



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

OFFICE USE ONLY

Application Number: 012-029/12315-00000-00300
Date Received: 6/5/12
Application Accepted By: S. Pine Fee: \$1600
Comments: Assigned to Shannon Pine, 645-2208, spine@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 767 South Third Street Zip 43206
Is this property currently being annexed into the City of Columbus ☐ Yes ☒ No
If the site is pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.
Parcel Number for Certified Address: 010-043585
☐ Check here if listing additional parcel numbers on a separate page.
Current Zoning District(s): R-2F
Recognized Civic Association or Area Commission: German Village Commission
Proposed use or reason for Council Variance request: Residential/Retail with Eating and Drinking Establishment
Acreage: 0.151 Acres

APPLICANT: Name German Village Holdings, Ltd.

Address 769 South Third Street City/State Columbus, Ohio Zip 43206
Phone # 614-439-7389 Fax # _____ Email: _____

PROPERTY OWNER(S): Name German Village Holdings, Ltd.

Address 769 South Third Street City/State Columbus, Ohio Zip 43206
Phone # 614-439-7389 Fax # _____ Email: _____

☐ Check here if listing additional property owners on a separate page.

ATTORNEY / AGENT

☒ Attorney ☐ Agent

Name Kristin E. Rosan & Darcy A. Shafer, Madison & Rosan, LLP

Address 39 East Whittier Street City/State Columbus, Ohio Zip 43206
Phone # 614-228-5600 Fax # 614-228-5601 Email: dshafer@madisonrosan.com

SIGNATURES (ALL SIGNATURES MUST BE SIGNED IN BLUE INK)

APPLICANT SIGNATURE _____
PROPERTY OWNER SIGNATURE _____
ATTORNEY / AGENT SIGNATURE _____

Attorney for Applicant

Attorney for Owner

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that the City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc. may delay the review of this application.

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

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

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 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 and an additional six (6) parking spaces on South Third.

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. A total of twelve (12) parking spaces are accessible from City Park Avenue, and are available for use by the subject property, but are located on the immediately adjacent parcel. Such parcel is also owned by the Applicant. 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 type of facility proposed.

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.

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,

A handwritten signature in black ink, appearing to be 'KR' with a large, stylized flourish extending to the right.

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



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

AFFIDAVIT

(See next page for instructions)

APPLICATION # W12-029

STATE OF OHIO _____
COUNTY OF FRANKLIN _____

Being first duly cautioned and sworn (1) NAME Darcy A. Shafer
of (1) MAILING ADDRESS 39 East Whittier Street, Columbus, Ohio 43206

deposed and states that (he/she) is the applicant, agent, or duly authorized attorney for same and the following is a
list of the name(s) and mailing address(es) of all the owners of record of the property located at
(2) per CERTIFIED ADDRESS FOR ZONING PURPOSES 767 South Third Street, Columbus, Ohio 43206
for which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building
and Zoning Services, on (3) 6/5/12
(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) German Village Holdings, Ltd.
769 South Third Street
Columbus, Ohio 43206

APPLICANT'S NAME AND PHONE #
(same as listed on front of application)

German Village Holdings, Ltd.
614-439-7389

AREA COMMISSION OR CIVIC GROUP
AREA COMMISSION ZONING CHAIR OR
CONTACT PERSON AND ADDRESS

(5) German Village Commission
Cristin A. Moody
109 North Front Street, Ground Floor, Columbus, Ohio 43215-9031

and that the attached document (6) is a list of the names and complete mailing addresses, including zip codes, as shown on the County Auditor's Current Tax List or the County Treasurer's Mailing List, of all the owners of record of property within 125 feet of the exterior boundaries of the property for which the application was filed, and all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property(7)

☐ (7) Check here if listing additional property owners on a separate page.

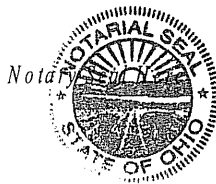
SIGNATURE OF AFFIANT

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:

(8) 10/28/14



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

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

APPLICANT/OWNER:
German Village Holdings, Ltd.
769 South Third Street
Columbus, Ohio 43206

AREA COMMISSION:
German Village Commission
Cristin A. Moody
109 South Front Street, Ground Fl.
Columbus, Ohio 43215-9031

ATTORNEY:
Kristin E. Rosan
Madison & Rosan, LLP
39 East Whittier Street
Columbus, Ohio 43206

Kyle Katz
448 W Nationwide Blvd Ste 108
Columbus, Ohio 43215

Adam G. Schiffman
Aaron K. Waggle
760 S Third St
Columbus, Ohio

Jerome Smith
Marianne Smith
787 5 3rd St
Columbus, Ohio 43206

Kathleen E Burleson
Nicholas J Twining
790 City Park Av
Columbus, Ohio 43206

Joshua Markowitz
Julia Giblin
757 City Park Ave
Columbus Oh 43206

Nathan M Smith
Courtney J Smith
752 City Park Av
Columbus, Ohio 43206

John B Mccoy
Jane T Mccoy
101 E Columbus St
Columbus, Ohio 43206

745 City Park LLC
c/o Sharon Cameron
741 City Park Avenue
Columbus, Ohio 43206

Carolyn O Workman
Kurt Walker
777 City Park Ave
Columbus Ohio 43206

Robert J Scheibeck Tr
783 5 3rd St
Columbus Ohio 43206

Aaron R Goss
745 S Third St
Columbus, Ohio 43206

Jason L Meyer
Jennifer Meyer
784 S 3rd St
Columbus Ohio 43206

Rosalee R Polihronopolos
747 City Park Ave
Columbus Ohio 43206

1017 Legacy LLC
6717 Bethany Drive
Westerville, Ohio 43081

Christopher M R Canyon &
Jeanette L P Canyon
753 5 Third St
Columbus, Ohio 43206

Daniel M Szente &
Mona M Szente
77 E Frankfort St
Columbus, Ohio 43206

Marilyn A Stone
1406 Studer
Columbus, Ohio 43206

David M Ward
Kelly B Ward
784 City Park Av
Columbus, Ohio 43206

Ellisar Group LLC
4009 James River Road
New Albany, Ohio 43054

Richard Hilsheimer
758 City Park Ave
Columbus Ohio 43206

Ronald W Remy
789 S 3rd St
Columbus Ohio 43206

Anna K Hart
792 City Park Ave
Columbus Ohio 43206

Rosemarie Keidel-Buth
525 S 4th Street
Columbus, Ohio 43206

American Blue Ribbon Holdings
LLC
400 West 48th Ave.
Denver, CO 80216

Daniel R Berglund
7980 Berglund
Johnstown, Ohio 43031

Aaron J Leventhal &
Beth E Leventhal
759 City Park Av
Columbus, Ohio 43206

Reshma Patel
768 City Park Av
Columbus, Ohio 43206

Erie Fairchild Co
c/o Tom Willoughby LLC
297 South Cassady Ave
Columbus, Ohio 43209

Louisa Shae
Bruce Fudge
756 City Park Ave
Columbus Ohio 43206

John L Koslap
791 South Lazelle Street
Columbus, Ohio 43206

Richard B Nairn
765 City Park Ave
Columbus Ohio 43206

Philip Friedland Tr
2260 Welcome Place, Apt. 507
Columbus, Ohio 43209

Traci U Bentine
Stacy P Richardson
751 City Park Av
Columbus, Ohio 43206

Melissa A Zink
Timothy P Zink
31 W Frankfort St
Columbus, Ohio 43206



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 # 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

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

☐ Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 24th day of June, in the year 2012

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:



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

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



City of Columbus Zoning Plat

CV12-029

ZONING NUMBER

The Zoning Number Contained on This Form
is Herein Certified to Obtain Zoning, Rezoning,
and Variances, and is NOT to be Used for
the Securing of Building & Utility Permits

Parcel ID: 010043585

Zoning Number: 767

Street Name: S 3RD ST

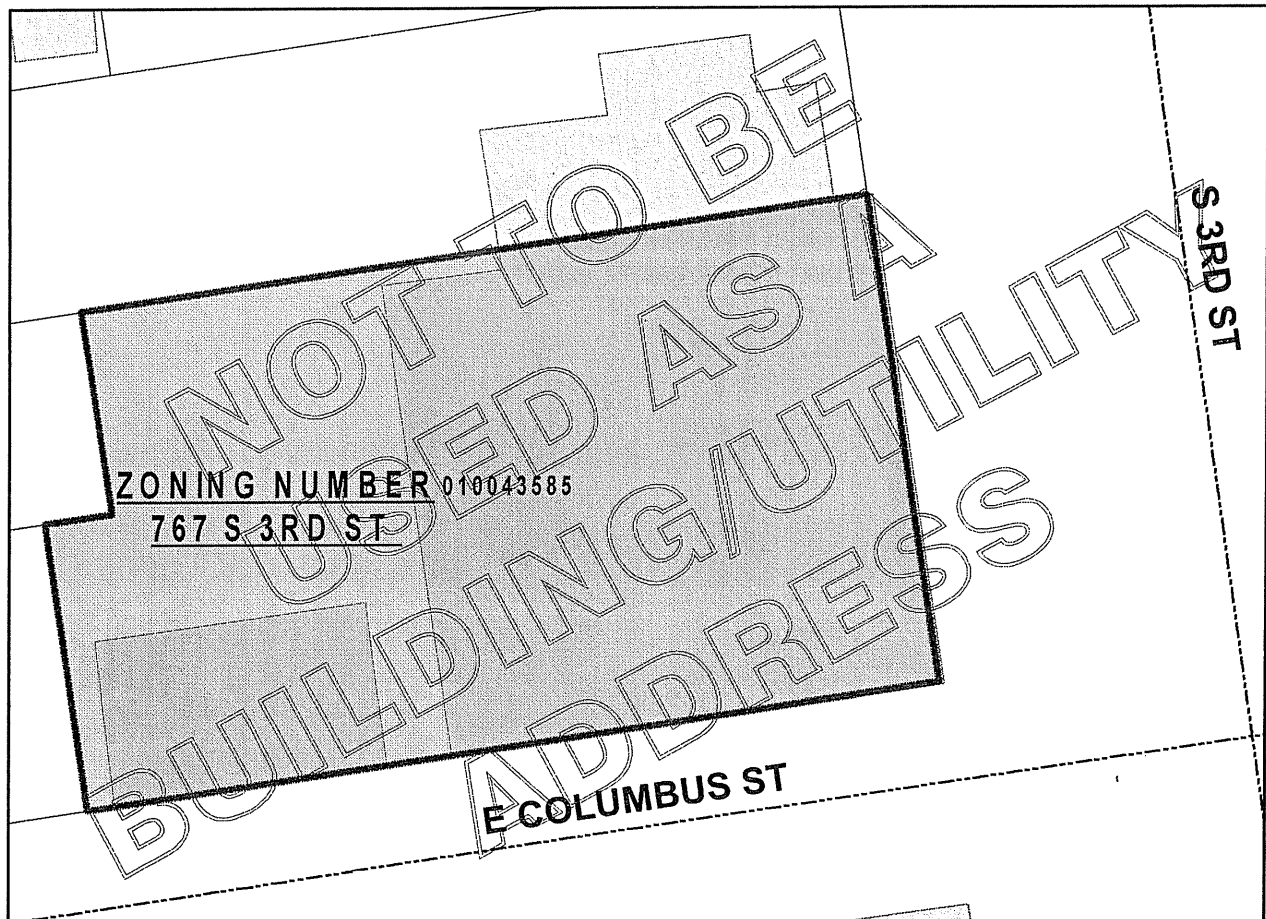
Lot Number: 24

Subdivision: JAEGER

Requested By: MADISON & ROSAN, LLP (DARCY SHAFER)

Issued By: *Darcey Shafer*

Date: 4/12/2012



SCALE: 1 inch = 25 feet

GIS FILE NUMBER: 7763



PATRICIA A. AUSTIN, P.E., ADMINISTRATOR
DIVISION OF PLANNING AND OPERATIONS
COLUMBUS, OHIO

Cv12-029

LEGEND

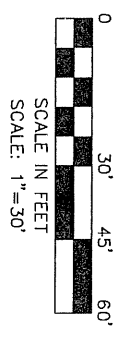
- ◇ MNS MAG NAIL SET
- IPS IRON PIN SET
- (xx.x') RECORD DISTANCE

DEED REFERENCE:

GERMAN VILLAGE HOLDINGS, LTD.
O.R. 31555C01

SURVEY OF
0.287 ACRES
LYING IN

PART LOTS 23 & 24 C.F. JAEGER'S SECOND ADDITION
PLAT BOOK 38, PAGE 403
CITY OF COLUMBUS, COUNTY OF FRANKLIN
STATE OF OHIO



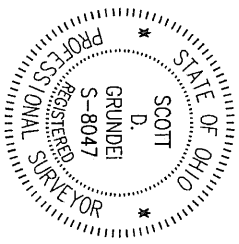
LS LANDMARK SURVEY
GI GROUP, INCORPORATED
2099 WEST FIFTH AVENUE, COLUMBUS, OHIO 43212
PHONE: (614) 485-9000 FAX: (614) 485-9003
DATE: 6/1/12 FILE NO. 137803

BASIS OF BEARINGS:

THE BEARINGS SHOWN HEREON ARE BASED ON THE ASSUMED BEARING OF S 08°13'11" E FOR THE WESTERN RIGHT-OF-WAY LINE OF SOUTH THIRD STREET, AND ARE INTENDED TO DENOTE ANGLES ONLY.

NOTE:

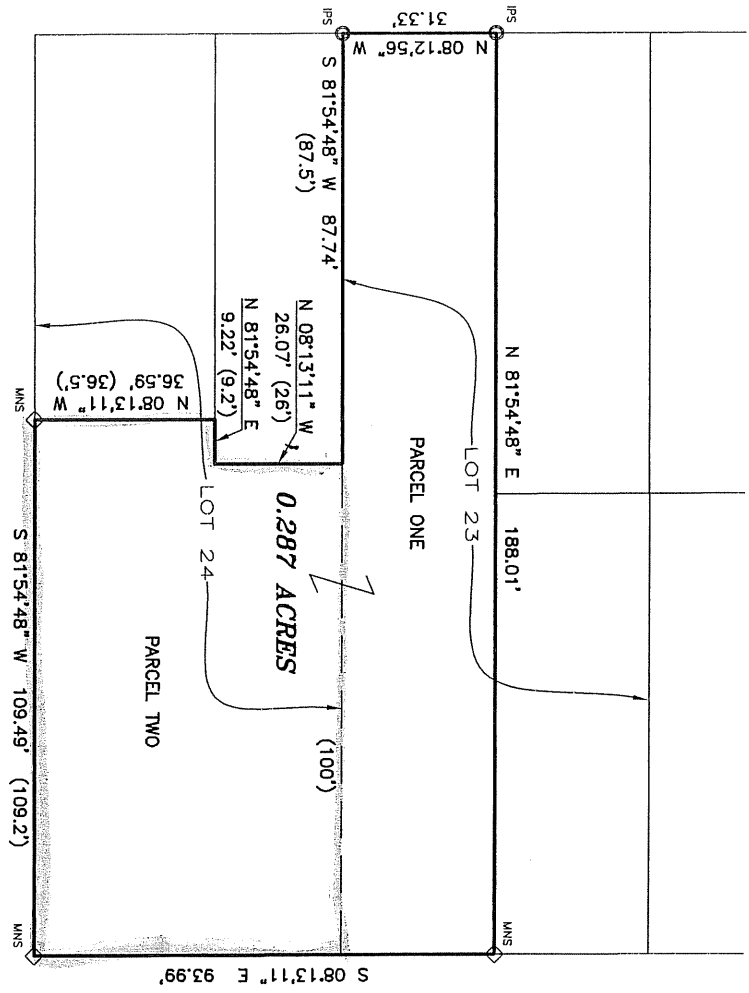
THIS SURVEY DOES NOT REPRESENT ANY EASEMENTS THAT MAY AFFECT THIS TRACT AND DOES NOT REPRESENT ANY UNDERGROUND UTILITIES THAT MAY AFFECT THIS TRACT. ALL IRON PINS SET ARE 3/4" I.D. IRON PIPES 30" LONG, W/ RED PLASTIC CAP STAMPED "LANDMARK SURVEY".



I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED FROM AN ON THE GROUND SURVEY MADE UNDER MY SUPERVISION IN MAY OF 2012 AND THAT IT AND THE INFORMATION, COURSES AND DISTANCES AS SHOWN ARE CORRECT TO THE BEST OF MY KNOWLEDGE.

Scott D. Grunde
SCOTT D. GRUNDE, P.S.
REGISTERED SURVEYOR NO. 8047
DATE 6/1/12

COLUMBUS STREET 30'



DRAWN BY: TNW

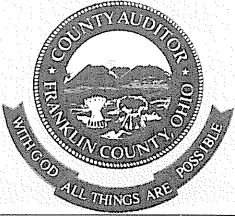
LEGAL DESCRIPTION

Situated in the State of Ohio, in the County of Franklin and in the City of Columbus, and bounded and described as follows:

Being a part of Lot Number Twenty-four (24) in C.F. Jaeger's Second Addition to Columbus, Ohio as said lot in numbered and delineated upon the recorded plat thereof, of record in Plat Book 38, page 403, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at a point in the Northeast corner of said Lot Twenty-four (24), thence in a Westerly direction along the North line of said Lot, 100 feet to a point; thence in a Southerly direction on a line parallel with the East line of said Lot, 26 feet to a point; thence in a Westerly direction and parallel with the North line of said Lot, 9.2 feet to an iron pin; thence in a Southerly direction and parallel with the East line of said Lot, 36.5 feet to an iron pin in the South line of said Lot; thence in an Easterly direction along the South line of said Lot, 109.2 feet to a point in the East line of said Lot; thence in a Northerly direction along the East line of said Lot, 62.5 feet to the place of beginning.

CV12-029



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: S

DATE: 4/12/12



Disclaimer

Scale = 60

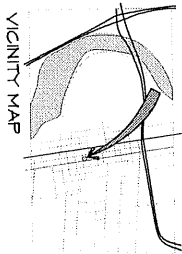
Grid North

This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

Real Estate / GIS Department

1 SITE PLAN

SCALE 1"=50'



VICINITY MAP



LEGEND

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

LOT INFO

PARCEL ID: 000-045850-00
ZONE: ITC-05, R2-H-15
ACCESSORY USE: 0151
BIDS SQUARE FEET: 11,710

ZONING VARIANCE

HAUS FRAU HAVEN

GERMAN VILLAGE HOLDINGS, LTD.
164 SOUTH THIRD STREET COLUMBUS, OHIO 43206

DATE: 05/11/2012

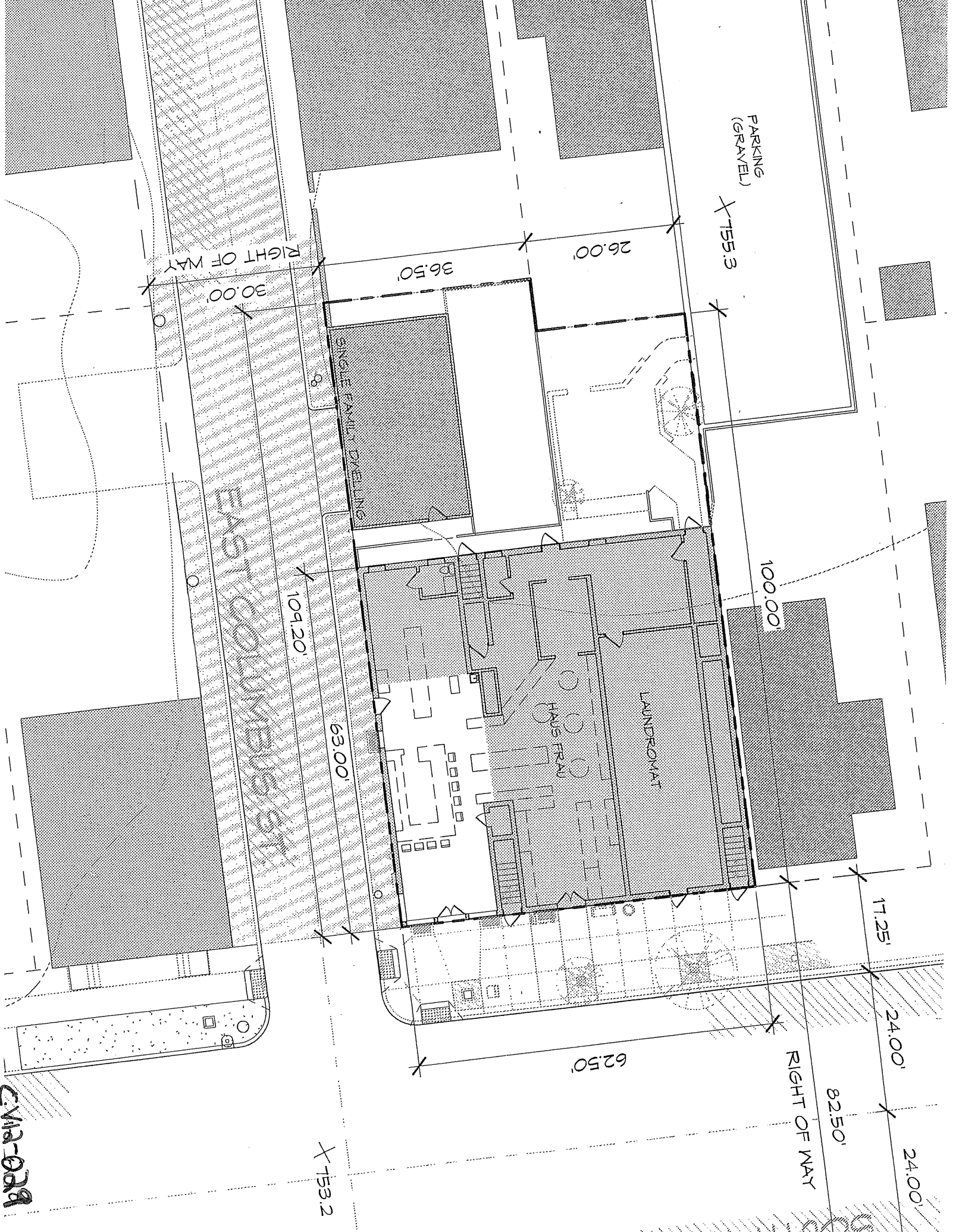
SHEET INFORMATION

DATE: 05/11/2012
BY: 100-0

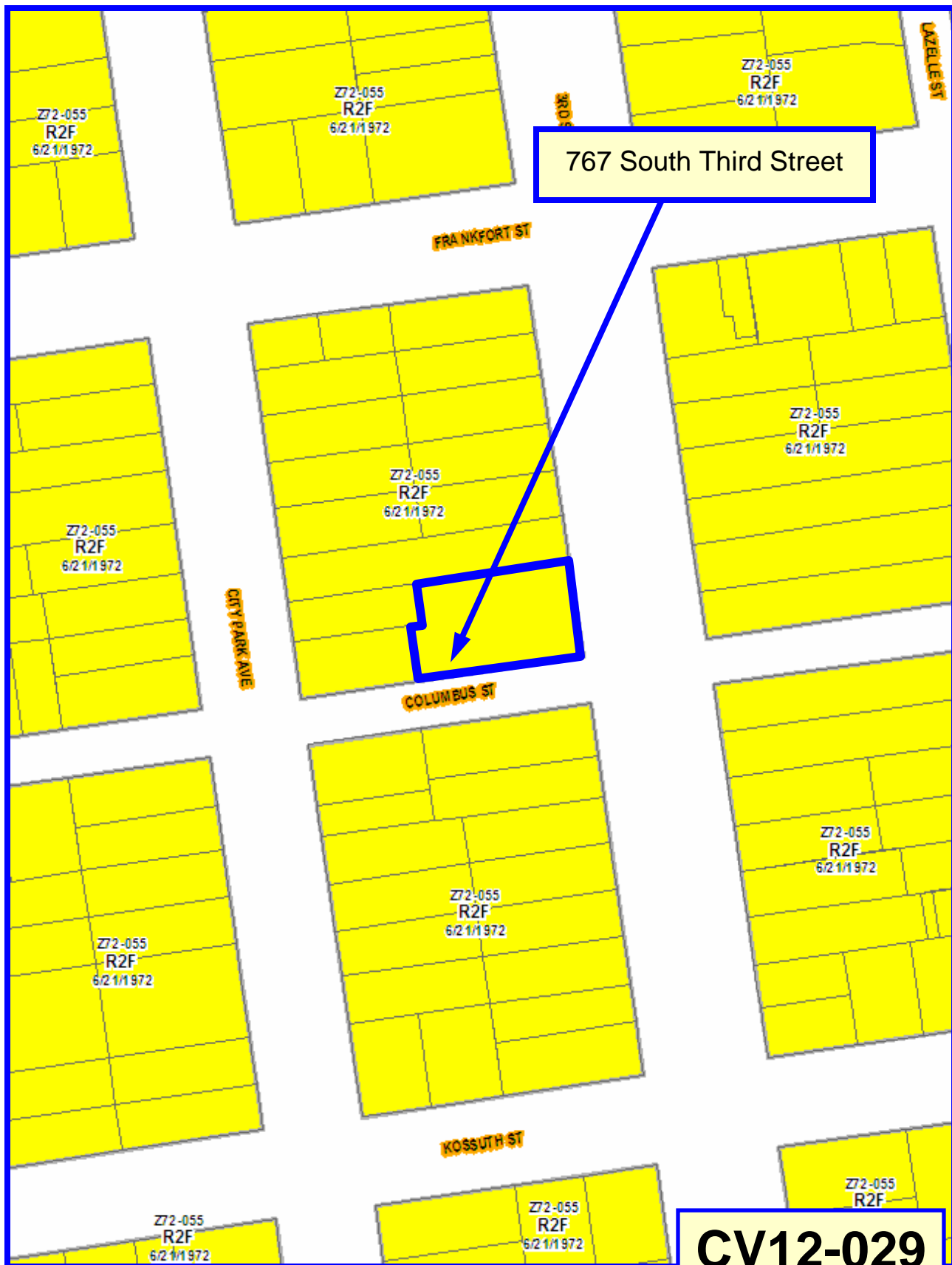
SHEET TITLE
SITE PLAN

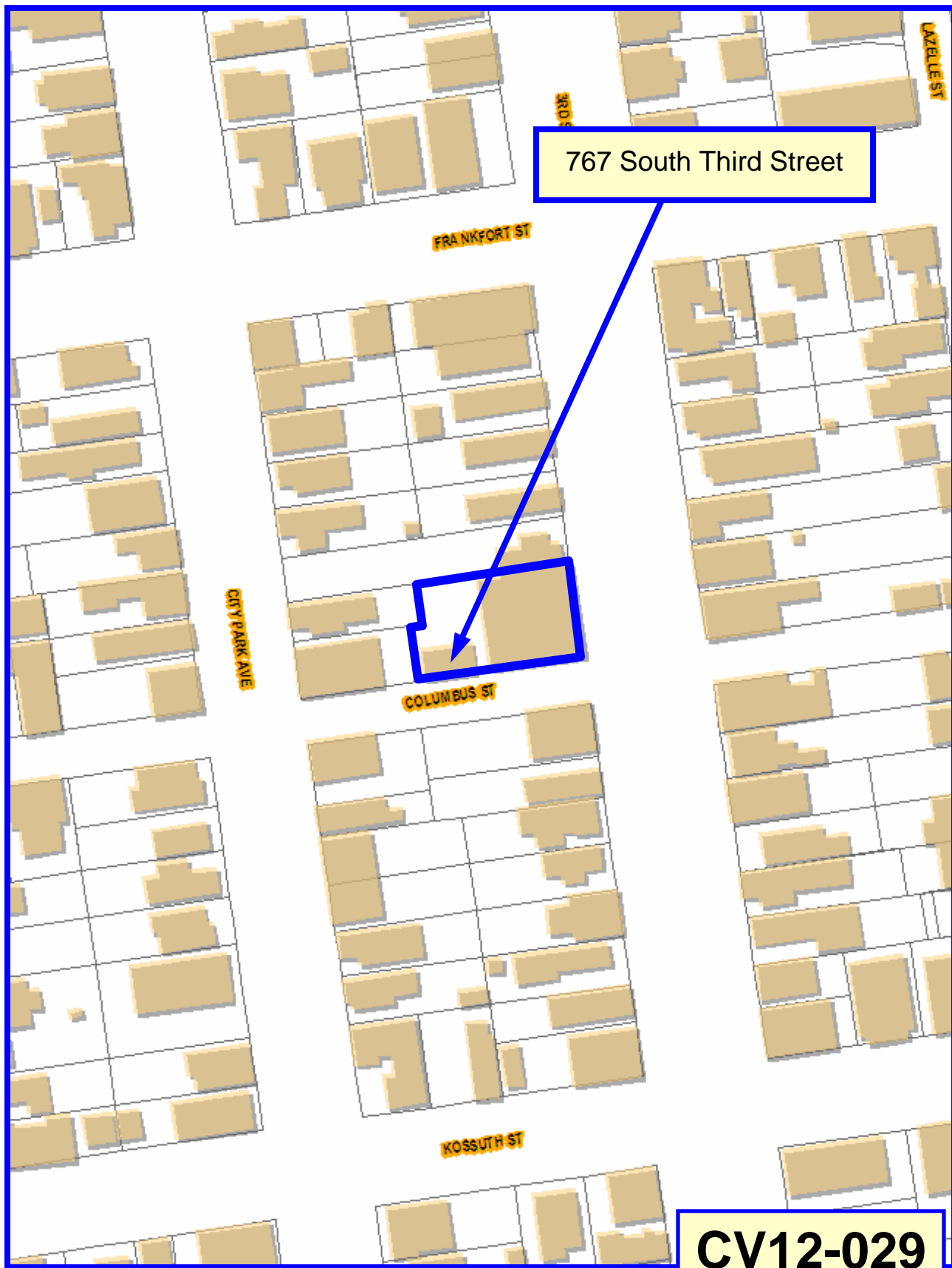
SCALE
AS INDICATED
SHEET NO.
A0
01

CVA-029



C-11A-02A





767 South Third Street

CV12-029



767 South Third Street

CV12-029