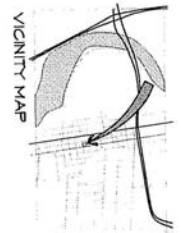




1 SITE PLAN  
SCALE 1:20



**LEGEND**

- PROPERTY LINE
- - - - - RIGHT OF WAY
- ..... PARCELS
- + ELEVATION
- PARKING

**LOT INFO**

PARCEL ID: 010-04356-00  
 ZONE: R20-025, R20-143  
 ACCESSED ACREAGE: 0.151  
 ALSO SQUARE FEET: 11710

SCALE  
As indicated  
PROJECT  
**AO**  
01

PROJECT  
SITE PLAN

DATE OF PREPARATION  
05/11/2012  
REVISIONS

ZONING VARIANCE

**HAUS FRAU HAVEN**  
 GERMAN VILLAGE HOLDINGS LTD.  
 164 SOUTH THIRD STREET COLUMBUS, OHIO 43206

DATE  
05/11/2012

PARKING  
(GRAVEL)

RIGHT OF WAY

30.00'

36.50'

26.00'

155.3

SINGLE FAMILY DWELLING

EAST COLUMBUS ST

109.20'

63.00'

100.00'

LAUNDROMAT

HAUS FRAU

17.25'

24.00'

62.50'

RIGHT OF WAY

82.50'

24.00'

Enlarged Site Detail

153.2

CV12-029



**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](http://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 Statement of Hardship

Signature of Applicant

Date

06.4.12

**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**  
**In Support of Council Variance Request**  
**767 South Third Street, Columbus, Ohio 43206**

This Statement is submitted in support of Applicant's request for a council variance, to permit certain non-conforming site conditions necessary for re-use of the existing property on South Third Street in German Village. Applicant has submitted a Certificate of Appropriateness Application with the German Village Commission and is currently on the agenda for July 10, 2012.

Applicant proposes re-use of the building with a first-floor retail with limited food and beverage service, a Laundromat, and three (3) second-story apartments. This is consistent with the existing use of the subject property. There is currently access to parking for twelve (12) via the rear access from City Park. Applicant will preserve existing street trees.

The property is located within a historic preservation district, under the purview of the German Village Commission. For purposes of the council variance portion of this project, Applicant requests the following Zoning Code variances from Council:

Variance from **C.C.C. §3332.037 (R2F District)**, to allow this mixed-use proposal not otherwise permitted under the blanket R2F zoning district of German Village. The requested "use variance" would permit a first-floor commercial/retail use; specifically, the existing use as a Laundromat and retail facility with the additional use for limited food and beverage service. The current, and permitted, use of residential apartments above the commercial/retail use would remain unchanged.

Variance from **C.C.C. §3312.49 (Minimum Parking Spaces Required)**, to allow reduced onsite parking for this mixed-use building. Twelve (12) parking spaces are accessible from City Park Avenue (located on the immediately adjacent parcel which is owned by the applicant), Two (2) spaces are available via garage access to the single family dwelling, and Six (6) spaces are available on Third Street in front of the subject property (which Applicant pays for) for a total of Twenty (20) spaces available for use by the subject property. As is customary in German Village, additional on-street public parking is available and expected to be utilized for the facility. Most patrons are expected to walk or bike ride, due to the small-scale neighborhood and type of facility proposed. As the use is existing, Applicant does not expect an increase in parking beyond the status quo.

Required Space for Single Family Dwelling = 2  
Required Spaces for Three (3) Residential Apartments = 6  
Required Spaces for 3,969 sq. ft. Retail/Other Commercial = 18  
Retail (1,764 sq ft) = 7  
Food and Drinking (882 sq ft) = 5  
Laundromat (1,323 sq ft) = 6  
Available Dedicated Spaces (excluding public on-street parking) = 20  
Requested Variance = 6

Variance from **C.C.C. §3321.05(B)(2) (Vision Clearance)**, to allow for the current structure to remain in place. The existing building is situated adjacent to a street

intersection and does not meet the requirement that a clear vision triangle shall be maintained on each residential lot adjacent to a street intersection; however, the location of the buildings is consistent with the German Village area.

Variance from **C.C.C. §3332.14 (Area District Requirements)**, to allow for a reduction in lot area requirements such that the current dwellings can remain. The existing single family dwelling and three (3) residential apartments currently sit on a 6,585.5± square foot lot (1 dwelling per 1,646.4 square feet); whereas, the code requires a lot of no less than 3,000 square feet per dwelling.

Variance from **C.C.C. §3332.18(D), (Computing Area)**, to allow for a reduction in the building lot coverage such that existing structures may remain in place. Currently, the existing structures occupy more than the fifty (50) percent lot area limitation found in the code; however, the footprint of the buildings is consistent with the German Village area.

Variance from **C.C.C. §3332.21-22 (Building Lines)**, to allow for the current structures to remain in place. The existing buildings do not meet the requirements for minimum building setback; however, the location of the buildings is consistent with the German Village area.

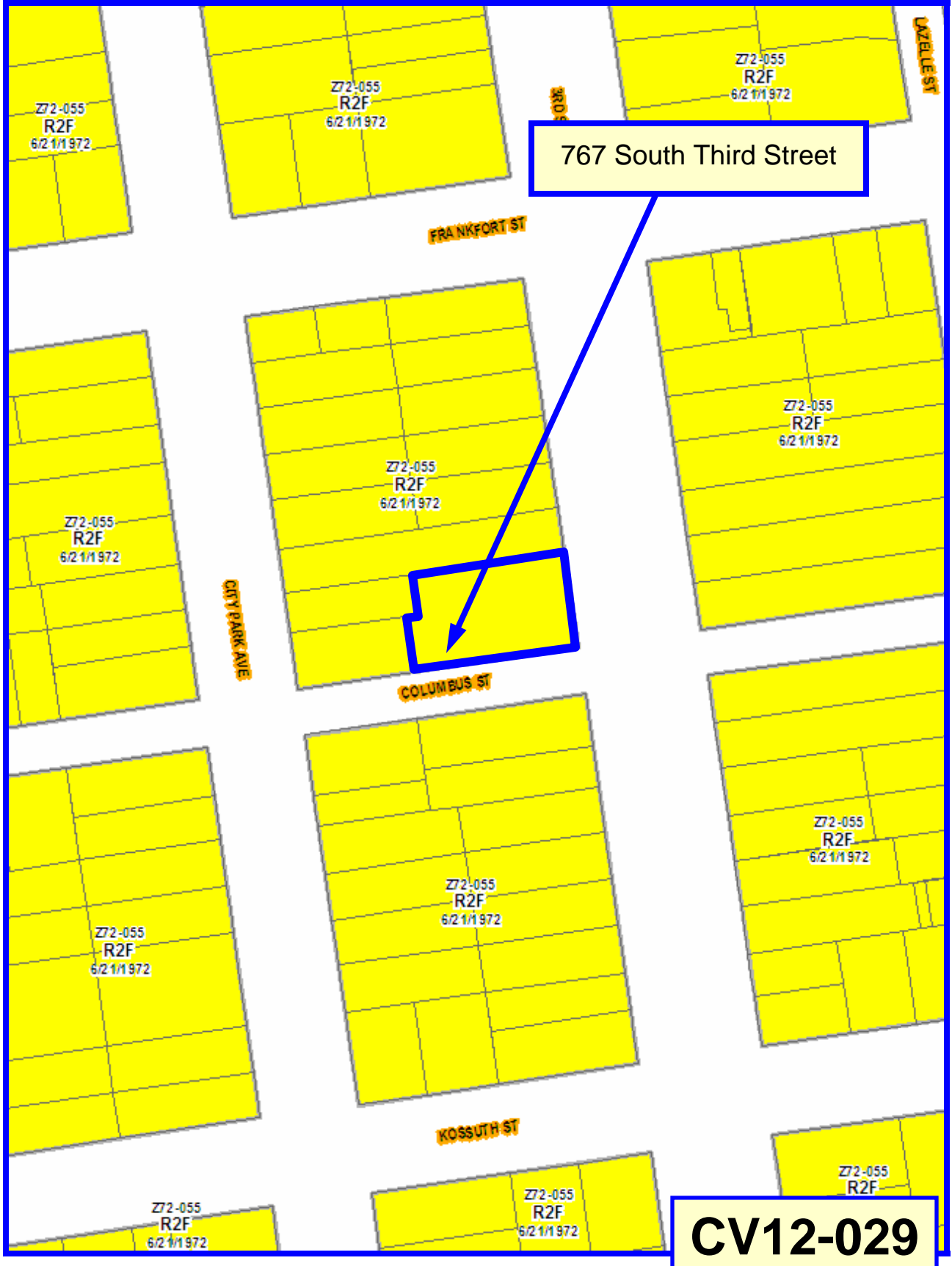
Variance from **C.C.C. §3332.26 (Side Yard)**, to allow for the current structures to remain in place. The existing buildings do not meet the requirements for minimum side yard setback; however, the location of the buildings relative to neighboring properties is consistent with the German Village area.

Variance from **C.C.C. §3332.27 (Rear Yard)**, to allow for the current structures to remain in place. The existing buildings do not meet the requirements for the minimum rear yard area; however, the footprint of the buildings is consistent with the German Village area.

It should be noted that the previous mix of uses in this building - that being first-floor commercial and second-story apartments, would be permitted to continue without a variance today except the tasting bar formerly located in the cellar of the subject property is being relocated and thus requires a variance.

Respectfully submitted,

MADISON & ROSAN, LLP  
Kristin E. Rosan  
Darcy A. Shafer  
39 East Whittier Street  
Columbus, Ohio 43206  
614-228-5600  
614-228-5601  
dshafer@madisonrosan.com  
Counsel for Owner/Applicant







767 South Third Street



CV12-029



City of Columbus  
Mayor Michael B. Coleman

## 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:** 767 South Third Street

**APPLICANT'S NAME:** German Village Holdings, Ltd. (Applicant/Owner)

**APPLICATION NO.:** 12-7-13

**COMMISSION HEARING DATE:** July 10, 2012

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: 3321.05(B)(2)  
3332.14  
3332.18(D)

**TYPE(S) OF ACTION(S) REQUESTED:**

Recommend Variance Request #12-7-13, 767 South Third Street, as proposed, with all clarifications noted:

Variance Request

- C.C. 3332.037 – to allow mixed-use (residential and commercial) in R2-F district.
- C.C. 3312.49 – to reduce required parking to 6 spaces (18 required).
- C.C. 3321.05(B)(2) – to allow building to sit in/block vision triangle at intersection (as existing).
- C.C. 3332.14 – to allow reduction in lot area to 1,646.4 sq. ft. per dwelling (3,000 sq. ft. per dwelling required) (as existing).
- C.C. 3332.18(D) – to allow lot coverage to exceed 50% (as existing).
- C.C. 3332.21-22&26 – to allow reduced building setbacks on front and side yards.
- Conditions agreed to by the applicant:
  1. The food and beverage portion of the business will be open no more than three days a week and operate between the hours of 5:00-10:00 pm on those days.
  2. The retail portion of the business will close no later than 7:00 pm.
  3. The loading zone on Third Street in front of the property will be changed to allow public parking from 5:00-10:00 pm.
  4. The maximum capacity of the food and beverage portion of the business will be limited to no more than 20 people during the hours of operation after the retail shop has closed, 7:00-10:00 pm.
  5. The applicant will add signage to direct patrons to their City Park Avenue parking lot. The design and placement of the signs will be reviewed by the German Village Commission prior to installation.
  6. The applicant will work with and support the neighboring residents on the process to extend permit parking south along South Third Street to at least Kossuth Street.
  7. The applicant agrees to not make the food and beverage portion of the business operational until such a time as items 1 through 5 have been complied with.

**MOTION:** Panzer/Case (6-0-1) RECOMMENDED [Leukart recused].



**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



### 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](http://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 # CV12-029

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] Darcy A. Shafer

Of [COMPLETE ADDRESS] 39 East Whittier Street, Columbus, Ohio 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

<p>1. German Village Holdings, Ltd. 769 South Third Street Columbus, Ohio 43206 No. Employees: 0 614-439-7389</p>	<p>2. German Village Services, Ltd. 769 South Third Street Columbus, Ohio 43206 No. of Employees: 2 614-439-7389</p>
<p>3. Julie D'Elia 769 South Third Street Columbus, Ohio 43206 No. Employees: N/A 614-439-7389</p>	<p>4. Debora Faye Muncie 769 South Third Street Columbus, Ohio 43206 No. Employees: N/A 614-439-7389</p>

Check here if listing additional parties on a separate page.

#### SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 4th day of June, in the year 2012

#### SIGNATURE OF NOTARY PUBLIC

My Commission Expires: 10/29/14



April Norris  
Notary Public, State of Ohio  
My Commission Expires 10-29-2014

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

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