



CV13-021

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:

THIS PROPERTY HAS BEEN USED AS A BUSINESS
AND A RESTAURANT SINCE 1972. TO CHANGE
THE ZONING OFFICIALLY FROM R2F (RESIDENTIAL-
APARTMENTS) TO B (BUSINESS) SHOULD POSE
NO ADDITIONAL HARDSHIP TO THE NEIGHBORHOOD.
SEE ATTACHED

Signature of Applicant

Date

4.15.2013

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
739 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 been approved for a Certificate of Appropriateness by the German Village Commission dated 04.24.2013.

Applicant proposes re-use of the building with first-floor retail with food and beverage service, an existing restaurant, and two stories of business use above in conjunction with the restaurant. This is consistent with the existing use of the subject property. 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:

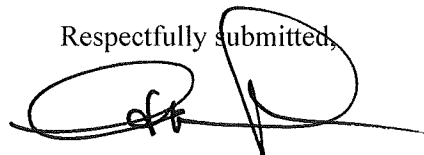
Variance from **C.C.C. §3332.037 (R2F District)**, to allow this mixed-use proposal not otherwise permitted under the blanket R2F zoning district of German Village. The requested "use variance" would permit a first-floor commercial/retail use; specifically, the existing use as a restaurant. The current, and permitted, use of residential apartments above the commercial/retail use would be changed to business use, **specifically for use as business offices for Max & Erma's Restaurant**, specifically in conjunction with the existing restaurant.

Variance from **C.C.C. §3312.49 (Minimum Parking Spaces Required)**, to allow reduced onsite parking for this mixed-use building. As of now, there is no off-street parking associated on this site. 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.

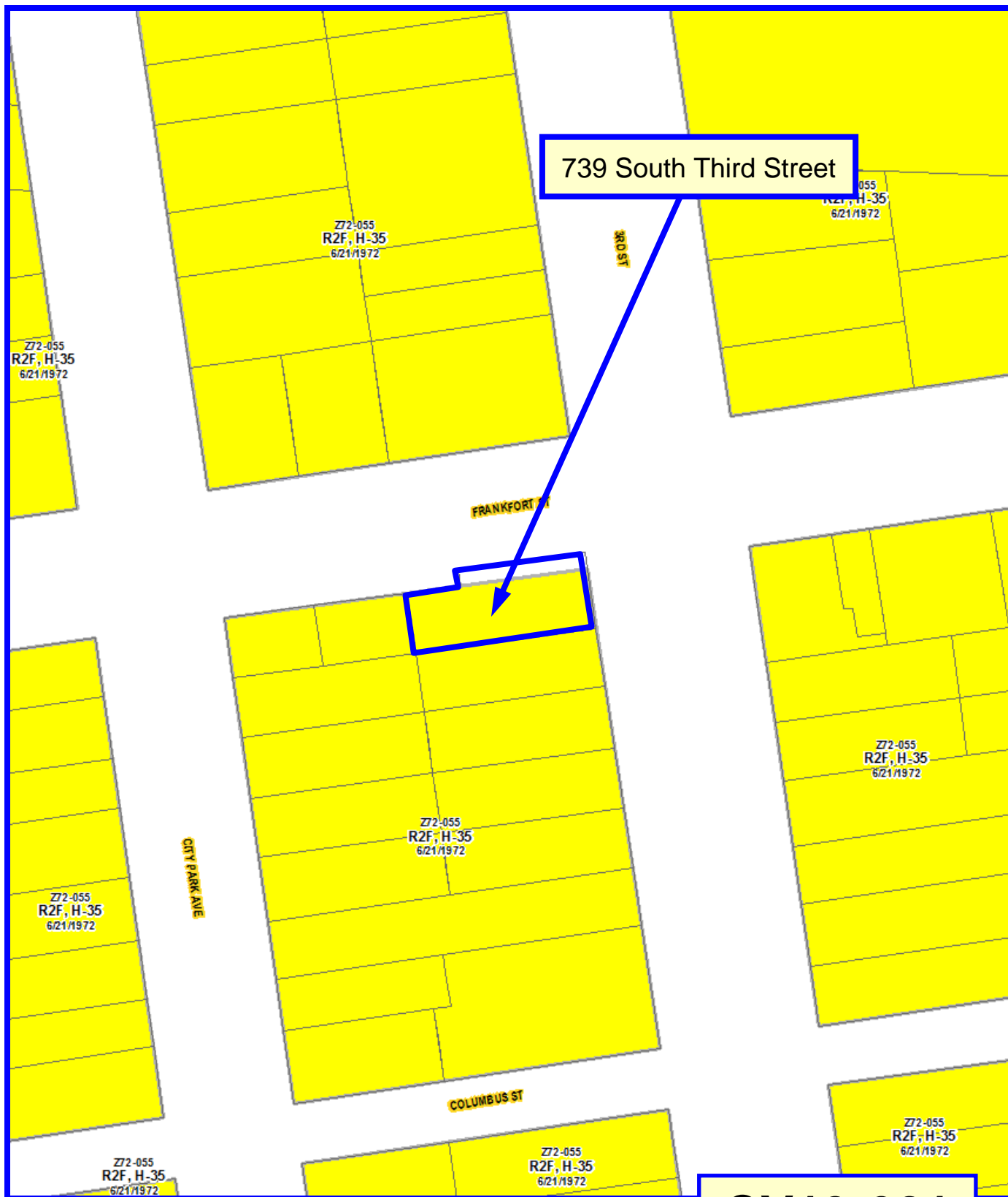
A bicycle parking rack will be installed in the right-of-way in a location coordinated with the Department of Public Service, specifically Dan Blechschmidt.

Required Spaces for office use (B) **(4,246 S.F./450 S.F.) = 10**
Required Spaces for Eating/Drinking Establishments (B) **(2,596 S.F./75 S.F.) = 35**
Available Dedicated Spaces (excluding public on-street parking) = 0
Requested Variance = **45**

Respectfully submitted,



Scot Draughn
Creative Architectural Solutions, Inc.
455 South Ludlow Street
Columbus, Ohio 43215
614-255-4048
614-621-4420
sdraughn@casarchitecture.com
Agent for the Owner



CV13-021



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STEVEN R. SCHOENY
Director

COPY

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: 739 South Third Street

APPLICANT'S NAME: Scot Draughn, CAS (Applicant) Blue Ribbon Holdings, LLC (Owner)

APPLICATION NO.: 13-6-19

COMMISSION HEARING DATE: 6-4-13

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

TYPE(S) OF ACTION(S) REQUESTED:

Recommend Variance Request #13-6-19, 739 South Third Street, as submitted:

Variance Request

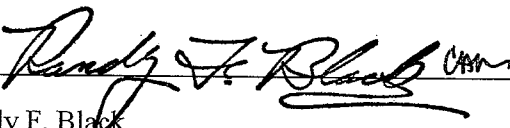
- C.C. 3332.037 – to allow mixed use of the property beyond permitted uses in the R2F district; specifically to change the second and third story allowed use to business office (currently residential).
- C.C. 3312-49 – to reduce the required number of parking spaces to 0 (45 required under code).

MOTION: Ours/Case (0-6-0) NOT 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 # CV13-021

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] SCOT DRAUGHN

Of [COMPLETE ADDRESS] 455 S. LUDLOW ST. COLUMBUS, OHIO 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 400 W. 48TH ST. DENVER, CO 80216 DANNY GRESHAM 303-478-7619	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 17TH day of APRIL, in the year 2013SIGNATURE OF NOTARY PUBLIC Janet MooreMy Commission Expires: 7/7/2013

Notary Seal Here



Janet Moore
Notary Public, State of Ohio
My Commission Expires 07-07-2013

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

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