

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

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## 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.

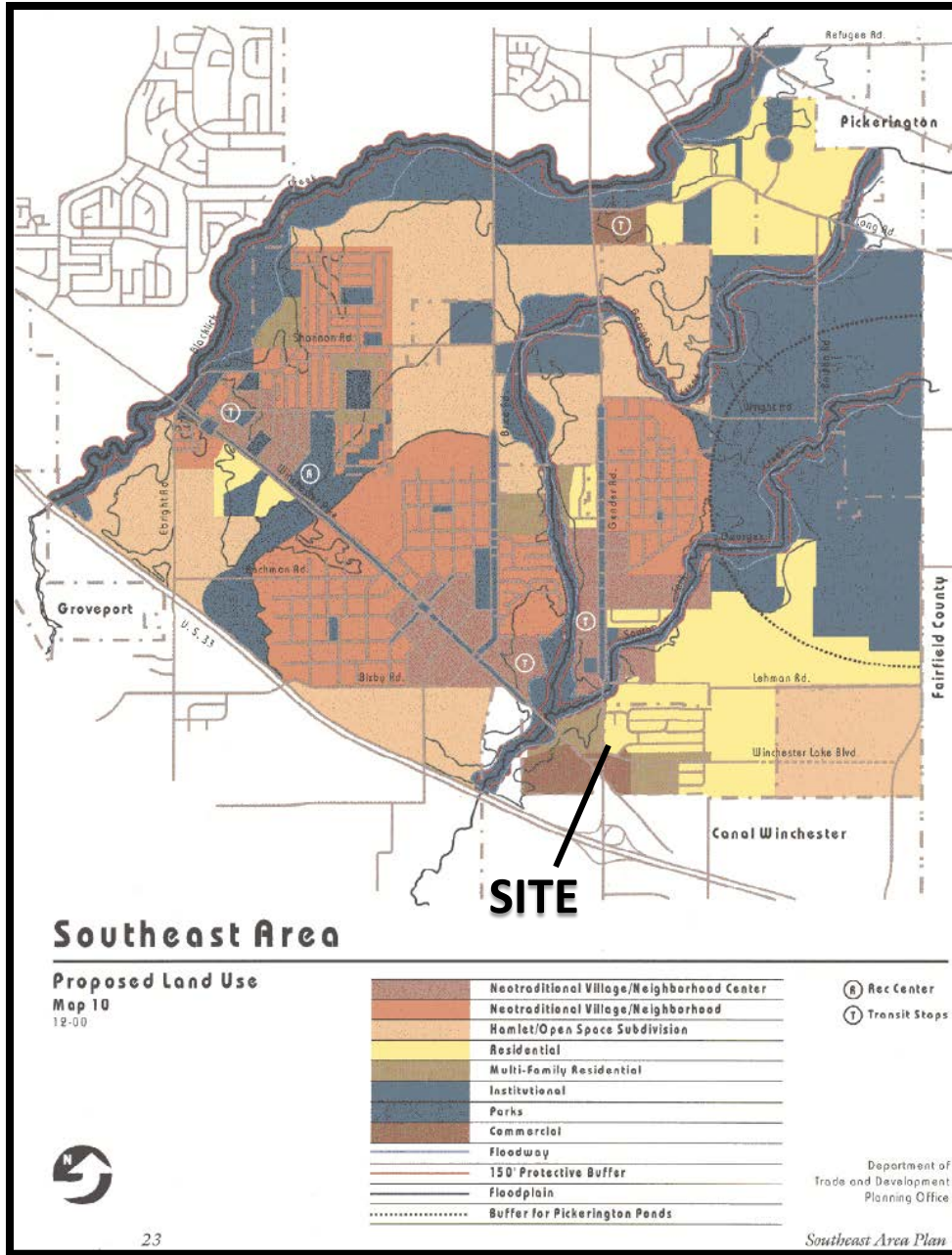
We are requesting a variance so we can open a restaurant in this space. The Olive Branch will be a full service coffee shop and fast casual pizza place. The coffee shop will offer free WIFI with a warm inviting atmosphere where the community can meet to discuss business or just have a quiet chat with 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.





CV16-022  
5600 Gender Road  
Approximately 2.0 Acres



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Approximately 2.0 Acres

# THE GREATER SOUTHEAST AREA COMMISSION

## ZONING RECOMMENDATION AND VOTE

Application # CV 16-022

Address 5600 Genders Rd - Canal Winchester

Description

### Zoning Committee Recommendation

APPROVE       DISAPPROVE

### Commission vote

Commissioner Johnson       YES       NO       ABSTAIN

Commissioner Brown       YES       NO       ABSTAIN

Commissioner Bunting       YES       NO       ABSTAIN

Commissioner Chambers       YES       NO       ABSTAIN

Commissioner Harris       YES       NO       ABSTAIN

Commissioner E. Kempner      *absent*  YES       NO       ABSTAIN

Commissioner M.M. Kempner      *absent*  YES       NO       ABSTAIN

Commissioner Palmer       YES       NO       ABSTAIN

Commissioner Schacht       YES       NO       ABSTAIN

<sup>11</sup> Chris Andrews        
<sup>11</sup> Jamie Allen        
<sup>11</sup> Carl Chaostain     

GSEAC Chair *[Signature]*      Date 4/26/16

GSEAC Secretary *[Signature]*      Date 4/26/16

THE CITY OF  
**COLUMBUS**  
ANDREW J. GINTHER, MAYOR

**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

DEPARTMENT OF BUILDING  
AND ZONING SERVICES

**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 # CV16-022

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 Jamie Wall

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

Melda L Cottrill  
SIGNATURE OF NOTARY PUBLIC

My Commission Expires 6/18/2019

Notary Seal Here



**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**