



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

ZONING CHANGE APPLICATION

Project/Property Address or Location: 5990 Taylor road		Project Name/Business Name: Christian Meeting Room, Inc.
Parcel ID No.(s): 025-010314	Zoning Designation: SF-3	Total Acreage: .293
Proposed Use/Reason for Request: To continue current use as Christian meetings for prayer.		Proposed Zoning: L-RID
APPLICANT Name -do <u>not</u> use a business name: Brian Kenimer		Applicant Address: 2535 Keltonhurst Ct.
Applicant E-mail: briankenimer2@gmail.com		Applicant Phone No.: 614.653.3698
BUSINESS Name (if applicable): Columbus Gospel Hall		
ADDITIONAL CONTACTS Please list Primary Contact Person for Correspondence (please list all applicable contacts)		
Name(s): David Hodge, Attorney		Contact Information (phone no./email): 8000 Walton Parkway, Suite 260 New Albany, Ohio 4354 614.335.9320 david@uhlfirm.com
PROPERTY OWNER Name: (if different from Applicant) Christian Meeting Rooms, Inc.		Property Owner Contact Information (phone no./email): 614.653.3698, briankenimer2@gmail.com

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: David Hodge Date: 5-4-20

INTERNAL USE

Zoning File No. 2-0104-2020

RECEIVED: KAW
 DATE: 5-22-2020

PAID: 750.00
 DATE: 5-22-2020

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.

David Hood (applicant/representative/property owner name printed)

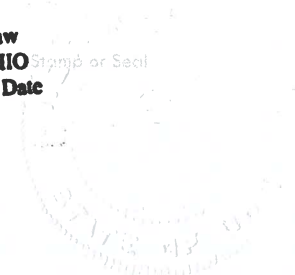
David Hood (applicant/representative/property owner signature) _____ 5 14 2020 (date)

Subscribed and sworn to before me on this 4th day of May, 2020.

State of Ohio County of Franklin

Notary Public Signature: Eric J. Zartman

Eric J. Zartman, Attorney At Law
NOTARY PUBLIC-STATE OF OHIO
 My Commission Has No Expiration Date
 Sec. 147.03.R.C.



DESCRIPTION OF A 0.293 ACRE TRACT
TRACT "B"

Situated in the City of Gahanna, County of Franklin, State of Ohio, being Lot No. 29, Quarter Township 3, Township 1 Range 16, U.S.M.I. and being 0.293 acres out of that 0.900 acre tract conveyed to Christian Meeting Rooms, Inc. in Instrument No. 200703220049865, said 0.293 acres being more particularly described as:

Commencing, for reference, at a monument found (FCGS #5517) in the centerline Taylor Road (C.R. 205, right-of-way varies);

Thence, North 85° 51' 05" West, with the centerline of said Taylor Road, a distance of 1666.04 feet to the southwesterly corner of that 0.046 acre tract conveyed to The Franklin County Commissioners in I.N. 200105150106485, said point also being the southeasterly corner of that 0.100 acres, the same being the southwesterly corner of Lot 20 in "Foxwood, Section 1", a subdivision of record in Plat Book 102 Page 63 and being the southeasterly corner of said 0.900 acres;

Thence, North 04° 07' 19" East, with the easterly line of said 0.900 acres and with the westerly line of said Lot 20, a distance of 125.99 feet to the True Place of Beginning;

Thence, from said True Place Of Beginning, North 85° 51' 05" West, crossing said 0.900 acres, a distance of 109.00 feet to a rebar set in the westerly line of said 0.900 acres, the same being in the easterly right-of-way line of Kason's Way (right-of-way varies), a dedicated street as shown on said plat of Foxwood, Section 1;

Thence, North 04° 07' 19" East, with the easterly right-of-way line of said Kason's Way and with the westerly line of said 0.900 acres, a distance of 116.95 feet to a rebar set;

Thence South 85° 51' 05" East, crossing said 0.900 acres, a distance pf 109.00 feet to a rebar set in the easterly line of said 0.900 acres, the same being the westerly line of said Lot 20;

Thence, South 04° 07' 19" West, with the easterly line of said 0.900 acres and with the westerly line of said Lot 20, a distance of 116.95 feet to the True Place Of Beginning.

Containing 0.293 acres, all being out of Auditors Parcel #025-010314. A Survey of this description is attached hereto and made a part thereof.

Subject to all easements, restrictions, and rights-of-way of record.

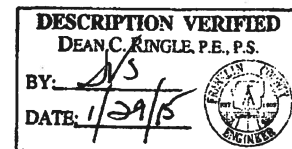
All rebar's set are 5/8 inch, 30 inches long (w/"S-7980" cap).

Bearings are based on North 85° 51' 05" West, as given for the southerly line of "Foxwood, Section 1", a subdivision of record in Plat book 102, Page 63.

All references are to records of the Recorder's Office, Franklin County, Ohio

PPN: 025-013612

Property Address: 0 Kasons Way, Gahanna, Ohio 43230 (Lot #29)



LIMITATION TEXT

ADDRESS: 5990 Taylor Road
PARCEL: 025-010314
SIZE: +/- 0.293
CURRENT: SF-3
PROPOSED: L-RID
APPLICANT: Columbus Gospel Hall
ATTORNEY: David Hodge
Underhill & Hodge LLC
8000 Walton Parkway, Suite 260
New Albany, Ohio 43054
DATE: May 4, 2020

The Site is located on the north-east corner of the intersection of Taylor Road and Kason's Way and is currently zoned SF-3. The Site is bordered by Gahanna property zoned SF-3 on the north, west, and east. The neighboring properties are in an overlay but this Site is not in an overlay. The property across Taylor Road is Jefferson Township property and is zoned L-I.

The Site is currently used for Christian meetings for prayer and the Applicant does not propose any changes to the use of the property. The Applicant filed a rezoning application to rezone the property to a classification which is more appropriate for the site's use.

I. Background

The Site is located on the north-east corner of the intersection of Taylor Road and Kason's Way and is currently zoned SF-3. The Site is bordered by Gahanna property zoned SF-3 on the north, west, and east. The neighboring properties are in an overlay but this Site is not in an overlay. The property across Taylor Road is Jefferson Township property and is zoned L-I.

The Site is currently used for Christian meetings for prayer and the Applicant does not propose any changes to the use of the property. The Applicant filed a rezoning application to rezone the property to the RID zoning classification which is more appropriate for the religious institutional use.

II. Use and Development Standards

This limitation text is intended to provide further restrictions and limitations with respect to uses which would otherwise apply to a Site with a zoning classification of RID. To the extent that any provision of this limitation text conflicts with the underlying provisions of the City's zoning code or should the City's zoning code not address a matter or standard that is addressed in a provision of this text, then the provision in this text shall govern. Where this text is silent on any standard set forth in the zoning code, the standard contained in the zoning code will continue to apply to the site.

III. Permitted Uses

The Site shall be restricted to those uses permitted by Section 1154.02(a)(2) of the City of Gahanna Zoning Code and uses and accessory uses described within the SIC 866 – Religious Organization code. Additionally, and upon granting of a variance, the Site shall permit single family residential uses permitted by Section 1143.03 City of Gahanna Zoning Code.

Respectfully submitted,



David Hodge

Z:\5990 TAYLOR ROAD\SURVEY DATA\5990 TAYLOR RD.DWG - O XREFS: - PLOTTED BY JEREMY - April 27, 2020 - 11:17 AM



SURVEY EXHIBIT OF 5990 TAYLOR ROAD
4-27-2020

Prepared By:



CONSULTING ENGINEERS & SURVEYORS
83 Shull Avenue
Gahanna, Ohio 43230
Ph. (614) 414-7979

GRAPHIC SCALE



1 inch = 20 feet

ENVIRONMENTAL ASSESSMENT

ADDRESS: 5990 Taylor Road
PARCEL: 025-010314
SIZE: +/- 0.293
CURRENT: SF-3
PROPOSED: L-RID
APPLICANT: Columbus Gospel Hall
ATTORNEY: David Hodge
Underhill & Hodge LLC
8000 Walton Parkway, Suite 260
New Albany, Ohio 43054
DATE: May 4, 2020

The proposed rezoning will allow the property to continue its existing use as a meeting place for Christian prayer. The Applicant proposes a limitation to restrict certain institutional uses. Therefore, there will be no environmental impacts as a result of this application.

On the property currently stands an approximately 1,056 SF residential structure with a 192 SF porch and 432 SF garage. The Applicant does not propose any new development on the property or alteration to the existing structure. There are no existing negative environmental impacts as a result of this structure.

There are no existing noise issues caused by the property's current use and the Applicant proposes continuation of that use.

There are no known historical considerations associated with this property that will be impacted.

Respectfully submitted,



David Hodge

REZONING CRITERIA

ADDRESS: 5990 Taylor Road
PARCEL: 025-010314
SIZE: +/- 0.293
CURRENT: SF-3
PROPOSED: L-RID
APPLICANT: Columbus Gospel Hall
ATTORNEY: David Hodge
Underhill & Hodge LLC
8000 Walton Parkway, Suite 260
New Albany, Ohio 43054
DATE: May 4, 2020

The Site is located on the north-east corner of the intersection of Taylor Road and Kason's Way and is currently zoned SF-3. The Site is bordered by Gahanna property zoned SF-3 on the north, west, and east. The neighboring properties are in an overlay but this Site is not in an overlay. The property across Taylor Road is Jefferson Township property and is zoned L-I.

The Site is currently used for Christian meetings for prayer and the Applicant does not propose any changes to the use of the property. The Applicant is filing this application in order to be transparent and continue its use under a more appropriate zoning district. This application is filed with a limitation text to limit the permitted use to 866 – Religious Organization and prohibit all other uses otherwise permitted under Section 1154.02. The application is also filed with a requested use variance so that single-family residential shall be a permitted use and requested area variances to existing, as-built conditions.

In accordance with Gahanna Zoning Code Section 1133.03, the Applicant submits the following rezoning criteria responses.

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

The Site is situated within the South Gateway Focus Area of the Gahanna Land Use Plan (2019). Located in the southeastern portion of the City, the South Gateway is the southernmost entryway into the City from I-270 North. Taylor Road runs along the northern boundary of the South Gateway and the Plan calls for a majority of office, industrial, and mixed-use uses.

Principle 1 of the Plan's Recommended Zoning Changes for the South Gateway provides "Discourage residential uses within the district, except as permitted for master planned Mixed Use (MU) development." Therefore, the Applicant's requested zoning change from residential use to institutional use is consistent with the Plan's goals and policies for this South Gateway property.

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

The Site's physical, geological, hydrological, and other environmental features are compatible with the proposed use. The limited religious gatherings are low intensity and will not cause any detriment to physical, geological, hydrological, and other environmental features of the surrounding area. This is evidenced because there are no current issues with the property's physical features and the Applicant proposes continuation of the property's current use.

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

Though there are other sites which are zoned for institutional use, however those sites are not compatible for the Applicant's specific use. Property zoned for institutional use is generally several acres with large development capable of accommodating large religious gatherings or schools. Those sites are not compatible because the Applicant and its members practice their religion in small Bible study groups. A typical home setting is the most compatible site for how the Applicant chooses to practice its religion. Accordingly, rezoning a small residential property to limited institutional use is most appropriate.

(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 (a five percent or more material reduction) in the value of existing abutting lands or approved developments.*

As discussed above, the Applicant wishes to continue its existing use under a more appropriate zoning district. The limitations on otherwise permitted uses will ensure that the property remains compatible with surrounding single-family residential properties. The limited use is low intensity and, will not negatively impact the environment, traffic, aesthetics, or infrastructure. The rezoning will allow the property to continue how it has operated for the last 10 years without causing issues to surrounding properties.

(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 proposed use is low impact and will not cause any detriment to the City infrastructure and services. Nor will the proposed use compromise the health, safety, and welfare of Gahanna residents. This is proven by the fact that there has been no negative impact while the property has operated as a limited religious gathering place.

(6) *The apparent demand for the types 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.*

There is a demand for this use at this site. The Applicant has used this property for small religious gatherings for the last 10 years. Further, there are no other small sized institutionally zoned properties which are compatible with the Applicant's use.

Respectfully submitted,

David Hodge

David Hodge

APPLICANT:

Brian Kennimer
Columbus Gospel Hall
2535 Keltonhurst Court
Blacklick, OH 43004

PROPERTY OWNER:

Christian Meeting Room, Inc.
396 Sandbur Drive
Columbus, OH 43230

ATTORNEY:

David Hodge
Underhill & Hodge LLC
8000 Walton Parkway, Suite 260
New Albany, Ohio 43054

SURROUNDING PROPERTY OWNERS:

James and Angela Wermuth
or current occupant
571 Kason's Way
Gahanna, OH 43230

Jason and Amie Case
or current occupant
561 Kason's Way
Gahanna, OH 43230

Monica and Charles Shahid
or current occupant
551 Kason's Way
Gahanna, OH 43230

Michael and Debra Ciak
or current occupant
5996 Taylor Road
Columbus, OH 43230

Regina Gossett
or current occupant
556 Kason's Way
Columbus, OH 43230

Fontella and James Lanning
or current occupant
546 Kason's Way
Columbus, OH 43230

City of Gahanna
200 South Hamilton Road
Gahanna, OH 43230

Baker/MCB LLC
5612 Windwood Drive
Dublin, OH 43017

Ronald D. Brubaker, Tr.
or current occupant
5969 Taylor Road
Columbus, OH 43230

Disposition of Comments

ADDRESS: 5990 Taylor Road
PROPOSED: L-RID and companion variances
APPLICANT: Columbus Gospel Hall
ATTORNEY: David Hodge
DATE: August 28, 2020

Please find below responses to the variance comment letter and rezoning comment letter, both dated June 17, 2020:

I. Variance Comment Letter

Community Development

1. The variance to Chapter 1154.03(a)(5) is not required as the property is a corner lot and therefore has two front yards (west and south) and two rear yards (north and east). Please revise the variance statement accordingly.

Revised per comment.

2. An additional rear yard setback variance is required along the east property line. Please add this variance to the application.

Revised per comment.

3. The variance to 1154.03(a)(7) should be modified from a "side yard" variance to a rear yard variance. The same setback applies to both the side and rear yard, however, the language should be amended.

Revised per comment.

4. The zoning change from residential to RID will require adherence or a variance to additional code sections related to parking and lighting.

- 1163.02(a) requires 1 space per 3 seats. Please provide evidence this is met or request a variance.

Applicant will engage Gahanna Chief Building Official regarding occupancy.

- 1163.06(a) requires nonresidential parking areas to be lighted. Please provide documentation of compliance with these standards or request a variance. At this time staff does not foresee an issue with a variance.

Variance added to request.

- 1163.06(b) requires nonresidential parking areas to be striped. Please provide documentation of compliance or request a variance.

Variance added to request.

Please be aware that 1163.04 requires compliance with the above provisions prior to occupancy of the structure.

The Applicant is aware.

Parks

5. No Comment Per Julie Prederi

Engineering

6. No comment.

Building

7. The structure on this property is only approved as a single family residence and has never been approved for any other use. The structure will be required to remain as single family unless a change of use is obtained for compliance with the Ohio Building Code.

The Applicant will apply for a change of use if entitlements are granted.

II. Zoning Comment Letter

Community Development

1. Informational Comment - Please be aware that the future land use map (FLUM) designates the property as low density residential. Permitted uses include attached and detached single family. Religious institutions are permitted within the civic/institutional land use. Please be aware that the FLUM is meant to be a guide. It does not mandate a particular redevelopment scenario. Please see forthcoming staff report for additional details.

The Applicant is aware.

2. Informational Comment - The rezoning from residential to RID brings in additional development criteria other than setbacks. Please see comments under the variance for additional details.

The additional development criteria are addressed by the variance application.

Parks

3. No Comment Per Julie Prederi

Engineering

4. No comment.

Building

5. The structure on this property is only approved as a single family residence, and has never been approved for any other use. The structure will be required to remain as single family unless a change of use is obtained for compliance with the Ohio Building Code.

The Applicant will apply for a change of use if entitlements are granted.



September 22, 2020

Kenimer Brian
190 Academy Ct W
Gahanna, OH 43230

RE: Project 5990 Taylor Rd Rezoning Comment Letter

Dear Kenimer Brian:

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

Community Development

1. Informational Comment - Please be aware that the future land use map (FLUM) designates the property as low density residential. Permitted uses include attached and detached single family. Religious institutions are permitted within the civic/institutional land use. Please be aware that the FLUM is meant to be a guide. It does not mandate a particular redevelopment scenario. Please see forthcoming staff report for additional details.
2. Informational Comment - The rezoning from residential to RID brings in additional development criteria other than setbacks. Please see comments under the variance for additional details.

Parks

3. No Comment Per Julie Prederi

Engineering

4. No comment.

Building

5. The structure on this property is only approved as a single family residence, and has never been approved for any other use. The structure will be required to remain as single family unless a change of use is obtained for compliance with the Ohio Building Code.

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

Sincerely,

Kelly Wicker
Administrative Assistant



PLANNING STAFF REPORT

Summary

Request to rezone .293 acres from Single Family (SF-3) to Limited-Restricted Institutional District (L-RID) for the continued use as a Christian meeting place for prayer. The site is developed with a single family residence but has historically been used for both residential and religious uses. The rezoning would not change the use of the property but would make the primary use consistent with the zoning. The limitation text specifies that allowed uses are both religious and single family residential.

A variance application has also been filed to address site development constraints brought on by the zoning change from residential to non-residential.

Below is a chart comparing the current and proposed zoning.

Zoning	Uses (Typical)	Setbacks
SF-3	Single family, parks	35' front; 25' rear; 7.5' side
RID	Churches, schools, government buildings, parks	60' front; 40' rear; 25' side

Land Use Plan

The Land Use Plan designates the property as low density residential. Density is recommended at between 3-6 units per acre. Recommended uses are single family. See below for the future land use map.

The Land Use Plan makes recommendations. It does not mandate a specific use or intensity.

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 RID is not consistent with the recommendations of the land use plan. However, the land use plan makes recommendations on uses on a broad scale, not parcel by parcel. The subject property has historically been used for religious uses, rezoning to RID would make the zoning consistent with the current use of the property.

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

Variance

The applicant has requested the following variances in order to permit the development. The variances are necessary as a result of the rezoning. RID has commercial standards for parking, lighting, and setbacks.

- Chapter 1154.02 – Permitted Uses
 - To permit single family residential in a RID zone district. Applicant has requested the variance so that the use may be single family if the uses of Christian prayer ceases.
- Chapter 1154.03(a)(6) – Rear Yard Setback
 - Minimum setback is 60’. The property is a corner lot and thus has two front yards and two rear yards. The north and east property lines are rear yards and the applicant requests a 25’ and 14’ setback respectively.
- Chapter 1154.03(a)(7) – Parking setback
 - A rear parking setback has been requested from 15’ to 7’ (east property line). A front yard parking setback has been requested from 26’ to 0’.
- Chapter 1163.02 – Minimum parking
 - Reduce required parking from 20 spaces to 17. Please be aware that 15 spaces are in the parking lot and two are in the garage.
- Chapter 1163.06(a) – Parking lot lighting
 - Non-residential parking areas are required to provide adequate lighting. No lighting is requested in order to maintain a residential feel.
- Chapter 1163.06(b) – Parking lot striping
 - Non-residential parking areas are required to stripe the parking lot. No striping is requested in order to maintain a residential feel.

Planning Commission shall not grant a variance unless it finds that all the following conditions apply:

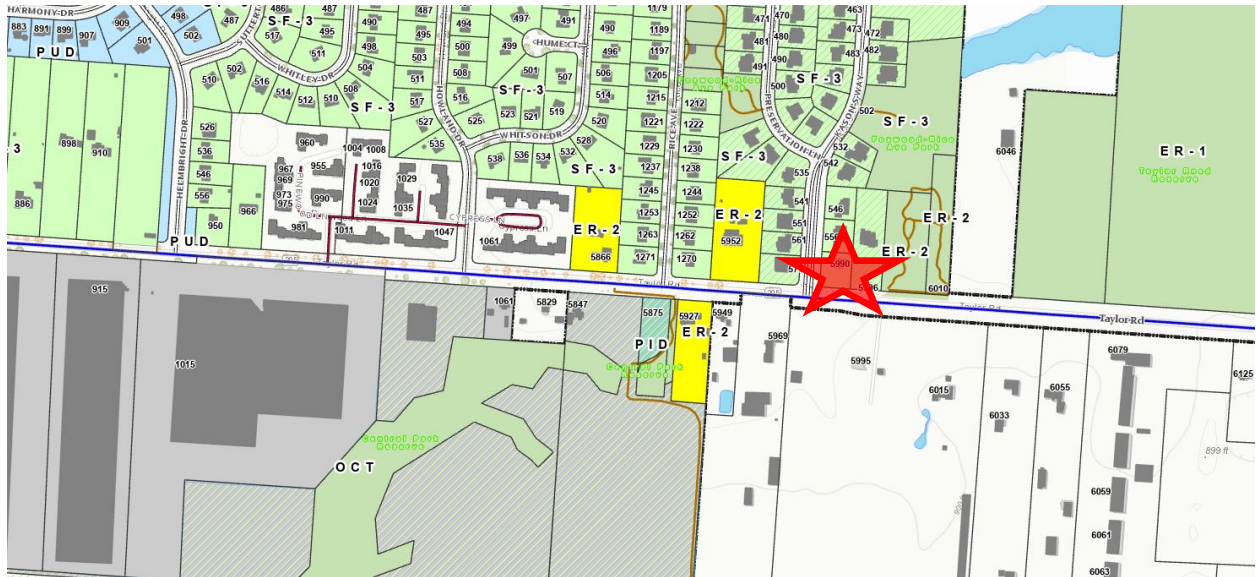
- a) There are special circumstances or conditions applying to the land, building or use referred to in the application.

- b) The granting of the variance is necessary for the preservation and enjoyment of substantial property rights.
- c) The granting of the application will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the proposed use and will not be materially detrimental to the public welfare or injurious to property or improvements in such neighborhood.

Staff Comments

The request to rezone is an interesting situation where the real world use of the property has been inconsistent with the zoning for many years. The rezoning would allow for the continuation of the use as a meeting place for religious organizations. The land use plan did not envision non-residential uses on the property even though the property has a non-residential use. It is staff's opinion that the rezoning and variances would not create incompatibilities with the surrounding properties. This opinion is predicated on the current development of the property. Staff does have concerns that requests to intensify the use of the property by expanding the building footprint, height, additional parking, etc would possibly create negative impacts. However, there are no plans at this time to intensify the use and any future requests to intensify the use would require Planning Commission approval.

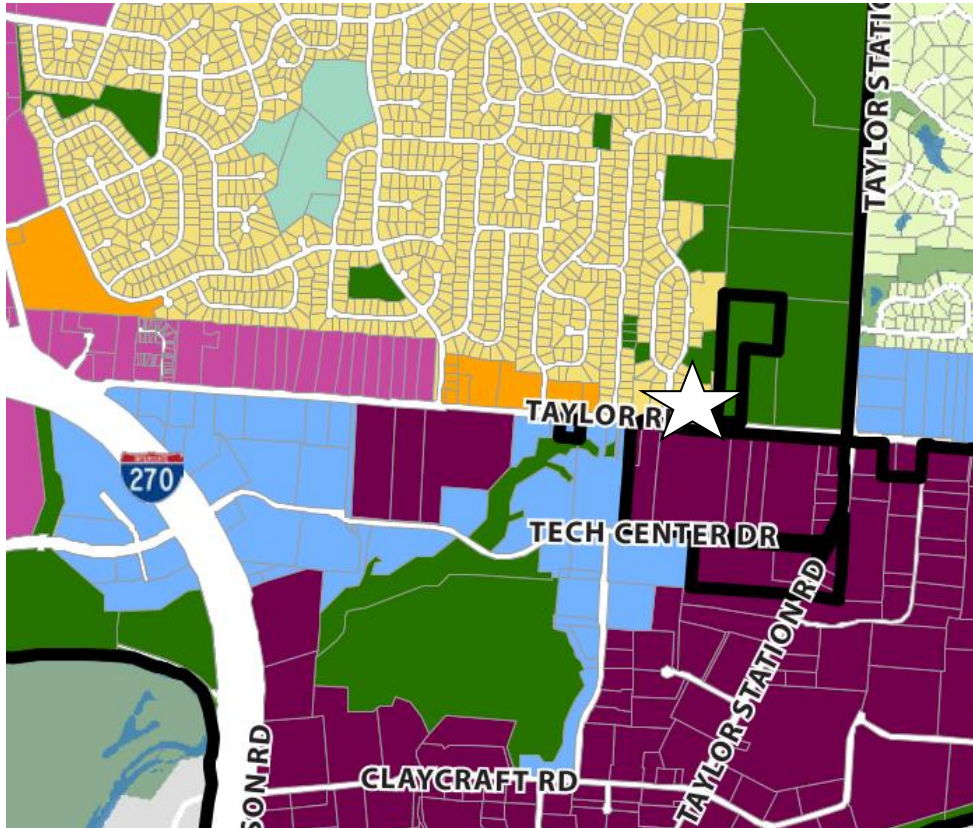
Location/Zoning Map



Street View



Future Land Use Map



Respectfully Submitted By:
Michael Blackford, AICP
City Planner/Zoning Administrator