



# VARIANCE APPLICATION SUMMARY



**File Number** V-25-7  
**Property Address** 991 E JOHNSTOWN RD  
 GAHANNA, OH 43230  
**Parcel ID** 025-008946  
**Zoning District** NC - Neighborhood Commercial  
**Project/Business Name** King Avenue 1.0 LLC  
**Applicant** Ryan Paolini rpaolini@saad-startitle.com 614-641-2367  
**Description of Variance Request** Requesting a variance as to Chapter 1109.01(a)(4), which requires that parking lots and access drives be at least 10 feet from side property lines. We are applying for a lot split subdivision without plat and as a result, we are required to obtain the variance since the result of the lot split would cause a violation of the setback requirement, because the result of the lot split would be that there would be no resulting setback area as to the newly created side property line as to the existing parking lots and access drives. Therefore, we need the variance to be granted to permit no area setback as to the existing parking lots and access drives before the lot split subdivision without plat can be granted.

### Requested Variances

Code Section	Code Title
Ch 1109.01(a)(4)	Parking, Access, and Circulation



## AUTHORIZATION CONSENT FORM

If you are filling out more than one application for the same project & address, you may submit a copy of this form with each additional application.

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As the owner or acting agent for the subject property, I have reviewed the application and hereby authorize the listed applicant to make decisions that may affect my property as it pertains to this application.

A handwritten signature in blue ink, appearing to read "Chad Middendorf", written over a horizontal line.

(property owner/acting agent signature)

Chad Middendorf

(printed name)

2-19-25

(date)

A handwritten signature in blue ink, appearing to read "Ryan Paolini", written over a horizontal line.

(applicant signature)

Ryan Paolini

(printed name)

2-19-25

(date)

Property Owner	Mailing Address
Mifflin Township Board of Trustees	400 W Johnstown Rd Gahanna, OH 43230
Jth Enterprises LLC	470 Silver Ln Columbus, OH 43230
Jth Enterprises LLC	470 Silver Ln Ste-B Columbus, OH 43230



500 SOUTH FRONT STREET  
SUITE 250  
COLUMBUS, OHIO 43215  
TEL. 614.396.3296

JAMES A. SAAD  
ADAM F. SAAD  
DONALD P. FISHER  
JONAH A. WHITE  
LINDSAY J. RICART  
CAMERON T. SAAD

March 14, 2025  
(Attached to online Variance Application)

Division of Planning  
City of Gahanna  
Gahanna City Hall  
200 S. Hamilton Rd.  
Gahanna, OH 43230

Re: Variance 991 E Johnstown Rd Application for King Avenue 1.0 LLC

Dear Sir/Madam:

We represent the property owner, King Avenue 1.0 LLC. On its behalf, we are submitting an application for a variance. As part of the variance application submitted today, we are requesting a variance as to Chapter 1109.01(a)(4), which requires that parking lots and access drives area setback be at least 10 feet from the side property lines. Also, we have applied with the City for a lot split subdivision without plat. The City's comments to the application for the lot split, included the requirement to obtain the variance since the result of the lot split would cause a violation of the setback requirement. The lot split would result in no setback area as to the newly created side property line as to the existing parking lots and access drives. Therefore, as one of the conditions, we need the variance to be granted to permit no area setback as to the proposed new property sideline with regard to the existing parking lots and access drives, before the lot subdivision without plat can be granted by the City.

Also, this variance is necessary for the preservation and enjoyment of the property rights of the owner because the owner cannot sell and/or develop, in a commercially reasonable manner, the vacant land as a separate parcel of land, resulting from proposed the lot split, without this variance.

Finally, this variance will not adversely affect the health or safety of the surrounding area because the newly created lot will be used for future building improvements, in compliance with the City's zoning code, that will not interfere with the surrounding area, and will in fact will improve the use of the vacant land.

Just as a side note, please note that we are having the surveyor revise the street address number that he shows on the survey drawing, so that the street address number reads 991 instead

Division of Planning  
City of Gahanna  
March 14, 2025  
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of the old street address number of 4251, which old street address number was used when the property was in the Township before the annexation.

We will very much appreciate your kind consideration and attention, and approval of our property owner client's application for the variance.

Very truly yours,

A handwritten signature in black ink that reads "Ryan Paolini". The signature is written in a cursive, slightly slanted style.

Ryan Paolini  
Paralegal for James A. Saad, Esq.



# AS-BUILT SURVEY OF 4251 JOHNSTOWN RD.

Situated in the State of Ohio, County of Franklin, City of Gahanna, and being located Quarter Township 2, Township 1, Range 16, United States Military District, and being a part of Tracts One, Two, and Three as conveyed to The Slane Company, Ltd. in Instrument No. (O.R.) 199802040024815, Franklin County Recorder's Office, containing 2.368 acres, and being further described as follows:

Beginning for reference at a found railroad spike in the intersection of the centerlines of Hamilton Road and Johnstown Road (U.S. Route 62, width variable);  
 THENCE North 31 degrees 53 minutes 53 seconds East, 173.90 feet, along the centerline of the said Johnstown Road, to a found railroad spike, being an angle point in the centerline of the said Johnstown Road;

THENCE North 24 degrees 32 minutes 30 seconds East, 1495.04 feet, continuing along the centerline of the said Johnstown Road, to a point, being an angle point in the said Johnstown Road;

THENCE North 30 degrees 21 minutes 35 seconds East, 355.96 feet, continuing along the centerline of said Johnstown Road, to a point;

THENCE North 59 degrees 38 minutes 25 seconds West, 50.00 feet, crossing the said Johnstown Road, to an iron pin set, being a point in the east line of the said Tract One, in the west line of a 0.3509 acre tract conveyed to the City of Gahanna in Official Record (O.R.) 21474 HD5, in the west line of said Johnstown Road, and being a northeast corner of a 0.416 acre tract conveyed to the City of Gahanna in I.N. 200204050087474, and being the True Place of Beginning for the herein described 2.368 acre tract;

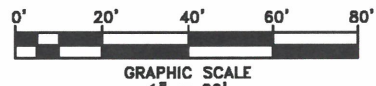
THENCE around a curve to the right, having a radius of 20.00 feet, a delta angle of 90 degrees 07 minutes 39 seconds, an arc distance of 31.46 feet, a chord bearing of South 75 degrees 25 minutes 24 seconds West, a chord distance of 28.32 feet, crossing the said Tract One and along a north line of the said 0.416 acre tract, to an iron pin set, being a corner of the said 0.416 acre tract;

THENCE North 59 degrees 30 minutes 47 seconds West, 294.58 feet, crossing the said Tracts One, Two, and Three, along a north line of the said 0.416 acre tract, to an iron pin set, being the north line of the said Tract Three and in the south line of a 1.263 acre tract as shown on 470 Silver Lane Condominium, Condominium Plat Book 86, pg. 68, and being a corner of the said 0.416 acre tract;

THENCE South 89 degrees 37 minutes 56 seconds East, 88.95 feet, along the north line of the Tract Three and the south line of said 1.263 acre tract, to the southeast corner of the said 1.263 acre tract, and a point in the west line of the said Tract Two;

THENCE North 00 degrees 10 minutes 18 seconds West, 220.00 feet, along the west line of the said Tract Two and the east line of the said 1.263 acre tract, to a point referenced by a found 3/4" iron pipe found 1.43 feet S, 1.07 feet W, being the northeast corner of the said Tract Two, the northeast corner of the said 1.263 acre tract, the southwest corner of a 1.399 acre tract conveyed to J. Ernest Wells in O.R. 28407 E-10, and the southeast corner of a 1.695 acre tract conveyed to Benchmark Bank in I.N. 200601270017254;

SEE BELOW



**BENCHMARK BANK**  
1.695 ACRES  
INSTR. NO. 200601270017254

4297 JOHNSTOWN ROAD LLC  
1.399 ACRES  
INSTR. NO. 201709260134204

**AREA NORTH**  
59,052 SQ. FT.  
1.356 ACRES  
KING AVENUE 1.0 LLC  
2.368 ACRES DEED  
INSTR. NO. 201608030101259  
PPN 025-008946  
**TOTAL AREA MEASURED**  
103,138 SQ. FT.  
2.368 ACRES

470 SILVER LANE CONDOMINIUM CONDO. P.B. 86, PG. 68

**AREA SOUTH**  
44,086 SQ. FT.  
1.012 ACRES

## LEGEND

- SAN Sanitary
  - STHC Storm
  - MHC Mon. Hole
  - CI Storm Inlet
  - CI Curb Inlet
  - CB Catch Basin
  - Pipe
  - OV Fire Hydrant
  - OV Valve Box
  - GM Gas Meter
  - GV Gas Valve
  - WM Water Meter
  - WV Water Valve
  - EM Electric Meter
  - UP Utility Pole
  - GUY Guy Wire
  - GLM Gas Line Marker
  - LP Light Pole
  - YF Yard or Flood Light
  - OR Official Record
  - EC Electric Closure
  - CTV Cable Television Closure
  - FENCE
  - CONC Concrete
  - ASPH Asphalt
  - ET Evergreen Tree
  - DT Deciduous Tree
  - ST Stone Found
  - MB Monument Box
  - IF Iron Pin Found
  - IF Iron Pin Found
  - MAG MAG Nail Set
  - MAG MAG Nail Set
  - RSF Railroad Spike Found
  - DV Deed Volume
  - OR Official Record
  - IN Instrument Number
  - IF Iron Pin Found
  - IF Iron Pin Found
  - RSF Railroad Spike Found
  - MNS MAG Nail Set
  - DHS Drill Hole Set
  - CL Centerline
  - R/W Right of Way
  - PPN Permanent Parcel Number
- ALL MONUMENTS FOUND ARE NOTED WITH SIZE, CONDITION, AND GRADE.  
ALL IRON PINS SET ARE 5/8" IN DIAMETER W/ CAP, STAMPED "J & J SURVEYING"

**DESCRIPTION CONTINUED**  
 THENCE South 89 degrees 38 minutes 13 seconds East, 403.38 feet, along the north line of the said Tract Two and the south line of the said 1.399 acre tract, to an iron pin set in the west line of said Johnstown Road, being the northeast corner of a 0.436 acre tract conveyed to the City of Gahanna in O.R. 21474 H-05 and the northeast corner of the said Tract Two;  
 THENCE South 30 degrees 21 minutes 35 seconds West, 416.29 feet, along the east line of the said Tract Two, the west line of said 0.436 acre tract, and the west line of the said Johnstown Road, to the True Place of Beginning, containing 103,138 square feet or 2.368 acres, of which 2.268 acres is out of the said Tract Two, 0.038 acres is out of the said Tract One, and 0.053 acres is out of the said Tract Three, according to a survey by J & J Surveying Services, Inc. in January of 1999 and November of 2006;  
 Bearings used for the determination of angles only. For the purposes of this description bearings are referenced to the centerline of said Johnstown Road as being North 30 degrees 21 minutes 35 seconds East. Documents referred to are recorded in the Franklin County Recorder's Office. Iron pins set are 5/8" rebar, 30" long, with yellow plastic cap stamped "J & J Surveying."

**FLOOD ZONE**  
SUBJECT TRACT IS LOCATED IN ZONE X, AREAS OUTSIDE A 500 YEAR FLOOD, ACCORDING TO COMMUNITY PANEL NO. 390490211K, DATED 06/17/2008.

**GORE**  
AT THE INTERSECTION OF THE RIGHT OF WAYS OF JOHNSTOWN RD. AND SILVER LN., THERE IS A GORE. THE DEED FOR THE SUBJECT TRACT AND THE DEED TO THE CITY LEAVE A GAP, AS SHOWN.

THIS DRAWING WAS PREPARED FROM AN ACTUAL FIELD SURVEY MADE BY J & J SURVEYING SERVICES, INC. ON 12/17/17, AND REPRESENTS THE PREMISES SHOWN HERETO TO THE BEST OF OUR KNOWLEDGE.

RAYMOND J. WOOD REG. SURV. 7745 DATE 1/4/18



DATE	BY	CHK	APP
3/7/16	R/W		
	R/W		
	R/W		
	R/W		
	R/W		

## AS-BUILT SURVEY OF 4251 JOHNSTOWN RD.

J. & J. SURVEYING SERVICES, INC.  
7509 E. MAIN ST., SUITE 109  
REYNOLDSBURG, OHIO 43068  
PH (614) 866-9158  
JJSURVEYINGOHIO.COM

2018 J. & J. SURVEYING SERVICES, INC.  
17-94 AB

Approximate 10' parking area setback location

NOTES:  
THIS SURVEY MEETS CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.  
SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS TRACT.

THE LOCATIONS OF UNDERGROUND UTILITIES AS SHOWN HEREDON ARE BASED ON ABOVE-GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREDON. ADDITIONAL BURIED UTILITIES STRUCTURES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES STRUCTURES. BEFORE EXCAVATIONS ARE BEGUN, THE OHIO UTILITY PROTECTION SERVICE SHOULD BE CONTACTED FOR VERIFICATION OF UTILITY TYPE AND FOR FIELD LOCATIONS.

BEFORE YOU DIG  
CALL TOLL FREE 800-362-2764  
OHIO UTILITIES PROTECTION SERVICE



# King Avenue 1.0 LLC Parcel





## PLANNING COMMISSION STAFF REPORT

### Project Summary – 991 E Johnstown Road

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**Meeting Date:** April 9, 2025

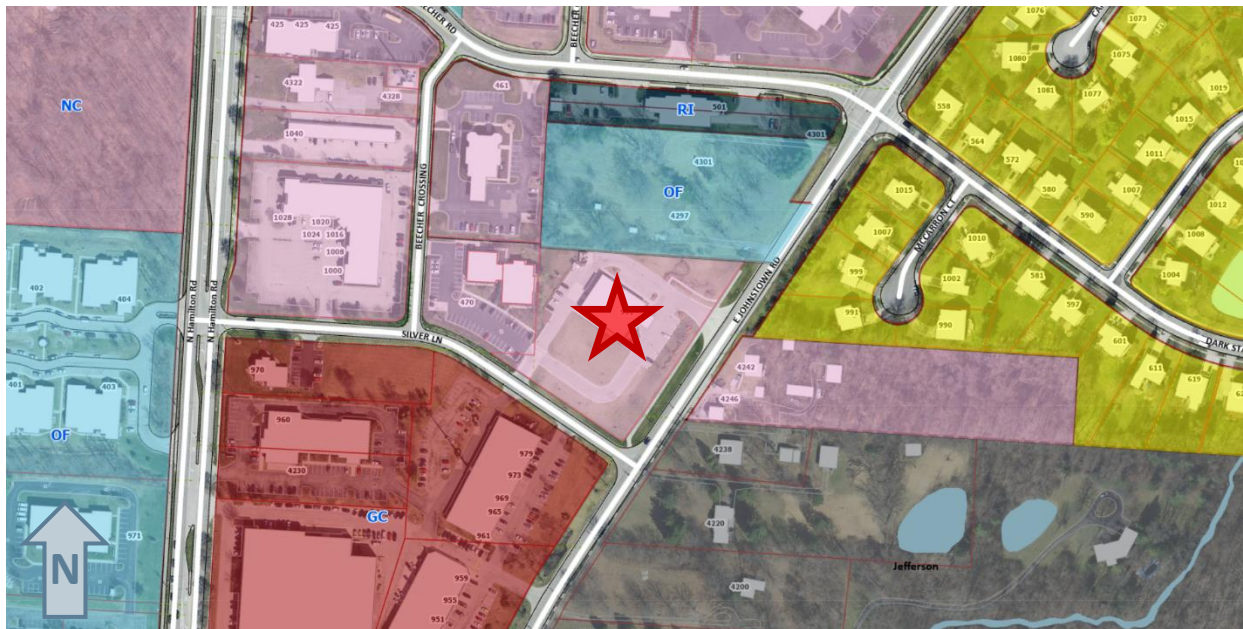
**Zoning:** Neighborhood Commercial (NC)

**Application Type(s):** Variance (V)

**Staff Representative:** Maddie Capka, Planner II

**Recommendation:** Staff recommends approval of the application.

**Location Map:**





## Staff Review

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### Overview

The applicant is requesting approval of a variance for an associated Subdivision Without Plat/lot split application. The applicant submitted an SWP application to split the existing parcel into two parcels, one north and one south. When the site was initially developed in 2017, the intent was to divide it into two separate parcels.

The site currently contains one medical office building, three parking areas, and two access points with associated drives. For the proposed lot split, the new middle property line cuts right through two of the existing parking areas and a sidewalk. This creates a new nonconformity, since the zoning code requires a 10 ft setback for parking areas.

There are no permits or applications submitted to develop the site, this application is only for existing conditions. Any nonconformity that exists prior to the lot split does not require a variance.

### Review Criteria

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#### Variance (V)

The following variance has been requested:

1. Ch 1109.01(a)(4) – Parking, Access, and Circulation
  - a. All parking areas and drives must be at least 10 ft from the side and rear property lines.
  - b. Two parking areas are set back 0 ft from the new property line.

Before granting a variance, Planning Commission shall find that:

- a) The variance is not likely to result in substantial change to the essential character of the neighborhood;
- b) The variance is not likely to result in damage to adjoining properties;
- c) The variance is not likely to affect the delivery of governmental services (e.g., water, sewer, garbage);
- d) The variance is not likely to result in environmental impacts greater than what is typical for other lots in the neighborhood;
- e) The variance is necessary for the economical use of the property, and such economical use of the property is not easily achieved through some method other than a variance;
- f) The variance is not likely to undermine the objectives of the land use plan;
- g) Whether the variance is substantial and is the minimum necessary to make possible the reasonable use of land or structures; and,
- h) The practical difficulty could be eliminated by some other method, even if the solution is less convenient or more costly to achieve.

## Recommendation

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Staff recommends approval of the Variance application as submitted. The requested variance is for existing conditions on the lot, but it is now nonconforming due to the proposed SWP. Staff does not believe that granting this variance would have any negative effects.