



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:

The applicant wants to build a new Wendy's Restaurant at the northwest corner of East Broad Street and Twenty First Street. He has been working with the Near East Area Commission on the design and layout of the proposed restaurant. There are two site plan options: Option A provides 25 parking spaces while Option B provides 38 parking spaces on a slightly larger site. The development of this site requires a series of variances from the zoning code: Building Reduction along East Broad Street from 60 feet to 39 feet; Parking Reduction along East Broad Street and Twenty First Street from 25 feet to 10 feet and 7 feet respectively; rear yard reduction 25% of the lot area to zero; and parking reduction from 44 to 25 (option A) or from 44 to 38 (option B). The site is on the north side of East Broad Street between Twentieth Street and Twenty First Street. The adjacent property to the west is developed with a gas station. The proposed development is compatible with the adjacent developments and would 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.

Signature of Applicant Walterby Service LLC
by [Signature]

Date 3/2/04