



# 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.

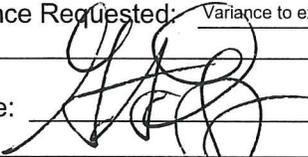
\*Applicant Name: Fred Kenimer (Land Owner's Property Coordinator) \*Phone: (614) 599-7266  
\*Applicant Address: 626 Waybaugh Drive, Gahanna, OH 43230 \*Fax: N/A - use email  
\*Applicant Email: Fred@Kenimer.net

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

\*Property Owner Name: Christian Meeting Room, Inc. \*Phone: (614) 493-8445  
\*Property Owner Address: 326 James Road, Gahanna, OH 43230 \*Fax: N/A - use email  
\*Contact Name: Jon Kenimer, Secretary \*Email: Jon.Kenimer@sterlinged.org

\*Address for Requested Variance: Ridenour Road, Imperial Rise #3, Part of Reserve "A"  
\*Parcel ID#: 025-013236 \*Current Zoning: R.I.D.

\*Description of Variance Requested: Variance to exclude the site plan requirement in Gahanna Code Section 1152.01(1)(2).

\*Applicant's Signature:  \*Date: 12-21-15

**\*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: 1162.02(a)

Description of the governing code and the requested variance: To allow a parcel to be rezoned with an overlay with a limitation text, but no development plan

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. 15120018  
PC File No. \_\_\_\_\_  
Public Hearing Date: \_\_\_\_\_



(Paid) (Accepted by PZA)

Revised 10-1-2014/cas

## **CHAPTER 1131 - VARIANCES**

### **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.
- (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.

LIMITED OVERLAY TEXT  
LIMITED SUBURBAN OFFICE  
4.19 ACRES RIDENOUR ROAD  
CHRISTIAN SCIENCE MEETING ROOM  
Parcel ID #025-013236-00

This statement is provided in accordance with the provisions of Gahanna City Code section 1152.02 Limited Overlay District. The purpose of these limitations are to restrict uses due to the special circumstances of the property and its location on Ridenour Road, a public street which is not suited to support high traffic development. This Overlay is submitted in accordance with the provisions of Gahanna City Code Section 1152.02, et.seq.

The following Uses, otherwise permitted in the Suburban Office and Institutional District of the City of Gahanna, are prohibited uses:

Banks-Financial Institutions:

Depository institutions (SIC #60)

Non-depository credit institutions (SIC #61)

Security and commodity brokers, dealers, and exchange services (SIC #62)

Medical offices in excess of 30,000 sq.ft (SIC #801, 802, 803, 804)

The following Uses, are otherwise permitted Conditional Uses in the Suburban Office and Institutional District of the City of Gahanna are prohibited uses:

Drive-In facilities (SIC #7833)

Hospitals (SIC #806)

Schools, day care centers with greater than 100 students (SIC #821, 822, 824, 829, 835)

**APPLICANT**

Fred Kenimer  
626 Waybaugh Drive  
Gahanna, OH 43230

**PROPERTY OWNERS**

Christian Meeting Room, Inc  
326 James Road  
Gahanna, OH 43230

**ATTORNEY**

Glen A. Dugger  
Smith & Hale LLC  
37 West Broad Street, Suite 460  
Columbus, OH 43215

**CONTIGUOUS PROPERTY OWNERS**

Jeffrey A & Susan Drawdy  
15310 Amberly Drive, Suite 300  
Tampa, FL 33547

Ivan D Stefanov & Elina Y Vayntraub  
380 Antcliff Court  
Columbus, OH 43230

Michael D Wolfe  
343 Flint Ridge Drove  
Columbus, OH 43230

Robert W & Georgia N Kelley  
396 Antcliff Court  
Columbus, OH 43230

Kyle J & Danielle L Fabing  
153 McCutcheon Road  
Columbus, OH 43230

City of Gahanna Ohio  
200 South Hamilton Road  
Columbus, OH 43232

4.190 Acres

Situate in the State of Ohio, County of Franklin, City of Gahanna, lying in Quarter Township 1, Township 1, Range 17, United States Military Lands and being part of the 11.026 acre tract conveyed as Reserve "A" of "IMPERIAL RISE PLAT No. 3", a subdivision of record in Plat Book 46, Page 82, to S.S. Realty, LLC by deed of record in Instrument No. 199901290024434, (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and more particularly bounded and described as follows:

BEGINNING at an iron pin found in the southerly right-of-way line of McCutcheon Road at the northwesterly corner of said Reserve "A";

The following two (2) courses and distances along said southerly right-of-way line of McCutcheon Road and northerly line of said Reserve "A":

1. Thence South 85° 34' 11" East, a distance of 462.88 feet, to an iron pin found at a point of curvature;
2. Thence along the arc of said curve to the right having a central angle of 86° 55' 01", a radius of 20.00 feet and a chord bearing South 42° 06' 40" East, a chord distance of 27.51 feet, to an iron pin found at a point of tangency in the westerly right-of-way line of Ridenour Road and easterly line of said Reserve "A";

Thence South 01° 20' 50" West, a distance of 300.82 feet, along said westerly right-of-way line of Ridenour Road and easterly line of said Reserve "A", to an iron pin set;

The following three (3) courses and distances across said Reserve "A":

1. Thence North 87° 21' 03" West, a distance of 292.54 feet, to an iron pin set;
2. Thence South 00° 03' 16" West, a distance of 115.30 feet, to an iron pin set;
3. Thence North 81° 54' 34" West, a distance of 215.87 feet, to an iron pin set in the westerly line of said Reserve "A";

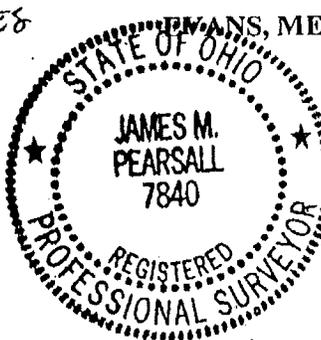
Thence North 04° 25' 49" East, a distance of 429.58 feet, to the POINT OF BEGINNING. Containing 4.190 acres, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

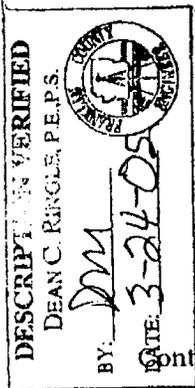
Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings in the above description are based on the same meridian as the centerline of McCutcheon Road as shown on the recorded plat of Imperial Rise Plat No. 3 as shown in Plat Book 46, Page 82, Recorder's Office, Franklin County, Ohio, having a bearing of South 85° 34' 11" East.

N-1160-EF  
ALL OF 4.190 ACRES  
ON SPLIT FROM  
(OZS) 4803



*James M. Pearsall* 4/29/03  
James M. Pearsall Date  
Registered Surveyor No. 7840





CITY OF GAHANNA  
STAFF COMMENTS

Project Name: Christian Meeting Room  
Project Address: Ridenour Rd.

No comments by the building department.

Respectfully Submitted By:

Kenneth W. Fultz

Chief Building Official





## CITY OF GAHANNA

### STAFF COMMENTS

Project Name: Christian Meeting Room, Inc – Fred Kenimer  
Project Address: Ridenour Rd – Imperial Rise #3, Reserve “A”

#### Development

The applicant is requesting to rezone a 4.1 acre parcel from Restricted Institutional District (RID) to Suburban Office (SO) with a limited overlay. The property was previously rezoned in 2008 from SO to RID, however, the property has never been developed.

The request was considered by Planning Commission in the summer of 2015 and recommended to Council for approval. Council denied the request and remanded the application back to Planning Commission with the recommendation that an overlay be considered. The request has been revised to include an overlay text that prohibits high traffic generating uses. A companion request, a variance, has also been submitted. The variance is necessary as the code requires a site plan accompany an overlay application.

The Economic Development Division performs analysis for rezoning requests. While a definitive plan of development has not been identified, the requested zone district of SO should have a substantially greater financial impact than the current zoning of RID. Typical uses within RID consist of religious organizations, public buildings, and schools. Generally speaking, these uses have minimal financial impact to the City. Typical uses within SO include banks, professional and medical offices, and senior living facilities. It should be noted that the revised application includes an overlay text that prohibits banks and limits the size of medical offices to 30,000 square feet. Please see the overlay text for a full list of prohibited uses. The change from RID to SO would allow for more intense uses that are consistent with the 2007 Economic Development Plan. Goals of the Plan include maximizing revenue per acre of land development and seeking development proposals that create more jobs. The site was not included as a target site in the 2015 Economic Development Strategy.

Additional considerations and analysis for rezoning decisions is found within the 2002 Future Land Use Plan and Section 1133.03 of the Planning and Zoning Code. The 2002 Future Land Use Plan provides for a checklist to assist Planning Commission in reaching a decision. Certain answers would not mandate a particular decision. Relevant checklist questions include the following:

1. Is the proposed development consistent with the City’s vision?



## CITY OF GAHANNA

*Staff believes that the proposed rezoning is consistent with the City's vision for this property. The area contains a mix of uses which includes single family residential, group living facilities and park land. While the properties in this area are designated Single Family Residential on the Future Land Use Map, the area is a mix of residential and supporting uses substantially similar to those permitted within the proposed zoning classification as limited by the overlay text.*

2. Would the proposed development be contrary to the future land use plan?

*The plan provides for a future land use designation of Single Family Residential. The objective of the residential future land use is to promote residential development that provides privacy, and is safe and convenient. While the proposed zoning is not residential, the property was previously zoned for nonresidential uses. The rezoning would restore the previous zoning designation, SO. It should be noted that the adjacent property to the south is also zoned SO and located within the residential future land use.*

*A supporting principle of the residential land use is to maintain the integrity of neighborhoods by locating inconsistent land uses outside of neighborhoods rather than in the interior. While the proposed zoning may not necessarily be incompatible with residential, it will locate nonresidential uses on the perimeter of a residential area rather than within the core.*

3. Will the change adversely influence living conditions in the surrounding area?
  - a. Create or appreciably increase traffic congestion;
  - b. Seriously impact adjacent areas;
  - c. Seriously affect the natural character of the land to the point of creating potential hazards.

*Staff believes the request will not adversely impact adjacent areas or the natural character of the area. Without a definitive plan of development impacts are unknown, however, typical uses within SO do not create an inordinate or unreasonable amount of impacts. The revised application includes an overlay text which prohibits uses which could be deemed impactful to surrounding properties.*

4. Are there reasons why the property cannot be used as it is presently planned or zoned?

*The property was rezoned from SO to RID in 2008. Since that time, the property has not been developed. It appears that the redevelopment of the property is limited by the scope of allowed uses within the RID zone district.*



## CITY OF GAHANNA

1133.03 of the Planning and Zoning Code provides that the following shall be considered:

1. Consistency with the goals, policies and comprehensive land use plan of the City of Gahanna, including any corridor plans, or subarea plans.

*The property is not located within any corridor or subarea plans. It is designated Single Family Residential on the 2002 Future Land Use Map. Staff believes the request is consistent with the policies of the land use plan which includes achieving a compact land use pattern by avoiding leapfrog development. The subject property is adjacent to developed properties and is adjacent to adequate infrastructure to provide services for the intended uses.*

2. Compatibility of the site's physical, geological, hydrological, and other environmental features with the potential uses allowed in the proposed zoning district.

*Staff is of the opinion that potential uses are compatible with the environmental features of the site.*

3. Availability of sites elsewhere in the City that are already zoned for the proposed use.

*There are a limited number of properties zoned SO with a high demand for the uses that are permissible.*

4. The compatibility of all the potential uses allowed in the proposed zoning district with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential influence in the value of existing abutting lands or approved developments.

*Staff is of the opinion that the rezoning is compatible and appropriate in this area.*

5. The capacity of City infrastructure and services to accommodate the uses permitted in the requested district without compromising the "health, safety, and welfare" of its citizens.

*The request does not appear to create an unsafe situation for neighboring properties or the citizens of the City.*

6. The apparent demand for the type of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

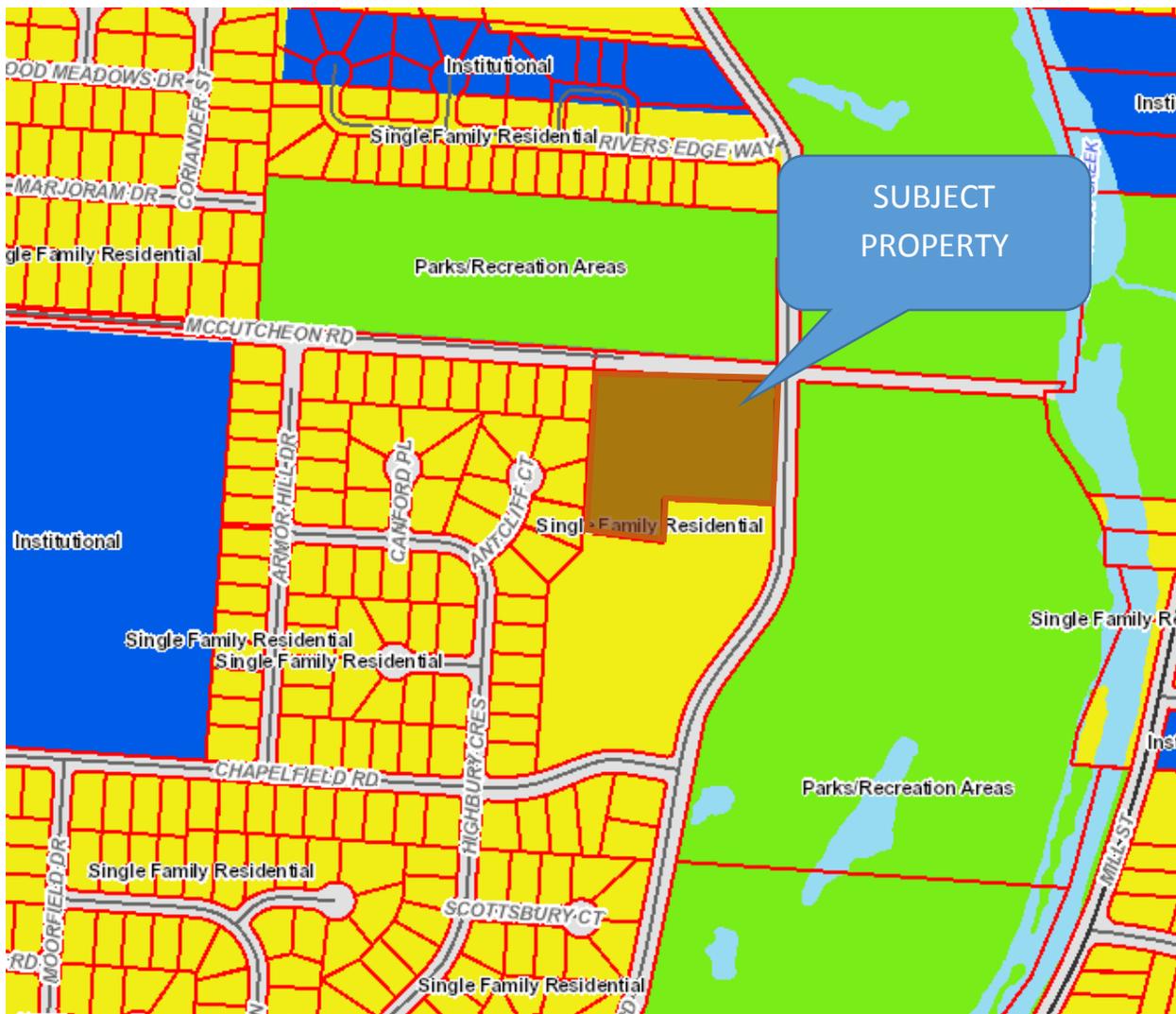


## CITY OF GAHANNA

Staff is frequently approached regarding the types of uses permissible within the SO zone district. More specifically, the potential for new senior living facilities is frequently requested.

It is Development staff's opinion the revised rezoning request is consistent with the policies of the 2002 land use plan and Part 11 of the Planning and Zoning Code. Therefore, approval is recommended.

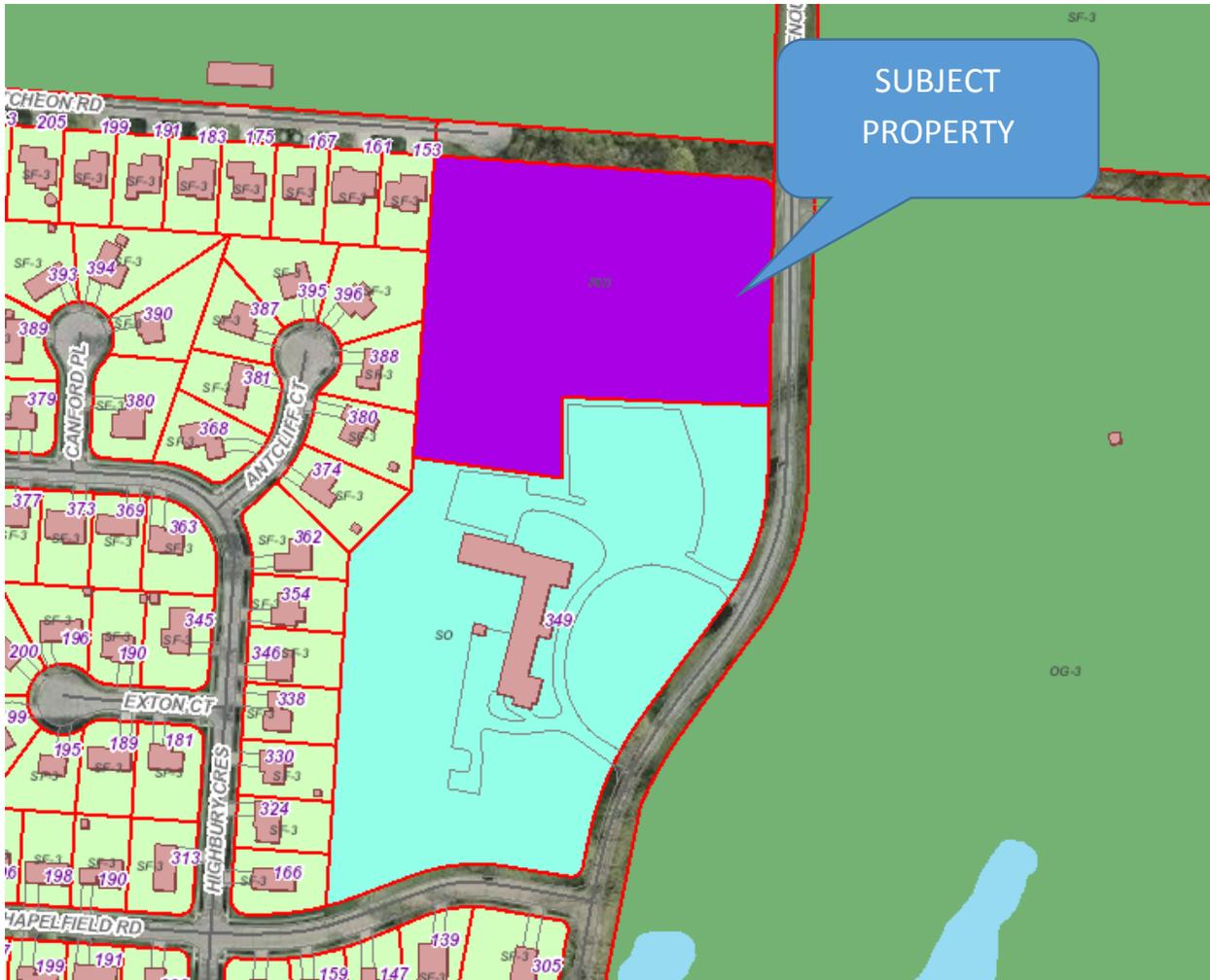
### Land Use Map





# CITY OF GAHANNA

## Zoning Map



Respectfully Submitted By:

Michael Blackford

Deputy Director, Department of Development



CITY OF GAHANNA

STAFF COMMENTS

Project Name: Christian Meeting Room

Project Address: Old Ridenour Road

The fire division has no objections to this project since it is a zoning change. Any modifications to the building shall be addressed when building plans are submitted.

Steve Welsh

Fire Marshal

Mifflin Township Division of Fire



"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  
STAFF COMMENTS

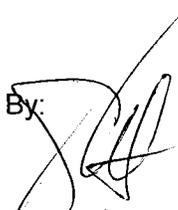
Project Name: CHRISTIAN MEETING ROOM, INC.  
Project Address: OLDE RIDENOUR RD.

- PEDESTRIAN CONNECTIVITY SIGNUP - 138

CONSIDERED WITH DEVELOPER.

- ANY STRUCTURE WOULD AFFECT FUTURE  
FIREWORKS LAUNCHING.

Respectfully Submitted By:

  
MIKE MUSSER  
DEPUTY DIRECTOR





CITY OF GAHANNA

STAFF COMMENTS

Project Name: Christian Meeting Room

Project Address: Ridenour Road, Imperial Rise #3, Part of Reserve "A"

The Police Department does not have any issues with the proposal.

Thank you,

Respectfully Submitted By: Chief Dennis Murphy



"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

### STAFF COMMENTS

Project Name: Christian Meeting Room, Inc.

Project Address: Olde Ridenour Road

The applicant seeks a recommendation to Council to rezone this 4.19 acre parcel from RID to L-SO (Limited Overlay Suburban Office and Institutional). The parcel is currently unimproved, and the applicant wishes to sell the property. This application was remanded back to Planning Commission from Council. The applicant has limited the permitted uses in the accompanying text, to disallow high traffic uses on this 15mph road.

The associated Variance request is to allow the property to be zoned a limited overlay without an attached development plan. The City was recently granted a variance for the same situation at 785 Science. Blvd.

Respectfully Submitted By:

Bonnie Gard

Planning and Zoning Administrator



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

STAPLES

Etiquette de format 25 mm x 67 mm compatible avec Avery®5160/8160  
label size 1" x 2 5/8" compatible with Avery®5160/8160

025-004340  
CITY OF GAHANNA  
200 S HAMILTON RD  
GAHANNA OH 43230

025-012711  
CITY OF GAHANNA  
201 S HAMILTON RD  
GAHANNA OH 43230

025-000822  
CITY OF GAHANNA  
202 S HAMILTON RD  
GAHANNA OH 43230

025-004803  
DRAWDY JEFFREY A TR DRAWDY  
SUSAN TR  
349 RIDENOUR RD  
GAHANNA OH 43230

025-004767  
FABING KYLE J FABING  
DANIELLE L  
153 MCCUTCHEON RD  
GAHANNA OH 43230

025-004791  
KELLEY ROBERT W & GEORGIA N  
396 ANTCLIFF CT  
GAHANNA OH 43230

025-004793  
STEFANOV IVAN D VAYNTRAUB  
ELINA Y  
380 ANTCLIFF CT  
GAHANNA OH 43230

025-004792  
WOLFE MICHAEL D  
388 ANTCLIFF CT  
GAHANNA OH 43230

STAPLES

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Etiquette de format 25 mm x 67 mm compatible avec Avery®5160/8160