



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: 108-110 North Street Lot#2		Project Name/Business Name: Big Sky Realty	
Parcel ID No.(s): 025-000117 025-00017-00	Zoning Designation: OG-1	Total Acreage: +/- .079ac	
Description of Variance Requested: The Applicant proposes to redevelop the vacant lot with a two-family residential development. Variances requested include; increased permissible lot coverage, setback requirements and garage parking requirements.			
STAFF USE ONLY – Code Section(s): CH 1150.08(d)(2)(C) – Lot coverage; CH 1150.08(d)(4)(C) – Side yard setback CH 1150.08(d)(4)(A) – Front yard setback; 1150.08(d)(5)(A) – Garage parking			
APPLICANT Name-do <u>not</u> use a business name: Mitch Rubin (Managing Member)		Applicant Address: PO Box 10264 Columbus, OH 43201	
Applicant E-mail: mitch@bigskyrealtyohio.com		Applicant Phone No.: 614-681-0200	
BUSINESS Name (if applicable): 108-110 North Street LLC			
ADDITIONAL CONTACTS Please List Primary Contact for Correspondence (please list all applicable contacts)			
Name(s):		Contact Information (phone no./email):	
PROPERTY OWNER Name: (if different from Applicant) 108-110 North Street LLC		Property Owner Contact Information (phone no./email): 614-681-0200 mitch@bigskyrealtyohio.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/Primary Contact Signature: Mitchell Rubin ITS Managing Member Date: 6/27/2022

INTERNAL USE

Zoning File No. V-0275-2022

RECEIVED: KAW
 DATE: 6-27-22

PAID: 500.00
 DATE: 6-27-22

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.

Big Sky Realty, LLC - Mitchell Rubin

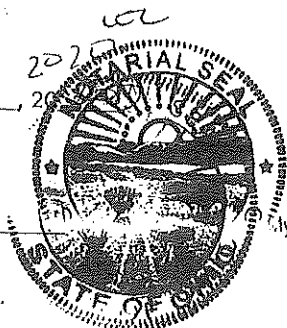
_____ (applicant/representative/property owner name printed)

_____ (applicant/representative/property owner signature) _____ (date)

Subscribed and sworn to before me on this 6 day of June, 2020.

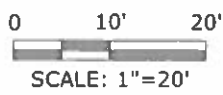
State of Ohio County of Franklin

Notary Public Signature: _____

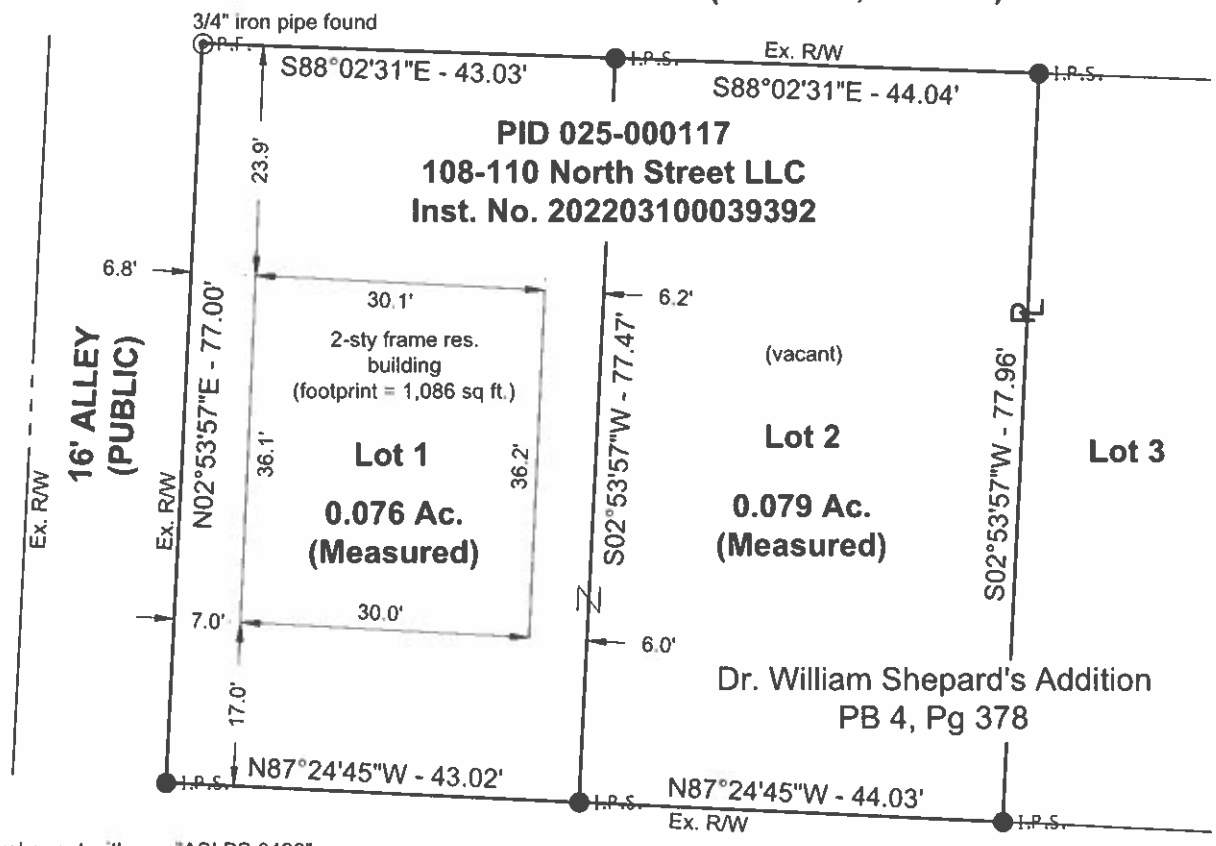


LAURA LEGGETT
Notary Public, State of Ohio
My Commission Expires 10-10-2023

STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF GAHANNA,
 QUARTER TOWNSHIP 1, TOWNSHIP 1, RANGE 17
 UNITED STATES MILITARY LANDS



CARPENTER ROAD
 (45' WIDE, PUBLIC)



● I.P.S. $\frac{5}{8}$ " X 30" rebar set with cap "ASI PS 8438"

BASIS OF BEARINGS

Bearings described hereon are based on measurements from Grid North, referenced to the Ohio State Plane Coordinate System (South Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey and an NGS OPUS solution.

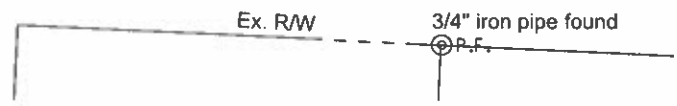
This boundary survey was prepared based on an actual survey of the premises performed by American Structurepoint, Inc. under the supervision of Brian P Bingham, Registered Professional Surveyor Number 8438, and is true and correct to the best of my knowledge and belief

American Structurepoint, Inc.

B.P. Bingham
 Brian P. Bingham
 Registered Professional Surveyor No. 8438
 Date: 5/24/2022



NORTH STREET
 (50' WIDE, PUBLIC)

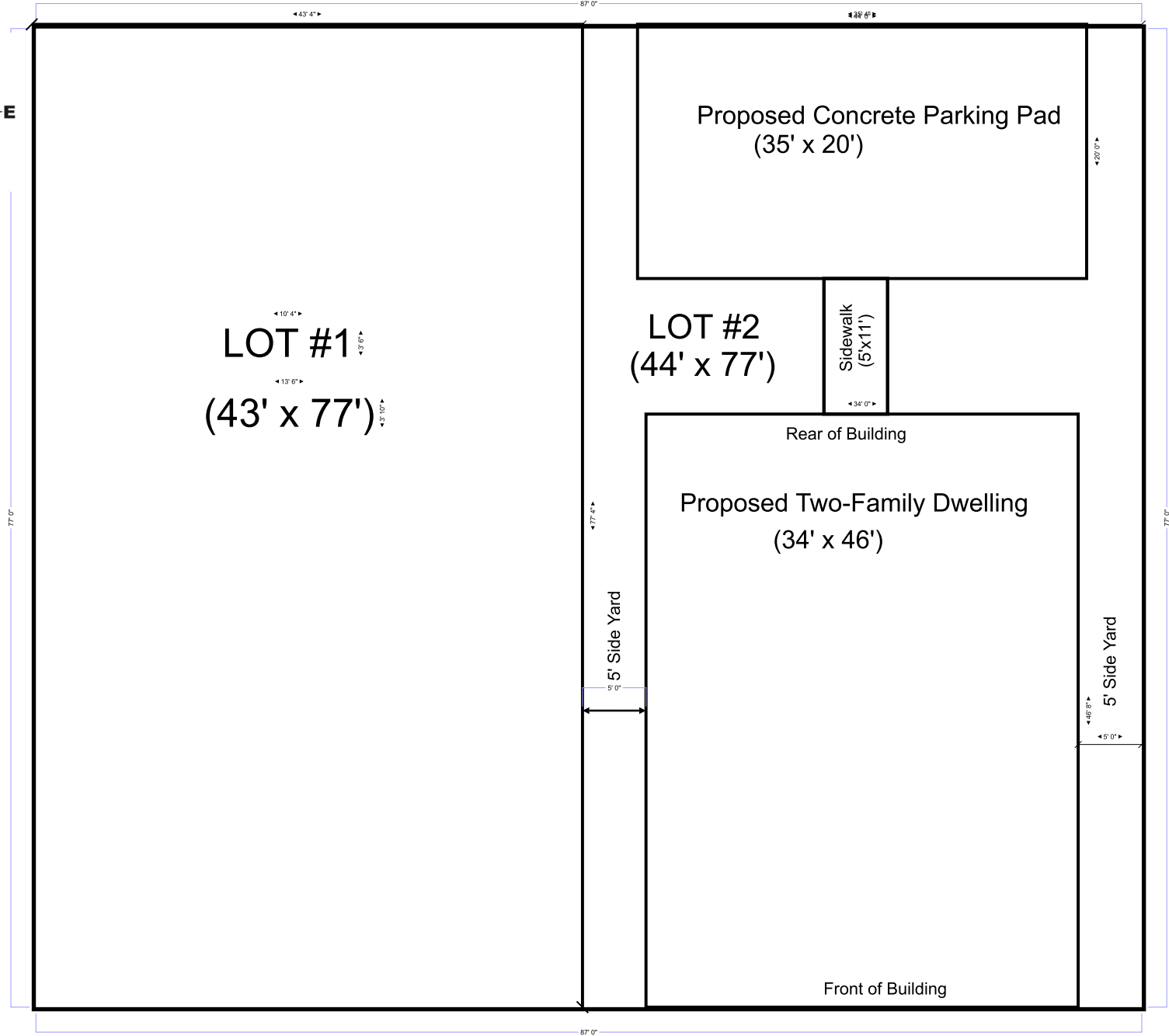


DRAWING FILE: D:\2022\07\24\108-110 North Street LLC.dwg
 PLOT DATE: 5/24/2022 12:34 PM
 PLOT SCALE: 1:1
 EDITED BY: BINGHAM

PREPARED FOR: Big Sky Realty	 2550 Corporate Exchange Dr, Ste 300 Columbus, Ohio 43231 TEL 614.901.2235 FAX 614.901.2238 www.structurepoint.com	BOUNDARY & LOT SURVEY FOR 108 & 110 NORTH STREET GAHANNA, OHIO	<table border="1"> <tr> <td>DATE:</td> <td>04/26/22</td> </tr> <tr> <td>DRAWN BY:</td> <td>CAM</td> </tr> <tr> <td>CHECKED BY:</td> <td>BPB</td> </tr> <tr> <td>JOB NUMBER:</td> <td>2022.00761</td> </tr> </table> <div style="text-align: center; font-size: 2em; font-weight: bold; border: 2px solid black; padding: 5px;"> 1 of 1 </div>	DATE:	04/26/22	DRAWN BY:	CAM	CHECKED BY:	BPB	JOB NUMBER:	2022.00761
DATE:	04/26/22										
DRAWN BY:	CAM										
CHECKED BY:	BPB										
JOB NUMBER:	2022.00761										

108-110 North Street Lot #1 & Lot #2

CARPENTER ROAD



LOT #1
(43' x 77')

LOT #2
(44' x 77')

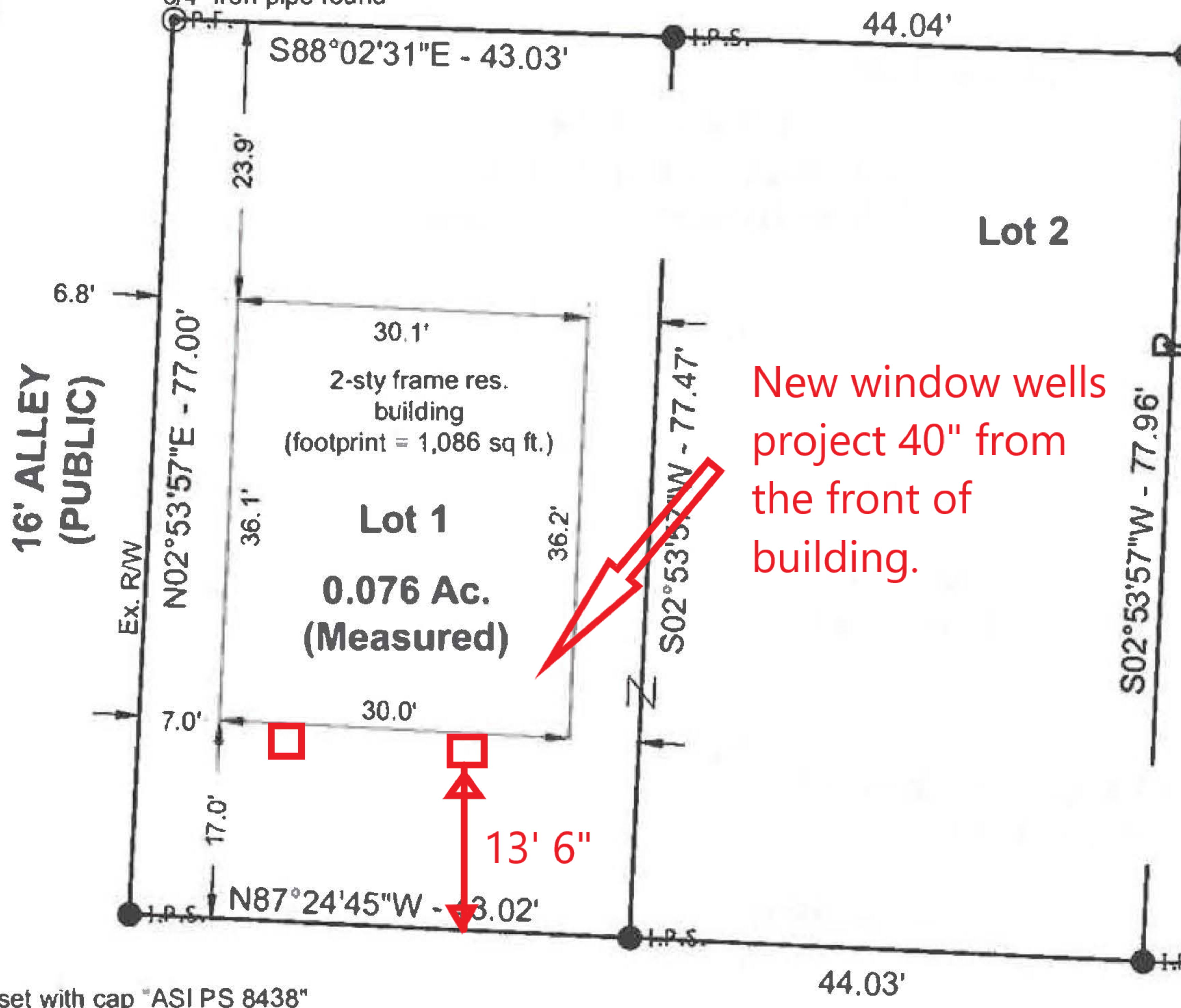
Proposed Concrete Parking Pad
(35' x 20')

Sidewalk
(5' x 11')

Rear of Building
Proposed Two-Family Dwelling
(34' x 46')

Front of Building

NORTH STREET



... set with cap "ASI PS 8438"

... are based on measurements from Grid
 ... the Ohio State Plane Coordinate System (South
 ... merican Datum of 1983 (2011 Adjustment), as
 ... GPS survey and an NGS OPUS solution.

... was prepared based on an actual survey of
 ... d by American Structurepoint, Inc. under the
 ... Bingham, Registered Professional Surveyor
 ... ue and correct to the best of my knowledge



NORTH
(50' WIDE)

... nt, Inc.

Ex. R/W

3/4" irc
 P.F.

Instrument Number: 202203100039392

Legal Description

Lt/Un 1~2 DR WILLIAM SHEPARDS ADDN Pcl# 025-000117-00 Plt PB 4 PG 378

Long Description

SITUATED IN THE COUNTY OF FRANKLIN IN THE STATE OF OHIO AND IN THE CITY OF GAHANNA BEING LOT NUMBERS ONE (1) AND TWO (2) OF DR, WILLIAM SHEPARDTS ADDITION, AS THE SAME IS NUMBERED AND DELINEATED UPON THE RECORDED PLAT THEREOF, OF RECORD IN PLAT BOOK 4, PAGE 378, RECORDERS OFFICE, FRANKLIN COUNTY, OHIO. SUBJECT TO ALL LEGAL HIGHWAYS, EASEMENTS, RESTRICTIONS AND RIGHT OF WAYS OF RECORD. MORE COMMONLY KNOWN AS 108-110 NORTH STREET, GAHANNA, OH 43230 PERMANENT PARCEL ID #025-000117-00

SHEPARD' ADDN.

BOOK 4 PAGE 378

I hereby certify that the plat following is a correct representation of D^r William Shepard. Addition to the Village of Gahannah in Mifflin Township, Franklin County, Ohio, made upon the following described lands, to-wit: Being all of the same lands conveyed to the said William Shepard by deed dated Feb 21st A.D. 1889 and recorded in record of deed Volume 201, page 517, in the Recorders office of Franklin County, Ohio, except 2.55 acres of land heretofore conveyed by the said William Shepard by deed dated June 11th A.D. 1889, recorded in Deed Book No. 207 page 65, Recorders office, said County, to the Board of Education of said township, on which 2.55 acres of land, the new school house now stands. Being a part of the first quarter of Town 1 & Range 17, United States Military Lands, in Mifflin Township, Franklin County Ohio.

J. S. Annis Civil Engineer

I, William Shepard, proprietor of the above described premises hereby certify that I have caused the foregoing plat of the same to be made, that said plat is correct to the best of my knowledge & belief. That the width of street & alleys, and the length of lines bounding lots are correctly shown thereon in feet and decimal parts of a foot. That the lots are numbered consecutively from No. 1 to No. 40, both numbers inclusive. That so much of the streets and alleys shown thereon as lie on my premises & not heretofore so dedicated are hereby dedicated as public highways. In witness whereof I have hereunto set my hand & seal this third day of May, A.D. 1890.

Executed in presence of:

J. S. Annis A. P. Annis

William Shepard ---

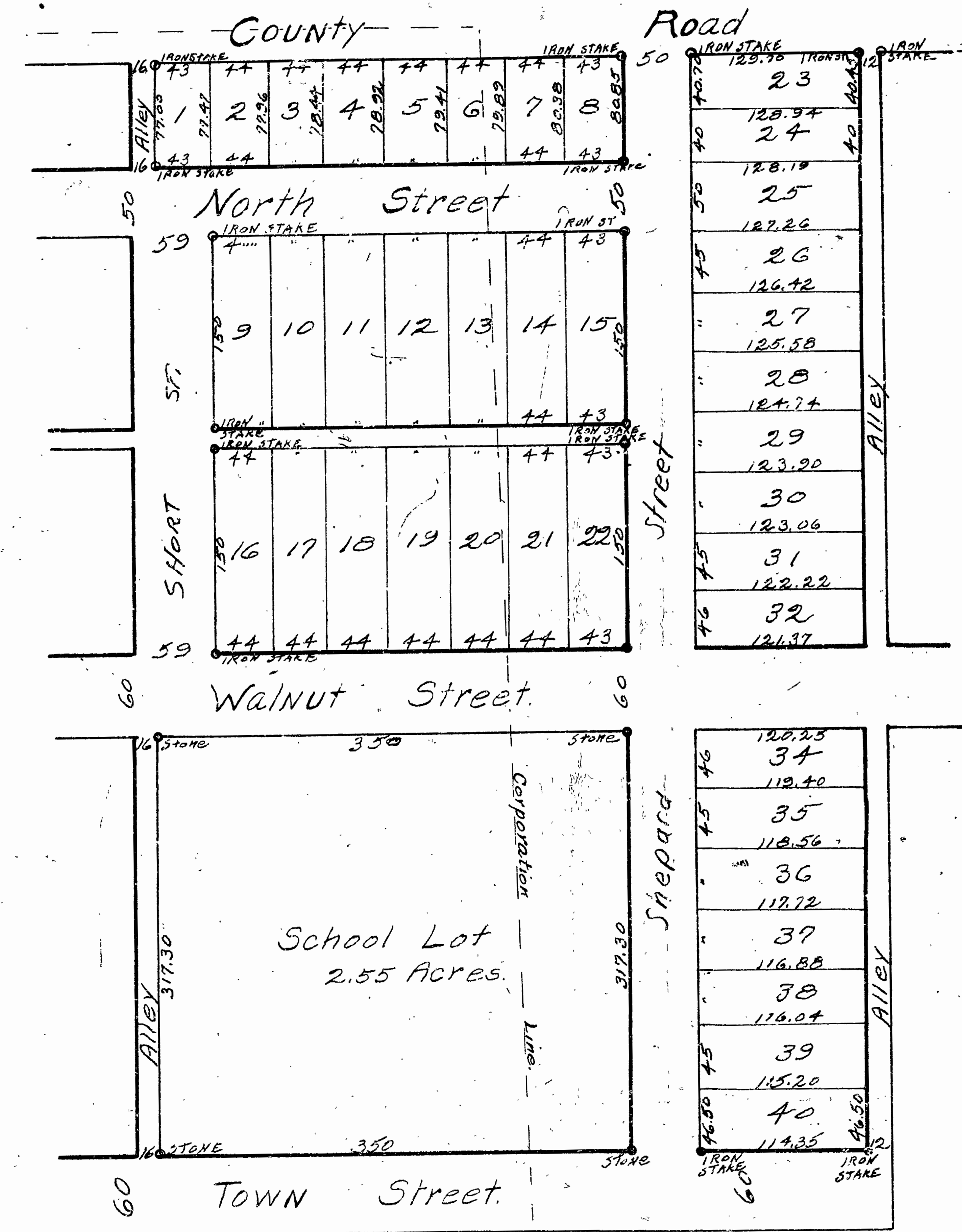
State of Ohio, Franklin County, ss:- Before me, a Notary Public in and for said county personally appeared the above named William Shepard, and acknowledged the signing & sealing of the above instrument to be his Voluntary act & deed, this 3rd day of May, A. D. 1890.

(seal)

J. S. Annis, Notary Public Franklin County, Ohio.

Transferred Jan'y. 23rd 1891.

Filed January 23rd 1891, at 2:30 P.M. Recorded April 16th 1891.
Robert Thompson Recorder.
By L. D. Waite Deputy.



(No lot 33 on original plat. Recorder.)

STATEMENT OF PRACTICAL DIFFICULTY

ADDRESS: 108-110 North Street Lot #2
PARCEL: 025-00017-00
SIZE: +/- .079
CURRENT: OG-1
PROPOSED: OG-1 (Two-family dwelling)
OWNER: 108-110 North Street LLC
APPLICANT: Big Sky Realty
DATE: July 20th, 2022

This statement is submitted in support of area variances filed in conjunction with a companion conditional use application.

The site is located at 108-110 North Street Lot #2 within the Olde Gahanna area (Downtown). The site is currently zoned OG-1, Olde Gahanna and is currently a vacant lot which was once a residential dwelling. The Applicant proposes variances to the property which will make it possible to develop a two-family residential dwelling.

To permit the development as proposed, the Applicant respectfully requests the following variances from the Gahanna Zoning Code:

Section 1150.08(d)(2)(c) – Lot Coverage. The Applicant requests a variance to increase the allowable lot coverage of dwellings to 50%.

Section 1150.08(d)(4)(a) – Front Yard Setback. The Applicant requests a variance to reduce the front yard setback requirement from 30 feet to 0 feet (zero) .

Section 1150.08(d)(4)(c) – Side-yard Setback. The Applicant requests a variance to reduce the minimum side-yard setback from ten feet to five feet.

Section 1150.08(d)(5)(a) - Parking Garage Requirement. The Applicant request a variance to remove the requirement that each dwelling unit have one garage space. Applicant will maintain the two parking spaces per dwelling unit as required using a concrete parking pad.

There are special circumstances and conditions which warrant granting of the requested variance. With respect to the request to increase permitted density, Gahanna conducted a survey in preparation for the recently adopted *2019 Gahanna Land Use Plan*. The survey participants generally believe that Gahanna is in need of more housing and mixed-use developments.

Notably, at least 60% of respondents in each age category believe that more apartments are needed. These results align with *Insight 2050* which projects Central Ohio's population to increase by a half a million to a million people by 2050. The proposed development will provide the desirable apartment use and spur commercial development in the immediate area.

In recognition of these survey results, the Plan was developed to recommend MDR, Medium Density Residential for the site. This is a land use type which recommends a mix of residential uses including multifamily residential up to 20 dwelling units per acre. Accordingly, the increased density is not a substantial variance, it would not substantially alter the essential character of the neighborhood, and it would not cause adjoining properties to suffer a substantial detriment.

The requested variance to increase the allowable lot coverage ratio to 50% is warranted for a number of reasons. First, the adjacent properties exceed the 30% requirement and therefore the request is in line with the neighborhood property makeup. Secondly, per the *Insight 2050* plan and public comments from City leaders there is a strong need for additional housing units in Gahanna. Permitting the requested variance will increase the value for adjacent properties while creating much needed high quality housing units.

The requested variance to reduce the front yard setback is reasonable as both properties located at 118 North Street and 122 North Street are either encroaching the front property line or within a few feet. Once again, the large right-of-way on the North side of North Street has negatively impacted the properties in the area.

The front yard setback variance request is also to help the property owner with new egress window wells installed at the existing structure of 108-110 North Street. We hired Ohio Basement Authority to install egress window wells at the previously existing basement window well locations. We were told building permits were pulled and were unaware that a variance would be required for the new window wells. Once the work was completed we asked Basement Authority for the final inspection report and came to find out a permit had not yet been provided due to the unknown need for a variance. We feel this variance request is reasonable as the building previously had window wells and adjacent properties are well within the required setback area.

The requested variance to reduce the side-yard setback is warranted as many structures within the area have little to no side-yard. The applicant is proposing to maintain a 5' setback which is larger than several adjacent properties.

The requested variance to remove the requirement for a garage is warranted as several two-family dwellings in the area do not have a garage. This request would not have a negative impact on the surrounding area.

The granting of these variances will not adversely affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements in such neighborhood. Further, there are no detrimental effects resulting from these variances because they are not substantial and do not directly affect neighboring properties.

Granting the requested variance is necessary for the preservation and enjoyment of property rights. The Applicant proposes a development which is compatible with the vision and design standards of the Land Use Plan. It is a two-family residential development which will reinforce the area's medium density and mixed-use neighborhood. This variance will preserve and protect the property rights to develop as envisioned.

Respectfully Submitted,

Mitchell Rubin

Mitch Rubin
Big Sky Realty

Duplex

CONCEPTUAL

Legend
📍 145 W 2nd Ave



Google Earth

©2022 Google

6.86 ft



CONCEPTUAL



APPLICANT:

108-110 North Street LLC
P.O. Box 10264
Columbus, OH 43201

PROPERTY OWNER:

108-110 North Street LLC
PO Box 10264
Columbus, OH 43201

**CONTIGUOUS
PROPERTY OWNERS:**

Hope C. Dawson
118 North Street
Gahanna, OH 43230



August 4, 2022

108-110 North Street LLC
PO Box 10264
Columbus, OH 43201

RE: Project 108-110 North St Variance

Dear 108-110 North Street LLC:

The following comments were generated from the review of the submitted plans and documents for the referenced project. For the next submittal, please provide a response to comments, revised plans, and/or other information as requested for further review. The response to comments needs to include both the original comment and the appropriate response. If desired, these comments can be emailed. Re-submitted plans that do not include the disposition of comments document will not be reviewed and will be returned to you.

Building

1. The project will be required to comply with the Residential Code of Ohio. The submitted documents are unclear which direction the building would face, and where the building would be constructed since there is only one lot according to the Franklin County Auditor which is 87 feet x 77.96 feet. Also, the proposed dimensions for the project exceed the lot depth.

- Conceptual design is for a 77' deep building, walkway and parking pad. The conceptual design dimensions are 77' deep.

- Site plan updated to illustrate front and rear of the proposed structure

Parks

2. No Comments Per Julie Predieri

Planning

3. Indicate the height of the building. Maximum 30ft per Section 1150.08(d)(1) - Building will meet code requirements , no variance requested
4. Label the side yard building setback on the east side. Minimum 10ft per Section 1150.08(d)(4)(c) - Updated Site Plan
5. Currently, Lots 1 & 2 are under one parcel. Although they were separate at one time, they are now combined. Will this parcel be split to match the original parcel lines? - Yes, the lot legal descriptions for lot 1 and lot 2 shall not be changed from the original legal descriptions.

Fire District

6. The fire division has no objection to the variance application for the duplex proposal at 108 – 110 North Street. 108-110 North Street Lot #2 Big Sky Realty V22

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



August 11, 2022

108-110 North Street LLC
PO Box 10264
Columbus, OH 43201

RE: Project 108-110 North St Variance

Dear 108-110 North Street LLC:

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

Parks

1. No Comments Per Julie Predieri

Building

2. The project will be required to comply with the Residential Code of Ohio.

Fire District

3. The fire division has no objection to the variance application for the duplex proposal at 108 – 110 North Street. 108-110 North Street Lot #2 Big Sky Realty V22

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

Request Summary

A conditional use and variance application have been submitted to permit a duplex to be constructed at 110 North St. The property is zoned Olde Gahanna Single Family (OG-1). OG-1 permits duplexes by conditional use. Single family is the only permitted use allowed by right.

The property appears to be one lot, but, according to the Franklin County Auditor, it is technically two lots, therefore a subdivision without plat application is not necessary. Instead, the County has indicated that the only thing necessary to formally split the property is to assign a new parcel number. The structure on the parcel to be split is a duplex without a garage and is labeled as lot 1.

Land Use Plan

The property lies within the medium density future land use designation. Recommended uses include duplexes. Recommended density is up to 20 units an acre. Lot coverage up to 50% is recommended.

The land use plan evaluated housing trends and Gahanna's housing stock. It recommends additional housing opportunities such as duplexes and multifamily as Gahanna lacks the types of housing that has emerged as the preferred types. Although only two units, this request, if approved, helps fill this void.

The land use plan is meant as a guide, it does not mandate a particular development type, density, or outcome.

Variance

Several variances have been requested. From staff's review of the surrounding properties, it appears several parcels have similar conditions. It is staff's opinion that the requested variances are in character with existing development. Requested variances include the following:

1. 1150.08(d)(2)(C)– Lot coverage
 - a. 30% maximum allowed by code. 50% requested.
 - b. 30% maximum lot coverage is surprisingly low for an urban/smaller lot size zoning district. Typically zoning codes allow for larger lot coverage for smaller lots. For comparison, SF-3, which requires a minimum lot size of 11,000 sf, permits up to a 40% lot coverage. It should also be noted that 40% lot coverage would be permissible if the property were developing with a single family use.
2. 1150.08(d)(4)(A)– Front yard setback
 - a. 30' required by code. 0 foot requested for new structure and for existing structure (Lot 1). New window wells are being added to the existing structure on lot 1 that extend approximately 40" into the setback, for a total of 13'6". Portions of the existing structure have a greater encroachment into the front yard along other right-of-ways. Staff cannot approve the building permit request for the window wells unless a variance is approved.

- b. The applicant's site plan depicts the proposed building on lot 2 at a 0' setback along North St. The shortest distance between the structure and the right-of-way on lot 1 is 6.8'. A motion to approve could differentiate between setbacks for lot 1 and lot 2.
3. 1150.08(d)(4)(C) – Side yard setback
 - a. Code requires a minimum setback of 10'. Applicant is requesting 5'.
4. 1150.08(d)(5)(A) – Off street parking
 - a. Garage space for a minimum of one vehicle required. Two off street spaces required. Applicant is proposing two off street spaces but no garage.
 - b. The neighboring duplex and other properties in the vicinity do not have garage facilities.

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.

Conditional Use

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.

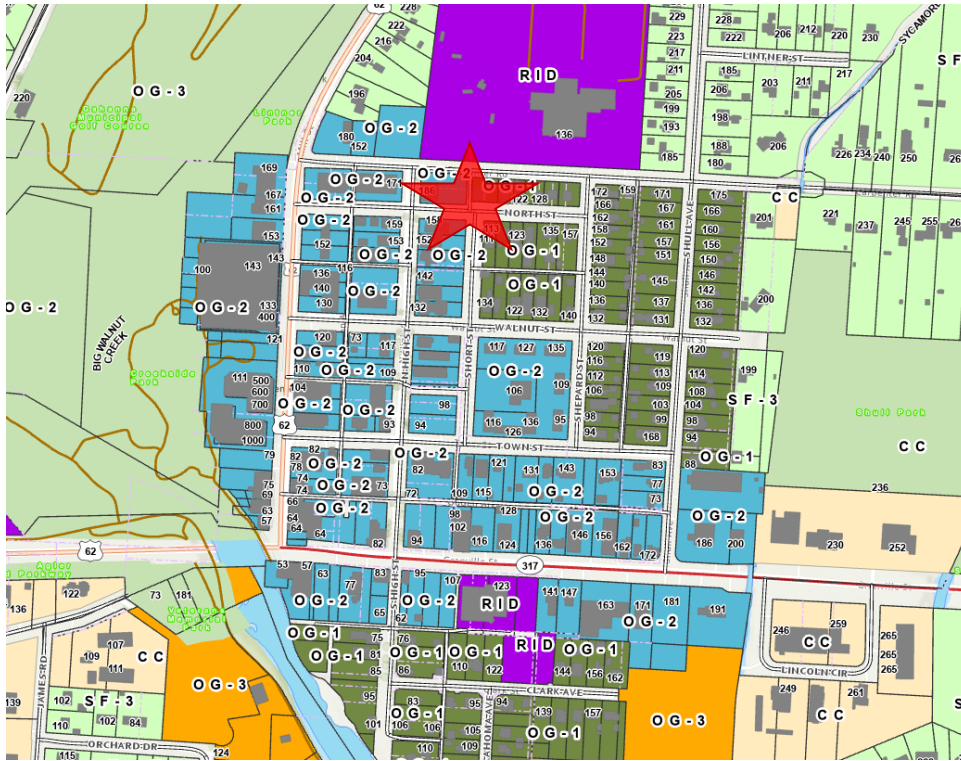
Staff Comments

Staff recommends approval of the request. Approval of the conditional use and variances allows the property to be developed consistently with other properties in the vicinity. A priority of the land use plan was for additional residential. The Creekside District is the most logical area for small lot, medium density development such as this.

Street View



Location/Zoning Map



Respectfully Submitted By:
Michael Blackford, AICP
Director of Planning