

# **City of Gahanna**

*200 South Hamilton Road  
Gahanna, Ohio 43230*



## **Meeting Minutes**

**Monday, August 27, 2001**

**7:30 PM**

**Council Committee Rooms**

## **Development Committee**

*Debra A. Payne, Chairman  
Karen J. Angelou  
Thomas R. Kneeland  
Rebecca W. Stinchcomb, ex officio  
Sadicka White, ex officio*

**Members Present:** Debra A. Payne, Karen J. Angelou and Thomas R. Kneeland

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**ADDITIONAL ATTENDEES:**

Weber, White.

**PENDING LEGISLATION:**

**ORD-0180-2001**

TO ZONE 1.141 ACRES OF CITY OWNED PROPERTY AS ER-2, ESTATE RESIDENTIAL DISTRICT LOCATED AT 6555 CLARK STATE ROAD; CURRENT ZONING ER-1; CITY OF GAHANNA; DEPARTMENT OF DEVELOPMENT, APPLICANT.

**Recommended for Adoption, Consent**

**ORD-0186-2001**

TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH BOULEVARD STRATEGIES FOR AN OLDE GAHANNA CREEKSIDE MARKET ANALYSIS AND RECRUITMENT STRATEGY; AND TO DECLARE AN EMERGENCY.

White stated a substitute needed to be done in order to appropriate a portion of the money instead of using CIC funds as originally planned.

**Recommended for Substitution and Adoption**

**ISSUES - From Director of Development:**

**Six Month Accomplishments:**

Payne stated that White will send out this document and discuss next time.

**Germany:**

White stated she will not go to Germany. Payne stated Council had left the decision to her; if you felt worthwhile, we were supportive. White stated that everyone wanted her to go; just so many other important things going on right now, wouldn't feel comfortable leaving.

White noted that tomorrow is the combined meeting for the Fishel update and technology at 6:00 p.m. and Wednesday evening is plenary session for Planning Commission; will be talking about variances; seeing more and more complicated applications that bring lots of repercussions afterwards; for example, code allows prohibited activity to be varied; can get variance for anything; my biggest beef is to vary uses; single family residential use can get variance of use to allow retail; would depend on Planning Commission. Weber stated that could be applied for. In response to question, White stated that it had not been done in the time she has been here. Sherwood stated it has not been done in the 18 years she has been here. White continued that it is one of the things we want to look at; ones we are doing are fences and off premise signs; if something is prohibited should be prohibited; no build zones should mean no build; want them to look at it. Kneeland stated that it for a non typical situation; isn't that what variance process is all about.

Angelou stated that people don't understand that variances are peculiar to site; just because someone gets one not everybody will get one; also there is a misunderstanding

of role of Planning Commission. Weber stated that there are attorneys who will argue that if one person gets a variance everyone should; will argue they are not site specific but set a precedent.

White stated they also want to discuss waiver of fees; will also discuss directional signs, parking, postponements and notifications, submission of application requirements.

### **Refund of Fees:**

Payne stated this item had been left off the agenda; was a Planning Commission recommendation in your packet regarding the refund of fees for a variance application for Chris Sabato.

Sherwood stated Sabato obtained a fence permit and began construction of his fence; was realized by Zoning that an error had been made and stop work order was issued; one remedy was to obtain a variance and he applied for one; the variance was denied; Planning Commission felt that since it was a city error the fee for the variance should be refunded.

White stated that Sabato began erection of his fence after obtaining the fence permit; did not submit a survey but used a site plan from the Auditor's mapping system; did not realize it was a corner lot and approved the permit; had him stop work as soon as we realized our mistake; solutions were to apply for a variance or to move the fence; variance was denied; Sabato has agreed to move the fence. Discussion was held on City liability for this error. White stated that the Mayor feels there is no liability on the City's part; was an honest mistake. Weber and Angelou disagreed. White reiterated that Sabato is moving his fence.

RECOMMENDATION: Motion Resolution, Consent Agenda, to refund the variance application fee.

**ISOBEL L. SHERWOOD, CMC/AAE, Clerk of Council, reporting**