

15040013

File No. CU-2-2015
Date Received: 4/14/15
Scheduled Public Hearing Date: _____

Fee: 100.00
Initials: JW
Check or Receipt No. 1312

APPLICATION FOR CONDITIONAL USE
CITY OF GAHANNA - Planning Commission or Zoning Division

***REQUIRED INFORMATION**

(Part of Royal Plaza at 83 N Stryker Rd)
*Site Address 380 Agler Road, Gahanna, OH Parcel ID# 025-001923
*Applicant's Name Witten's Produce Patch Inc Email Wittenfarm@gmail.com
*Status: Land Owner Option Holder Cont. Purchaser Agent
*Business Owner Julie Witten Phone# 740-984-4009/740-350-3104
*Business Address P.O. Box 13 Fax# 740-984-2059
*City/State/Zip Beverly, OH 45715 Current Zoning _____
*Proposed Use Retail Sale of Fresh Fruits & Vegetables Total Acreage _____
*Reason for Conditional Use We are not a permanent structure. We have a produce wagon that will be set up for approximately 90 days
*Developer Julie Witten Phone 740-984-4009/740-350-3104
*Complete Address P.O. Box 13 Beverly, OH 45715
*Contact Julie Witten - 740-350-3104 Angie Negie - 740-984-4009 Title Julie - President / Angie - Assistant
Landowner Royal Plaza Gahanna, LLC Phone Michael Nolan 614-228-2222
Complete Address 325 John H. McConnell Blvd Suite 450 Columbus, OH 43215
Michael Nolan - The Gilbert Group Real Estate - Property Manager

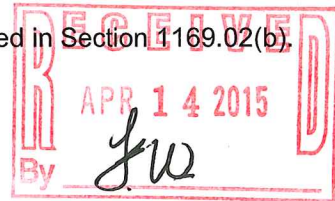
Note: Planning Commission and/or City Staff may visit the property prior to the hearing.

Julie Witten
*Applicant's Signature

4/3/2015
Date

Submission Requirements

1. A plan that complies with the list of Conditional Use requirements stated in Section 1169.02(b). See attached sheet.
2. Two (2) 11x17 and nine (9) 8 1/2 x 11 copies of plan.
3. Statements of information as required in Section 1169.02(a).
4. Application Fee of \$100.
5. A list of contiguous property owners and **their mailing addresses.**



APPROVAL

In accordance with Section 1169 of the Codified Ordinances of Gahanna, Ohio, I hereby certify that this project, as stated above, has been approved by the City of Gahanna Planning Commission on _____. A copy of the minutes is hereby attached. The applicant shall comply with any conditions approved by the Planning Commission, and shall comply with all building, zoning, and landscaping regulations now in place. This approval is valid from public hearing date to _____.

Planning & Zoning Administrator

Date

*Note: All correspondence will be to applicant above unless otherwise stated.

Revised August 2014

Wittens Produce Patch Inc. – Application for Conditional Use
City of Gahanna Planning Commission

1169.02 (a)(1) A legal description of the property.

See the attached legal description.

1169.02 (a)(2) The proposed use of the property.

The Witten produce Patch Inc. would like to operate a seasonal produce wagon in the southeast corner of the Royal Plaza parking lot directly west of the Speedway gas station. The proposed use of the market would be to sell locally grown fruits and vegetables during the spring, summer and fall seasons.

1169.02 (a)(3) Statement of the necessity or desirability....to the neighborhood or community.

This will be the third year that Wittens Produce Patch Inc. has operated a market in this location and the fifteenth year that a farm market with fresh fruits and vegetables has served this community. We have been well received by the residents of the local community and our customers have said that they appreciate the opportunity to purchase the locally grown, fresh fruits and vegetables that we offered for sale. We choose this site because it is a commercial area located close to established neighborhoods with desirable traffic patterns.

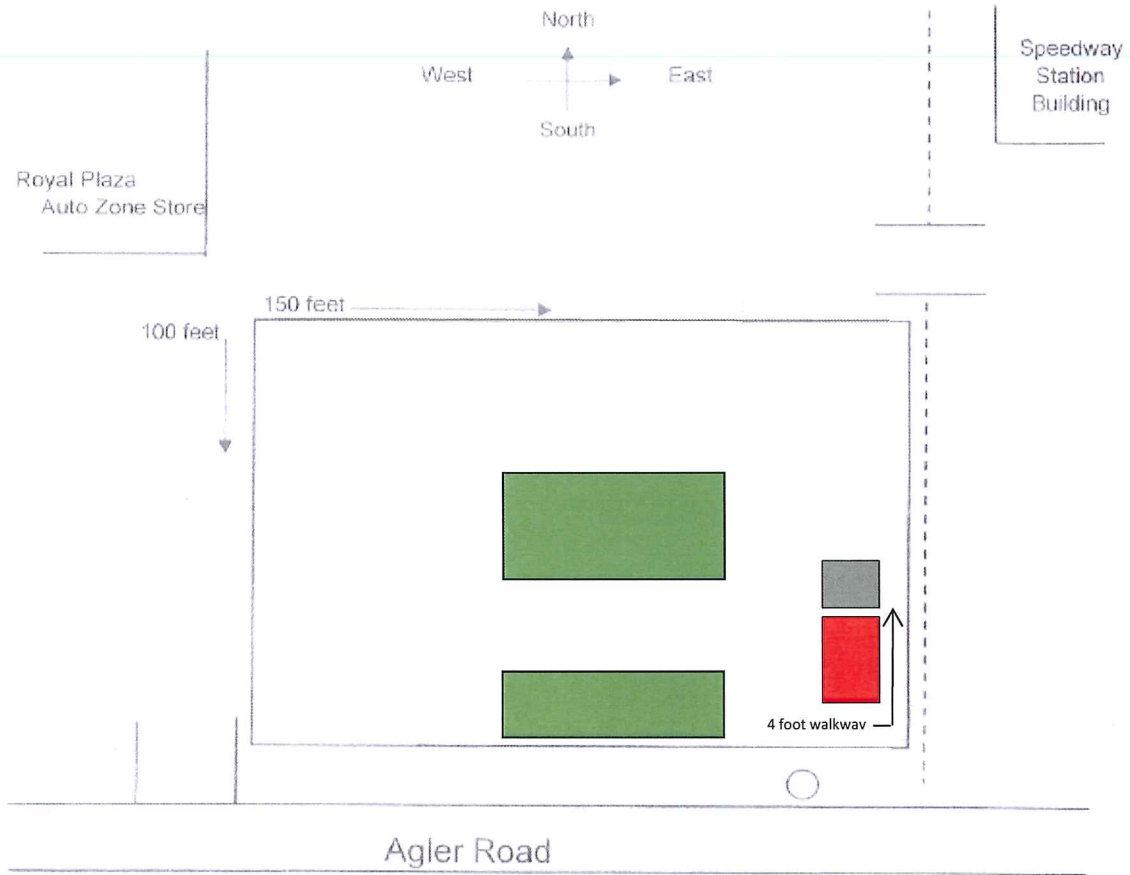
1169.02(a)(4) ...relationship of the proposed use to adjacent property and land use.

The land use of property immediately adjacent to 380 Agler Road is commercial on all sides. Just beyond the commercial properties are residential neighborhoods.

1169.02(a)(5)....Such other information regarding the property, proposed use, or surrounding areas as may be pertinent to the application or required for appropriate action by the commission.

No other information applies.

Wittens Produce Patch Inc.
 Layout – Produce Wagon 2015
 380 Agler Rd. (Part of Royal Plaza at 83 N. Stygler Rd)



- | | |
|---|--|
| <ul style="list-style-type: none"> ○ Electric Pole ----- Speedway Curb & Property Line ■ Customer/Employee Parking | <ul style="list-style-type: none"> ■ Movable Produce Wagon (8' x 20') ■ EZ Up Cash Register Tent (8' x 8') |
|---|--|

Property Report

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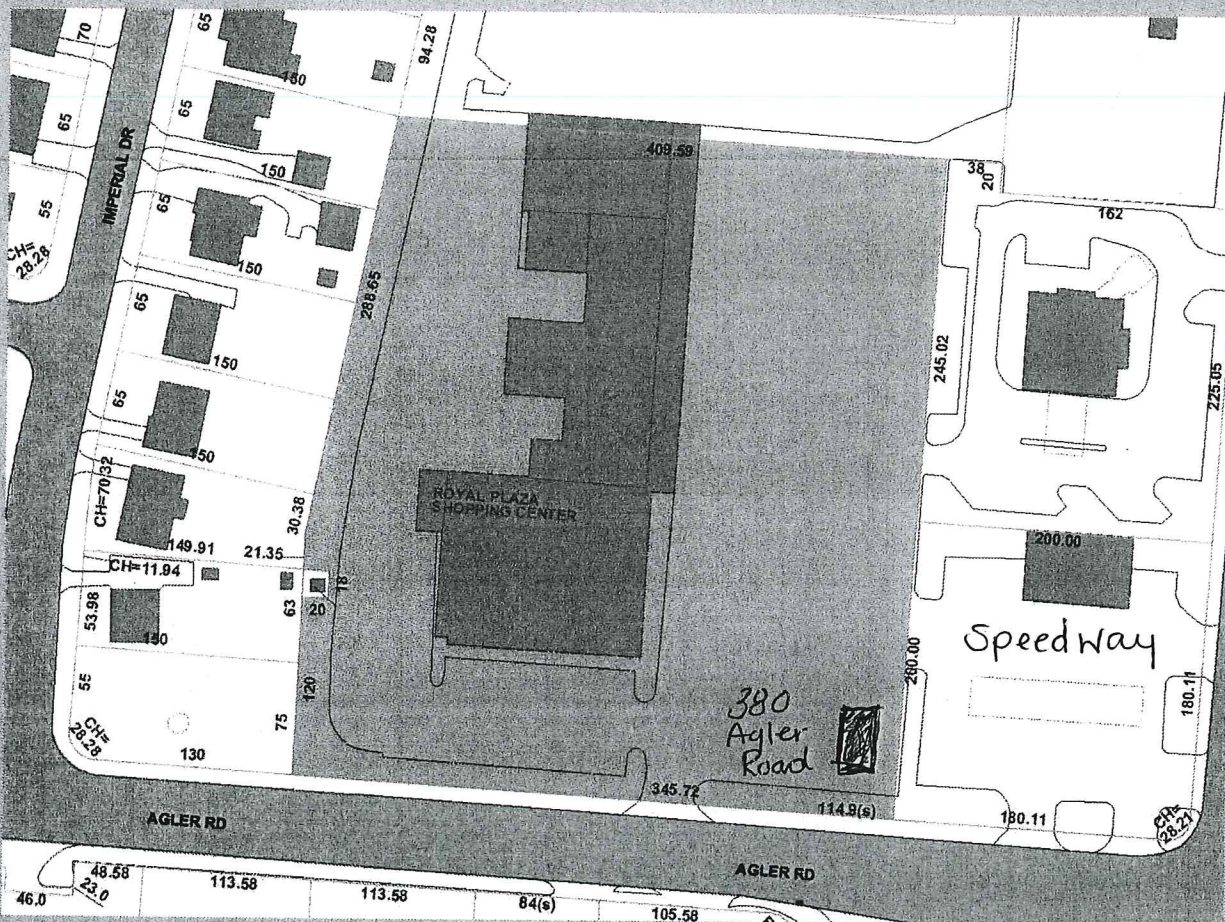
Parcel ID
025-001923-80

Map Routing No
025-N160E -435-80

Card No
1

Location
71 -97 N STYGLER RD

GIS



Disclaimer

This drawing 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 drawing are notified that the public primary information source should be consulted for verification of the information contained on this drawing. The county and the mapping companies assume no legal responsibilities for the information contained on this drawing. Please notify the Franklin County GIS Division of any discrepancies.

The information on this web site is prepared for the real property inventory within this county. Users of this data are notified that the public primary information source should be consulted for verification of the information contained on this site. The county and vendors assume no legal responsibilities for the information contained on this site. Please notify the Franklin County Auditor's Real Estate Division of any discrepancies.

☐ Location of Witten Produce Patch Produce Wagon

373 3750

Wittens Produce Patch Inc.

Here are some pictures to show the set up and display of our produce wagons.



EXHIBIT "A"
6.625 ACRES

Situated in the State of Ohio, County of Franklin, City of Gahanna, being a part of Reserve "A" of "Royal Manor" as the plat of the same is shown of record in Plat Book 33, Pages 64 and 65 and being all of that 1.245 acres tract, 1.317 acres of that 5.540 acres tract and 4.063 acres of that 6.030 acres tract as conveyed to F & A I Limited by deeds of record in Instrument Number 200311130364284 and 200405170112372, all references refer to records of the Recorder's Office, Franklin County, Ohio and being more particularly bounded and described as follows:

Beginning at an iron pin set at the southwesterly corner of said Reserve "A", being in the northerly right of way of Agler Road and at the southeasterly corner of Lot 1 of said "Royal Manor";

Thence, North 03°40' 45" East, being along the easterly line of Lots 1 and 2 of said "Royal Manor", a distance of 120.00 feet to an iron pin set at the southwesterly corner of that 0.008 acre tract of land as conveyed to The Ohio Fuel Gas Company by deed of record in Deed Book 2302, Page 387;

Thence, South 86° 19' 15" East, being along the southerly line of said 0.008 acres tract, a distance of 20.00 feet to an iron pin set;

Thence, North 03° 40' 45" East, being along the easterly line of said 0.008 acres tract, a distance of 18.00 feet to a Mag Nail set;

Thence, North 86° 19' 15" West, being along the northerly line of said 0.008 acres tract, a distance of 20.00 feet to an iron pin set in the westerly line of said Reserve "A" at the corner of Lots 2 and 3;

Thence, North 03° 40' 45" East, being along said westerly line, a distance of 21.35 to an iron pin set at an angle point in the easterly line of Lot 3;

Thence, North 11° 57' 05" East, being along the easterly line of Lots 3,4,5,6,7,8, and part of Lot 9 of "Royal Manor", a distance of 382.90 feet to an iron pin set at the southwesterly corner of that 3.417 acres tract as conveyed to The National Church Residences Of Gahanna by deed of record in Instrument Number 200312050388065;

Thence, South 86° 19' 15" East, being along the southerly line of said 3.417 acres tract, a distance of 358.56 feet to a 1" iron pin found at the southeasterly corner of said 0.417 acres tract;

6.625 Acres
(CONTINUED)

Thence, North 03° 59' 55" East, being along the easterly line of said 3.417 acres tract, a distance of 278.23 feet to an iron pin found at the southwesterly corner of Parcel Eight as conveyed to The Roby Company L.P., by deed of record in Official Record 26284E20;

Thence, South 86° 19' 15" East, being along the southerly line of said Parcel Eight, a distance of 199.99 feet to an iron pin set at the southeasterly corner of said Parcel Eight and being in the westerly right of way of Stygler Road;

Thence, South 03° 59' 55" West, being along the westerly right of way of Stygler Road, a distance of 391.51 feet to an iron pin found at the northeasterly corner of that 1.051 acres tract as conveyed to Heartland Bank by deed of record in Instrument Number 200411190265392;

Thence, North 86° 19' 15" West, being along the northerly line of said 1.051 acres tract, a distance of 162.00 feet to a Mag Nail set at a corner of said 1.051 acres tract;

Thence, North 03° 59' 55" East, being along an easterly line of said 1.051 acres tract, a distance of 20.00 feet to a Mag Nail set at a corner of said 1.051 acres tract;

Thence North 86° 19' 15" West, being along the northerly line of said 1.051 acres tract, a distance of 38.00 feet to a Mag Nail set at the northwesterly corner of said 1.051 acres tract;

Thence, South 03° 59' 55" West, being along the westerly line of said 1.051 acres tract and along that 0.917 acres tract as conveyed to F & A I Limited by deed of record in Instrument Number 200405170112375, a distance of 445.01 feet to an iron pin found at the southwesterly corner of said 0.917 acres tract in the northerly right of way of Agler Road;

Thence North 86° 18' 45" West, being along said northerly right of way, a distance of 64.92 feet to an iron pin set at an angle point in said right of way;

Thence North 86° 19' 15" West, continuing along the northerly right of way of Agler Road, a distance of 345.72 feet to the place of beginning containing 6.625 acres of land more or less.

Subject, however, to all legal rights of way, leases, agreements, easements and restrictions of previous record.

The bearings are based on the same meridian as the bearings in Plat Book 33 Pages 64 and 65, where the westerly right of way of Stygler Road has a bearing of South 03° 59' 55" West as shown of record in the Recorder's Office, Franklin County, Ohio.



6.625 ACRES
(CONTINUED)

6919. All iron pins set are 5/8 " X 30" long rebar with a plastic cap inscribed J R HILL PS



JAMES R. HILL SURVEYING

James R. Hill 8/25/08
Professional Surveyor No. 6919

Wittens Produce Patch Inc. – Application For Conditional Use

Adjacent Property Owners to 025-001923

Royal Plaza

<p>025-001183 GAHANNA CITY OF 200 S HAMILTON RD GAHANNA, OH 43230-2919</p>	<p>025-001184 THOMAS DEBORAH D 66 IMPERIAL DRIVE COLUMBUS, OH 43230</p>	<p>025-001185 CLEMENTS JENNIFER C WEIS ERIC D 72 IMPERIAL DRIVE COLUMBUS, OH 43230</p>
<p>025-001186 HORSEMAN DEBORAH L 78 IMPERIAL DRIVE COLUMBUS, OH 43230</p>	<p>025-001187 STRAKLOFF ERIC B 84 IMPERIAL DRIVE COLUMBUS, OH 43230</p>	<p>025-001188 WILLIAMS VIRGINIA M 90 IMPERIAL DRIVE COLUMBUS, OH 43230</p>
<p>025-001189 SHARP STEPHEN D 131 SHULL AVENUE COLUMBUS, OH 43230</p>	<p>025-001190 BIDDLE WILCH PATRICIA D TR 102 IMPERIAL DRIVE COLUMBUS, OH 43230</p>	<p>025-001628-80 025-001628-90 ROYAL PLAZA GAHANNA LLC 29 W 3RD AVENUE COLUMBUS, OH 43201</p>
<p>025-001191 FIGHTIN BUCKEYES II LLC 963 BRYN MAWR DRIVE COLUMBUS, OH 43230</p>	<p>025-013142-80 025-013142-90 HEARTLAND BANK 850 N HAMILTON RD COLUMBUS, OH 43230</p>	<p>025-010194-80 025-010194-90 F & A I LTD 89 BISHOP SQ COLUMBUS, OH 43209</p>
<p>025-001038-80 025-001038-90 DONUT TIM U S LIMITED INC 4150 TULLER RD #236 DUBLIN, OH 43017</p>	<p>025-001029-80 025-001029-90 OREILLY AUTO ENTERPRISES LLC 233 S PATTERSON AVE SPRINGFIELD, MO 65802</p>	<p>025-001013-80 025-001013-90 SNYDER DEVELOPMENT CO PO BOX 21555 COLUMBUS, OH 43221</p>
<p>025-001014-80 025-001014-90 SNYDER DEVELOPMENT CO PO BOX 21555 COLUMBUS, OH 43221</p>	<p>025-001015-80 025-001015-90 SNYDER DEVELOPMENT CO PO BOX 21555 COLUMBUS, OH 43221</p>	



CITY OF GAHANNA

STAFF COMMENTS

Project Name: The Witten Farm Market

Project Address: 380 Agler Road

The applicant seeks approval to operate a farm market at the abovementioned address on Agler Road. While under new ownership, no longer Smith's, the market placement, parking and produce/flowers will remain virtually the same as the previous five years. There have been no enforcement issues over the past five years, and the business has provided a great service to the West Gahanna residents and other visitors.

Respectfully Submitted By:



"HERB CAPITAL OF OHIO"

200 SOUTH HAMILTON ROAD, GAHANNA, OH 43230
614-342-4000 PHONE 614-342-4100 FAX WWW.GAHANNA.GOV



CITY OF GAHANNA

STAFF COMMENTS

Project Name: The Witten Farm Market

Project Address: 380 Agler Road

Planning and Development

The applicant requests conditional use approval for a seasonal produce wagon. Code Section 1153.03 requires a conditional use approval of open display facilities. The use has previously received conditional use approval for a time period of five years.

The property is located within the West Gahanna Development Study area. The Study does not specifically reference temporary/seasonal uses but rather identifies redevelopment opportunities and infrastructure needs. Approval of the conditional use does not appear to be in conflict with the findings and recommendations of the Study.

Staff is not aware of any negative impacts associated with the use and therefore recommends approval of the request for a maximum timeframe of five years.

Location Map



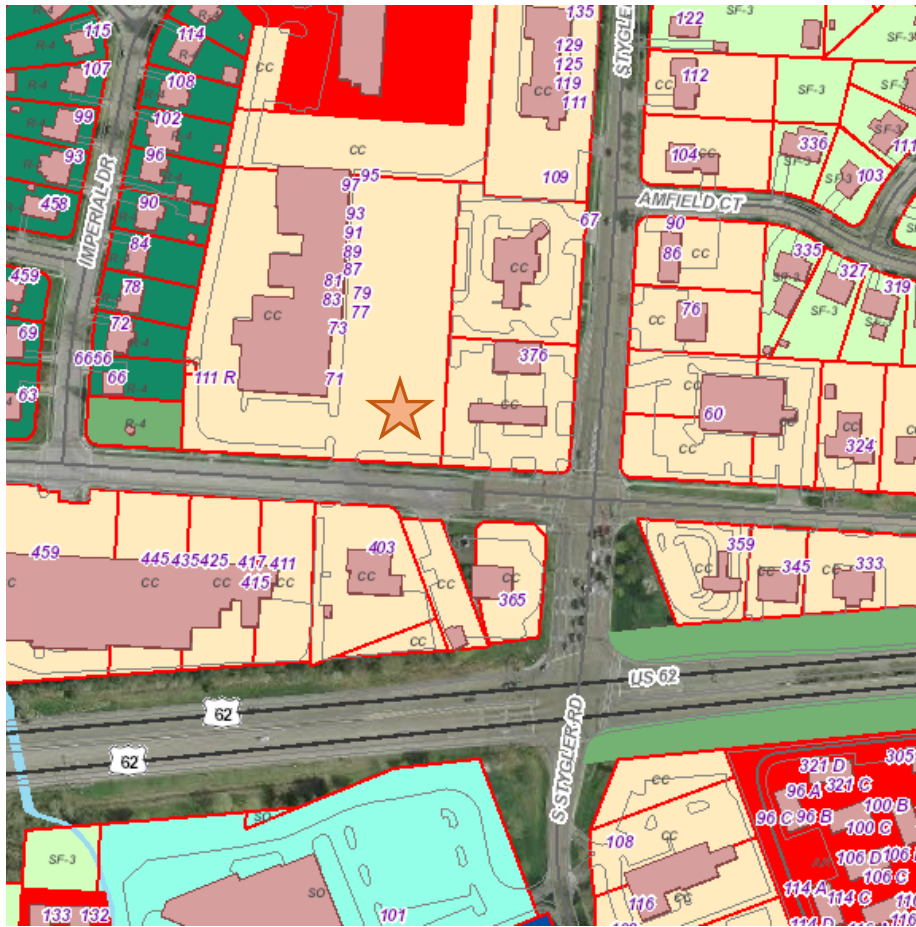
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CITY OF GAHANNA

Zoning Map



Respectfully Submitted By:

Michael Blackford

Deputy Director, Planning and Development



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CITY OF GAHANNA

STAFF COMMENTS

Project Name: The Witten Farm Market

Project Address: 380 Agler Road

A fire extinguisher is needed at this location.

Respectfully Submitted By: Steve Welsh Fire Marshal Mifflin Township Division of Fire



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