



COUNCIL VARIANCE APPLICATION

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

STATEMENT OF HARDSHIP

Chapter 3307 of the Columbus Zoning Code
Section 3307.10 Variances by City Council

- A. Permit a variance 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 or unusual hardships 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 the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus.

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.

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 requested as detailed below:

See attached.

Signature of Applicant

Date

5/22/12

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

Statement of hardship

Applicants request a Council Variance to permit the continued use of a retail space in The Red Stable (223 E Kossuth St.) and a B&B in the house (820 S 5th St.). The property is currently zoned R-2F, and the City of Columbus Code Section 3332.037, R-2F, Residential District prohibits retail and B&B use without a variance.

1) The Red Stable, 223 E Kossuth St.

Applicants request to re-establish the prior variance for the same use, but to remove/update certain conditions, including:

- a. Remove the single owner clause,
- b. Remove Zoning division review clause,
- c. Update address from 820 S Fifth St. to 223 E Kossuth St.

2) Residence, 820 S Fifth St.

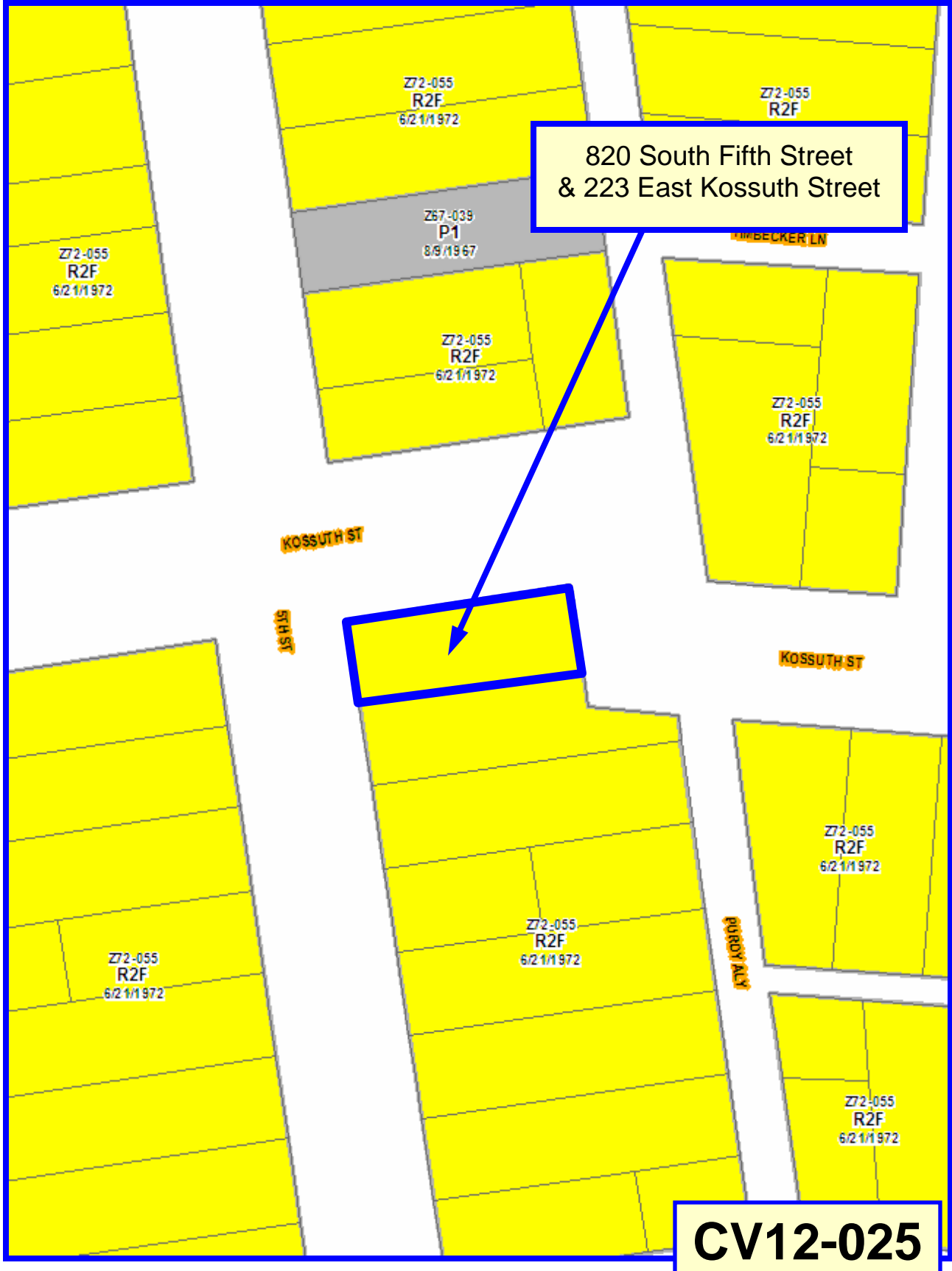
Applicants request a variance to use the house as a 2-3 room, Bed & Breakfast. A B&B is typically located within a residential district so visitors can experience the ambiance and charm of the neighborhood.

Code section 3312.49-C requires 1 parking space per 250 feet of Retail space, or 4.15 total spaces. The B&B requires 1 parking space per 400 square feet, or a total of 3.54 total spaces. Due to the built-up nature of the area, applicants request a variance of 0 parking spaces required. Applicants are actively seeking to obtain off-street parking lease agreements for the B&B and anticipate existing foot traffic from nearby businesses for The Red Stable. Therefore, such operations shall not have an adverse affect on the surrounding properties or neighborhood. The property is adjacent to Schmidt's Restaurant and Schmidt's Fudge Haus. Applicants believe all variance requests will help establish new businesses that will enhance the community and fit into this popular corner of German Village.

The requested variances will not impair an adequate supply of light and air to adjacent properties, unreasonably increase the congestions of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair the public health, safety, comfort, morals or welfare of the inhabitants of the City of Columbus.

City Code Sections varied:

3332.037	R-2F, Residential District. Allow retail & B&B in residential district.
3312.49-C	Minimum number of parking spaces required. 8 parking spaces required, request 0.
3332.05-4	Area District Lot Width Requirements is 50', request to allow existing lot width of 31.25'.
3332.21-D	Building Lines. Allow existing setbacks of less than 10' along S Fifth St. (dwelling) & E Kossuth St. (Red Stable).
3332.26	Minimum side yard. 5' is required, request 0 for existing structure to be maintained (820 S 5th) along South property line.
3332.27	Rear yard. Allow 15.5% where 25% is required.





820 South Fifth Street
& 223 East Kossuth Street

CV12-025

COPY

BOYCE SAFFORD III
Director

THE CITY OF
COLUMBUS
MICHAEL B. COLEMAN, MAYOR

DEPARTMENT OF
DEVELOPMENT

HISTORIC DISTRICT COMMISSION RECOMMENDATION

GERMAN VILLAGE COMMISSION

This is a recommendation to the appropriate regulatory body as identified per City Code. It is not a zoning clearance or a building permit. This document does not relieve the applicant from the responsibility of filing for and obtaining any required zoning clearance and/or building permit from the City of Columbus Department of Building & Zoning Services (645-6090 / 757 Carolyn Avenue) and following all other applicable codes and ordinances of the City of Columbus.

PROPERTY ADDRESS: 820 South Fifth Street and 223 East Kossuth Street (The Red Stable)

APPLICANT'S NAME: Jeff Smith & Stevo Roksandic (Applicant/Owner)

APPLICATION NO.: 12-8-43a

COMMISSION HEARING DATE: 8-28-12

The German Village Commission hereby certifies that the application for the above referenced property and a copy of this Recommendation are on file with the city's Historic Preservation Office. The Commission has reviewed the application and taken the following action(s) in accordance with Columbus City Code 3116 & 3119.

Variance or Zoning Change Request

- Rezoning
- Parking Variance
- Change of Use
- Lot Split

- Special permit
- Setbacks
- Other: Lot Width
Side yard
Rear yard

TYPE(S) OF ACTION(S) REQUESTED:

Recommend Variance Request #12-8-43a, 820 South Fifth Street and 223 East Kossuth Street, as submitted:

Variance Request

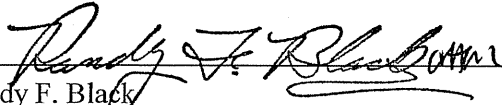
- 3332.037 – Allow commercial use (retail) and a B&B in a residential district.
- 3312.49-C – Reduce parking to 0 (8 required).
- 3332.05-4 – Reduce lot width to 31.25' (50' minimum).
- 3332.21-D – Allow setbacks of less than 10' along South Fifth Street and East Kossuth Street.
- 3332.26 – Reduce minimum side yard to 0' (minimum required is 5').
- 3332.27 – Reduce rear yard to 15.5% of total lot (25% required).

MOTION: Thiell/Durst (5-1-0) [Ours] RECOMMENDED.

RECOMMENDATION:

- RECOMMEND APPROVAL RECOMMEND DENIAL NO ACTION TAKEN

THIS RECOMMENDATION IS FOR CONSIDERATION BY THE DESIGNATED REGULATORY AUTHORITY FOR THE ACTION(S) REQUESTED AS INDICATED.


Randy F. Black
Historic Preservation Officer





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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 # CV12-025

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] Jeff Smith

Of [COMPLETE ADDRESS] 657 Mohawk St., Columbus, OH, 43206

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 formats

- Name of business or individual
- Business or individual's address
- Address of corporate headquarters
- City, State, Zip
- Number of Columbus based employees
- Contact name and number

1. Jeff Smith & Stevo Roksandic <i>Jeff Smith</i> 426 E Kossuth St, Columbus, OH 43206 Contact: Jeff Smith 614-444-5999	2.
3.	4.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 22nd day of July, in the year 2012

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

[Handwritten Signature]

Notary Seal Here

WILLIAM L. CURLIS
Notary Public, State of Ohio
My Commission Expires 09-15-2014

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

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