

200 SOUTH HAMILTON ROAD
FAX: (614) 342-4190



GAHANNA, OHIO 43230-2996
TELEPHONE: (614) 342-4090

www.gahanna.gov

PLANNING COMMISSION

To: Kimberly M. McWilliams, CMC, Clerk of Council

From: Donna L. Jernigan, MMC, Sr. Deputy Clerk of Council

Date: Jan. 22, 2014

RE: V-0004-2014 Oak Grove Subdivision Sidewalks, and Fees in Lieu of Parkland for Oak Grove Subdivision

RECOMMENDATION

REGULAR MEETING OF PLANNING COMMISSION HELD January 22, 2014:

MOTION by Rosan, seconded by Shepherd, to recommend to Council approval of V-0004-2014; to consider a variance application to vary Section 1107.01(d), Required Improvements, of the Codified Ordinances of the City of Gahanna; to allow sidewalk to be built on one side of the street only; for property located at 4185 Stygler Road; Oak Grove Subdivision; Ed Minhinnick, applicant; Glen Dugger, agent. Voting yes: Rosan, Shepherd, Keehner, Burba, Wester, and Andrews. **Motion carried.**

MOTION by Rosan, seconded by Shepherd, to recommend to Council fees in lieu of parkland for Oak Grove Subdivision. Voting yes: Rosan, Shepherd, Burba, Andrews, Wester, Keehner. **Motion carried.**

A handwritten signature in cursive script that reads "Donna L. Jernigan".

Donna L. Jernigan, MMC
Sr. Deputy Clerk of Council

Gahanna's Vision is...

...to be an innovative model community that values its rich heritage, pursues high standards, and where citizens respect one another.

Gahanna's Mission is...

...to ensure an exceptional quality of life by providing comprehensive services, financial stability, and well-planned development which preserves the natural environment, so that city government will continue to be responsive, accessible, and accountable to our diverse and growing community of citizens.

same; activities are the same; does not affect traffic flow; happy to answer any questions.

Chair asked for opponents; there were none.

Rosan said with the prior application there was some concern about parking in the rear; is there still a rear entrance. Bourland said yes there will be a rear entrance on the south side of the building; also basement will be used; there is an existing ramp and service door going to the basement.

Chair closed the public hearing at 7:09 p.m.

A motion was made by Shepherd, seconded by Rosan, that this Final Development Plan be Approved. The motion carried by the following vote:

Yes: 6 - Keehner, Price, Burba, Shepherd, Wester and Rosan

Absent: 1 - Andrews

DR-0001-2014

To consider a Certificate of Appropriateness for Site Plan, Landscaping and Building Design; for property located at 445 Rocky Fork Blvd.; Healthserve Gahanna Real Estate, LLC; Express Med Urgent Care; Mike Bourland, applicant.

See discussion above.

A motion was made by Shepherd, seconded by Rosan, that this Design Review be Approved. The motion carried by the following vote:

Yes: 6 - Keehner, Price, Burba, Shepherd, Wester and Rosan

Absent: 1 - Andrews

V-0001-2014

To consider a variance application to vary the following sections of the Codified Ordinances of the City of Gahanna; Section 1143.07(a), to allow 8 lots to have less than 11,000 square feet of area; 1143.07(b) to allow lot frontage of less than 80' on 12 of 13 lots; 1143.08(c) to allow side yard of less than 7 1/2' in width on all lots; for property located at 4185 Stygler Road; for Oak Grove Subdivision; Ed Minhinnick, applicant; Glen Dugger, agent.

Gard said there are 13 proposed lots; smaller lots than the standard SF-3; surrounding lots are PUD; subdivision had many variances; asking for 8 lots with less than 11,000 sq. ft. in area; remainder would meet or exceed the 11,000; asking for side setback of less than 7 1/2'; 5' on all the lots; not unheard of in Gahanna; we have several overlay subdivisions that have 5' setbacks; asking to reduce the frontage from 80' to 60'; that is not uncommon in this neighborhood; are PUD homes surrounding the subdivision and many of those have 60' frontage; applicant will be back in two weeks with a variance to have sidewalks on only one side of the street, and that variance has to go to Council

for approval; also have parkland dedication.

Chair opened the public hearing at 7:14 p.m, and asked for proponents.

Glenn Dugger, Smith & Hale, 47 W. Broad St., said also have Casey Elliott our engineer here to answer any questions. The property is owned by Mr. Minhinnick; is on the southwest corner of Stygler and Sandburr; more than 4.5 acres and is zoned SF-3; property is only 215' wide; typical width of a property to have a street and houses is somewhere in the neighborhood of 290' to 300' so this property is too narrow for a standard type subdivision; this causes the necessity of variances; met with staff and they felt that the overlay process was overly awkward and caused multiple trips to Planning Commission and Council and process is not terribly flexible; we decided on a means of processing this by applying for a preliminary plat with several variances; that is exactly what was done when Woodside Meadows was applied for 16 years ago; we varied the terms of the plat so that we could avoid the challenges of the overlay process for an SF-3 zoning district; asking for 13 lots; 8 of which would be less than 11,000 sq. ft.; asking for variances for lot frontage and side yard; the area around the proposed subdivision is a bit of a mishmash; is all single family; have map here I prepared 16 years ago for Woodside Meadows; in that PUD there were a host of lot sizes; that PUD for Woodside Meadows approved 60', 65', 70' and 80' lot frontage; my point of showing you this map is that there is not one monolithic standard of single family lots, width and density in this area; the PUD allowed flexibility; process was the same when we dealt with the property to the south; had lot variances for size in SF-3 zoning; we needed lot variances for lot width and some for lot size and side yard setback; some variances were greater than the ones we are proposing with the Oak Grove subdivision; those homes in the PUD are very nice places to live; main point is that the homes we are proposing would be consistent with the subdivision to the south and would be a great place to live.

Chair asked for opponents.

Ryan Ike, 393 Bluestem Ave., said my main concern is where will the entrance to the subdivision be. Dugger said off of Stygler. Also what about the tree line; heard that in previous meetings in 2004 or 2005 that there may have been 10 or 11 lots proposed for the property; could that be revisited.

Cynthia Scott, 375 Bluestem Ave., said I would like to see less lots; why two additional.

Harold Slager, 958 Timothy Drive, said I am concerned about green space; will that be eliminated and how close will that actually move to the current properties.

Teresa Fenton, 418 Bluestem Ave., said I have a concern about drainage; very marshy back there.

John Patock, 957 Crystal Cay Court, said I have traffic concerns; what will happen with the tree line; also would like the smaller amount of lots.

William Fenton, 418 Bluestem, said I am concerned about where kids will play and the busing situation as school buses are already too full.

Dugger said the access would be from Stygler; this area is not a public park; it is someone's property and they have a right to develop it; for single family houses, trees are a great plus; are tremendous value; trees are one of the great attributes of this property. Elliott said we are not even putting utility easements back there because of the trees; trees should be completely undisturbed; running all the utilities along the north side of the proposed road and between houses; will be putting a drainage pipe offset from the drip line of the trees 15' which will be in an easement to provide drainage along the back of the houses; the downspouts of the houses will actually go to that pipe; not bring them out to the curb; on the south side we are not going to disturb any of the vegetation; it provides privacy for the people who already live there; do not feel need to disturb it; the greenspace labeled "A" will be a dry detention basin; is designed to be very shallow and disappear into the landscape; the outlet of it will have a bio retention area; EPA requires that we have both a forebay which is a little pool where sediment settles out and a micro pool at the outlet structure to provide water treatment; also have a detention area to the northeast corner of the property corner; I like to provide underground volume for water to settle into as quick as possible; no stormsewers; will look like a field, not a detention basin; concerning traffic 13 lots will create about 130 traffic transactions a day which is well in the area that Stygler Road can handle, and staff agrees with that.

Gard said concerning the comments about 11 lots, the 13 lots proposed are within the City guidelines for the property as prescribed by code.

Wester asked about traffic. Wetherholt said we have discussed the way the turn lane would be; left turn would be for northbound traveler turning left; there is enough left turn lane left going up the street to Sandburr so that they will not conflict with each other; is a three lane roadway with a center lane.

Chair closed the public hearing at 7:54 p.m.

Keehner said initially I was not real comfortable with the 13 lots, but I think the developer has tried to balance this subdivision by preserving the tree line and having the slightly curved street.

A motion was made by Keehner, seconded by Shepherd, that this Variance be Approved. The motion carried by the following vote:

Yes: 6 - Keehner, Price, Burba, Shepherd, Wester and Rosan

Absent: 1 - Andrews

PP-0001-2014

To consider a preliminary plat for Oak Grove Subdivision; for 4.58 acres located at 4185 Stygler Road; current zoning SF-3; Edward L. Minhinnick, applicant.

See discussion above.

CLERK'S NOTE: Motion was made to recommend Preliminary Plat to Council but by code preliminary plats are not recommended to Council; just Final Plats.

A motion was made by Keehner, seconded by Shepherd, that this Preliminary Plat be Approved. The motion carried by the following vote:

Yes: 6 - Keehner, Price, Burba, Shepherd, Wester and Rosan

Absent: 1 - Andrews

V-0002-2014

To consider a variance application to vary Section 1139.08(c) of the Codified Ordinances of the City of Gahanna; to allow a side yard to be less than 15' in width; for property located at 845 Clotts Road; Brookewood Construction Company, Inc., Doug Maddy, applicant.

A motion was made by Burba, seconded by Rosan, that the Variance was Approved. The motion carried by the following vote:

Yes: 6 - Keehner, Price, Burba, Shepherd, Wester and Rosan

Absent: 1 - Andrews

N.

A motion was made by Rosan, seconded by Shepherd to amend the previous motion to clarify that the side yard setback on the south side will be 9', and on the north side 10'.

Yes: 6 - Keehner, Price, Burba, Shepherd, Wester and Rosan

Absent: 1 - Andrews

O. NEW BUSINESS:



CITY OF GAHANNA
STAFF COMMENTS

FILE(s): V-4-2014
PERMIT: 14010014
PHD: 1-22-14
APPLICANT: Edward L. Minhinnick & Glen Dugger of Smith & Hale, LLC
ADDR: Oak Grove Subdivision – 4185 Stygler Road

DIVISION/ DEPARTMENT: Zoning

1107.01 (d) - Variance request to allow sidewalk on only one side of the street due to the narrow width of the lot.

Sincerely,

Bonnie Gard
Planning and Zoning Administrator



"HERB CAPITAL OF OHIO"

200 SOUTH HAMILTON ROAD, GAHANNA, OH 43230

614.242.4000 FAX 614.242.4322 WWW.CITYOFGAHANNA.GOV

14010014
V-4-2014
File No: _____
Date Received: 11-22-13
Scheduled Public Hearing Date: 1-22-14

Fee: 150.00
Initials: FW
Check or Receipt Number: 099536



CITY OF GAHANNA

PLANNING COMMISSION
APPLICATION FOR VARIANCE

025-004352
025-010309

Property Address: 4185 Stygler Road Parcel ID #: _____

Applicant: Ed Minhinnick c/o Glen A. Dugger, Smith & Hale LLC

Contact: Glen A. Dugger Title: Attorney

Address: 37 West Broad Street, Columbus, Ohio 43215

Phone: 221-4255 Fax: 221-4409 E-Mail: gdugger@smithandhale.com

Status: Property Owner Option Holder Contractual Purchaser Agent

Property Owner: Edward L. Minhinnick

Contact: _____ Title: _____

Address: 4579 Both Road, Columbus, Ohio 43213

Phone: 854-4600 Fax: 455-8899 E-Mail: ed@asphaltservicesofohio.com

Signature of Applicant _____ Date 11-22-13

Note: Planning Commission members and/or City staff may visit the property prior to the hearing.
All correspondence will be to applicant above unless otherwise stated.

Submission Requirements

1. Submit eleven (11) copies folded (not rolled) to 11 X 17 size of a survey and legal description of the property certified by a registered surveyor. Any drawings submitted must include one copy that is no larger than 8½ x 11 inches.
2. Submit a list of all contiguous property owners and their mailing addresses.
3. Submit a statement of the reason(s) for the variance request. The statement should address the three (3) conditions listed on page two of this application that must be met in order for Planning Commission to grant the variance.
4. Application Fee: \$150 for single-family residential and \$300 for all other districts.

APPROVAL

Code Sections to be varied: 1107.01(d) Current Zoning: SF-3

Short description of the governing code and the requested variance: TO ALLOW SIDEWALK TO
1107.01(d)

BE BUILT ON ONE SIDE OF THE STREET ONLY.

In accordance with Section 1131 of the Codified Ordinances of the City of Gahanna, Ohio, I hereby certify that this project as stated above has been approved by the 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.

Planning & Zoning Administrator

P A I D
DEC 12 2013

BY: FW 099536

Date
RECEIVED
NOV 22 2013

Revised: 10/13

BY: CAS

VARIANCE STATEMENT FOR 4185 STYGLER ROAD

- (A) There are special circumstances or conditions applying to the land, building or use referred to in the application.
- a. This property is a very narrow property, being approximately 215' in width, which is too narrow to construct a conventional public street across its center with single family lots on both sides. Thus, the configuration for which the applicant has applied, a single loaded street with lots on only one side of the property.
- (B) The granting of the variance is necessary for the preservation and enjoyment of substantial property rights.
- a. The properties to the south, west, north and east across Stygler Road have all developed with similar single family subdivision lots. The variances are necessary to provide this owner the same ability to develop his property as those owners have enjoyed.
- (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.
- a. The land use pattern which surrounds this property is single family residential. The development of this property for single family residential uses will in no way adversely affect the health or safety of those persons who reside in the neighborhood nor be detrimental to the public welfare or injurious to properties with in the neighborhood because the proposed use is exactly the same as the surrounding single family uses.

OAK GROVE SUBDIVISION - PRELIMINARY PLAT
 SCHEDULE OF VARIANCES REQUESTED

Lot Number	Front Setback	Rear Setback	Side Setback	Area	Lot Frontage	Notes	Variance Needed		
							Side Setback	Lot Area	Lot Frontage
	(ft)	(ft)	(ft)	(sf)	(ft)				
SF3 Req'd	35	25	7.5	11000	80				
1	35	25	5.0	17066.5	80		Yes	No	Yes
2	35	25	5.0	11276.6	60		Yes	No	Yes
3	35	25	5.0	11126.7	60.13		Yes	No	Yes
4	35	25	5.0	10485.6	62.14		Yes	Yes	Yes
5	35	25	5.0	9161.2	63.45		Yes	Yes	Yes
6	35	25	5.0	8180.7	60.69		Yes	Yes	Yes
7	35	25	5.0	7893.5	60.12		Yes	Yes	Yes
8	35	25	5.0	8096.5	60.33		Yes	Yes	Yes
9	35	25	5.0	8351.8	60.26		Yes	Yes	Yes
10	35	25	5.0	7941.4	62.44		Yes	Yes	Yes
11	35	25	5.0	10062.5	36.77	60 @ Building Line	Yes	Yes	Yes
12	35	25	5.0	15960.7	34.14	60 @ Building Line	Yes	No	Yes
13	35	25	5.0	12317.5	68.36		Yes	No	Yes

Casey C. Elliott, PE, PS
 212 West High St.
 London, OH 43140
 740-852-1300

Steve & Rebecca Beck
969 Crystal Cay
Gahanna, OH 43230

James & Pamela Boyd
417 Bluestem
Gahanna, OH 43230

Jesse & Cynthia Scott
375 Bluestem
Gahanna, OH 43230

Tommy & Nancy Donaldson
950 Timothy
Gahanna, OH 43230

Marynda Eich
393 Bluestem
Gahanna, OH 43230

Sheila Ferguson
450 Woodside Meadows
Gahanna, OH 43230

Donnie & Margaret Gannon
966 Timothy
Gahanna, OH 43230

Keith & Beverly Gibbs
425 Bluestem
Gahanna, OH 43230

Hydia Green
956 Crystal Cay
Gahanna, OH 43230

Samuel Heinhold
443 Bluestem
Gahanna, OH 43230

Paul & Joy Johns
444 Woodside Meadows
Gahanna, OH 43230

Frederick Kauser Jr.
968 Crystal Cay
Gahanna, OH 43230

Devon & Ashley Liles
401 Bluestem
Gahanna, OH 43230

Robert & Kathryn Murch
942 Timothy
Gahanna, OH 43230

Jessie & Elizabeth Neely
4125 Stygler
Gahanna, OH 43230

John Patock
957 Crystal Cay
Gahanna, OH 43230

Jeffrey & Melissa Rapp
447 Woodside Meadows
Gahanna, OH 43230

Linda & Joseph Reasoner
437 Bluestem
Gahanna, OH 43230

Aixa Rivera
407 Bluestem
Gahanna, OH 43230

Harold & Deborah Slager
958 Timothy
Gahanna, OH 43230

Ashley & Joseph Snyder
441 Woodside Meadows
Gahanna, OH 43230

Andrew & Nursah Wood
431 Bluestem
Gahanna, OH 43230

Sara Burnham
973 Ridenour
Gahanna, OH 43230

Tyler Clark
960 Stygler
Gahanna, OH 43230

Ricky & Lisa Officer
942 Stygler
Gahanna, OH 43230

Lawrence & Ivy Payne
954 Stygler
Gahanna, OH 43230

T&M Davis LLC
948 Stygler
Gahanna, OH 43230

200 SOUTH HAMILTON ROAD
FAX: (614) 342-4190



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TELEPHONE: (614) 342-4090

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PLANNING COMMISSION

GLEN DUGGER
SMITH & HALE
37 W. BROAD ST.
COLUMBUS, OH 43215

RECORD OF ACTION

Gahanna Planning Commission met on Wednesday, January 22, 2014, with members Andrews, Keehner, Shepherd, Burba, Rosan and Wester present, to consider along with other business:

V-0004-2014 To consider a variance application to vary Section 1107.01(d), Required Improvements, of the codified ordinances; to allow a sidewalk to be built on one side of the street only; for property located 4185 Stygler Road; Oak Grove Subdivision; Ed Minhinnick, applicant; Glen Dugger, agent.

Variance application: **APPROVED**

MOTION by Keehner, seconded by Shepherd, that this matter be Approved. Voting Yes: Keehner, Shepherd, Andrews, Wester, Rosan, Burba. Motion Carried.

This Record of Action is certified, this 1st, day of January, 2014.


Donna L. Jernigan
Sr. Deputy Clerk of Council

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