



Planning & Zoning Commission Meeting
Tuesday, July 28, 2026 - 6:30 PM
AGENDA

1. Call to Order/Roll Call
2. Public Comment on items not on the agenda
3. Action on Minutes
 - a. May 26, 2026
 - b. June 23, 2026
4. Recommendation to Council; Application # 06-22-26 Zoning Text Amendment to Chapter 1147
 - a. Application
5. Application # 06-25-26CUP Conditional Use Application; Auto Dealership/Sales/Service 755 W. Coshocton St.
 - a. Application
 - b. Site Plan
 - c. Conditional Use & Variance Supporting Statement
 - d. Staff Report
6. Application # 06-25-26V Variance Application; 755 W. Coshocton St.
 - a. Application
 - b. Staff Report
7. Other Business
8. Adjourn



Planning & Zoning Commission
Tuesday, May 26, 2026 - 5:00 PM
MINUTES

1. Call to Order/Roll Call

Chairman Steve Dyer called to order the Planning and Zoning Commission meeting for Tuesday, May 26, 2026 at 5:09 p.m.

Present - Steve Dyer, Kyle Cook, Mark Zolendziewski, Todd McConnell

Absent - Brian Hiebel

Staff present - Jeffrey Sheridan - Interim City Manager, Jesse Shamp - Law Director's office, Teresa Monroe - Clerk of Council

Public present - Doug Orr, Jamie McNally, Aaron Underhill, Jennifer Erick, Scott Erick, Alan Benton, Tim Swauger, Ruth Ann Booher

2. Public Comment on items not on the agenda

No speakers.

3. Application # 5-15-26 Lot Split/Subdivision of parcel; 337 N Main Street

a. Application & Staff review

Applicants Jennifer and Scott Erick were present. Ms. Erick said they are proposing a lot split and reviewed the site plan submitted. Mr. Zolendziewski asked if they were splitting this to put another home on the other property. Ms. Erick said they are planning to put a single family home there, it would conform to city regulations to fit on the lot, and that there is enough road frontage there. They plan to leave the existing home in place. Planner review states that the split meets the requirements of the UR-1 zoning district. No further discussion.

ACTION: Kyle Cook moved to approve; Steve Dyer seconded and the vote was as follows:

AYES: Kyle Cook, Todd McConnell, Mark Zolendziewski, Steve Dyer

NOES: None

ABSTAIN: None

Passed 4 - 0

Application approved.

4. Application # 5-16-26 Lot Split/Subdivision of parcel; Green Chapel Road

a. Application & Staff report

Applicant Jamie McNally with Johnstown Land Company II LLC was present, he said they are proposing a lot split strictly to accommodate the LRE substation that is currently under construction. The intent was to do a land swap with Licking Rural Electric so they can move their substation from the corner of Mink and Duncan Plains, to the current location. In order to do that, they had to establish a legal parcel, and in order to that, they needed to create a parcel with

frontage along Green Chapel. They had one giant parcel as a part of the PD, this is just breaking off the parcel so LRE has their own parcel and legal description and they can close on the land swap. Review of the application and the proposed site plan.

ACTION: Steve Dyer moved to approve; Todd McConnell seconded and the vote was as follows:
AYES: Steve Dyer, Kyle Cook, Mark Zolendziewski, Todd McConnell
NOES: None
ABSTAIN: None

Passed 4 - 0

Application approved.

5. Application # 5-19-26 Home Occupation Permit; 54 N Oregon Street

a. Application

Applicant Doug Orr said he currently owns Orr & Associates, currently at 82 S. Main Street, he is looking to move the business into 54 N. Oregon Street, which is his childhood home. Both of his parents are now deceased and he already owns it, this seemed like a good way to use it, it is going to be strictly for that, the back part of the house is going to remain residential, for personal use, he will probably sleep there during tax season. Mr. Dyer inquired on the number of vehicles that would come into the neighborhood during peak tax season. Mr. Orr said most are appointment only, there will not be fifty people there at one time. Mr. Cook said that his current business is next to Plaza Pizza, he only has two spots now. Mr. Orr said the driveway on the Oregon house will fit up to five cars easily. No further comments or questions by staff or the board.

ACTION: Steve Dyer moved to approve; Mark Zolendziewski seconded and the vote was as follows:
AYES: Steve Dyer, Kyle Cook, Todd McConnell, Mark Zolendziewski
NOES: None
ABSTAIN: None

Passed 4 - 0

Application approved.

6. TABLED; Chapter 1165 Planned Development (PD) text amendment (Recommendation to Council needs to be made within 30 days/by June 11th; Public hearing held May 12th)

a. Council Initiation; Exhibit Chapter 1165

ACTION: Kyle Cook moved to take from the table; Mark Zolendziewski seconded and all were in favor.
AYES: Steve Dyer, Kyle Cook, Mark Zolendziewski, Todd McConnell
NOES: None
ABSTAIN: None

Passed 4 - 0

Chairman Dyer said that City Council has initiated this change, the process is for this to come

through this board for a recommendation to council and they will make the ultimate decision. Mr. Cook said this is a recommendation that puts a mechanism in place, it does not necessarily mean that any of it will ever happen, it just opens up the possibility for it to happen. Mr. Dyer said that at the last meeting, concerns were expressed about the number of students coming in and who has control over these housing banks and some of the legal parameters behind it.

Public Hearing: Mr. Dyer opened the floor to public comments.

1. Alan Benton

- Said NACO currently has an option to build housing on their property, they don't want to exercise this option. Typically when you have an option and don't exercise it, the option has no value. NACO is asking to change that option into something that has value, which is a housing bank that they can sell to other developers. As he understands today, all the proceeds from the housing bank sales go to NACO and do not benefit our community. His question to this board is how does this benefit the community, how can NACO sell to developers that do not meet the minimum acreage requirements, the only one that meets the requirements is Green Chapel Properties, the Dunn family. He asked several questions rhetorically and asked how can a decision be made when they don't really have answers, or at least he is not aware there are answers, the board may have the answers. He just wants to make sure the city or the greater community gets a benefit.

2. Tim Swauger

- Said he feels we are giving away a bargaining chip for free, that we are giving them something that they can later bargain back to us for no cost or value, he doesn't understand why we would give somebody that bargaining chip.
- Said he looked around and could not find a housing bank anywhere that wasn't already owned by that same property owner, in any city. He cautions the legality of how that works.

No further public comments.

Chairman Dyer said they have had the option to sit on this for two weeks. He thinks it disproportionately benefits a land developer, but he does look at the benefit to the city, he thinks it helps to give the city more control about where to put housing.

Kyle Cook said he thinks along the same lines, that the level of control that we feel like we are losing in this, he feels like we are actually gaining a little bit more. He feels it gives the city an opportunity to control the amount of housing that comes in, instead of being tied to a specific unit, on top of what also might be on the forefront. With that said, he thinks that is more of a council conversation than planning & zoning, again all they are doing is recommending a mechanism to be approved.

Mr. Zolendziewski said that they have 450 acres and the potential for another 99 to come in, basically anything within a 2-mile radius would add to, and obviously in order to do that they would have to have a land owner who approaches the city and requests an annexation for that as well. So there is a lot where the city is going to eventually just gain land there, gain a different position for where housing could be that could be more beneficial and could be less dense as well. Currently where it sits is 1,200 units inside of 110 acres, if they do the math, that's kind of high density. So, this is something that could help benefit there, if they are able to spread that out a little bit further and does allow for those multiple owners mentioned to potentially all come in, with being

able to market their property the way they may want to.

Mr. Dyer asked if city legal counsel could speak about three questions he had emailed. Jesse Shamp with FBT Gibbons was present as counsel for the city and said their quick review in office was that they do not know of another municipality that has something like this set up within a zoning district. There are certainly county land banks that take dilapidated homes, they're torn down, and then they kick them back in, but certainly nothing like this. And so it's almost separate from what he thinks of as a traditional land bank versus a housing bank. Also asked was, is an arrangement like this permitted under the Ohio Revised Code? Mr. Shamp said that because Johnstown is a charter municipality, it has the right to set up its own processes and procedures and this would meet that. The city rezoning processes would dictate and since these are proposed planned districts, that gives the city maximum flexibility to impose conditions in the development text, so it basically creates its own zoning district as they go rather than being restrained by an existing zoning text. Also asked was, does this consolidate a lot of power in a single landowner or a private company that may have rights to those. Mr. Shamp said he thinks that the answer to that is, in one sense yes, you do have that just based on sort of the conditions on the ground right now, but on the other hand, it permits other outside interested parties to utilize the same process and to sort of pull from the housing bank, to separate it up within the footprint based on the replacement PD text. Mr. Dyer referenced transferring units from one developer to the other and asked if they are selling units, was there a financial benefit to somebody. Mr. Shamp said he did not see that in the text as presented, he does not know how that works on the back end, he thinks they probably could.

Aaron Underhill was present, also representing Johnstown Land Company. Mr. Cook said the council still has say over what housing goes in and where it goes. Mr. Underhill said that was correct, and this is not asking for any use to be put in the bank today, this is a code change to put a process in place, if this were to be approved, it is not putting anything into a housing bank. It is not transferring anything to another property right now, that would have to be a specific application telling you exactly how we're proposing to do either of those scenarios. He said he thinks one of the reasons the housing bank itself is a good tool is because, if they have an economic opportunity, and they're getting knocks on the door all the time, they would have to identify another property right now and try to jam the units on it, they would like the ability to address that in the future through another application, where the best place for those units to go would be. Mr. Cook said he knows a lot of concern has to do with the type of home that's coming in, what was agreed to, was small square footage, to limit the amount of students that would be added to the system, why not just put that in the bank? Mr. Underhill said he would say that what they would likely propose is, if all the units were going into the bank as multifamily, they would make those same commitments and just put them in the text again. Mr. Cook asked if the units aren't needed anymore, why not just do away with them? Mr. Underhill said they think they are needed in the respect that it is part of economic development, being able to demonstrate that there are opportunities to house workers is an important component. Mr. Dyer asked if there was another board being created to decide what will happen with the housing banks. Mr. Underhill said no. The decision on the housing bank is between the city council and planning & zoning. Mr. McConnell said he would like to nail down the type of units that are being discussed or if it will be based on future conversions. Mr. Cook said if it is conversions, that conversion table needs to be in the proposal to council. Some questions were asked surrounding getting more housing units with every annexation. Mr. Underhill said those details are worked out in the zoning text, he envisions if this were to come to be, when they ask to put units in the bank, there will be rules on how it will all work and that will be one of them, maybe that they will leave this at the number of units they have today and not expand any further, If they're ever going to convert these to a different type of unit, this is the calculation they'll use, etc. He said that the schools need to be part of that conversation, he thinks they can go sit down and talk with the schools before submitting a plan. Mr. Zolendziewski asked if the plan was to be able to sell the units or have some type of monetary exchange for these units. Mr. Underhill said there could be no doubt. Mr. Dyer said because it was

not found anywhere that this existed, it tells him this is kind of risky. Mr. Underhill said New Albany is always their example, in 1998 the New Albany Company master planned the development, it has a housing bank in it, they have a running chart of about a thousand units still that haven't been used almost thirty years later.

Mr. Zolendziewski said that they have had legal review this. Mr. Dyer asked legal counsel if they had anything to add. Mr. Shamp said this is somewhat novel so he can understand some hesitation but thinks as drafted, this gives the city a lot of flexibility and it maintains control with the city, which is the important thing.

ACTION: Mark Zolendziewski moved to recommend to council to approve the PD text amendment with the addition of verbiage that says "in accordance with applicable procedures" be changed to "in city council's sole discretion", and that the proposed plans for conversion be added.; Kyle Cook seconded and the vote was as follows:

AYES: Mark Zolendziewski, Steve Dyer, Kyle Cook, Todd McConnell

NOES: None

ABSTAIN: None

Passed 4 - 0

The amendment will be moved to city council with the board's recommendation.

7. Other Business

No further business.

8. Adjourn

ACTION: Steve Dyer moved to adjourn; Kyle Cook seconded and all were in favor.

AYES: Steve Dyer, Kyle Cook, Mark Zolendziewski, Todd McConnell

NOES: None

ABSTAIN: None

Passed 4 - 0

The meeting ended at 6:00 pm.



Planning & Zoning Commission
Tuesday, June 23, 2026 - 6:30 PM
MINUTES

1. Call to Order/Roll Call

Present - Vice-Chair Mark Zolendziewski, Kyle Cook, Todd McConnell
Absent - Steve Dyer, Brian Hiebel

Staff present - Jeffrey Sheridan - Interim City Manager, Jeff Szabo - Zoning Inspector, Teresa Monroe - Clerk of Council

Public present - John and Mandy Cox, Brady Fister

2. Public Comment on items not on the agenda

No speakers.

3. Approval of Minutes

a. May 12, 2026

ACTION: Kyle Cook moved to approve; Mark Zolendziewski seconded and all were in favor.

AYES: Kyle Cook, Mark Zolendziewski, Todd McConnell

NOES: None

ABSTAIN: None

Passed 3 - 0

4. Application # 5-29-26 Variance; 321 Green Acres Dr. - Lot Coverage

a. Application & Staff Report

Applicant Brady Fister was present, he is requesting a small shed for storage. Adding this structure would exceed the allowed lot coverage, the staff report notes that the applicant purchased the home with a deck that already exceeded the lot coverage, but the proper procedure is to apply for a variance. The application included authorization from the homeowners' association for the shed proposed.

ACTION: Kyle Cook moved to approve; Todd McConnell seconded and the vote was as follows:

AYES: Kyle Cook, Todd McConnell, Mark Zolendziewski

NOES: None

ABSTAIN: None

Passed 3 - 0

Application approved.

5. Application # 5-22-26 Conditional Use; 52B & 56 S. Main Street - 2nd story multifamily

a. Application & Staff Report

Applicant John Cox was present. Kyle Cook said he did not have any questions on this, it is in line with everything else going on in the area. Todd McConnell said there are already residents living on both sides, to him it goes along with what's already going on. Mr. Zolendziewski asked if the applicant was planning to add windows to the front of the building, Mr. Cox said yes but not right now, that will be a second phase, in a couple years. Mr. Cook confirmed that the apartments are only upstairs, Mr. Cox said yes. Board review of the application and staff report, Mr. Zolendziewski asked what their plan was for trash removal and for building access. Mr. Cox said they will have a dumpster in the back, and there will be front access and then back access will be for fire egress.

Staff noted that this application is for the use, if there are future changes to the exterior of the building, the applicant will need to come before the Design Review Board for a COA. Mr. Cox acknowledged.

ACTION: Mark Zolendziewski moved to approve; Kyle Cook seconded and the vote was as follows:
AYES: Mark Zolendziewski, Kyle Cook, Todd McConnell
NOES: None
ABSTAIN: None

Passed 3 - 0

Application approved.

6. Other Business

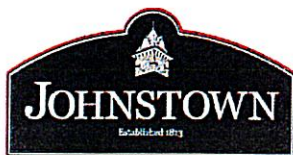
No further business.

7. Adjourn

ACTION: Mark Zolendziewski moved to adjourn; Kyle Cook seconded and all were in favor.
AYES: Mark Zolendziewski, Kyle Cook, Todd McConnell
NOES: None
ABSTAIN: None

Passed 3 - 0

The meeting ended at 6:41 pm.



AMENDMENT PERMIT APPLICATION
CHAPTER #1137

PAID
JUN 22 2026
CITY OF JOHNSTOWN

Application Number: 06-22-26 Date: CITY OF JOHNSTOWN

FEES:

Number of Letters to Contiguous Property Owners: 9 @ \$ 1.14 Total: \$ 9.62
Newspaper Advertising Expense / P&Z: \$ 121.90 Council: \$
(one publication at least 7 days prior to hearings) paid Ch # 1365
Application Fee: \$600 ✓
Total Fee Amount: \$ Paid: Check # 1364 / Cash:

(PLEASE PRINT)

Applicant's Name: Rebecca J. Mott Phone:

Mailing Address: Plank Law Firm, LPA, 411 East Town Street, Floor 2 City: Columbus State: OH Zip: 43215

E-mail Address:

Property Address: 267 North Main Street Johnstown, Ohio 43031

Property owner/lessee name: C&Z Associate LLC Phone: () -

Mailing Address: 3481 Foxcroft Drive City: Lewis Center State: OH Zip: 43035

E-mail Address:

Present use of land: Vacant Assisted Living Facility

Zoning District: UR-1 Proposed Zoning District (if applicable)

IN ADDITION, THE FOLLOWING ITEMS MUST ACCOMPANY THIS APPLICATION:

1. Attach a Legal Description/site map. If applicable.
2. Attach a separate list of property owner's names and addresses contiguous to and directly across the streets(s) from the property and the mailing addresses of all such persons if applicable.

3. Attach a redline copy of the of the proposed ordinance changes the applicant is requesting for consideration.
4. Attach a statement of the relation of the proposed amendment to the general welfare of the community, to appropriate plans for the area and to the changed or changing conditions behind the request for the amendment, and proposed, existing and proposed.
5. Attach a list of any deed restrictions, easements, covenants and or encumbrance to be used to control use, development and maintenance of land and proposed uses shall be fully denoted by text and map.

*** The undersigned is applying for a Zoning Amendment; said permit to be issued based on the information contained within this application. The applicant hereby certifies that all information and attachments to this application are true & correct and agrees to follow all applicable regulations.

Applicant's Signature: Donald Plank on behalf of Rebecca Mott Date: 6 / 11 / 26

OFFICE USE ONLY:

Date Received in Office: 6 / 22 / 26 By: [Signature]

Planning and Zoning Commission Public Hearing Date: 7 / 28 / 26

Recommendation to Council: _____

City Council Public Hearing Date: _____ / _____ / _____

Application was Approved Issued on Date: _____ / _____ / _____

Application was Denied on Date: _____ / _____ / _____

Additional Comments or Requirements: _____

Owner Authorization

Date: 6.30.2026

I, Vincent chu, acting as Member, of C&Z Associate LLC, the property owner (the "Property Owner") hereby authorize Plank Law Firm, LPA, to act as an authorized agent for the Property Owner for the limited purpose of acting, signing, and pursuing necessary entitlements, including, but not limited to, a text amendment application, a conditional use application (in connection with obtaining the use of Assisted Living Facilities and accessory uses, Memory Care facilities and accessory uses, and other similar uses as adopted by the City of Johnstown), and for area variances for the Property located at 267 North Main Street, Johnstown, Ohio 43031 commonly known as Licking County Auditor Tax Parcel Id. No.: 053-178074-00.000 (the "Property").

C&Z Associate LLC

By: Vincent chu
Its: IP: 174.214.149.15 Electronic Signature
DocID: 20260630080154804

Printed Name: VINCENT CHU

Exhibit A
to Zoning Amendment Request

Applicant, Rebecca J. Mott, Esquire, is applying for a Zoning Amendment to Section 1147.03 of the Johnstown Planning and Zoning Code (the "Code"). Applicant requests that "(e) Assisted Living Facilities and accessory uses" and "(f) Memory Care Facilities and accessory uses" be added as conditional uses to the Code at Section 1147.03. Applicant represents a client in contract to purchase the property located at 267 North Main Street, Johnstown, Ohio 43031, commonly known as Licking County Auditor Tax Parcel Id. No.: 053-178074-00.000 (the "Property"). The Property is currently zoned UR-1 District. All properties immediately to the north, south, east, and west are also zoned in the UR-1 District. Applicant is filing a concurrent conditional use application in attempts to revitalize and modernize the Property with a use that previously existed at the Property.

Conditional uses in the UR-1 District include public facilities such as public libraries, municipal buildings and community buildings in addition to private schools and childcare centers. These are low intensity, low impact uses. An assisted living facility and/or memory care facility comport with these uses as additional low intensity, low impact uses. Thus, adding "Assisted Living Facilities and accessory uses" and "Memory Care Facility" to the Planning and Zoning Code under Section 1147.03 is suitable and appropriate. Additionally, the request is to add such uses under the Conditional Use section of the district, so the particularities of any proposed site will be reviewed under Code section 1131 prior to use of any proposed site.

Requested text amendment to Chapter 1147 of the city Codified Ordinance.
Additions are shown in *italics*

1147.03 CONDITIONAL USES.

The following uses shall be allowed in the UR-1 District subject to approval with Chapter 1131.

- (a) Public parks, playgrounds and playfields operated with or without fee.
- (b) Private schools, including child care centers, offering general education courses and having no facilities on the lot regularly used for housing or sleeping of students, faculty or staff.
- (c) General public facilities such as public libraries, municipal buildings and community buildings.
- (d) Home occupation in association with a permitted dwelling, and in accordance with Chapter 1173.

(e) Assisted Living Facilities and accessory uses

(f) Memory Care Facilities and accessory uses

NORTH MAIN STREET R/W VARIES

(STATE ROUTE 37)

S 37°48'39" E 265.73'

SITE PLAN OF 267 NORTH MAIN STREET

LYING IN

4TH QUARTER OF TOWNSHIP 3 NORTH, RANGE 15 WEST
UNITED STATES MILITARY LANDS
CITY OF JOHNSTOWN, COUNTY OF LICKING
STATE OF OHIO

BASIS OF BEARINGS:

THE BEARINGS ARE BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD83 (2011) EPOCH 2010.0. SAID BEARINGS ORIGINATED FROM A FIELD TRAVERSE WHICH WAS REFERENCED TO SAID COORDINATE SYSTEM BY GPS OBSERVATIONS AND OBSERVATIONS OF SELECTED STATIONS IN THE OHIO DEPARTMENT OF TRANSPORTATION REAL-TIME-NETWORK.

NOTE:

THIS SURVEY DOES NOT REPRESENT ANY EASEMENTS THAT MAY AFFECT THIS TRACT AND DOES NOT REPRESENT ANY UNDERGROUND UTILITIES THAT MAY AFFECT THIS TRACT. ALL REBAR SET ARE 5/8" DIA. 30" LONG, WITH AN ORANGE PLASTIC CAP STAMPED "P.S. 8047".

ZONING:

CURRENT ZONING: UR-1 "RURAL RESIDENTIAL LOW DENSITY, CONDITIONAL USE"

SETBACKS:

FRONT-35 FEET
SIDE-25 FEET MIN.
REAR-25 FEET

PARKING: THERE ARE 42 (9'x19') STANDARD EXISTING SPACES

PARKING REQUIRED:

1 PARKING SPACE FOR EACH 4 BEDS, PLUS 1 PER EMPLOYEE ON LARGEST SHIFT.
50 BEDS + 8 EMPLOYEES = 21 REQUIRED SPACES

BUILDING COVERAGE: 30% MAX - 24.8% EXISTING

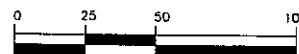
SETBACK ENCROACHMENT:

A PORTION OF THE BUILDING EXTENDS OVER THE 25 FEET REAR SETBACK LINE AND THE 25 FEET SIDE SETBACK LINES, AS SHOWN HEREON.

LEGEND

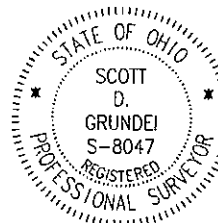
- IPF IRON PIN FOUND
- RBF REBAR FOUND
- RBS REBAR SET
- CATCH BASIN
- ⊞ ELECTRIC TRANSFORMER
- UTILITY POLE
- LIGHT POLE
- FIRE HYDRANT
- WATER VALVE
- SIGN
- - - EXISTING FENCE LINE
- - - EXISTING FENCE LINE
- /// ENCROACHMENT AREA

GRAPHIC SCALE



(IN FEET)

1 inch = 50 ft.



Scott D. Grundel

SCOTT D. GRUNDEL, P.S.
REGISTERED SURVEYOR NO. 8047

6/9/26

DATE



Compass 360°
surveying

P: (614) 205-0721

gm@compass360surveying.com

www.compass360surveying.com

REV: 6/5/26

REV: 6/9/26

DATE: 5/1/26

JOB NO. 26-233

DRAWN BY: SG

JOHN A. &
LISA J. SADINSKY
I.N. 200105220017783

N 52°34'50" E 216.35'

RBS

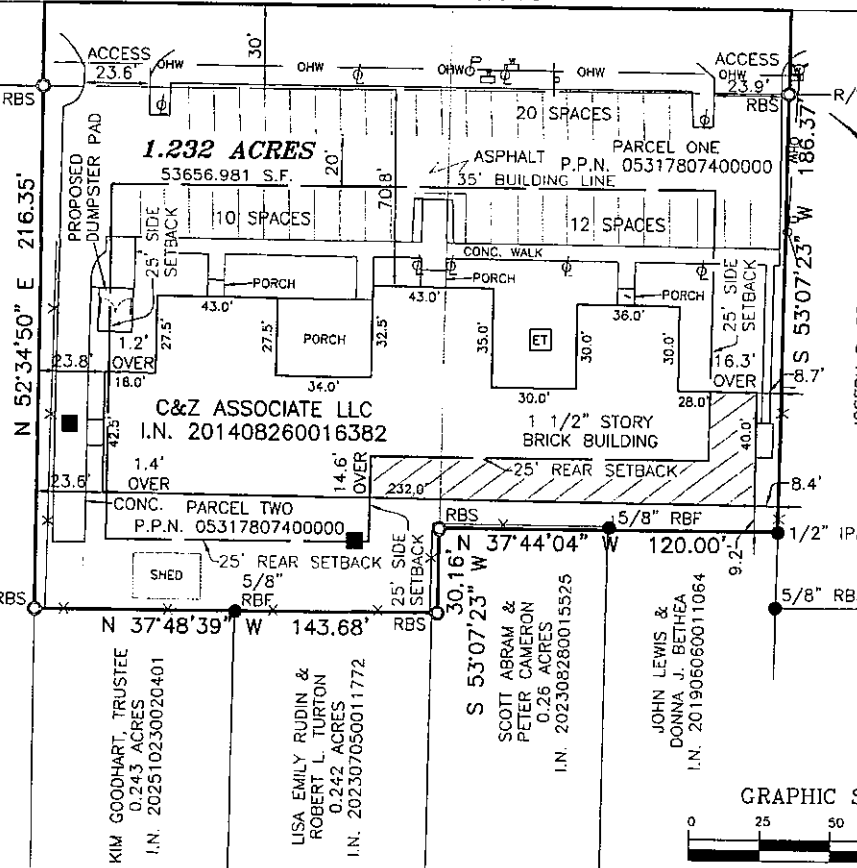
KIM GOODHART, TRUSTEE
0.243 ACRES
I.N. 202510230020401

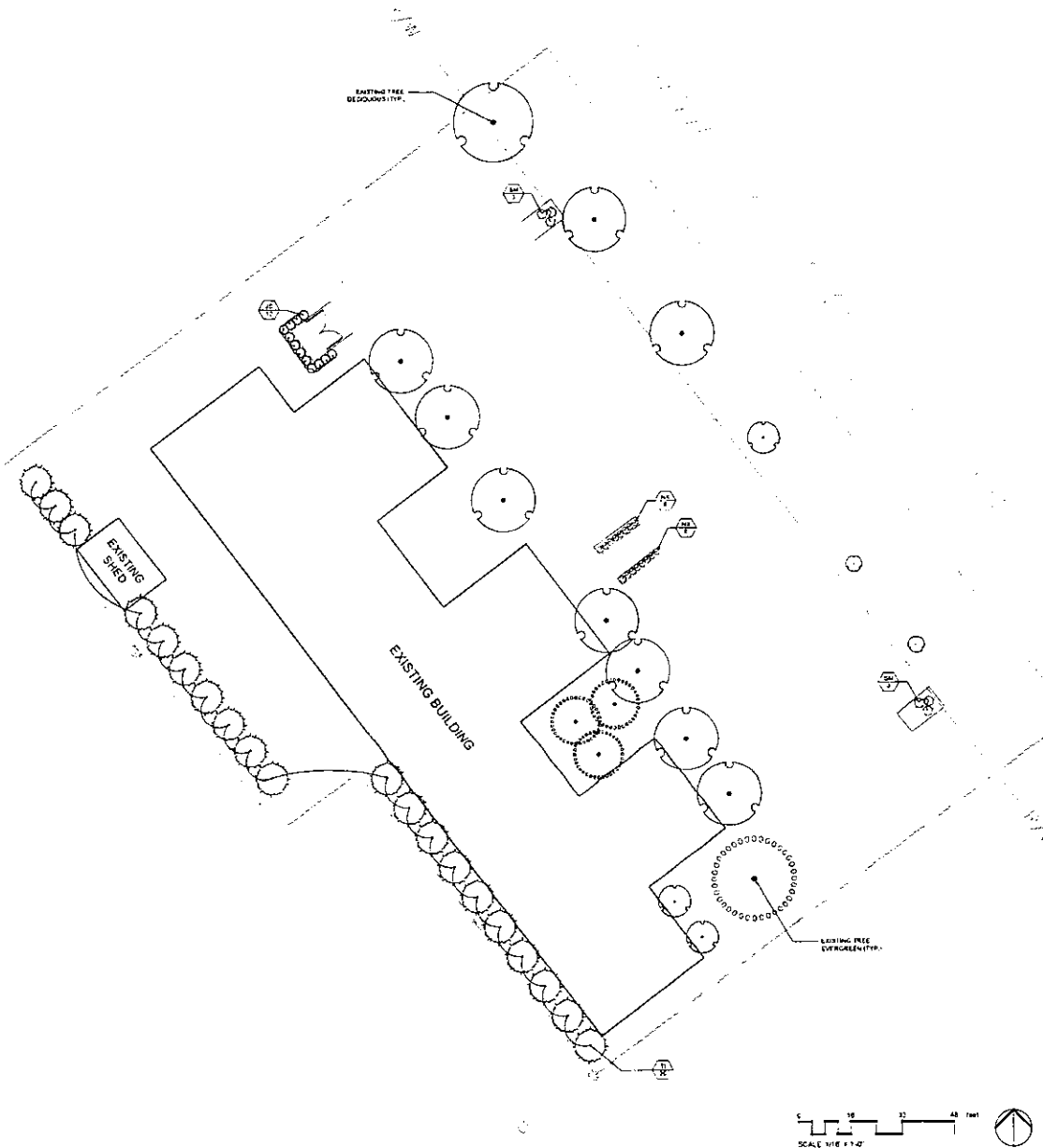
LISA EMILY RUDIN &
ROBERT L. TURTON
0.242 ACRES
I.N. 202307050011772

SCOTT ABRAM &
PETER CAMERON
0.26 ACRES
I.N. 202308280015525

JOHN LEWIS &
DONNA J. BETHA
I.N. 201906060011064

JOSEPH B. BRIGGS &
MARILYN A. SMITH
0.588 ACRES
I.N. 201602240003513





PLANT SCHEDULE

SYMBOL	CODE	QTY	COMMON / BOTANICAL NAME	CONT.	SIZE
TREES					
	JS	12	Sequoi Juniper / Juniperus chinensis 'Sequoi'	6.6 B	5 HT 48"
	TI	20	Green Giant Arborvitae / Thuja x Green Giant	6.6 B	6 HT 60"
SHRUBS					
	NAT	16	Car's Mower Carpet / Arundo x Pennsylv. Car's Mower	1 gal	
	SM	6	Major Carpet / Arundo x Pennsylv. Major Carpet	2 gal	

ZONING NOTES

1. PER JOHNSTOWN, OH ZONING CODE

118.1 LANDSCAPE SCREENING

118.1.1 Screening of the lot boundaries.
All new and existing perimeter screens shall be screened by walls, fences, or natural vegetation.

118.1.2 Screening of the lot boundaries.
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118.1.1 PARKING LOT LANDSCAPING

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118.1.1.9 Screening of the lot boundaries.
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118.1.1.10 Screening of the lot boundaries.
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118.1.1.11 Screening of the lot boundaries.
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118.1.1.12 Screening of the lot boundaries.
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118.1.1.13 Screening of the lot boundaries.
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118.1.1.15 Screening of the lot boundaries.
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118.1.1.16 Screening of the lot boundaries.
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118.1.1.20 Screening of the lot boundaries.
All new and existing perimeter screens shall be screened by walls, fences, or natural vegetation.

IT
160 Laseview Plaza Blvd. Ste. 300
Weston, OH 43081
www.itm.com

YEARS
2008-2009

267 NORTH MAIN STREET
JOHNSTOWN, OH 43031

ISSUANCES

NO.	DESCRIPTION	DATE
1	PLANNING	08-13-09
2		
3		
4		
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026-051

ESM

NMM

NOT FOR CONSTRUCTION

Landscape Plan

L101

EXHIBIT "A"

Situated in the Village of Johnstown, in the County of Licking and in the State of Ohio, and bounded and described as follows:

Parcel One:

Being in Range 15 of the USM Lands, and beginning at a point 776' North 37° 11' West of an iron pin in the center of State Route #37 on the North line of Inlot #58 in the second tier of lots in the Village of Johnstown, according to the renumbering of said lots (said starting point being the most Northerly corner of real estate conveyed to Zandex, Inc., described in deed of record in Official Records Volume 39, page 218, in the Licking County Recorder's Office) thence South 52° 49' West 220.16' (passing an iron pin on line at 30'); thence North 37° 11' West 143.73' to an iron pin; thence North 53° 46' East 222.5' (passing an iron pin on line at 202.5'); thence South 36° 05' East along the center of State Route #37 142.4' to the place of beginning.

Parcel Two:

Being in Range 15, USM Lands, and located in the New Addition at the North End of Town, and beginning at a point located in the center of the State Road (Route #37) and on the line between the lot formerly owned by A.B. Harris and the James K. and Anna L. Needles lot, said beginning being also located at a point on the West line of Main Street (State Route 37) 300 feet North of the intersection of the North line of Edwards Road and said West line of Main Street (State Road 37); thence, along the center of the road, in a Northwesterly direction, 120 feet to a stake; thence South 52° 49' West 188 feet to a stake, thence South 39° 11' East 120 feet to the lot formerly owned by A.B. Harris; thence North 52° 49' East, along the line of land formerly owned by A.B. Harris, 188 feet to the place of beginning.

Property Address: 267 N. Main Street, Johnstown, OH 43031
Tax ID No.: 053-178074-00.000



Ad Preview

NOTICE OF PUBLIC HEARING

The City of Johnstown Planning and Zoning Commission will hold a public hearing for an amendment to the text of the Urban Residential Low Density (UR-1) Zoning District Tuesday, July 28, 2026 at 6:30 p.m. in the City Council Chambers at 599 South Main Street, Johnstown, Ohio 43031, regarding:

(a) Applicant is asking the city to change Section 1147.03 of the City of Johnstown Zoning Ordinance to expand the Conditional Uses permitted in the UR-1 zoning district, to include:

Assisted Living Facilities and accessory uses and Memory Care Facilities and accessory uses

Within thirty days after the conclusion of such public hearing a recommendation will be made by the Commission to Council

For more information contact:

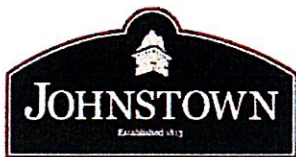
(740) 967-3177 x6

(NADV, July.20,'26#1246959

8)







PAID
JUN 25 2026
CITY OF JOHNSTOWN

CONDITIONAL USE PERMIT APPLICATION: CHAPTER #1131.02

Application Number: 06-25-26CUP Date: 6, 25, 26

FEES:

Number of Certified Letters to Contiguous Property Owners: FD w/ variance @ \$8.53 = \$

~~Newspaper Advertising Expense: \$~~ Published on website

Application Fee= \$500

Total Fee Amount: \$500⁰⁰ Paid: Check # 65600 / Cash: \$

1. Applicant's Name: Lash Chevrolet, c/o Aaron Underhill, Underhill & Hodge LLC Phone: ()
2. Mailing Address: 8000 Walton Parkway, Suite 120 City: New Albany State: OH Zip: 43054
3. E-mail Address: - Zoning District: GCC-2
4. Property Address: 755 West Coshocton Street City: Johnstown State: OH Zip: 43031
5. Proposed Use of Property: Auto Dealership - Auto Sales and Service
6. Number and dimensions of existing and proposed off-street parking or loading spaces, applicable.
7. Number of Dwelling Units: Zero
8. Square Feet of Living Area (Residential Use Only): N/A
9. Yard Dimensions: Front: 26.6 ' Rear: 80.5 ' Left Side: 123.3 ' Right Side: 240.7 '
10. Percentage of Lot to be covered: 75 % Area of Lot: N/A sq. ft.
11. A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading area, traffic circulation, open spaces, landscaping, refuse, and service areas, utilities, signs, yards, and such other information as the Planning and Zoning Commission may require, to determine if the proposed conditional use meets the intent and requirements of this Ordinance #1131.01 to #1131.09.

12. A narrative statement evaluating the effects on adjoining property, and a discussion of the general compatibility with adjacent and other properties in the district.
13. The names and addresses of all property owners contiguous to, and directly across the street from the property, as appearing on the Licking County Auditor's current tax list.
14. Such other information regarding the property, proposed use, or surrounding area may be pertinent to the deliberations of the Planning and Zoning Commission as determined by the City Planner.

IN ADDITION, THE FOLLOWING ITEMS MUST ACCOMPANY THIS APPLICATION:

- A set of two (2) scale plans and dimensioned drawings showing the lot, with location of existing and proposed buildings their height and planned alterations are required.
- Attach any requested, supplemental, or necessary documentation such as: Number of dimensions of existing and proposed off-street parking or loading spaces, applicable. Other material may be requested by the Zoning Inspector to determine conformance with and provide for the enforcement of this ordinance.
- For all new businesses or changes of business use, for all commercial buildings with interior remodeling projects you are required to notify the Johnstown Monroe Fire Inspector at (740) 967-2976 of business and interior structure changes. A Licking County Building Department Permit is required for all structural changes, electrical, HVAC and plumbing. Their contact number is (740) 349-6671. (Ask for Heidi or Erin)

The undersigned is applying for a Conditional Use Permit for the following use to be issued based on the information contained within this application. The applicant hereby certifies that all information and attachments to this application are true & correct and agrees to follow all applicable regulations.

Applicant's Signature: By:  Date: 6 / 25 / 2026
Aaron Underhill, attorney for applicant

OFFICE USE ONLY:

Date Received in Office: 6 / 25 / 26 By: jasluback

Permit was Approved Issued on Date: / /

Permit was Denied on Date: / /

Commission Chairperson Signature: _x_____

Additional Comments or Requirements:

PARCEL I (Parcel No. 053-174288-000)

Situated in the State of Ohio, County of Licking, the City of Johnstown, being part of Lot No. 3 in the Fourth (4) Quarter of Township No. 3, Range No. 15, United States Military Lands, also being all of a 1.030 acre tract conveyed to Edward P. Kenney, as the same is shown of record in Deed Book No. 611, Page No. 137 and part of a 2.988 acre tract conveyed to Edward P. Kenney, as the same is shown of record in Deed Book No. 519, Page No. 411 and part of a 2.411 acre tract conveyed to Edward P. Kenney, as the same is shown of record in Deed Book No. 742, Page No. 753 and part of a 1.148 acre tract conveyed to Edward P. Kenney and Hazel Kenney, as the same is shown of record in Deed Book No. 565, Page No. 611 in the records of the Recorder's Office, Licking County, Ohio and being more particularly described as follows.

Beginning at a point in the centerline of U.S. Route No. 62 (Johnstown-Utica Road) and at the Northwestern corner of the above mentioned 1.030 acre tract; thence from said point of beginning, North 56 degrees 25' 00" East and along the centerline of U.S. Route No. 62 (Johnstown-Utica Road), a distance of 616.15 feet to a point; thence South 33 degrees 35' 00" East, a distance of 522.13 feet to an iron pin in the Southerly line of the above mentioned 2.411 acre tract; thence South 72 degrees 01' 34" West and along the Southerly line of said 2.411 acre tract; a distance of 639.75 feet to an iron pin; thence North 33 degrees 35' 00" West and along the westerly line of said 2.411 acre tract and along the Westerly line of said 1.030 acre tract, a distance of 350.00 feet to the place of beginning and containing 6.168 acres, subject to all easements and/or restrictions shown of record, also subject to all legal right-of-way.

PARCEL II (Parcel No. 053-174300-00.000)

Situated in the State of Ohio, County of Licking, Township of Monroe, City of Johnstown, being part of Lot No. 3 in the Fourth Quarter of Township No. 3, Range No. 15, United States Military Lands, also being part of a 1.148 acre tract, conveyed to Edward P. Kenney and Hazel Kenney, as the same is shown of record in Deed Book No. 565, Page No. 611 and part of a 2.988 acre tract, conveyed to Edward P. Kenney, as shown of record in Deed Book No. 519, Page No. 411 and part of 2.411 acre tract, conveyed to Edward P. Kenney as shown of record in Deed Book No. 742, Page No 753, the foregoing record being to the records of the Recorder's Office, Licking County, Ohio and being more particularly described as follows:

Beginning at a point in the centerline of U.S. Route No. 62 (Johnstown-Utica Road) and at the Northeasterly corner of the above mentioned 1.148 acre tract, said point being the Northwestern corner of a certain 1.00 acre tract (parcel No. 1), conveyed to Sip-Stix, Inc., as the same is shown of record in Deed Book No. 811, Page No. 599; thence from said point of beginning, South 33 degrees 35' 00" East and along the Easterly line of said 1.148 acre tract and along the Westerly line o f said 1.00 acre tract and passing an iron pin on line at 30.00 feet, a distance of 261.89 feet

to an iron pin; thence South and along the Easterly line of the above mentioned 2.411 acre tract, a distance of 200.00 feet to an iron pin; thence South 72 degrees 01' 34" West and along the Southerly line of said 2.411 acre tract, a distance of 23.69 feet to an iron pin; thence North 33 degrees 35' 00" West and passing an iron pin on line at 492.13 feet, a distance of 522.13 feet to a point in the centerline of U.S. Route 62 thence North 56 degrees 25' 00" East and along the centerline of U.S. Route No. 62 and along the Northerly line of said 1.148 acre tract, a distance of 133.35 feet to the place of beginning and containing 1.405 acres, subject to all easements and/or restrictions shown of record, also subject to all legal right-of-way.

NOTICE OF PUBLIC HEARING

The City of Johnstown Planning & Zoning Commission will hold a public hearing on an application for Conditional Use in the GCC-2 Zoning District (Section 1157 of the City Codified Ordinances) on Tuesday, July 28, 2026 at 6:30 p.m. in the City Council Chambers at 599 South Main Street, Johnstown, Ohio 43031

The applicant is requesting additional auto sales and service use at
755 W. Coshocton St.
Auditor Parcel #
053-174288-00.000

For more information contact:
(740) 967-3177 x6

APPLICANT: Lash Chevrolet
755 West Coshocton Street
Johnstown, OH 43031

ATTORNEY: Aaron L. Underhill
Underhill & Hodge LLC
8000 Walton Parkway, Suite 120
New Albany, OH 43054

PROPERTY OWNER Lash Investments LLC
755 West Coshocton Street
Johnstown, OH 43031

SURROUNDING PROPERTY OWNERS: Washn Dri LLC
6100 Plumb Road
Galena, OH 43021

Bagby Realty LTD
982 Wake Drive
Westerville, OH 43082

Kroger Co.
1014 Vine Street, Floor 7
Cincinnati, OH 45202

Katherine Piper
758 West Coshocton Street
Johnstown, OH 43031

Susan Kenney
4396 Dublin Road
Columbus, OH 43221

738 West Coshocton LLC
4396 Dublin Road
Columbus, OH 43221

Croton Bank
711 Main Street
Jasper, IN 47546

OST Holdings LLC
11408 Northview Drive
Nevada City, CA 95959

Johnstown Retail Investments LLC
3 Easton Oval, Suite 120
Columbus, OH 43219

Ridgeview III LP
159 Wilson Street
Newark, OH 43055

Johnstown EF Holdings LLC
8411 Jacob White Road
Johnstown, OH 43031

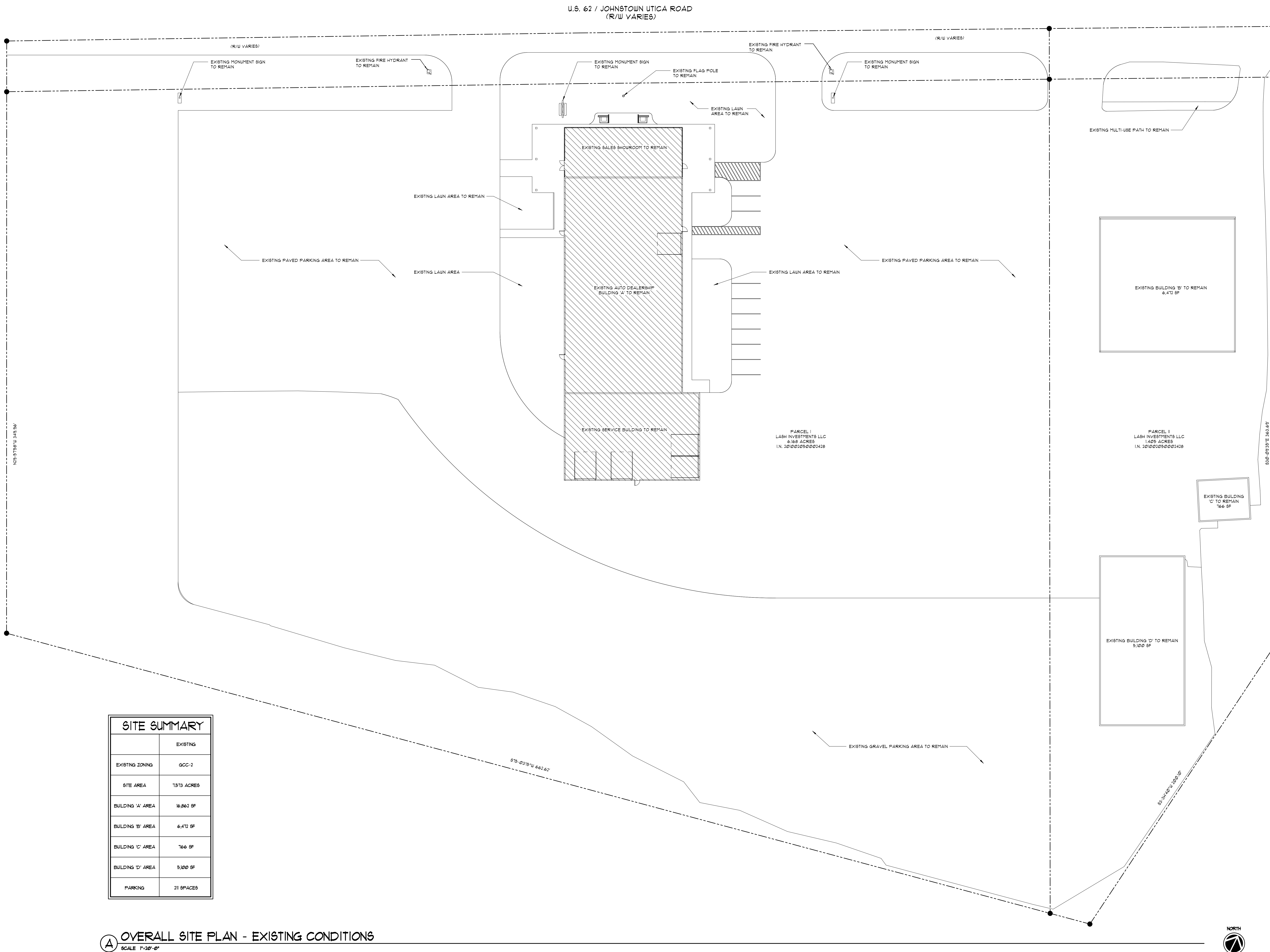
[illegible]

**OVERALL SITE
PLAN - EXISTING
CONDITIONS**

FAA #23034.00

SD-1.0

LASH CHEVROLET



OVERALL SITE PLAN - EXISTING CONDITIONS
SCALE 1"=20'-0"

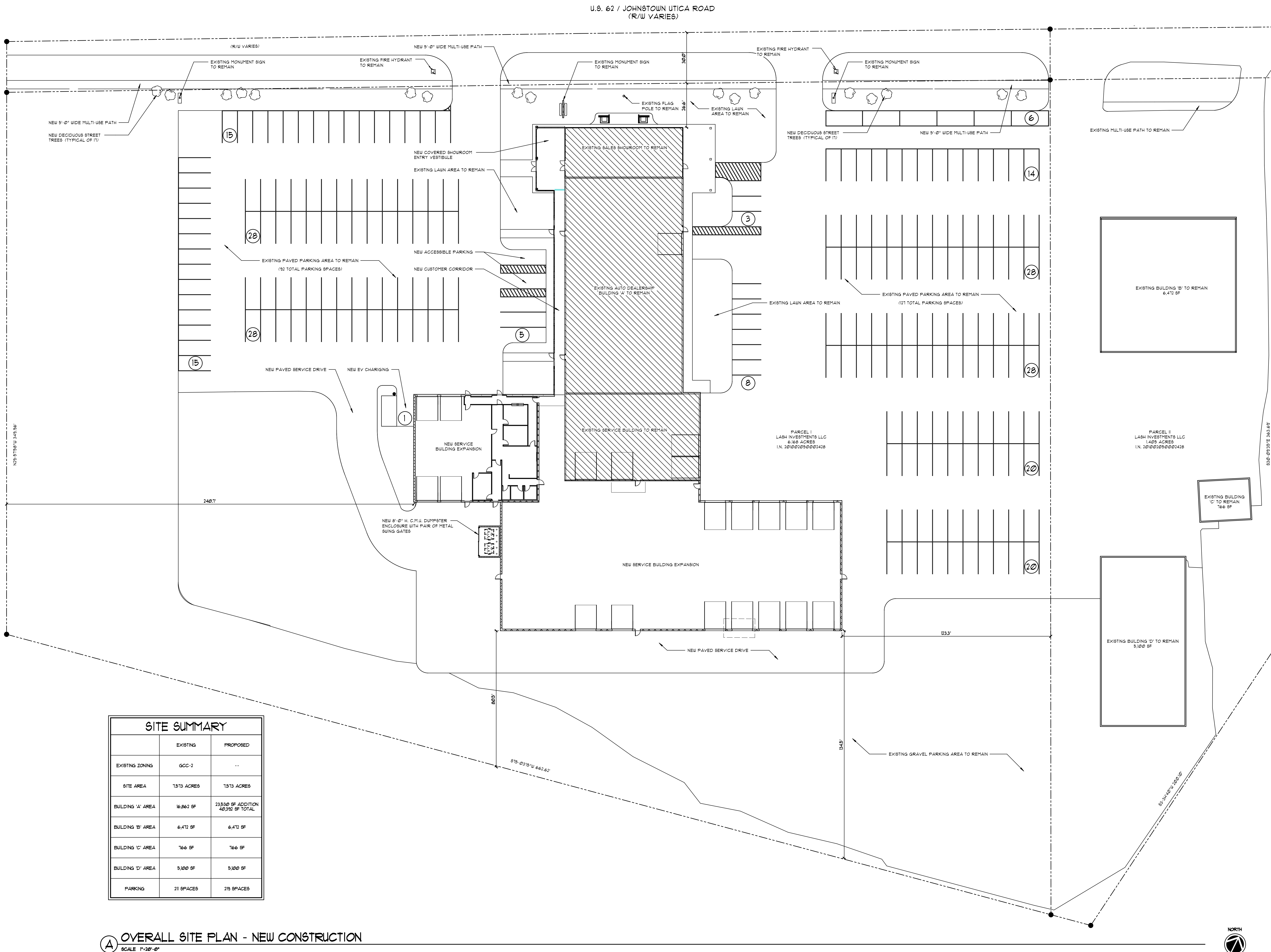
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**OVERALL SITE
PLAN - NEW
CONSTRUCTION**

FAA #23034.00

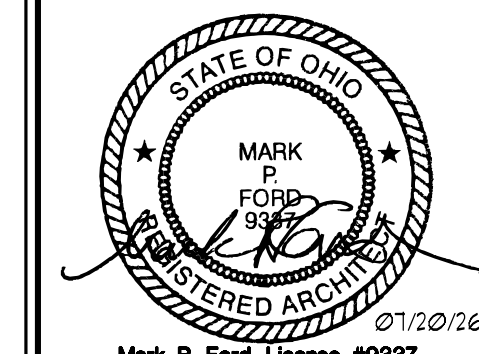
SD-1.1

LASH CHEVROLET



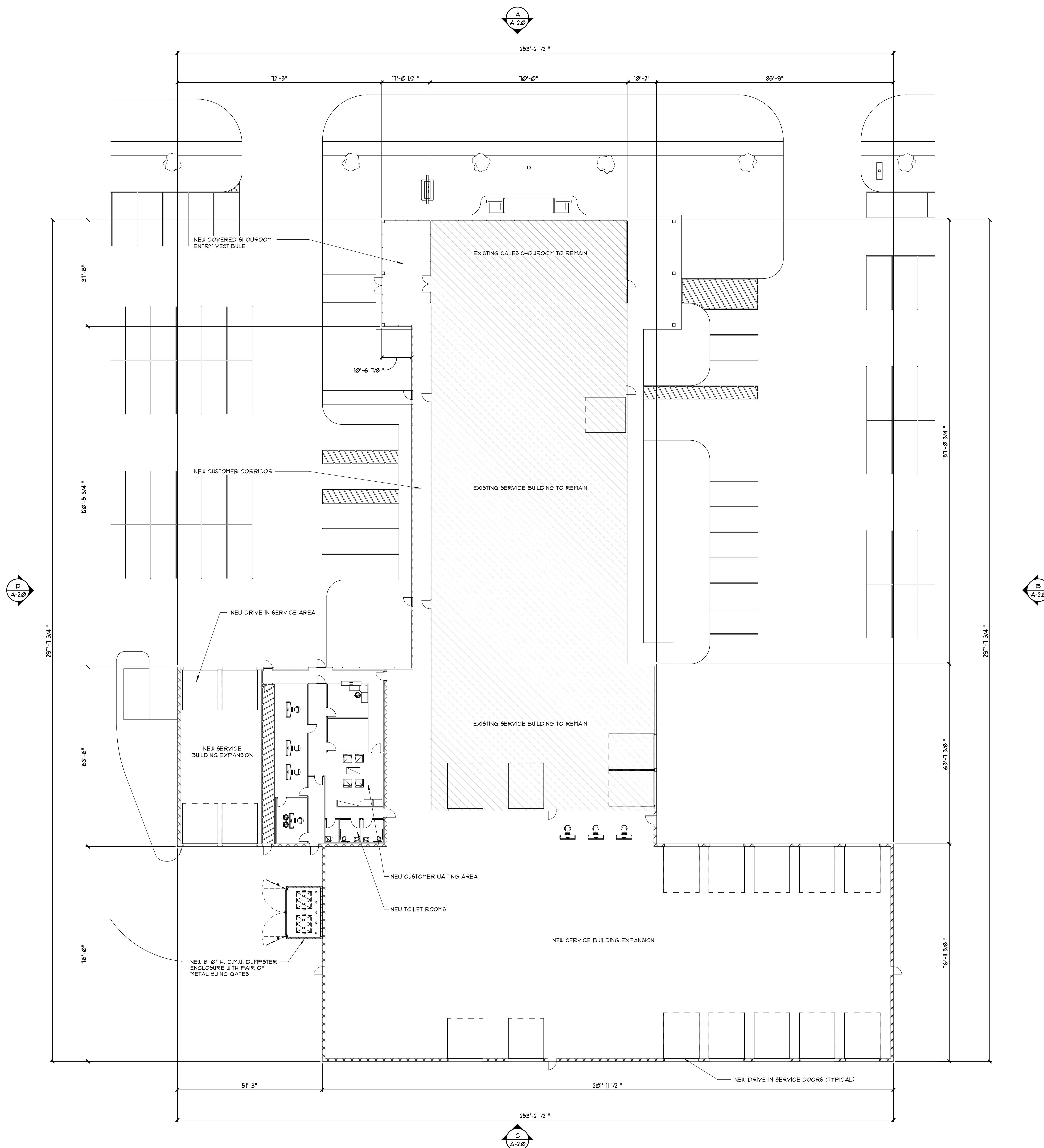
OVERALL SITE PLAN - NEW CONSTRUCTION
SCALE 1"=20'-0"

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[illegible]

FAA #23034.00

A-1.0
LASH CHEVROLET



OVERALL BUILDING PLAN
SCALE 1/16" = 1'-0"



BUILDING SUMMARY		
	EXISTING	PROPOSED
BUILDING 'A' AREA	16,862 SF	23,330 SF 40,382 SF TOTAL
BUILDING 'B' AREA	6,472 SF	6,472 SF
BUILDING 'C' AREA	766 SF	766 SF
BUILDING 'D' AREA	5,100 SF	5,100 SF

- E1. EXISTING WALL SIGN TO REMAIN.
- E2. EXISTING STOREFRONT SYSTEM TO REMAIN.
- E3. EXISTING STOREFRONT DOOR TO REMAIN.
- E4. EXISTING PAINTED MASONRY COLUMNS TO REMAIN.
- E5. EXISTING PREFINISHED COMPOSITE METAL WALL PANELS TO REMAIN.
- E6. EXISTING PAINTED VERTICAL BEAM WALL PANELS TO REMAIN.
- E7. EXISTING STANDING BEAM METAL ROOF TO REMAIN.
- E8. EXISTING PAINTED CMU WALL CONSTRUCTION TO REMAIN.
- E9. EXISTING DRIVE-IN SERVICE DOOR TO REMAIN.
- N1. NEW PREFINISHED COMPOSITE METAL WALL PANELS TO MATCH EXISTING.
- N2. NEW PAINTED CMU WALL CONSTRUCTION.
- N3. NEW 12'-0" WIDE BY 14'-0" TALL DRIVE-SERVICE DOOR.
- N4. NEW 12'-0" WIDE BY 12'-0" TALL DRIVE-SERVICE DOOR.
- N5. NEW 3'-0" WIDE BY 7'-0" TALL INSULATED HOLLOW METAL SERVICE DOOR.
- N6. NEW ALUMINUM STOREFRONT WINDOW.
- N7. NEW ALUMINUM STOREFRONT DOOR.
- N8. NEW STANDING BEAM METAL ROOF.
- N9. NEW PREFINISHED METAL CANOPY.
- N10. RELOCATED "CERTIFIED SERVICE" WALL SIGN.
- N11. NEW 8'-0" H. CMU DUMPSITE ENCLOSURE WITH PAIR OF METAL SLUNG GATES.



STATEMENT IN SUPPORT OF CONDITIONAL USE AND VARIANCE APPLICATIONS

LASH CHEVROLET

July 24, 2026

I. Background

Lash Chevrolet operates an existing automobile dealership on 7.57+/- acres of land located at 755 W. Coshocton Street in Johnstown. The site presently contains four buildings. The main dealership building is comprised of 16,662+/- square feet of floor area from which vehicle sales and service, interior and exterior display areas, parts sales, and related uses which are customary for this type of use are operated. An ancillary building is found in the northeastern corner of the property and includes 6,472+/- square feet. Two other ancillary buildings are found in the eastern area of the property, with one having 766+/- square feet and the other having 5,100+/- square feet. An expansion of the existing main dealership building is proposed in order to add 23,530+/- square feet. In association with the expansion, a 5-foot wide sidewalk will be installed along the property's entire public street frontage, and landscaping will be added in select locations near the street to enhance the aesthetics of the site.

The expansion will provide a new covered showroom entry vestibule attaching to the northwestern portion of the building, will create a new interior service and parts space containing up to 20 vehicle service bays as an expansion of the southwestern portion of the structure, and will provide an enclosure of the existing western exterior canopy area along the main dealership building to provide a corridor for customers to walk between the dealership's showroom and the new service and parts area. In addition, new support offices, a waiting area, and accessible restroom facilities are being provided. An electric vehicle (EV) charging station will be located to the west of and adjacent to the new enclosed automobile service area and a service drive will be installed to provide access to that area. All improvements that are being made as part of the expansion will occur over portions of the site which are covered by existing impervious surfaces.

One of the longest-serving businesses in the City, the automobile dealership has been a proud member of the Johnstown community since the 1960s. The past five years or so have seen much change in and around the area and the associated growth has impacted the business in a positive manner. So much so that the automotive service and parts portions of the dealership need to be expanded in order to meet customer demand. Service appointments are now being scheduled out for a period of weeks. This is not conducive to properly serving customers, especially those that have pressing repair needs. Alternatives for automotive services are scarce in the area, and therefore a lot of this business is leaving town.

To adequately serve its customers, Lash Chevrolet must find a way to expand its service capabilities. An expansion at its current location is much more preferable to constructing a new service center at another location which the dealership has identified in Monroe Township. The maintenance and expansion of all of its operations on a single site will allow the dealership to meet the increased demand of its customers while continuing to provide a full range of

dealership services in one location within the City. Lash Chevrolet provides important and convenient services to the community and therefore desires to pursue the expansion at a location where a dealership has operated for seven decades.

However, this longevity has made it impossible for the dealership to expand in compliance with the City's present-day zoning code. Over the many years the dealership has operated, several Code revisions made by the City have created a situation in which, from a legal standpoint, certain aspects of the existing dealership do not comply with current regulations. An addition to the service and parts portions of the facility brings these nonconformities to the forefront.

In consultation with prior City staff over the past couple of years, there has been some disagreement between them and the applicant as to conditions on the site which may need to be addressed with a building expansion, while there has been agreement on others. But the bottom line is, without some creativity in terms of allowing the expansion (such as the issuance of a conditional use permit and approvals of variances), required updates to the site will be cost prohibitive and will cause the expansion project to be economically unviable at the current dealership location.

II. Prior and Current Zoning Regulations

The property is zoned with a GCC-2, General Community Commercial District classification pursuant to Codified Ordinances ("Code") Chapter 1157. Effective February 2, 2023, Chapter 1157 was amended by Johnstown City Council Ordinance Number 26-2022. Among other things, the amendments included a change to categorize "auto sales and service" as a conditional use in the GCC-2 district, while prior to the amendment it was a permitted use. The Code's amendment to change the status of the long-existing use has led City staff to take the position that a conditional use request is necessary to expand what was previously a permitted use. The result: a facility and use that were permitted for 60+ years are now "conditional". Lash Chevrolet requests approval of a conditional use application to (a) allow for the expansion of its existing automobile dealership building¹ and (b) to recognize the existing use of the property as being part of the approved conditional use. In addition, several variances are being requested in order to confirm the current "as-built" conditions on the site and to ensure that the proposed improvements to the property are accommodated. Both the conditional use and variances are addressed in this single supporting statement for purposes of context. However, the conditional use and variance requests will be voted upon separately.

¹ The applicant asserts that the use of the property and the expansion of the building are legally non-conforming under the Code and pursuant to Ohio law. However, rather than be at legal odds with the City, it has filed the conditional use and variance applications. The applications have been filed without prejudicing the applicant's right to pursue an argument in favor of its contention of that the expansion of the use and development of the property are legally nonconforming with City Code.

III. Conditional Use Standards and Analysis

Section 1131.03 of the City's Codified Ordinances provides the requirements that must be met in order for a conditional use application to be approved. Each of these requirements is noted in bold below, followed by analysis of how the applicant asserts that each of them is being met.

(a) The proposed use will be harmonious with the existing or intended character of the general vicinity and that such use will not change the general character of such area.

The proposed use is nothing more than an expansion of an existing use that has been operated from the property for over six decades. Automobile sales, automobile servicing, and parts sales uses were permitted uses on the property since the business began. This conditional use merely allows these uses to continue and to be expanded. If this use and expansion had been proposed prior to City-initiated Code amendment approved in early 2023, they would have been permitted as of right. The property is located along a dense retail corridor on a main traffic route through the City and the use remains appropriate as a result.

(b) The proposed use seeks to maintain, and will not be hazardous to, the health, safety and welfare of the existing neighborhood, and the total community.

The proposed use already exists on the site and since its inception has been operated without incident as it relates to the surrounding area. The extension of the use into a building addition will not change the health, safety, or welfare status of others located nearby. In fact, expanding these uses to a more modern facility will enhance aesthetics.

(c) The conditional use will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.

The property is located on Coshocton Street and, just like existing facilities, the expansion of the building will be served by existing access points on that street. Public utilities already serving the site are adequate to serve the expanded building as well. The expansion is occurring on existing paved and impervious areas on the property, yielding a net zero in terms of impact to storm water drainage. Police and fire protection services should be unaffected by the improvements. The property's value will increase, yielding at least modest gains in terms of real property taxes paid to the school district, the City, and other taxing agencies. In addition, the project will create jobs that will generate an increase in the City's income tax base.

(d) The conditional use will not create excessive additional requirements for public facilities and services and will not be detrimental to the economic welfare of the community.

The conditional use, once approved, will not result in any increased demand on public facilities and services. In addition to the increase in real property taxes that will result from new vertical improvements to the site,, the project will create new jobs that will generate an increase in the City's income tax base that will improve the economic welfare of the City.

(e) The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

Again, the conditional use will facilitate the continued use and expansion of sales, services, and buildings which were permitted on the site "as of right" until three years ago. While new automobile service bays are being added, this will not result in a noticeable increase in traffic, given the nature of automobile servicing largely being on an appointment basis. Noise, smoke, fumes, etc. will have little or no impact on surrounding areas, as service activities will be undertaken inside of the building.

(f) The proposed use will have vehicular approaches to the property which shall be so designated as not to interfere with traffic on surrounding public streets or roads.

Once again, access to the newly constructed building expansion will be served by existing vehicular access points on the public street network. The nature of the use is such that the level of new traffic generated will be nothing more than minimal. A new internal service drive will be provided for efficient access to an from the new portion of the building.

(g) The conditional use complies with any other requirements or standards that are cited under the specific zoning district regulations of this Ordinance.

The proposed use and development will comply with the Codified Ordinances, subject to the granting of variances being proposed.

(h) The conditional use will be in accord with the general objectives, or with any specific objective, of the strategic plan and the Zoning Ordinance.

Codified Ordinances Section 1157.01 provides that one of the purposes of the GCC-2 District is to designate appropriate areas for the establishment and development of commercial activities to service regional needs. The property has long been zoned for the use being proposed, indicating that the City has consistently found that the site is appropriate for the use. Presumably, the change to the code that occurred in 2023 was to evaluate new proposed automobile dealership uses along sites which are similarly zoned along the U.S. Route 62 corridor. Hindering the continuance of the use and expansion of the business on this property was not the likely aim of the recent Code change. The City's Comprehensive Plan recognizes the area in which the property is located as being a commercial center with uses that can serve future employment. The expansion of the dealership through the approval of the conditional use request meets this purpose.

(i) **The proposed use will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.**

No such elements are present on the subject property.

(j) **The proposed use is a conditional use identified for the applicable zoning district.**

The proposed use is a conditional use in the GCC-2 District as provided in Codified Ordinances Section 1157.03(f).

IV. Variances

A. Identification of Variances: The following variances are being requested:²

1. Setback Variance #1: Variance from Codified Ordinances Section 1157.04(a)(3) to reduce the minimum pavement setback from the public street right-of-way from 15 feet to 9 feet to accommodate existing pavement (the “Setback #1 Variance”).³ Section 1157.04(a)(3) provides, in relevant part: “Parking areas shall be at least fifteen (15) feet from the street right-of-way.” The applicant is not proposing changes to the existing parking lot on this portion of the property. This variance is merely the result of a long-existing condition which existed well before the current Code requirement was put in place.

2. Setback Variance #2: Variance from Codified Ordinances Section 1157.04(a)(3) to reduce the minimum building setback from the public street right-of-way from 30 feet to 26 feet to accommodate the location of the existing automobile dealership building and the new covered showroom and entry vestibule to the west of and adjacent to the existing structure. This variance is merely the result of a long-existing condition which existed well before the current Code requirement was put in place.

3. Paving Variance: Variance from Codified Ordinances Section 1175.02 to allow existing parking areas which are gravel to remain rather than being required to be constructed of asphalt (the “Paving Variance”). Section 1175.02 reads, in relevant part: “The required number of parking and loading spaces as required in Section 1175.10 together with driveways, aisles and other circulation areas, shall be improved with six inches of asphalt or 4 inches of reinforced fiber concrete to provide a durable and dust free surface.” The paving of gravel areas across the site is cost prohibitive, not just due to the large amount of asphalt that would be needed, but more importantly by causing the

² See footnote 1.

³

need to bring stormwater management into compliance with current City regulations. The latter cost would exceed \$1 million and also would eliminate the ability to use portions of the property for vehicle displays and storage. The applicant agrees that no additional gravel will be added to the subject property which would have the effect of expanding the total square footage of the area on the site that is covered by gravel unless the owner first obtains appropriate and necessary approvals for the same from the City pursuant to the Codified Ordinances. Replacement of gravel in existing graveled areas shall be permitted without the need to first seek or obtain additional approvals.

4. Lot Coverage Variance: Variance from Codified Ordinances Section 1157.04(a)(6) to increase the maximum impervious area on the property from 65% to 75% (the “Lot Coverage Variance”). Section 1157.04(a)(6) provides: “Permitted and conditional structures, pedestrian sidewalks and parking areas shall not cover more than sixty-five percent (65%) of the buildable area of the lot. The remaining thirty-five percent (35%) of the lot shall be landscaped with natural vegetation. Any area that exists in the flood plain shall not be usable for this thirty five percent (35%) green space requirement.” The applicant has been careful to design an expansion solution in a manner that does increase lot coverage on the site. Aside from the extension of a sidewalk along the street frontage, no impervious area is being added to the property. The lot coverage adjustment merely recognizes the existing condition on the site, which has long been in place.

5. Accessory Structures Variance: Variance from Codified Ordinances Section 1171.03(b) to allow three existing structures which are accessory to the main automobile dealership use to remain (the “Accessory Structures Variance”). That provisions states: “(b) There shall be no more than two detached accessory structures to a principal use or structure.” There are three accessory structures on the site used for storage purposes, all within the eastern portion of the subject site. One of the buildings contains 6,472 square feet; another contains 766 square feet; and the third includes 5,100 square feet. These structures have long existed on the site, with one of them existing since at least 1962.

6. Curb Cut Variance: Variance from Codified Ordinances Section 1157.04(c)(5) to permit the two easternmost curb cuts serving the property to be separated by approximately 75 feet rather than the required minimum distance of 120 feet between curb cuts, in order to allow the existing curb cuts to remain (the “Curb Cut Variance”). Section 1157.04(c)(5) provides, in relevant part: “The minimum distance between curb cuts shall be 120 feet except that each lot is permitted a minimum of one curb cut.” The curb cuts providing access to the property have been in their current locations for many years, and no changes to the existing points of ingress and egress are proposed as part of the expansion. This variance is merely the result of a long-existing condition which existed well before the current Code requirement was put in place.

B. Factors considered for approving variances: Section 1133.03(g) of the City’s Codified Ordinances provides the requirements that must be met in order for a variance to be approved. Each of these requirements is noted in bold below, followed by analysis of how the

applicant asserts that each of them is being met. It should be noted that not all factors have to be met in order to grant a variance. Instead, the provision states that “the following factors ***shall be considered and weighed*** in the review and the public hearing of an application for variance.” “No single factor shall be considered a determinative factor, and the factors shall be weighed and balanced in determining whether a variance is warranted.” Section 1133.03(g)(8).

(1) Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance.

The property in question will not yield a reasonable return without the requested variances. When the buildings on the property were first constructed, they complied with applicable zoning (or possibly even existed prior to zoning having been adopted in the City of Johnstown). Current regulations, which were approved numerous decades after the dealership was developed, make the proposed expansion of the dealership impossible without relief. Applied to the site, these regulations create practical difficulty to the applicant in terms of growing its business and serving its customers. Without the variances, some beneficial use of the property can still be made, however, that use is limited to maintaining current conditions. It will be detrimental to the business if it is unable to expand its service capabilities.

(2) Whether the variance is substantial.

From a practical standpoint, all of the requested variances are unrelated to the proposed expansion but have been flagged as technically being necessary to issue zoning permits for the project. In other words, the existing pavement setback and the existing pavement location with the 9-foot setback already exist and will remain, regardless of whether or not the building expansion occurs. The existing automobile dealership building is located just over 26 feet from the public street right-of-way, and the additional showroom entry vestibule extension merely moves that condition slightly westward in accordance with sound architectural design considerations. Similarly, the applicant is not requesting the use or installation of gravel parking areas in association with its proposal, it is merely seeking confirmation of the continued use of existing gravel parking. It will pave the new access drive that is being constructed in association with the extension of the building but is not adding parking. Lastly, the Lot Coverage Variance is merely recognizing another existing site condition. All proposed improvements to the site are being undertaken on portions of the site that are already covered with impervious improvements, the lone exception being portions of the new sidewalk. The Curb Cut Variance is likewise minimal in nature. No new curb cuts are proposed and no existing curb cut is being widened; the applicant seeks only to preserve points of access that have served the site for many years. However, the requested variances will ensure that, from a purely legal standpoint, the existing conditions are recognized.

(3) Whether the character of the neighborhood would be adversely affected or whether adjoining properties would suffer an adverse impact as a result of the variance.

The existing character of the neighborhood will not be adversely affected nor will adjoining properties suffer an adverse impact as a result of the variances. The conditions that are being addressed by the variance already exist on the site and have existed for a long time. Code changes occurring decades after these site conditions first came to be have rendered them presently noncompliant with Code. No aesthetic or practical changes to the improvements to the site which are affected by the variances will be made. The existing curb cuts have provided safe and functional access to the dealership for decades without incident, and their retention will not alter the character of the neighborhood or burden adjoining properties.

(4) Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, garbage).

No. Again, the existing pavement setback and the existing building setback from the street are long-standing conditions. No gravel is being proposed to be placed on the site in addition to that which already exists. Plus, other than the extension of a sidewalk along the street frontage, which has been long-desired by City officials, no improvements are being added to the property which will increase the actual impervious lot coverage. Therefore, governmental services will not be impacted by any of these variances. The status quo will remain, and governmental services have been successfully provided to the site since at least the 1960s. As to the Curb Cut Variance in particular, the existing curb cuts have accommodated refuse collection, emergency response, and utility access for many years; their retention will not impair, and may assist, the continued delivery of these services.

(5) Whether the property owner purchased the property with knowledge of the zoning restriction.

The current owner of the property, Lash Investments LLC, purchased the property in February 2010, and a related business entity owned the property before then. Since each of the Code provisions that are driving the need for variances was adopted after that date, the current owner could not have had knowledge of the restrictions. Sections 1157.04(a)(3) (pertaining to Setback Variance #1 and Setback Variance #2) and 1157.04(a)(6) (relating to the Lot Coverage Variance), and 1157.04(c)(5) (relating to the Curb Cut Variance) were adopted in 2023. Section 1175.02 (pertaining to the Pavement Variance) was adopted in 2013. Section 1171.03(b) (concerning the Accessory Structures Variance) was adopted in November 2010.

(6) Whether the property owner's predicament feasibly can be obviated through some method other than a variance.

Variances are the only means to solve the property owner's predicament. No other zoning districts that exist under the Code will allow the owner's use. A Planned District is unavailable to the owner since there is a 350-acre minimum in order to qualify to use it. With respect to the Curb Cut Variance, City staff have suggested that the curb cut separation deficiency could be obviated by removing the easternmost curb cut. That alternative would

eliminate an established access point that has served the dealership's on-site circulation for many years without incident, and is neither practical nor consistent with safe and efficient access to the site. The requested variance is the least burdensome means of addressing this long-standing condition.

(7) Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

To reiterate, the variances being requested are not accommodating any new improvements which otherwise would be out of compliance with the GCC-2 district zoning requirements. The variances are needed only to provide legal legitimacy to conditions on the site which have existed as long as most can remember. City Code revisions have been applied to existing site conditions to create nonconformities. The spirit and intent of the Code is to ensure that new development and improvements are constructed in accordance with certain requirements. It is not to prevent new development or improvements from occurring when they are not the direct cause of the need for variances. The purpose of the curb cut separation standard is to limit conflict points and to manage access along the corridor. Because no new curb cuts are being created and the existing access points have functioned safely for many years, granting the Curb Cut Variance observes the spirit and intent of the standard while doing substantial justice to a long-established use.

PLANNING STAFF REPORT

NEW AND USED CAR SALES AND SERVICE IN GCC-2 | CONDITIONAL USE PERMIT

INTRODUCTION

To: Planning and Zoning Commission

Reviewer: Johnstown Planning

Applicant: Lash Chevrolet, c/o Aaron Underhill

Request: To expand the existing New and Used Car Sales and Service use within the GCC-2 zoning district to include new covered showroom entry, new interior service and parts space including 20 service bays, and additional support spaces.

Recommendation: Consider the application for a Conditional Use Permit to allow the expansion of the existing New and Used Car Sales and Service use. See page 7 for detailed recommendations.

PROPERTY LOCATION MAP

Figure 1 | Property Location Map



PROPERTY INFORMATION

Property Location:	Located on the south side of Coshocton Street, at the terminus of Cherry Hill Road	Property Owner:	Lash Investments, LLC
Comp Plan Land Use Designation:	Commerce Corridor	Signature Street:	No
Existing Zoning Designation:	General Community Commercial (GCC-2)	Design Review District:	Commerce Corridor

BACKGROUND INFORMATION

The applicant is requesting a Conditional Use Permit (CUP) to expand the existing New and Used Car Sales and Service. This use is currently in operation at this location; however, the expansion of the existing building and other site modifications are the reason the CUP is now being requested by the applicant. The proposed expansion is intended to facilitate additional vehicle service bays, improved interior spaces including administrative offices, sales/showroom spaces, and circulation spaces.

Along with this application, applications for three variances were submitted. These variances will be reviewed and voted upon separately from this CUP application.

Site Conditions:

The applicant provided a survey of existing conditions with the application. The site is comprised of two parcels totaling ±7.57 acres (329,749 SF) of land. There are four buildings on the site currently including the following:

- Primary Dealership Building: ±16,662 SF
- Ancillary Building 1 (NE Corner): ±6,472 SF
- Ancillary Building 2 (East): ±5,100SF
- Ancillary Building 3 (East): ±766 SF
- Total building area (existing): ±29,000 SF (8% of site area)

The site is currently covered by approximately ±145,696 SF of asphalt parking area, and 56,628 SF of gravel parking area, for a total of 202,324 SF (61% of site area). This brings the total site coverage, including buildings, to ±231,324 SF (±70% of site area).

COMPREHENSIVE PLAN REVIEW

The 2024 comprehensive plan designates the subject property as “Commerce Corridor”. The comprehensive plan establishes the following for the land use district.

“The Commerce Corridor describes the city’s commercial center that includes a mix of medium to large-scale retail, restaurant, and commercial buildings. The corridor’s proximity to future employment centers and planned neighborhoods presents opportunities to facilitate mixed-use redevelopment that encourages new internal street networks and a refined focus on pedestrian

connectivity. This translates into retail buildings with interactive storefronts that directly front internal streets and provide frequent pedestrian interactions.”

Reviewer Comment: The intent of the Commerce Corridor is to increase pedestrian connectivity by creating buildings that create an interesting walking experience that offers a variety of commercial uses adjacent to the street. While auto sales and service uses are specific forms of retail not generally oriented towards pedestrians, the existing building and site configuration (with the proposed sidewalk) will create a site that has a transparent storefront near the sidewalk/street. The reviewer does not find the proposed expansion to contradict the intent of the adopted comprehensive plan designation.

GENERAL COMMUNITY COMMERCIAL ZONING INTENT

These parcels are within the General Community Commercial (GCC-2) zoning district, established in Chapter 1157 of the City’s Codified Ordinances. Chapter 1157.01 establishes the purpose of the GCC-2 zoning district which states:

“The purpose of the GCC-2 District is to designate appropriate areas for the establishment and development of commercial activities to service regional needs.”

Reviewer Comment: The continued use of an automobile dealership and service center aligns with regional commercial activities referenced in the intent of the zoning district.

GENERAL STANDARDS FOR CONDITIONAL USES (CHAPTER 1131.03)

The City’s Codified Ordinances establish multiple standards that must be evaluated when considering a Conditional Use Permit (CUP). Specifically, Chapter 1131.03 of the Codified Ordinances states: “The Commission shall not approve a conditional use unless it shall, in each specific case, make specific findings of fact directly based on the particular evidence presented to it, that support conclusions that such use at the proposed location shall meet all of the following requirements.” The specific conditions are noted below with the reviewer’s comments following in *italicized* text.

- (a) Will be harmonious with the existing or intended character of the general vicinity and that such use will not change the general character of such area.

Reviewer Comment: Based on the Comprehensive Plan, the intended character of the area is pedestrian-friendly, mixed-use residential and commercial uses such as retailers and restaurants with residences above. The existing character of this area is single-use, auto-oriented buildings with individual parking lots and driveways to access Coshocton Street. The continued use of this site as an auto sales and service facility will not change the general character of the area where the site is located.

- (b) Seeks to maintain, and will not be hazardous to, the health, safety and welfare of the existing neighborhood, and the total community.

Reviewer comment: Per the application, this use has been in existence for more than 50 years at this location. It is unlikely that the proposed building expansion will create conditions

that are detrimental to the neighborhood or total community. The proposed service uses will be within an enclosed structure, and the overall site will be in greater conformance with the current Codified Ordinances than the current site condition.

- (c) Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.

Reviewer Comment: The site access will remain as-is from Coshocton Street if the CUP is approved. Potable water and sanitary sewer are currently utilized on-site. There are no stormwater management facilities currently present on-site. No concerns from a waste management or school impact perspective were provided to the reviewer. There are existing waste management services in place, and no residential units are included in this request which would impact the school system.

- (d) Will not create excessive additional requirements for public facilities and services and will not be detrimental to the economic welfare of the community.

Reviewer Comment: The site is presently served by water and sewer utilities. The additional building area is unlikely to create excessive demand for fire/EMS/Police services within Johnstown. Adding additional space to create job opportunities for a long-standing business is unlikely to be detrimental to the economic welfare of the community.

- (e) Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

Reviewer Comment: The requested CUP is to expand the use currently on this site. No prior issues related to traffic, noise, smoke, fumes, glare, or odors were shared with the reviewer. Additionally, the proposed facility expansion will allow all repair and service uses to be conducted indoors, in accordance with the requirements of the use for activities to be conducted indoors.

- (f) Will have vehicular approaches to the property which shall be so designated as not to interfere with traffic on surrounding public streets or roads.

Reviewer Comment: The proposed use will utilize the existing access drives to Coshocton Street. No changes to approaches or access drives are to be modified as part of this CUP request.

- (g) Complies with any other requirements or standards that are cited under the specific zoning district regulations of this Ordinance.

Reviewer Comment: The Codified Ordinances only establish one use standard for "New and used car sales and service". This standard requires all operations except for display and sales to be located completely within an enclosed building. Based on the proposed plan and narrative, the service uses will be conducted within the existing and proposed buildings. The proposed plan complies with the requirements of this specific use.

- (h) Will be in accord with the general objectives, or with any specific objective, of the strategic plan and the Zoning Ordinance.

Reviewer Comment: The proposed use is allowable within the GCC-2 zoning district, will comply with the standards for this use, and is generally in accordance with the Comprehensive Plan.

- (i) Will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

Reviewer Comment: There are no natural, scenic, or historic features designated on this site.

- (j) Is a conditional use identified for the applicable zoning district.

Reviewer Comment: Chapter 1157.03 of the Codified Ordinances establishes “New and used car sales and service, provided all operations except for display and sales are located completely within an enclosed building” as a conditional use. The applicant has requested a CUP as required by the codified ordinances.

COMPLIANCE WITH CODIFIED ORDINANCES

The applicant has submitted applications for five variances to for building setback, paving setbacks, lot coverage, and paving materials,. In addition to the requested variances, the proposed plan was reviewed for compliance with the remainder of the Codified Ordinances. Sections reviewed are below:

Codified Ordinances Compliance Table			
Standard	Requirement	Proposed	Notes
Sec. 1157.04 – Additional District Development Standards			
Lot Size	N/A other than to meet all other requirements	±7.57 AC	No change to existing.
Lot Width	N/A other than to meet all other requirements	±740'	No change to existing.
Front Setback	30'	26.6'	Encroaching into required front setback. A variance has been requested for this code provision.
Front Parking Setback	15'	9'	No change to existing, variance requested for this setback.
Rear Setback	25'	80.5'	N/A
Side Setback	30' total, minimum of 25' on one side	240.1' (West), 123.3' (East)	N/A
Lot Coverage (structures, sidewalks, and parking areas)	65% of the buildable lot area	±70%	A variance has been requested for this item.
Structure Height	40' maximum height	±23'	20' to top of wall
Traffic/Parking System Plan	Ingress/Egress/Parking Areas/Access Drives/Pedestrian Walkways	Included with site plan.	Utilizes existing curb cuts and internal circulation.

Codified Ordinances Compliance Table			
Standard	Requirement	Proposed	Notes
Outdoor Trash Systems	Sufficient to prevent any overflow, includes an enclosure for screening.	New enclosure for two dumpsters with CMU walls and metal swing gates.	Located behind proposed building expansion, will not be visible from Coshocton Street.
Stormwater Management Plan	All sites shall meet Chapter 1197 requirements.	To be submitted.	Specific stormwater requirements to be determined as part of the Zoning Certificate process.
Cross Access Easements	Should be provided between adjacent commercial properties.	Not proposed.	This is a suggestion using the word "should". As both properties to the east and west are developed, this will have little impact on future access.
Curb Cut Separation	Minimum 1 per lot, Minimum 120' between curb cuts.	No changes proposed.	The easternmost curb cuts are separated by $\pm 75'$. See recommended conditions below.
Fire Hydrant Requirements	Lots >2.5 acres shall contain at least one fire hydrant for every additional $\frac{1}{4}$ acre over the original 2.5 acres	Existing fire hydrants illustrated, no new hydrants illustrated.	Final requirements to be determined during the Zoning Certificate review process.
Chapter 1183 - Landscaping			
1183.08 - Street Tree Requirements	One tree every 24' -36'	To be submitted.	Specific landscaping requirements will be reviewed as part of the Zoning Certificate.
1183.09(a) – Screening of Service Areas	Minimum 7' screen abutting residential for service and loading areas	To be submitted.	Specific landscaping requirements will be reviewed as part of the Zoning Certificate.
1183.09(b) – Screening of Trash Receptacles	An enclosure a minimum of 6' in height	To be submitted.	Specific landscaping requirements will be reviewed as part of the Zoning Certificate.
1183.09(c) – Buffering and Screening	Buffer zone along residential boundaries a minimum of 25' in depth reaching a minimum of 10' in height within 5 years	To be submitted.	Specific landscaping requirements will be reviewed as part of the Zoning Certificate.
1183.09(e) – Minimum Trees	1 tree per 5,000SF building area + 0.5" tree trunk size for every 2,000SF of ground coverage	To be submitted.	Specific landscaping requirements will be reviewed as part of the Zoning Certificate.

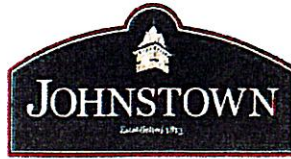
Codified Ordinances Compliance Table			
Standard	Requirement	Proposed	Notes
1183.10 – Parking Lot Landscaping	Parking lot islands and trees required	To be submitted.	Specific landscaping requirements will be reviewed as part of the Zoning Certificate.

CONCLUSION

The reviewer does not find any inconsistencies between the requested Conditional Use Permit to allow the expansion of a New and Used Car Sales and Service and the adopted comprehensive plan and GCC-2 zoning district. Approval of this request to allow an expansion of the New and Used Car Sales and Service use is unlikely to create any impacts detrimental to the general health, safety, and welfare of the City at large. The reviewer recommends three conditions be included if the Planning Commission chooses to approve the request.

Recommended Conditions:

1. This Conditional Use, if approved, shall require review and re-evaluation by the Planning Commission if the accompanying variance requests are denied to determine overall site compliance.
2. The existing easternmost curb cuts are separated by $\pm 75'$, which does not meet current standards of Sec. 1157.04. It is recommended to remove the easternmost curb cut, leaving the remaining three as-is.
3. Final requirements for site landscaping, screening / buffering, and stormwater management shall be reviewed for consistency with the Codified Ordinances during the Zoning Certificate review process. Requests to deviate from these standards will be reviewed and processed according to the applicable variance process established in the Codified Ordinances



PAID
JUN 25 2026
CITY OF JOHNSTOWN

VARIANCE PERMIT APPLICATION: CHAPTER #1133

Application Number: 06-25-26 V Date: 6, 25, 26

FEES:

Number of Certified Letters to Contiguous Property Owners: 11 @ ^{10.44}~~\$8.53~~ Total: \$ 114.84
Newspaper Advertising Fee: \$ 181.56 Public Notice Sign \$ 30

Base Fee Single Family Residence: \$250

Base Fee All Other Uses: \$500

Total Fee Amount: \$ 500.00 Paid: Check # 65601 / Cash: _____

Applicant: Lash Chevrolet, c/o Aaron Underhill, Underhill & Hodge LLC **Phone:** _____

Mailing Address: 8000 Walton Parkway, Suite 120 **City:** New Albany **State:** OH **Zip:** 43054

E-mail Address: _____ **Zoning District:** GCC-2

Property Address: 755 West Coshocton Street Johnstown, Ohio

Ordinance(s) the Variance applies to: 1157.04(a)(3), 1157.04(a)(6), 1157.04(c)(5), 1171.03(b), and 1175.02

Description and nature of Variance request: Please see attached supporting statement

IN ADDITION, THE FOLLOWING ITEMS MUST ACCOMPANY THIS APPLICATION:

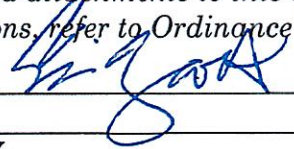
1. A set of two (2) scale plans and plat showing all dimensions of lot, building and improvements.
2. Attach a separate list of property owner's names and addresses contiguous to and directly across the streets(s) from the property for which the Variance is proposed or desired and the mailing addresses of all such persons.

Attach your response to the following practical difficulties test questions.

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the Variance;
2. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district;
3. Whether the Variance is substantial;
4. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the Variance;
5. That a literal interpretation of the provisions of this Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Zoning Ordinance;
6. Whether the Variance would adversely affect the delivery of government services (e.g., water, sewer, garbage)
7. Whether the property owner purchased the property with knowledge of the zoning restriction;
8. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Zoning Ordinance, to other lands, structures or buildings in the same district.
9. That the special conditions and circumstances which create the need for a variance do not result from the actions of the applicants;
10. Whether the property owner's predicament feasibly can be obviated through some method other than a Variance;
11. Whether the spirit and intent of the Code would be observed and substantial justice done by granting the Variance.

- "No single factor controls a determination of the practical difficulties test."

*** The undersigned is applying for a Variance Permit for the following use; said permit to be issued based on the information contained within this application. The applicant hereby certifies that all information and attachments to this application are true & correct and agrees to follow all applicable regulations, refer to Ordinance #1133.

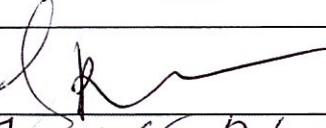
Applicant's Signature: 

Date: 7, 24, 26

revised

OFFICE USE ONLY:

Date Received in Office: 6, 25, 26

By: 

Planning and Zoning Commissioners Hearing Date: 7, 28, 26

Permit was Approved Issued on Date: ____/____/____

Permit was Denied on Date: ____/____/____

Commission Chairperson Signature: x _____

Additional Comments or Requirements:

NOTICE OF PUBLIC HEARING

The City of Johnstown Planning & Zoning Commission will hold a public hearing on an application for a Variance to Sections 1157.04(a)(3), 1175.02 and 1157.04(a)(6) of the City Codified Ordinances, on Tuesday, July 28, 2026, at 6:30 p.m. in the City Council Chambers at 599 South Main Street, Johnstown, Ohio 43031

The applicant is seeking a variance to allow deviation from requirements for parking setback, paving and lot coverage in the GCC-2 zoning district at:

755 W. Coshocton St.
Auditor Parcel #
053-174288-00.000

For more information contact:
(740) 967-3177 x6

APPLICANT:

Lash Chevrolet
755 West Coshocton Street
Johnstown, OH 43031

ATTORNEY:

Aaron L. Underhill
Underhill & Hodge LLC
8000 Walton Parkway, Suite 120
New Albany, OH 43054

PROPERTY OWNER

Lash Investments LLC
755 West Coshocton Street
Johnstown, OH 43031

SURROUNDING PROPERTY OWNERS:

Washn Dri LLC
6100 Plumb Road
Galena, OH 43021

Bagby Realty LTD
982 Wake Drive
Westerville, OH 43082

Kroger Co.
1014 Vine Street, Floor 7
Cincinnati, OH 45202

Katherine Piper
758 West Coshocton Street
Johnstown, OH 43031

Susan Kenney
4396 Dublin Road
Columbus, OH 43221

738 West Coshocton LLC
4396 Dublin Road
Columbus, OH 43221

Croton Bank
711 Main Street
Jasper, IN 47546

OST Holdings LLC
11408 Northview Drive
Nevada City, CA 95959

Johnstown Retail Investments LLC
3 Easton Oval, Suite 120
Columbus, OH 43219

Ridgeview III LP
159 Wilson Street
Newark, OH 43055

Johnstown EF Holdings LLC
8411 Jacob White Road
Johnstown, OH 43031

Certified mail Sent 7-7-26

PLANNING REPORT

755 W COSHOCTON STREET | VARIANCE REQUEST

INTRODUCTION

To: Planning and Zoning Commission

Reviewer: Johnstown Planning

Applicant: Lash Chevrolet, c/o Aaron Underhill

Request: The applicant is requesting four variances associated with the expansion of an existing auto sales / service use located at 755 W Coshocton Street. Variances include:

- A. Sec. 1157.04(a)(3) – pavement setback variance;
- B. Sec. 1157.04(a)(3) – building front setback variance;
- C. Sec. 1175.02 – required paving materials;
- D. Sec. 1157.04(a)(6) - Lot Coverage.

Recommendation: Consider the variance request to the code sections referenced above. See planning recommendations summary on page 14 for further detail.

PROPERTY LOCATION MAP

Figure 1 | Property Location Map



VARIANCES REQUESTED

VARIANCE REQUEST	CODE SECTION	CODE REQUIREMENT	VARIANCE REQUESTED
A	CH 1157.04(a)(3) – Minimum front setbacks for buildings	30' Minimum	Permit a 26' front setback for an existing building
B	CH 1157.04(a)(3) – Minimum front setbacks for pavement	15' Minimum	Permit a 9' front setback for existing pavement
C	CH 1157.04(a)(6) – Lot coverage by building and pavement	65% Maximum Coverage	±75% total coverage (buildings and driveways)
D	CH 1175.02 - Paving	6" asphalt or 4" reinforced concrete surface	Retain existing gravel parking areas

PROPERTY INFORMATION

Property Location:	Located on the south side of Coshocton Street, at the terminus of Cherry Hill Road	Property Owner:	Lash Investments, LLC
Comp Plan Land Use Designation:	Commerce Corridor	Signature Street:	No
Existing Zoning:	General Community Commercial (GCC-2)	Design Review District:	Commerce Corridor

BACKGROUND INFORMATION

The applicant is requesting these variances to accommodate an expansion of the existing New and Used Car Sales and Service use currently on the property. This use is currently in operation at this location; however, the proposed expansion of the existing building and other site modifications require a conditional use permit and these variances are associated with the proposed site plan. The proposed expansion is intended to facilitate additional vehicle service bays, improved interior spaces including administrative offices, sales/showroom spaces, and circulation spaces.

Past Improvements:

The application narrative notes that all parts of the proposed expansion will occur over portions of the site what are covered by existing impervious surfaces. While the reviewer agrees that gravel drives/parking areas are considered impervious areas, portions of the proposed expansion are covering existing gravel areas currently used for parking that were not previously approved by the City and not part of the original development footprint. The gravel parking area totals ±1.3 acres. Of these 1.3 acres, approximately 0.66 acres of gravel have been in use since the late 1990's (Figure 2), with the remainder being added (with site grading and leveling) between 2016 and 2020 (Figures 3-5). This analysis was based on aerial photography available on the Licking County Auditor OnTrac Mapping Platform. Additional information on this topic is included in

Section IV – Variances of the “Statement in Support of Conditional Use and Variance Applications” provided with the variance application. This topic is mentioned here to provide background to how the site arrived at its current condition, and since one of the variance requests is based on this topic. See the photos below for a graphic illustration of these gravel expansions over time. The applicant has requested a variance to allow the existing gravel parking to remain in place and in use in lieu of asphalt or concrete which is the minimum standard for vehicle parking and drives within the Codified Ordinances.

Figure 2 | 1998 Aerial Map



Figure 3 | 2016 Aerial Map



Figure 4 | 2018 Aerial Map

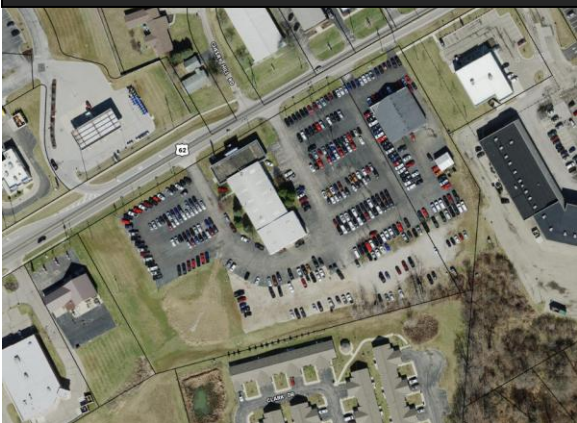
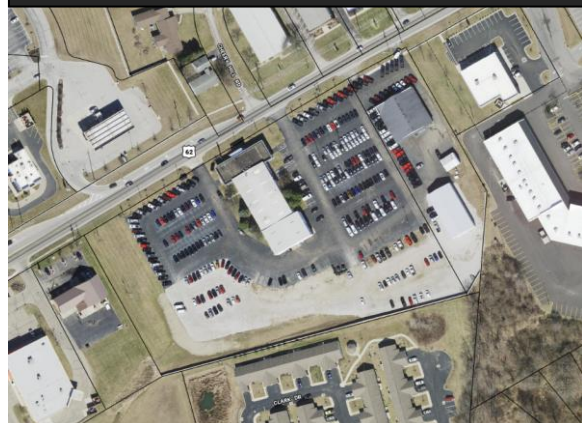


Figure 5 | 2020 Aerial Map



Site Coverage Summary:

The applicant provided a survey of existing conditions with the application. The site is comprised of two parcels totaling ± 7.57 acres (329,749 SF) of land. There are four buildings on the site currently including the following:

- Primary Dealership Building: $\pm 16,662$ SF
- Ancillary Building 1 (NE Corner): $\pm 6,472$ SF
- Ancillary Building 2 (East): $\pm 5,100$ SF

- Ancillary Building 3 (East): ±766 SF
- Total building area (existing): ±29,000 SF (8% of site area)

The site is currently covered by approximately ±145,696 SF of asphalt parking area, and 56,628 SF of gravel parking area, for a total of 202,324 SF (61% of site area). This brings the total site coverage, including buildings, to ±231,324 SF (±70% of site area).

VARIANCE REQUEST ANALYSIS | CH 1157.04(a)(3) – FRONT BUILDING SETBACK

The review criteria in Chapter 1133 were applied to the request in the sections below. The applicant is requesting a 26-foot front yard building setback instead of the required 30-foot minimum front yard building setback as established by Chapter 1157.04(a)(3).

Chapter 1133 Review Criteria

- 1) Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance;
Reviewer Response: While the property would yield a reasonable return without this variance, the variance is being requested as the existing building encroaches on the required front yard building setback. This building has been in place for more than 50 years and has not generated nuisance issues related to the setback encroachment.
- 2) Whether the variance is substantial;
Reviewer Response: The applicant is requesting the minimum variance possible based on existing building location. The existing building encroaches ±4 feet into the required 30' front yard building setback.
- 3) Whether the character of the neighborhood would be adversely affected or whether adjoining properties would suffer an adverse impact as a result of the variance;
Reviewer Response: The existing building has been in place longer than many of the structures in the immediate vicinity of the subject property. The neighboring properties will not be adversely affected if this variance is granted.
- 4) Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, garbage);
Reviewer Response: This building has been in place in excess of 50 years. Granting of this variance is to address an existing non-conformity and will not affect the delivery of governmental services.
- 5) Whether the property owner purchased the property with knowledge of the zoning restriction;
Reviewer Response: The zoning restriction was put into place after the construction of the existing building. The applicant did not note a lack of understanding of the zoning restrictions in place.
- 6) Whether the property owner's predicament feasibly can be obviated through some method other than a variance; and

Reviewer Response: As the building has been in place for some time, there are no other methods to address this encroachment on this specific property without granting of a variance.

- 7) Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

Reviewer Response: The building will retain the existing 26' setback from the street if the variance is granted. The spirit and intent will be observed if the variance is granted.

- 8) No single factor shall be considered a determinative factor, and the factors shall be weighed and balanced in determining whether a variance is warranted. The applicant shall bear the burden of proof that the criteria for a variance have been met and that application of the zoning requirement to the applicant's property would be inequitable.

Reviewer Response: The applicant provided responses to the criteria above, and these responses are included in the application packet for review and reference.

Summary: The reviewer recommends approval of this variance from *Chapter 1157.04(a)(3) – Minimum Front Setbacks for Buildings* to allow for a front yard building setback of 26 feet. The building with the existing setback has been in place for decades and has not generated nuisance issues or safety concerns in that time.

VARIANCE REQUEST ANALYSIS | CH 1157.04(a)(3) – FRONT PAVEMENT SETBACK

The review criteria in Chapter 1133 were applied to the request in the sections below. The applicant is requesting a 9-foot front yard pavement setback instead of the required 15-foot minimum front yard pavement setback as established by Chapter 1157.04(a)(3).

Chapter 1133 Review Criteria

- 1) Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance;
Reviewer Response: This variance is being requested to address the existing pavement setback that has been unchanged for decades. While the property could yield a reasonable return without the variance, the variance was requested for improvements that occurred prior to the current zoning development standards were adopted for pavement setbacks. No changes to the existing parking areas that currently encroach are proposed as part of the overall facility expansion.
- 2) Whether the variance is substantial;
Reviewer Response: The applicant is requesting the minimum variance needed based on the existing location of pavement on the site. The variance requested is not considered substantial.
- 3) Whether the character of the neighborhood would be adversely affected or whether adjoining properties would suffer an adverse impact as a result of the variance;
Reviewer Response: While the pavement on the subject property is closer to the roadway than neighboring properties, no adverse impacts have been recorded due to the existing pavement setback. The character of the neighborhood will not be affected if this variance is granted.
- 4) Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, garbage);
Reviewer Response: The granting of this variance will not adversely impact ability of the site to be served by governmental services. The site has been in this configuration for decades with no issues of service provisions.
- 5) Whether the property owner purchased the property with knowledge of the zoning restriction;
Reviewer Response: The zoning restriction was put into place after the construction of the existing site configuration. The applicant did not note a lack of understanding of the zoning restrictions in place.
- 6) Whether the property owner's predicament feasibly can be obviated through some method other than a variance; and
Reviewer Response: The applicant would need to reconfigure the existing site, including all parking areas, to accommodate the currently required pavement setback. Given that the site has been in this configuration for many years and has not caused any nuisance issues or safety concerns, the requested variance is the least impactful method of bringing the existing pavement into conformance.

- 7) Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

Reviewer Response: The spirit and intent of the zoning requirement will be observed if this variance is granted. The variance is being requested for improvements that occurred before zoning was applied to parcels within Johnstown. The site serves regional commercial needs, directly supporting the intent of the GCC-2 zoning district.

- 8) No single factor shall be considered a determinative factor, and the factors shall be weighed and balanced in determining whether a variance is warranted. The applicant shall bear the burden of proof that the criteria for a variance have been met and that application of the zoning requirement to the applicant's property would be inequitable.

Reviewer Response: The applicant provided responses to the criteria above, and these responses are included in the application packet for review and reference.

Summary: The reviewer recommends approval of this variance from *Chapter 1157.04(a)(3) – Front Pavement Setback* to allow a pavement setback of 9-feet instead of the required 15-foot required front pavement setback. The existing pavement has been in place for decades, does not preclude the installation of a sidewalk, and no reports of traffic or visibility concerns were shared with the reviewer. As no modifications to increase the existing encroachment are included, this will eliminate a non-conformity currently existing on this site.

VARIANCE REQUEST ANALYSIS | CH 1157.04(a)(6) – LOT COVERAGE

The review criteria in Chapter 1133 were applied to the request in the sections below. The applicant is requesting a 75% allowable lot coverage instead of the maximum 65% lot coverage as established by Chapter 1157.04(a)(6).

Chapter 1133 Review Criteria

- 1) Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance;

Reviewer Response: The property will yield a reasonable return without this variance. The existing gravel parking and drive areas that have been added since the original development of this property are the primary reasons for the need for this variance. Other sites within the GCC-2 zoning district have been developed while meeting the maximum 65% requirement without the need for a variance for lot coverage.

- 2) Whether the variance is substantial;

Reviewer Response: The variance requested is the minimum needed to accommodate the existing and proposed lot coverage on the site. That said, during redevelopment or facility expansion, it is the intent of the Codified Ordinances to bring the site into greatest conformance with the Codified Ordinances. The variance is not considered substantial as the request is for a $\pm 5\%$ increase over the code allowed maximum but appears to be unnecessary as numerous neighboring properties have been developed within the allowable 65% lot coverage maximum.

- 3) Whether the character of the neighborhood would be adversely affected or whether adjoining properties would suffer an adverse impact as a result of the variance;

Reviewer Response: It is unlikely the character of the neighborhood would be greatly affected by the granting of this variance. The site already exceeds the maximum allowable coverage by impervious surfaces. That said, the proposed changes may alter stormwater runoff that could impact adjacent properties.

- 4) Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, garbage);

Reviewer Response: Granting of this variance is unlikely to change delivery of governmental services to the property. The site already exceeds the allowable 65% lot coverage, and no issues related to delivery of governmental services based on the existing lot coverage have been reported/documented.

- 5) Whether the property owner purchased the property with knowledge of the zoning restriction;

Reviewer Response: The original development footprint (buildings and associated pavement) were under the 65% threshold. The addition of approximately 0.66 acres of gravel from 2016 – 2020, for which a site plan was not submitted to or approved by the City (based on information shared with the reviewer), is the reason for the lot coverage to exceed the maximum allowed by the Codified Ordinances. Any lack of knowledge of zoning restrictions on behalf of the applicant was not shared with the reviewer.

- 6) Whether the property owner's predicament feasibly can be obviated through some method other than a variance; and

Reviewer Response: The applicant is requesting the minimum variance possible to address the non-conformity. To avoid this variance, some of the existing non-impervious gravel (or other impervious surface) could be removed from the site to bring the overall coverage to within the maximum 65% lot coverage allowance. There is the ability to adjust the site plan program without reducing the proposed building size.

- 7) Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

Reviewer Response: The zoning and intent of the GCC-2 zoning district is to accommodate regional retail and service uses within Johnstown. Part of the intent of the zoning standards is to create predictable and similar appearance of sites within Johnstown. As other sites have been developed under the 65% lot coverage without the need for variances, granting a variance for this individual property does not appear necessary to accommodate the proposed use expansion.

- 8) No single factor shall be considered a determinative factor, and the factors shall be weighed and balanced in determining whether a variance is warranted. The applicant shall bear the burden of proof that the criteria for a variance have been met and that application of the zoning requirement to the applicant's property would be inequitable.

Reviewer Response: The applicant provided responses to the criteria above, and these responses are included in the application packet for review and reference.

Summary: The reviewer recommends denial of this variance from *Chapter 1157.04(a)(6) – Maximum Lot Coverage* to allow for a maximum of 75% lot coverage. The lot coverage standards are intended to maintain a certain level of open space and areas of natural vegetation within the city. There are no unique characteristics present on this site (topography, wetlands, mature tree stands, and similar) that generate the need for a variance from the standards of the GCC-2 zoning district. Given the ability for other neighboring properties to be developed while adhering to the 65% maximum, the proposed site plan for this site should be adjusted to meet the maximum coverage provided for in the Codified Ordinances.

VARIANCE REQUEST ANALYSIS | CH 1175.02 – PAVING

The review criteria in Chapter 1133 were applied to the request in the sections below. The applicant is requesting to allow gravel for vehicle parking and circulation instead of the required asphalt or concrete as established by Chapter 1175.02 – Paving.

Chapter 1133 Review Criteria

- 1) Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance;

Reviewer Response: The property will yield a reasonable return a reasonable return without the granting of this variance. Much of the existing gravel for which this variance is requested was added without review or approval by Johnstown as part of a site plan, the remainder of the parking and drive aisles have been paved with asphalt for decades.

- 2) Whether the variance is substantial;

Reviewer Response: The codified ordinances require asphalt or concrete paving materials in an effort to reduce airborne dust created by moving vehicles and to maintain cleanliness of streets by minimizing dirt and debris leaving the subject property as vehicles enter and exit. Allowing a commercial property that experiences significant customer traffic would be a substantial deviation from the hard surfaces required by the code. Given there are no site or environmental constraints driving this request, this could be viewed as setting a precedent for allowing gravel or other materials to be used in commercial parking and drive areas.

- 3) Whether the character of the neighborhood would be adversely affected or whether adjoining properties would suffer an adverse impact as a result of the variance;

Reviewer Response: The granting of this variance will allow the use of gravel surfaces to continue to be used for vehicle parking and drive areas. As the site is being expanded to accommodate increased business volume, the use of gravel increases the amount of dust and debris that will leave the site as airborne particles or dirt transferred from the site to the street. Severity of these impacts are unable to be determined, but the rationale behind using hard surfaces for vehicle parking and drive aisles are to minimize the amount of dust and debris leaving individual sites.

- 4) Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, garbage);

Reviewer Response: The allowance of gravel as a surface for vehicle drive aisles and parking areas is unlikely to adversely impact the delivery of governmental services. The proposed dumpster enclosure is located on a paved surface with paved approaches.

- 5) Whether the property owner purchased the property with knowledge of the zoning restriction;

Reviewer Response: Much of the existing gravel (±0.66ac) was added without permit from 2016 – 2020. The last update to the requirement for paving was completed in 2013.

- 6) Whether the property owner's predicament feasibly can be obviated through some method other than a variance; and

Reviewer Response: The applicant could adjust the proposed site plan to include concrete or asphalt paving materials for the gravel areas to be retained as part of the proposed site plan. It was noted in the application the applicant is reluctant to utilize the required paving materials to cover the gravel areas due to the need to manage stormwater from these areas and the associated cost to do so. There are no other areas of gravel in use on the nearby properties also within the GCC-2 zoning district.

- 7) Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

Reviewer Response: The GCC-2 district is intended to provide regional commercial retail and service uses. The number of customers/employees generally needed for these types of uses require durable, dust-free surfaces to maintain long-term health of the commercial developments and overall aesthetic qualities maintained by adhering to the established ordinances. Deviating from these standards for a commercial property experiencing increase customer volume is contrary to the spirit and intent of the GCC-2 zoning district.

- 8) No single factor shall be considered a determinative factor, and the factors shall be weighed and balanced in determining whether a variance is warranted. The applicant shall bear the burden of proof that the criteria for a variance have been met and that application of the zoning requirement to the applicant's property would be inequitable.

Reviewer Response: The applicant provided responses to the criteria above, and these responses are included in the application packet for review and reference.

Summary: The reviewer recommends denial of this variance from *Chapter 1175.02 – Paving* to allow for a gravel to be retained instead of the required asphalt or concrete paving. There are no unique characteristics present on this site (topography, wetlands, mature tree stands, and similar) or of this use (auto sales and service) that generate the need for a variance from the paving standards of the Codified Ordinances. Additionally, approval of this request is likely to generate additional requests for similar code relief and could be viewed as setting a precedent for future requests.

RECOMMENDATION SUMMARY

Individual recommendation summaries are included at the end of each review criteria for the requested variances. This table is a summary of the recommended actions

VARIANCE REQUEST	CODE SECTION	CODE REQUIREMENT	VARIANCE REQUESTED	RECOMMENDED ACTION
A	CH 1157.04(a)(3) – Minimum front setbacks for buildings	30' Minimum	Permit a 26' front setback	Approve <i>(See page 5 of 14 for detailed recommendation)</i>
B	CH 1157.04(a)(3) – Minimum front setbacks for pavement	15' Minimum	Permit a 9' front setback for existing pavement	Approve <i>(See page 7 of 14 for detailed recommendation)</i>
C	CH 1157.04(a)(6) – Lot coverage by building and pavement	65% Maximum Coverage (Buildings and driveways)	±75% total coverage (Buildings and driveways)	Deny <i>(See page 9 of 14 for detailed recommendation)</i>
D	CH 1175.02 - Paving	6" asphalt or 4" reinforced concrete surface	Retain existing gravel parking areas	Deny <i>(See page 13 of 14 for detailed recommendation)</i>