

Notice of Appeal
Mike & Tracy Carr
149 Landover Road
Gahanna, OH 43230
December 19, 2025

RECEIVED

DEC 19 2025
BY: *J. Van Meter, Clerk*
COUNCIL OFFICE

We would like to enter an appeal regarding our property at 149 Landover Road being included as part of the 2026 Sidewalk Maintenance Lookback Program - RES-0014-2025

In particular, we are appealing section 903.4 (a) City administered sidewalk maintenance, item (1) Inspection program, of Part Nine – Streets and Public Services Code. Upon speaking with Paige Wright at approximately 1 p.m. on Friday, December 19, 2025, we were informed that there is no specific code or ordinance that pertains to why our property at 149 Landover Road was included in the 2026 Sidewalk Maintenance Lookback program. As we will describe below, our street was not on the list that was part of the 2021 through 2023 street & sidewalk program and was not on the RES-0014-2025 list. We will state how our property was inadvertently included as one of the parcels and should NOT have been included as part of the 2026 Sidewalk Maintenance Lookback Program due to an internal policy that they refuse to share with us.

In November, we received a letter from the city regarding the 2026 Sidewalk Maintenance Lookback Program Notice of Defect. Upon further review of this letter, we inquired to the email provided in the letter (sidewalks@gahanna.gov) for some additional clarifications on 12/15/25. We inquired about how some other sidewalks near our property along Landover Road were in a similar conditions to ours, but the property owner did not receive the same letter as we did. We also asked if Landover Road's curbs would be repaired in the near future, similar to the repairs that were performed on Fleetrun Ave a couple of years ago. We asked this because our curbs are in bad shape and could use the same repairs they received.

Brian Kennedy responded to our email on 12/15/25 and indicated that since our street received upgrades in 2021, the city is coming back to repair the sidewalks in the areas that received repairs in 2021 & 2023. He provided a map of the areas (Exhibit A), which does show our property, circled in red.

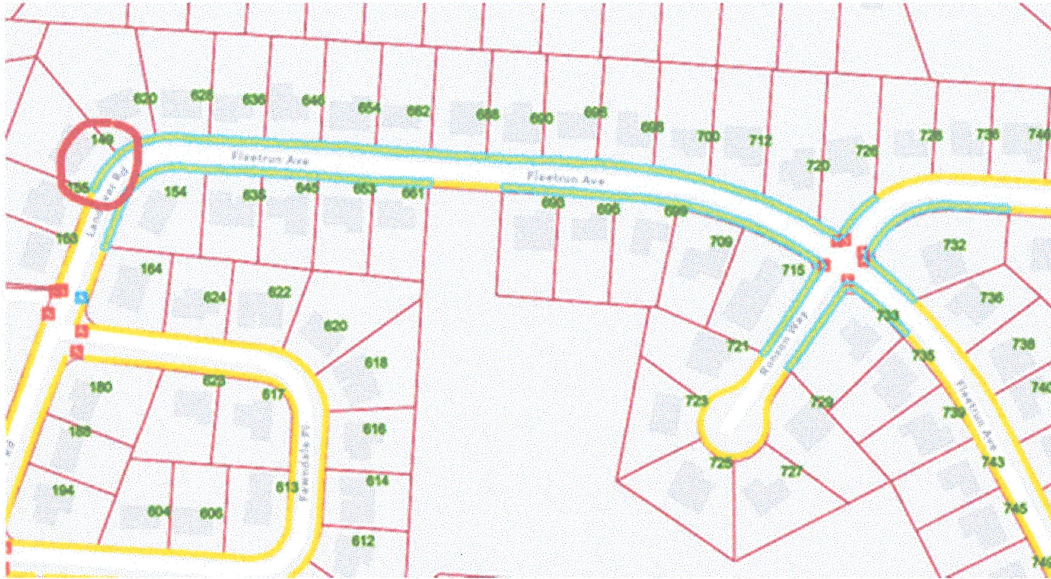


Exhibit A - Map of areas receiving repairs in 2021 and 2023

We responded to this email, indicating that our property did not receive any repairs in 2021 or 2023 and indicated that you can see where the new pavement stopped, which is partially in front of our property. However, we received no repairs to any of our curbs at that time. Please see exhibit B: where the pavement starts/stops in front of our property and where our curbs were not fixed like everyone else's on Fleetrun Ave, who was part of the program.



Exhibit B: Where the pavement starts/stops and where our curbs were not fixed.

Upon further investigation, we located the 2021 & 2023 Street & Sidewalk Program on the city's website, which specifically lists the roads that were included in the program at: www.gahanna.gov/222/Street-Sidewalk-Program . Please see Exhibit C: Landover Rd is not included in the Asphalt overlay list.

Asphalt Overlay (5.90 Miles)

- Anthony Ct (Larry Ln to end of Ct)
- Armor Hill Dr (Chapelfield Rd to Highbury Crescent)
- Beaverbrook Ct (Beaverbrook Dr to end of Ct)
- Belcross Dr (Bingham Mills Dr to Lindenwald Dr)
- Caro Pl (Caroway Blvd to end of Ct)
- Caroway Blvd (Spruce Hill Dr to Summer Hill Cir)
- Carpenter Rd (Shepard St to N. High St)
- Chilton Pl (Skinner Ave to end of Ct)
- Exton Ct (Highbury Crescent to end of Ct)
- Fleetrun Ave (Landover Rd to Ronson Way)
- Fravel Aly (S. High St to parking lot)
- Gateside Ct (Haybrook Dr to end of Ct)
- Goshen Ln (W. Johnstown Rd to Denison Ave)
- Granfield Ct (Highmeadow Dr to end

Exhibit C: Landover Rd is not included in the Asphalt overlay.

As you can clearly see, Landover Road is NOT on this list as a road receiving repairs. It specifically states Fleetrun Ave (Landover to Ronson). Landover Road was not on the list, not fixed, and therefore, our house should not be included in the sidewalk lookback program. We were informed by Brian that because part of the road repair took place in front of our property (not even half of our driveway, see exhibit B), this is why we are now being included. This does not seem like a logical reason in our opinion. The reason for the road repair partially in front of our property is likely because the company repairing the road started the milling process slightly before Fleetrun Ave. If the location of the repairs was so finite, then a surveyor should have located exactly where Fleetrun Ave begins, so the paving company would know where they were to start the milling of the road and not go over the finite line. This error on either the city or the contractor who performed the work and allowed the road repairs to start just before Fleetrun Ave should not cause us to now be included in the program. As a result of this, we now have to pay for repairs on our sidewalks as part of a program from 2021 & 2023 that we did not receive any benefits from.

Brian sent us an email on 12/17/25 (Exhibit D) indicating that the city is willing to repair our curb and gutter for no cost up to where the pavement cut-off point was as part of the 2021 program, see Exhibit B where that line is.



Brian Kennedy

Yesterday

To: Tracy, Michael Cc: Sidewalks >

RE: Notice of defect - Appeal question 149 Landover Rd

Good afternoon. I received approval to replace only the bad section(s) of curb and gutter up to the pavement cut off point on the 2021 Street program. Please see red circled areas in picture below for estimated area of replacement. Please also note that the driveway approach will not be replaced as part of this correction and is not in good condition and subject to crumbling during the curb and gutter replacement, which the city will not cover the repair. The contractors will do their very best to make a clean cut and provide a defined new curb and gutter edge.



Thank you.

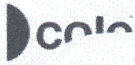
Brian Kennedy

Project Administrator II
Engineering

Exhibit D: Email stating what the city is willing to repair at no cost.

This would have been an acceptable solution if they were willing to do our entire driveway and not just to where the line in the road stops. If they fixed all of our driveway just as they did for all other properties on Fleetrun Ave then we would have been ok with this resolution. However, they were not willing to budge. They were stuck on the line where the road stops and indicated that is the most they will do. Again, why is our property different then all other properties in this program?

If they are stuck on the line where the road starts/stops, then they should use the same criteria when looking at the sidewalks needing repairs. They should only look at the sidewalks from where the street starts/stops and not the entire property. However, the sidewalks that were analyzed and that we are being asked to repair are for our entire property, not just where the pavement started/stopped. See exhibit E: the sidewalks the city is asking to be fixed:



Sidewalk Maintenance Parcel Exhibit



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5-004155



Parcel Summary:

Quantities:

4" Concrete Replacement (SF)	6" Concrete Replacement (SF)	8" Concrete Replacement (SF)	Grinding (LF)	Patch Asphalt (SF)	Patch Concrete (SF)	Vegetation (LF)	ADIR Rating (x=)	Best Pricing (Panel)	Obstructions (x=)
40	50	0	0	0	0	0	0	0	0

Costs:

4" Concrete Replacement Cost	6" Concrete Replacement Cost	8" Concrete Replacement Cost	Grinding Cost	Patch Asphalt Cost	Patch Concrete Cost	Vegetation Cost	ADIR Rating Cost	Best Pricing Cost	Obstruction Cost	Owner Cost	Total Cost
\$640.00	\$1,080.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,720.00	\$1,720.00

Sidewalk Panel Detail

(A) = Destructive cracking | (B) = Concrete spalling | (C) = Gaps between joints or cracks | (D) = Other conditions causing an unsafe walking surface | (E) = Minor Vertical Offset | (F) = Major Vertical Offset (>0.75")

Panel/PanelNumber	Panel Type	Responsibility	Defect	4in Concrete Replacement (SF)	6in Concrete Replacement (SF)	8in Concrete Replacement (SF)	Grinding (LF)	Patch Asphalt (SF)	Patch Concrete (SF)	Vegetation (LF)	Best Pricing (Panel)
1	Sidewalk	Owner	A	20	0	0	0	0	0	0	0
2	Sidewalk	Owner	F	20	0	0	0	0	0	0	0
9	Residential Driveway	Owner	A	0	20	0	0	0	0	0	0
10	Residential Driveway	Owner	A	0	20	0	0	0	0	0	0
11	Residential Driveway	Owner	A	0	20	0	0	0	0	0	0

Exhibit E: the sidewalks asking to be fixed past the start/stop of new pavement.

So, if the curb along our entire property line cannot be repaired as all other properties along Fleetrun Ave were in 2021 & 2023, since they were part of the original program, as shown in exhibit C (and our property was not), then why should all our sidewalks have to be fixed and

be part of this program now? Why do we only get the aftermath of the program charging us to fix our sidewalks and not gain anything from the program?

As stated in the opening statement, Paige Wright indicated that the determination to include our property as part of this program was based on an internal policy that she would not share with us. She indicated that because our parcel is on the list of properties, that this is reason enough to include us in the program. Although she could not provide any other reason as to why our parcel got placed on the list other than the line of the updated road hits within a portion of our driveway (see Exhibit B). Again, this is because the contractor performing the work started the milling of the roadway a couple of feet into our driveway. All documentation specifically does NOT include Landover Rd in this program.

ADDITIONAL EXHIBITS:

ACTION ITEM #6: 2026 SIDEWALK MAINTENANCE LOOKBACK PROGRAM AREA RESOLUTION OF NECESSITY

The Department of Engineering is recommending and seeking approval for the 2026 Sidewalk Maintenance Lookback Program Area. The Program Area defines the properties that will be a part of Gahanna's lookback program. The Department recommends that the 2026 Program Area include properties along the following streets:

- Bonnington Way - Lincolnshire Rd to Empire Dr
- Caroway Blvd - Spruce Hill Dr to Summer Hill Cir
- Codrington Cir - Waterbury Blvd N to Waterbury Blvd S
- Depauw Ct - Waterbury Blvd to end of court
- Fleetrun Ave - Landover Rd to Ronson Way
- Flint Ridge Dr - Gary Lee Dr to Granville St
- Harrow Dr. - Lytton Way to Caroway Blvd.
- Howland Dr - Whitson Dr to Taylor Rd
- Juniper Ln (south of Moss Oak Ave) - Moss Oak Ave to end of court
- McCutcheon Rd E - Stygler to end of court
- Moss Oak Ave - Hines Rd to Mistletoe St
- Prince of Wales Dr - Avonwick Pl to Haymarket Pl
- Timothy - Bluestem to Shaker

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- Waterbury Blvd - Dunoon Dr W to Lytton Way
- Windbourne St - Forestwood Dr to Shaker Dr

Exhibit F: RES-0014-2025/ ENG-RPT-3.24.25/ Dept. of Engineering – Request for Council Action (March 24, 2025 COTW Meeting) – ACTION ITEM #6.

As you can see in Exhibit F, this resolution was recommending and seeking approval for the 2026 Sidewalk Maintenance lookback program and defines properties that would be part of the program. Those properties recommended to be part of the program were properties that were along the streets listed in Exhibit F. As you can see, Landover Road clearly is NOT listed as one of the streets to be included in the 2026 Sidewalk Maintenance Lookback program. It was used as a starting/stopping point for Fleetrun Ave, from Landover Rd. to Ronson Way, not including Landover Rd.

Signature

Resolution: RES-0014-2025

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ber: RES-0014-2025

**A RESOLUTION DETERMINING THE NECESSITY TO REPAIR AND/OR REPLACE
SIDEWALKS IN THE 2026 SIDEWALK MAINTENANCE LOOKBACK PROGRAM
AREA FOR THE CITY OF GAHANNA**

WHEREAS, the City of Gahanna is committed to maintaining the public sidewalk network in a safe and functional condition to protect the health, safety, and welfare of the public; and

WHEREAS, the Department of Engineering has recommended the establishment of the 2026 Sidewalk Maintenance Lookback Program Area to define the properties that will be part of Gahanna's 2026 Sidewalk Maintenance Lookback Program; and

WHEREAS, the recommended 2026 Sidewalk Maintenance Lookback Program Area includes 252 parcels from properties along the following streets:

Bonington Way - Lincolnshire Rd to Empire Dr
 Caroway Blvd - Spruce Hill Dr to Spruce Hill Dr
 Colkington Cr - Waterbury Blvd N to Waterbury Blvd S
 Depayne Ct - Waterbury Blvd to end of court
 Fleetrun Ave - Landover Rd to Ransom Way
 Pine Ridge Dr - Gary Lee Dr to Granville St
 Harrow Dr - Lytton Way to Caroway Blvd
 Highland Dr - Whitson Dr to Taylor Rd
 Juniper Ln (south of Moss Oak Ave) - Moss Oak Ave to end of court
 McCutcheon Rd E - Stryker Rd to end of court
 Moss Oak Ave - Hines Rd to Madison St
 Prince of Wales Dr - Aurovick Pl to Maymarket Pl
 Tancott - Bluestem to Shaker
 Waterbury Blvd - Dunton Dr W to Lytton Way
 Windbourne St - Forestwood Dr to Shaker Dr

WHEREAS, upon approval of the 2026 Sidewalk Maintenance Lookback Program Area, an inspection of the sidewalk network within the program area will be conducted to identify defects and ensure that sidewalks are maintained in a good and orderly state of repair; and

WHEREAS, property owners with identified sidewalk deficiencies will be notified in writing of the deficiencies found, the estimated cost to be assessed as part of the program, and information on how to opt-out of the program; and

WHEREAS, the adoption of the 2026 Sidewalk Maintenance Lookback Program Area has been accelerated to better inform residents of the pending construction activity on their property and to allow sufficient time for property owners to plan for necessary repairs.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GAHANNA, COUNTY OF FRANKLIN, STATE OF OHIO:

Section 1. That this Council determines it to be necessary to repair and/or replace sidewalks of parcels

City of Gahanna
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Printed on 4/7/25

Signature

Resolution: RES-0014-2025

identified in the 2026 Sidewalk Maintenance Lookback Program Area; said properties and associated estimated costs set forth in EXHIBIT A, attached hereto and incorporated herein.

Section 2. That the Director of Engineering, or designee, is authorized to issue notice to each property owner of parcels identified in EXHIBIT A and to proceed with the Program in accordance with the Codified Ordinances of the City of Gahanna.

Section 3. That this Resolution shall be in full force and effect after passage by Council and on date of signature of approval by the Mayor.

At a regular meeting of the City Council on April 7, 2025, a motion was made by Mayor Bowers and seconded by Mayor Bowers that the Resolution be adopted. The vote was as follows:

Mr. Bowers Y, Ms. Jones Y, Ms. McGee Y, Ms. Padwa Y,
 Mr. Ranner Y, Mr. Schneider Y, Mr. Weaver Y

President Merissa K. Bowers Date 4/7/25

Attest by Jeremy A. VanMeter Date 4/7/2025
 Jeremy A. VanMeter
 Clerk of Council

Approved by the Mayor Merissa K. Bowers Date 4-7-2025
 (Signatures)

Approved as to Form Priya D. Tamilarasan Date 4/7/25
 Priya D. Tamilarasan
 City Attorney

gahanna.legistar.com

Exhibit G: RES-0014-2025 approval from the City Council Members listing the streets to be included in the Sidewalk maintenance lookback program.

As you can see in exhibit G, it states whereas, the recommended 2026 Sidewalk Maintenance Lookback program area includes properties from the following streets. Once again, Landover Rd is not included in this resolution. It specifically states Fleetrun Ave

should be included from Landover Rd. to Ronson Way (a starting and stopping point of what should be included) and does not include properties on Landover Rd. While our address may be listed in the 252 properties, it should NOT be. Our address on Landover Road does not fall in any of the streets listed in this resolution that was approved by the City Council. Landover Rd was not listed as a street to be included in the 2026 Sidewalk Maintenance Lookback Program and was never listed as one of the streets/curbs to be fixed in 2021, which is what they said this program is. The lookback program is going back and repairing sidewalks for those properties who had their streets/curbs fixed previously, which Landover Rd. wasn't part of that program.

Frequently Asked Questions

Below you will find information that might help you understand how to find things or learn about information you might need to know about your city or town.

Engineering: Sidewalks 8

All Content

How is the program area determined?

The program areas will follow the Gahanna Street Programs, which update curb ramps and crosswalks to be ADA compliant. This approach will allow the City to create a continuous ADA compliant pedestrian route within the program area.

Engineering: Sidewalks

Exhibit H: Frequently Asked Questions from City of Gahanna Website ([Frequently Asked Questions - CivicPlus.CMS.FAQ](#)) explaining how the program is determined.

Based on Exhibit H, the answer in the FAQ provided by Gahanna specifically indicates it is following the Gahanna Streets Programs. As stated above in Exhibit C, Landover Road was not part of this program. Therefore, if the 2026 Sidewalk Maintenance Lookback program is following the street programs as noted in the FAQ, then once again, we should not be part of this program, as we were not part of the streets program.

In conclusion, it is our opinion that our address should never have been included in the 2026 Sidewalk Maintenance Lookback Program due to the fact we were not included in the street repairs that occurred from 2021 to 2023. This has all been proven in all the evidence and exhibits provided in this appeal. We will point you again to Exhibit F action item #6 and Exhibit G, the approval of the resolution, where it specifically lists the streets to be included in the Sidewalk Maintenance Lookback program and you will once again see Landover Rd is not listed because we weren't part of the original work, and therefore should NOT be part of the sidewalk maintenance lookback program. Therefore, our address should be removed from this program.

So are ask is that our property be removed from the 2026 Sidewalk Maintenance Lookback Program.

Thank you for your time.

Mike Carr & Tracy Carr

Mike Carr - 12/19/25

Tracy Carr - 12/19/25

149 Landover Rd

Gahanna, Ohio 43230

614-286-6099