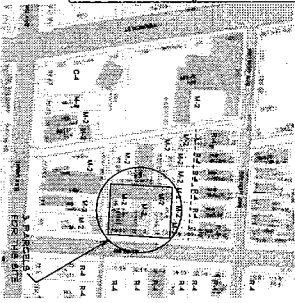


**ZONING AND CODE INFORMATION**

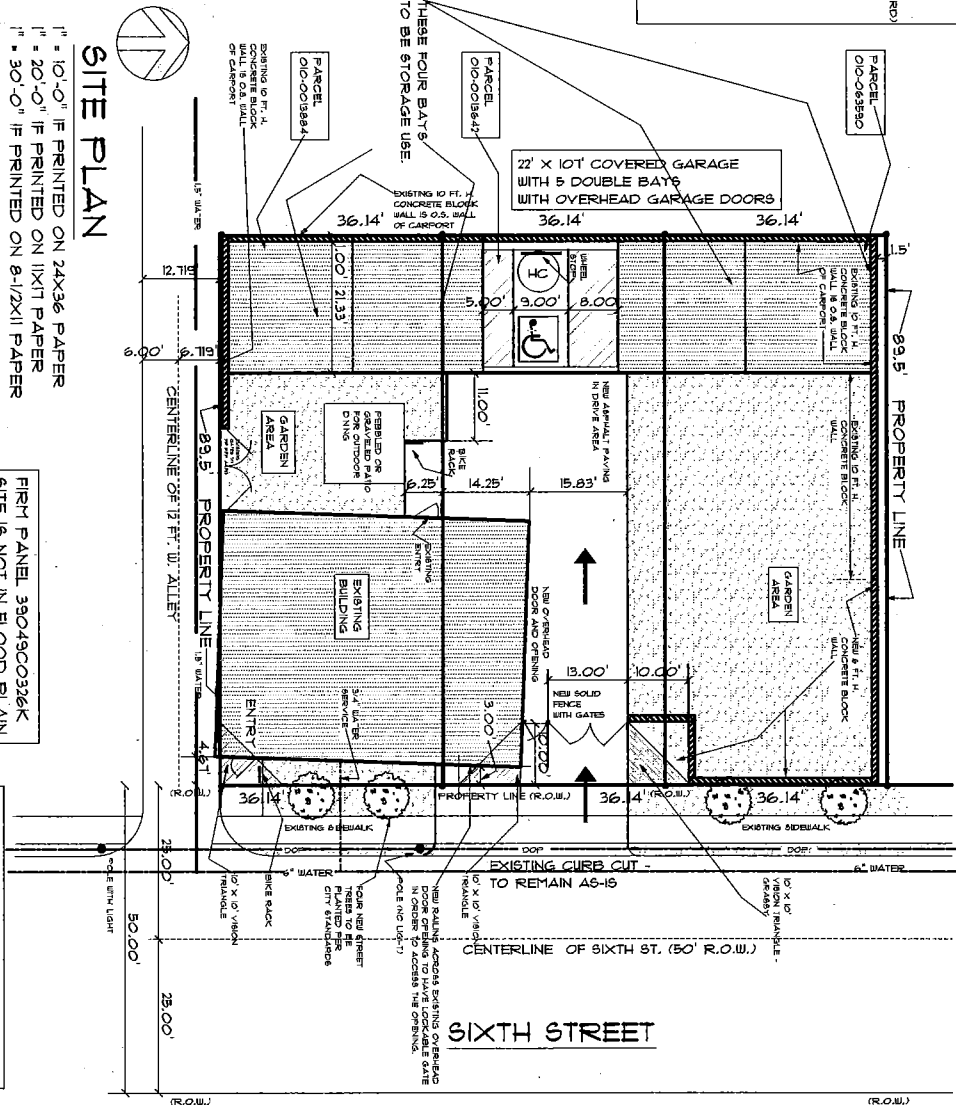
Parcel Number: 010-03641, 010-03684 and 010-03650  
 Zoning Class: M-2  
 Site of Site: 0.233 Acres - 9,704 sq. ft.  
 Use Group (Current): S-1 - STORAGE (MODERATE HAZARD)  
 Use Group (New): F-1 FACTORY - BAKERY (MODERATE HAZARD)  
 Use Group (New): 1.27 USE - RESTAURANT  
 Building Code Used: CBC 2011  
 Code Classification: 3-B  
 Sprinkler: NONE REQUIRED  
 Building Height: 14 FT.  
 Max. Height (Feet): 2000 sq. ft. - MAIN BUILDING  
 2794 sq. ft. - CARPORT BUILDING  
 Tax District: 010 - COLUMBUS C.S.D.  
 School District: 480 - COMMERCIAL WAREHOUSE  
 Neighborhood: 0102  
 Flood Zone: X  
 Height District: H-35  
 Commission: ITALIAN VILLAGE COMMISSION

**PROPOSED SCOPE OF WORK**  
 Work consists of a change of use from OFFICE/WAREHOUSE TO COMMERCIAL BAKERY AND RESTAURANT AND CARPORT TO BAKERY. NO EXISTING QUANTITIES FROM THE EXISTING OR NEW CONTAINING GARAGE DOORS FROM THE INTERIOR TO THE EXTERIOR. THE GARAGE CUT IS BEING AND WILL REMAIN. NO CHANGES TO EXISTING CONCRETE. PAVING ON LOT WILL BE ADDED AND IS LESS THAN 2000 SQUARE FEET. BUILDING HAS POSITIVE ELECTRICAL WIRING AND SAFE SERVICE.

**VICINITY MAP**



**PARKING CALCULATIONS**  
 COMMERCIAL BAKERY REQUIRED (3) THREE PARKING SPACES BASED ON 1 PER MOTOR VEHICLE USED IN THE BUSINESS AND BASED FOR OPERATIONAL PURPOSES, UPON THE PLUS  
 2 SPACES BASED 1/200 SQ. FT. (1250 SQ. FT. USED FOR BAKERY)  
 CARPORT STORAGE REQUIRES 2 PARKING SPACES.  
 PARKING FOR PARTIAL USE OF BUILDING (750 SQ. FT.) FOR RESTAURANT USE:  
 10 SPACES BASED ON 1/75 SQ. FT.  
 2 SPACES BASED ON 300 SQ. FT. OF OUTSIDE PATIO  
 THIS 11 SPACES ARE REQUIRED. ONE WILL BE PROVIDED. TWO BAYS OF CARPORT BUILDING WILL BE USED FOR STORAGE FOR THE BAKERY.  
 HANDICAPPED PARKING WILL BE IN ONE BAY.  
 GARDENING TOOLS WILL BE IN ONE BAY.  
 PARKING WILL BE STRIPED PER 3172  
 11/4 C. ACCESSIBLE SPACES REQUIRED PER TABLE 106.1 (MAN ACCESSIBLE) - TO HAVE CODE COMPLIANT. SIGNS SHALL BE MOUNTED AT A MINIMUM OF 1 FT. FROM GROUND TO BOTTOM OF SIGN.  
 1/4 C. SPACES TO HAVE UNIVERSAL SYMBOL PAINTED ON PAVEMENT AND LOADING AREAS TO BE DIAGONALLY STRIPED.



**SITE PLAN**

1" = 10'-0" IF PRINTED ON 24X36 PAPER  
 1" = 20'-0" IF PRINTED ON 11X17 PAPER  
 1" = 30'-0" IF PRINTED ON 8-1/2X11 PAPER

NEW IMPERVIOUS SURFACE = 1508 S.F.

TRASH IS LOCATED INSIDE GARAGE BAY  
 NOTE: THERE IS NO WORK WITHIN THE RIGHT-OF-WAY.

PROPOSED PROJECT WILL COMPLY WITH SECTIONS:  
 3321.01 DUMPSTER  
 3321.01 LANDSCAPE  
 3321.03 LIGHTING  
 3321.21 SCREENS  
 3321.29 STRIPING/PARKING  
 3321.43 SURFACE  
 3321.45 WHEEL STOP/CURB

SITE WILL ONLY BE ACCESSIBLE BY VEHICLE FOR THE ONE HANDICAPPED PARKING SPACE AND SHALL VEHICLE DELIVERIES. CARS WILL BE TURNED AROUND IN "T" BEHIND MAIN BUILDING IN ORDER TO EXIT TO SIXTH ST. NO DELIVERIES WILL OCCUR THROUGH INTERIOR OF SITE DURING DINING HOURS. (5 PM OR LATER)

**BABA'S BACKYARD BAKERY & CAFE**  
 1023 SIXTH ST.  
 COLUMBUS, OH 43201

**JEANNE CABRAL ARCHITECTS**  
 2839 Bexley Park Road  
 Columbus, OH 43208-2236  
 Office: (614) 239-8484  
 Fax: (614) 754-5113  
 Cell: (614) 537-2654  
 e-mail: jeannecabral@aol.com

DATE: 08/14/14  
 DRAWN BY: JCA  
 CHECKED BY: JCA  
 APPROVED BY: JCA  
 SCALE: AS SHOWN  
 SHEET: A-1

CV14-022 Final Received 5/28/14



### 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)

CV14-022

### 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

4-25-14

**PLEASE NOTE:** incomplete information will result in the rejection of this submittal.  
Applications must be submitted by appointment. Call 614-645-4522 to schedule.  
Please make all checks payable to the Columbus City Treasurer

## Jeanne Cabral Architects

2939 Bexley Park Road  
Columbus, OH 43209-2236  
614-239-9484  
614-537-2654 Cell  
614-754-5113 Fax  
e-mail: [jeannecabral@aol.com](mailto:jeannecabral@aol.com)

**Applicant: Dan Kraus  
Bakery and Cafe**

### **Statement of Hardship 5-28-14**

The subject property is currently zoned M-2 and it is located at 1023 N. Sixth Street Avenue Columbus, OH 43201 (consisting of parcel numbers: 010-013642, 010-013884 and 010-063590) located in Franklin County.

The applicant desires to use the main existing structure and accessory building as a commercial bakery facility (dough prep, baking, etc.) which is allowed in an M-2 district. The applicant also wants to use a portion of the main building along Sixth Street as a restaurant. The ancillary existing carport structure will have front garage doors and infill wall added (there are already three block walls) and be used for the bakery and restaurant coolers, storage and ancillary equipment. An accessory use will be an organic, outdoor vegetable and herb garden (to supply the bakery and restaurant). All uses, except the restaurant, are allowed in the M-2 district. Therefore, the applicant seeks the following variances from the City of Columbus Zoning Code (each has an individual statement of hardship):

1. §3367.01

The existing buildings are already zoned M-2. The applicant seeks a variance from the requirement under 3367.01 that only manufacturing and storage type uses are allowed in M-2. The applicant desires to have a subordinate use of a restaurant (the project business model is from garden to bakery to restaurant to table). The applicant seeks this variance under the hardship that the inability of applicant to provide multiple income streams to make for a long-term financial success impairs the applicant's ability to earn a living and further improve the property and grow the business. The nature of the restaurant business involves a full scale kitchen which will already be provided onsite for the commercial bakery. Therefore, there would be no additional odors or emissions. The restaurant seating will be inside except for a small patio located in the center of the site – far away from any adjacent neighbors.

If unsuccessful in this variance request, the applicant may not be able to close on the real estate deal, so effectively no business would be utilizing this facility or, worst case, a noxious use allowed under M-2 include chemicals, storage, and adult entertainment could take its place.

2. §3312.13

The applicant seeks a hardship variance from the required driveway width of 20 ft. to allow for a driveway width of 13 ft. The existing curb cut only allows 13 ft. wide access. There will be minimal vehicle traffic into the site, only one handicapped parking spaces will be provided (which gives handicapped person easy/no step access to the building from the parking), and the pick up and deliveries for the commercial bakery will occur during the day and well before the dining hours. Dedicating any more land for paving would increase the impervious surface and increase the runoff to the street and sidewalk.

3. §3312.49(C)

The applicant seeks a hardship variance from the minimum number of parking spaces required under this section. A maximum of 1 handicapped space would be utilized during the day at peak periods based on the bakery operating at full capacity. The proposed parking lot plan provides 1 handicapped space. The commercial bakery use requires 3 spaces based on 1250 square feet. The commercial bakery would be open Monday through Saturday from 3 AM to 3 PM for commercial use only. Deliveries will be loaded from the west side (interior drive) of the main building.

The additional use of a restaurant would occupy 750 square feet of the 2,000 square feet of the main building. This requires 10 spaces. Also, an outdoor patio of 300 square feet would require 2 parking spaces. Storage uses in the existing carport would require 2 parking spaces.

The total parking required is 17 spaces.

The restaurant would be open evenings Wednesday through Saturday from 5 PM to 11 PM. The bakery is in use from 3 AM to 3 PM. Thus, there would not be an overlap of bakery and restaurant uses.

Agreements with a commercial use neighbor to be allowed to utilize their existing parking have been attached to this statement. More than 30 off-street spaces will be available. Valet parking will be available Friday and Saturday nights for the restaurant portion.

There is ample street parking as there is only one house fronting on Sixth Street across from the site in this block. We are asking the Department of Transportation to remove the restricted parking signs in front of this facility on Sixth St.

Furthermore, limiting the parking to one handicapped space negates the need for a variance that requires that parking be fifty feet from the street property line. This restriction to one parking space on site also eliminates the driveway access to the 12 ft. wide alley to the south. Also, the existing curb cut on Sixth St. will be sufficient for this traffic.

Due to the nature of the business model for this facility (garden to oven to table), the undeveloped land on the property needs to remain undeveloped to have a viable herb and vegetable garden which supplies the restaurant and the bakery. This is a significant factor in the long term financial success of the venture as a garden drastically lowers the cost of doing business. The bulk of sales and revenue would be derived from the commercial bakery which is allowed in an M-2 district.

The applicant respectfully seeks a hardship variance from any requirement to have more than the 1 space due to the following hardships:

- There is no more space on applicant's site plan to put additional parking,
- Extra-parking is available through agreements with a neighbor to use their parking lot, and
- There is ample available on-street parking
- And valet parking will be made available during peak dining hours
- And more than 1 space is not needed during the bakery operation times and bakery and restaurant use times will not overlap
- And less developed on-site area means less impact from car pollution, less paving, less run-off and availability of space for gardens. Due to new impervious surface (paving) of less than 2,000 square feet, storm water requirements will not be engaged.

4. §3321.05

The applicant seeks a hardship variance from the required vision clearance triangle of 10 ft. since the existing building encroaches into the vision clearance triangle on both corners. The curbcut into the site is existing and only one parking space will be provided on site. Minimal site traffic will occur and the building has been in place for over 50 years without issue. The vehicular access to the alley on the south will be eliminated.

5. §3367.15(a)

The existing building is already zoned M-2 and it is located less than fifty feet from the street line. The applicant wishes to construct a 6 ft. high concrete block privacy wall (along Sixth Street and several feet back from the property line). The applicant seeks a variance from this requirement under (a) as to comply with this requirement would require the hardships of either moving the existing building or reducing the size of the existing building, resulting in significant additional construction costs and seriously affecting the applicants ability to use the building for the applicant's intended uses. Also, the 6 ft. high privacy wall with foundation would give added privacy to the single family home across the street and buffer any activity on the site from neighbors. Furthermore, applicant will comply with the requirement under §3367.15(d) that no portion of the fifty foot buffer be used for off-street parking or loading spaces. This effectively eliminates the rest of the lot for additional parking and loading spaces. Thus a variance for the existing building and the concrete fence is requested.

The applicant respectfully requests all of the hardship variances above for the aforementioned reasons. In summary, these variance requests:

- affect significant project costs;
- affect the ability of the site to effectively function as a fully sustainable food facility that embraces growing, production and consumption of food on site;
- are necessary for the applicant to have the ability to close on the real estate in order to move forward with the project; and
- provide reasonable alternatives to use an existing site rather than move or demolish an existing building and not to increase impervious surface in the area.;

For all the reasoning mentioned, the applicant seeks a hardship variance from each of the sections mentioned, allowing the applicant to have full use of the subject property as a commercial bakery and restaurant with the accessory use of gardening with a 13 ft. driveway access, a reduction of parking spaces, a reduced vision clearance triangle, and reduced building setbacks.





### Italian Village East

Proposed Land Use

	Residential (1 - 2 units)
	Residential (> 4 units)
	Mixed Use
	Commercial
	Manufacturing
	Institutional
	Parks/Open Space
	Vacant Lots/Buildings
	Parking
	Downtown District



January 2000



City of Columbus  
 Michael B. Coleman, Mayor  
 Department of Public Works and Development  
 Mark Barboza, Director  
 Planning Office  
 Stephen R. McCarty, Administrator  
 Urban Design Section  
 Larry D. Lewis, Graphic Designer

CV14-022  
 1023 North Sixth Avenue  
 Approximately 0.22 acres





CV14-022  
1023 North Sixth Street  
Approximately 0.22 acres

STEVEN R. SCHOENY  
Director

COPY

THE CITY OF  
**COLUMBUS**  
MICHAEL B. COLEMAN, MAYOR

**HISTORIC DISTRICT COMMISSION  
RECOMMENDATION**

**ITALIAN 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:** 1023 North Sixth Street  
**APPLICANT'S NAME:** Jeanne Cabral (Applicant)

Michael & Karen Goodburn (Owners)

**APPLICATION NO.:** 14-5-12

**COMMISSION HEARING DATE:** 5-27-2014

The Italian 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 and the architectural guidelines:

**Variance or Zoning Change Request**

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

- Special permit
- Setbacks
- Other

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

Upon review of Application #14-5-12, 1023 North Sixth Street, the Italian Village Commission recommends approval of the proposed variances, as follows:

Request for Variance Recommendations

The applicant desires to use the main existing structure and accessory building as a commercial bakery facility (dough prep, baking, etc.). The applicant also wants to use a portion of the main building along Sixth Street as a restaurant. An accessory use will be an organic, outdoor vegetable and herb garden (to supply the bakery and restaurant). All uses, except the restaurant, are allowed in the M-2 district.

1. 3312.03 C.2.c – Reduction in required parking spaces from fifteen (15) to three (3).
2. 3367.01 – To allow partial use as a restaurant in an M-2 District.
3. §3367.15(a) “Any building or structure of any type, shall be located not less than 50 feet from the street line.” & (d) – “Off-street parking and loading facilities, together with suitable accesses and maneuvering areas, shall be provided in accordance with the provisions of Chapter 3312, provided, however, that no portion of the required 50-foot buffer shall be used for either off-street parking or loading spaces.
4. §3312.13 – Reduction of the required driveway width from 20’ to 13’.
5. §3321.05 - Variance from the required vision clearance triangle of 10 ft. since the existing building encroaches into the vision clearance triangle on both corners.

Reasons for Recommendation for Approval:

- 1) A higher parking capacity currently exists in this area.
- 2) The proposed parking request is a relatively low threshold.
- 3) The proposed business is not adjacent to a parking permit zone.
- 4) The proposed use is a good and positive use for the neighborhood and for the existing buildings.
- 5) The setback of the buildings is an existing condition that is in conformance with the pedestrian streetscape of the neighborhood.



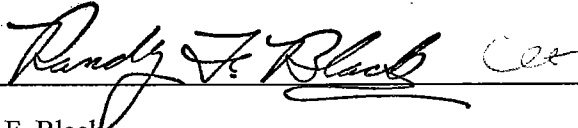
NOTE: Regarding off-site parking agreements, the Commission notes a general concern that there is currently no way to monitor exactly which business are being allotted exactly which off-site parking spaces, i.e., several businesses may have an agreement for parking at the same off-site parking lot. In addition, there is currently no way to enforce the duration of parking agreements between parking lot owners and businesses.

MOTION: Sudy/Goodman (5-1-0[Cooke]) APPROVAL 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*

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 # CV14-022

STATE OF OHIO  
 COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] JEANNE M. CABRAL

Of [COMPLETE ADDRESS] 2939 BEXLEY PARK ROAD COLUMBUS, OH 43209  
 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. Karen and Michael Goodburn 3700 E. Powell Road Lewis Center, OH 43035	2. Dan Kraus 1255 Weybridge Rd. Columbus, OH 43220
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 25 day of April, in the year 2014

**SIGNATURE OF NOTARY PUBLIC**

My Commission Expires:

*Jeanne M. Cabral*  
*[Signature]*

ANTIONETTE M. GILLUM  
 NOTARY PUBLIC, STATE OF OHIO  
 MY COMMISSION EXPIRES JUNE 17, 2014

*Notary Seal Here*

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

**PLEASE NOTE:** incomplete information will result in the rejection of this submittal.  
 Applications must be submitted by appointment. Call 614-645-4522 to schedule.  
**Please make all checks payable to the Columbus City Treasurer**