

CV07-040



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 Valerie Cooudge Date 10-1-07

Statement of Hardship

While my husband Robin and I were looking in to purchasing the Wyandotte Winery, we retained a lawyer to check in to the legalities of our purchase. They reported to us that all was fine and legal to continue to run the winery as it ran for the past thirty years. However, six months after we purchased the property we had our plumber apply for a plumbing permit. The city declined to give him a permit. First, they declined the permit because the city zoning commission said we did not have a variance to operate a winery from our home. After looking in to it further, they realized that there was a variance in place. We tried again for the permit; however, the city once again declined to issue a permit because the building department said that we did not have an occupancy permit; that the building never had its final inspection.

Upon review of the variance, one of the stipulations listed was that there was to be no serving on the premises. I could not understand how this was possible especially since I had copies of many years worth of health department certificates that approved the facility for serving. It would seem that the previous owner was unaware of the stipulation on the variance, and that the health department did not check the variance for stipulations before issuing their permits.

We hold an A2 permit which is a winery permit, allowing us to produce, sell and serve only our own wine that we manufacture. We are restricted from selling (or serving) beer or liquor or even wines made by another winery. We would like the variance to address the future of the winery that serving on premises is legal so long as the owner holds a valid A2 permit, thus alleviating the possibility of someone opening a bar here later.

We are thus hereby seeking a new variance that allows us to serve on the premises, as has been done here for many of the thirty prior years. We operate our business as a home-based family run operation. We are open to the public Tuesday through Saturday from 1- 7 PM. Inherent to all wineries we need to allow for wine tasting on premises and would like to have the ability to serve wine by the glass, along with cheese and crackers, since the facility has a lovely tasting room.

In all of the years this facility has been in operation, I know of no incident with drunkenness, accidents, or lewd behavior. A typical customer will come in have a tasting, make a purchase, and leave. On Saturdays, however customers are more inclined to enjoy a glass of wine with a cheese plate. Like any responsible server, we have limits on how much we will serve and will not serve someone to the point that they are

drunk, and we will arrange for a cab if they cannot drive.

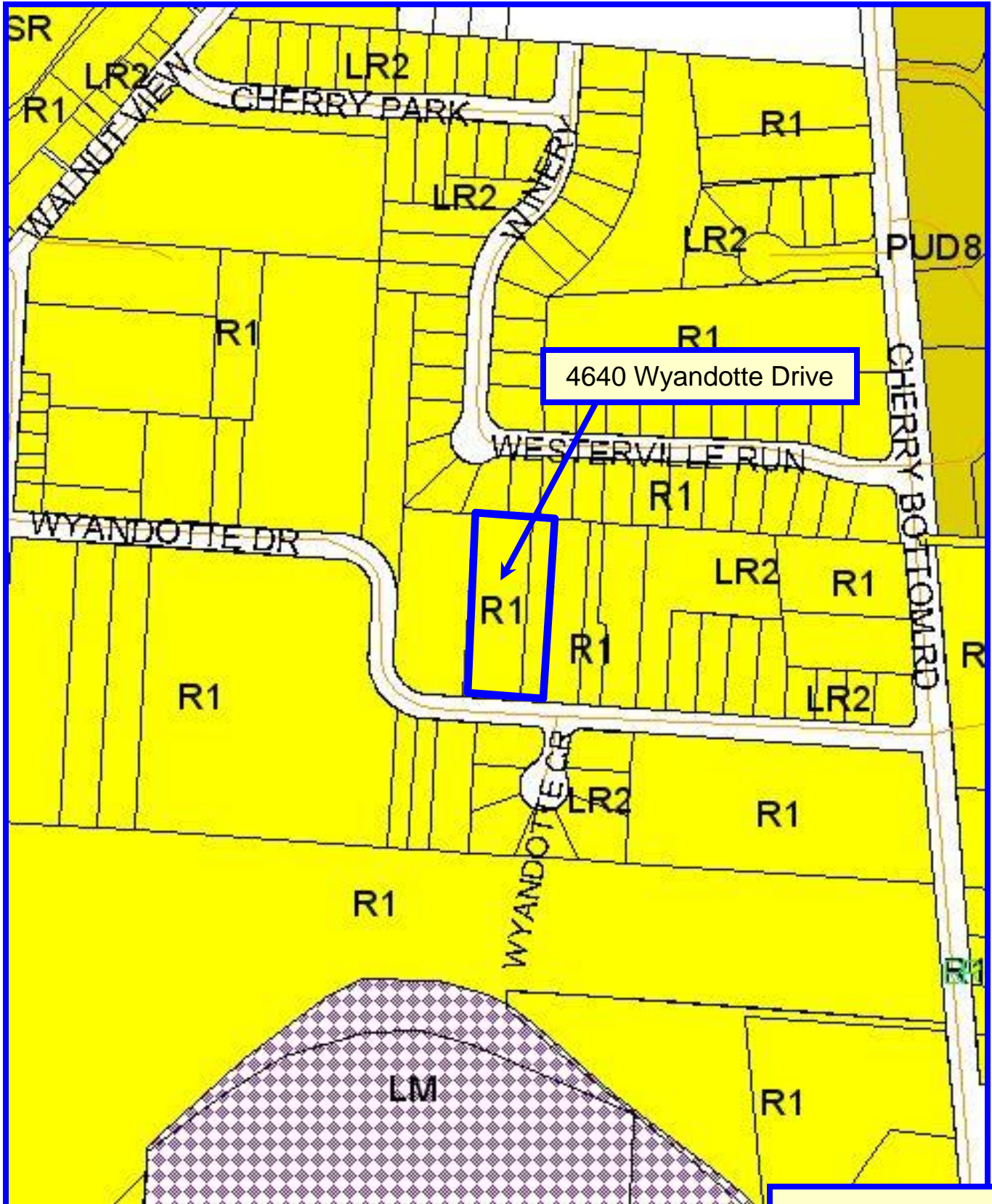
The winery also entertains small private parties such as bridal showers, wedding anniversary parties and corporate team building events. We either serve cheese and crackers or have a caterer bring in food to serve. Special events usually last from 7-9 PM. A new church was built a couple years ago nearby the winery, and they have graciously agreed to allow us to use their parking lot as need be for special events.

We have the support of our neighbors, many of whom are customers. We have done many home improvements and landscaping to greatly improve the curb-appeal of the facility. We have 1.39 acres of property and a brick building, and the neighbors on either side of us have property at least as large as ours. The neighbors behind us are ½ acre away and a row of evergreens completely screens our property from theirs.

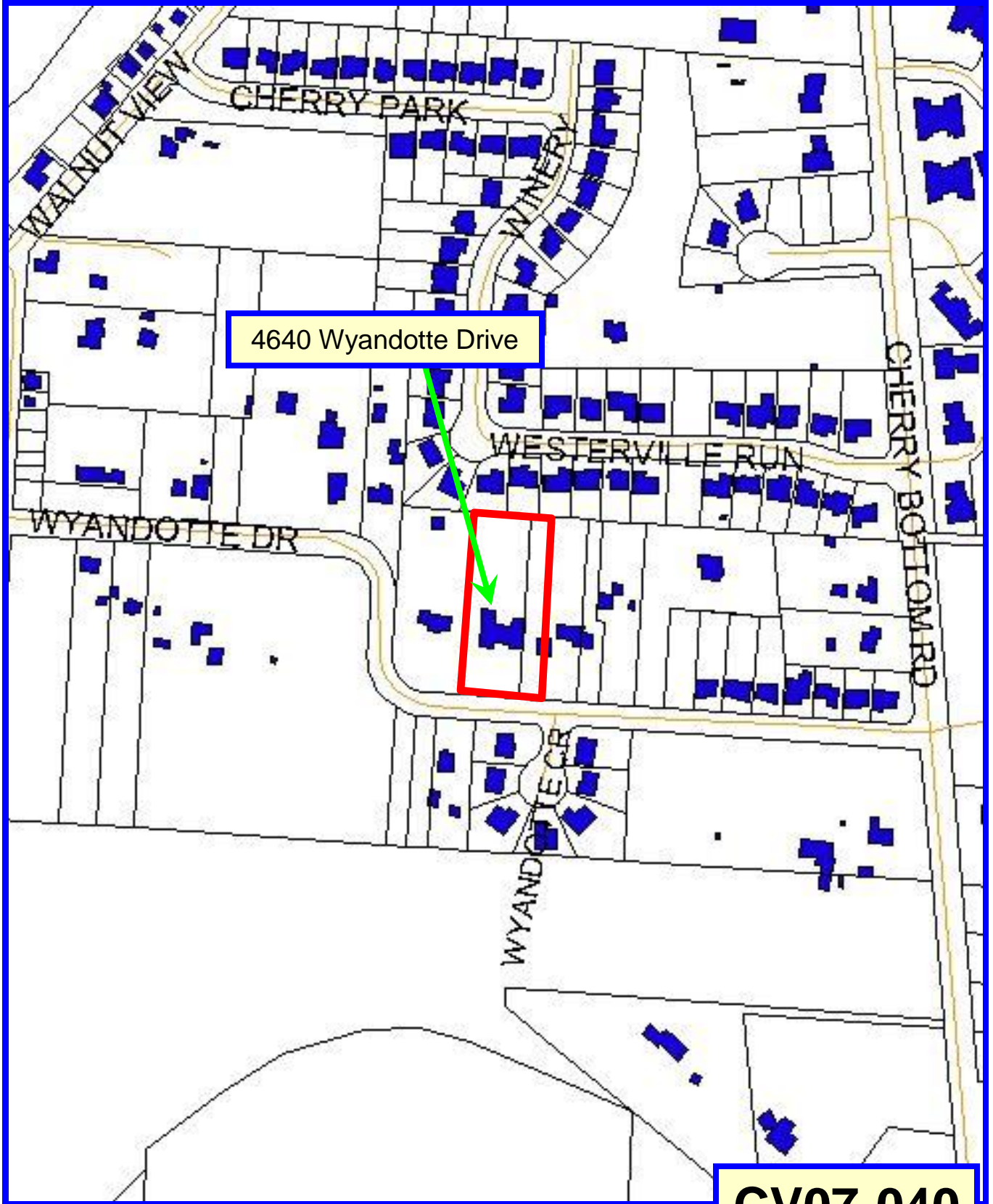
I have spoken with the refuse department concerning refuse pick up. After discussing the situation with Jenny, she said that there would be no problem for them to continue to service our address so long as we continue to reside at the property. She is noting our records accordingly.

We also ask for another concession. We ask that the city building inspector not fine us for having work done without having a permit, nor require us to get a permit for work already done. We tried with all sincerity to conduct business legally, but to not have the hand-washing sink and dishwasher installed until these complex and unfortunate issues are resolved would have certainly hindered business, and we are having a most difficult time getting this place legal, and affording the many associated and unexpected costs.

Finally, the granting of this variance will not increase the congestion of public streets, increase the danger of fires, endanger public safety, unreasonably diminish or impair the public health, safety, comfort, morals, or welfare of the City of Columbus. We see Wyandotte Winery as we hope you will, as a beneficial community resource with historical and substantiated success as a small family-run winery.



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**NORTHLAND
COMMUNITY
COUNCIL
DEVELOPMENT COMMITTEE**

Fax

To: Valerie Coolidge	From: Jeff Murray
Fax:	Pages: 1
Phone: 614-934-5035 CV07-040	Date: 11/30/07
Re: 4640 Wyandotte Dr.	Email: vcooldig@insight.rr.com

Dear Ms. Coolidge

The Development Committee of the Northland Community Council voted to support your application.

If you have any questions please contact me at:

Work, 614-882-8558, ext. 207

Fax, 614-818-4399

Email, jeffmurray@wideopenwest.com.

Best regards,

Jeff S. Murray
Chairperson, Development Committee
Northland Community Council

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



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 # CV07-040

Being first duly cautioned and sworn (NAME) Wyandotte Winery - Valerie Coolidge
of (COMPLETE ADDRESS) 4640 Wyandotte Winery - Col 5 OH 43230
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

Wyandotte Winery Valerie Coolidge 4640 Wyandotte Dr. Columbus, OH 43230	

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

SIGNATURE OF AFFIANT Valerie Coolidge

Subscribed to me in my presence and before me this 2 day of October, in the year 2007

SIGNATURE OF NOTARY PUBLIC Debra A. Plasterer
My Commission Expires: Dec 11, 2011



This Project Disclosure Statement expires six months after date of notarization.
DEBRA A. PLASTERER
Notary Public, State of Ohio
My Commission Expires Dec. 11, 2011