



BOARD OF ZONING ADJUSTMENT 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: 14310-00094
 Date Received: 2/13/14
 Commission/Civic: Clintonville
 Existing Zoning: C-4 Application Accepted by: D. Reiss Fee: \$1,900.00
 Comments: 4/22/14

TYPE(S) OF ACTION REQUESTED

(Check all that apply)

☒ Variance ☐ Special Permit

Indicate what the proposal is and list applicable code sections.

PROVIDE PRIMARY SIDE ENTRANCE IN LIEU OF FRONT ENTRY (3372.705-D)
PROVIDE FRONT FACADE W/ LESS THAN 40% CLEAR GLASS* (3372.705-F)
* REDUCE CLEAR GLASS AREA DOWN TO 22.5%.

LOCATION

1. Certified Address Number and Street Name 5026 N. HIGH ST
 City COLUMBUS State OH Zip 43216
 Parcel Number (only one required) 010-152428

APPLICANT: (IF DIFFERENT FROM OWNER)

Name CHARLES WERTZ
 Address 6130 S. SUNBURY RD City/State WESTERVILLE, OH Zip 43081
 Phone # (614) 545-4550 Fax # (614) 545-4555 Email cwertz@shremshock.com

PROPERTY OWNER(S):

Name THE WENDY'S CO. C/O DAVID MILNE
 Address ONE DAVE THOMAS BLVD. City/State DUBLIN, OH Zip 43017
 Phone # (614) 764-3148 Fax # (614) Email DAVID.MILNE@WENDYS.COM
☐ Check here if listing additional property owners on a separate page.

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

☐ Attorney ☐ Agent

Name _____
 Address _____ City/State _____ Zip _____
 Phone # _____ Fax # _____ Email: _____

SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE Charles Wertz
 PROPERTY OWNER SIGNATURE David Milne
 ATTORNEY / AGENT SIGNATURE _____

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



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AFFIDAVIT

14310-0094
5026 N. High St.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME CHARLES WERTZ
of (1) MAILING ADDRESS 6130 S. SUNBURY RD, WESTERVILLE, OH 43081
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 ADDRESS CARD FOR PROPERTY
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) _____

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) DAVID MILNE
THE WENDY'S CO.
ONE DAVE THOMAS BLVD
DUBLIN, OH 43017

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

CHARLES WERTZ
(614) 545-4550
CLINTONVILLE AREA COMMISSION

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

(5) DANA BAGWELL - ZONING COMMITTEE CHAIR
3982 N. HIGH STREET
COLUMBUS, OH 43214

and that the following 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:

(6) PROPERTY OWNER(S) NAME (6A) ADDRESS OF PROPERTY (6B) PROPERTY OWNER(S) MAILING ADDRESS

SEE ATTACHED LIST

☒ (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 13th day of February, in the year 2014

SIGNATURE OF NOTARY PUBLIC

My Commission Expires 05-12-15

Notary Seal



JAMES CRAIG ZEID
Notary Public, State of Ohio
My Commission Expires 05-12-2015

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Graceland Owner LLC
191 W. Nationwide Blvd.
Suite 200
Columbus, OH 43215

Clintonville Area Commission
c/o Dana Bagwell, Zoning Committee Chair
3982 N. High Street
Columbus, OH 43214

Gray Gables Realty LLC
65 Ashbourne Rd
Columbus, OH 43209

Shremshock Companies
Attn: Chuck Wertz
6130 S. Sunbury Rd
Westerville, OH 43081

David Milne
The Wendy's Co.
One Dave Thomas Blvd
Dublin, OH 43017

Ronald Smith
2626 Wexford Rd
Columbus, Oh 43221

Karic LLC
596 Grist Run Rd
Westerville, OH 43082

Georgia Parsenios
Unit A-14
4991 Arbor Village Dr
Columbus, OH 43214

Judith J Yoder
5745 Newbank Cir Ste 401
Dublin, OH 43017

Apex Investments LP
870 High Street
Worthington, OH 43085

Kevin M McDonald & P Terrence
5239 Portland St, #102
Columbus, OH 43235

Fenway Pines Partners LLC
287 Fenway Rd
Columbus, OH 43214

14310-0094
5026 N. High St.

Statement of Hardship

The purpose of the new Wendy's Image Activation scheme is to update existing restaurants nationwide with a new, modern, visually appealing design that has been well received by customers in our marketing studies, while maintaining the general layout of the existing service features within the building that our customers have become accustomed to. Efforts to implement the new branding with minimal service disruption and minimal alterations of the existing footprint of the restaurant are done so to reduce impact on the existing site plan, keep existing parking and site circulation patterns and to maintain distribution and operation of service areas within the building that have been long established. In this case, Wendy's is undergoing a High Street facade renovation by adding a red blade feature that is integral to a nationwide image activation program and slightly altering the existing south entrance vestibule. With this in mind, we are requesting the following variances to two items of the High Street Community Commercial Overlay (CCO) design requirements:

First, Section 3372.705(D) requires that buildings within the CCO have a primary entrance door facing High Street and this building's primary entrance is at the south elevation. This building was constructed thirty five years ago and historically Wendy's has placed the customer dining areas at the front of the building which is the case at this location. This provides a level of seating concentration and privacy that would not be available if an additional entrance corridor were introduced from the front, requiring customers to navigate through diners already seated in the front seating area in order to access the order stations. Because of the narrowness of this building (40'-0"), this issue becomes problematic and magnified. In an effort to introduce our Image Activation Scheme, maintain our dining room separation from those entering the restaurant, and maintain the existing site layout, we request relief from this requirement.

Second, Section 3372.705(F) requires a minimum of 40% clear glass area at the front elevation between the heights of 2'-0" and 10'-0" above grade. The new design provides 22.5%. Existing window surface areas have been reduced with the introduction of the new red blade element which is an integral part of the Image Activation scheme. On the exterior, it is meant to be iconic and readily identify the new Wendy's brand to customers. On the interior, it forms the backdrop for a soft seating area, a space that includes a fireplace and invitation to sit and stay awhile. It has been a very well received feature in our customer surveys. The purpose of this image activation project is mainly to re-activate and re-brand the High Street facade and it is not a major structural renovation. We feel our branding efforts do not detract from the intentions of the design requirements of the Community Commercial Overlay. Granting the variances will preserve our property rights that are commonly possessed by owners of other similarly situated properties located in the CCO. It will not negatively impact the surrounding neighborhood and businesses. We appreciate your strong consideration of our request for relief from these sections.



City of Columbus Zoning Plat



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: 010152428

Zoning Number: 5026

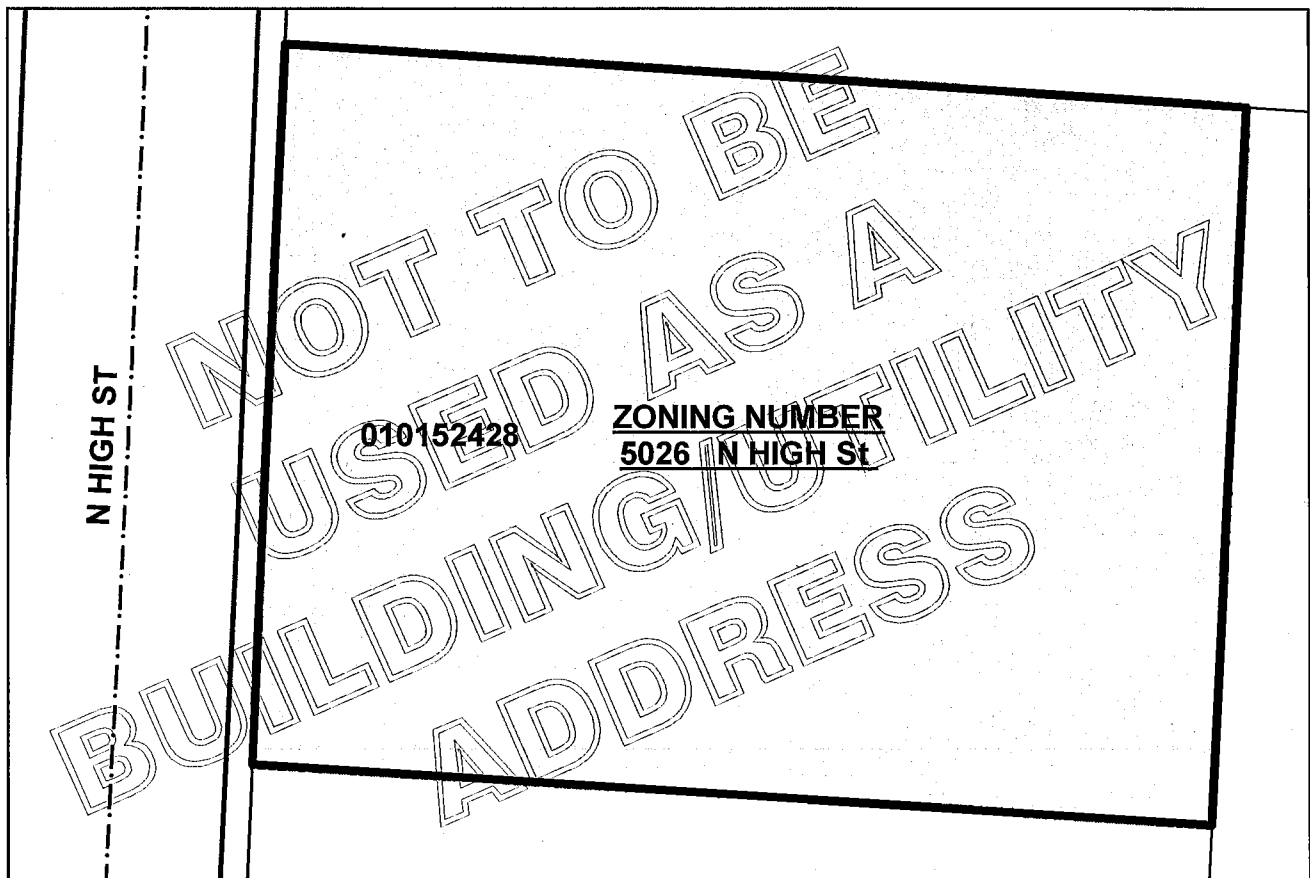
Street Name: N HIGH St

Lot Number N/A

Subdivision: N/A

Requested By: SHREMSHOCK ARCHITECTS (CHARLES WERTZ)

Issued By: *Patricia A. Austin* Date: 2/12/2014

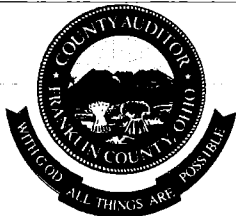


SCALE: 1 inch = 40 feet



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

GIS FILE NUMBER: 17382



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: S

DATE: 2/12/14



Disclaimer

Scale = 100

This map is prepared for the real property inventory within this county. survey plats, and other public records and data. Users of this map are no information sources should be consulted for verification of the informati county and the mapping companies assume no legal responsibilities for t Please notify the Franklin County GIS Division of any discrepancies.

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Real Estate / GIS Department



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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 #

14310-0094

STATE OF OHIO
COUNTY OF FRANKLIN

5026 N. High St.

Being first duly cautioned and sworn (NAME) CHARLES WERTZ
of (COMPLETE ADDRESS) 6130 S. SUNBURY ROAD, WESTERVILLE, OH 43081
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 and their mailing addresses:

NAME

COMPLETE MAILING ADDRESS

THE WENDY'S COMPANY

ONE DAVE THOMAS BLVD.

DUBLIN, OH 43017

SIGNATURE OF AFFIANT

Charles Wertz

Subscribed to me in my presence and before me this 13th day of February, in the year 2014

SIGNATURE OF NOTARY PUBLIC

[Signature]
05-12-15

My Commission Expires:



JAMES CRAIG ZEID
Notary Public, State of Ohio
My Commission Expires 05-12-2015

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