

COUNCIL VARIANCE APPLICATION

Department of Building & Zoning Services

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224

Phone: 614-645-7433 • www.bzs.columbus.gov

OFFICE USE ONLY

Application Number: CV16-022 Date Received: 3/30/16

Application Accepted by: SP + JB Fee: \$1,760

Comments: Assigned to Tim Dietrich; 614-645-6665; tedietrich@columbus.gov
Sharon Pine; 614-645-2208; spinc@columbus.gov.

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 5600 Gender Rd. Canal Winchester Zip: 43110

Is this application being annexed into the City of Columbus? Select one: ☐ YES ☒ NO

If the site is currently pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.

Parcel Number for Certified Address: 490-169286

☐ Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s): Commercial, C2

Area Commission or Civic Association: Greater South East Area Commission

Proposed Use or reason for Council Variance request:

Coffee Shop & Pizza

Acreage: 2 Acres

APPLICANT:

Name: Tamie Wallake (Bryan) Phone Number: 614-554-9214 Ext.: _____

Address: 6168 Dietz Dr City/State: Canal Win. OH Zip: 43110

Email Address: twallake@yahoo.com Fax Number: 740-571-4113

PROPERTY OWNER(S) ☐ Check here if listing additional property owners on a separate page

Name: Gender Road Office Park LLC Phone Number: 614-554-9214 Ext.: _____

Address: 5624 Gender Rd. City/State: Canal Win. OH Zip: 43110

Email Address: twallake@yahoo.com Fax Number: 740-571-4113

ATTORNEY / AGENT (Check one if applicable): ☐ Attorney ☒ Agent

Name: Fred Sambor Phone Number: 614-0563-7349 Ext.: _____

Address: 1390 Hanbury Court City/State: Gahanna, OH Zip: 43230

Email Address: fredsambor@hotmail.com Fax Number: _____

SIGNATURES (All signatures must be provided and signed in **blue** ink)

APPLICANT SIGNATURE Tamie Wall

PROPERTY OWNER SIGNATURE Tamie Wall

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.

Applications must be submitted by appointment. Call 614-645-4522 to schedule.

Please make checks payable to the Columbus City Treasurer

COUNCIL VARIANCE APPLICATION

Department of Building & Zoning Services

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224

Phone: 614-645-7433 • www.bzs.columbus.gov

CV16-022

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

Signature of Applicant

Jamie Wall

Date

3/29/16

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 checks payable to the Columbus City Treasurer

CV16-022

Statement of Hardship 5600 Gender Rd., Canal Winchester, OH

This property is located on 2 acres just north of 33 on Gender Road. This property is currently zoned commercial, C2 and there are 2 other buildings on this parcel which are being used for daycare centers. The building at 5600 has already been constructed as a vanilla box ready for build out. There are numerous other commercial businesses around us including Advance Auto right next door, Family Dollar and The Waffle House across the street.

We are requesting a variance so we can open a restaurant in this space. The Olive Branch will be a full service coffee shop and fast casual pizza place. The coffee shop will offer free WIFI with a warm inviting atmosphere where the community can meet to discuss business or just have a quiet chat with a friend. We will offer a full range of coffee products as well as tea, fresh juice and smoothies. The fast casual pizza restaurant will be open for lunch and dinner and will feature a "Chipotle" style food line where customers can choose from pizza, salad, subs, wings, etc. They will hand pick their toppings and their food will then be cooked in our wood fire brick oven and delivered fresh to their table in approximately 3 minutes.

The Olive Branch will provide a much needed service to our community by giving them a place to come for a hot fresh meal, with quick service and reasonable prices. The décor will feature reclaimed wood wainscoting, a stone wall with a gas fireplace, cozy "living room style" seating in the coffee area and (3) handmade tables made from distressed wood which will create a beautiful environment unlike anything that the Canal Winchester area has to offer. The Olive Branch will also have a party room which will be available for the community to rent out for birthday parties, etc. or just to use as an overflow room for large groups eating at The Olive Branch. The Olive Branch will also provide a valuable service to the many daycare parents who are currently dropping their children off each morning and picking them up each night. There is a great need for food options in this area as The Waffle House is the only food establishment north of 33 at this time. We will also be able to offer pizza delivery to areas that are not currently served by other pizza restaurants in this area.

One of the primary purposes for opening The Olive Branch is to provide a revenue stream which will help fund our 501c3 which helps women trapped in addiction and human trafficking to get off the streets and learn to live a clean, sober, productive life. We are also hoping to offer employment to some of these women who may not be able to find employment elsewhere.

We met with the City of Columbus on December 17, 2015 to discuss this project. When we met with the City, the only concern they had was ensuring that we had enough parking, which we were able to show that parking is sufficient. The City did not mention anything at that time about the need to request a variance for zoning and so we have since spent approximately \$12,000 on equipment, training, architect services, etc. We were just notified last week that the City now wants us to go through the process of requesting a variance. We are asking the City to please expedite this process as much as possible as this oversight on their part is causing extreme hardship on us financially and is causing a huge delay in the construction and opening of our business.

COUNCIL VARIANCE APPLICATION

Department of Building & Zoning Services

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224

Phone: 614-645-7433 • www.bzs.columbus.gov

AFFIDAVIT (See instruction sheet)

Application Number: CV16-022

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Tamie Wallake

of (1) MAILING ADDRESS 6668 Dietz Dr., Canal Winchester, OH 43110

deposes 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 ADDRESS CARD FOR PROPERTY 5600 Gender Rd.

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 3/30/16

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME

AND MAILING ADDRESS

(4) Gender Road Office Park LLC

5624 Gender Rd.

Canal Winchester, OH 43110

APPLICANT'S NAME AND PHONE #

(same as listed on front application)

Tamie Wallake

(614) 554-9214

AREA COMMISSION OR CIVIC GROUP

AREA COMMISSION ZONING CHAIR

OR CONTACT PERSON AND ADDRESS

(5)

Greater South East Area Commission

Ava Johnson

2500 Park Crescent Dr., Columbus, OH

43232

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.

(8) SIGNATURE OF AFFIANT

Tamie Wall

Sworn to before me and signed in my presence this 30th day of March, in the year 2016

Rev

Melda L Cottrill

(8) SIGNATURE OF NOTARY PUBLIC

6/18/2019
My Commission Expires



MELDA L. COTTRILL

Notary Public, State of Ohio
My Commission Expires 6/18/2019

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 checks payable to the Columbus City Treasurer

Owner:**Area Commission:****Agent:**

CV16-022

Bryan & Tamie Wallake
Gender Rd. Office Park
5624 Gender Rd.
Canal Winchester, OH
43110

Greater South East Area Commission
Attn: Ava Johnson
2500 Park Crescent Drive
Columbus, OH 43232

Fred Sambor
1390 Hanbury Ct.
Gahanna, OH 43230

SURROUNDING PROPERTY
OWNERS

April Beard
6536 Fallon Lane
Canal Winchester, OH 43110

Michelle Bell
6542 Fallon Lane
Canal Winchester, OH 43110

Jerica Guthrie
6548 Fallon Lane
Canal Winchester, OH 43110

Grandal Bob
6554 Fallon Lane
Canal Winchester, OH 43110

James Roush
6560 Fallon Lane
Canal Winchester, OH 43110

HPI Schirm Farms
2 Huntley Rd
Old Lyme, CT 06371

Kathleen Bible
Jacob Henderson
5680 Winchester Highlands
Canal Winchester, OH 43110

Kaitlyn ODonnell
5686 Winchester Highlands
Canal Winchester, OH 43110

Gregory & Stacy Reed
5694 Winchester Highlands
Canal Winchester, OH 43110

Ronald & Bonnie Maynor
5700 Winchester Highlands
Canal Winchester, OH 43110

Brett & Tonia Drake
5697 Winchester Highlands
Canal Winchester, OH 43110

AH4R
30601 Agoura Rd.
Ste. 200
Agoura, CA 91301

Paul Achey
5681 Winchester Highlands
Canal Winchester, OH 43110

Bret & Lauren Woodyard
6559 Cloverlawn Cr.
Canal Winchester, OH 43110

Michael & Yolanda Grant
6551 Cloverlawn Cr.
Canal Winchester, OH 43110

James Confer
6545 Cloverlawn Cr.
Canal Winchester, OH 43110

Mark Casady
6539 Cloverlawn Cr.
Canal Winchester, OH 43110

Daniel & Tracey Fox
6533 Cloverlawn Cr.
Canal Winchester, OH 43110

Courtney Hahn
6527 Cloverlawn Cr.
Canal Winchester, OH 43110

MPD Properties, LLC
5580 Riverside Dr.
Dublin, OH 43017

COUNCIL VARIANCE APPLICATION

Department of Building & Zoning Services

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224

Phone: 614-645-7433 • www.bzs.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 #

CU16-022

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME)

Tamie Wallake

of (COMPLETE ADDRESS)

5600 Gender Rd, Canal Winchester, OH 43110

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 format:

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. Gender Road Office Park LLC Bryan + Tamie Wallake Canal Winchester, OH 43110 5624 Gender Rd.	2.
3. (15) Employees projected Contact - Tamie Wallake (614) 554-9214	4.

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

SIGNATURE OF AFFIANT

Tamie Wall

Sworn to before me and signed in my presence this

30th

day of

March

, in the year

2016

Notary Seal Here

SIGNATURE OF NOTARY PUBLIC

My Commission Expires

6/18/2019



MELDA L. COTTRILL
Notary Public, State of Ohio
My Commission Expires 6/18/2019

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 checks payable to the Columbus City Treasurer

COUNCIL VARIANCE APPLICATION

Department of Building & Zoning Services

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224

Phone: 614-645-7433 • www.bzs.columbus.gov

CV16-022

PRE-APPLICATION REVIEW WORKSHEET

THIS PAGE WILL BE COMPLETED AT THE PRE-APPLICATION REVIEW MEETING BY CITY STAFF

- ☐ Address of location of the site
- ☐ Annexation status
- ☐ Current development on the property
- ☐ Current zoning and legal use of the property
(Attach computer record if applicable)
- ☐ Proposed use of the site
- ☐ Zoning Districts, Variances or Special Permit requested
- ☐ Total acreage of the site
- ☐ Site location -
Attach and identify here the types of maps referenced (Zoning Map/GIS Map)
- ☐ Special development review standards:
Flood plain
Airport Environs Overlay
Historic Districts [HRC, Architectural Review, Listed Property]
Traffic Standards Code [Right of Way, TIS, other].....
Parkland (land, easements, bike paths, other).....
Zoning Clearance (Site plan review)
Other
- ☐ Review of Public Notice Affidavit requirements
- ☐ Adopted Area Plan or Development Policies
- ☐ Recommendation/Other
- ☐ Preliminary Review of Limitation text or planned district text standards
- ☐ Area Commission or other Community Group
- ☐ Proposed Hearing Date
- ☐ Cut-off Date for Proposed Hearing Date
- ☐ Items to be completed or revised before submittal

5600 Gender Rd
In Columbus
Day care center
C-2, Shell building
complete for intended use
Eating + drinking establishment
CV for use
2.?
N/A
↓
Dan Blechsmidt, Planning & Operations Division, (614) 645-1694
Kathy Spatz, Dept. of Recreation & Parks, (614) 645-0487
See Instructions
South East Area Plan (2000)
Residential - Mary Dravillas
645-6823
mcdavillas@columbus.gov
N/A
Greater South East Area Commission
TBD
4/5/16
(1) Complete Application
(2)
(3)
(4)
(5)

☐ Requested Variances: Use in C-2 3353.03, Permitted uses

Comments [Applicant]

Comments [City]

Staff met with Tamara & Brian Wallacke on 3/24/16 regarding this proposed application and applicant received a copy of this pre-application worksheet.

City Staff Representative Shannon J Rupp Date 3/24/16

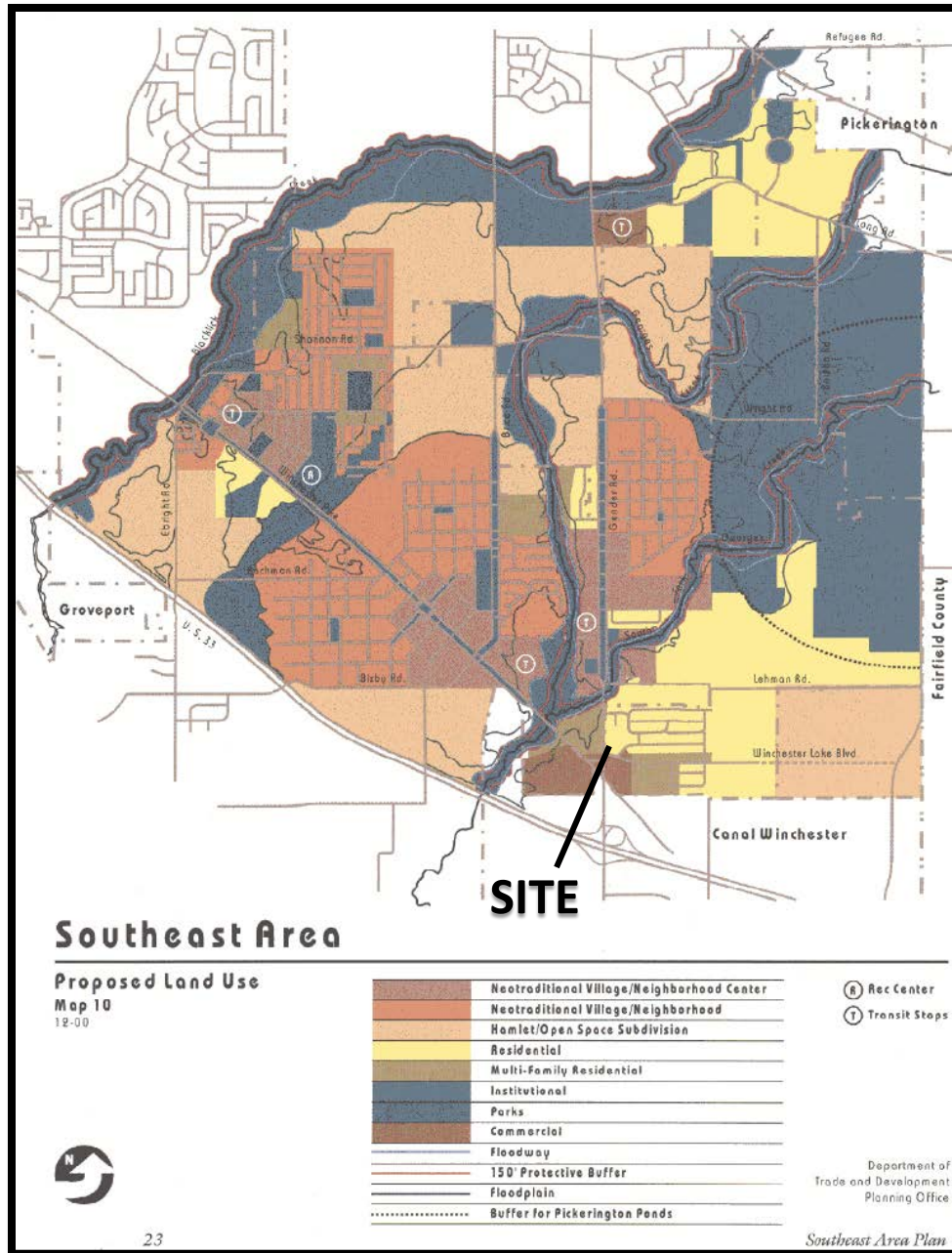
Note: This **Pre-Application Review** is preliminary, based upon the information presented. This document is to allow staff to become acquainted with the proposal and to identify issues relevant to the application. Additional information may be necessary after City Staff formally reviews your request.

CV16-022

EXHIBIT "A"

Situated in the State of Ohio, in the County of Franklin and in the City of Columbus:

Beginning at a point in the East line of Gender Road which is south 1190.73 feet from the intersection of the East line of Gender Road and the centerline of Lehman-Road; thence North $89^{\circ} 40' 30''$ East 68.37 feet from a R.R. spike set at the intersection of centerlines of Lehman Road and Gender Road; thence South $0^{\circ} 58'$ West 200.02 feet to a point; thence North $89^{\circ} 40' 30''$ West 435.60 feet to the place of beginning, containing 2.00 acres more or less.



CV16-022
5600 Gender Road
Approximately 2.0 Acres



CV16-022
5600 Gender Road
Approximately 2.0 Acres