



Mayor Michael B. Coleman

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: CV11-032 / 11315-00000-00636
Date Received: 10/31/11
Application Accepted By: S.P. Fee: \$1600
Comments: Case Planner: Dana Hitt 645-2395 dahitt@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 745 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: 010-025564
☐ 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: To expand adjacent commercial use into existing residential structure.
Acreage: .06+/- acre

APPLICANT: Name American Blue Ribbon Holdings LLC

Address 400 W. 48th Avenue City/State Denver, CO Zip 80216
Phone # (800) 800-3644 xt. 7422 Fax # (303) 672-6082 Email: _____

PROPERTY OWNER(S): Name Aaron Goss

Address 745 S. Third St. City/State Columbus, OH Zip 43206
Phone # _____ Fax # _____ Email: _____
☐ Check here if listing additional property owners on a separate page.

ATTORNEY / AGENT

☒ Attorney ☐ Agent

Name David Hodge / Smith & Hale LLC

Address 37 W. Broad St., Suite 725 City/State Columbus, OH Zip 43215
Phone # 221-4255 Fax # 221-4409 Email: _____

SIGNATURES (ALL SIGNATURES MUST BE SIGNED IN BLUE INK)

APPLICANT SIGNATURE American Blue Ribbon Holdings LLC

By: David Hodge

PROPERTY OWNER SIGNATURE Aaron Goss

By: David Hodge

ATTORNEY / AGENT SIGNATURE _____

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.

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Please make all checks payable to the Columbus City Treasurer



City of Columbus Address Plat

CERTIFIED HOUSE NUMBERS

The House Numbers Contained on This Form
are Herein Certified for Securing
of Building & Utility Permits

Parcel ID: 010025564

Project Name: SINGLE FAMILY HOME

House Number: 745

Street Name: S 3RD ST

Lot Number: PART OF 21

Subdivision: JAEGER

Work Done: REMODEL

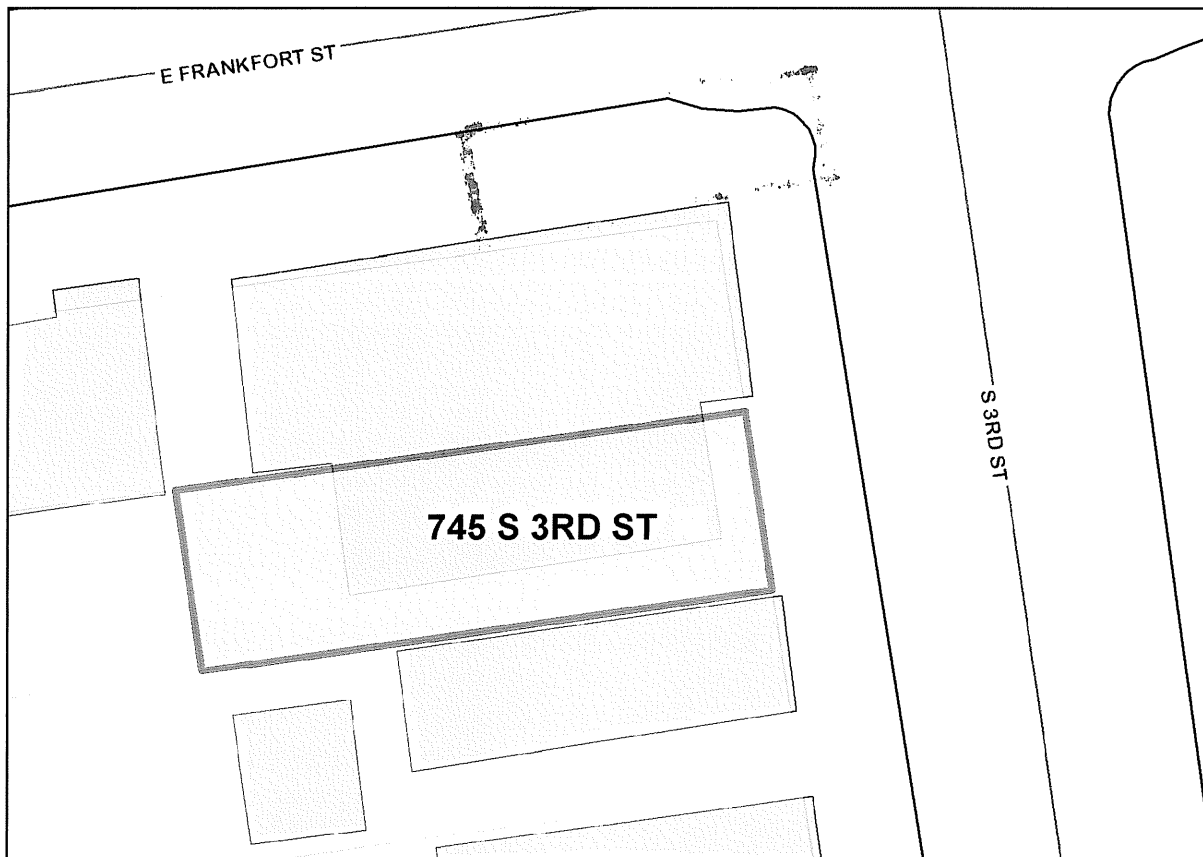
Complex:

Owner: AARON R GOSS

Requested By: SMITH & HALE LLC (DAVID HODGE)

Printed By: James P. Resgan

Date: _____



SCALE: 1 inch = 30 feet



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

GIS FILE NUMBER: 89221



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AFFIDAVIT

(See next page for instructions)

APPLICATION # CV11-032

STATE OF OHIO _____

COUNTY OF FRANKLIN _____

Being first duly cautioned and sworn (1) NAME David Hodge

of (1) MAILING ADDRESS 37 W. Broad St., Suite 725, Columbus, OH 43215

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 745 South Third Street

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) 11/1/11

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) Aaron Goss
745 South Third St.
Columbus, OH 43206

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

American Blue Ribbon Holdings LLC
(800) 800-3644, xt. 7422

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

(5) German Village Commission
c/o Cristin Moody
109 N. Front St., Columbus, OH 43215

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 31st day of October, in the year 2011

SIGNATURE OF NOTARY PUBLIC

My Commission Expires:

(8)

(8)



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

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APPLICANT

American Blue Ribbon Holdings LLC
400 W. 48th Avenue
Denver, CO 80216

PROPERTY OWNER

Aaron Goss
745 S. Third Street
Columbus, OH 43206

AREA COMMISSION

German Village Commission
c/o Cristin Moody
109 N. Front Street
Columbus, OH 43215

ATTORNEY

David Hodge
Smith & Hale LLC
37 W. Broad Street, Suite 725
Columbus, OH 43215

SURROUNDING PROPERTY OWNERS

Kyle Katz
448 W. Nationwide Blvd., Suite 108
Columbus, OH 43215

German Village Holdings Ltd.
769 S. Third Street
Columbus, OH 43206

Adam G. Schiffman &
Aaron K. Waggie
760 S. Third Street
Columbus, OH 43206

Nathan M. & Courtney J. Smith
752 City Park Avenue
Columbus, OH 43206

Joseph D. Worman
251 N. Hamilton Road
Gahanna, OH 43230

Anne P. Fanta
726 City Park Avenue
Columbus, OH 43206

James T. & Leslie R. Weilbacher
78 E. Frankfort Street
Columbus, OH 43206

1017 Legacy LLC
6716 Bethany Drive
Westerville, OH 43081

Christopher M. R. Canyon
Jeanette L. P. Canyon
753 S. Third Street
Columbus, OH 43206

Daniel M. & Mona M. Szenté
4100 Linnean Avenue NW
Washington, D.C. 20008

Richard Hilsheimer
758 City Park Avenue
Columbus, OH 43206

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

Daniel R. Berglund
7980 Northridge Road
Johnstown, OH 43031

Erie Fairchild Co.
297 S. Cassady Avenue
Columbus, OH 43209

Louisa Shae & Bruce Fudge
756 City Park Avenue
Columbus, OH 43206

Scot Dewhirst
404 W. 7th Avenue
Columbus, OH 43201

max&ermas.lbl (nct)
10/31/11 F:Docs/s&hlabels/2011



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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:

Please see attached statement.

Signature of Applicant _____ Date _____

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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.

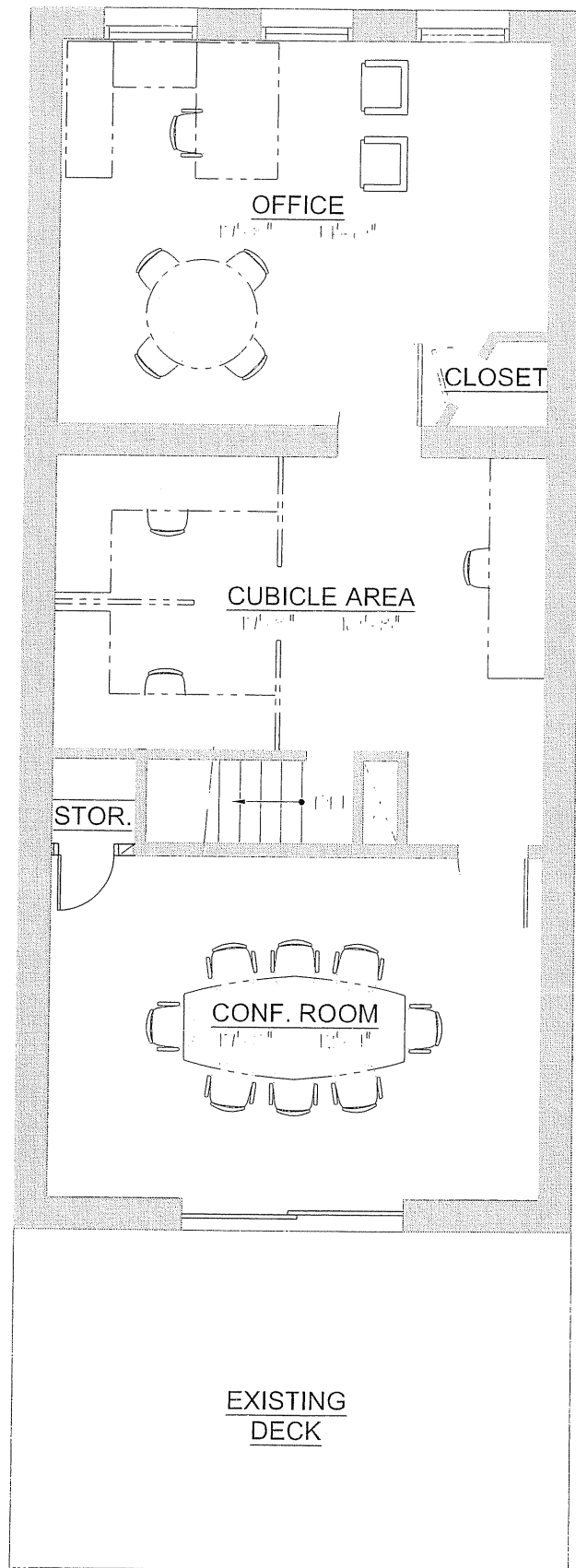
This request is appropriate to this location and for the German Village neighborhood. This will accommodate the provision of ADA restrooms, overflow seating, and office space for Max & Erma's employees. If granted this will not result in any adverse affect to the surrounding property or surrounding neighborhood. 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.

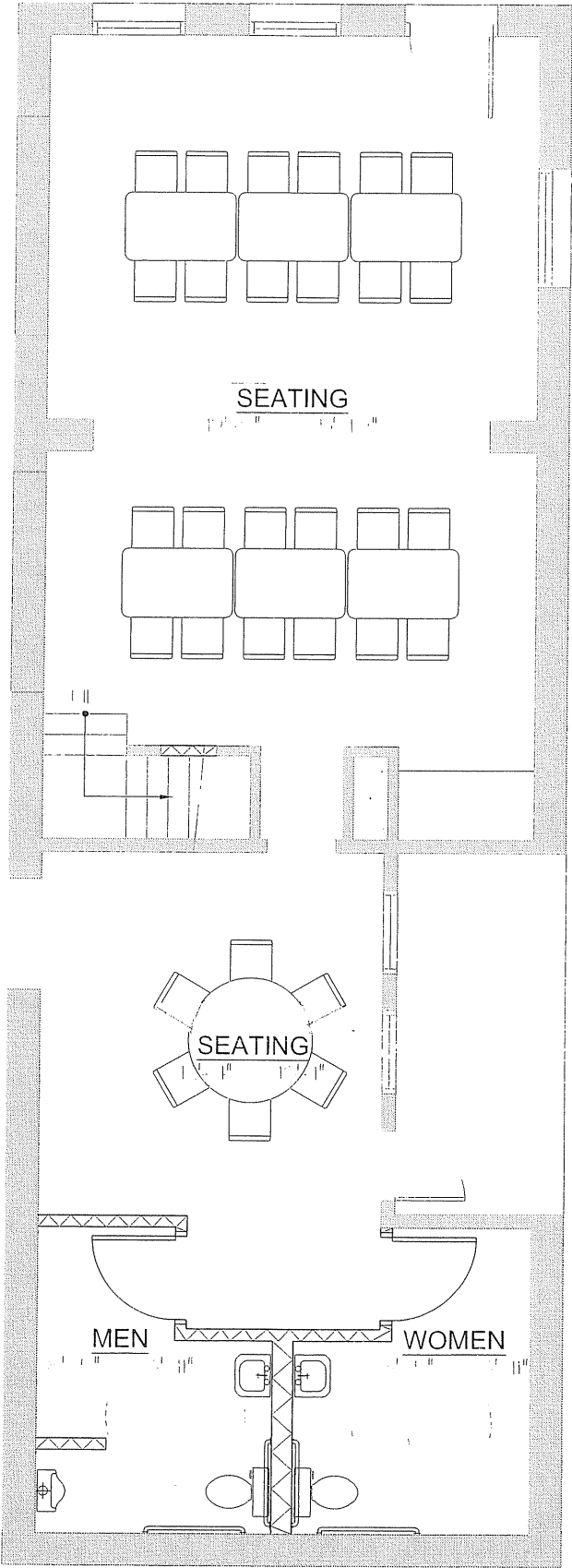
American Blue Ribbon Holdings LLC

Signature of Applicant: By: David Hodge

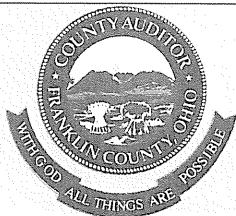
Date: 10/31/2011



UPPER LEVEL
NOT TO SCALE



MAIN LEVEL



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: dlh

DATE: 10/28/11



Disclaimer

Scale = 50



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

Z72-055
R2F
6/21/1972

745 South Third Street
Approximately 0.06 acres

S 3RD ST

Z72-055
R2F
6/21/1972

Z72-055
R2F
6/21/1972

E FRANKFORT ST

Z72-055
R2F
6/21/1972

CITY PARK ME

Z72-055
R2F
6/21/1972

Z72-055
R2F
6/21/1972

E COLUMBUS ST

Z72-055
R2F
6/21/1972

CV11-032

745 South Third Street
Approximately 0.06 acres

93RD ST

E FRANKFORT ST

CITY PARK AVE

E COLUMBUS ST

CV11-032



745 South Third Street
Approximately 0.06 acres

This is an aerial photograph of a residential neighborhood. A specific property is highlighted with a black rectangular border. A line points from the text box to this highlighted property. The surrounding area includes other houses, streets, and trees. The text '3 RD ST' is visible on a street to the right, and 'E FR' is visible near the highlighted property.

CV11-032



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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 # 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.

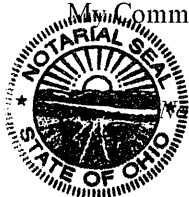
☐ Check here if listing additional parties on a separate page.

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

My Commission Expires:



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.

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