



City of Gahanna

Meeting Minutes

Planning Commission

200 South Hamilton Road
Gahanna, Ohio 43230

Thomas Shapaka, Chair
James Mako, Vice Chair
Michael Greenberg
John Hicks
Michael Suriano
Michael Tamarkin
Thomas J. Wester

Pam Ripley, Deputy Clerk of Council

Wednesday, October 11, 2023

7:00 PM

City Hall, Council Chambers

A. CALL MEETING TO ORDER/PLEDGE OF ALLEGIANCE/ROLL CALL

Gahanna Planning Commission met in regular session on October 11, 2023. The agenda for this meeting was published on October 6, 2023. Chair Thomas Shapaka called the meeting to order at 7:00 p.m. with the Pledge of Allegiance led by Mako.

Present 6 - John Hicks, Michael Greenberg, James Mako, Thomas W. Shapaka, Michael Suriano, and Thomas J. Wester

Absent 1 - Michael Tamarkin

B. ADDITIONS OR CORRECTIONS TO THE AGENDA - NONE

C. APPROVAL OF MINUTES

2023-0174 Planning Commission Minutes Draft 9.27.2023

A motion was made by Hicks, seconded by Suriano, that the Minutes be Approved. The motion carried by the following vote:

Yes: 5 - Hicks, Mako, Shapaka, Suriano and Wester

Absent: 1 - Tamarkin

Abstain: 1 - Greenberg

D. SWEAR IN APPLICANTS & SPEAKERS

Assistant City Attorney Matt Roth administered an oath to those persons wishing to present testimony this evening.

E. APPLICATIONS - PUBLIC COMMENTV-0021-2023

To consider a variance application to vary Sections 1150.04(f)(3) yard requirements of the Codified Ordinances of the City of Gahanna; for property located at 114 Shull Ave.; Parcel ID: 025-000185; Current Zoning OG-1; Garage addition; Edouard Petit, applicant.

Director of Planning Michael Blackford provided a summary of the application; see attached staff presentation. The property is in zoning district Olde Gahanna - 1 (OG-1). The applicant is requesting approval for a reduction in the side yard to allow for a garage addition. The side yard setback in this zoning is five feet. They are requesting 2.7 ft. which is the same setback as the existing garage. Approving this variance would allow for the footprint to be in the same general area. The addition will match the height dimensions and materials of the existing garage, but that is not what the commission is approving. Blackford showed a site plan for the requested garage. Variance criteria to consider are there special circumstances or conditions applying to the land, building or use. Blackford said this area was platted pre zoning code and the existing improvements in and around this area are not up to code. Is it necessary for the preservation and enjoyment of property rights. Would granting the application be detrimental to the surrounding area. The application has been reviewed by appropriate city staff and there are no issues with granting the variance. Staff recommends approval of the variance.

Chair opened public comment at 7:06 p.m.

Applicant Edouard Petit, 132 Shull Ave. Gahanna said the house and driveway was restored in 1999. The only thing has not been redone is the garage. The garage including the addition on it will be resided to match the house. It is a tiny garage and cannot be extended sideways to make it wider. The clearance is 2.7 ft. All houses in the neighborhood have the same, either on a property line or like almost on a property line. There are not many options.

Clerk confirmed there were no comments from the public.

Chair closed the public comment at 7:10 p.m.

Chair called on questions from the Commission; there were none.

A motion was made by Greenberg, seconded by Suriano, that the Variance be Approved.

Discussion on the motion: Suriano is in favor of the variance given the existing structure is already within the setback. He believes it would look very strange if this didn't continue the footprint of the existing garage.

The motion carried by the following vote:

Yes: 6 - Hicks, Greenberg, Mako, Shapaka, Suriano and Wester

Absent: 1 - Tamarkin

F. UNFINISHED BUSINESS - NONE

G. NEW BUSINESS - NONE

H. OFFICIAL REPORTS

Director of Planning

Director Blackford said there is a workshop on Wednesday, October 18, 2023, with City Council to discuss zoning code. If the workshop goes well there could be a draft document of code changes on November 1, 2023, with a vote on November 15, 2023. Then hopefully get through city council and be adopted before the end of the year. The public engagement at the Flea Market was well attended with approximately 300 participants. The online engagement just wrapped up with over 200 respondents. There has been a lot of good feedback and positive responses.

I. CORRESPONDENCE AND ACTIONS - NONE

J. POLL MEMBERS FOR COMMENT

Mr. Hicks shared that there was a Board of Zoning and Building Appeals (BZBA) appeal hearing for Speed Way Towing. BZBA did find in favor of the appellee the Planning Commission. Planning Commission's decision was upheld by the BZBA. He shared for consideration if the situation comes back before this board or a similar situation; the appellant made the argument that the Planning Commission was flawed in their decision on the conditional use because the commission also discussed the variance and the design review in conjunction with the conditional use. The BZBA members considered remanding the decision back to Planning Commission with the instructions that the commission would not consider anything except the conditional use. Hicks felt Mr. Roth did a fantastic job in defense of the Commission. BZBA members in their deliberation felt that sending it back to Planning Commission wouldn't result in a different action. Hicks suggested the commission should consider anytime there's an application that has multiple components, one of them being if an application is denied and it affects the other applications from going forward. Such as a zoning, or rezoning application or a conditional use the commission should consider just hearing that application before discussion any additional applications. It has been the habit of condensing them into one for efficiency. Which works except when one of those applications not voted upon favorably and the rest of the applications would not be considered. In the future if there is a rezoning or a conditional use the commission should consider hearing it separately. This is

the first time that, the argument has been brought up at least in what he has heard from an appellant.

Suriano asked Hicks to summarize the rationale that that would have triggered their argument. Hicks said the attorney for the appellant argued that the commission made comments in the deliberation on the conditional use relating to a variance. He didn't go back and check the minutes. They alleged that a commission member referred to a variance or design review component in their denial of the conditional use. That was their argument that was improper. If the commission was to just talk about the conditional use separately without those other variables the commission might have come to a different decision. He thinks BZBA made the correct decision that sending it back to the commission wouldn't have changed the outcome. Just something to think about in the future if an application could kill the rest of the applications. Maybe the commission could consider that in a vacuum or without any distraction so nobody could argue that the commission's decision was based on something that was not in the actual conditional use or zoning application.

Shapaka thanked Hicks on the clarity for the procedure.

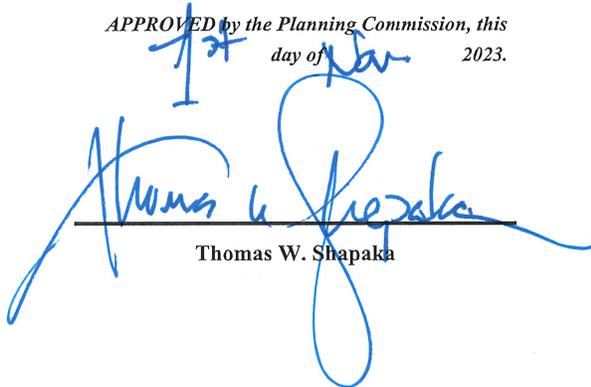
K. ADJOURNMENT

There being no further business the meeting adjourned at 7:19 p.m.



Pam Ripley
Clerk

APPROVED by the Planning Commission, this
1st day of *Nov* 2023.



Thomas W. Shapaka