



# BOARD OF ZONING ADJUSTMENT APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services  
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • [www.columbus.gov](http://www.columbus.gov)

OFFICE USE ONLY

Application Number: 11310-00000-00388  
Date Received: \_\_\_\_\_  
Commission/Group: \_\_\_\_\_  
Existing Zoning: \_\_\_\_\_ Application Accepted by: \_\_\_\_\_ Fee: \_\_\_\_\_  
Comments: \_\_\_\_\_

## TYPE(S) OF ACTION REQUESTED

(Check all that apply)

☒ Variance ☐ Special Permit

Indicate what the proposal is and list applicable code sections. State what it is you are requesting.

We want to request variance to code 3332.38 B to exceed the  
height requirement for detached garages to 22'6"

## LOCATION

1. Certified Address Number and Street Name 272 Fallis Rd  
City Columbus State Ohio Zip 43214  
Parcel Number (only one required) 010-071512-00

## APPLICANT: (IF DIFFERENT FROM OWNER)

Name Sharon McNeil  
Address 370 Charleston Ave City/State Columbus Ohio Zip 43214  
Phone # 6142679530 Fax # 4745613 Email Justgarages@hotmail.com

## PROPERTY OWNER(S):

Name David Grier Lynn Markle  
Address 272 Fallis Rd City/State Columbus Oh Zip 43214  
Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email \_\_\_\_\_  
☐ Check here if listing additional property owners on a separate page.

## ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

☐ Attorney ☐ Agent

Name NA  
Address \_\_\_\_\_ City/State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email: \_\_\_\_\_

## SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE Sharon McNeil  
PROPERTY OWNER SIGNATURE David Grier Lynn Markle  
ATTORNEY / AGENT SIGNATURE \_\_\_\_\_

**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



# CITY OF COLUMBUS

## DEPARTMENT OF BUILDING AND ZONING SERVICE

### One Stop Shop Zoning Report Date: Thu Jul 21 2011

Zoning General Inquiry: 614-645-8637

#### SITE INFORMATION

**Address:** 272 FALLIS RD COLUMBUS OH 43214

**Mailing Address:** 1 FIRST AMERICAN WAY  
WESTLAKE, TX 76262

**Owner:** GIVLER DAVID J TR MARKLE LYNN E T

**Parcel Number:** 010071512

#### ZONING INFORMATION

**Zoning:** ORIG, Residential, R3  
effective 2/27/1928, Height District H-35

**Council Variance:** N/A

**Board of Zoning Adjustment (BZA):** N/A

**Graphic Commission:** N/A

**Area Commission:** Clintonville Area Commission

**Planning Overlay:** N/A

**Historical District:** N/A

**Historical Site:** No

**Overlay:** N/A

**Flood Zone:** OUT

**Airport Noise Environ:** N/A

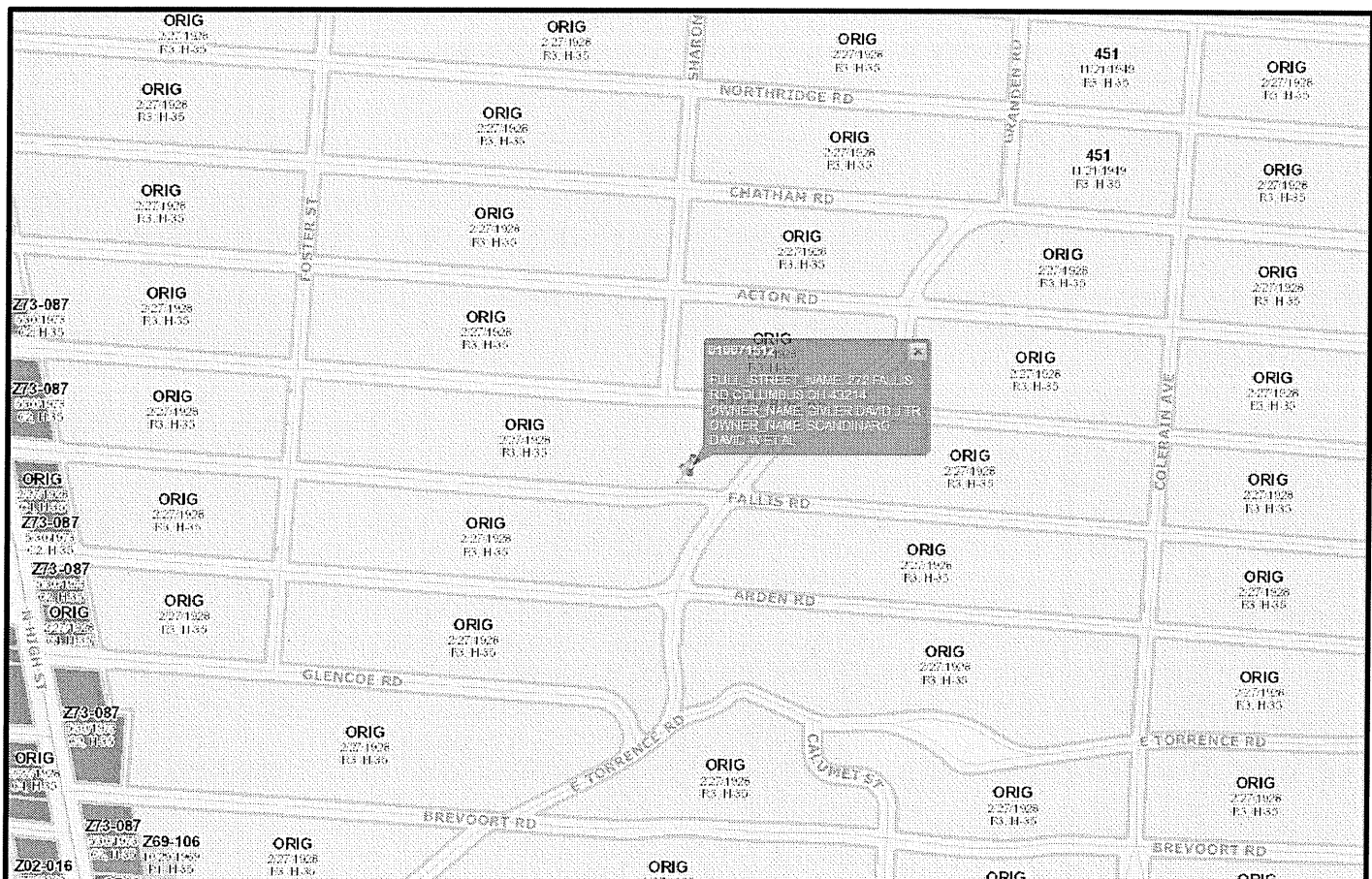
#### PENDING ZONING ACTION

**Zoning:** N/A

**Board of Zoning Adjustment (BZA):** N/A

**Council Variance:** N/A

**Graphic Commission:** N/A



Power Of Attorney

X I, Lynn Markle and David Givler,  
Owners of 272 Fallis Road Columbus, Ohio 43214, Give Shawn  
McNeil the power to represent us in the matter of obtaining a  
variance for the above mentioned property for the September, 2011  
BZA hearing.



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## AFFIDAVIT

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Shawn McNeil  
of (1) MAILING ADDRESS 376 Charleston Ave Columbus Ohio 43214  
deposed 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 the 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  
AND MAILING ADDRESS

(4) David Gader Lynn Markle  
272 Ellis Rd  
Columbus Ohio 43214

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

Shawn McNeil 614 267 9530

AREA COMMISSION OR CIVIC GROUP  
AREA COMMISSION ZONING CHAIR OR  
CONTACT PERSON AND ADDRESS

(5) Clintonville Area Commission  
John DeLourney

and that the following 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:

(6) PROPERTY OWNER(S) NAME (6A) ADDRESS OF PROPERTY (6B) PROPERTY OWNER(S) MAILING ADDRESS

☐ (7) Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 18 day of July, in the year 2011

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:



WILLIAM R. DIEHL  
Notary Public, State of Ohio  
My Commission Expires 02-09-2015

(8) [Signature]  
(8) [Signature]  
2/9/15

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## STATEMENT OF HARDSHIP

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). No variance shall be granted unless the Board finds that all of the following facts and conditions exist:
1. That special circumstances or conditions apply to the subject property that does not apply generally to other properties in the same zoning district.
  2. That the special circumstances or conditions are not the result of the actions of the property owner or applicant.
  3. That the special circumstances or conditions make it necessary that a variance be granted to preserve a substantial property right of the applicant which is possessed by owners of other property in the same zoning district.
  4. That the grant of a variance will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of this Zoning Code.
- 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 the 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.

I have read Section 3307.09, Variances by Board, and believe my application for relief from the requirements of the Zoning Code satisfies the four criteria for a variance in the following ways:

*See attached sheet*

Signature of Applicant

*Jh* *me*

Date

*7/15/11*

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David Givler

Statement of hardship:

272 Fallis Road.

Columbus, Ohio 43214

David Givler has found the need for to demolish his badly deteriorating, detached garage and construct a new garage which compliments the neighborhood and his home. His design requirements include; lots of storage, accessibility and an exterior design that blends well with the property. In order to achieve these goals, the design includes a roof pitch that exceeds the 15' limitation and reaches 22' in height. The zoning code establishes criteria to allow the height limitation to be exceeded if a site is located in an architectural review district. A general policy has been derived from code 3332.38 G to support cases involving architectural compatibility only. Similar variances have been approved by the board when applicants commit to conditions intended to preclude conversion of the additional story to habitable space, and design commitments.



# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: S

DATE: 7/13/11



Disclaimer

Scale = 60



This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

Real Estate / GIS Department







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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) Shawn McNeil  
of (COMPLETE ADDRESS) 370 Charleston Ave. Columbus Ohio 43214  
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                   |
|------------------------|--|
| <u>David J. Gruber</u> | <u>272 Fellis Rd. Columbus, Ohio 43214</u> |
| <u>Lynn E. Markle</u>  | <u>272 Fellis Rd Columbus, Ohio 43214</u>  |
|                        |  |
|                        |  |
|                        |  |
|                        |  |
|                        |  |
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|                        |  |

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 18 day of July, in the year 2011

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

2/9/15

Notary Seal



WILLIAM R. DIEHL  
Notary Public, State of Ohio  
My Commission Expires 02-09-2015

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