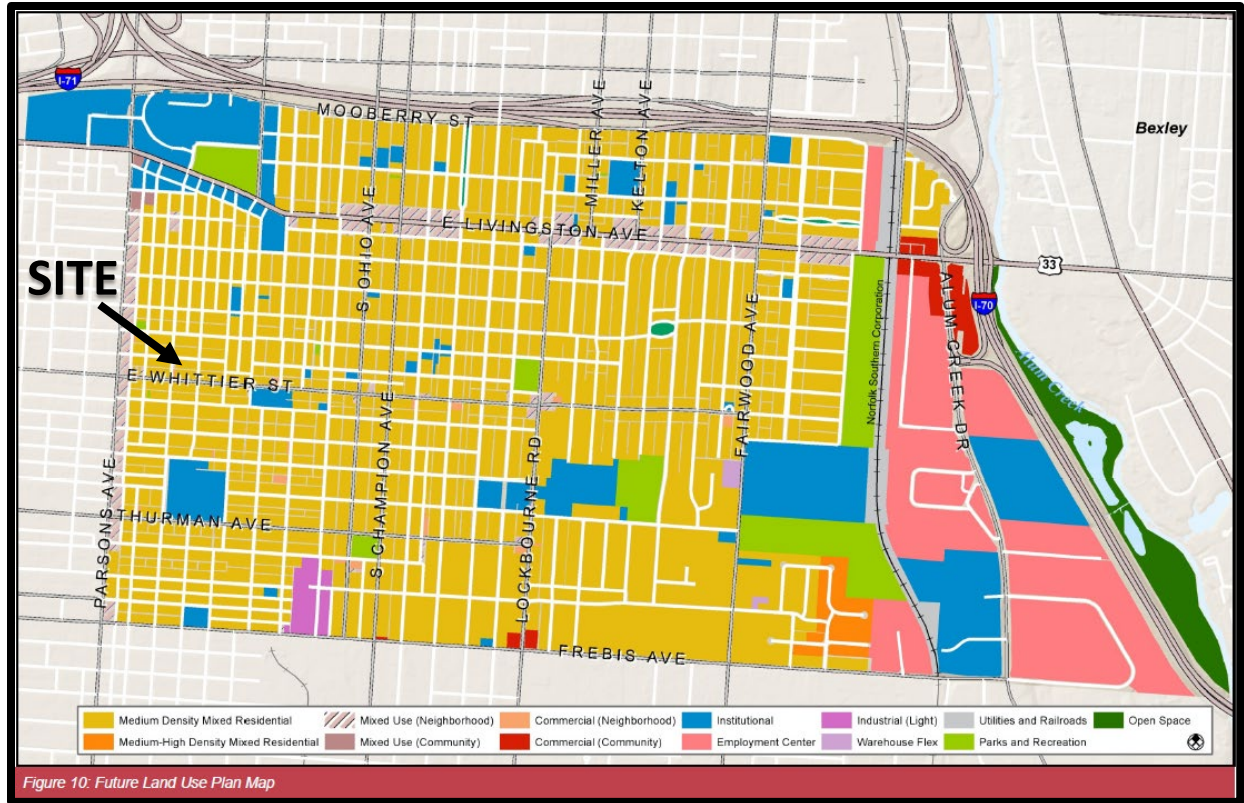
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Variances Requested

1. [Section 3356.03](#), C-4 permitted uses, prohibits the storage of automobiles with no dealership located on-site, while the applicant proposes storage of in-operable automobiles waiting to be serviced, as shown on the submitted site plan.
2. [Section 3363.41\(A\)](#), Storage, requires the open storage of materials located at a minimum of 100 feet from any residential or apartment residential district, and at least 30 feet from any street right-of-way line and not less than 20 feet from other lot line, while the applicant proposes reduced setbacks of 1 foot and 10 inches west, 36 feet south, and 37 feet and 9 1/8 inches east of the R-2F district, and 0 feet from the street right-of-way line of Ann Street, and 0 feet east, 1 foot and 10 inches west, 28 feet south, and 40 feet north of internal lot lines, as shown on the submitted site plan.
3. [Section 3312.49\(C\)](#), Required parking, requires 1 parking space per 450 square feet of general office space and 2 spaces per service bay, or a total of 2 spaces for a 672 square foot office, and 6 spaces for 3 service bays, while the applicant proposes 0 parking spaces for office space and service bays.
4. [Section 3321.01](#), Dumpster area, requires that a dumpster not be located in any required yard and screened from all sides, while the applicant proposes a dumpster to be located within the required rear yard and eastern side yard, and not screened as there the entire storage area will be screened, as shown on the submitted site plan



CV24-155
616 E. Whittier St.
Approximately 0.08 acres



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FOR USE BY: AREA COMMISSION / NEIGHBORHOOD GROUP
(PLEASE PRINT)

Case Number	<u>CV24-155</u>
Address	<u>616 E. WHITTIER ST.</u>
Group Name	<u>COLUMBUS SOUTH SIDE AREA COMM.</u>
Meeting Date	<u>February 25, 2025</u>
Specify Case Type	<input type="checkbox"/> BZA Variance / Special Permit <input checked="" type="checkbox"/> Council Variance <input type="checkbox"/> Rezoning <input type="checkbox"/> Graphics Variance / Plan / Special Permit
Recommendation (Check only one)	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Disapproval

LIST BASIS FOR RECOMMENDATION:

Area commissioners voted to approve the amended site plan and variance list.
The addition of fencing should alleviate some neighborhood concerns.

Vote	<u>9-0-0</u>
Signature of Authorized Representative	<u>Kathryn F. Green</u> <small>Digitally signed by Kathryn F. Green Date: 2025.02.25 20:23:04 -05'00'</small>
Recommending Group Title	<u>Zning Chair</u>
Daytime Phone Number	<u>614-565-1476</u>

Please **e-mail** this form to **the assigned planner within 48 hours of meeting day**; OR **MAIL** to: Zoning, City of Columbus, Department of Building & Zoning Services, 111 N Front Street, Columbus, Ohio 43215.

THE CITY OF
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PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV24-155

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) Annette Hilaman

of (COMPLETE ADDRESS) 616 E Whittier St, Columbus Ohio 43206

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. Rivendell Properties LLC Bob Rife 614-537-3506 535 West Broadway Granville, Ohio 43023 0	2. Rivendell Properties LLC Kim Rife 614-327-8604 535 West Broadway Granville, Ohio 43023 0
3-	4-

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

SIGNATURE OF AFFIANT

Annette P. Hilaman

Sworn to before me and signed in my presence this

22nd

day of

November

, in the year

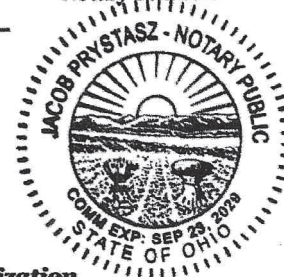
2024

SIGNATURE OF NOTARY PUBLIC

Sept 23rd, 2029

My Commission Expires

Notary Seal Here



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