

CONDITIONAL USE APPLICATION

PROPERTY INFORMATION			
Project/Property Address: 108-110 North Street Lot #2		Project Name/Business Name: Big Sky Realty	
Parcel #: 025-000117 025-00017-00	Zoning: (see Map) OG-1	Acreage: +/- .079 Ac	

USE SPECIFICATIONS
Proposed Use/Project Description: The applicant proposes redevelopment of the vacant site with a two-family residential development. A conditional use is requested to allow a two-family building on the existing lot. OG-1 allows a two-family structure as a conditional use.
STAFF USE ONLY: CH 1150.04(b)(1) - Two family use (Code Section):

APPLICANT INFORMATION	
Applicant Name (Primary Contact): Mitch Rubin	Applicant Address: PO Box 10264 Columbus OH 43201
Applicant E-mail: mitch@bigskyrealtyohio.com	Applicant Phone: 614-681-0200
Business Name (if applicable): 108-110 North Street LLC (Mitch Rubin applicant as managing member)	

ADDITIONAL CONTACTS	
Please list all applicable contacts for correspondence	
Name(s)	Contact Information (phone/email)
Property Owner Name: (if different from Applicant) 108-110 North Street LLC (By Mitch Rubin Managing Mbr)	Property Owner Contact Information (phone no./email): 614-681-0200 mitch@bigskyrealtyohio.com

ADDITIONAL INFORMATION ON NEXT PAGE....

INTERNAL
USE

Zoning File No. **CU-0274-2022**

RECEIVED: **KAW**
DATE: **6-27-22**

PAID: **200.00**
DATE: **6-27-22**

Updated
Aug 2021

CONDITIONAL USE APPLICATION - SUBMISSION REQUIREMENTS

TO BE COMPLETED/SUBMITTED BY THE APPLICANT:
1. Review Gahanna Code Chapter 1169 (visit Zoning Code)
2. Legal description of property certified by registered surveyor (11"x17")
3. Statement of the proposed use of the property
4. Statement of the necessity or desirability of the proposed use to the neighborhood or community
5. Statement of the relationship of the proposed use to adjacent property & land use
6. Plot Plan including the following: (11"x17" preferred) <ul style="list-style-type: none"> - The boundaries and dimensions of the lot - The size and location of existing and proposed buildings and/or structures - The proposed use of all parts of the lot, buildings and/or structures, including access ways, walks, off-street parking and loading spaces, and landscaping - The relationship of the proposed development to the applicable development standards - The use of land and location of structures on adjacent property
7. List of contiguous property owners & their mailing address
8. One set of pre-printed mailing labels for all contiguous property owners
9. Application fee (in accordance with the Building & Zoning Fee Schedule)
10. Application & all supporting documents submitted in digital format
11. Application & all supporting documents submitted in hardcopy format
12. Authorization Consent Form Complete & Notarized (see page 3)

APPLICANT SIGNATURE BELOW CONFIRMS THE SUBMISSION REQUIREMENTS HAVE BEEN COMPLETED

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 Signature: Mitchell Rubin ITS Managing Member Date: 6/27/2022

PLEASE NOTE:

The Public Hearing will not occur until the City of Gahanna reviews the Application for Code Consistency. Applications that are not consistent with the code will not be scheduled for hearing.

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.

Big Sky Realty, LLC - Mitchell Rubin

(applicant/representative/property owner name printed)

(applicant/representative/property owner signature)

6/5/2020

(date)

Subscribed and sworn to before me on this 6 day of June, 2020

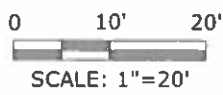
State of Ohio County of Franklin

Notary Public Signature: _____

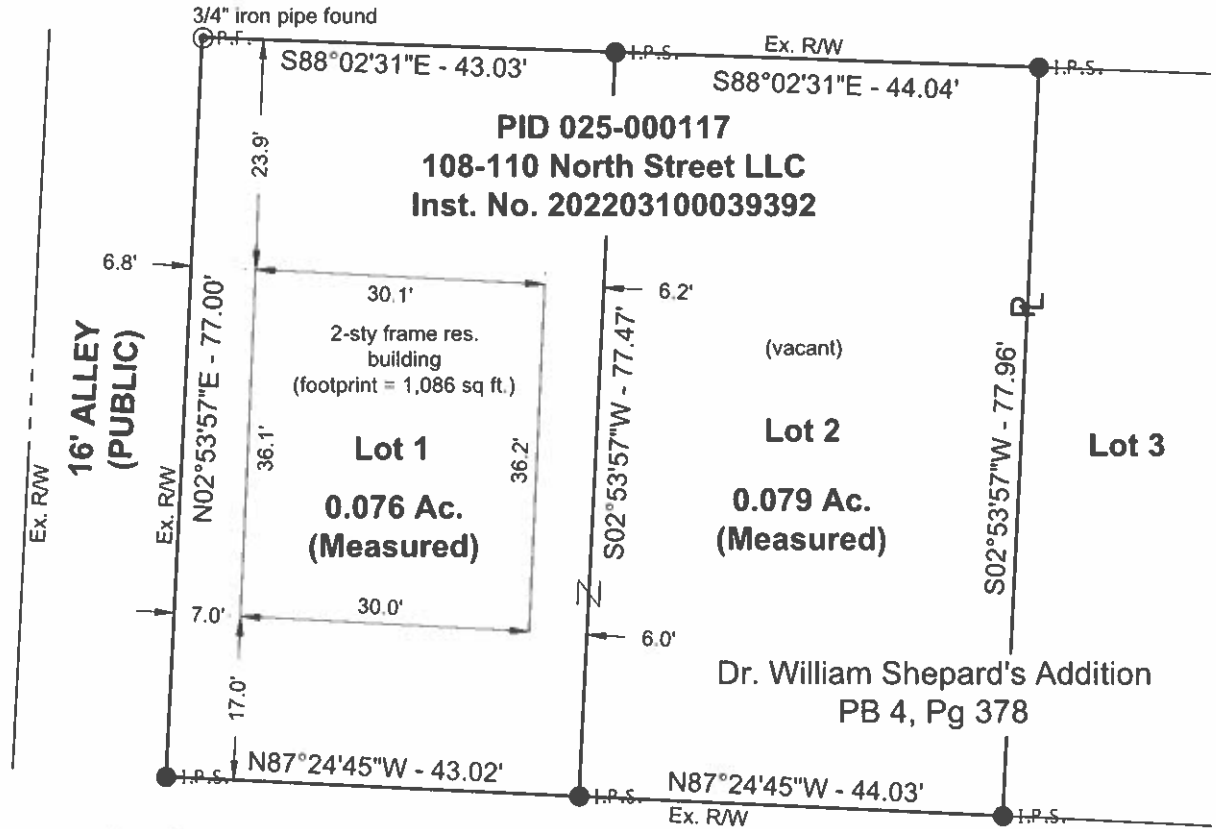


LAURA LEGGETT
Notary Public, State of Ohio
My Commission Expires 10-10-2023

STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF GAHANNA,
 QUARTER TOWNSHIP 1, TOWNSHIP 1, RANGE 17
 UNITED STATES MILITARY LANDS



CARPENTER ROAD
 (45' WIDE, PUBLIC)



● I.P.S. $\frac{5}{8}$ " X 30" rebar set with cap "ASI PS 8438"

BASIS OF BEARINGS

Bearings described hereon are based on measurements from Grid North, referenced to the Ohio State Plane Coordinate System (South Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey and an NGS OPUS solution.

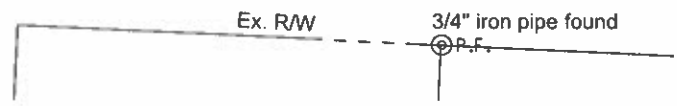
This boundary survey was prepared based on an actual survey of the premises performed by American Structurepoint, Inc. under the supervision of Brian P Bingham, Registered Professional Surveyor Number 8438, and is true and correct to the best of my knowledge and belief

American Structurepoint, Inc.

B.P. Bingham
 Brian P. Bingham
 Registered Professional Surveyor No. 8438
 Date: 5/24/2022



NORTH STREET
 (50' WIDE, PUBLIC)



DRAWING FILE: D:\2022\07\24\108-110 North Street LLC.dwg
 PLOT DATE: 5/24/2022 12:34 PM
 PLOT SCALE: 1:1
 EDITED BY: BINGHAM

PREPARED FOR:
 Big Sky Realty

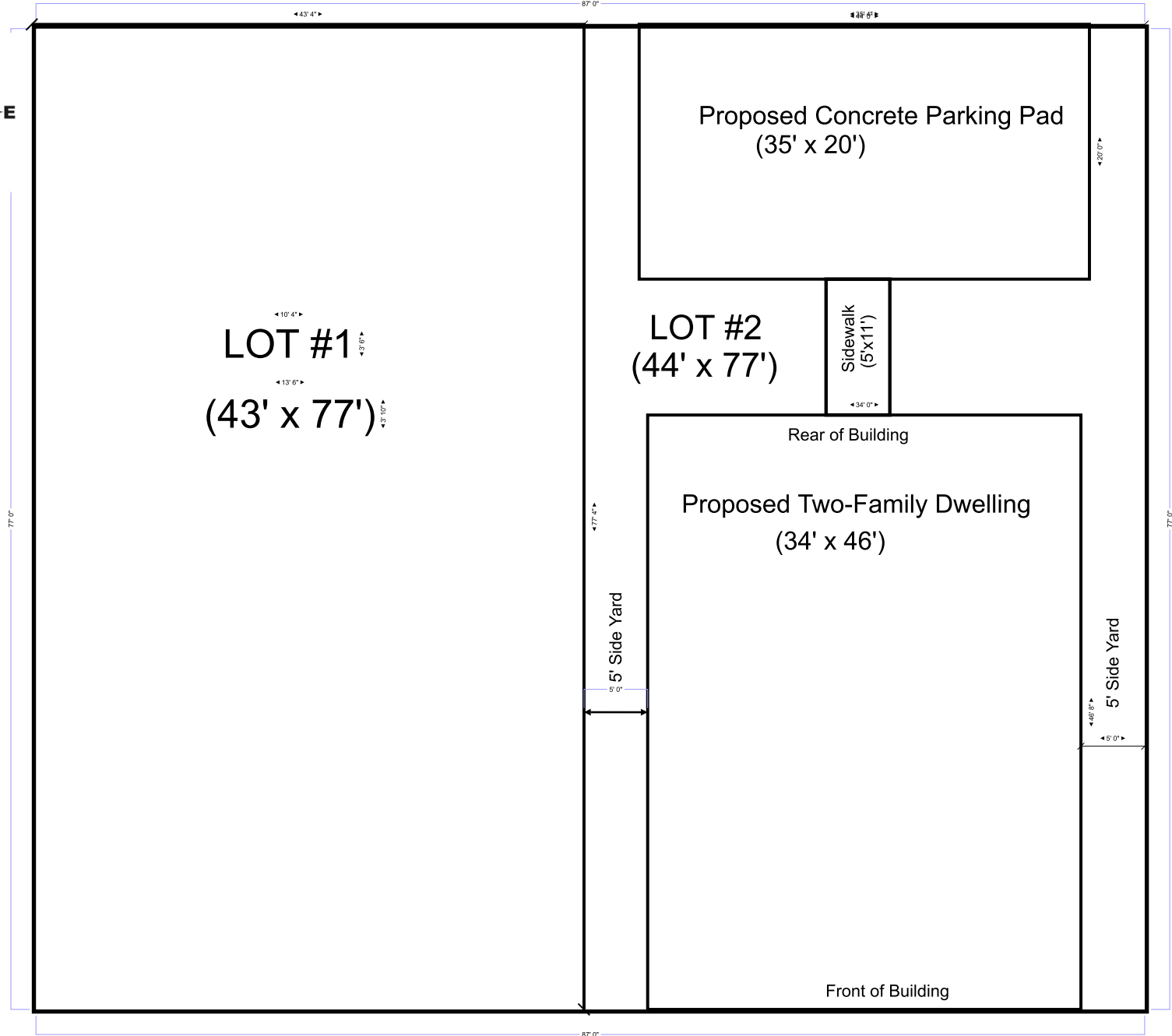
BOUNDARY & LOT SURVEY
 FOR
 108 & 110 NORTH STREET
 GAHANNA, OHIO

DATE:	04/26/22
DRAWN BY:	CAM
CHECKED BY:	BPB
JOB NUMBER:	2022.00761

1 of 1

108-110 North Street Lot #1 & Lot #2

CARPENTER ROAD



NORTH STREET

Instrument Number: 202203100039392

Legal Description

Lt/Un 1~2 DR WILLIAM SHEPARDS ADDN Pcl# 025-000117-00 Plt PB 4 PG 378

Long Description

SITUATED IN THE COUNTY OF FRANKLIN IN THE STATE OF OHIO AND IN THE CITY OF GAHANNA BEING LOT NUMBERS ONE (1) AND TWO (2) OF DR, WILLIAM SHEPARDTS ADDITION, AS THE SAME IS NUMBERED AND DELINEATED UPON THE RECORDED PLAT THEREOF, OF RECORD IN PLAT BOOK 4, PAGE 378, RECORDERS OFFICE, FRANKLIN COUNTY, OHIO. SUBJECT TO ALL LEGAL HIGHWAYS, EASEMENTS, RESTRICTIONS AND RIGHT OF WAYS OF RECORD. MORE COMMONLY KNOWN AS 108-110 NORTH STREET, GAHANNA, OH 43230 PERMANENT PARCEL ID #025-000117-00

SHEPARD' ADDN.

BOOK 4 PAGE 378

I hereby certify that the plat following is a correct representation of D^r William Shepard. Addition to the Village of Gahannah in Mifflin Township, Franklin County, Ohio, made upon the following described lands, to wit: Being all of the same lands conveyed to the said William Shepard by deed dated Feb 21st A.D. 1889 and recorded in record of deed Volume 201, page 517, in the Recorders office of Franklin County, Ohio, except 2.55 acres of land heretofore conveyed by the said William Shepard by deed dated June 11th A.D. 1889, ^{and} recorded in Deed Book No. 207 page 65, Recorders office, said County, to the Board of Education of said township, on which 2.55 acres of land, the new school house now stands. Being a part of the first quarter of Town 1 & Range 17, United States Military Lands, in Mifflin Township, Franklin County Ohio.

J. J. Innis Civil Engineer

I, William Shepard, proprietor of the above described premises hereby certify that I have caused the foregoing plat of the same to be made, that said plat is correct to the best of my knowledge & belief. That the width of street & alleys, and the length of lines bounding lots are correctly shown thereon in feet and decimal parts of a foot. That the lots are numbered consecutively from No. 1 to No. 40, both numbers inclusive. That so much of the streets and alleys shown thereon as lie on my premises & not heretofore so dedicated are hereby dedicated as public highways. In witness whereof I have hereunto set my hand & seal this third day of May, A.D. 1890.

Executed in presence of:

J. J. Innis A. R. Innis

William Shepard ---

State of Ohio, Franklin County, ss:- Before me, a Notary Public in and for said county personally appeared the above named William Shepard, and acknowledged the signing & sealing of the above instrument to be his Voluntary act & deed, this 3rd day of May, A. D. 1890.

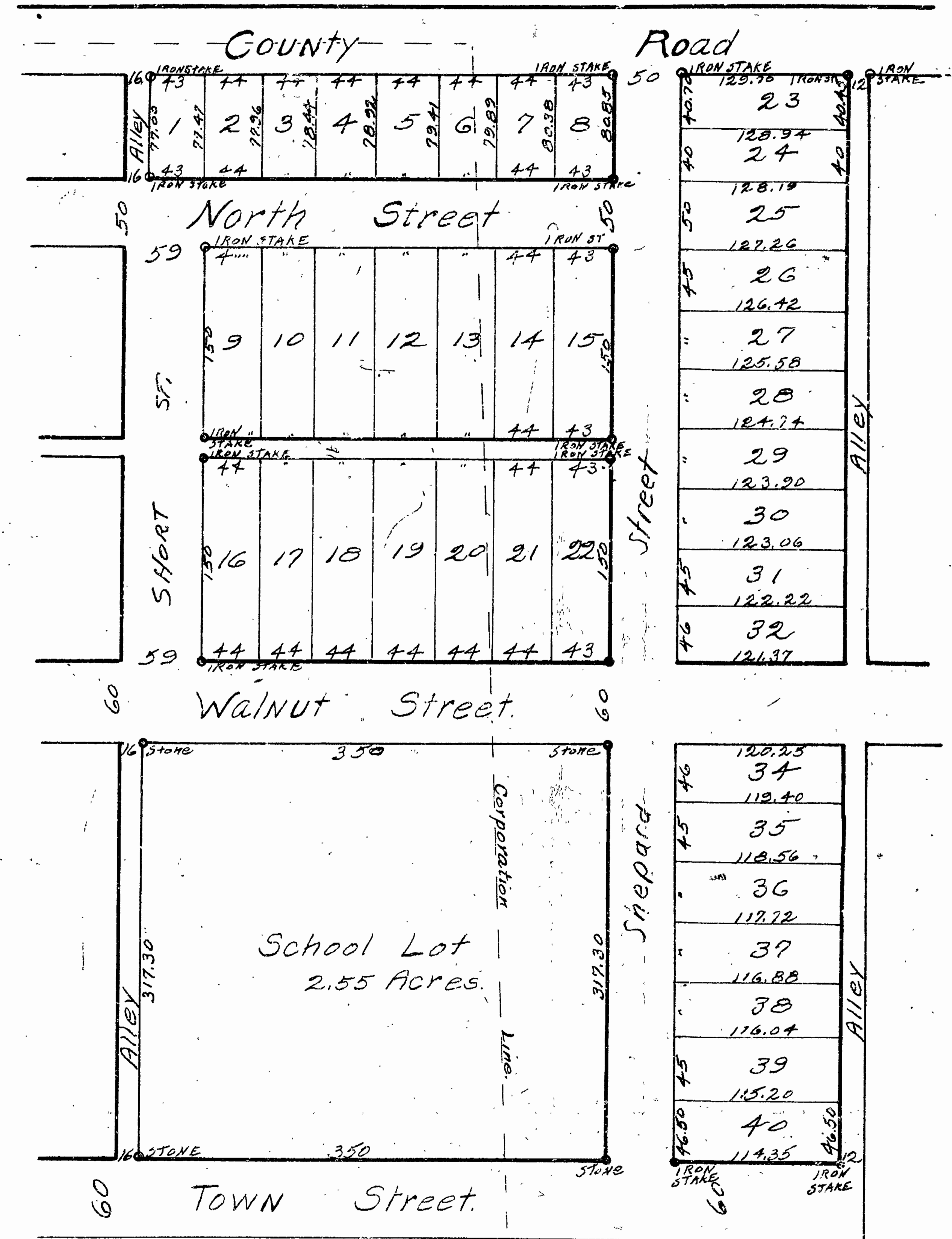
(seal)

J. J. Innis, Notary Public Franklin County, Ohio.

Transferred July 23rd 1891.

Filed January 23rd 1891, at 2:30 P.M. ^{and} Recorded April 16th 1891.

Robert Thompson Recorder.
By L. D. Waite Deputy.



(No lot 33 on original plat. Recorder.)

CONDITIONAL USE STATEMENT

ADDRESS: 108 -110 North Street Lot #2
PARCEL: 025-00017-00
SIZE: +/- 079
CURRENT: OG-1
PROPOSED: OG-1 (Two-family dwelling)
OWNER: 108-110 North Street LLC
APPLICANT: Big Sky Realty
DATE: June 26th, 2022

Applicant respectfully submits this statement in support of its conditional use request.

I. Statement of the Proposed Use

The site is located within Olde Gahanna and is currently a vacant lot which had previously been a residential structure. The Applicant proposes to build a two-family building on the vacant lot. The request for a conditional use is permissible under the OG-1 zoning code and the proposed redevelopment is similar in nature to the existing uses in the area.

The Applicant requests a conditional use pursuant to Gahanna Code of Ordinances Section 1150.04(b)(1) "A two-family use consistent with Code Section 1150.08(d)" which permits two-family dwellings as a conditional use.

II. Statement of Desirability

Gahanna conducted a survey in preparation for the recently adopted *2019 Gahanna Land Use Plan*. The survey participants generally believe that Gahanna is in need of more apartment and mixed-use developments. Notably, at least 60% of respondents in each age category believe that more apartments are needed. These results align with *Insight 2050* which projects Central Ohio's population to increase by a half a million to a million people by 2050. The proposed development will provide the desirable apartment use and spur commercial development in the immediate area.

The Applicant proposes a project that addresses the stated needs of the community, which were adopted and incorporated into the *2019 Gahanna Land Use Plan*. The requested conditional use will allow the Applicant to develop the property in a manner which provides the needed housing units while maintaining quality development standards.

III. Conditional Use Criteria

The Applicant respectfully submits that the proposed development complies with appropriate development standards under the requested zoning category and specific to this requested conditional use. Gahanna Zoning Code Section 1169.04 provides the criteria for consideration of conditional use requests, each condition is hereafter stated in italics and individually addressed.

(1) The proposed use is a conditional use of the zoning district and the applicable development standards established in this Zoning Ordinance are met.

The proposed use is a conditional use of the OG-1 district, and appropriate applicable development standards are either met or warranted variances are incorporated to address unique specifics of the property, use, and surrounding circumstances. The density and height requested are appropriate in this location and given the thoughtful planning and building placement on the property.

(2) The proposed development is in accord with appropriate plans for the area.

The Plan recommends MDR, Medium Density Residential for the site (2019 Land Use Plan, Page 73). This is a land use type which recommends a mix of residential uses including multifamily residential at 20 dwelling units per acre. The Applicant's proposed development is generally consistent with the Plan's recommended land use.

(3) The proposed development will not have undesirable effects on the surrounding area.

The proposed development will be an asset to the surrounding area. It will provide needed apartments and will contribute to the immediate medium density and mixed use properties. These are specifically stated goals of the area as detailed by the Plan.

(4) The proposed development will be in keeping with the existing land use character and physical development potential of the area.

The proposed development will be in keeping with the existing land use character and physical development potential of the area. The proposed use is the perfect use of the property, the plan and architecture are thoughtful to the surrounding area, and there will be no undue burden on public infrastructure.

Respectfully submitted,

Mitchell Rubin

Mitch Rubin - Big Sky Realty

Duplex

CONCEPTUAL

Legend
📍 145 W 2nd Ave



Google Earth

©2022 Google

6.86 ft



CONCEPTUAL



APPLICANT:

108-110 North Street LLC
P.O. Box 10264
Columbus, OH 43201

PROPERTY OWNER:

108-110 North Street LLC
PO Box 10264
Columbus, OH 43201

**CONTIGUOUS
PROPERTY OWNERS:**

Hope C. Dawson
118 North Street
Gahanna, OH 43230

Hope C. Dawson
118 North Street
Gahanna, OH 43230

Hope C. Dawson
118 North Street
Gahanna, OH 43230

Hope C. Dawson
118 North Street
Gahanna, OH 43230



August 11, 2022

108-110 North Street LLC
PO Box 10264
Columbus, OH 43201

RE: Project 108-110 North St Conditional Use

Dear 108-110 North Street LLC:

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

Development Engineer

1. No comment.

Planning

2. Informational Comment - No issues or concerns with the conditional use request. Please see forthcoming staff report for additional staff comments. (*Informational Comment*)

Parks

3. No Comments Per Julie Predieri

Fire District

4. The fire division has no objection to the conditional use application for the duplex proposal at 108 – 110 North Street. 108-110 North Street Lot #2 Big Sky Realty CU22.

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

Sincerely,

Kelly Wicker
Planning and Zoning Coordinator

STAFF REPORT

Request Summary

A conditional use and variance application have been submitted to permit a duplex to be constructed at 110 North St. The property is zoned Olde Gahanna Single Family (OG-1). OG-1 permits duplexes by conditional use. Single family is the only permitted use allowed by right.

The property appears to be one lot, but, according to the Franklin County Auditor, it is technically two lots, therefore a subdivision without plat application is not necessary. Instead, the County has indicated that the only thing necessary to formally split the property is to assign a new parcel number. The structure on the parcel to be split is a duplex without a garage and is labeled as lot 1.

Land Use Plan

The property lies within the medium density future land use designation. Recommended uses include duplexes. Recommended density is up to 20 units an acre. Lot coverage up to 50% is recommended.

The land use plan evaluated housing trends and Gahanna's housing stock. It recommends additional housing opportunities such as duplexes and multifamily as Gahanna lacks the types of housing that has emerged as the preferred types. Although only two units, this request, if approved, helps fill this void.

The land use plan is meant as a guide, it does not mandate a particular development type, density, or outcome.

Variance

Several variances have been requested. From staff's review of the surrounding properties, it appears several parcels have similar conditions. It is staff's opinion that the requested variances are in character with existing development. Requested variances include the following:

1. 1150.08(d)(2)(C)– Lot coverage
 - a. 30% maximum allowed by code. 50% requested.
 - b. 30% maximum lot coverage is surprisingly low for an urban/smaller lot size zoning district. Typically zoning codes allow for larger lot coverage for smaller lots. For comparison, SF-3, which requires a minimum lot size of 11,000 sf, permits up to a 40% lot coverage. It should also be noted that 40% lot coverage would be permissible if the property were developing with a single family use.
2. 1150.08(d)(4)(A)– Front yard setback
 - a. 30' required by code. 0 foot requested for new structure and for existing structure (Lot 1). New window wells are being added to the existing structure on lot 1 that extend approximately 40" into the setback, for a total of 13'6". Portions of the existing structure have a greater encroachment into the front yard along other right-of-ways. Staff cannot approve the building permit request for the window wells unless a variance is approved.

- b. The applicant's site plan depicts the proposed building on lot 2 at a 0' setback along North St. The shortest distance between the structure and the right-of-way on lot 1 is 6.8'. A motion to approve could differentiate between setbacks for lot 1 and lot 2.
3. 1150.08(d)(4)(C) – Side yard setback
 - a. Code requires a minimum setback of 10'. Applicant is requesting 5'.
4. 1150.08(d)(5)(A) – Off street parking
 - a. Garage space for a minimum of one vehicle required. Two off street spaces required. Applicant is proposing two off street spaces but no garage.
 - b. The neighboring duplex and other properties in the vicinity do not have garage facilities.

Planning Commission shall not grant a variance unless it finds that all 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.

Conditional Use

Requests for a conditional use shall be approved if the following four conditions are met:

1. The proposed use is a conditional use of the zoning district and the applicable development standards established in this zoning ordinance are met.
2. The proposed development is in accord with the appropriate plans for the area.
3. The proposed development will not have undesirable effects on the surrounding area.
4. The proposed development will be in keeping with the existing land use character and physical development potential of the area.

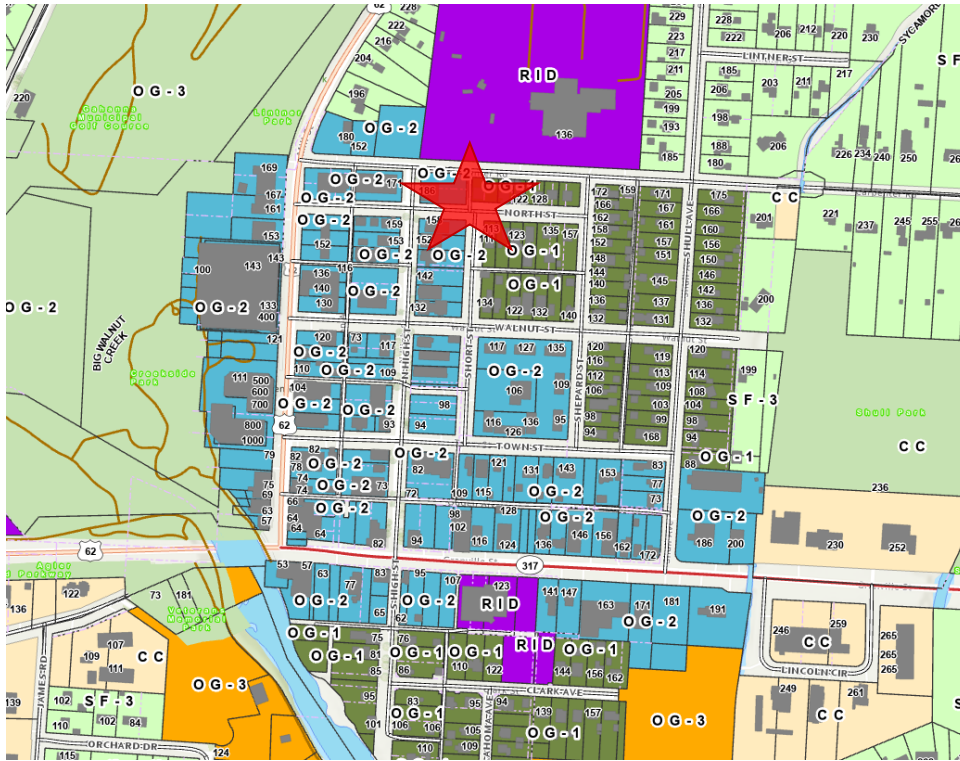
Staff Comments

Staff recommends approval of the request. Approval of the conditional use and variances allows the property to be developed consistently with other properties in the vicinity. A priority of the land use plan was for additional residential. The Creekside District is the most logical area for small lot, medium density development such as this.

Street View



Location/Zoning Map



Respectfully Submitted By:
Michael Blackford, AICP
Director of Planning