

Rec'd  
2/4/15



# Application for Variance

City of Gahanna, Ohio ■ Planning Commission  
200 S. Hamilton Road, Gahanna, OH 43230 ■ Phone: (614) 342-4025 ■ Fax: (614) 342-4117

**\*REQUIRED INFORMATION:** All correspondence will be addressed to the applicant. Planning Commission members or City staff may conduct a site visit prior to a Planning Commission Public Hearing.

\*Applicant Name: Schottenstein Homes  
\*Applicant Address: 140 Mill St. Suite A  
\*Applicant Email: PC@SchottensteinHomes.com

\*Phone: 614 478-1100  
\*Fax: 614 478-3188

\*Applicant's Relationship to Project: Land Owner:  Option Holder:  Cont. Purchaser:  Agent:

\*Property Owner Name: Schottenstein Homes  
\*Property Owner Address: 140 Mill St. Suite A  
\*Contact Name: Paul Coppel

\*Phone: 614-478-1100  
\*Fax: 614 478-3188  
\*Email: PC@SchottensteinHomes.com

\*Address for Requested Variance: see attached

\*Parcel ID#: pending with County Auditor \*Current Zoning: SF-3

\*Description of Variance Requested: Ability to get building permits prior to subdivision improvement acceptance as required by § 1105.10 (see attached)

\*Applicant's Signature: [Signature], EUP \*Date: 2/3/15

**\*SUBMISSION REQUIREMENTS:** Applications are not complete until all submission requirements are received and accepted by the Planning and Zoning Administrator.

- Two (2) 11" x 17" copies of a survey and legal description of the property certified by a registered surveyor.
- One (1) digital copy of completed application and associated documents.
- A list of contiguous property owners and their mailing addresses.
- Pre-printed mailing labels for all contiguous property owners.
- A statement of the reason(s) for the Variance request. The statement must address the three (3) conditions listed on page 2 of this application in order for Planning Commission to grant approval for the Variance.
- Application Fee of \$150 for Single-Family Residential Districts and \$300 for all other Zoning Districts.

### \*PLANNING AND ZONING ADMINISTRATOR REVIEW AND APPROVAL:

Code Sections to be varied: 1105.10(c)

Description of the governing code and the requested variance: to allow a permit for construction to be issued by the city for a model home prior to all required improvements have been accepted by council

In accordance with Section 1131 of the Codified Ordinances of the City of Gahanna, Ohio, I hereby certify that this project, as stated above, was for approved by the City of Gahanna Planning Commission on \_\_\_\_\_. 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's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

For Internal Use:  
SunGard File No. 1502000Z  
PC File No. V-3-2015  
Public Hearing Date: \_\_\_\_\_

RECEIVED PLANNING  
FEB 10 2015  
FEB 04 2015

ACCEPTED  
FEB 11 2015

BY: CAS - REVISED (Received) BY: CAS CHK# (Paid) By: [Signature] (Accepted by PZA)

19473 \$150.00

Attachment To Variance Application

With respect to Lot 1 of Oak Grove of Gahanna (as the same is shown and delineated On the recorded plat there of record at PB118 pg. 15 recorder's office, Franklin County Ohio), we would like the ability to start our model home at 376 Evelyn Lane immediately upon the effective date of this variance. The plot plan is attached. No Certificate of Occupancy shall be issued until the subdivision improvements have been accepted by council.

Reason for variance:

1. There are special circumstances or conditions applying to the property. If no subdivision improvements were being constructed, a house could be constructed on this parcel without a variance. Indeed, a house previously existed on this property. The property has frontage on an existing street – Stygler Road. All improvements are fully bonded, the plat has been approved and recorded, and water is available for fire protection.
2. The granting of the variance is necessary for the preservation and enjoyment of substantial property rights. As stated above, if no new street were being constructed and no plat had been filed, a house could be built on this land without a variance. To delay the construction of the model home for several months while the subdivision improvements are being completed and the city goes through the legislative process of accepting the improvements will cost the applicant thousands of dollars in expenses associated with the delay.
3. The granting of the application will not affect adversely the health or safety of persons residing or working in the neighborhood in any way and will not be at all detrimental to the public welfare or injurious to property in such neighborhood. In fact, the granting of the application will expedite the completion of the community and reduce the time of construction activity which will benefit the surrounding neighborhood.

RECEIVED  
FEB 10 2015

BY: CAS  
REVISED



Linda A & Joseph Reasoner  
437 Bluestem Avenue  
Columbus, OH 43230-4601

Keith J & Beverly J Gibbs  
425 Bluestem Avenue  
Columbus, OH 43230-4601

James R & Pamela S Boyd  
417 Bluestem Avenue  
Columbus, OH 43230-4601

Aixa Riveria  
407 Bluestem Avenue  
Columbus, OH 43230

Devon T & Ashley L Liles  
401 Bluestem Avenue  
Columbus, OH 43230

Marynda N Eich  
393 Bluestem Avenue  
Columbus, OH 43230-4601

T&M Davis LLC  
P.O. Box 307411  
Columbus, OH 43230

Lawrence A Payne  
954 North Stygler Road  
Columbus, OH 43230-2029

KeyBank National Association  
4910 Tiedeman Road  
Cleveland, OH 44144

Ricky C & Lisa S Officer  
942 North Stygler Road  
Columbus, OH 43230

Kelby R Ducat  
978 Ridenour Road  
Columbus, OH 43230

Sara J Burnham  
973 Ridenour Road  
Columbus, OH 43230

Donnie L & Margaret M Gannon  
966 Timothy Drive  
Columbus, OH 43230-5041

Harold & Deborah Slager  
958 Timothy Drive  
Columbus, OH 43230

Tommy L & Nancy Donaldson  
4902 Meadow Valley Court  
Crestwood, KY 40014

City of Gahanna  
200 South Hamilton Road  
Gahanna, OH 43230

Jesse L & Cynthia T Scott  
375 Bluestem Avenue  
Columbus, OH 43230

Paul G & Joy A Johns  
444 Woodside Meadows Pl.  
Columbus, OH 43230-7031

Amber H & Scott J Kurowski  
450 Woodside Meadows Pl.  
Columbus, OH 43230

Jeffrey W & Melissa A Rapp  
447 Woodside Meadows Pl.  
Columbus, OH 43230-7030

Ashley P & Joseph C Snyder  
441 Woodside Meadows Pl.  
Columbus, OH 43230

Hydia L Green  
956 Crystal Cay Court  
Columbus, OH 43230

Frederick L Kauser Jr.  
968 Crystal Cay Court  
Columbus, OH 43230-7032

Steve L & Rebecca S Beck  
969 Crystal Cay Court  
Columbus, OH 43230

John J Patock  
957 Crystal Cay Court  
Columbus, OH 43230

Jessie R & Elizabeth A Neely  
4125 North Stygler Road  
Columbus, OH 43230

schott-oakgrove.lbl (nct)  
2/3/15 S:Docs/s&hlabels/2015

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BY: *AK*



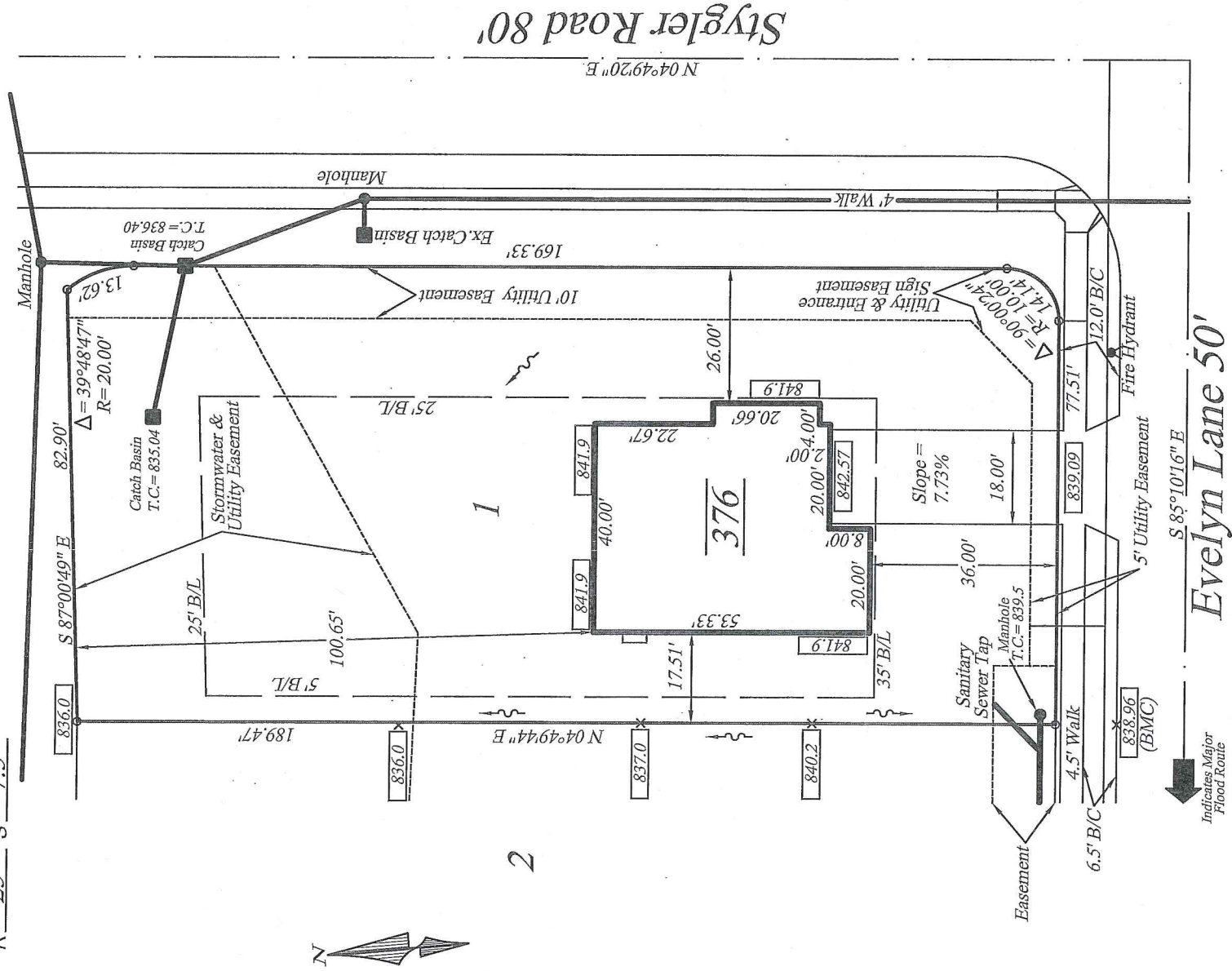
# Pomeroy & Associates

Consulting Engineers & Surveyors  
 2550 Corporate Exchange Drive, Suite 10  
 Columbus Ohio 43231  
 Phone(614)885-2498 • Fax(614)885-2886

C/O #	REVISION DATE & REQUEST
1	
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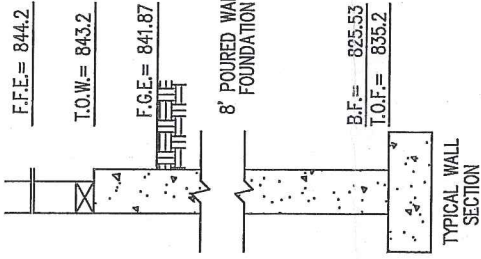
Order No. \_\_\_\_\_

For Schottenstein Homes House Style Franklin City of Gahanna  
 Lot / Subdivision 1 Oak Grove of Gahanna  
 Scale 1"= 30' PB 118 PG. 15 Date 2-9-15 Drawn TLP CK DBM CO. of Franklin  
 Flood Zone X Community Panel 39049C Panel No. 0192K Effective Map Date 6/17/08  
 Minimums R 25' S 7.5'

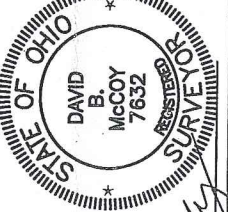


Lot calculation information is for estimate purposes only and should be verified by the contractor or builder.

Square Footage Data	
Lot	16661.0
House	2056.0
Drive	810.0
Approach	218.0
Walk	268.0
Sod Coverage	16530.0
Seed Coverage	N/A



**PLOT PLAN**  
 We hereby certify that the foregoing PLOT PLAN was prepared from information provided by the Client and data obtained from Engineered Subdivision Plan. This Plot Plan is to be used by the Client for the sole purpose of obtaining a building permit. The use of the Plot Plan for any other purpose is strictly prohibited.



By David B. McCoy

RECEIVED  
 FEB 10 2015  
 BY: NK  
 REVISED



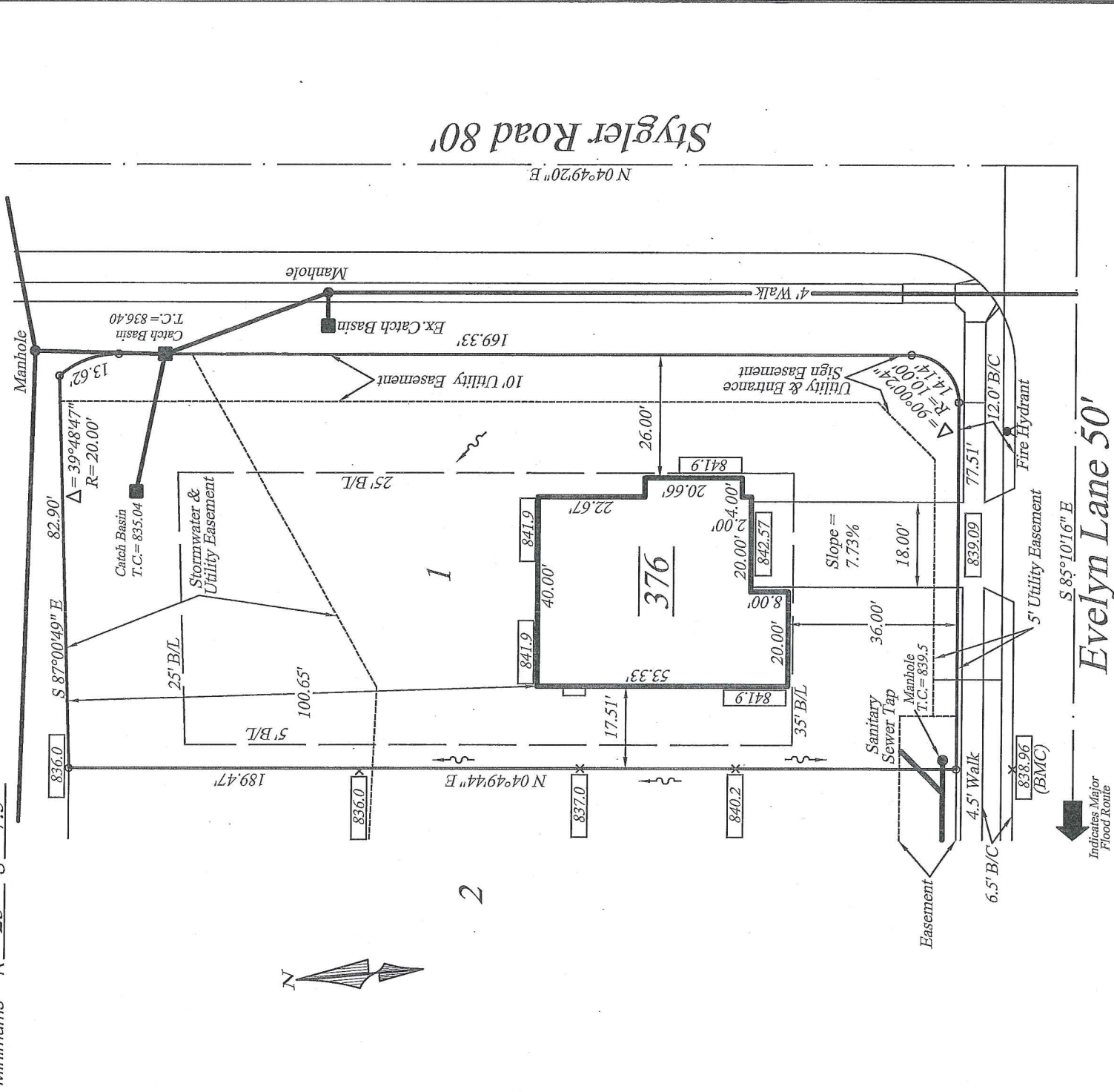
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Consulting Engineers & Surveyors  
 2550 Corporate Exchange Drive, Suite 10  
 Columbus Ohio 43231  
 Phone (614) 885-2498 • Fax (614) 885-2886

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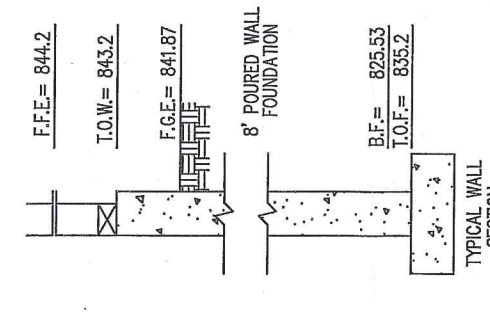
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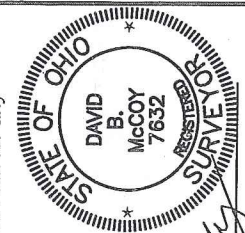


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By David B. McCoy

**REVIEWED**  
 FEB 10 2015  
 BY: CAS  
**REVISED**



201410090133986  
 Pgs: 2 S73.89 T20140090113  
 10/09/2014 9:56AM HAC  
 Terry J. Brown  
 Franklin County Recorder

# OAK GROVE OF GAHANNA

Quarter Township 1, Township 1 North, Range 17 West  
 United States Military Survey  
 Franklin County, Ohio  
**CITY OF GAHANNA, OHIO**

Located in Quarter Township 1, Township 1 North, Range 17 West, United States Military Survey, City of Gahanna, Franklin County, Ohio, on the west side of Stygler Road and south of Sandbur Road, containing 4.585 acres of land conveyed by Edward L. Minhinick to Bustereve LLC, an Ohio Limited Liability Company, in Instrument Number 201311220194787 (Recorder's Office, Franklin County, Ohio).

The undersigned, *Bustereve LLC*, an Ohio Limited Liability Company, owner of the lands platted, represented by Edward L. Minhinick, President and majority shareholder, does hereby certify that this plat correctly represents the "Oak Grove of Gahanna Subdivision", a subdivision containing 13 Lots numbered 1 through 13 and an area designated *Reserve A*, does hereby accept this plat and dedicate to the public use such parts of Stygler Road and Evelyn Lane as shown hereon and not previously dedicated.

Easements shown are reserved, where indicated on the plat, for the construction, operation and maintenance of all public and quasi-public utilities above and beneath the ground; where necessary, for the construction, operation and maintenance of service connections to all adjacent lots and lands; and for storm water drainage and storage.

In Witness Whereof, Edward L. Minhinick, President and Owner of Bustereve, LLC, has hereunto set his hand on the 2nd day of October, 2014.

By: Edward L. Minhinick  
 Edward L. Minhinick, President

Signed and Acknowledged in the Presence of:  
 Witness Gill Webb

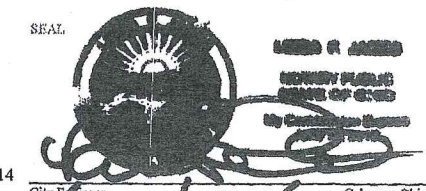
Witness Kim Sheppard

STATE OF OHIO ss:

Before me, a Notary Public, in and for the State of Ohio, personally appeared Edward L. Minhinick, as President of Bustereve, LLC, who acknowledged the signing of the foregoing instrument to be their voluntary act and deed and the voluntary act and deed of said Bustereve LLC for the uses and purposes expressed therein.

In Witness thereof, I have set my hand and affixed my official seal on the 2nd day of October, 2014.

My Commission expires JUNE 16, 2019 Ginda F. James  
 Notary Public State of Ohio



**APPROVALS**

Gahanna, Ohio  
 Approved on the 2 of October, 2014  
 City Engineer Gahanna, Ohio

Approved on the 6 of Oct., 2014  
 Chairman, Planning Commission Gahanna, Ohio

Approved and accepted on the 18th day of August, 2014, by Ordinance 000-0109-2014 wherein all of Evelyn Drive and Stygler Road shown dedicated hereon are accepted as such by the Council for the City of Gahanna, Ohio.

Approval of this Plat shall become null and void if not recorded prior to \_\_\_\_\_, 2015.

Robert W. Stouffer Mayor Gahanna, Ohio  
Kimberly McWilliams Clerk Gahanna, Ohio

Accepted for Platting: Oct. 9th, 2014  
Clarence E Mingo II Auditor Franklin County, Ohio

Filed for Record: Oct. 9th, 2014  
Michael Dotson Deputy Auditor Franklin County, Ohio

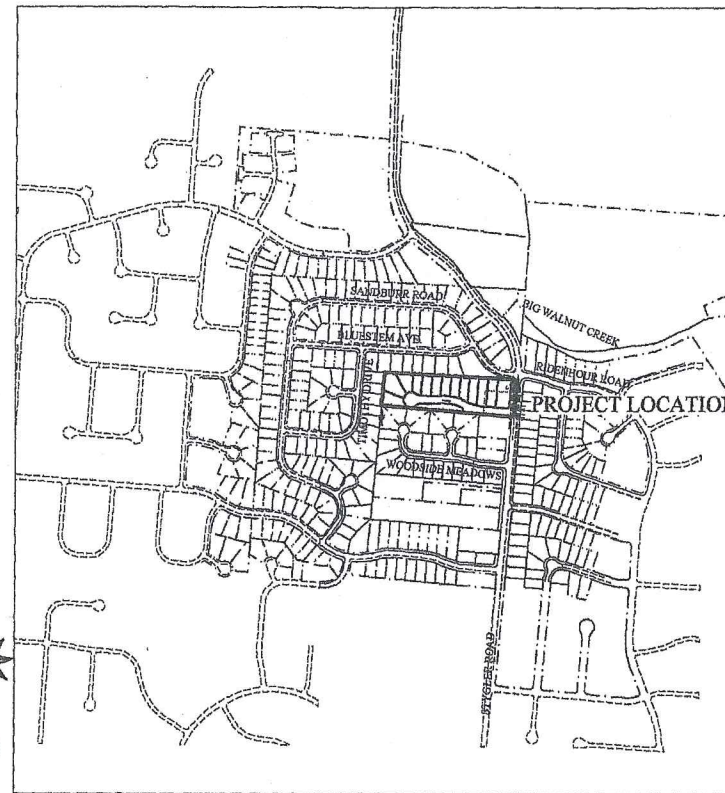
Recorded: Oct 9th, 2014  
Terry J. Brown Recorder Franklin County, Ohio

Plat Book 118, Page 15-16  
Margaret Ambrose Deputy Recorder Franklin County, Ohio

Monuments shown on the plat marking the internal lot corners will be set after building construction and final grading is complete.

**CERTIFICATION:** I certify that this plat and the description developed from it meets the MINIMUM STANDARDS FOR BOUNDARY SURVEYS IN OHIO, as described in Chapter 4733-37 of the Ohio Administrative Code. This plat was developed from an actual field survey performed in September 2013 and March 2014.

Casey Elliott  
 Casey C. Elliott, PS 7759, State of Ohio  
 July 17, 2014



LOCATION MAP

1"=800'

OWNER: Bustereve LLC

**PRIOR DEED REFERENCE:** Instrument Number 201311220194787, Franklin County Recorder's Office. (Parcel #025-004352-00 and 025-010309-00, Franklin County Auditor's Office) Easement and Right-of-way for Stygler Road - Official Record 8266J18.

**BASIS OF BEARING:** The Basis of Bearing is S04°49'20"W along the Centerline of Stygler Road set using G.P.S. survey data corrected using National Geodetic Survey, National Spatial Reference System translated to State Plane Coordinates 3402 OHIO SOUTH (NAD83).

**SURVEYOR:** Casey Elliott, PS 7759, State of Ohio  
 212 West High Street  
 London, Ohio 43140  
 (740)852-1300

**NOTES:**

A. Reserve "A" shall be owned and maintained by the Oak Grove of Gahanna Homeowner's Association.

The Plat of *Oak Grove of Gahanna* is contained in two existing properties:  
 Parcel Number 025-004352 0.726 acres (0.75 acres by deed)  
 Parcel Number 025-010309 3.859 acres (3.81 acres by deed)  
 TOTAL AREA 4.585 acres (4.56 acres by deed)

The Plat of *Oak Grove of Gahanna* consists of the following:  
 Area in thirteen Lots 3.187 acres 138,810.6 SF  
 Area in Reserve "A" 0.273 acres 11,896.0 SF  
 Area in two Rights-of-way 1.125 acres 49,020.3 SF  
 TOTAL AREA 4.585 acres 199,726.9 SF

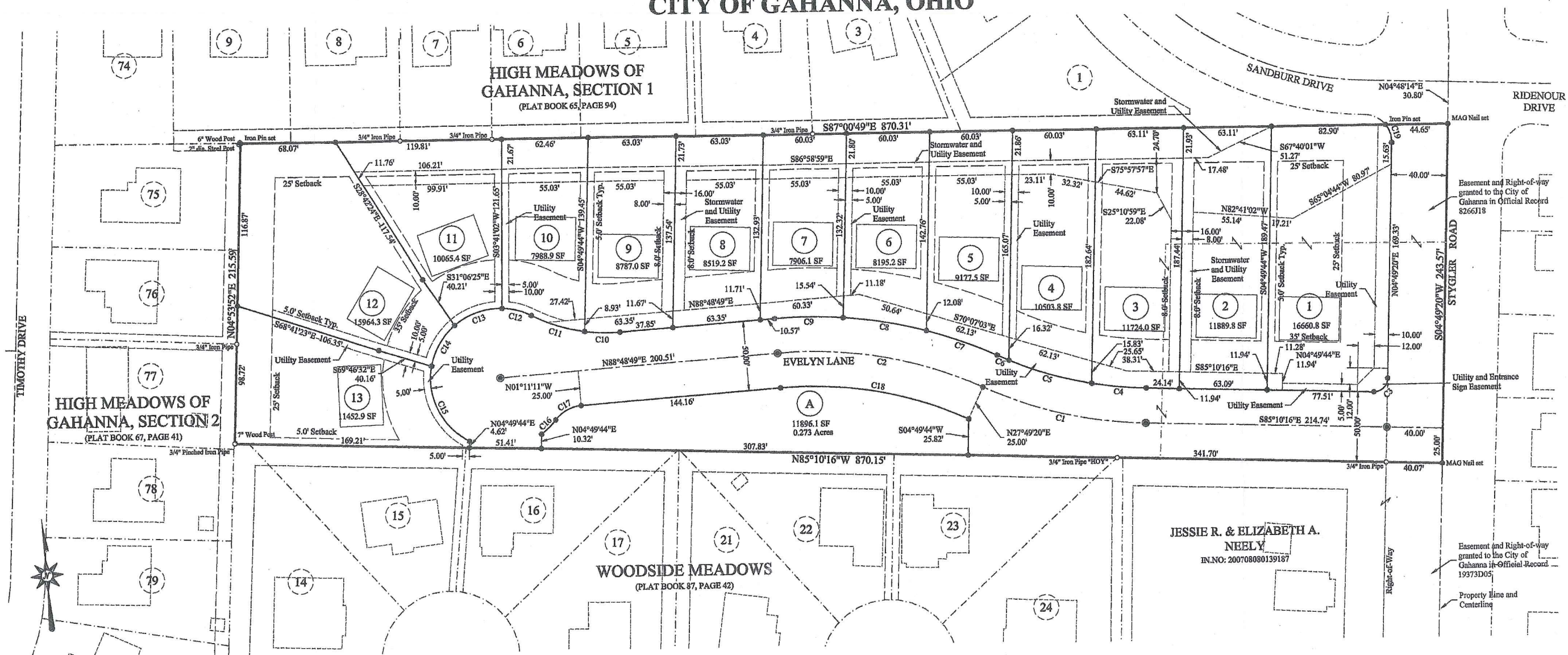


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 FEB 04 2015



# OAK GROVE OF GAHANNA

Quarter Township 1, Township 1 North, Range 17 West  
 United States Military Survey  
**CITY OF GAHANNA, OHIO**



**CURVE DATA TABLE**

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	DEGREE OF CURVE
C1	300.00'	120.39'	119.59'	S73°40'28"E	22°59'35"	19°05'55"
C2	300.00'	151.89'	150.27'	S76°40'55"E	29°00'31"	19°05'55"
C3	10.00'	15.71'	14.14'	N49°49'32"E	90°00'24"	0°57'28"
C4	275.00'	39.07'	39.04'	S81°06'04"E	8°08'25"	20°50'05"
C5	275.00'	62.14'	62.01'	S70°33'28"E	12°56'47"	20°50'05"
C6	275.00'	9.15'	9.15'	S63°07'52"E	1°54'24"	20°50'05"
C7	325.00'	54.30'	54.23'	N66°57'50"W	9°34'19"	17°37'46"
C8	325.00'	60.69'	60.60'	N77°05'58"W	10°41'57"	17°37'46"
C9	325.00'	49.56'	49.51'	N86°49'03"W	8°44'15"	17°37'46"
C10	120.00'	25.40'	25.36'	S85°07'18"E	12°07'45"	47°44'47"
C11	120.00'	40.50'	40.31'	S69°23'18"E	19°20'16"	47°44'47"
C12	50.00'	21.93'	21.76'	N72°17'11"W	25°08'04"	114°35'30"
C13	50.00'	36.81'	35.98'	S74°03'30"W	42°10'33"	114°35'30"
C14	50.00'	34.10'	33.44'	S33°26'04"W	39°04'20"	114°35'30"
C15	50.00'	64.80'	60.36'	S23°13'46"E	74°15'20"	114°35'30"
C16	50.00'	14.30'	14.25'	N49°07'40"E	16°23'24"	114°35'30"
C17	26.00'	21.72'	21.09'	S64°53'16"W	47°51'25"	220°22'06"
C18	275.00'	139.23'	137.75'	N76°40'55"W	29°00'31"	20°50'05"
C19	20.00'	13.90'	13.62'	N15°05'03"W	39°48'47"	286°28'44"

SCALE IN FEET  
**LEGEND**

- Monument found
- Monument set
- Control Monument set

Monuments found are described.  
 Iron pins set are 5/8" diameter rebar with plastic ID caps labeled ELLIOTT PS7759.  
 Control Monuments are 1" diameter steel pins with ID caps labeled ELLIOTT PS7759.

- Lot Number (10)
- Reserve Number (A)
- Existing Lot Number (6)



Monuments shown on the plat marking the internal lot corners will be set after building construction and final grading is complete. Control monuments will be set prior to paving.

*Casey Elliott*  
 Casey C. Elliott, PS 7759, State of Ohio

July 17, 2014

RECEIVED  
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 BY: [Signature]



201410090133986  
 Pg: 2 \$73.88 T20140090113  
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In Witness Whereof, Edward L. Minihinnick, President and Owner of Bustereve, LLC, has hereunto set his hand on the 2nd day of October, 2014.

By: Edward L. Minihinnick  
 Edward L. Minihinnick, President

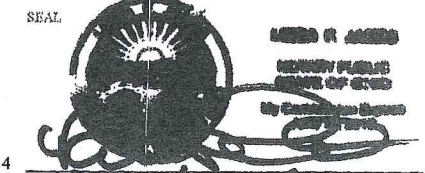
Signed and Acknowledged in the Presence of:  
 Witness: Gene Webb  
 Witness: Gene Sheppard

STATE OF OHIO ss:

Before me, a Notary Public, in and for the State of Ohio, personally appeared Edward L. Minihinnick, as President of Bustereve, LLC, who acknowledged the signing of the foregoing instrument to be their voluntary act and deed and the voluntary act and deed of said Bustereve LLC for the uses and purposes expressed therein.

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My Commission expires JUNE 16, 2019 Kinda F. James  
 Notary Public State of Ohio



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Kimberly McWilliams Clerk Gahanna, Ohio

Franklin County, Ohio  
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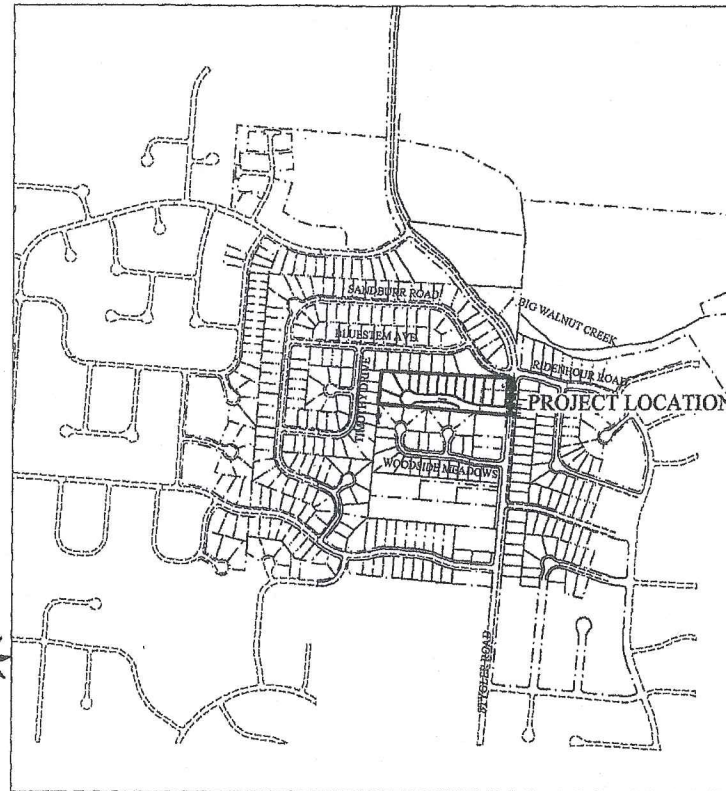
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 OWNER: Bustereve LLC

**PRIOR DEED REFERENCE:** Instrument Number 201311220194787, Franklin County Recorder's Office. (Parcel #025-004352-00 and 025-010309-00, Franklin County Auditor's Office) Basement and Right-of-way for Stygler Road - Official Record 8266J18.

**BASIS OF BEARING:** The Basis of Bearing is S04°49'20"W along the Centerline of Stygler Road set using G.P.S. survey data corrected using National Geodetic Survey, National Spatial Reference System translated to State Plane Coordinates 3402 OHIO SOUTH (NAD83).

**SURVEYOR:** Casey Elliott, PS 7759, State of Ohio  
 212 West High Street  
 London, Ohio 43140  
 (740)852-1300

**NOTES:**

A. Reserve "A" shall be owned and maintained by the Oak Grove of Gahanna Homeowner's Association.

The Plat of *Oak Grove of Gahanna* is contained in two existing properties:  
 Parcel Number 025-004352 0.726 acres (0.75 acres by deed)  
 Parcel Number 025-010309 3.859 acres (3.81 acres by deed)  
 TOTAL AREA 4.585 acres (4.56 acres by deed)

The Plat of *Oak Grove of Gahanna* consists of the following:  
 Area in thirteen Lots 3.187 acres 138,810.6 SF  
 Area in Reserve "A" 0.273 acres 11,896.0 SF  
 Area in two Rights-of-way 1.125 acres 49,020.3 SF  
 TOTAL AREA 4.585 acres 199,726.9 SF

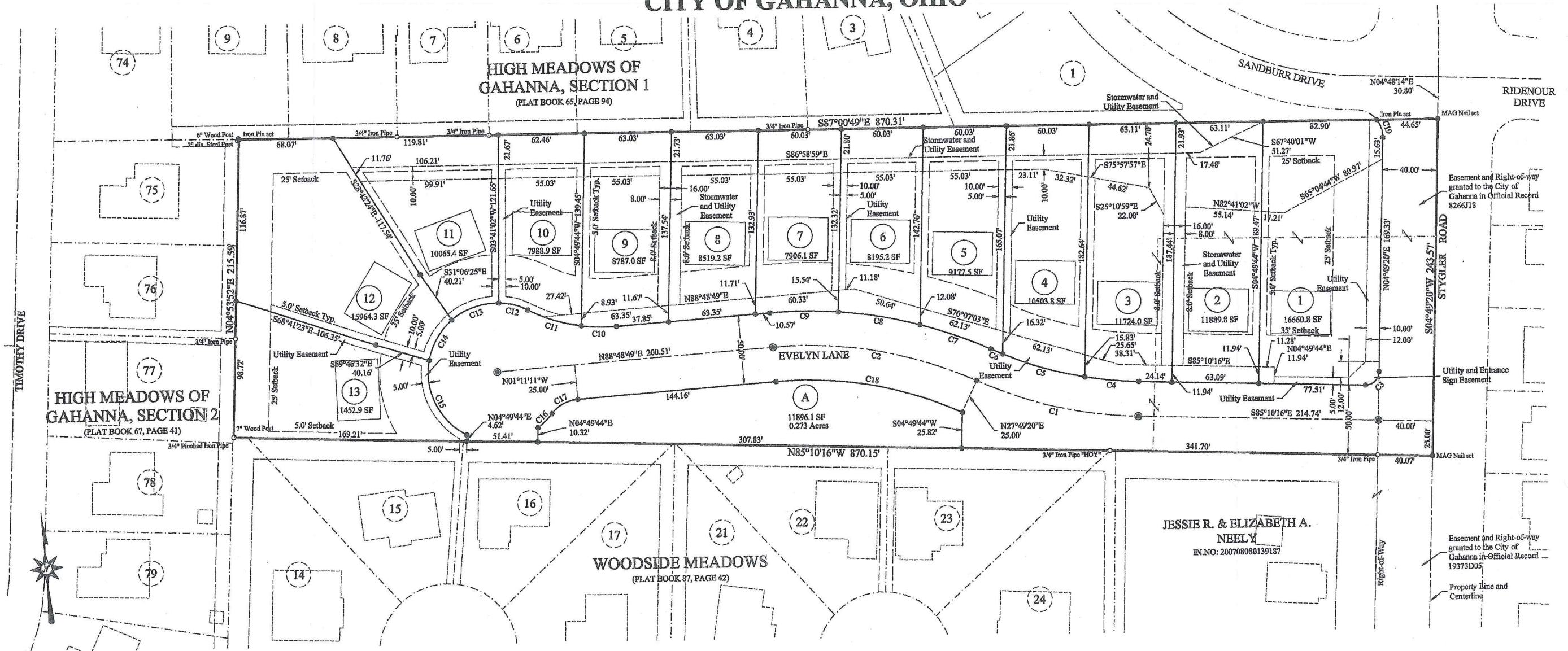


RECORDED  
 FEB 04 2015



# OAK GROVE OF GAHANNA

Quarter Township 1, Township 1 North, Range 17 West  
 United States Military Survey  
**CITY OF GAHANNA, OHIO**



**SCALE IN FEET**  
**LEGEND**

- Monument found
- Monument set
- ⊙ Control Monument set

Monuments found are described.  
 Iron pins set are 5/8" diameter rebar with plastic ID caps labeled ELLIOTT PS7759.  
 Control Monuments are 1" diameter steel pins with ID caps labeled ELLIOTT PS7759.

- Lot Number      (10)
- Reserve Number      (A)
- Existing Lot Number      (6)

**CURVE DATA TABLE**

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	DEGREE OF CURVE
C1	300.00'	120.39'	119.59'	S73°40'28"E	22°59'35"	19°03'55"
C2	300.00'	151.89'	150.27'	S76°40'55"E	29°00'31"	19°03'55"
C3	10.00'	15.71'	14.14'	N49°49'32"E	90°00'24"	0°57'28"
C4	275.00'	39.07'	39.04'	S81°06'04"E	8°08'25"	20°50'05"
C5	275.00'	62.14'	62.01'	S70°33'28"E	12°56'47"	20°50'05"
C6	275.00'	9.15'	9.15'	S63°07'52"E	1°54'24"	20°50'05"
C7	325.00'	54.30'	54.23'	N66°57'50"W	9°34'19"	17°37'46"
C8	325.00'	60.69'	60.60'	N77°05'58"W	10°41'57"	17°37'46"
C9	325.00'	49.56'	49.51'	N86°49'03"W	8°44'15"	17°37'46"
C10	120.00'	25.40'	25.36'	S85°07'18"E	12°07'45"	47°44'47"
C11	120.00'	40.50'	40.31'	S69°23'18"E	19°20'16"	47°44'47"
C12	50.00'	21.93'	21.76'	N72°17'11"W	25°08'04"	114°35'30"
C13	50.00'	36.81'	35.98'	S74°03'30"W	42°10'33"	114°35'30"
C14	50.00'	34.10'	33.44'	S33°26'04"W	39°04'20"	114°35'30"
C15	50.00'	64.80'	60.36'	S23°13'46"E	74°15'20"	114°35'30"
C16	50.00'	14.30'	14.25'	N49°07'40"E	16°23'24"	114°35'30"
C17	26.00'	21.72'	21.09'	S64°53'16"W	47°51'25"	220°22'06"
C18	275.00'	139.23'	137.75'	N76°40'55"W	29°00'31"	20°50'05"
C19	20.00'	13.90'	13.62'	N15°05'03"W	39°48'47"	286°28'44"



Monuments shown on the plat marking the internal lot corners will be set after building construction and final grading is complete. Control monuments will be set prior to paving.

*Casey Elliott*  
 Casey C. Elliott, PS 7759, State of Ohio

July 17, 2014

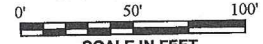
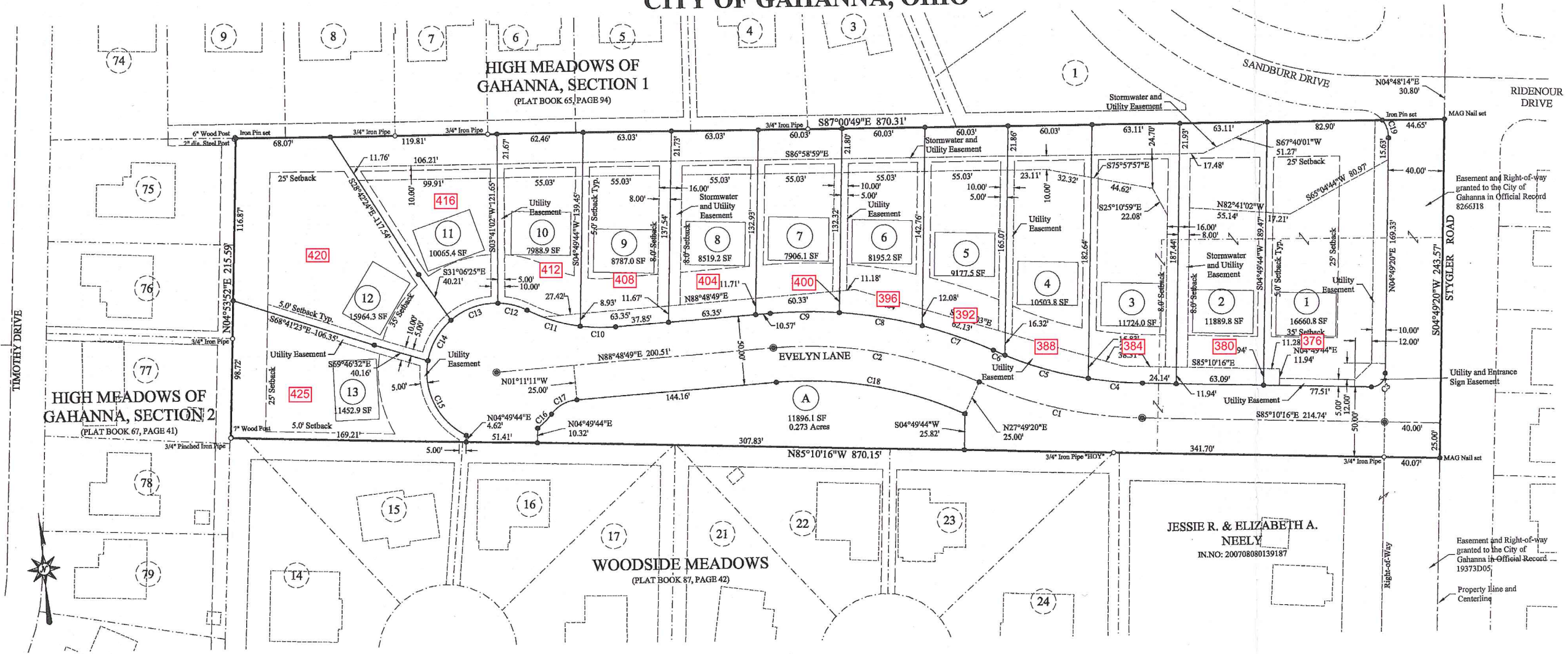
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# OAK GROVE OF GAHANNA

## CERTIFIED ADDRESSES

Quarter Township 1, Township 1 North, Range 17 West  
United States Military Survey  
CITY OF GAHANNA, OHIO



SCALE IN FEET

- LEGEND**
- Monument found
  - Monument set
  - Control Monument set
- Monuments found are described.  
Iron pins set are 5/8" diameter rebar with plastic ID caps labeled ELLIOTT PS7759.  
Control Monuments are 1" diameter steel pins with ID caps labeled ELLIOTT PS7759.
- Lot Number      10
- Reserve Number    A
- Existing Lot Number 6

**CURVE DATA TABLE**

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	DEGREE OF CURVE
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C19	20.00'	13.90'	13.62'	N15°05'03"W	39°48'47"	286°28'44"

xxx = CERTIFIED ADDRESS

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FEB 11 2015

BY: *CAS*



## CITY OF GAHANNA

### STAFF COMMENTS

Project Name: Schottenstein Homes – Oakgrove of Gahanna  
Project Address: 4185 N Stygler Road – PID#'s 025-004352 & 025-010309  
Proposed Address: 376 Evelyn Lane, Lot # 1

The applicant seeks a recommendation to Council for a variance to allow a model home to be built in the Oakgrove subdivision prior to all appurtenances being accepted by the City, as prescribed by Chapter 1105. Section 1105.10(c) states, “No permit shall be issued by the City for construction of any structure within the proposed development until all improvements required to be dedicated to public use have been accepted by Council under the provisions of Section [1105.07](#).”

#### **1105.07 ACCEPTANCE OF DEDICATED IMPROVEMENTS.**

(a) Council shall not accept dedication to public use of improvements required under Chapter [1107](#) until the City Engineer certifies in writing that all required improvements have been completed as follows:

- (1) The installation of all sanitary sewers and inspections;
- (2) The storm sewers and all appurtenances have been completed and inspected;
- (3) All water lines have been installed and tested; and
- (4) All street, curbs and base at a minimum have been completed.

#### **1103.03 VARIANCES FROM DIMENSIONAL STANDARDS AND IMPROVEMENT REQUIREMENTS.**

In cases where it is deemed that hardships, topography or other factual deterrent conditions prevail, variations and exceptions from the dimensional standards and improvement requirements as set forth in this Subdivision Ordinance may be recommended by the Planning Commission, but must be approved by Council.

#### **1131.04 PUBLIC HEARING.**

At such hearing the applicant shall present a statement and adequate evidence, in such form as the Planning Commission may require and the Planning Commission shall not grant a variance unless it finds that all of the following conditions apply to the case in question:

- (a) There are special circumstances or conditions applying to the land, building or use referred to in the application.



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## CITY OF GAHANNA

(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.

The applicant proposes to use the driveway of the house formerly on the property as a construction access to Lot 1 where the model home is proposed. Please see the City Engineer's comment on this access point. Institutional memory does not recall any subdivision in which the model was built prior to all appurtenances being accepted by City Council.

Respectfully Submitted By:

Bonnie Gard  
Planning and Zoning Administrator  
Planning and Development



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614-342-4000 PHONE 614-342-4100 FAX WWW.GAHANNA.GOV





## CITY OF GAHANNA

### STAFF COMMENTS

**Project Name:** Schottenstein Homes – Oakgrove of Gahanna  
**Project Address:** 4185 N Stygler Road – PID#'s 025-004352 & 025-010309  
**Proposed Address:** 376 Evelyn Lane, Lot # 1

**From:** Robert Priestas  
**Sent:** Wednesday, February 25, 2015 6:14 PM  
**To:** Bonnie Gard  
**Cc:** Jeff Feltz  
**Subject:** Staff Review Comments

Bonnie,

Below are my comments regarding the following items:

#### Oak Grove

- By City Code, infrastructure improvements must be accepted by the City Engineer prior to the issuance of building permits.
- Use of the existing driveway may provide inadequate sight distance to the north on Stygler Road based on available GIS information and review. Should this variance be approved, site access shall be provided at an alternate location.

Please let me know if you have any questions.

Thanks,

Rob

#### **ROBERT S. PRIESTAS, P.E.**

City Engineer



CITY OF GAHANNA  
200 S. Hamilton Rd.  
Gahanna, Ohio 43230  
614.342.4055  
614.342.4154(fax)  
[robert.priestas@gahanna.gov](mailto:robert.priestas@gahanna.gov)  
[www.Gahanna.gov](http://www.Gahanna.gov)  
Twitter@CityOfGahanna



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STAFF COMMENTS

Project Name: Schottenstein Homes – Oakgrove of Gahanna  
Project Address: 4185 N Stygler Road – PID#'s 025-004352 & 025-010309  
Proposed Address: 376 Evelyn Lane, Lot # 1

**From:** Dennis Murphy  
**Sent:** Thursday, February 26, 2015 10:56 AM  
**To:** Courtney Shisler  
**Subject:** RE: Request for Staff Comments

No comments or issues from the PD.

Respectfully Submitted By:  
Dennis Murphy, Chief of Police



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## CITY OF GAHANNA

### STAFF COMMENTS

Project Name: Schottenstein Homes – Oak Grove of Gahanna  
Project Address: 4185 N Stygler Road – PID#'s 025-004352 & 025-010309  
Proposed Address: 376 Evelyn Lane, Lot # 1

#### Planning and Development

The applicant is requesting a variance to allow for the construction of a model home on lot 1 of the Oak Grove of Gahanna subdivision prior to construction and acceptance of infrastructure of the subdivision. Section 1105.10(c) of the Planning and Zoning Code states that “No permit shall be issued by the City for construction of any structure within the proposed development until all improvements required to be dedicated to public use have been accepted by Council...”

Access to the lot during the construction phase would be provided via Stygler Road. Access to lot 1 and the remaining 12 lots would be provided by Evelyn Lane after the road way is constructed. The temporary construction access would be located approximately 45 feet south of the Sandburr Drive / Ridenour Road / Stygler Road Intersection.

It should be noted that a home previously existed on the property prior to its platting. The home was demolished in September of 2011. If the property was not platted, then a home could be constructed and not be subject to the requirements of 1105.10(c).

Variations are subject to the following conditions:

- a) There are special circumstances or conditions applying to the land, building or use referred to in the application.

*Staff disagrees with the applicant that a special circumstance exists with the property. As the applicant states, it is true that if no subdivision improvements were being constructed then a home could be built, however, at build out, the subdivision will have numerous improvements which include roadway and utility construction. Approving the variance on the grounds of the ability to construct a home prior to platting could lead to similar requests from other projects. Staff believes the requirement to have Council only accept improvements after the City Engineer has certified that the improvements have been satisfactorily completed is appropriate and does not create a special circumstance.*



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## CITY OF GAHANNA

- b) The granting of the variance is necessary for the preservation and enjoyment of substantial property rights.

*Staff disagrees that the process for acceptance of infrastructure improvements will cause the loss of substantial property rights. The requirements in question have been in place since 1990. A significant number of projects have been subject to the standards in questions without experiencing a substantial loss of 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.

*Staff agrees with the applicant that granting the application will reduce the time associated with construction activity. If the temporary access point is deemed to be located a sufficient distance from the intersection of Sandburr Drive / Ridenour Road / Stygler Road then staff agrees with the applicant's statement that granting the variance would not affect the health, safety, and welfare of the public.*

Additionally, Section 1103.03 states that variances to the platting and subdivision standards and requirements are to be recommended by Planning Commission and approved by Council.

### Aerial Map



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# CITY OF GAHANNA

## Zoning Map



Respectfully Submitted By:

Michael Blackford

Deputy Director, Planning and Development Department



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