



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: 11310-00000-00137
Date Received: 14 MAR. 2011
Commission/Group: N/A
Existing Zoning: _____ Application Accepted by: HF Fee: \$1900
Comments: _____

TYPE(S) OF ACTION REQUESTED (Check all that apply)

Variance Special Permit

Indicate what the proposal is and list applicable code sections. State what it is you are requesting.

Requesting variance from Code Section 3312.49 requiring the maximum parking allowed from 1 per each 50 sq. ft. of floor area (4464/50=90) to 1 per each 40 sq. ft. of floor area (4464/40=112).

LOCATION

1. Certified Address Number and Street Name 5500 Renner Road
City Columbus State Ohio Zip 43228
Parcel Number (only one required) Split from parent parcel number 560-202571

APPLICANT: (IF DIFFERENT FROM OWNER)

Name Icebreaker Development LLC, c/o Patrick M. O'Leary
Address 1024 S. 6th Street, Suite 201 City/State Terre Haute, IN Zip 47807
Phone # 812/478-0232x112 Fax # 812/232-8892 Email poleary@womackrestaurants.com

PROPERTY OWNER(S):

Name George's Corner TKT LLC
Address 150 E. Broad Street, Suite 100 City/State Columbus, OH Zip 43215
Phone # 614/454-5000 Fax # _____ Email TBrigdon@nsrealty.net
 Check here if listing additional property owners on a separate page.

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE) Attorney Agent

Name Steve Fox/P & L Systems, Inc.
Address 171 Charring Cross Drive City/State Westerville, OH Zip 43081
Phone # 614/891-4970 Fax # 614/891-4984 Email: SFox@plsdis.com

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

APPLICANT SIGNATURE *Patrick M. O'Leary*
PROPERTY OWNER SIGNATURE _____
ATTORNEY / AGENT SIGNATURE *Steve G. Fox Jr*

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

One Stop Shop Zoning Report

Building Services Division
Department of Development
 Report date: 3/31/2011 4:20:48 PM

Parcel Report

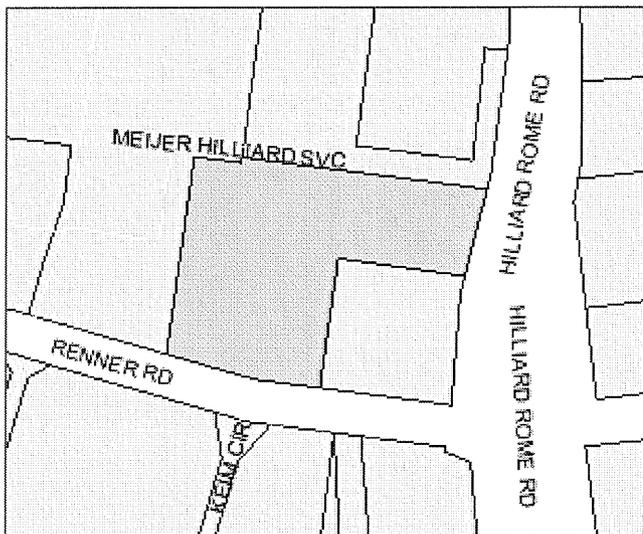
Parcel ID	Owner	Address
560202571	GEORGES CORNER TKT II LLC	1519 HILLIARD-ROME RD COLUMBUS OH 43026
560202571	GEORGES CORNER TKT II LLC	1517 HILLIARD-ROME RD COLUMBUS OH 43026
560202571	GEORGES CORNER TKT II LLC	5424 RENNER RD COLUMBUS OH 43026
560202571	GEORGES CORNER TKT II LLC	5500 RENNER RD COLUMBUS OH 43026
560202571	GEORGES CORNER TKT II LLC	1513 HILLIARD-ROME RD B COLUMBUS OH 43026
560202571	GEORGES CORNER TKT II LLC	1515 HILLIARD-ROME RD A COLUMBUS OH 43026
560202571	GEORGES CORNER TKT II LLC	1511 HILLIARD-ROME RD C COLUMBUS OH 43026
560202571	GEORGES CORNER TKT II LLC	1507 HILLIARD-ROME RD E COLUMBUS OH 43026
560202571	GEORGES CORNER TKT II LLC	1505 HILLIARD-ROME RD F COLUMBUS OH 43026
560202571	GEORGES CORNER TKT II LLC	1501 HILLIARD-ROME RD G COLUMBUS OH 43026
560202571	GEORGES CORNER TKT II LLC	1499 HILLIARD-ROME RD COLUMBUS OH 43026
560202571	GEORGES CORNER TKT II LLC	1509 HILLIARD-ROME RD D COLUMBUS OH 43026
560202571	GEORGES CORNER TKT II LLC	5438 RENNER RD COLUMBUS OH 43026

Base Zoning Report

Case Number	Classification	Height District	Map Number	General Zoning Category	Limitation Text
Z72-089	C4	H-35	26	Commercial	(View Document)
Z89-160A	CPD	H-35	26	Commercial	(View Document)

Flood Zone

Firm Panel	Flood Zone	SFHA	Panel Type	FZONE
TBD	X	OUT	CURRENT	X



This map is intended to locate the property in question, and provide information about the land use categories governing the use of this parcel. Please consult with zoning staff before making binding decisions based on this information. The property address is not a certified address for building purposes. No warranty is expressed or implied.

11310-00000-00137
5500 RENNER ROAD



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AFFIDAVIT

11310-00000-00137
5500 RENNER ROAD

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Steve Fox
of (1) MAILING ADDRESS 171 Charring Cross Dr. 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) Georges Corner TKT LLC
150 E. Broad St., Suite 100
Columbus, OH 43215

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

Icebreaker Development LLC c/o Patrick M. O'Leary
812/478-0232 x112

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

(5) N/A
N/A
N/A

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

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

SIGNATURE OF AFFIANT

(8)

Steve Fox

Subscribed to me in my presence and before me this 14 day of MARCH, in the year 2011

SIGNATURE OF NOTARY PUBLIC

(8)

Pat Gindlesperger

PAT GINDLESPERGER

NOTARY PUBLIC, STATE OF OHIO

MY COMMISSION EXPIRES AUGUST 14, 2011

My Commission Expires:



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STATEMENT OF HARDSHIP

11310-00000-00137

5500 RENNER ROAD

APPLICATION # _____

3307.09 Variances by Board.

- A. The Board of Zoning Adjustment shall have the power, upon application, to grant variances from the provisions and requirements of this Zoning Code (except for those under the jurisdiction of the Graphics Commission and except for use variances under the jurisdiction of the Council). No variance shall be granted unless the Board finds that all of the following facts and conditions exist:
 1. That special circumstances or conditions apply to the subject property that does not apply generally to other properties in the same zoning district.
 2. That the special circumstances or conditions are not the result of the actions of the property owner or applicant.
 3. That the special circumstances or conditions make it necessary that a variance be granted to preserve a substantial property right of the applicant which is possessed by owners of other property in the same zoning district.
 4. That the grant of a variance will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of this Zoning Code.
- B. In granting a variance, the Board may impose such requirements and conditions regarding the location, character, and other features of the proposed uses or structures as the Board deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.
- C. Nothing in this section shall be construed as authorizing the Board to affect changes in the Zoning Map or to add to the uses permitted in any district.

I have read Section 3307.09, Variances by Board, and believe my application for relief from the requirements of the Zoning Code satisfies the four criteria for a variance in the following ways:

We are proposing a 4,644 square foot IHOP restaurant that will have a maximum occupant load of 264. Code allows for a maximum of 90 parking spaces and we are requesting a variance for an additional 22 parking spaces for a total of 112. Having just opened the same size restaurant in Reynoldsburg, OH (90 parks) we have found out that our need exceeds space available. At the Reynoldsburg location we have cars being parked along drive aisles and in fields surrounding the restaurant creating a hazard. It hinders emergency vehicles getting to their destination because of tight drive aisles and customers/employees are always safer parking on-site rather than an off-site alternative. It also can create hardships on surrounding property owners. McDonald's (72 parks) and Bob Evans (126 parks) both appear to exceed the maximum park requirement.

Signature of Applicant

Date

3/11/11

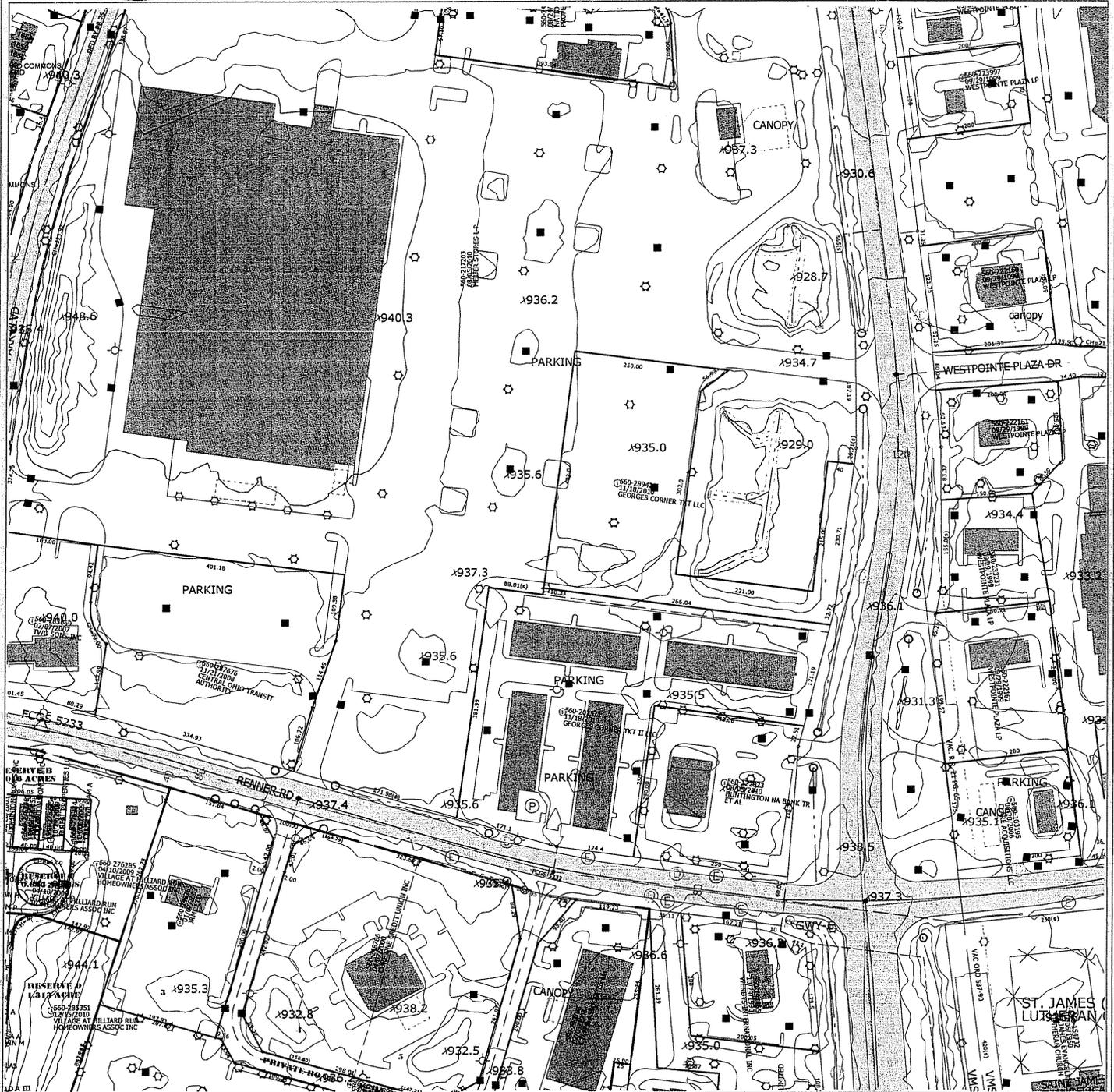
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CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: M

DATE: 3/11/11



Disclaimer

Scale = 240



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

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map.

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.

APPLICATI **11310-00000-00137**
5500 RENNER ROAD

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Steve Fox
of (COMPLETE ADDRESS) 171 Charring Cross Dr. 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
George's Corner TKT LLC	150 E. Broad St., Suite 100 Columbus, OH 43215
Icebreaker Development LLC	1024 S. 6th Street, Suite 201 Terre Haute, IN 47807

SIGNATURE OF AFFIANT *Steve Fox*

Subscribed to me in my presence and before me this 14 day of MARCH, in the year 2011

SIGNATURE OF NOTARY PUBLIC *Pat Gindlesperger*
PAT GINDLESPERGER
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES AUGUST 14, 2011

My Commission Expires:



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