





CV11-032

Statement of Hardship

745 South Third Street

The applicant seeks to expand the existing Max & Erma's restaurant use located on the parcel to the north, to the south into the residence located on the subject parcel. The south wall of Max & Erma's and the north wall of the residence are abutting. Max & Erma's plans to break through the abutting wall to provide handicap accessible restrooms, and additional seating to be used primarily for overflow and special event seating on the first floor, and office space and a conference room on the second floor, as depicted on the attached floor plans. Currently the restrooms in Max & Erma's are down a set of stairs, are inconvenient, and not handicap accessible, which is the primary motivational factor in this request. The applicant does not plan exterior building modification at this time, they do however understand that any such modification would require review and approval and the grant of a Certificate of Appropriateness from the German Village Commission. Variances necessary to further this interior improvement are:

C.C. 3312.49, Minimum number of parking spaces required.

The restaurant and office expansion into the house would require the provision of 11 off-street parking spaces, where the applicant is requesting to provide zero. The applicant does have an existing lease for parking within the German Village neighborhood. Further, while this restaurant expansion would provide additional restaurant seating, it will do so as an accommodation to its existing customer base. It is doubtful that the provision of this additional space would drive additional demand, but would increase efficiency and lessen table wait times. The office users that would be moved to this location would be accommodated in the existing off-site leased parking area.

C.C. 3332.037, R-2F residential district.

This permitted use section of the R-2F district does not permit restaurant and office use. A variance is requested to permit the restaurant and office expansion.

This request is appropriate to this location and for the German Village neighborhood. This will accommodate the provision of ADA restrooms, overflow seating, and office space for Max & Erma's employees. If granted this will not result in any adverse affect to the surrounding property or surrounding neighborhood. In fact, the owner of the property has faced some difficulty selling the house due to the fact that it is located next to the restaurant. The grant of these variances will not impair an adequate supply of light and air to adjacent properties, 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.

The applicant respectfully requests a recommendation of approval from the German Village Commission and approval from Columbus City Council.

American Blue Ribbon Holdings LLC

Signature of Applicant: By: David Hadd

Date: 10/31/2011



City of Columbus
Mayor Michael B. Coleman

Department of Development
Boyce Safford III, Director

CERTIFICATE OF APPROPRIATENESS
GERMAN VILLAGE COMMISSION

This Certificate of Appropriateness 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: 745 South Third Street
APPLICANT'S NAME: Smith & Hale, LLC (Applicant) American Blue Ribbon Holdings, LLC (Owner)

APPLICATION NO.: 11-12-24 **HEARING DATE:** 12-6-11 **EXPIRATION:** 12-6-12

The German Village Commission hereby certifies that the application for the above referenced property and a copy of this Certificate of Appropriateness 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 & 3325 and the architectural guidelines:

- Approved:** Exterior alterations per APPROVED SPECIFICATIONS
- Recommendation for Approval:** Requested re-zoning/special permit/variance per APPROVED SPECIFICATIONS

APPROVED SPECIFICATIONS:

Recommend approval of the proposed variances for the property located at 745 South Third Street, as submitted:

Variances Requested

- C.C. 3312.49: Minimum number of parking spaces – reduce from the required 11 spaces to 0.
- C.C. 3332.037: R-2F residential district – to permit restaurant and office use in the residential district.

MOTION: Ours/Thiell (7-0-0) RECOMMENDED.

Drawings Required

This Certificate of Appropriateness is only valid for work performed in accordance with the motion so passed and approved by the Commission, and shall accompany plans submitted for zoning clearance and/or building permits.


Randy F. Black
Historic Preservation Officer



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

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 # CV11-032

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] David Hodge

Of [COMPLETE ADDRESS] 37 W. Broad St., Suite 725, Columbus, OH 43215
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. American Blue Ribbon Holdings LLC 400 W. 48th Ave. Denver, CO 80216	2. Aaron Goss 745 S. Third St. Columbus, OH 43206
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 31st day of October, in the year 2011

SIGNATURE OF NOTARY PUBLIC
Natalie C. Timmons
My Commission Expires: 9/4/15



Natalie C. Timmons
Notary Public, State of Ohio
My Commission Expires 09-04-2015

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

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