

# Council Variance Application

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.

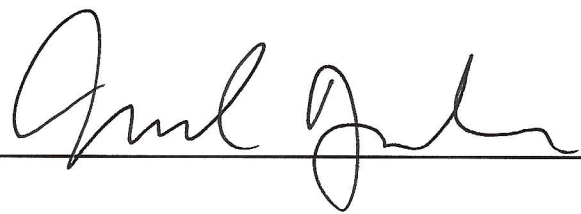
In granting a variance pursuant to this section, council may impose such requirements and conditions regarding the location, character, duration, and other features of the variance proposal as council deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the 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

Signature of Applicant  Date 4/10/23

STATEMENT OF HARDSHIP

The subject property is currently zoned ARLD. Pursuant to utility records, the building has been vacant for over 20 years. Utilizing the Historic Property Record Card, the subject property has been utilized as a Commercial type-of-use, dating back to 1928, most recently a Retail Convenient Store.

The applicant is requesting this Council Variance to allow for Commercial Office as an allowable Use on the property. This Variance is requested as the current 1,600 SF structure, if modified to meet ARLD as its sole-approved-use, creates challenges when maintaining the integrity of the current original structure, in addition to parking, and setbacks from Maclee Alley and Oak Street.

I feel our variance request is reasonable given the previous property historic type of use. I feel the Commercial Office type of use will not result in any greater intensity of use, with hours of operation primarily during normal business hours, no weekends. Required parking is provided on the property to meet the Commercial Office requirement (1: 450 SF). The property will be owner-occupied, which is an asset to the community.

PARCEL NUMBER 010-016979-00  
1291 OAK STREET, COLUMBUS OH 43205  
ZONED MULTIFAMILY ARLD  
NEAR EAST AREA COMMISSION

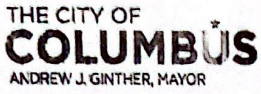
PROPOSED VARIANCE: SECTION 3333.02 Allowable Uses. A Variance is requested to allow for the property to be used for the operation of a Commercial Office.



CV23-039  
1291 Oak St.  
Approximately 0.10 acres



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Approximately 0.10 acres



# Standardized Recommendation Form

DEPARTMENT OF BUILDING AND ZONING SERVICES

111 N Front Street, Columbus, Ohio 43215  
Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

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

Case Number CV23-039

Address 1291 E Oak Street

Group Name NEAC

Meeting Date 06/08/23

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

Recommendation (Check only one)  
 Approval  
 Disapproval

**LIST BASIS FOR RECOMMENDATION:**

Vote 12-0-0

Signature of Authorized Representative Nath S R. Utter

Recommending Group Title Vice-Chair

Daytime Phone Number 614-753-3894

Please e-mail this form to the assigned planner within 48 hours of meeting day; OR FAX to Zoning at (614) 645-2463; OR MAIL to: Zoning, City of Columbus, Department of Building & Zoning Services, 111 N Front Street, Columbus, Ohio 43215.

**PROJECT DISCLOSURE STATEMENT**

APPLICATION #: CV23-039

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) MICHAEL ZALLER  
of (COMPLETE ADDRESS) 170 FRANKLIN AVE, WORTHINGTON OHIO 43085

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)

1. <u>OAK STREET BUILDING, LLC</u> <u>170 FRANKLIN AVE</u> <u>WORTHINGTON, OH 43085</u> <u>MICHAEL ZALLER - 440.463.4053</u>	2.
3.	4.

Check here if listing additional parties on a separate page.

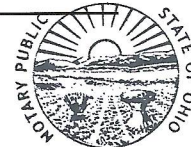
SIGNATURE OF AFFIANT [Signature]

Sworn to before me and signed in my presence this 19 day of April, in the year 2023

SIGNATURE OF NOTARY PUBLIC [Signature]

My Commission Expires 4-28-27

Notary Seal Here  
HOPE ALLEN  
Notary Public  
State of Ohio  
My Comm. Expires  
April 28, 2027



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