

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: Virginia E. Favazzo c/o Christopher A. Rinehart

*Phone: 614-221-1244

*Applicant Address: Rinehart Legal Services, PO Box 16308, Cols, 43216

*Fax: 614-343-1549

*Applicant Email: crinehart@rinehartlegal.com

*Applicant's Relationship to Project: Land Owner: ☒ Option Holder:

Cont. Purchaser: Agent:

*Property Owner Name: Virginia E. Favazzo

*Phone: 614-221-1244

*Property Owner Address: 1645 Eagle Glen Drive, Blacklick, Ohio, 43214

*Fax: 614-343-1549

*Contact Name: Christopher A. Rinehart

*Email: crinehart@rinehartlegal.com

*Address for Requested Variance: 1601 Eastgate Parkway

*Parcel ID#: 025-012947-00

*Current Zoning: OCT

*Description of Variance Requested: See Attached

*Applicant's Signature: Virginia E. Favazzo

*Date: 8/2/17

***SUBMISSION REQUIREMENTS:** Applications are not complete until all submission requirements are received and accepted by the Planning and Zoning Administrator.

1. Two (2) 11" x 17" copies of a survey and legal description of the property certified by a registered surveyor.
2. One (1) digital copy of completed application and associated documents.
3. A list of contiguous property owners and their mailing addresses.
4. Pre-printed mailing labels for all contiguous property owners.
5. 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.
6. 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: 1155.04 (b)(2)(A)

Description of the governing code and the requested variance: To vary the side yard setbacks from 25' to 16'

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. 17080006

PC File No. _____

Public Hearing Date: _____

Revised 10-1-2014/cas

(Received) **RECEIVED** (Paid)

Aug 2
JUL 31 2017

BY: KAW

PAID
AUG 11 2017

BY: FW. Check
694

(Accepted by PZA)

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.

**CITY OF GAHANNA
APPLICATION FOR VARIANCE**

APPLICANT: Virginia E. Favazzo
PROPERTY ADDRESS: 1601 Eastgate Parkway
PARCEL ID: 025-012974-00
CURRENT ZONING: OCT

DESCRIPTION OF VARIANCE REQUESTED

The Applicant seeks a variance to the Side Yard setback requirement set forth in Section 1155.04(b)(2)(A) of the Code of Ordinances of the City of Gahanna for the eastern boundary of the above-referenced parcel and which relates to the building located on the southernmost portion of above-referenced parcel.

In accordance with the application submitted herein, the Applicant states as follows:

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

Due to a number of unintentional miscommunications between the Applicant's representatives and the City of Gahanna, the building at issue was constructed with plans that did not have the correct measurements related to the required side yard setback for the building in question as it is positioned on the southeastern corner of the subject parcel. The Applicant applied for and received a building permit. Based upon that permit, the Applicant caused construction to begin on the building at issue. During construction, a representative of the City of Gahanna visited the site to address an outstanding issue related to the property. The City permitted construction to continue while the parties addressed this outstanding issue. During the course of the review of this outstanding issue, it was determined that there was an error with the location of the building. The building location error was not identified until after substantial construction on the building in question had already been completed. As a result, the Applicant has caused a new and updated plan to be produced, which is included with this application, that shows the current location of the building in question and the distances of the building to the eastern boundary line of the parcel. The Applicant seeks a variance to the above-referenced section of the Code of Ordinances of the City of Gahanna to establish the side yard for the referenced building as shown on the enclosed plan to bring the referenced building into compliance with the city's regulations.

- (2) The granting of the variance is necessary for the preservation and enjoyment of substantial property rights.**

The granting of the variance is necessary for the preservation and enjoyment of the Applicant's substantial property rights as they currently exist on the property in question.

- (3) **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 the property or improvements in such neighborhood.**

The Applicant does not believe the granting of the application will materially affect adversely the health or safety or persons working in the neighborhood or that the granting of the application will be materially detrimental to the public welfare or injurious to the property or improvements in the neighborhood. Representatives of the Applicant have discussed the proposed variance with the property owner of the adjacent parcel to the east which would be most affected by the proposed variance. Based upon information and belief, the Applicant does not believe that property owner is in opposition to the requested variance.

TRANSFERRED

MAY 08 2015

CLARENCE E. MINGO II
AUDITOR
FRANKLIN COUNTY, OHIO



201505080059502

Pgs: 2 \$28.00 T20150031292
05/08/2015 8:45AM BXGAHANNA BOX
Terry J. Brown
Franklin County Recorder

7749

Conveyance	
Mandatory-	320.00
Permissive-	320.00
CLARENCE E. MINGO II FRANKLIN COUNTY AUDITOR	

WARRANTY DEED

Ellen M. Thompson aka Ellen Marie Thompson, unmarried, for valuable consideration paid, grant(s), with general warranty covenants, to Virginia E. Favazzo, whose tax mailing address is 1645 Eagle Glen Drive, Blacklick, Ohio 43004, the following real property:

Situated in the State of Ohio, County of Franklin, City of Gahanna and further described on Exhibit "A" attached.

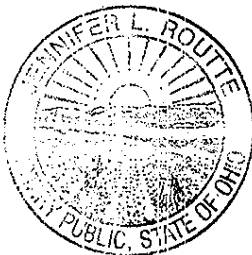
Tax district and parcel number: 025-012947-00
Street address of property: 1601 Eastgate Parkway, Gahanna, OH 43230
Prior instrument reference: Instrument No(s) 201308010130168, 201311220194708 and ~~20150131001337~~, Recorder's Office, County, Ohio
201401310013377

Signed this 30th day of April, 2015.

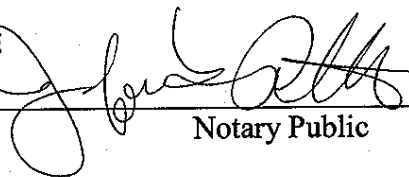

Ellen M. Thompson aka Ellen Marie Thompson

**STATE OF OHIO:
COUNTY OF FRANKLIN, SS;**

SWORN TO BEFORE ME and acknowledged in my presence this 30th day of April, 2015 by Ellen M. Thompson aka Ellen Marie Thompson.



JENNIFER L. ROUTTE
ATTORNEY AT LAW
NOTARY PUBLIC
STATE OF OHIO
Lifetime Commission


Notary Public

This instrument prepared by: Julia A. Faist, Attorney at Law
142 Granville Street Gahanna Title Box 15-7984
Gahanna, OH 43230

EXHIBIT "A"

DESCRIPTION OF 2.035 ACRES
SOUTH OF EASTGATE PARKWAY
EAST OF BLATT BOULEVARD
CITY OF GAHANNA, OHIO

Situated in the State of Ohio, County of Franklin, City of Gahanna, being part of Farm Lot 19, Quarter Township 3, Township 1, Range 16, United States Military Lands, and being a 2.035 acre tract all out of Lot 3 in the plat of "Eastgate Industrial Center" of record in Plat Book 101, Pages 87 thru 89 and described in a deed to Deffenbaugh Investment Company, LLC filed on July 12, 2004 of record in Instrument Number 200407120161024, all references to records are on file in the Recorder's Office, Franklin County, Ohio, said 2.035 acre tract being more particularly described as follows:

Beginning at an iron pin set on the southerly right of way line of Eastgate Parkway at the northwesterly corner of said Lot 3;

Thence South $86^{\circ} 33' 23''$ East, along the southerly right of way line of said Eastgate Parkway, along the northerly line of said Lot 3, a distance of 224.26 feet to an iron pin set at the northwesterly corner of that 2.035 acre tract as described in a deed to G & N Enterprise LTD, filed on March 07, 2007 of record in Instrument Number 200703070040228;

Thence South $02^{\circ} 09' 22''$ West, into said Lot 3, along the westerly line of said 2.035 acre tract, a distance of 386.50 feet to a 5/8" rebar found with a yellow plastic cap stamped "BRH Group" at the southwesterly corner of said 2.035 acre tract in the northerly line of that 8.285 acre tract as described in a deed to the City of Gahanna, filed on October 18, 2005 of record in Instrument Number 200510180219314;

Thence North $86^{\circ} 13' 28''$ West, along a northerly line of said 8.285 acre tract, a distance of 235.42 feet to an iron pin set at the northwesterly corner of said 8.285 acre tract, in the westerly line of said Lot 3 and in the easterly line of that 6.770 acre tract as described in a deed to Rollins Leasing Corp., filed on July 13, 1999 of record in Instrument Number 199907130178138;

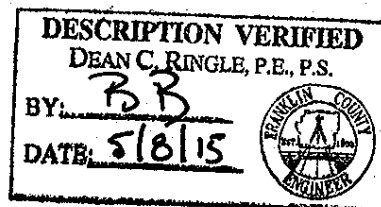
Thence North $03^{\circ} 48' 42''$ East, along the westerly line of said Lot 3, along an easterly line of said 6.770 acre tract, along an easterly line of that 1.656 acre tract as described in a deed to the City of Gahanna, filed on November 16, 1993 of record in Official Record Volume 24709C09, a distance of 385.05 feet to the True Place of Beginning and containing an area of 2.035 acres of land located in Franklin County Auditor's Tax Parcel No. 025-012947.

Bearings are based on South $86^{\circ} 33' 23''$ East along the southerly right of way line of said Eastgate Parkway, as delineated on the plat of "Eastgate Industrial Center" of record in Plat Book 101 Pages 87 through 89 on file in the Recorder's Office, Franklin County, Ohio.

The foregoing description has been prepared by BRH Group, Inc., from an actual field survey of the premises under the direct supervision of John L. Price, Registered Professional Surveyor No. 7159, Iron Pins set are 5/8" rebar, 30" long with a yellow plastic cap stamped "BRH Group".

PPN: 025-012947-00

Property Address: 1601 Eastgate Parkway, Gahanna, Ohio 43230



M94NB

All of
(025)

12947

NOTES:

1. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP, THIS SITE IS LOCATED WITHIN FLOOD ZONE "X" (AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOOD PLAIN) PER F.E.M.A. FIRM MAP NUMBER 39049C 0352K, EFFECTIVE DATE JUNE 17, 2008.
2. THE INFORMATION SHOWN CONCERNING EXISTING UTILITIES IS NOT REPRESENTED, WARRANTED OR GUARANTEED TO BE COMPLETE OR ACCURATE. INVESTIGATION, LOCATION, SUPPORT, PROTECTION AND RESTORATION OF ALL EXISTING UTILITIES AND APPURTENANCES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR, PRIOR TO CONSTRUCTION TO DETERMINE IN THE FIELD THE ACTUAL LOCATION AND ELEVATIONS OF ALL EXISTING UTILITIES WHETHER SHOWN ON THE PLANS OR NOT. THE CONTRACTOR SHALL CALL THE OHIO UTILITIES PROTECTION SERVICES, OUPS, AT 1-800-362-2764 TWO (2) WORKING DAYS PRIOR TO THE START OF CONSTRUCTION.
3. ZONING: THE SUBJECT PROPERTY IS CURRENTLY LOCATED WITHIN THE OCT - OFFICE, COMMERCE, & TECHNOLOGY.
4. WHEEL STOP DEVICES 5" HIGH MINIMUM WILL BE PROVIDED FOR ALL PARKING SPACES IN ACCORDANCE WITH SECTION 3312.45 OF THE COLUMBUS ZONING CODE.
5. PARKING LOT LIGHTS WILL BE PROVIDED ACCORDING TO SECTION 1155.08 AND 1163.06 OF THE GAHANNA ZONING CODE. VISION CLEARANCE TO BE PROVIDED ACCORDING TO SECTION 3321.05 AND SCREENING TO BE PROVIDED ACCORDING TO SECTION 1155.06 OF THE GAHANNA ZONING CODE.
6. PARKING LOT STRIPING/MARKING WILL BE IN ACCORDANCE WITH SECTION 1163.06 OF THE GAHANNA ZONING CODE.
7. PARKING LOT WILL BE PAVED IN ACCORDANCE WITH SECTION 3312.43 OF THE COLUMBUS ZONING CODE.
8. DUMPSTER SCREENING WILL BE IN ACCORDANCE WITH SECTION 1155.06 OF THE GAHANNA ZONING CODE.
9. LANDSCAPING TO BE PROVIDED IN ACCORDANCE WITH SECTION 1155.06 AND 1163.08 OF THE GAHANNA ZONING CODE.
10. MAXIMUM ALLOWABLE BUILDING HEIGHT TO BE 40'.
PROPOSED BUILDING HEIGHT=28'
TYPICAL PARKING LOT LIGHT POLE HEIGHT=36' (MAX.) MAXIMUM HEIGHTS LISTED INCLUDE BASE, POLE AND FIXTURE ABOVE GRADE.
11. BUILDING MOUNTED LIGHTING WILL BE IN ACCORDANCE WITH SECTION 1155.08 OF THE GAHANNA ZONING CODE.
12. PARKLAND ORDINANCE (CC3318) DOES NOT APPLY.

PARKING SPACE REQUIREMENTS

USAGE	PARKING REQUIREMENTS	AREA	REQUIRED
COMMERCIAL WAREHOUSE USE	1 SPACE PER EA BUSINESS VEHICLE	-	2
	1 SPACE PER EA 1,000 SQ. FT.	19,584	20
TOTAL		22 (MIN.)	

TOTAL SPACES PROVIDED-28 (INCLUDING 1 ACCESSIBLE SPACES)

SITE DATA TABLE

TOTAL SITE AREA:	2.03 AC. (88,465 S.F.)
TOTAL DISTURBED:	1.91 AC. (83,200 S.F.)
PRE-DEVELOPED IMPERVIOUS:	0.000 AC. (0%)
POST-DEVELOPED IMPERVIOUS:	0.981 AC. (48%)

SANITARY SEWER NOTE:

CONNECTION TO SANITARY SEWER CANNOT BE MADE WITHOUT OBTAINING A PERMIT FROM SEWER PERMIT OFFICE 910 DUBLIN ROAD, 3RD FLOOR 645-7490.

PRIOR TO DEMOLITION PERMIT, A PERMIT FOR SANITARY LATERALS TO BE CAPPED OFF MUST BE OBTAINED FROM 910 DUBLIN RD. 3RD FLOOR, 645-7490

FOR THE DIVISION OF POWER

THE DIVISION OF POWER (DOP) MAY HAVE OVERHEAD PRIMARY, SECONDARY AND UNDERGROUND STREET LIGHTING AT THIS WORK LOCATION. THE CONTRACTOR IS HEREBY REQUIRED TO CONTACT OUPS 1-800-362-2764 FORTY-EIGHT HOURS PRIOR TO CONDUCTING ANY ACTIVITY WITHIN THE CONSTRUCTION AREA. THE DOP DISPATCH OFFICE NUMBER IS : (614) 645-7627 (VOICE).

ANY REQUIRED RELOCATION, SUPPORT, PROTECTION, OR RELATED ACTIVITY CONCERNED WITH THE CITY'S STREET LIGHTING SYSTEM IS TO BE PERFORMED BY THE CONTRACTOR UNDER THE DIRECTION OF DOP PERSONNEL AND AT THE EXPENSE OF THE PROJECT. DOP SHALL MAKE ALL FINAL CONNECTIONS TO DOP'S EXISTING ELECTRICAL SYSTEM AT THE EXPENSE OF THE PROJECT. THE CONTRACTOR SHALL USE MATERIAL AND MAKE REPAIRS TO A CITY OF COLUMBUS STREET LIGHTING SYSTEM BY FOLLOWING DOP'S "MATERIAL AND INSTALLATION SPECIFICATIONS" (MIS) AND THE CITY OF COLUMBUS "CONSTRUCTION AND MATERIAL SPECIFICATIONS" (CMS). ANY NEW OR RE-INSTALLED UNDERGROUND STREETLIGHT SYSTEM SHALL REQUIRE TESTING AS REFERRED TO IN SECTION 1000.18 OF THE CMS MANUAL. THE CONTRACTOR SHALL CONFORM TO DOP'S EXISTING CONDUCTOR SAFETY AND HOLD CARD SYSTEM (MIS-95), COPIES OF WHICH ARE AVAILABLE FROM DOP. IF YOU HAVE ANY QUESTIONS, CALL SCOTT WOLFE AT (614) 724-4351 OR CHRIS VOGEL AT (614) 645-6963.

IF ANY ELECTRICAL FACILITY BELONGING TO DOP IS DAMAGED IN ANY MANNER BY THE CONTRACTOR, ITS AGENTS, SERVANTS, OR EMPLOYEES, AND REQUIRES EMERGENCY REPAIRS, DOP SHALL MAKE ALL NECESSARY REPAIRS, AND THE EXPENSE OF SUCH REPAIRS AND OTHER RELATED COSTS SHALL BE PAID BY THE CONTRACTOR TO THE DIVISION OF POWER , CITY OF COLUMBUS, OHIO.

PERMIT EXPIRATION:

THIS PLAN IS VALID FOR ONE (1) YEAR FROM DATE OF APPROVAL.

KEYED NOTES

- 1

EXISTING BUILDING
- 2

EXISTING WALL LIGHT TO REMAIN
- 3

EXISTING STORM MANHOLE
- 4

EXISTING CONCRETE APRON
- 5

EXISTING FIRE HYDRANT
- 6

PROPOSED ASPHALT DRIVE (RATED FOR 75,000 LBS)
- 7

PROPOSED BUILDING
- 8

PROPOSED WALL LIGHT
- 9

PROPOSED HANDICAP PARKING SPACE
- 10

PROPOSED GAS METER
- 11

PROPOSED DUMPSTER ENCLOSURE
- 12

PROPOSED KEYPAD/CARDREADER (PROGRAMMED FOR FIRST RESPONDERS PER FRANKLIN COUNTY PUBLIC SAFETY
- 13

CLEAR VISION TRIANGLES
- 14

PROPOSED A/C UNIT
- 15

PROPOSED GATE
- 16

PROPOSED OIL INTERCEPTOR
- 17

PROPOSED 120" HAMMERHEAD PER OHIO FIRE CODE (APPENDIX D, FOR FIRE APPARATUS ACCESS)
- 18

EXISTING GAS METER
- 19

EXISTING A/C UNIT
- 20

EXISTING STREAM
- 21

EXISTING 36" CULVERT
- 22

PROPOSED WQ STRUCTURE
- 23

PROPOSED CATCH BASIN
- 24

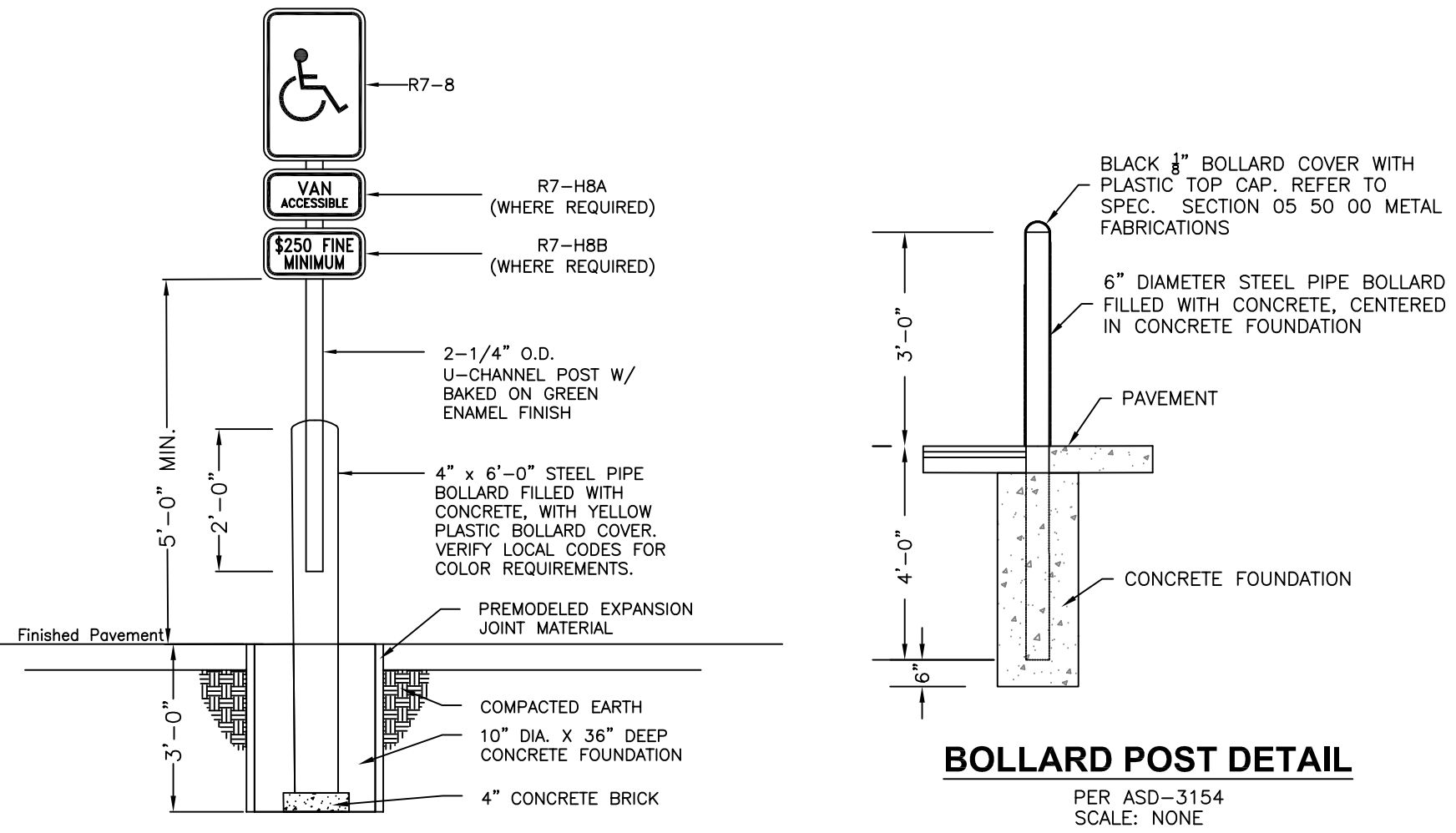
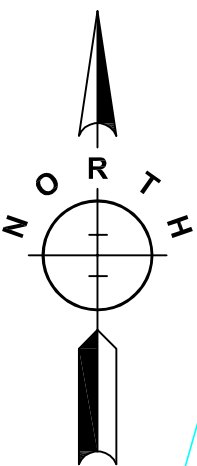
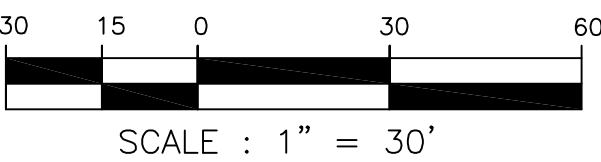
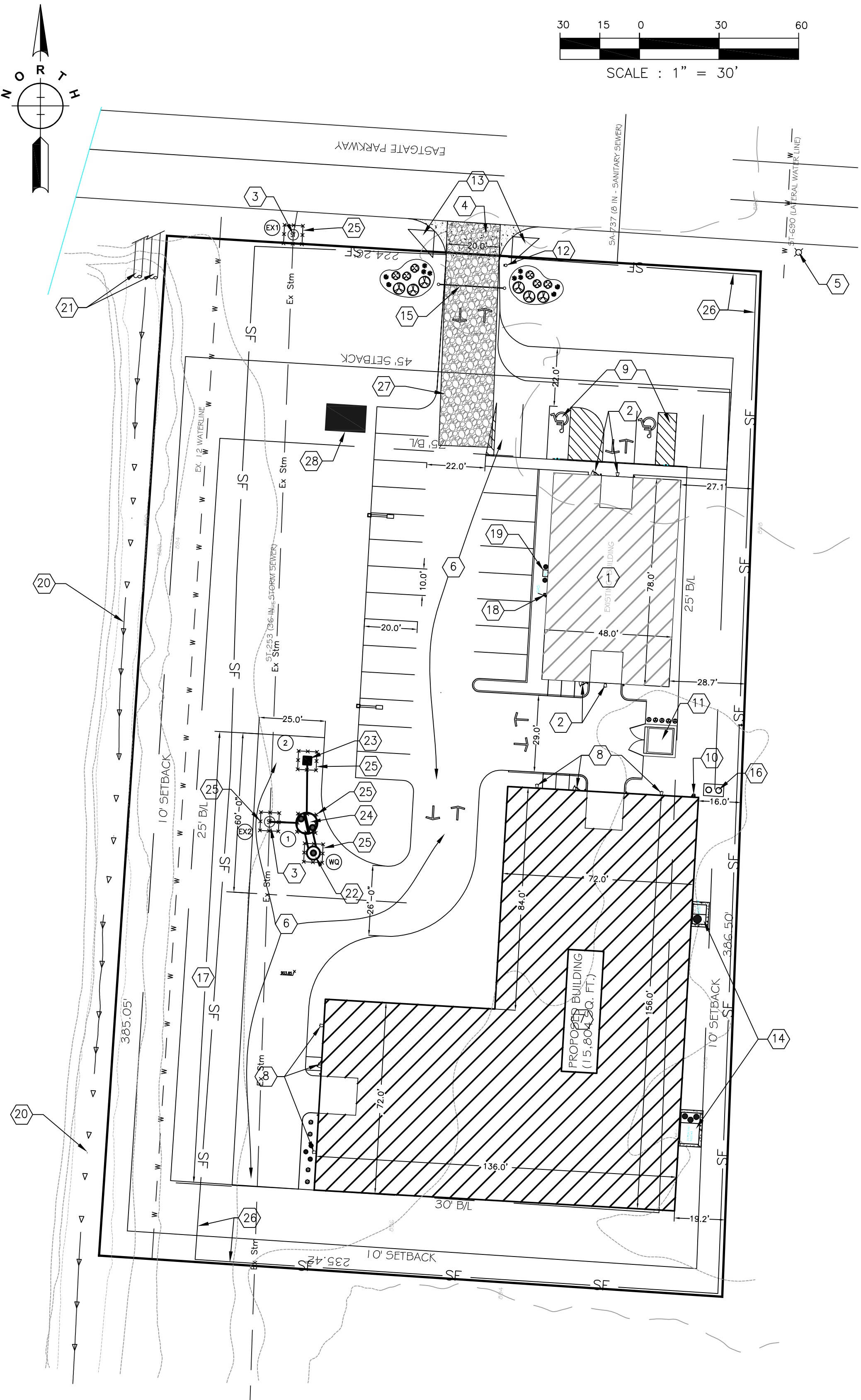
PROPOSED 84" MANHOLE
- 25

EROSION CONTROL-DANDY SACK SEE DETAIL, SHEET 5
- 26

EROSION CONTROL-SEDIMENT FENCE SEE DETAIL, SHEET 5
- 27

EROSION CONTROL-CONSTRUCTION ENTRANCE SEE DETAIL, SHEET 5
- 28

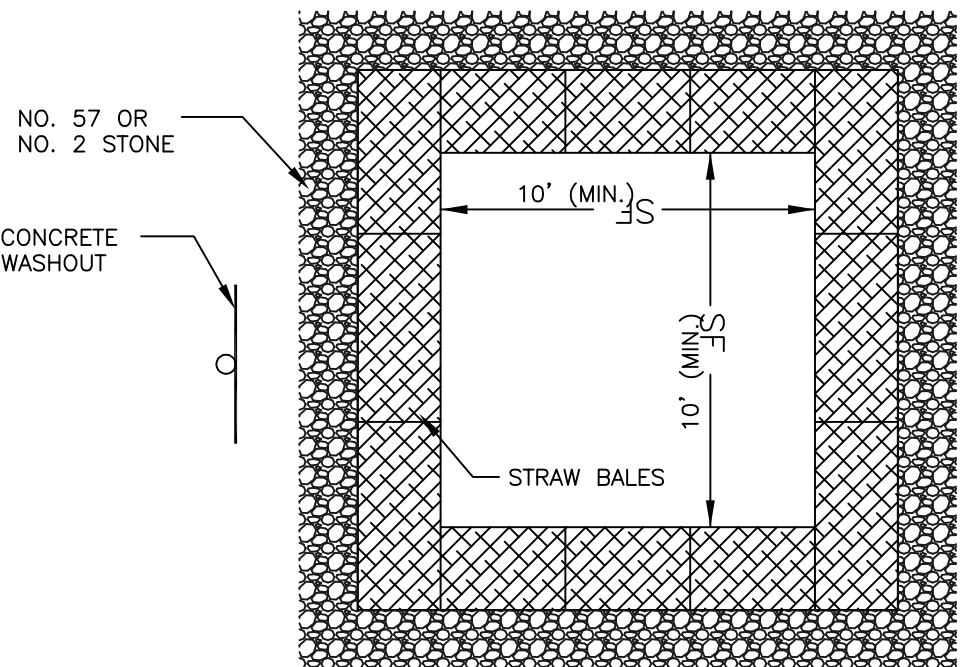
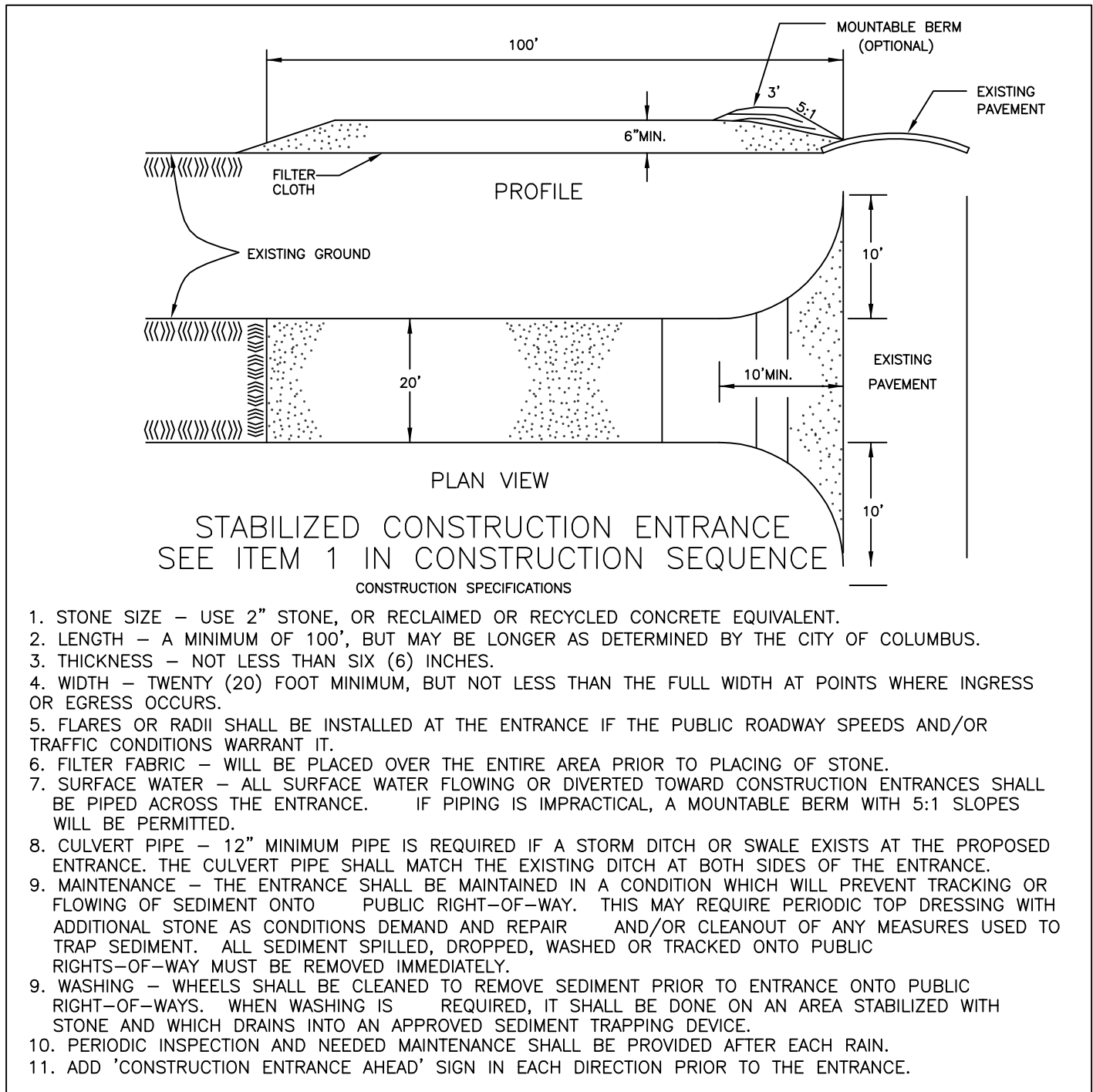
EROSION CONTROL-CONCRETE WASHOUT SEE DETAIL, SHEET 5



VAN ACCESSIBLE SIGNS

ACCESSIBLE SIGN DETAIL

SCALE: NONE

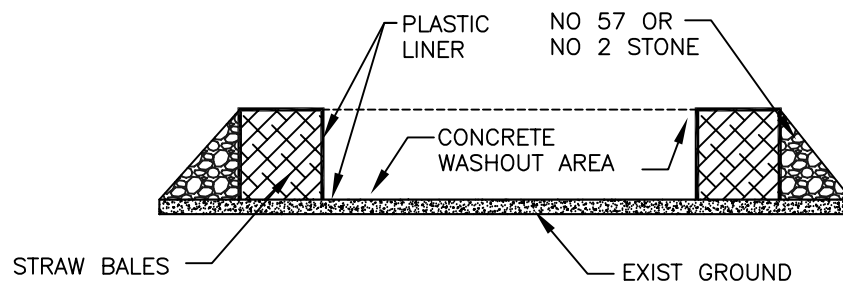


CONCRETE TRUCKS SHALL UTILIZE AREAS TO WASHOUT TRUCKS. ACCUMULATED CONCRETE SHALL BE REMOVED FROM THE SITE AND DISPOSED OF PROPERLY.

AS AN ALTERNATIVE, CONTRACTOR SHALL USE A ROLL OFF BOX WITH LINER

CONCRETE WASHOUT AREA

NTS



DEVELOPER/CLIENT

JOE FAVAZZO
1645 EAGLE GLEN DRIVE
BLACKLICK, OH 43004

PROJECT NAME AND ADDRESS

FAVAZZO AUTO WAREHOUSE
1601 EASTGATE PARKWAY
GAHANNA, OH 43230

CONSULTANT

P. L. Systems, Inc.
Surveyors • Engineers
Planners
171 Charring Cross Dr.
Westerville, Ohio 43081
Phone: (614) 891-4970
Fax: (614) 891-4984

SEAL

REVISIONS

DRAWN BY	CHECKED BY
JS	MC
DATE	
8 FEBRUARY, 2017	
SCALE	
1"=30'	
DWG. TITLE	
SITE PLAN	
SHEET	

3 OF 5



LEGAL DESCRIPTION

DESCRIPTION OF 2.035 ACRES SOUTH OF EASTGATE PARKWAY EAST OF BLATT BOULEVARD CITY OF GAHANNA, OHIO

Situated in the State of Ohio, County of Franklin, City of Gahanna, being part of Farm Lot 19, Quarter Township 3, Township 1, Range 16, United States Military Lands, and being a 2.035 acre tract all out of Lot 3 in the plat of "Eastgate Industrial Center" of record in Plat Book 101, Pages 87 thru 89 and described in a deed to Deffenbaugh Investment Company, LLC filed on July 12, 2004 of recorded in Instrument Number 200407120161024, all references to records are on file in the Recorder's Office, Franklin County, Ohio, said 2.035 acre tract being more particularly described as follows:

Beginning at an iron pin set on the southerly right of way line of Eastgate Parkway at the northwesterly corner of said Lot 3;

Thence South 86° 33' 23" East, along the southerly right of way line of said Eastgate Parkway, along the northerly line of said Lot 3, a distance of 224.26 feet to an iron pin set at the northwesterly corner of that 2.035 acre tract as described in a deed to G & N Enterprise LTD, filed on March 7, 2007 of record in Instrument Number 200703070040228;

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Thence North 03° 48' 42" East, along the westerly line of said Lot 3, along an easterly line of said 6.770 acre tract, along an easterly line of that 1.656 acre tract as described in a deed to the City of Gahanna, filed on November 16, 1993 of record in Official Record Volume 24709C09, a distance of 385.05 feet to the True Place of Beginning and containing an area of 2.035 acres of land located in Franklin County Auditor's Tax Parcel No. 025-012947.

Bearings are based on South 86° 33' 23" East along the southerly right of way line of said Eastgate Parkway, as delineated on the plat of "Eastgate Industrial Center" of record in Plat Book 101 Pages 87 through 89 on file in the Recorder's Office, Franklin County, Ohio.

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PPN: 025-012947-00

Property Address: 1601 Eastgate Parkway, Gahanna, Ohio 43230

APPLICANT

Virginia E. Favazzo
1645 Eagle Glen Drive
Blacklick, Ohio 43214

PROPERTY OWNER

Virginia E. Favazzo
1645 Eagle Glen Drive
Blacklick, Ohio 43214

ATTORNEY

Christopher A. Rinehart
Rinehart Legal Services, Ltd.
P.O. Box 16308
Columbus, Ohio 43216

**AREA COMMISSION OR
NEIGHBORHOOD****SURROUNDING PROPERTY OWNERS**

City of Gahanna
200 S. Hamilton Road
Columbus, Ohio 43230

Eastgate Parkway Properties LLC
2560 E. Philadelphia Street
Ontario, CA 91761

Pizzuti CG Gahanna LLC
629 N. High Street, Ste 500
Columbus, Ohio 43215

1650 Eastgate Parkway LLC
8101 Corporate Blvd.
Plain City, Ohio 43064

Rollins Leasing Corp
One Rollins Place, Box 1719
Wilmington, DE 19899

G&N Enterprise Ltd.
1176 Poppy Hills Drive
Blacklick, Ohio 43004

APPLICATION STAFF COMMENTS

DUE: Wednesdays - 10 AM

To SUBMIT: File>SAVE AS ADOBE PDF with naming convention: "Staff Comments – YOURNAME" to:
T:/Zoning/Applications IN PROGRESS/(the project folder)

Project/Property Address or Location: 1601 Eastgate Parkway

Project Name/Business Name: Favazzo Auto

SUBMITTED BY:

Name: Robert S. Priestas, P.E. **Title:** City Engineer

Department: Public Service and Engineering

The applicant received an approved Building Permit and began construction of their facility located at the above address, however, they had not yet received site approvals. Once our office became aware of construction activities on the property, we made a site visit and determined that the site work had begun and that the structure was substantially complete. Since the site plans were not approved or yet submitted for review, we worked with their original site consultant in an effort to get a plan submittal and site conformance to our requirements for the development. The original designer was released by Mr. Favazzo and P&L systems was hired to complete the necessary site plans for the project. Once P&L systems was contracted by Mr. Favazzo, they performed a site survey to begin design of the plans to bring the applicant into site and plan approval conformance. Upon completing their survey, it was realized that the structure was built 9' into the building setback. Upon review of the original FDP for this development, it appears that this occurred due to an error in the dimensioned site plan that was prepared by their original site designer. We feel that this creates a unique and special circumstance for this particular project, that the variance is necessary for the preservation and enjoyment of substantial property rights, and that the variance will not materially affect the health or safety of the persons residing or working in the proposed neighborhood of the proposed use and will not be materially detrimental to the public welfare or injurious to the property improvement in the area.

APPLICATION STAFF COMMENTS

To **SUBMIT:** File>SAVE AS ADOBE PDF with naming convention: "Staff Comments – YOURNAME" to:
T:/Zoning/Applications IN PROGRESS/(the project folder)

Project/Property Address or Location: 1601 Eastgate Pkwy

Project Name/Business Name: Favazzo

SUBMITTED BY:

Name: Michael Blackford **Title:** Deputy Director

Department: Planning and Development

The applicant seeks variance approval to reduce the side yard setback from 25' to 16' along the eastern setback.

Variance Criteria

Planning Commission shall not grant a variance unless it finds that all of the following conditions apply to the case in questions:

- 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 detrimental to the public welfare or injurious to property or improvements in such neighborhood.

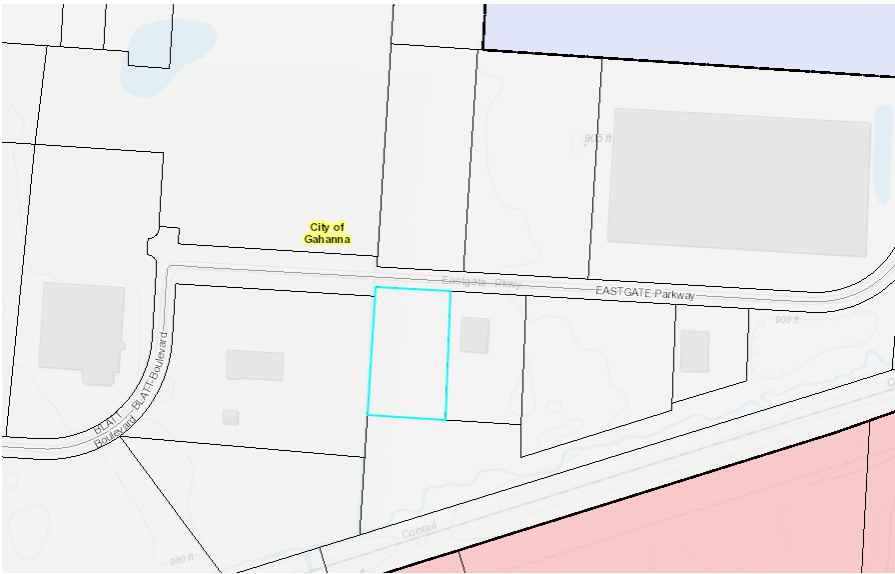
This variance request is somewhat unique in that a building was constructed inconsistent with the approved site plan. Resolution to the setback issue can only be accomplished in one of three ways; a variance, removal of the building, or purchasing additional property.

The property adjacent to the setback violation is the location of Electric Solutions Inc. Due to the size of the property, its current use and site configuration, it is not feasible to purchase property from this site to obviate the setback violation.

A second solution would be to require the removal of the structure. This would be a costly and a time intensive solution. Planning and Development staff believes that this is not a desirable solution. Instead, staff recommends approval of the requested variance.

The placement of the building 16' from the property line does not appear to create an adverse or unsafe condition. The use of the subject property is similar to that of the neighboring property. Similarity of uses should mitigate incompatibility issues. If there are concerns about the visual impact to the adjacent property, then staff would suggest that planting be added along the eastern property line to shield the visual impact caused by the reduced setback.

Location Map



Street View



APPLICATION STAFF COMMENTS

DUE: Wednesdays - 10 AM

To SUBMIT: File>SAVE AS ADOBE PDF with naming convention: "Staff Comments – YOURNAME" to:
T:/Zoning/Applications IN PROGRESS/(the project folder)

Project/Property Address or Location: 1601 Eastgate Parkway

Project Name/Business Name: Favazzo Warehouse

SUBMITTED BY:

Name: Bonnie Gard **Title:** Planning & Zoning Administrator

Department: Service

The applicant seeks a variance to allow a side yard setback to be reduced from 25' to 16' in the OCT district. This request applies to the second structure approved in 2016, and built on the site. Construction had commenced before the city was made aware that Engineering plans had not been approved, and a pre-construction meeting had not been held. Once we discovered these omissions, an inspector was sent out to verify that the building was indeed constructed inside the 25' side yard setback. We then contacted the property owner and advised him to file for a variance.

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.

Zoning is of the opinion that the abovementioned items in the previous paragraph constitute special conditions; that the variance is necessary for the applicant's property enjoyment; and granting the variance will not unduly cause harm to the neighborhood.

Kelly Wicker

From: Sheila Murphy
Sent: Tuesday, August 08, 2017 10:55 AM
To: Kelly Wicker
Subject: RE: 1601 Eastgate Parkway Variance

K
No comment here from the PD.
Thanks
S

From: Kelly Wicker
Sent: Tuesday, August 08, 2017 10:02 AM
To: Staff Review Team - Mifflin <StaffReviewTeam-Mifflin@gahanna.gov>
Subject: 1601 Eastgate Parkway Variance

Staff,
Please review the following Variance application for 1601 Eastgate Parkway. Staff Comments are due Tuesday August 15th by 12:00pm.

<T:\Zoning\Applications IN PROGRESS\1601 Eastgate Pkwy V17\1601 Eastgate PkwyV17.pdf>

Thank you.

KELLY WICKER
Zoning Clerk
Department of Public Service
Division of Building and Zoning



200 S. Hamilton Rd.
Gahanna, Ohio 43230
614.342.4025
614.342.4111(fax)
kelly.wicker@gahanna.gov
www.Gahanna.gov
Twitter @CityOfGahanna

Kelly Wicker

From: Rob Wendling
Sent: Monday, August 14, 2017 3:57 PM
To: Kelly Wicker
Subject: RE: Reminder

After reading the variance application I have no issues with granting a variance.

From: Kelly Wicker
Sent: Monday, August 14, 2017 9:13 AM
To: Staff Review Team - Mifflin <StaffReviewTeam-Mifflin@gahanna.gov>
Subject: Reminder

Staff,
Reminder that comments are due Tuesday August 15th by 12:00pm for the Variance at 1601 Eastgate Parkway. Thank you if you have already submitted your comments.

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KELLY WICKER

Zoning Clerk
Department of Public Service
Division of Building and Zoning



CITY OF GAHANNA

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Twitter @CityOfGahanna

Kelly Wicker

From: Ken Fultz
Sent: Tuesday, August 08, 2017 11:23 AM
To: Kelly Wicker
Cc: Bonnie Gard
Subject: 1601 Eastgate Parkway Variance

The Building Division has no comments. The “new” location does not affect any building code issues.

Ken

KENNETH W. FULTZ, P.E.

Chief Building Official
Department of Public Service and Engineering



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From: Kelly Wicker
Sent: Tuesday, August 08, 2017 10:02 AM
To: Staff Review Team - Mifflin <StaffReviewTeam-Mifflin@gahanna.gov>
Subject: 1601 Eastgate Parkway Variance

Staff,
Please review the following Variance application for 1601 Eastgate Parkway. Staff Comments are due Tuesday August 15th by 12:00pm.

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Thank you.

KELLY WICKER

Zoning Clerk
Department of Public Service
Division of Building and Zoning



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