



Granville Township

TRAVIS BINCKLEY, ZONING INSPECTOR

Granville Township Service Complex
1554 Columbus Rd. (Physical Location)
PO Box 315
Granville, Ohio 43023-0315
Phone/Fax: (740) 587-0229
Email: roads@granilletownship.org

Date: January 24, 2024

Otterbein Granville, Inc.
3855 Lower Market St. Suite 300
Lebanon, Ohio 45036

Re: Request for a zoning permit at 2158 Columbus Rd. parcel # 019-042486-00.001

To Otterbein Granville, Inc.,

Your property at 2158 Columbus Rd. is located within the Continuing Care Retirement Community District (CCRC) of the Township. **Section 907 Continuing Care Retirement Community District (CCRC)** of the Zoning Resolution requires a minimum lot size of 80 Acres, all of which owned by a single entity, and a minimum width of 350' at a dedicated roadway.

The CCRC requires:

1. All buildings and parking areas are at least 400' from each public street that was existing at the time the district was established.
2. All buildings and parking areas be at least 100' from abutting property lines
3. Continuous buffer zone along at least 25% of the perimeter of the property.
4. No more than an average of 2.5 units per acre of land

In addition to the above requirements there are requirements for open space, landscaping, parking and signage.

You have requested to erect five (5) additional buildings, ten (10) dwellings. Proposed building #s 1-4 meet all the minimum requirements of the zoning resolution; however, building #5 does not meet the required minimum setback of 100' from the south property line. Therefore, you will require a variance for your proposed plans for building #5 in the described location on your lot. You may apply to the Granville Township Board of Appeals for a variance by contacting the office and requesting an application.

Sincerely,

Travis Binckley
Granville Township Zoning Inspector



APPLICATION FOR ZONING PERMIT

Please include three (3) copies of this application when submitting to the Zoning & Compliance Officer.

Application No. _____

Permit Request for: Dwelling Accessory Structure Addition Other No. of Dwellings 10

1. Applicant: Jeff Kmet Telephone: (513) 933-5420
(first name) (last name)
Address: 3855 Lower Market Street, Suite 300 Lebanon Ohio 45036
(street) (city) (state) (zip code)

2. Owner (if different than applicant) Otterbein Granville, Inc. Telephone (513) 933-5420
(first name) (last name)
Address 3855 Lower Market Street, Suite 300 Lebanon Ohio 45036
(street) (city) (state) (zip code)

3. Please attach Legal Description of Property as part of this application.

CRITICAL DIMENSIONS:

- a) Width of property at front of construction: 580 ft.
- b) Set back from right of way: N/A ft.
- c) Side yard clearance (facing construction Main Road): Right Side: 113.9 ft. Left Side: 58.0 ft.
- d) Rear yard clearance: 113.9 ft.
- e) Building height at higher point: 20.4 ft.

4. Existing use of the property: Senior Living Facility (Zoning = Continuous Care Retirement Community District)

5. Proposed use of the property: Senior Living Facility (Zoning = Continuous Care Retirement Community District)

6. Zoning District: Residential/R1 General Business/GB Conservation District (C-1)
 Continuing Care Retirement Community (CCRC) Manufacturing/MI
 Agricultural/AG Planned Unit Development/PUD

7. As part of this application, please include one set of sketched plans showing the dimensions and the shape of the lot to be built upon; the size and location of existing buildings on the lot, if any; and the location and dimensions of the proposed building(s) or alteration.

8. Number of off-street parking spaces or loading berths: 20 9. Number of dwellings: 10

10. Such other matters as may be necessary to determine conformance with, and provide for the administration of this resolution as determined by the Board of Township Trustees in accordance with Section 313: N/A

11. I certify the above to be correct and understand that misinformation on this application will cause the issued permit to be void.

Applicant Signature: [Signature] Date of Submittal: 1/12/2024

Zoning & Compliance Officer: _____ Date of Issuance: _____



GRANVILLE TOWNSHIP BOARD OF ZONING APPEALS
GRANVILLE, OHIO

APPEAL OF A DECISION OF THE ZONING INSPECTOR

The undersigned applicant(s) hereby appeal to the Granville Township Board of Zoning Appeals, the refusal of zoning certificate by the Granville Township Zoning Inspector for the reason below:

- () ERROR – There was an error in the zoning inspector decision.
(x) VARIANCE – There was no error in the zoning inspector’s decision, but a variance should be allowed in order to avoid an “unnecessary hardship” as the phrase is defined in the Granville Township Zoning Resolution.
() BOTH ERROR AND VARIANCE – There was an error in the zoning inspector’s decision and a variance should be allowed in order to avoid an “unnecessary hardship” as the phrase is defined in the Granville Township Zoning Resolution.

DIFFERENCE BETWEEN AN ERROR AND A VARIANCE

Error in Decision: If the applicant’s contention is that there was an error in the decision of the zoning inspector, the applicant is contending that the zoning inspector has misapplied the Zoning Resolution to the property. This is an assertion by the applicant that the Zoning Resolution should not be interpreted in the manner in which the zoning inspector has interpreted the Resolution and that if properly interpreted, the Zoning Resolution would allow the applicant to use the property in question in the fashion urged by the applicant.

Variance: If the applicant is requesting a variance, the applicant acknowledges that the zoning inspector has properly interpreted and applied the rules set forth in the Zoning Resolution, but that the applicant seeks a modification of the specific standards set forth in the Zoning Resolution in order to avoid an “unnecessary hardship” as that phrase is defined in the Zoning Resolution.

Alternative Contentions: An applicant may make alternative contentions. The applicant may first contend that the zoning inspector has erred in applying the specific terms of the Zoning Resolution. Second, the applicant may, in the alternative, assert that if the zoning inspector has correctly applied the rules set forth in the Zoning Resolution, then a variance should be granted.


NEED FOR LEGAL ASSISTANCE

Proceedings before the Board of Zoning Appeals are informal, and there is no requirement that an applicant has to be represented by legal counsel. However, while there is no requirement that legal counsel represent the applicant, the Zoning Resolution is a long and complicated document, which is sometime not easily understood.

Furthermore, the Board of Zoning Appeals is a quasi-judicial administrative body. Its decisions do decide valuable economic and property rights and if an applicant does not agree with the decision of the Board, the applicant's only appeal is to the court of Common Pleas. Therefore, each applicant should consider whether to consult with and be represented by legal counsel.

INFORMATION SUBMITTED UNDER PENALTIES OF PERJURY

The information contained in this Appeal is submitted under penalties of perjury, and it is true and accurate to the best of my knowledge, information and belief of the applicant(s).

Applicants Signature:  Date 1/12/2024

Applicants Signature: _____ Date _____

GENERAL INFORMATION

Applicant's Name(s) Otterbein Granville, Inc. (Jeff Kmet)
Street Address: 3855 Lower Market Street, Suite 300
City/State/Zip Code: Lebanon, OH 45036
Daytime telephone no. (513) 933-5420 Evening telephone no. (513) 725-5783

Mailing address if different than above: _____

ERROR IN DECISION

The zoning inspector erred in applying the specific terms of the Zoning Resolution as follows: _____

REQUEST FOR A VARIANCE

Standards for Requesting a Variance

Variance Defined: Under the Granville Township Zoning Resolution, a variance is a "modification" of a specific standard set forth in the Resolution which the Board of Zoning Appeals concludes is necessary in order to avoid an "unnecessary hardship" to the applicant.

Unnecessary Hardship: Under the Resolution, an "unnecessary hardship" is specially defined as a "substantial and serious" hardship, which meets certain criteria.

1. Special conditions unique to the property are required. The need for a variance must be due to special conditions unique to the property in question and not common to other properties in the same district. Among other things, this requires a showing: a) that denial of the variance would deprive the applicant of rights commonly enjoyed by others in the same district, and b) that granting the variance would not grant the applicant a special privilege not enjoyed by others in the same district as the applicant.

2. Hardship may not be self-created. The hardship for which a variance is requested cannot be self-created. That is, the hardship cannot be the result of actions of the applicant(s).

INSUFFICIENT GROUNDS FOR A VARIANCE

Certain conditions, standing alone do not constitute grounds for a variance. For example:

Economic Loss: Under the Resolution, merely showing that the applicant will suffer an economic loss is not sufficient. For economic loss standing alone to be sufficient to grant a variance, it must be shown that the failure to grant the requested variance would render the applicant's property practically valueless. A property is not practically valueless under the Resolution unless it can be shown that the property cannot reasonably be used for "any" productive use allowed within the district.

Other Non-Conformities Insufficient: Merely showing the existence of other non-conforming uses in the same district or in other districts is not, by itself, grounds for granting a variance.

VARIANCE CANNOT BE CONTRARY TO THE PUBLIC INTEREST:

In granting a variance, the Board must observe the spirit of the Resolution and the variance must result in substantial justice. This means that in granting relief to the applicant, the Board cannot grant a variance to permit a use of property expressly or by implication prohibited by the Resolution, nor can the Board grant a variance, which is contrary to the public interest:

SPECIFIC INFORMATION AND QUESTIONS

Describe the variance requested: In code section 907 of the Granville code of ordinances there is a minimum building and parking setback of 100 ft from any abutting property line. A variance for this code is being requested.

What special circumstances and conditions exist with respect to the property, which require that a variance be granted? The Independent living Senior duplex home/dwelling proposed at the southern most part of the zoning plan does not meet the minimum 100 ft setback requirement with a setback of only 50 ft away from the closest abutting property line.

To your knowledge, do similar circumstances or conditions exist with respect to other properties in the same district as the property for which this variance is requested?

Yes ___ No x

If YES, describe the extent to which the circumstances or conditions are common with respect to other properties in the district. Whether YES or NO, describe the extent to which you made inquiry to determine whether the circumstances or conditions exist with respect to other properties in the district. _____

How would application of the literal terms of the Zoning Resolution, (that is denial of the variance request) deprive the applicant of the rights commonly enjoyed by other properties in the same district? The project would eliminate Otterbein Granville the opportunity to serve and provide housing for one and possibly two independent living Seniors

Why will the granting of this variance NOT result in granting the applicant a special privilege denied to other properties in the same district? _____

A set back of 58' (+/-) will be maintained from the abutting property line; one item to note is the 100' gas line easement which limits development and creates a buffer (setback) of 108' between the proposed new home/dwelling and the nearest potential future structure(s) at the abutting property

Are the special circumstance and conditions, which are the grounds for the requested variance the result of any action taken by the applicant? That is, to what extent is the hardship self-created? None

To the knowledge of the applicant, would the granting of the variance requested directly or indirectly result in allowing a use within the district which is not permitted, under the terms of the Resolution? YES ___ NO x .

If YES, please explain. _____

OTHER INFORMATION AND DOCUMENTS TO BE SUBMITTED:

1. Description of the property which is the subject of the zoning inspector's decision.
2. A detailed property map from the county engineer's office.
3. A copy of denial letter from the township zoning inspector.
4. A copy of the county auditor's tax appraisal card.
5. A scale drawing of the property and the changes you which to make to the property, including dimensions.
6. A list of all contiguous property owners, including those across a street, including full name and mailing address.
7. Any other information the applicant believes might be helpful to the Board in deciding whether or not to grant this variance request, such as photographs, letters from neighbors, etc.

Deliver the original and eight copies of the application and attachments, along with a check payable to Granville Township, for the hearing expense fee (*) to:

Zoning Inspector, Travis Binckley
Granville Township Service Complex
1554 Columbus Rd.
Granville, OH 43023
Telephone: 740-587-0229

* The current zoning fees are available at www.GranvilleTownship.org under Development/Zoning/Zoning Fees or by contacting Zoning Inspector Travis Binckley.

Form No. ZBA 1
Adopted: May 28, 2003

Property Report

Address		
N/A KENDAL AT GRANVILLE -- 2158 COLUMBUS RD		
Engineer's Pin	Owner	Auditor's PIN
02130000600000017100	N/A KENDAL AT GRANVILLE	019-042486-00.001
Tax Acreage	Deed Acreage	Official Record
60	0	202112130037892

Property Owner

Denison University
Nicolosi, Raphael J and Kristina
Twp of Granville
Hayes, Adam III and Shannon
Owens Corning Science & Technology
Curtis, Donald E and Janet E
Restin Limited
L K Morris D V M Inc.
BD of Granville Twp Tr
Hollingsworth, Patricia O

Mailing Address

100 w cCollege St, Granville OH 43023
2256 Columbus Rd, Granville OH 43023
PO Box 315
5500 Nottinghamshire Lane, Westerville OH 43081
One Owens Corning Parkway, Toledo OH 43659
1942 Columbus Rd, Granville OH 43023
1630 Columbus Rd Unit C OH 43023
1764 Columbus Rd, Granville OH 43023
PO Box 315
2020 Columbus RD, Granville OH 43023

PROPOSED LEGEND
 [Symbol] APPOINTMENT

ZONING REQUIREMENTS TABLE
 ZONE: COMMERCIAL CENTER
 EXISTING USE: SENIOR LIVING FACILITY
 PROPOSED USE: NO CHANGE

SECTION	SYMBOL	REQUIREMENT	EXISTING	PROPOSED	COMPLIANT
1101	MAX. LOT COVERAGE	100%	100%	100%	YES
1102	MIN. LOT WIDTH (FT)	100	100	100	YES
1103	MIN. SETBACK (FT)	10	10	10	YES
1104	MIN. BUILDING SETBACK TO ADJACENT PROPERTY (FEET)	10	10	10	YES
1105	MIN. BUILDING SETBACK TO STREET (FEET)	10	10	10	YES
1106	MAX. BUILDING AREA (S.F.)	80,000	N/A	4,188	YES

PARKING REQUIREMENTS TABLE

CODE SECTION	STANDARD	REQUIREMENT	EXISTING	PROPOSED	COMPLIANT
1101	PARKING SHALL BE PROVIDED TO VEHICLES (FT)	3	3	14,512	YES
1102	PARKING SHALL BE PROVIDED TO VEHICLES (FT)	ON SAME LOT AS USE	N/A	14,512	YES
1103	ON-SITE PARKING SHALL BE PROVIDED TO VEHICLES (FT)	ON SAME LOT AS USE	N/A	14,512	YES
1104	ON-SITE PARKING SHALL BE PROVIDED TO VEHICLES (FT)	ON SAME LOT AS USE	N/A	14,512	YES
1105	ON-SITE PARKING SHALL BE PROVIDED TO VEHICLES (FT)	ON SAME LOT AS USE	N/A	14,512	YES
1106	ON-SITE PARKING SHALL BE PROVIDED TO VEHICLES (FT)	ON SAME LOT AS USE	N/A	14,512	YES
1107	ON-SITE PARKING SHALL BE PROVIDED TO VEHICLES (FT)	ON SAME LOT AS USE	N/A	14,512	YES
1108	ON-SITE PARKING SHALL BE PROVIDED TO VEHICLES (FT)	ON SAME LOT AS USE	N/A	14,512	YES
1109	ON-SITE PARKING SHALL BE PROVIDED TO VEHICLES (FT)	ON SAME LOT AS USE	N/A	14,512	YES
1110	ON-SITE PARKING SHALL BE PROVIDED TO VEHICLES (FT)	ON SAME LOT AS USE	N/A	14,512	YES
1111	ON-SITE PARKING SHALL BE PROVIDED TO VEHICLES (FT)	ON SAME LOT AS USE	N/A	14,512	YES



GENERAL NOTES
 1. ALL DIMENSIONS ARE IN FEET AND INCHES.
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APPOINTMENT
 RAPHAELE WOODS RD
 GRANVILLE OH 43022
 5.294 ACRES

DENSON UNIVERSITY
 GRANVILLE OH 43022
 14,512 ACRES



	<p>OTTERBEIN SENIOR LIVING GRANVILLE OH 43022</p>
	<p>NOT FOR CONSTRUCTION</p>
<p>SCALE: 1" = 10'</p>	<p>PROJECT NO: 23042422</p>
<p>DATE: 01/17/2024</p>	<p>PROJECT NAME: ZONING PLAN</p>
<p>SCALE: 1" = 10'</p>	<p>SHEET NO: 1/1</p>