

Date 11/1/10 Application # CV10-037

City of Columbus | Department of Development | Building Services Division | 757 Cardyn Avenue Columbus, Ohio 43224

Case Planner: Dana Hitt 645-2395
dahitt@columbus.gov



COUNCIL VARIANCE APPLICATION

OFFICE USE ONLY:

Planning Area: _____ Received By: D. Hitt

LOCATION AND ZONING REQUEST:

Certified Address(for Zoning Purposes) 26-30 E GRAY Zip 43201

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 010-049712

If applicable, check here if listing additional parcel numbers on a separate page (Required)

Current Zoning District (s) C-3

Recognized Civic Association or Area Commission UNIVERSITY AREA

(See instructions in "Things to Remember" on the front of application packet)

Proposed Use or reason for Council Variance request: MANUFACTURE OF ROAD

Proposed Height District: H-35 Acreage .149

(Columbus City Code Section 3309.14)

APPLICANT: Name BROTHERS DRAKE, LLC

Address 206 OAK ST City COLUMBUS Zip 43235

PROPERTY OWNER(S) Name PETER AVRADOPOULOS

Address 260 N. WALL ST City COLUMBUS Zip 43215

If applicable, check here if listing additional property owners on a separate page (Required)

ATTORNEY / AGENT

Attorney Agent

Name J. WOODY DRAKE
Address 206 OAK ST City COLUMBUS Zip 43235
Phone # 614 586 0225 Fax # _____
Email WOODY@BROTHERSDRAKE.COM

SIGNATURES (ALL SIGNATURES MUST BE SIGNED IN BLUE INK)

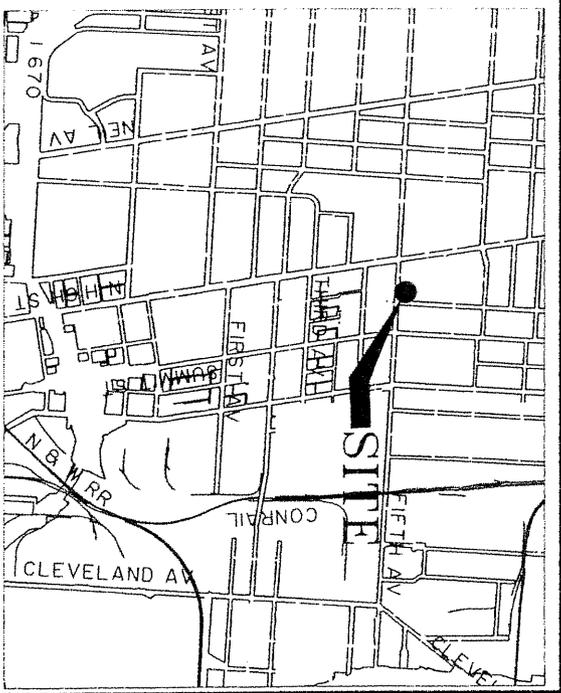
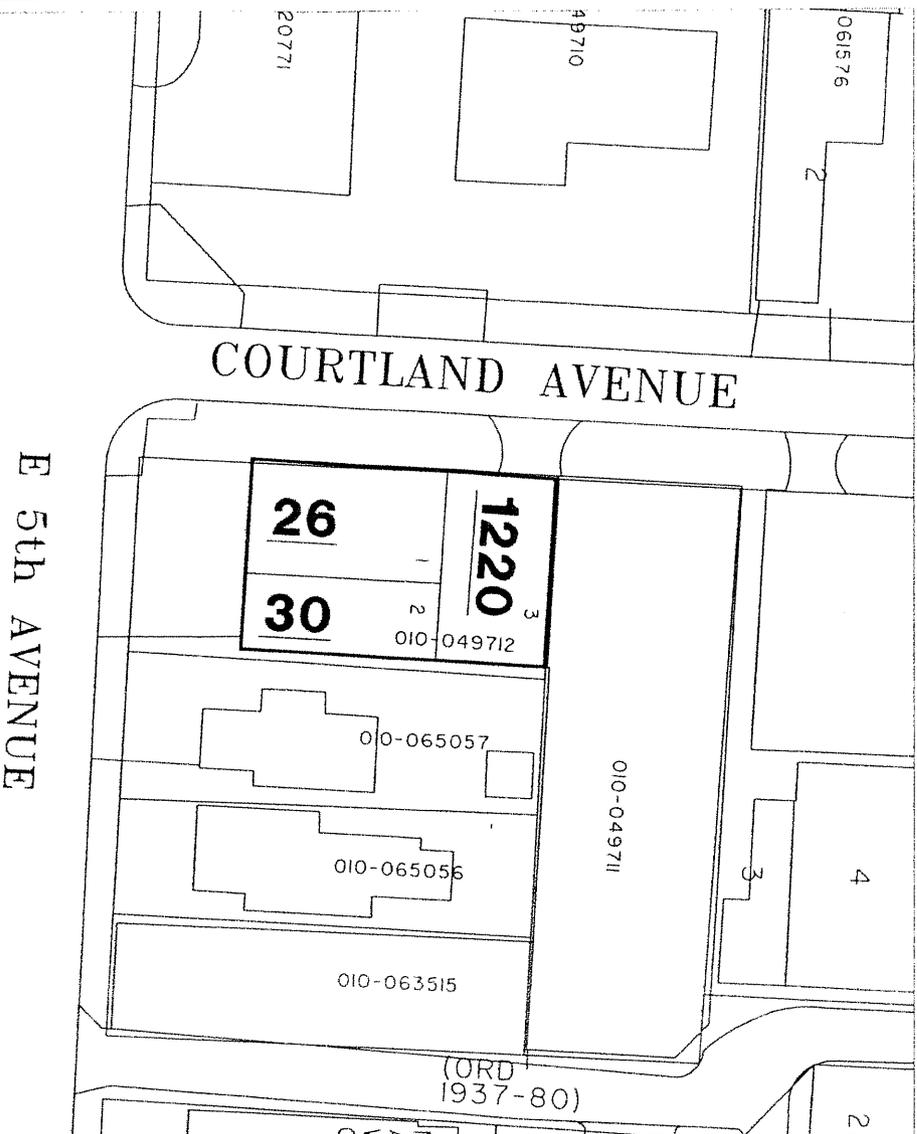
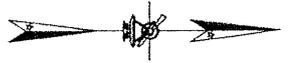
Applicant Signature [Signature] NOV 03 2010

Property Owner Signature [Signature] BUILDING & ZONING SERVICES

Attorney / Agent Signature N/A

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.

CITY OF COLUMBUS ADDRESS PLAT



CITY OF COLUMBUS, OHIO REFERENCE MAP LOCATION

OTHER MAP REFERENCES

CITY LAND USE MAP:	27-D
GIS FACET NUMBER:	182607225

HOUSE NUMBERS SHOWN ON ATTACHED PLATE ARE CERTIFIED FOR SECURING OF BUILDING & UTILITY PERMITS

issued by *[Signature]* Date **05-05-09**

PATRICIA A. JUSTIN P.E., ADMINISTRATOR
PLANNING AND OPERATIONS
109 N. FRONT ST COLUMBUS, OHIO

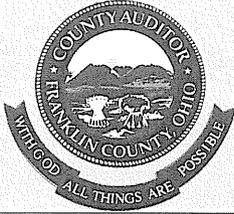


ADDRESS FILE NUMBER - **02-042**

DEVELOPED BY: **PETER AVRADOROULOS**
ENGINEERING CONSULTANT: **BEST CONSTRUCTION**

RETAIL SHOPS
26-30 E. 5TH AVE &
1220 COURTLAND AVE

PARCEL No. **010-049712**
EAST OF **N. HIGH STREET**



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: M

DATE: 10/25/10



Disclaimer

Scale = 80



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





26-30 East Fifth Avenue
0.15± acres

CV10-037



STATEMENT OF HARDSHIP

Chapter 3307 of the Columbus Zoning Code
Section 3307.10 Variances by City Council

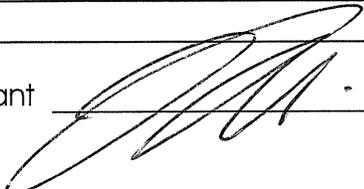
- A. Permit a variance in the yard, height, or parking requirements of any district only in conjunction with a change in zoning or a use variance and only where there are unusual and practical difficulties or unusual hardships in the carrying out of the zoning district provisions due to an irregular 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  Date 10-26-10



Statement of Hardship

Council Variance for 26-30 E. 5th Avenue Columbus, Ohio, 43201

Requested by: J. Woody Drake, Owner, for
Brothers Drake, LTD.

Variance to CH 3355.03-Use- to Allow Wine Manufacture

To the University Area Commission Zoning Committee, and To Whom It May Concern:

Brothers Drake, LTD, Central Ohio's first and only Craft Meadery, would like to assume a long-term lease on the property at 26-30 E. 5th Ave, Columbus, OH 43201. We have a conditional Lease in effect from Peter Avradopoulos. We currently make and sell our mead (wine made from honey) at our licensed, bonded and insured facility on the North Side of Columbus. In 3 years of operations we have outgrown this location.

I have lived in Weinland Park for almost 7 years now, and I am a member of the Weinland Park Civic Association. I would very much like to work where I live, so my business can benefit my neighborhood. We currently employ one resident of the University Area (myself). The plan is to employ a total of five persons (four of which would be University Area residents) by the end of 2011.

We hope to be able to partner with Middlewest Spirits and other local businesses to enhance this part of the neighborhood, bringing commerce and tax revenue to an otherwise empty building. We are aware that a Zoning Variance for parking already sits approved, and we would be subject to its edicts as pertains to parking. We have a conditional lease on 3 spots in the lot of 1254 Courtland Avenue from Ricky Day, the Owner, if the city should deem them needful.

Our business, while a manufacturing concern, creates no noise to speak of, and no odor at all. The property would house our business offices, tasting room, product development and manufacturing/warehousing facilities. In the short term, once all approvals have been obtained, we would like to serve small, simple fare there as well.

As I had a career in the arts, we would also operate an art gallery in the space, bringing in more people to the neighborhood from the Short North galleries. As I understand the current zoning, all of this is included in C-3 except the manufacturing of the mead, and so it is for this specific favor that we ask

We currently are open from 6-9 PM Thursday and Friday and 12-6 PM Saturday, and closed Sunday, but at this location our hours of operation would follow the community around us, probably staying open later on Gallery Hop nights and for any community events in the area, but mostly be open by 11AM Monday thru Saturday and closed by 10PM and all day Sunday.

Thank you for your time and attention. Please call 614.886.0225 with any questions.



AFFIDAVIT

(See reverse side for instructions)

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME J. WOODY DRAKE
of (1) MAILING ADDRESS B 63 N 4TH ST
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) CERTIFIED ADDRESS FOR ZONING PURPOSES 26-30 E 5TH AVE
for which the application for a rezoning, variance, special permit or graphics plan, was filed
with the Department of Development, Building Services Division on (3) 11/1/10
(THIS LINE TO BE FILLED OUT BY CITY STAFF)

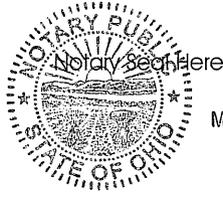
SUBJECT PROPERTY OWNER'S NAME AND MAILING ADDRESS (4) PETER AVRAPOPOULOS
760 N. WALL ST
COLUMBUS, OH 43215

APPLICANT'S NAME AND PHONE # (same as listed on front of application) ~~BROTHERS DRAKE, LTD~~
(614) 586-0225

AREA COMMISSION OR CIVIC GROUP AREA COMMISSION ZONING CHAIR OR CONTACT PERSON AND ADDRESS (5) UNIVERSITY AREA COMM.
MON HUPPMAN - 4866234
1298 HUNTER, 43201

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)

SIGNATURE OF AFFIANT (8) [Signature]
Subscribed to me in my presence and before me this 26 day of OCT, in the year 2010.
SIGNATURE OF NOTARY PUBLIC (8) Aarti Patel
My Commission Expires: 4/27/14



AARTI PATEL
Notary Public, State of Ohio
My Commission Expires 04-27-2014

APPLICANT
Brothers Drake, LTD.
206 Oak St
Columbus, OH 43235

OWNER
Peter Avradoupolos
760 N. Wall St
Columbus, OH 43215

UAC Zoning Chair
Ron Hupman
1298 Hunter Ave
Columbus, OH 43201

Stickmen Properties, LLC
22E Gay St
Columbus, OH 43215

Minhoff Realty Corp
3401 Old Maids LN
Pataskala, OH 43062

Fred Maloof
2362 N. High St
Columbus OH 43202

Smith and High, LLC
22 N. Gay St.
Columbus OH 43215

Trustees of the Pilgrim Holiness Church
46 E. 5th Ave
Columbus OH, 43201

Velico Ventures LLC
1077 Mount Pleasant Ave
Columbus, OH 43201

George Stefandis
BAC Tax Service Corp
2375 N Glenville Dr
Richardson TX 75082



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.

STATE OF OHIO
COUNTY OF FRANKLIN

APPLICATION # _____

Being first duly cautioned and sworn (NAME) J. WOODY DRAKE
of (COMPLETE ADDRESS) 1363 N 4TH ST, COLUMBUS, OH 43201
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 of individual's address
Address of corporate headquarters
City, State, Zip
Number of Columbus based employees
Contact name and number

<u>BROTHERS DRAKE, LTD</u> <u>206 OAK ST</u> <u>COLUMBUS, OH 43235</u> <u>1 EMPLOYEE</u> <u>J. WOODY DRAKE, (614)886-0225</u>	

If applicable, check here if listing additional parties on a separate page (required)

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 26 day of Oct, in the year 2010

SIGNATURE OF NOTARY PUBLIC Aarti Patel

My Commission Expires: 4/27/14

This Project Disclosure Statement expires six months after date of notarization.



AARTI PATEL
Notary Public, State of Ohio
My Commission Expires 04-27-2014