



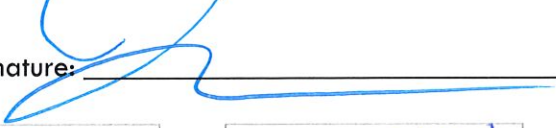
ZONING DIVISION
 200 S. Hamilton Road
 Gahanna, Ohio 43230
 614-342-4025
 zoning@gahanna.gov
 www.gahanna.gov

VARIANCE APPLICATION

Project/Property Address or Location: 5847 Taylor Road; 5875 Taylor Road		Project Name/Business Name: VRGII Residential Project	
Parcel ID No.(s): 027-000110; 025-013635 <small>(new parcels pending Subdivision w/o Plat app)</small>	Zoning Designation: OCT; PID (Rezoning to MR-1)	Total Acreage: 1.59	
Description of Variance Requested: 1147.08a - Front Yard setback. Encroachment is existing condition with existing structure. 1147.08d - Accessory Building in No-Build Zone. Encroachment is existing condition with existing structure. 1169.05a - Conditional Use within 1 year. Seeking 3 years to accommodate single-family CU application.			
STAFF USE ONLY – Code Section(s): 1147.08(a) - Front yard setback 1147.08(c) - Side yard setback 1169.05(a) - Conditional Use permit			
APPLICANT Name-do <u>not</u> use a business name: Jordan Fromm		Applicant Address: 919 Old Henderson Road Columbus OH 43220	
Applicant E-mail: jfromm@valuerecovery.com		Applicant Phone No.: 614-324-5959 x. 2087	
BUSINESS Name (if applicable): Value Recovery Group II, LLC			
ADDITIONAL CONTACTS Please List Primary Contact for Correspondence (please list all applicable contacts)			
Name(s): Tom Warner Advanced Civil Design		Contact Information (phone no./email): 614-428-7743 twarner@advancedcivildesign.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/Primary Contact Signature:  Date: 7/28/2021

INTERNAL USE

Zoning File No. V-0457-2021

RECEIVED: KAW
 DATE: 8-6-21

PAID: 250.00
 DATE: 8-6-21

VARIANCE APPLICATION – SUBMISSION REQUIREMENTS

TO BE COMPLETED/SUBMITTED BY THE APPLICANT:

- | |
|---|
| <p>1. Review Gahanna Code Chapter 1131 (visit www.municode.com)
(Sign Variances, refer to Chapter 1165.12; Fence Variances, 1171.05; Flood Plain Variances, 1191.18)</p> |
| <p>2. Survey of property certified by a registered surveyor (11"x17" copy) if Applicable
- Site Plan, drawings, or survey that depicts where the Variance is requested.</p> |
| <p>3. 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; see code referenced in #1 above for applicable criteria)</p> <ul style="list-style-type: none"> - Special circumstances or conditions - Necessary for preservation and enjoyment of property rights - Will not adversely affect the health or safety |
| <p>4. List of contiguous property owners & their mailing address</p> |
| <p>5. One set of pre-printed mailing labels for all contiguous property owners</p> |
| <p>6. Application fee paid (in accordance with the Building & Zoning Fee Schedule)</p> |
| <p>7. Application & all supporting documents submitted in digital format</p> |
| <p>8. Application & all supporting documents submitted in hardcopy format</p> |
| <p>9. Authorization Consent Form Complete & Notarized (see page 3)</p> |

Please Note:

The Public Hearing will not occur until the City Of Gahanna Staff 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.

Jordan Fromm, agent for Value Recovery Group II, LLC

_____ (applicant/representative/property owner name printed)

_____ (applicant/representative/property owner signature)

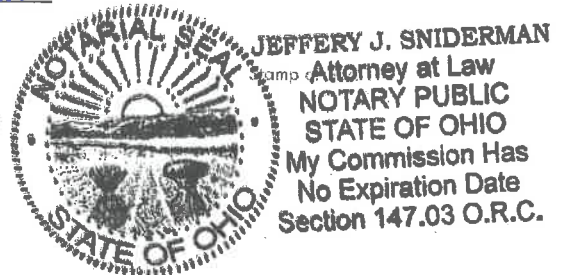
7/28/2021

_____ (date)

Subscribed and sworn to before me on this 28th day of July, 2021.

State of Ohio County of Franklin

Notary Public Signature: _____



Adjacent Property Owners - Variance Application - 5847 and 5875 Taylor Road

<u>Name</u>	<u>Street Address</u>	<u>City</u>	<u>State</u>	<u>Zip Code</u>
Greg Stonerock	5829 Taylor Road	Gahanna	Ohio	43230
City of Gahanna	200 S. Hamilton Road	Gahanna	Ohio	43230
Erik Lambert	5866 Taylor Road	Gahanna	Ohio	43230
Andrea Caleodis	1271 Rice Avenue	Gahanna	Ohio	43230
Courtney Lobert	1270 Rice Avenue	Gahanna	Ohio	43230

Statement of the reasons of variance request that address the following three conditions:

Special Circumstances or conditions

Variance 1: 1147.08a - Front Yard setback.

Encroachment is existing condition with existing structure. Existing home at 5847 Taylor Road predates OCT zoning reclassification on the site, and encroaches approximately 3 feet into the 30' front yard setback from the Right-of-way line, as required in MR-1. This structure cannot be moved to accommodate conformance with the MR-1 rezoning.

Variance 2: 1147.08d - Accessory Building in No-Build Zone.

Encroachment is existing condition with existing structure. Existing garage for 5847 Taylor Road predates OCT zoning reclassification on the site, and is built within a foot from the lot line of the western parcel line. This structure cannot be moved to accommodate conformance with the MR-1 rezoning..

Variance 3: 1169.05a - Conditional Use within 1 year.

Seeking 3 years to accommodate single-family CU application.

Separate Conditional Use application being heard simultaneously, to allow for the Conditional Use of Single-Family Residential for both 5847 and 5875 Taylor Road, and the subsequent lots that will be split as part of an additional Lot Split application. Conditional Use approvals are effective for one year. Seeking an extension to three years, as no structures are built on the other residential lots as of yet. Due to the time it takes to market residential real estate, secure interested parties to purchase property, close on said property, and to submit building applications, three years is necessary to allow for the Conditional Use to be leveraged appropriately.

Necessary for preservation and enjoyment of property rights

Variance 1: 1147.08a - Front Yard setback.

This variance does not impact other property owners in an adverse way, or in any way additional to the current conditions. It is technical in nature; namely to ensure conformance with the rezoning process. This variance ensures that the current structure, its owner, and its residents may continue to enjoy the property in its status quo.

Variance 2: 1147.08d - Accessory Building in No-Build Zone.

This variance does not impact other property owners in an adverse way, or in any way additional to the current conditions. It is technical in nature; namely to ensure conformance with the rezoning process. This variance ensures that the current structure, its owner, and its residents may continue to enjoy the property in its status quo.

Variance 3: 1169.05a - Conditional Use within 1 year.

Conditional Use approvals lasting 1 year are appropriate for existing structures, but are inappropriate for a property that is changing use in order to be sold to a third party for construction by that very third party. Varying to a three year approval on a Conditional Use makes for appropriate timing to allow for adequate marketing and sale of properties, as is the right and expectation of the property owner, and to accommodate for the risk of continually heightened construction material costs.

Will not adversely affect the health or safety

Variance 1: 1147.08a - Front Yard setback.

This variance will not change existing conditions, thus will have no adverse impact on the health and safety of others, including but not limited to adjacent property owners, city services, or Gahanna residents.

Variance 2: 1147.08d - Accessory Building in No-Build Zone.

This variance will not change existing conditions, thus will have no adverse impact on the health and safety of others, including but not limited to adjacent property owners, city services, or Gahanna residents.

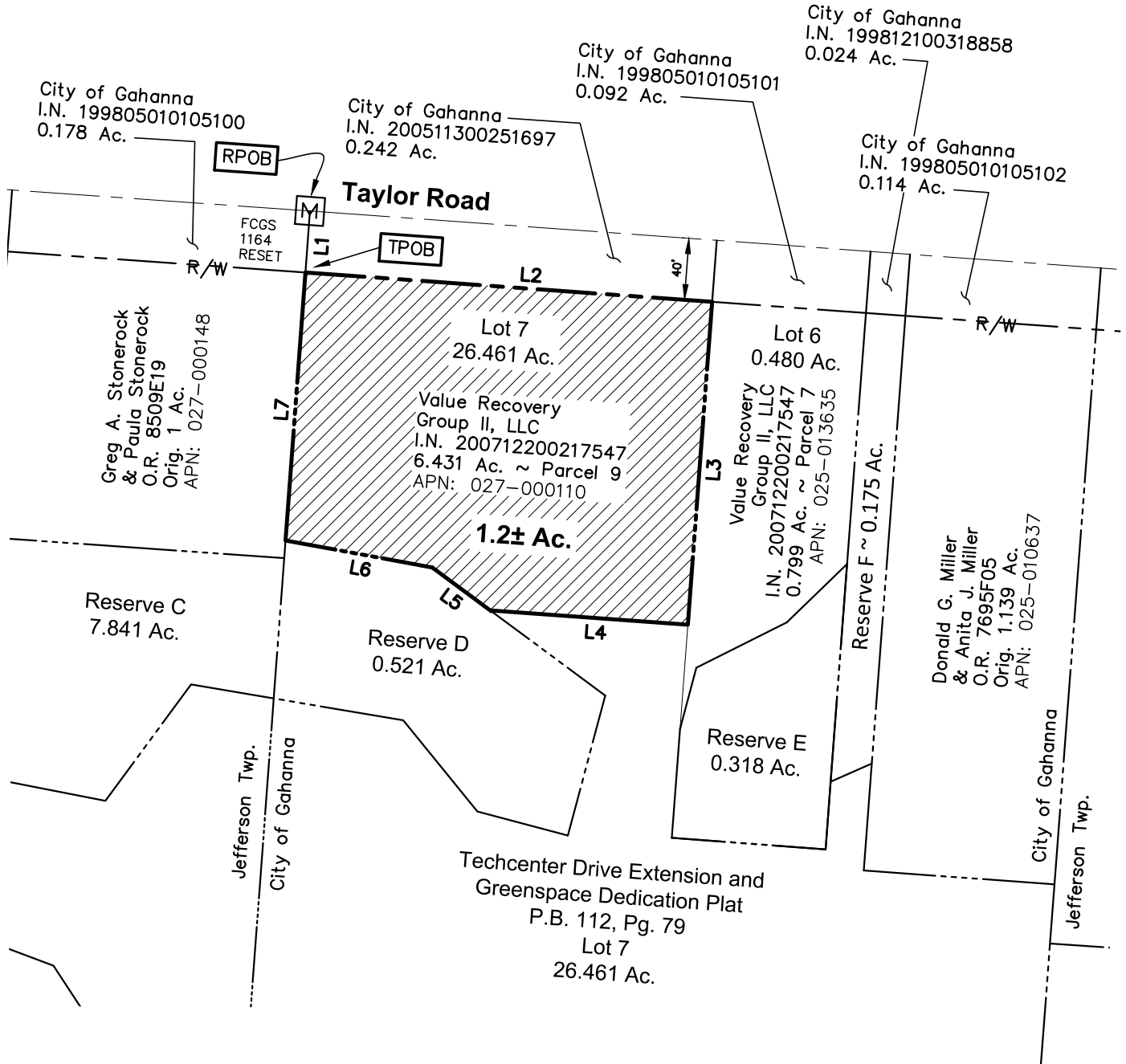
Variance 3: 1169.05a - Conditional Use within 1 year.

This variance, expanding the 1 year conditional use approval period to 3 years, relates only to a timing issue, thus having no impact on the health and safety of others, including but not limited to adjacent property owners, city services, or Gahanna residents.

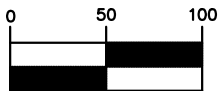
Zoning Exhibit

1.2± Acre

City of Gahanna, Franklin County, Ohio
 Quarter Township 1, Township 3, Range 16,
 United States Military District



GRAPHIC SCALE



(IN FEET)
 1 inch = 100 ft.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S04°14'57"W	40.00'
L2	S85°52'09"E	264.38'
L3	S04°18'03"W	209.98'
L4	N85°52'10"W	128.29'

LINE TABLE		
LINE	BEARING	DISTANCE
L5	N53°28'13"W	47.62'
L6	N79°34'34"W	96.77'
L7	N04°14'57"E	174.28'

Bearings are based on the Ohio State Plane Coordinate System, NAD83 South Zone (1986 Adj.). A bearing of S 33° 55' 24" W was held between Franklin County Monuments 5524 and 1164 Reset.

This exhibit is based on existing records from Franklin County Auditor's and Recorder's records.

This exhibit is for zoning purposes only and is not to be used for the transfer of land.

DRAWN BY: *DRB* JOB NO.: *21-0023-188*
 DATE: *07/26/21* CHECKED BY:

ADVANCED
 CIVIL DESIGN
 ENGINEERS SURVEYORS

781 Science Boulevard, Suite 100
 Gahanna, Ohio 43230
 ph 614.428.7750
 fax 614.428.7755

Zoning Description
1.2 Acres
South of Taylor Road
West of Taylor Station Road

-1-

Situated in the State of Ohio, County of Franklin, City of Gahanna, Quarter Township 1, Township 3, Range 16, United States Military District, being a 1.2 acre tract of land, said 1.2 acre tract being part of a 6.431 acre tract of land described as Parcel 9 and conveyed to Value Recovery Group II, LLC of record Instrument Number 200712200217547, said Parcel 9 being part of a 26.461 acre tract of land described as Lot 7 as numbered and delineated upon said "Techcenter Drive Extension and Greenspace Dedication Plat", said 1.2 acre tract being more particularly described as follows:

Beginning for Reference at a found Franklin County Monument "FCGS 1164 Reset" being in the centerline of Taylor Road, being at the northwesterly corner of a 0.242 acre tract of land conveyed to the City of Gahanna of record in Instrument Number 200511300251697 and being at the northeasterly corner of a 0.178 acre tract of land conveyed to the City of Gahanna of record in Instrument Number 199805010105100;

Thence **S 04° 14' 57" W**, along the westerly line of said 0.242 acre tract, along the easterly line of said 0.178 acre tract and across the right-of-way line of said Taylor Road, **40.00± feet** to a southwesterly corner of said 0.242 acre tract, at the northwesterly corner of said Lot 7, said Parcel 9, at the northeasterly corner of an Original 1 acre tract of land conveyed to Greg A Stonerock and Paula Stonerock of record in Official Record 8509E19, at the southeasterly corner of said 0.178 acre tract and being in the southerly right-of-way line of said Taylor Road, the **True Point of Beginning**;

Thence **S 85° 52' 09" E**, along the southerly line of said 0.242 acre tract, along the northerly line of said Lot 7 and said Parcel 9 and along said right-of-way line, **264.38± feet** to a northeasterly corner of said Lot 7 and said Parcel 9, being the southeasterly corner of said 0.242 acre tract, being the southwesterly corner of a 0.092 acre tract of land conveyed to the City of Gahanna of record in Instrument Number 199805010105101, being the northwesterly corner of a 0.799 acre tract of land conveyed to Value Recovery Group II, LLC of record in Instrument Number 200712200217547 and being the northwesterly corner of a 0.480 acre tract of land described as Lot 6 as numbered and delineated upon said "Techcenter Drive Extension and Greenspace Dedication Plat";

Thence **S 04° 18' 03" W**, along the easterly line of said Lot 7 and Parcel 9 and along the westerly line of said Lot 6 and said Parcel 7, **209.98± feet** to a point;

Thence **N 85° 52' 10" W**, across said Lot 7 and said Parcel 9, **128.29± feet** to westerly line of said Lot 7 and said Parcel 9 and being in the northeasterly line of a 0.521 acre tract of land described as Reserve "D" as numbered and delineated upon said "Techcenter Drive Extension and Greenspace Dedication Plat";

Thence along the common line, the following two (2) courses;

N 53° 28' 13" W, 47.62± feet to an angle point thereof;

N 79° 34' 34" W, 96.77± feet to a common corner of said Lot 7, said Parcel 9 and said Reserve "D", being in the westerly line of said Parcel 9 and being in the easterly line of said Original 1 acre tract;

Thence **N 04° 14' 57" E**, along the westerly line of said Lot 7 and said Parcel 9 and along the easterly line of said Original 1 acre tract, **174.28± feet** to the **True Point of Beginning**.

Zoning Description
1.2 Acres
South of Taylor Road
West of Taylor Station Road
-2-

Containing **1.2 acre**, more or less.

The above description was prepared by Advanced Civil Design, Inc. on July 26, 2021 and is based on existing records from the Franklin County Auditor's and Franklin County Recorder's Office and actual field survey work completed by Advanced Civil Design, Inc.

This exhibit is for zoning purposes only and is not to be used for the transfer of land.

Bearings are based on the Ohio State Plane Coordinate System, NAD83 South Zone (1986 Adj.). A bearing of S 33° 55' 24" W was held between Franklin County Monuments 5524 and 1164 Reset.

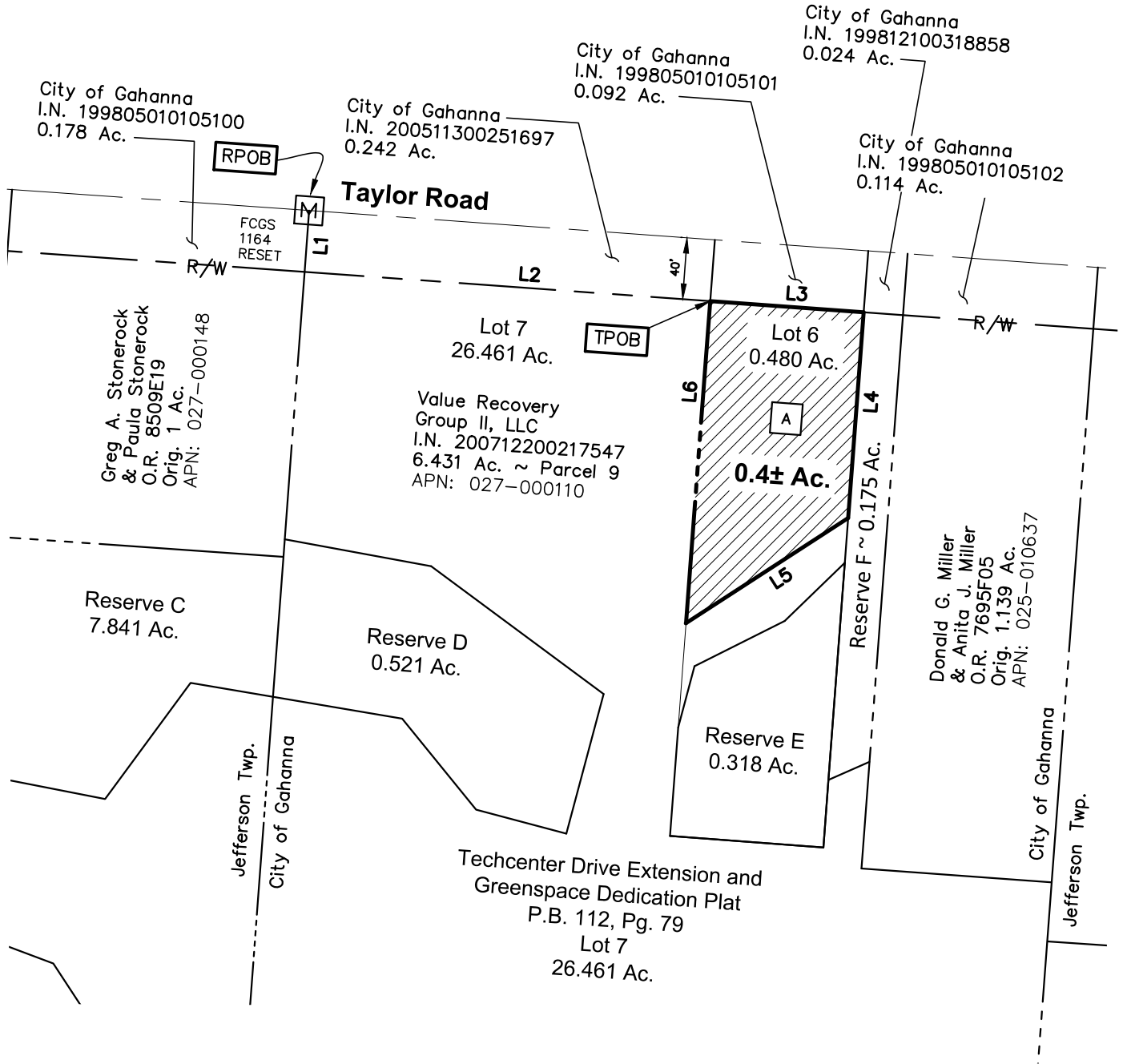
All references used in this description can be found at the Recorder's Office, Franklin County, Ohio.

ADVANCED CIVIL DESIGN, INC.

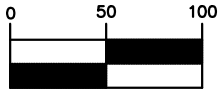
Zoning Exhibit

0.4± Acre

City of Gahanna, Franklin County, Ohio
 Quarter Township 1, Township 3, Range 16,
 United States Military District



GRAPHIC SCALE



(IN FEET)
 1 inch = 100 ft.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S04°14'57"W	40.00'
L2	S85°52'09"E	264.38'
L3	S85°52'09"E	100.00'

LINE TABLE		
LINE	BEARING	DISTANCE
L4	S04°18'03"W	134.12'
L5	S57°02'15"W	125.78'
L6	S04°18'03"W	209.98'

A Value Recovery
 Group II, LLC
 I.N. 200712200217547
 0.799 Ac. ~ Parcel 7
 APN: 025-013635

Bearings are based on the Ohio State Plane Coordinate System, NAD83 South Zone (1986 Adj.). A bearing of S 33° 55' 24" W was held between Franklin County Monuments 5524 and 1164 Reset.

This exhibit is based on existing records from Franklin County Auditor's and Recorder's records.

This exhibit is for zoning purposes only and is not to be used for the transfer of land.

DRAWN BY: *DRB* JOB NO.: *21-0023-188*
 DATE: *07/26/21* CHECKED BY: *BCK*

ADVANCED
 CIVIL DESIGN
 ENGINEERS SURVEYORS

781 Science Boulevard, Suite 100
 Gahanna, Ohio 43230
 ph 614.428.7750
 fax 614.428.7755

Zoning Description
0.4 Acres
South of Taylor Road
West of Taylor Station Road

-1-

Situated in the State of Ohio, County of Franklin, City of Gahanna, Quarter Township 1, Township 3, Range 16, United States Military District, being a 0.4 acre tract of land, said 0.4 acre tract being part of a 0.799 acre tract of land described as Parcel 7 and conveyed to Value Recovery Group II, LLC of record Instrument Number 200712200217547, said Parcel 7 being part of a 0.480 acre tract of land described as Lot 6 as numbered and delineated upon said "Techcenter Drive Extension and Greenspace Dedication Plat", said 0.4 acre tract being more particularly described as follows:

Beginning for Reference at a found Franklin County Monument "FCGS 1164 Reset" being in the centerline of Taylor Road, being at the northwesterly corner of a 0.242 acre tract of land conveyed to the City of Gahanna of record in Instrument Number 200511300251697 and being at the northeasterly corner of a 0.178 acre tract of land conveyed to the City of Gahanna of record in Instrument Number 199805010105100;

Thence **S 04° 14' 57" W**, along the westerly line of said 0.242 acre tract, along the easterly line of said 0.178 acre tract and across the right-of-way line of said Taylor Road, **40.00± feet** to a southwesterly corner of said 0.242 acre tract, to the northwesterly corner of a 6.431 acre tract of land described as Parcel 9 and conveyed to Value Recovery Group II, LLC of record in Instrument Number 200712200217547, said Parcel 9 being part of a 26.461 acre tract of land numbered and delineated as Lot 7 on said "Techcenter Drive Extension and Greenspace Dedication Plat", to the northeasterly corner of an Original 1 acre tract of land conveyed to Greg A Stonerock and Paula Stonerock of record in Official Record 8509E19 and being in the southerly right-of-way line of said Taylor Road;

Thence **S 85° 52' 09" E**, along the southerly line of said 0.242 acre tract, along the northerly line of said Lot 7 and said Parcel 9 and along said right-of-way line, **264.38± feet** to a northeasterly corner of said Lot 7 and said Parcel 9, being the southeasterly corner of said 0.242 acre tract, being the southwesterly corner of a 0.092 acre tract of land conveyed to the City of Gahanna of record in Instrument Number 199805010105101, being the northwesterly corner of said Lot 6 and said Parcel 7;

Thence **S 85° 52' 09" E**, along the southerly line of said 0.092 acre tract, along the northerly line of said Lot 6 and said Parcel 7 and along said right-of-way line, **100.00± feet** to a northeasterly corner of said Lot 6 and said Parcel 7, to the southeasterly corner of said 0.092 acre tract, to a southwesterly corner of a 0.024 acre tract of land conveyed to the City of Gahanna of record in Instrument Number 199812100318858 and being the northwesterly corner of a 0.175 acre tract of land numbered and delineated as Reserve "F" on said "Techcenter Drive Extension and Greenspace Dedication Plat",

Thence **S 04° 18' 03" W**, along the easterly line of said Lot 6 and Parcel 7 and along the westerly line of said Reserve "F", **134.12± feet** to a point;

Thence **S 57° 02' 15" W**, across said Lot 6 and said Parcel 7, **125.78± feet** to westerly line of said Lot 6 and said Parcel 7 and being in the easterly line of said Lot 7 and said Parcel 9;

Thence **N 04° 18' 03" E**, along the westerly line of said Lot 6 and said Parcel 7 and along the easterly line of said Lot 7 and said Parcel 7, **174.28± feet** to the **True Point of Beginning**.

Containing **0.4 acre**, more or less.

Zoning Description
0.4 Acres
South of Taylor Road
West of Taylor Station Road
-2-

The above description was prepared by Advanced Civil Design, Inc. on July 26, 2021 and is based on existing records from the Franklin County Auditor's and Franklin County Recorder's Office and actual field survey work completed by Advanced Civil Design, Inc.

This exhibit is for zoning purposes only and is not to be used for the transfer of land.

Bearings are based on the Ohio State Plane Coordinate System, NAD83 South Zone (1986 Adj.). A bearing of S 33° 55' 24" W was held between Franklin County Monuments 5524 and 1164 Reset.

All references used in this description can be found at the Recorder's Office, Franklin County, Ohio.

ADVANCED CIVIL DESIGN, INC.



September 1, 2021

Value Recovery Group II LLC LLC
919 Old Henderson Rd
Columbus, OH 43220

RE: Project 5847-5875 Taylor Rd Variance

Dear Value Recovery Group II LLC LLC:

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

Fire District

1. No issues were found during your plan review. If you have any questions please contact the Mifflin Township Fire Department.
2. Jefferson Township Fire Department, Fire Prevention Bureau has no issues or cause for concern With the application submitted for 5847 Taylor Road. Please contact the Fire Prevention Bureau if you have any questions.

Building

3. No comments.

Parks

4. No Comment Per Julie Predieri

Planning

5. Informational Comment - No objections to the requested variances. See forthcoming staff report for additional comments.

Engineering

6. Engineering has no objection to the requested variances.

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

Summary

A rezoning from Office, Commerce, and Technology (OCT) and Planned Industrial Development (PID) to MR-1 residential has been requested. The request is to rezone 1.59 acres to permit the development of the property with residential. MR-1 permits duplexes by right and single family with a conditional use. Two companion applications have been requested, a conditional use and a variance. Please see below for additional details regarding those applications.

At this time, the applicant anticipates dividing the property to create four lots. All lots would be a minimum of 1/3 of an acre. This far exceeds the minimum lot size requirements of MR-1. It is also anticipated that the applicant will donate a portion of the property to the City in order to connect a small gap in the Central Park Reserve. See map below for additional details regarding the Central Park Reserve.

Please be aware that additional applications will be required if the rezoning, conditional use, and variance(s) are approved. Specifically, a subdivision without plat is required. This means that site layout, setbacks, lot size, etc are further refined through this application.

Land Use Plan

The Comprehensive Land Use Plan designates the property as professional office. Surrounding properties are designated Industrial, low density residential, medium density residential, and parkland. Recommended uses of professional office include office, medical office, and hospitals.

The property is also located with the South Gateway Focus Area. Residential uses are discouraged in this area except for properties designated mixed use and fronting I-270 (Crescent at Central Park) or when abutting existing neighborhoods.

The Land Use Plan makes recommendations. It does not mandate a specific use or intensity. The land use plan also goes into detail about the age of existing residential, the lack of new residential, and the need for new residential.

Rezoning

Planning Commission shall consider the following elements, among other criteria, when deciding the proposed change:

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

The proposed rezoning to MR-1 is not consistent with the recommendations of the Land Use Plan, however, these properties have historically been used for residential. Additionally, the shallow depth of the properties makes it extremely difficult to develop with non-residential uses. The properties do not have enough depth to allow for setbacks, parking, and other infrastructure commercial developments require.

2. Compatibility of the site's physical, geological, hydrological, and other environmental features with the potential uses allowed in the proposed zoning district.
3. Evidence the applicant cannot receive a reasonable return in investment through developing the property with one of the uses permitted under the current zoning.

Staff has fielded many calls over the years about developing the property with non-residential uses. In all instances, the inquiries never materialized as the property was deemed unsuitable for non-residential uses.

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

Staff is not aware of many, if any, properties that are zoned MR-1 and available for development. The Land Use Plan identified that less than 6% of all residential properties are two family (MR-1) properties.

5. 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.

Residential uses typically have a far less of an environmental impact than commercial properties. They typically generate less traffic, less run-off, etc. This is of paramount importance in this case as some of the adjacent properties are owned by the City and within the Central Park Reserve. Uses and activities are highly restricted in the reserve. Having adjacent uses, such as residential, that are less impactful than commercial, will help preserve and maintain the reserve.

6. 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.
7. 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.

The majority of inquiries that staff receives for development opportunities are for residential. These inquiries typically don't result in a development application as the City has few opportunities for development. It is staff's opinion that demand is extremely high for residential and the availability of land is very limited.

Conditional Use

A conditional use application has been filed requesting the ability to build single family. MR-1 permits single family under the parameters of R-4 residential.

- Chapter 1147.04(a)(1) – Detached single family permissible

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.

Variance

The applicant has requested the following variances.

- Chapter 1147.08(a) – Front yard setback
 - MR-1 requires a 30' front yard setback. The existing home is setback approximately 27'.
 - *Staff does not object to the variance. This is an existing condition. The rezoning does not create or increase a non-conformity.*
- Chapter 1147.08(c) – Side yard setback
 - MR-1 requires a 10' side yard setback. The existing garage is within 1' off the west property line.
 - *Staff does not object to this variance as the residential garage is an existing condition. All zoning classifications require a side yard setback greater than 1'. The rezoning does not create or increase a non-conformity. The auditor's website indicates the structures are approximately 100 years old. These structures were built long before the zoning code and would therefore be considered legal non-conforming.*
- Chapter 1169.05(a) – Conditional use permit
 - Applicant seeks three years to commence single family.
 - *Staff does not object to the variance. The code only permits one year from conditional use approval to issue a zoning certificate (zoning approval of building permits). Staff does not see any negatives with granting two additional years.*

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

Recommendation

Staff has received a handful of calls about the property over the last several years. These inquiries were regarding commercial development. In each instance, the property wasn't seriously considered for this

type of development as the property isn't deep enough to accommodate setbacks, buildings, parking, and the other necessary infrastructure required of commercial development.

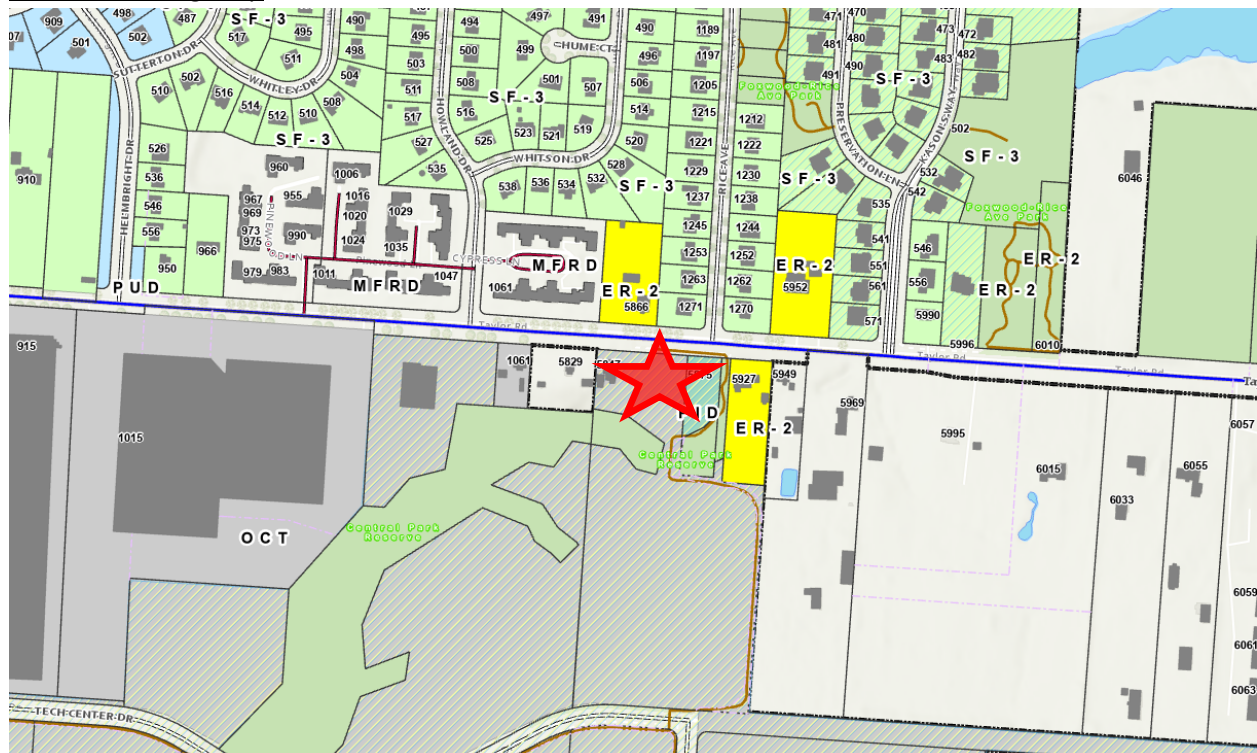
The property is less than 200' in depth and the property slopes away from Taylor Rd towards the Central Park Reserve. This means that only a portion of the property is developable as the slope is too severe to feasibly be developed. Staff walked this property and confirmed the severity of the slope. Staff believes that the slope prevents the property from being developed with any commercial activity.

It should be noted that the land use plan takes a broad-brush approach at assigning future land use designations. The land use plan does not examine individual properties. If it did, it is staff's opinion that the land use plan would have recognized the shallow nature of the property and the environmental constraints and would have designated the property as low or medium density residential.

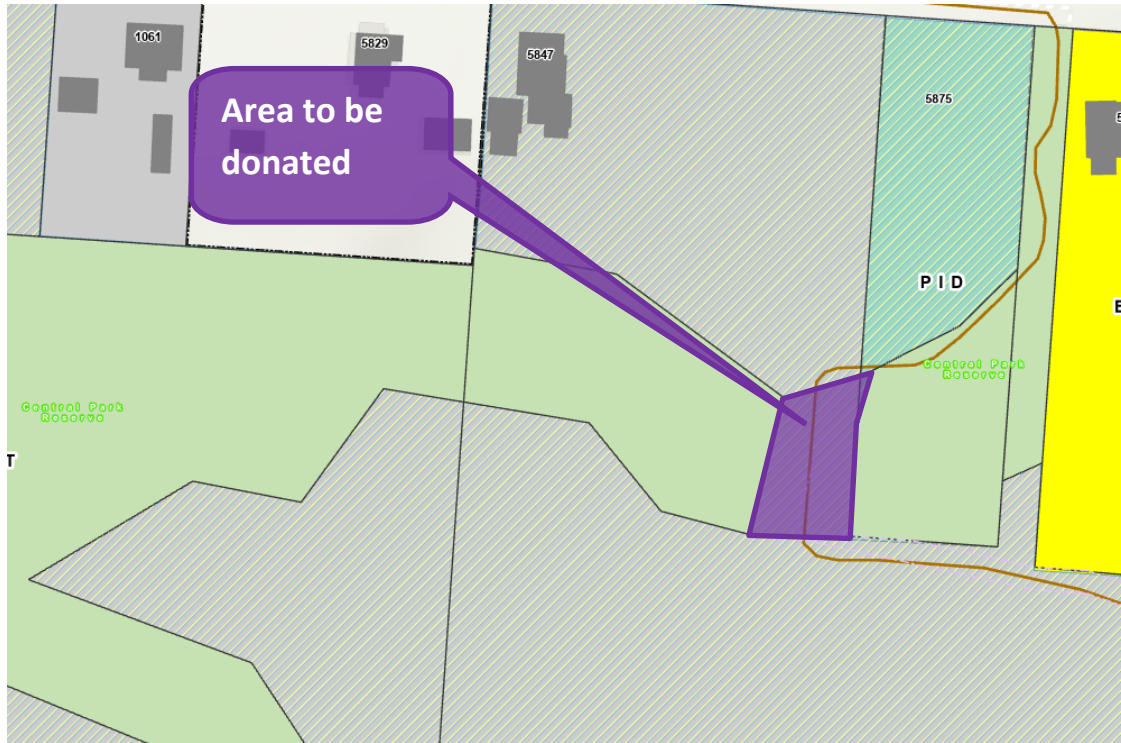
The land use plan also identifies the need for additional housing opportunities. 90% of all residential in Gahanna was built prior to the year 2000. The amount of housing built since 2000 is significantly lower than that of Franklin County. Gahanna desperately needs new housing opportunities. While this project is modest in size, approval would help further the goals of the land use plan.

Staff recommends approval of the applications.

Location/Zoning Map



Central Park Reserve



Respectfully Submitted By:
Michael Blackford, AICP
Director of Planning