



ZONING DIVISION
 200 S. Hamilton Road
 Gahanna, Ohio 43230
 614-342-4025
 zoning@gahanna.gov
 www.gahanna.gov

SUBDIVISION WITHOUT PLAT APPLICATION

Project/Property Address or Location: 5979 Havens Corners Road		Project Name/Business Name: Souder Lot Split	
Parcel ID No.(s): 025-009244		Zoning Designation: ER-2	Total Acreage: 3.019
Project Description: We would like to divide the total 3.1 acres at 5979 Havens Corners Road into two parcels. The original address/parcel will have 2.006 acres removed and be left with 1.003 acres. The new parcel will be 2.006 acres to the south and west of the original parcel.			Acreage to be split: 2.006
APPLICANT Name -do <u>not</u> use a business name: Matthew H Souder		Applicant Address: 5979 Havens Corners Road	
Applicant E-mail: soudermh@gmail.com		Applicant Phone No.: 614-354-7089	
BUSINESS Name (if applicable):			
ADDITIONAL CONTACTS: Please list Primary Contact person for Correspondence (please list all applicable contacts)			
Name(s): Erin Souder Richard Miller		Contact Information (phone no./email): ES - 740-815-0709 RM - 740-815-2336	
PROPERTY OWNER Name: (if different from Applicant)		Property Owner Contact Information (phone no./email):	

APPLICANT SIGNATURE BELOW CONFIRMS THE SUBMISSION REQUIREMENTS HAVE BEEN COMPLETED (see page 2)

I certify that the information on this application is complete and accurate to the best of my knowledge, and that the project as described, if approved, will be completed in accordance with the conditions and terms of that approval.

Applicant/Primary Contact Signature: Date: 8/6/2020

INTERNAL USE

Zoning File No. SWP-0192-2020

RECEIVED:
 DATE: 8/6/20

PAID: 150⁰⁰
 DATE: 8/6/20



SUBDIVISION WITHOUT PLAT APPLICATION – SUBMISSION REQUIREMENTS

FOR USE BY THE APPLICANT:
1. Review Gahanna Code Chapter 1106 (visit www.municode.com)
2. Survey of property certified by registered surveyor (11x17" copy)
3. Legal description of property certified by registered surveyor (11x17" copy)
4. Application fee (in accordance with the Building & Zoning Fee Schedule)
5. Application & all supporting documents submitted in digital format
6. Application & all supporting documents submitted in hardcopy format
7. UPON APPROVAL: <u>original</u> deed(s) must be signed and stamped "approved" by the Clerk of Council of the City of Gahanna and then, at the expense of the applicant, recorded with the Franklin County Recorder's Office .
8. Authorization Consent Form Complete & Notarized (see page 3)

Please Note:

The Public Hearing, if required, will not occur until the City Of Gahanna Staff reviews the Application for Code Consistency.

Applications that are not consistent with the code will not be scheduled for hearing.

ADMINISTRATIVE APPROVAL

In accordance with Section 1106 of the Codified Ordinances of the City of Gahanna, Ohio, I hereby certify that this project, as stated above, was administratively approved.

Planning & Zoning Administrator Signature: _____ Date: _____

This application will be forwarded to Planning Commission read by title at the first regular meeting of Planning Commission following administrative approval.



AUTHORIZATION CONSENT FORM

(must sign in the presence of a notary)

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

PROPERTY OWNER

IF THE PROPERTY OWNER IS THE APPLICANT, SKIP TO NEXT SECTION

As the property owner/authorized owner's representative of the subject property listed on this application, hereby authorize the applicant/representative to act in all matters pertaining to the processing and approval of this application, including modifying the project. I agree to be bound by all terms and agreements made by the applicant/representative.

(property owner name printed)

(property owner signature) (date)

Subscribed and sworn to before me on this _____ day of _____, 20____.

State of _____ County of _____

Stamp or Seal

Notary Public Signature: _____

Applicant/Property Owner/Representative

AGREEMENT TO COMPLY AS APPROVED As the applicant/representative/owner of the subject property listed on this application, I hereby agree that the project will be completed as approved with any conditions and terms of the approval, and any proposed changes to the approval shall be submitted for review and approval to City staff.

AUTHORIZATION TO VISIT THE PROPERTY I hereby authorize City representatives to visit, photograph and post notice (if applicable) on the subject property as described.

APPLICATION SUBMISSION CERTIFICATION I hereby certify that the information on this application is complete and accurate to the best of my knowledge.

Matthew Souder

(applicant/representative/property owner name printed)

Matthew Souder

(applicant/representative/property owner signature)

8/16/20

(date)

Subscribed and sworn to before me on this 16 day of August, 2020.

State of Ohio County of Franklin

Notary Public Signature: Hannah A. O'Neil



HANNAH A. O'NEIL
Notary Public, State of Ohio
My Commission Expires
June 8, 2022

**Description of a 1.003 Acre Tract
City of Gahanna
County of Franklin
State of Ohio**

Situated in the State of Ohio, County of Franklin, and the City of Gahanna: Being a part of the Third Quarter of Township Number One (1) North, Range Number Sixteen (16) West, of the United States Military Lands, and being part of Lot 37 of David Taylor's Subdivision and described in Plat Book 1, Page 10 (destroyed by fire), and also being a part of a 3.009 acre tract (calculated) of land conveyed to Matthew and Erin Souder as described in Instrument Number 202007060096727, and being more particularly described as follows:

Commencing at a Franklin County Centerline Monument, FCGS 5525 (Reset), at the intersection of the centerlines of Havens Corners Road and Taylor Station Road, said monument also being in the quarter township line between the Second and Third Quarter;

Thence, N 86°14'46" W, 433.26 feet along said centerline of Havens Corners Road and said quarter township line, to a point in said centerline of Havens Corners Road and said quarter township line, from said point being, S 86°14' 46" W, 45.45 feet, to FCGS 1477 (FCGS 1477 being, N 86°01'45" W, 910.72 feet to FCGS 5622);

Thence, S 3°36'37" W, 45.00 feet, to a found 5/8" rebar with a yellow cap (FRANKLIN COUNTY ENGINEER), said rebar being the Northeast corner of said 3.009 acre tract and the Northwest corner of a 1.638 acre tract (calculated) conveyed to Matthew H. and Erin L. Souder as described in Instrument Number 201203060030903, said rebar also being the Southwest corner of a 0.120 acre tract conveyed to Franklin County Commissioners as described in Instrument Number 200205060112988, said rebar being **THE TRUE POINT OF BEGINNING** of the parcel herein described:

Thence, S 3°39'29" W, 284.00 feet along an easterly line of said 3.009 acre tract and westerly line of said 1.638 acre tract, to an iron pin set in said lines;

Thence, N 86°04'28" W, 153.78 feet, across said 3.009 acre tract to an iron pin set;

Thence, N 3°38'03" E, 283.96 feet, across said 3.009 acre tract, to an iron pin set, said pin being in the southerly right-of-way of Havens Corners Road as shown conveyed to Franklin County Commissioners in Instrument Number 200205060113000;

Thence, S 86°01'45" E, 109.17 feet, along said southerly right-of-way of Havens Corners Road and the northerly line of said 3.009 acre tract, to a found 5/8" rebar with a yellow cap (FRANKLIN COUNTY ENGINEER);

Thence, continuing along said southerly right-of-way of Havens Corners Road and the northerly line of said 3.009 acre tract, S 86°14'46 E, 44.73 feet, to a found 5/8" rebar with a yellow cap (FRANKLIN COUNTY ENGINEER), returning to **THE TRUE POINT OF BEGINNING**, containing 1.003 acres.

All iron pins set are 5/8" rebar, 30 inches long with orange I.D. cap labeled "SLONE S-8751".

Basis of Bearings for the above legal description are based upon The Ohio State Plane Coordinate System, South Zone, Horizontal Datum NAD83 (2011), as established from GPS Survey performed, occupying monuments "FCGS 5525 RESET, FCGS 1477" and observing a bearing of N 86°14'46" W.

This description is based on a field survey of the premises performed by SSB Surveying, LLC, in May, 2020.

Subject to all legal easements, restrictions, and right-of-ways of record.



John C. Slone 7/21/20
John C. Slone
Ohio Professional Surveyor No. 8751

**Description of a 2.006 Acre Tract
City of Gahanna
County of Franklin
State of Ohio**

Situated in the State of Ohio, County of Franklin, and the City of Gahanna: Being a part of the Third Quarter of Township Number One (1) North, Range Number Sixteen (16) West, of the United States Military Lands, and being part of Lot 37 of David Taylor's Subdivision and described in Plat Book 1, Page 10 (destroyed by fire), and also being a part of a 3.009 acre tract (calculated) of land conveyed to Matthew and Erin Souder as described in Instrument Number 202007060096727, and being more particularly described as follows:

Commencing at a Franklin County Centerline Monument, FCGS 5525 (Reset), at the intersection of the centerlines of Havens Corners Road and Taylor Station Road, said monument also being in the quarter township line between the Second and Third Quarter;

Thence, N 86°14'46" W, 433.26 feet along said centerline of Havens Corners Road and said quarter township line, to a point in said centerline of Havens Corners Road and said quarter township line, from said point being, S 86°14' 46" W, 45.45 feet, to FCGS 1477 (FCGS 1477 being, N 86°01'45" W, 910.72 feet to FCGS 5622);

Thence, S 3°36'37" W, 45.00 feet, to a found 5/8" rebar with a yellow cap (FRANKLIN COUNTY ENGINEER), said rebar being the Northeast corner of said 3.009 acre tract, said rebar also being the Northwest corner of a 1.638 acre tract (calculated) conveyed to Matthew H. and Erin L. Souder as described in Instrument Number 201203060030903;

Thence, S 3°39'29" W, 284.00 feet along an easterly line of said 3.009 acre tract and westerly line of said 1.638 acre tract conveyed to Matthew H. and Erin L. Souder, to an iron pin set in said lines, said iron pin being **THE TRUE POINT OF BEGINNING** of the parcel herein described:

Thence, **S 3°39'29" W, 327.65 feet**, continuing in said easterly line of said 3.009 acre tract and said westerly line of said 1.638 acre tract to an iron pin set, said pin being the Southeast corner of said 3.009 acre tract and the Southwest corner of said 1.638 acre tract, said iron pin also being set in a northerly line of a 50.766 acre tract conveyed to the City of Gahanna as shown in Deed Book 3378, Page 1;

Thence, **N 86°55'09" W, 213.65 feet**, along a southerly line of said 3.009 acre tract and a northerly line of said 50.766 acre tract to a found 1" outer diameter iron pipe, said iron pipe being the Southeast corner of said 3.009 acre tract;

Thence, **N 3°38'03" E, 614.80 feet**, along the westerly line of said 3.009 acre tract and an easterly line of said 50.766 acre tract, to a found 5/8" rebar with a yellow cap (FRANKLIN COUNTY ENGINEER), said rebar being the Northeast corner of said 3.009 acre tract and also being in the Southerly right-of-way of Havens Corners Drive as described in a conveyance to Franklin County Commissioners in Instrument Number 200205060113000;

Thence, **S 86°01'45 E, 60.00 feet**, along the said southerly right-of-way of Havens Corners Road and the northerly line of said 3.09 acre tract, to an iron pin set;

Thence, **S 3°38'03" W, 283.96 feet**, across said 3.009 acre tract to an iron pin set;

Thence, **S 86°04'28" E, 153.78 feet**, continuing across said 3.009 acre tract, to an iron pin set, returning to **THE TRUE POINT OF BEGINNING**, containing 2.006 acres.

All iron pins set are 5/8" rebar, 30 inches long with orange I.D. cap labeled "SLONE S-8751".

Basis of Bearings for the above legal description are based upon The Ohio State Plane Coordinate System, South Zone, Horizontal Datum NAD83 (2011), as established from GPS Survey performed, occupying monuments "FCGS 5525 RESET, FCGS 1477" and observing a bearing of N 86°14'46" W.

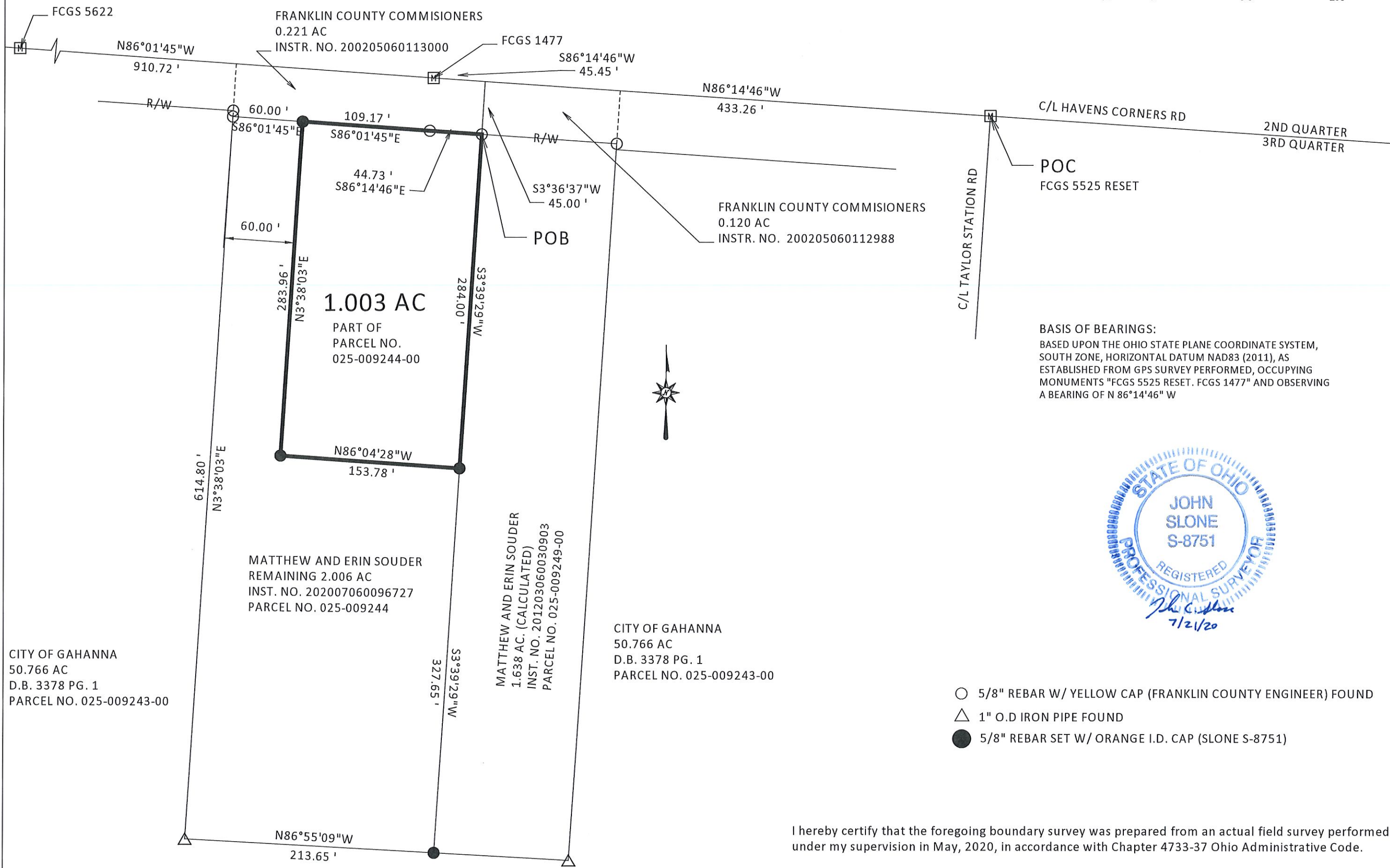
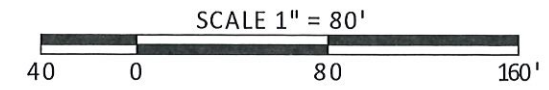
This description is based on a field survey of the premises performed by SSB Surveying, LLC, in May, 2020.

Subject to all legal easements, restrictions, and right-of-ways of record.



John C. Slone 7/21/20

John C. Slone
Ohio Professional Surveyor No. 8751



BASIS OF BEARINGS:
 BASED UPON THE OHIO STATE PLANE COORDINATE SYSTEM,
 SOUTH ZONE, HORIZONTAL DATUM NAD83 (2011), AS
 ESTABLISHED FROM GPS SURVEY PERFORMED, OCCUPYING
 MONUMENTS "FCGS 5525 RESET, FCGS 1477" AND OBSERVING
 A BEARING OF N 86°14'46" W



- 5/8" REBAR W/ YELLOW CAP (FRANKLIN COUNTY ENGINEER) FOUND
- △ 1" O.D IRON PIPE FOUND
- 5/8" REBAR SET W/ ORANGE I.D. CAP (SLONE S-8751)

I hereby certify that the foregoing boundary survey was prepared from an actual field survey performed under my supervision in May, 2020, in accordance with Chapter 4733-37 Ohio Administrative Code.

John C. Slone
 Ohio Surveyor No. 8751

Situated in the State of Ohio, County of Franklin, City of Gahanna,
 Being in the Third Quarter of Township No. 1 North,
 Range No. 16 West, United States Military Lands

SURVEY OF 1.003 ACRE TRACT

FOR MATTHEW SOUDER

SSB SURVEYING, LLC
 Tel: 740-970-0973
 E-mail: sbsurveying@gmail.com

CITY OF GAHANNA
 50.766 AC
 D.B. 3378 PG. 1
 PARCEL NO. 025-009243-00

MATTHEW AND ERIN SOUDER
 REMAINING 2.006 AC
 INST. NO. 202007060096727
 PARCEL NO. 025-009244

MATTHEW AND ERIN SOUDER
 1.638 AC. (CALCULATED)
 INST. NO. 201203060030903
 PARCEL NO. 025-009249-00

CITY OF GAHANNA
 50.766 AC
 D.B. 3378 PG. 1
 PARCEL NO. 025-009243-00

FRANKLIN COUNTY COMMISSIONERS
 0.120 AC
 INSTR. NO. 200205060112988

FRANKLIN COUNTY COMMISSIONERS
 0.221 AC
 INSTR. NO. 200205060113000

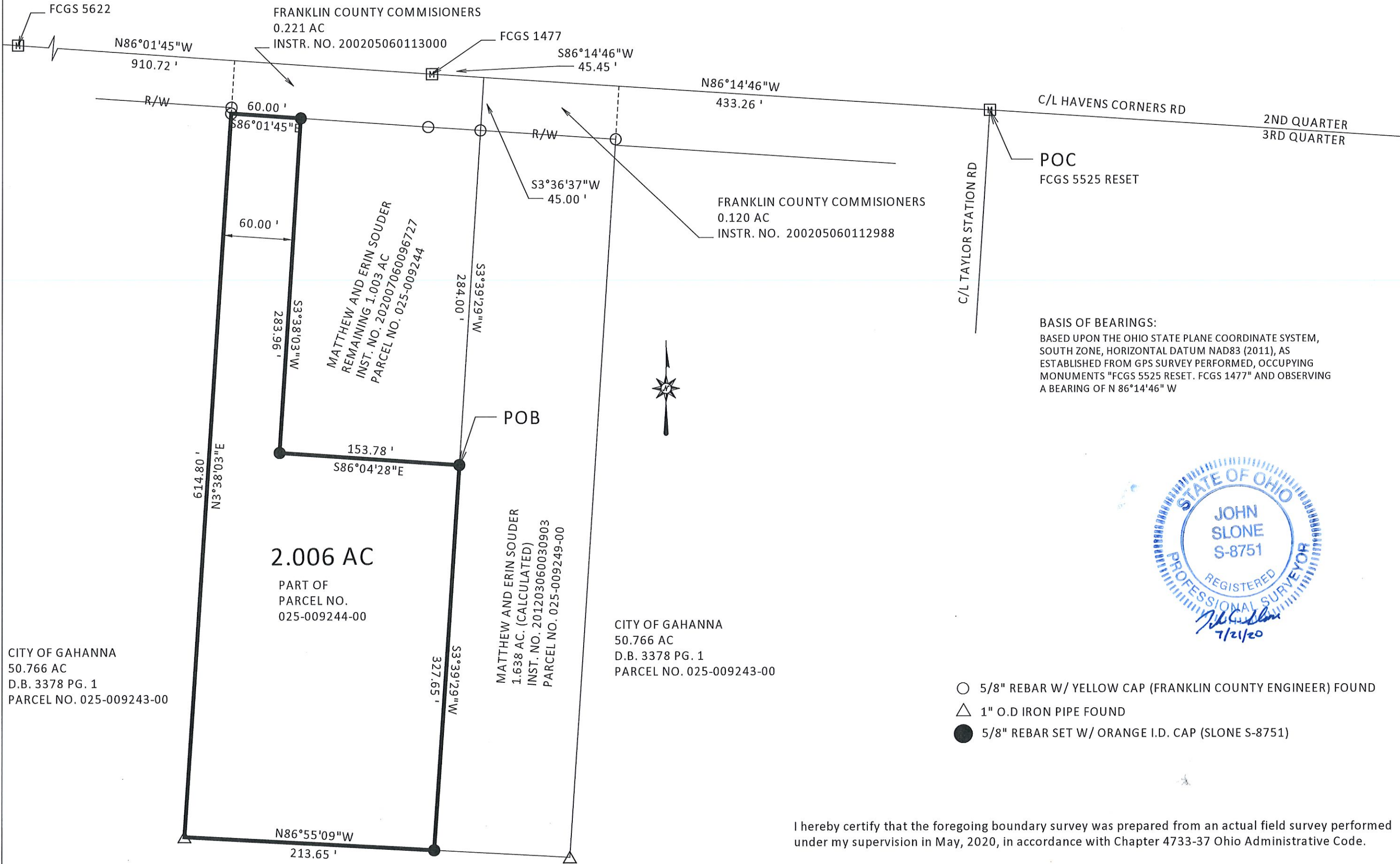
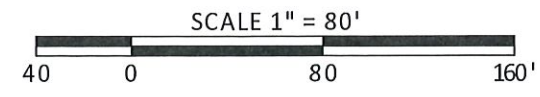
FCGS 1477
 S86°14'46"W
 45.45'

C/L HAVENS CORNERS RD
 2ND QUARTER
 3RD QUARTER

POC
 FCGS 5525 RESET

C/L TAYLOR STATION RD





BASIS OF BEARINGS:
 BASED UPON THE OHIO STATE PLANE COORDINATE SYSTEM,
 SOUTH ZONE, HORIZONTAL DATUM NAD83 (2011), AS
 ESTABLISHED FROM GPS SURVEY PERFORMED, OCCUPYING
 MONUMENTS "FCGS 5525 RESET, FCGS 1477" AND OBSERVING
 A BEARING OF N 86°14'46" W



- 5/8" REBAR W/ YELLOW CAP (FRANKLIN COUNTY ENGINEER) FOUND
- △ 1" O.D IRON PIPE FOUND
- 5/8" REBAR SET W/ ORANGE I.D. CAP (SLONE S-8751)

I hereby certify that the foregoing boundary survey was prepared from an actual field survey performed under my supervision in May, 2020, in accordance with Chapter 4733-37 Ohio Administrative Code.

John C. Slone 7/21/20
 John C. Slone
 Ohio Surveyor No. 8751

CITY OF GAHANNA
 50.766 AC
 D.B. 3378 PG. 1
 PARCEL NO. 025-009243-00

2.006 AC
 PART OF
 PARCEL NO.
 025-009244-00

MATTHEW AND ERIN SOUDER
 1.638 AC. (CALCULATED)
 INST. NO. 201203060030903
 PARCEL NO. 025-009249-00

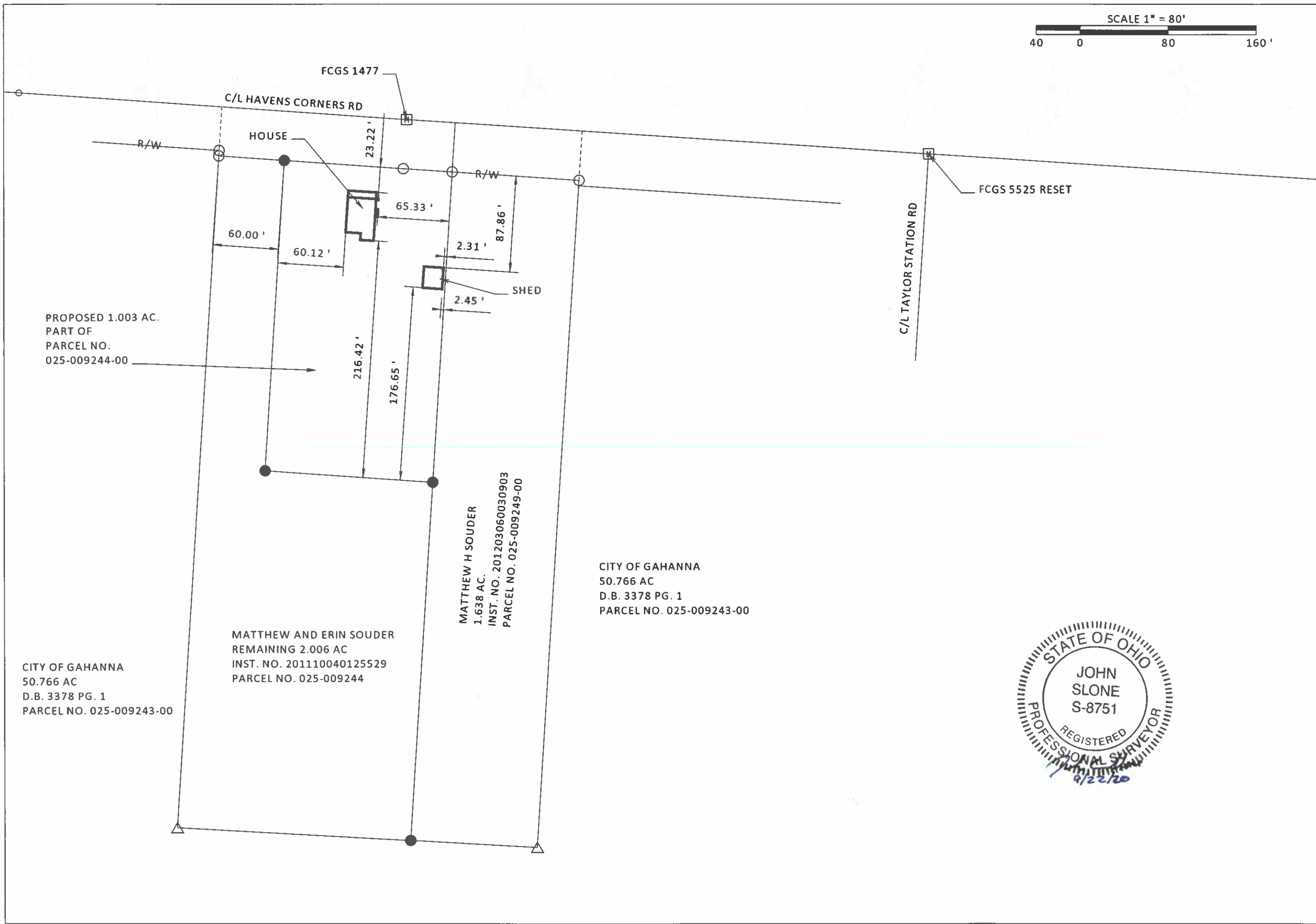
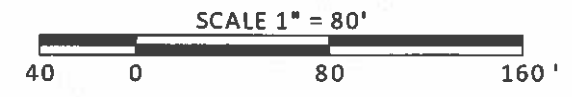
CITY OF GAHANNA
 50.766 AC
 D.B. 3378 PG. 1
 PARCEL NO. 025-009243-00

Situated in the State of Ohio, County of Franklin, City of Gahanna,
 Being in the Third Quarter of Township No. 1 North,
 Range No. 16 West, United States Military Lands

SURVEY OF 2.006 ACRE TRACT

FOR MATTHEW SOUDER

SSB SURVEYING, LLC
 Tel: 740-970-0973
 E-mail: ssbsurveying@gmail.com



EXISTING STRUCTURE OFFSETS

DATE: 09/19/2020

FOR MATTHEW SOUDER



SSB SURVEYING, LLC
 857 COAL DOCK RD
 WAVERLY, OH
 45690

Tel: 740-970-0973
 email: ssbsurveying@gmail.com

October 1, 2020

Kelly Wickler
200 S. Hamilton Road
Gahanna, OH 43230

RE: Project 5979 Havens Corners Rd Lot Split Letter

Dear Kelly

The following comments were generated from the review of the submitted plans and documents for the referenced project. Please see our disposition of comments below along with original comment.

Building

1. No comments.

Engineering

2. No comments at this time.

Community Development

3. Chapter 1137.02(b) requires lots less than 1.5 acres to be served by central utilities. Please confirm compliance with this requirement.
 - a. [Please see separately attached revision of the variance application and statement for variance request which includes a request to use septic on the lot of less than 1.5 acres.](#)
4. Informational Comment - The request to subdivide will require approval by Planning Commission.
 - a. [Noted.](#)

Parks

5. No Comments per Julie Prederi

Fire District

6. No Comment Received.

Sincerely,
Erin L Souder
Matthew H Souder
10/1/2020



October 13, 2020

Matthew H Erin L Souder
5979 Havens Corners Rd
Columbus, OH 43230

RE: Project 5979 Havens Corners Rd Lot Split Comments

Dear Matthew H Erin L Souder:

The following comments were generated from the review of the submitted plans and documents for the referenced project.

Building

1. No comments.

Engineering

2. No comments at this time.

Parks

3. No Comments per Julie Prederi

Community Development

4. Informational Comment - The request to subdivide will require approval by Planning Commission.

Fire District

5. No Comment Received.

If you have any comments or questions, please contact me at kelly.wicker@gahanna.gov or (614) 342-4025.

Sincerely,

Kelly Wicker
Administrative Assistant



PLANNING STAFF REPORT

Summary

The applicant is requesting approval of two applications. The first is to split the parcel at 5979 Havens Corners Rd into two parcels. The parcels will be 2 acres and 1 acre in size. The zoning is Estate Residential (ER-2). ER-2 permits lot sizes of one acre or larger if on central water and sewer. If not on central water and sewer then the minimum parcel size is 1 ½ acres.

A variance has been requested to two zoning code provisions. The first is to Chapter 1137.02(b) which requires a minimum parcel size of 1 ½ acres for property not connected to both central water and sewer. Central sewer is not available. A variance will be necessary in order to split the property as requested. The second variance is to Chapter 1137.07(a) which requires 150' of frontage per lot. The existing lot has 210 feet of frontage. A "flag" lot is proposed that would have 60' of frontage but have a lot width of approximately 210 feet as the property extends away from Havens Corners.

Subdivision without Plat

Subdivisions without plat shall be referred to Planning Commission if the division of land is into parcels less than five acres. This request is to divide approximately 3 acres into two parcels.

Planning Commission shall approve the subdivision without plat application if the following is met:

- a) All lots of the resulting subdivision are contiguous to a dedicated public street right-of-way for such distance as required by the zone district.
- b) No opening, widening or extension of any road is involved.
- c) No more than five lots are involved after the original tract is completely subdivided.
- d) The request for subdivision is not contrary to platting, subdividing or zoning regulations of the City.

Variance

Planning Commission shall not grant a variance unless it finds that all of the following conditions apply:

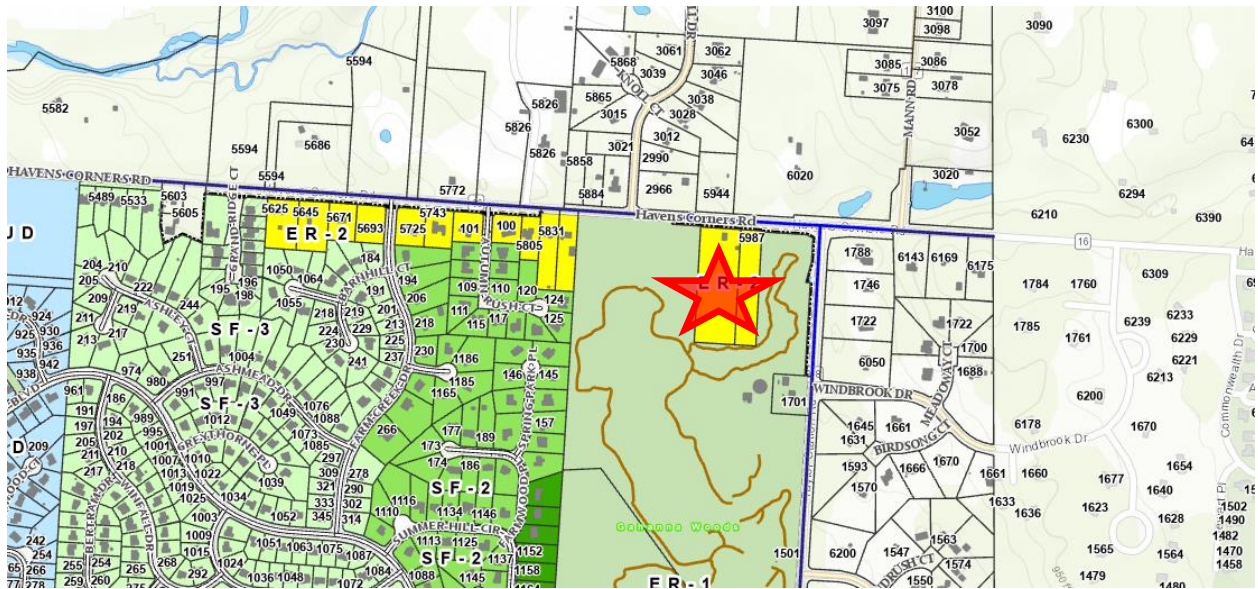
- a) There are special circumstances or conditions applying to the land, building or use referred to in the application.
- b) The granting of the variance is necessary for the preservation and enjoyment of substantial property rights.
- c) The granting of the application will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the proposed use and will not be materially detrimental to the public welfare or injurious to property or improvements in such neighborhood.

Recommendation

The property is designated as parkland on the future land use map as it is adjacent to the Gahanna Woods park. Residential uses are not permitted within this land use designation. However, the land use plan is a guide. It does not mandate specific uses. The subject property is zoned ER-2 which permits residential by right and has/is being used for residential. The request to subdivide appears consistent

with development trends and lot sizes in the surrounding area. The variances have been reviewed by staff and there are no open issues associated with them. Staff recommends approval of both applications.

Location/Zoning Map



Respectfully Submitted By:
Michael Blackford, AICP
City Planner/Zoning Administrator