

Board of Zoning Adjustment Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

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

OFFICE USE ONLY

Application Number: _____ Date Received: _____
Application Accepted by: _____ Fee: _____
Commission/Civic: _____
Existing Zoning: _____
Comments: _____

TYPE(S) OF ACTION REQUESTED (Check all that apply):

- Variance Special Permit

Indicate what the proposal is and list applicable code sections:

LOCATION

Certified Address: _____ City: _____ Zip: _____

Parcel Number (only one required): _____

APPLICANT (If different from Owner):

Applicant Name: _____ Phone Number: _____ Ext.: _____

Address: _____ City/State: _____ Zip: _____

Email Address: _____ Fax Number: _____

PROPERTY OWNER(S) Check here if listing additional property owners on a separate page

Name: _____ Phone Number: _____ Ext.: _____

Address: _____ City/State: _____ Zip: _____

Email Address: _____ Fax Number: _____

ATTORNEY / AGENT (Check one if applicable): Attorney Agent

Name: _____ Phone Number: _____ Ext.: _____

Address: _____ City/State: _____ Zip: _____

Email Address: _____ Fax Number: _____

SIGNATURES (All signatures must be provided and signed in **blue** ink)

APPLICANT SIGNATURE _____

PROPERTY OWNER SIGNATURE _____

ATTORNEY / AGENT SIGNATURE _____

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.
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BZA APPLICATION CHECKLIST

The application package must consist of TWO (2) COMPLETE SETS of all items listed below, one of which must contain the original signed forms.

- The Application Form**
- Statement in Support**
- Notarized Affidavit Form and Label Sets**
- Notarized Project Disclosure Statement**
- Certified Address for Zoning Purposes** ("Zoning Number")
A certified "Zoning Number" can be obtained at the Columbus Department of Public Service, Division of Infrastructure Management. Contact: OneStopPlans@columbus.gov or 111 N. Front Street, 1st floor, Columbus, Ohio 43215, (614)645-5661.
- Legal Description of the Subject Property**
Current property survey to include acreage of the subject property and all metes and bounds, referencing the centerline intersection of two public streets (acceptance of subdivision lot numbers with corresponding plat map copies is contingent upon staff review).
- Power of Attorney**
If you are an applicant who does not own the subject property, and you are not the owner's attorney, an engineer or an architect licensed by the State of Ohio, you must submit a power of attorney from the owner. If the subject property is owned by a partnership, corporation, limited liability company, trust or estate, and you are not an attorney, an engineer, or an architect licensed by the State of Ohio, you must submit a corporate resolution, a letter of authority from the probate court, or other legal document indicating your right to represent its interest.
- Site Plan**
An accurate, scaled site plan with dimensions and/or other precise documentation of requested variance(s) on 8-1/2" x 11" paper. If a measurable scale can't be read on 8-1/2" x 11", then please provide 24" x 36" plans.
- Zoning Orders**
If this application is being made due to the issuance of zoning violation orders, please attach a copy of the orders.
- Application Fees (Non-Refundable)**
Checks are to be made payable to: Columbus City Treasurer
1-4 dwelling units, for residential uses \$ 300.00
All other uses \$1,500.00

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STATEMENT IN SUPPORT OF VARIANCE(S)

APPLICATION #

3307.09 Variances by Board.

- A.** The Board of Zoning Adjustment shall have the power, upon application, to grant variances from the provisions and requirements of this Zoning Code (except for those under the jurisdiction of the Graphics Commission and except for use variances under the jurisdiction of the Council). The board shall take into account all of the following facts and conditions when considering variances:
 - 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.
 - 2. Whether the variance is substantial.
 - 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.
 - 4. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse service).
 - 5. Whether the property owner purchased the property with knowledge of the zoning restriction.
 - 6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.
 - 7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.
- B.** In granting a variance, the Board may impose such requirements and conditions regarding the location, character, and other features of the proposed uses or structures as the Board deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard public safety and welfare.
- C.** Nothing in this section shall be construed as authorizing the Board to affect changes in the Zoning Map or to add to the uses permitted in any district.

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 demonstrates practical difficulty as contemplated by that section, in the following ways (use separate page if needed or desired):

Signature of Applicant _____ **Date** _____

STATEMENT IN SUPPORT OF SPECIAL PERMIT REQUEST

APPLICATION #

3307.06 Special Permits.

The board of zoning adjustment shall have the power:

- A.** To grant special permits for uses listed in Chapter 3389 where it is shown that the special use can be granted without substantial detriment to the public good, without substantial impairment of the general purpose and intent of the zoning district in which the use is proposed to be located, and without significant incompatibility with the general character of the neighborhood.
- B.** To grant special permits for the relocation or expansion of nonconforming uses, where it can be shown that the relocation or expansion of the nonconforming use can be granted without substantial impairment of the general purpose and intent of the underlying zoning district, and without significant incompatibility with the general character of the neighborhood. No expansion of a nonconforming use shall exceed 50 percent of the total floor area the original nonconforming use occupied.
- C.** To impose such requirements and conditions regarding the location, character, and other features of the proposed uses or structures as the board deems necessary to carry out the intent and purpose of the Zoning Code and to otherwise safeguard the public safety and welfare.
- D.** Upon application by the city attorney, to revoke any special permit whose condition has been violated after notice and opportunity to conform have been given.
- E.** To grant special permits for the relocation or expansion of nonconforming uses, where it can be shown that the relocation or expansion of the nonconforming use can be granted without substantial impairment of the general purpose and intent of the underlying zoning district, and without significant incompatibility with the general character of the neighborhood. No expansion of a nonconforming use shall exceed 50 percent of the total floor area the original nonconforming use occupied.

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

PLEASE NOTE: It is the applicant's responsibility to identify the Special Permit required for the project. If the necessary Special Permit is not requested, 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 meets the requirements of Section 3307.06 in the following ways (use separate page if needed or desired):

Signature of Applicant _____ **Date** _____

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AFFIDAVIT

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn **(1)** NAME _____
of **(1)** MAILING ADDRESS _____

deposes and states that (he/she) is the applicant, agent, or duly authorized attorney for same and the following is a list of the name(s) and mailing address(es) of all the owners of record of the property located at

(2) per ADDRESS CARD FOR PROPERTY _____

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on **(3)** _____

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME **(4)** _____
AND MAILING ADDRESS _____

APPLICANT'S NAME AND PHONE # _____
(same as listed on front application) _____

AREA COMMISSION OR CIVIC GROUP **(5)** _____
AREA COMMISSION ZONING CHAIR _____
OR CONTACT PERSON AND ADDRESS _____

and that the attached document **(6)** is a list of the **names** and **complete mailing addresses**, including **zip codes**, as shown on the **County Auditor's Current Tax List or the County Treasurer's Mailing List**, of all the **owners of record of property within 125 feet** of the exterior boundaries of the property for which the application was filed, **and** all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property

(7) SIGNATURE OF AFFIANT _____

Sworn to before me and signed in my presence this _____ day of _____, in the year _____

Notary Seal Here

(7) SIGNATURE OF NOTARY PUBLIC

My Commission Expires

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INSTRUCTIONS FOR AFFIDAVIT

- (1) Name and address of the person who did the research. It is important that the person who does the research is the same person who signs the notarized affidavit.
- (2) Address of the subject as indicated on the address card from the Department of Public Service, Division of Infrastructure Management; Phone (614) 645-5661.
- (3) Leave blank - we will fill this out at the time of application.
- (4) From real property records located on the 19th floor of the Franklin County Court House Building, 373 South High Street, or other applicable government records; enter the name and address of the owner(s) of the property the application is for (this must be the same as the "Property Owners" shown on the application).
- (5) Fill in the appropriate Area Commission/Civic Association and complete contact information. Contact the Department of Neighborhoods at 614-645-1993 or go to www.columbus.gov/areacommissions/ to confirm this information.
- (6) A "Variance Report" listing the surrounding property owners can be obtained at the Franklin County Auditor's office. Similar reports can also be obtained on the applicable County Auditor website. From the same records as in Item #4, enter the name and complete the mailing address (including zip code) of the owners of all property located within 125 feet of the subject site or the boundaries of ownership in the event that one or more property owners of the subject site owns contiguous property. This shall include properties across the street and in other municipalities and jurisdictions, if applicable. Also, include the owners of any property within 125 feet of the applicant's property in the event the applicant or the property owner of the subject site owns the property contiguous to the subject property.
 - (6a) It is the affiant's responsibility to determine the actual address, including personally visiting the properties, if necessary.
 - (6b) **DO NOT list a mortgage company as a mailing address** for the property unless title to the property is held by the mortgage company, thereby making the company the actual property owner. It is the affiant's responsibility to exercise reasonable diligence to determine the address of the actual property owner.
 - (6c) For owner-occupied dwelling units, please also include "or Current Occupant" after the owner(s) name.
 - (6d) If property owners appear on the list more than once, please provide only one mailing label.
- (7) **Please submit 1 sticker label set in Avery #5160 format (example provided), plus 1 master set on paper, plus 1 master set saves as an MS Word document on a storage device or e-mailed to staff in advance of filing, listing the names and complete addresses of the applicant; the property owner(s) plus one (1) master set on paper, listing the names and complete addresses of the applicant; the property owner(s); attorney/agent; applicable Area Commission or neighborhood group; and surrounding real property owners as explained in (6) above. Make sure that the last two lines of the address label contain the street address and the city, state, and zip code.**
- (8) This Affidavit form must be signed in the presence of a Notary Public.
- (9) The Affidavit expires six (6) months after date of notarization.

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EXAMPLE LABEL SET

APPLICANT	PROPERTY OWNER	ATTORNEY
ACME Inc. C/O Brad Clark 555 Main Street Anytown, USA 10000	Jeffrey Jackson 430 Main Street Anytown, USA 10000	John W. Smith Law Office LP 123 Main Street Anytown, USA 10000
AREA COMMISSION OR NEIGHBORHOOD GROUP		
Civic Group c/o Zoning Chair Person 100 Main Street Anytown, USA 10000		
	SURROUNDING PROPERTY OWNERS	
Jeffrey Johnson/or current occupant 430 Main Street Anytown, USA 10000	Robert Miller/or current occupant 425 Main Street Anytown, USA 10000	Jane Lewis/or current occupant 429 Main Street Anytown, USA 10000
Country Snaps LP/or current occupant c/o Shopping Centers Inc. 355 Town Street Anytown, USA 10000	Joel and Carla Nelson/ or current occupant 434 Main Street Anytown, USA 10000	Susan Griffin/or current occupant 505 High Street Anytown, USA 10000

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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 # _____

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) _____
of (COMPLETE ADDRESS) _____

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 and their mailing addresses:

NAME

COMPLETE MAILING ADDRESS

NAME	COMPLETE MAILING ADDRESS

SIGNATURE OF AFFIANT _____

Sworn to before me and signed in my presence this _____ day of _____, in the year _____

Notary Seal Here

SIGNATURE OF NOTARY PUBLIC

My Commission Expires

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PUBLIC HEARINGS APPLICATION INSTRUCTIONS

Call 614-645-4522 to schedule an appointment. All applications must be submitted in **duplicate**.

THINGS TO REMEMBER

- Applications are accepted by appointment only, and incomplete applications will NOT be accepted.
- 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.
- Applicants must confirm whether the subject site lies within the boundaries of an Area Commission, Historic Architectural Review Commission or recognized civic association. Information can be obtained at <https://www.columbus.gov/areacommissions/>; search by address for Area Commission or click the link at the bottom of the page for the civic association listing. You may also contact the Department of Neighborhoods at 614-645-1993 to confirm the area where the site is located. The applicant must arrange to meet with the group identified above, and obtain a written recommendation prior to the public hearing. The applicant must arrange to meet with the group identified above, and obtain a written recommendation prior to the public hearing.
- Be advised that the applicant will be assessed additional fees for requests for tabling, reconsideration, amended proposals, etc. These fees are listed on the Department of Building and Zoning Services website.
- The City of Columbus makes no determination whether a property contains area(s) that might be classified as wetlands by the Army Corps of Engineers and the Ohio Environmental Protection Agency; nor does approval at the public hearing imply the site has complied with wetlands guidelines. It is the applicant's responsibility to determine if wetlands exist on the site.
- A traffic impact and/or access study may be required by the Department of Public Service, Division of Traffic Management; the applicant should make contact for this determination as early as possible. All traffic studies must be submitted forty-five (45) days prior to the deadline for the public hearing agenda.
- The Development Department Planning Division, as part of the rezoning or variance process, reviews applications for consistency with adopted city plans. As part of that review, detailed information such as a site plan or building elevations may be requested. These materials are not necessarily required as part of the rezoning or variance application, but may be requested as part of the application review. Contact the Planning Division at planninginfo@columbus.gov or 614-724-4437 for more information.
- For properties undergoing annexation, applications cannot be accepted until the County Commissioners have approved the annexation petition.
- All zoning legislation passed by City Council becomes effective thirty (30) days after passage unless amended to emergency with the approval of the City Clerk's Office and Zoning Chair. Applicants should contact the City Clerk's Office at 614-645-7380 for information about requesting emergency legislation. Building permits will not be issued until the legislation is effective. Board of Zoning Adjustment and Graphics Commission actions are effective immediately.
- Other permits, clearances, and/or licenses may be required.

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Applications must be submitted by appointment. Call 645-4522 for Public Hearings staff to schedule.

CUTOFF

November 13, 2018
December 17, 2018
January 22, 2019
February 19, 2019
March 18, 2019
April 15, 2019
May 20, 2019
June 17, 2019
July 15, 2019
August 19, 2019
September 16, 2019
October 21, 2019
November 18, 2019
December 16, 2019

HEARING DATE

(Earliest Possible)

January 22, 2019
February 26, 2019
March 26, 2019
April 23, 2019
May 28, 2019
June 25, 2019
July 23, 2019
August 27, 2019
September 24, 2019
October 22, 2019
November 26, 2019
December 16, 2019
January 28, 2020
February 25, 2020

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FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW

Case Number _____

Address _____

Group Name _____

Meeting Date _____

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

- Recommendation** **Approval**
(Check only one) **Disapproval**

NOTES:

Vote _____

Signature of Authorized Representative _____

Recommending Group Title _____

Daytime Phone Number _____

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.

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