

VARIANCE APPLICATION

PLEASE NOTE: This application is not to be considered complete until all documents are received and approved by the Planning & Zoning Administrator.

Project/Property Address or Location: 1075 E. Johnstown Road, Gahanna, OH 43230		Project Name/Business Name (if applicable): The Emilia School	
Parcel ID No.(s): 025-011936	Current Zoning: SO - Suburban Office	Total Acreage: 0.761 acre	
Description of Variance Requested: Reduction of the front parking setback from 36-feet to 24-feet and side parking setback from 10-feet to 7-feet			
STAFF USE ONLY – Code Section(s) & Description of Variance: 1167.15 (b) - Parking setback from right-of-way 1153.01 (c) (3) - side yard setback of 10'			
APPLICANT Name (primary contact) -do <u>not</u> use a business name: Mike Balakrishnan		Applicant Address: 7630 Red Bay Court, Dublin, OH 43016	
Applicant E-mail: mike@celmark.com		Applicant Phone No.: 614-783-8007	
BUSINESS Name (if applicable): 1075 Johnstown LLC			
ATTORNEY/AGENT Name:		Attorney/Agent Address:	
Attorney/Agent E-Mail:		Attorney/Agent Phone No.:	
ADDITIONAL CONTACTS (please list all applicable contacts)			
Name(s): Contractor Developer Architect Bhakti Bania c/o BBCO Design		Contact Information (phone no./email): 614-443-2624 / bhakti@bbcodesign.com	
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 Signature:  Date: 10-12-17

THIS FORM IS AVAILABLE TO BE SUBMITTED ONLINE: www.gahanna.gov

INTERNAL USE

Zoning File No. ✓-0044-2017
PC Meeting Date: _____
PC File No. _____

RECEIVED: KAW
DATE: 10-18-17

PAID: 300.00
DATE: 10-18-17
CHECK#: 3873

VARIANCE APPLICATION – SUBMISSION REQUIREMENTS

PLEASE NOTE: This application is not to be considered complete until all documents are received and approved by the Planning & Zoning Administrator.

STAFF USE - INTAKE	TO BE COMPLETED/SUBMITTED BY THE APPLICANT:	APPLICANT		STAFF USE	
		YES	N/A	YES	N/A
	1. Review Gahanna Code Section 1131 (visit www.municode.com) (Sign Variances, refer to Section 1165.12 ; Fence Variances, 1171.05 ; Flood Plain Variances, 1191.18)	✓			
	2. Pre-application conference with staff	✓			
	3. Survey of property certified by a registered surveyor (11"x17" copy)	✓			
	4. List of contiguous property owners & their mailing address	✓			
	5. Pre-printed mailing labels for all contiguous property owners	✓			
	6. A statement of the reason(s) for the variance request that address the following three conditions: (not applicable for Sign, Fence, or Flood Plain Variances) - Special circumstances or conditions - Necessary for preservation - Will not materially affect adversely the health or safety	✓			
	7. Application fee paid (in accordance with the Building & Zoning Fee Schedule)	✓			
	8. Application & all supporting documents submitted in digital format	✓			
	9. Application & all supporting documents submitted in hardcopy format	✓			
	10. Authorization Consent Form Complete & Notarized (see page 3)	✓			

THIS FORM IS AVAILABLE TO BE SUBMITTED ONLINE: www.gahanna.gov

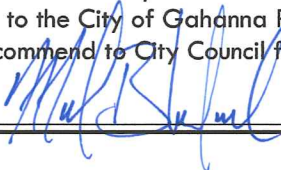
APPLICATION ACCEPTANCE

INTERNAL USE

This application has been reviewed and is considered complete and is hereby accepted by the Zoning Division of the City of Gahanna and shall be forwarded to the City of Gahanna Planning Commission for consideration.

Planning Commission must recommend to City Council for final approval

Planning & Zoning Administrator Signature: _____



Date: 10/31/17

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.

AUTHORIZATION FOR OWNER'S APPLICANT OR REPRESENTATIVE(S) *If the applicant is not the property owner, this section must be completed & notarized.*

I, Srinath (Mike) Balakrishnan, the owner or authorized owner's representative of the subject property listed on this application, hereby authorize Eric Chenevey to act as my applicant or representative(s) 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 designated representative.

Property Owner Signature: [Signature] Date: 10-12-17


AUTHORIZATION TO VISIT THE PROPERTY

I, Srinath (Mike) Balakrishnan, the owner or authorized owner's representative of the subject property listed on this application, hereby authorize City representatives to visit, photograph and post notice (if applicable) on the property as described in this application.

Property Owner Signature: [Signature] Date: 10-12-17

Subscribed and sworn to before me on this 12 day of October, 2017
 State of Ohio County of Franklin
 Notary Public Signature: [Signature]

NOTARY



MITRA FUGATE
Notary Public, State of Ohio
My Commission Expires
April 17, 2021


AGREEMENT TO COMPLY AS APPROVED

I, Srinath (Mike) Balakrishnan, the applicant of the subject property listed on this application, hereby agree that the project will be completed as approved and any proposed changes to the approved plans shall be submitted for review and approval to the Zoning Division staff.

Applicant Signature: [Signature] Date: 10-12-17

Subscribed and sworn to before me on this 12 day of October, 2017
 State of Ohio County of Franklin
 Notary Public Signature: [Signature]

NOTARY



MITRA FUGATE
Notary Public, State of Ohio
My Commission Expires
April 17, 2021



LOCATION MAP
NO SCALE

DESCRIPTION (BY OTHERS)

Situate in the State of Ohio, County of Franklin, City of Gahanna, being located in Quarter Township 2, Township 1, Range 16, United States Military Lands and being part of the 3.0 acre tract conveyed to William H. Sr. and Bette J. Cahill, by deed of record in Deed Book 2818, Page 24, all references being to records in the Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a railroad spike in the centerline of Columbus-Millersburg Road, (U.S. Route 62), at the southeasterly corner of said 3.0 acre tract and being the northeasterly corner of the 3.579 acre tract conveyed to Donald I. and Marjorie J. Padgett, by deed of record in Deed Book 2648, Page 442;

thence along the northerly line of said Padgett 3.579 acre tract, North 84 deg. 01' 12" West, (passing an iron pin at 38.3 feet), 235.59 feet to an iron pin;

thence crossing the William H. Sr. and Bette J. Cahill 3.0 acre tract, North 5 deg. 58' 48" East, 140.45 feet to an iron pin in the southerly line of the 3.7 acre tract conveyed to Bette J. Cahill, by deeds of record in Deed Book 2564, page 131 and Deed Book 2664, page 520.

thence along said southerly line of the 3.7 acre tract, South 84 deg. 01' 12" East, (passing an iron pin at 295.71 feet), 334.01 feet to a railroad spike at the southeasterly corner of said tract and being in the centerline of Columbus-Millersburg Road;

thence along said centerline, South 41 deg. 00' West, 171.50 feet to the place of beginning, containing 0.918 acre tract, more or less.

EXCEPTING THEREFROM:

Situated in the State of Ohio, County of Franklin, City of Gahanna, Quarter Township 2, Township 1, Range 16, United States Military Lands, and being a part of a 0.918 acre tract in the name of Wagly Real Estate Company, as described in Instrument Number 200101090006023, all records contained herein are on file at the Recorder's Office, Franklin County, Ohio:

Beginning at a magnall set in the centerline of Johnstown Road (R/W varies) at the southeasterly corner of a 0.191 acre tract in the name of City of Gahanna as described in Instrument Number 19907150180348 and being the True Place of Beginning for the tract herein being described;

Thence S 41° 17' 54" W, a distance of 171.47 feet along the centerline of said road also being the easterly line of said 0.918 acre tract to a magnall set at the northeasterly corner of a 1.446 acre tract in the name of RAMI Properties, LLC., as described in Instrument Number 199907150180348;

Thence N 85° 36' 06" W, a distance of 47.22 feet leaving said centerline along the northerly line of said 1.446 acre tract to an iron pipe set;

Thence N 36° 29' 59" E, a distance of 26.80 feet through said 0.918 acre tract to an iron pipe set;

Thence N 11° 17' 54" E, a distance of 143.21 feet continuing through said 0.918 acre tract to an iron pipe set at the southeasterly corner of a 0.094 acre tract in the name of Stoney Memorial, Ltd., as described in Instrument Number 200007210144443, also being the southwest corner of said 0.191 acre tract;

Thence S 85° 29' 15" E, a distance of 49.95 feet along the southerly line of said 0.191 acre tract to the True Place of Beginning containing 0.157 acre more or less, of which 0.118 acre lies within the right-of-way of Johnstown Road.

Subject to all legal highways, easements, leases or restrictions of record and of records in the respective utility offices.

Iron pipes set are 3/4" inside diameter iron pipes that are 30 inches long with a yellow cap stamped "W.E. Stilson"

Bearings are based on title Ohio State Plane Coordinate System, South Zone, 86 Adjustment and were obtained by using a bearing of S03° 16' 30" W calculated by inverting between the established coordinates for Franklin County Geodetic Survey Monuments FCGS 6671 and FCGS 8817 Reset.

I hereby certify this description was created by using field measurements obtained by an actual field survey conducted under my direct supervision.

CERTIFICATION

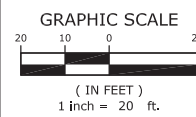
To: 1075 Johnstown, LLC, an Ohio limited liability company, Mutual Federal, its successors and/or assigns as their interest may appear, First American Title Insurance Company and Hummel Title Agency, Inc.:

This is to certify that this plot and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6(b), 7(a), 8, 9, 11, 13, 16 and 17, Table A thereof. The field work was completed on July 29, 2017.

BY *David L. Chiesa*
David L. Chiesa
Registered Surveyor No. 7740



Date 08-03-17



IBI GROUP
635 Brookside Boulevard
Westerville, OH 43081 USA
tel 614 818 4900 fax 614 818 4901
ibigroup.com

SUBMISSION:

REVISION:

STAMP:

WAGLY REAL ESTATE COMPANY
1075 JOHNSTOWN ROAD
GAHANNA, OHIO

FIELD	DRAFT	CHECK
KS	DC	BW

IBI GROUP NO.: 112383

DATE: JULY 2017

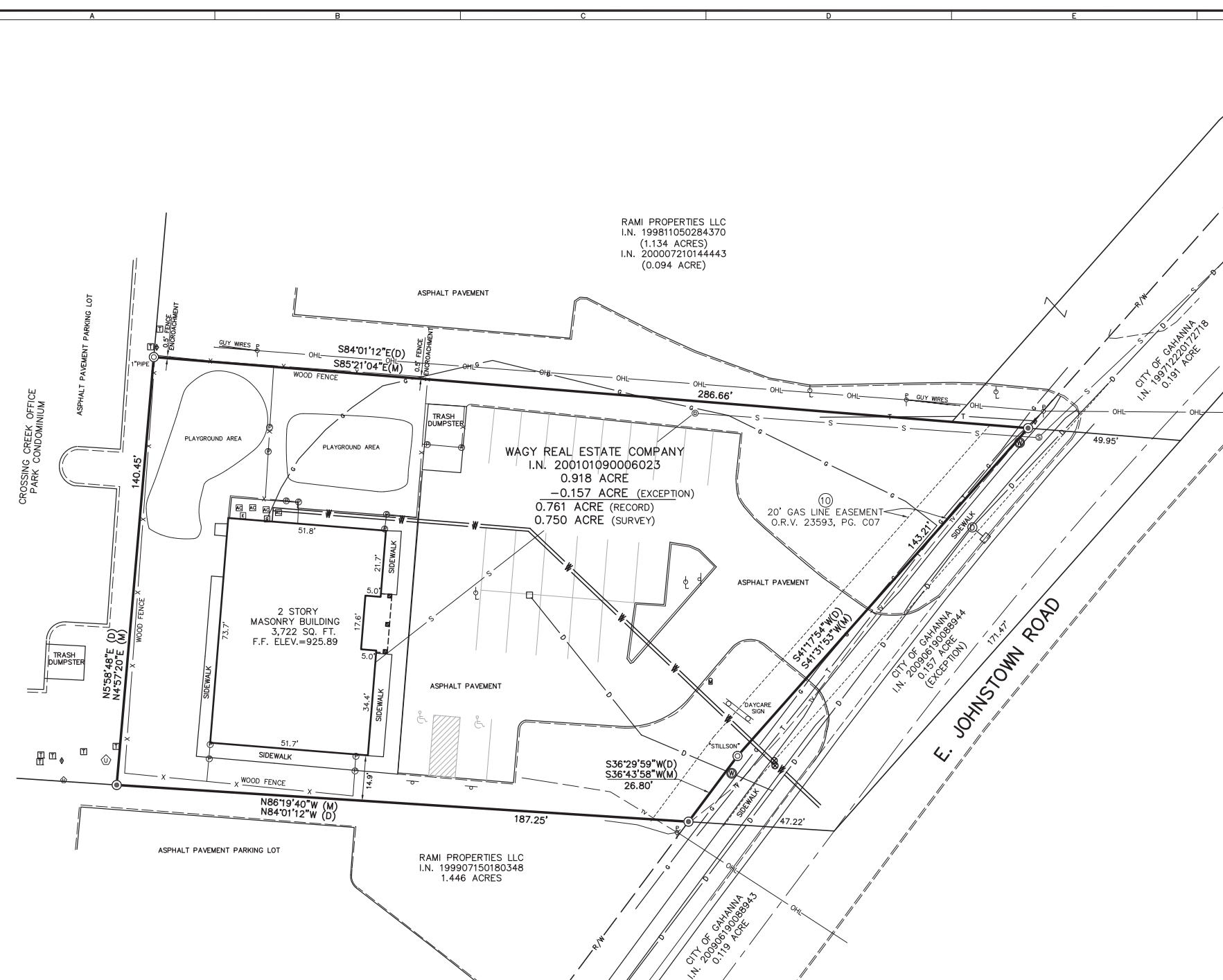
SCALE: HORIZONTAL: 1"=20'

VERTICAL:

SHEET TITLE:

ALTA/NSPS LAND TITLE SURVEY

SHEET NO.:



RAMI PROPERTIES LLC
I.N. 199811050284370
(1.134 ACRES)
I.N. 200007210144443
(0.094 ACRE)

WAGLY REAL ESTATE COMPANY
I.N. 200101090006023
0.918 ACRE
-0.157 ACRE (EXCEPTION)
0.761 ACRE (RECORD)
0.750 ACRE (SURVEY)

2 STORY MASONRY BUILDING
3,722 SQ. FT.
F.F. ELEV.=925.89

RAMI PROPERTIES LLC
I.N. 199907150180348
1.446 ACRES

NOTES

- Properties are currently zoned: SO Suburban Office
- Subject property is located in Flood Zone "X" according to F.E.M.A. Map No. 39049C0211K, dated June 17 2008.
- Subject property has access to Johnstown Road a publicly dedicated road.
- No identified wetlands are located on subject property.
- No evidence of earthmoving or building construction on subject premises.
- Encroachment across properties lines observed on subject properties. (Fence along north property line)
- No proposed changes in street right-of-way lines.
- No evidence of recent sidewalk or street construction or repairs.
- There are a total of 24 marked parking spaces of which 2 are handicapped.

BENCH MARKS

- Elevation established from GPS observations.
- BM#1 Mag Nail set in utility pole located 300 feet west of Johnstown Road along north property line of Wagly Real Estate Company
ELEV.= 927.34 (NAVD 88)
- BM#2 Cut "X" in north bolt of fire hydrant located on the east side of Johnstown Road 385 feet north of Beecher Road.
ELEV.= 923.79

TITLE NOTES

Easements shown hereon are per the Title Commitment provided by First American Title Insurance Company, dated July 3, 2017, Commitment No. HTA-9810. Application of items from Schedule B Section II of said commitment are as follows:

Item 10) Easement of record in Official Record Volume 23593, Page C07 does apply to subject property and is plotted.

BEARING REFERENCE

A BEARING OF SOUTH 41°31'53" WEST FOR THE WESTERLY RIGHT-OF-WAY LINE OF E. JOHNSTOWN ROAD WAS ESTABLISHED FROM GPS OBSERVATIONS AND IS BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (2011 ADJUSTMENT).

**STATEMENT OF REASONS FOR THE PARKING SETBACK VARIANCE REQUEST
THE EMILIA SCHOOL
1075 E. JOHNSTOWN ROAD
GAHANNA, OHIO
OCTOBER 12, 2017**

The 0.761 acre parcel is located on the west side of E. Johnstown Road, north of the Beecher Road intersection. There is a building (approximately 7,200 s.f.) and asphalt parking lot (24 spaces) located on the existing site. The site was formerly used as a day care center and is currently unoccupied. The site is bordered by commercial/office uses on the south, west, and north sides. There is a residential subdivision located east of the site (on the east side of E. Johnstown Road).

The proposed use of the site will also be a day care center. The proposed improvements include two building additions (approximately 250 s.f. each), sidewalk improvements at the front building entrance, addition of an interior parking lot landscape island, re-striping of the northern parking spaces, and additional asphalt pavement to create three parking spaces (along the south property line).

The existing site was constructed in 1999/2000. The front parking setback line for the improvements was located 36' off the E. Johnstown Road right-of-way line, which was a two lane road at the time. As a result, the east side of the easternmost drive aisle was constructed along the 36' parking setback line.

Since 1999/2000, E. Johnstown Road has been widened to three lanes, and a sidewalk has been constructed along the west side. In order to accommodate the improvements, additional right-of-way was obtained from the subject site. As a result, the 36' parking setback line has shifted with the new right-of-way line, and is located approximately 12' west of the 1999/2000 location.

The Owner/Developer requests a variance to reduce the front parking setback from 36' to 24' and reduce the side parking setback from 10' to 7'. Doing so, would allow the construction of the three new parking spaces discussed earlier. Reasons to support this request include:

- The new right-of-way line has created a hardship. The Developer is creating additional green space within the parking lot and is re-striping spaces to meet current zoning standards: therefore losing three existing spaces in the process. The proposed three parking spaces will not be located any closer to E. Johnstown Road than the east side of the easternmost drive aisle. The three proposed parking spaces will align with the existing parking spaces located along the south property line.
- The request will not adversely affect health or safety as there are existing evergreen shrubs in place to screen headlights. In addition, there are no buildings located on the property to the south, across from the parking lot improvements. The improvements do not impact sight distance along E. Johnstown Road.
- The three new parking spaces are necessary, as they preserve the overall 24 parking spaces, which serve the day care use well.

**The Emilia School
1075 E. Johnstown Road, Gahanna, OH 43230
Contiguous Property Owners
October 12, 2017**

Rami Properties LLC
229 E. State St.
Columbus, OH 43215

Mark & Patricia Adams
733 Parkedge Dr.
Columbus, OH 43230

Columbus Luxury Property LLC
248 Crossing Creek N.
Gahanna, OH 43230

TVOLS LLC
1110 A Beecher Crossing N.
Columbus, OH 43230

Stoney Memorial LTD
3931 Waggoner Rd.
Blacklick, OH 43004

Stephen & Tammy Howard
1070 Cannonade Ct.
Columbus, OH 43230

Jeffrey & Mary Weiler
1072 Cannonade Ct.
Columbus, OH 43230

Andrew McPeak
1074 Cannonade Ct.
Columbus, OH 43230



CITY OF GAHANNA

PLANNING AND DEVELOPMENT STAFF REPORT

Request Summary

The request is for Final Development Plan (FDP), Design Review (DR), and Variance approval for the property located at 1075 E. Johnstown Road. The site was built and historically has operated as a daycare. The new owners/operators are proposing to use the site as a daycare.

A variance is necessary in order to allow a reduction of the front yard parking setback from 36' to 24'. This would allow for the construction of a few additional parking spaces. A side yard setback has been requested to allow 7' in lieu of 10' for parking along the southern property line. The site was originally constructed with a 7' side yard, however, no record of a variance could be found.

External improvements are minimal but generally consist of additional parking; two, 250 square foot building additions, one to the front and one to the rear of the structure; paint; and composite planking. Please see the FDP and DR for additional details.

Variance

Variations are subject to the criteria found in CH 1131.04. Planning Commission shall not grant/recommend 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.
- 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 adversely affect 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 recommends approval of the variances. The variance to allow a reduced side yard is to account for an existing condition. The site was approved and built with a reduced side yard. The request to reduce the front yard is to allow only a minimal intrusion into the front yard setback. The majority of frontage will be meet the required setback.

Current Zoning: Suburban Office (SO)

Year Built: 2000

Request Summary: FDP, DR, and variance for use as a daycare

Previous Use: Daycare



"HERB CAPITAL OF OHIO"

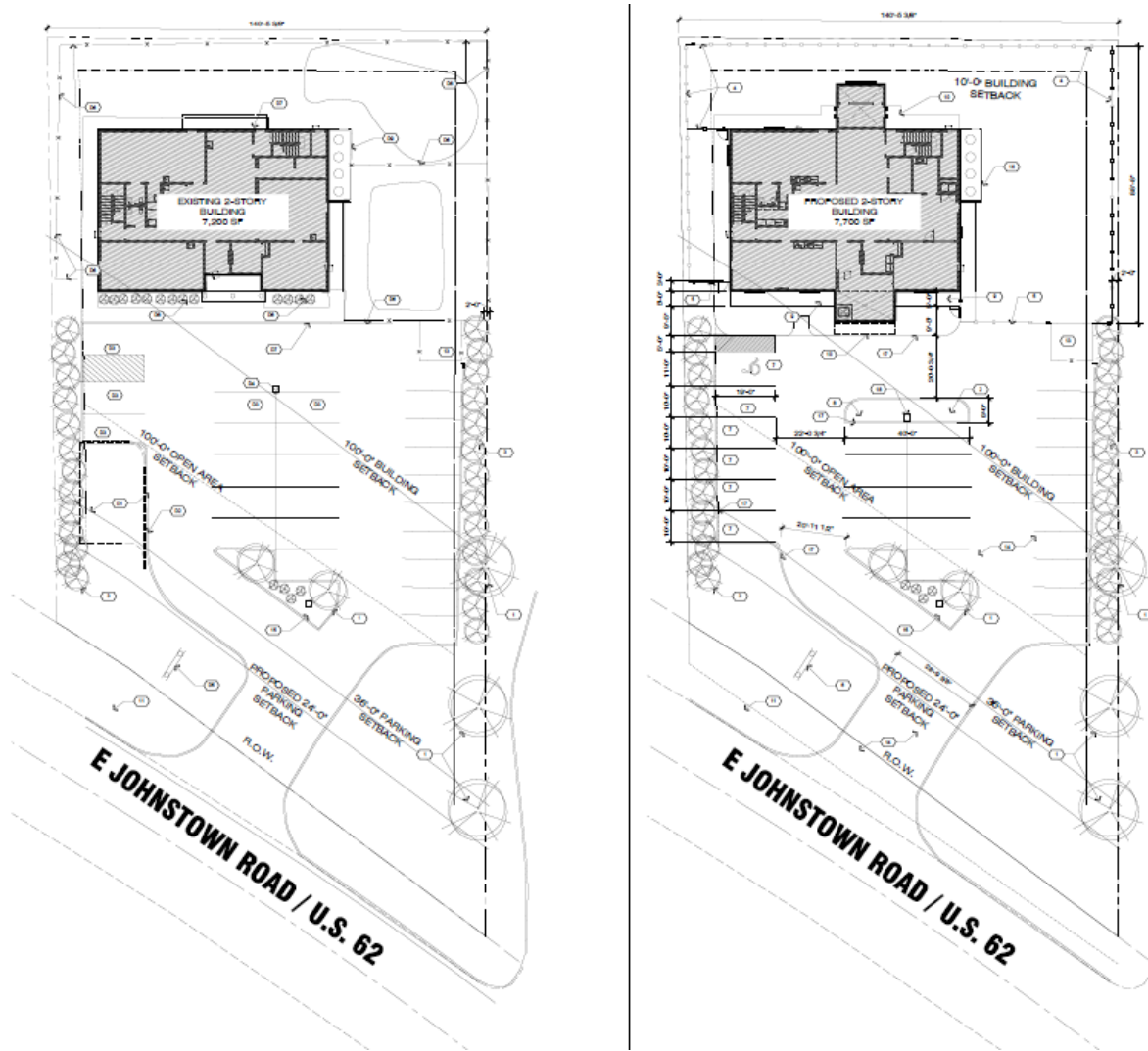
200 SOUTH HAMILTON ROAD, GAHANNA, OH 43230
614-342-4000 PHONE 614-342-4100 FAX WWW.GAHANNA.GOV



CITY OF GAHANNA

It should be noted that staff anticipates that the forthcoming code rewrite and/or land use plan update will evaluate commercial setbacks. It is likely that commercial front yard setbacks will be reduced. The large front yard setback is indicative of a development style that is no longer desirable. It also leads to the inefficient use of land.

Existing/Proposed



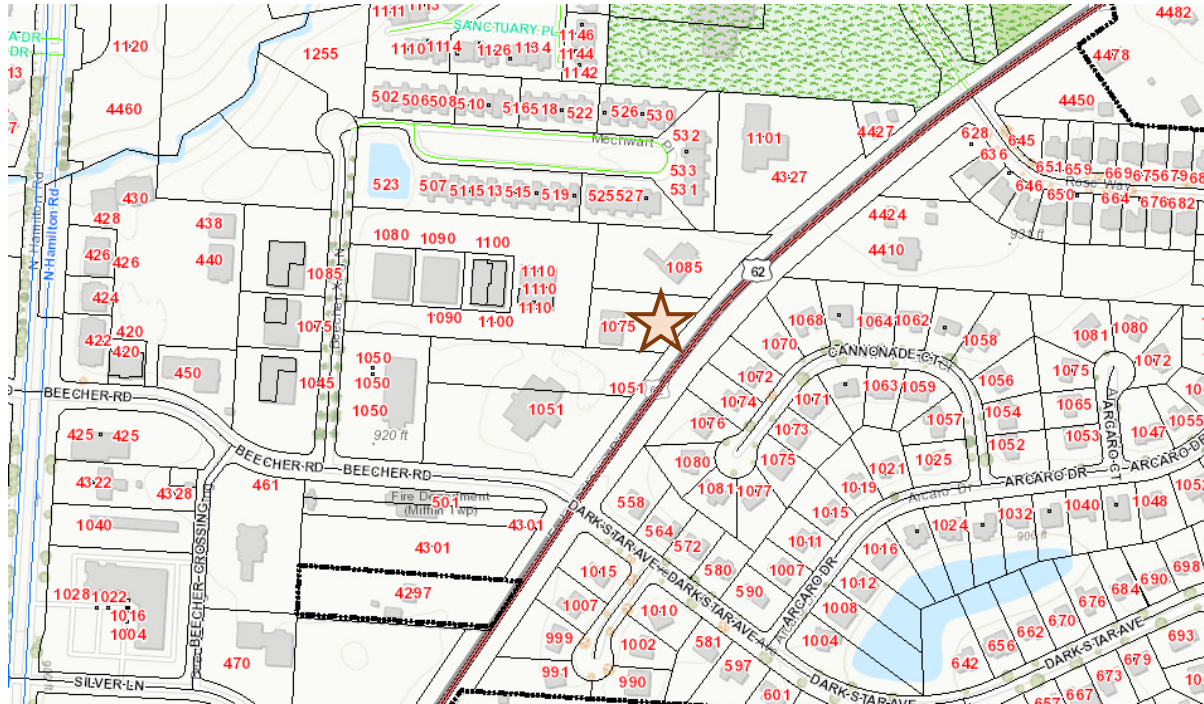
"HERB CAPITAL OF OHIO"

200 SOUTH HAMILTON ROAD, GAHANNA, OH 43230
614-342-4000 PHONE 614-342-4100 FAX WWW.GAHANNA.GOV



CITY OF GAHANNA

Location Map



Respectfully Submitted By:
Michael Blackford, AICP
Deputy Director



“HERB CAPITAL OF OHIO”

200 SOUTH HAMILTON ROAD, GAHANNA, OH 43230
614-342-4000 PHONE 614-342-4100 FAX WWW.GAHANNA.GOV



200 S. Hamilton Road, Gahanna, OH 43230
Phone(614)342-4010 Fax(614)342-4100

October 27, 2017

Mike Balakrishnan
1075 E Johnstown
Gahanna, OH 43230

RE: Project 1075 E Johnstown Rd

Dear Mike Balakrishnan:

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

Public Service & Engineering - Complete

1. No comment.

Public Safety - Complete

2. No comment from the PD. No concerns. Per Sheila Murphy

Building - Complete

3. I have no comments on the concept for the applications. However, I am not performing a plan review of the architectural drawings. I will not comment on those documents until they are submitted with a building permit application. Per Ken Fultz

Community Development - Complete

4. No comments/objections to the variance request.

Fire District - Complete

5. No Comment per Steve Welsh

Parks - Complete

6. No comment made from Parks Department

Soil & Water Conservation District - Complete

7. No Comment Made from Franklin County Soil and Water

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

Sincerely,

Kelly Wicker
Administrative Assistant