

IN THE FRANKLIN COUNTY MUNICIPAL COURT  
ENVIRONMENTAL DIVISION  
FRANKLIN COUNTY, OHIO

23 OCT 25 PM 12:01

FRANKLIN COUNTY  
MUNICIPAL COURT  
LORI M TYACK

SPEED WAY TOWING LLC  
788 Taylor Rd.  
Gahanna, Ohio 43230

CASE No. \_\_\_\_\_

and

JUDGE STEPHANIE MINGO

MARK ANTONETZ  
1495 Old Henderson Rd.  
Columbus, Ohio 43220

and  
Black Horse Properties LLC  
788 Taylor Rd.  
Gahanna, Ohio 43230

Appellants,

v.

CITY OF GAHANNA,  
BOARD OF ZONING AND  
BUILDINGS APPEALS  
200 Hamilton Rd.  
Gahanna, Ohio 43230

Appellee.

RECEIVED  
OCT 25 2023

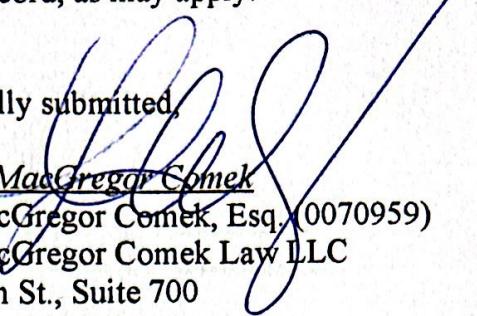
BY: *J. Van Meter*  
Clerk

**NOTICE OF APPEAL**

Now comes Speed Way Towing LLC, Mark Antonetz and Black Horse Properties LLC (collectively "Appellant"), by and through the undersigned legal counsel, and hereby submits its Notice of Appeal from the September 29, 2023, decision of the City of Gahanna Board of Zoning and Building Appeals ("BZA"), a copy of which decision is attached hereto as Exhibit A. The decision of the Gahanna BZA was arbitrary, capricious, unlawful, unconstitutional, against the weight of evidence in the record, unsupported by law or facts, selective enforcement and a

deprivation of equal protection under the law. Appellant reserves the right to assign additional grounds for appeal upon review of the transcript and record, as may apply.

Respectfully submitted,

  
/s/ Laura MacGregor Comek

Laura MacGregor Comek, Esq. (0070959)

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*Counsel for Appellant*

### **CERTIFICATE OF SERVICE**

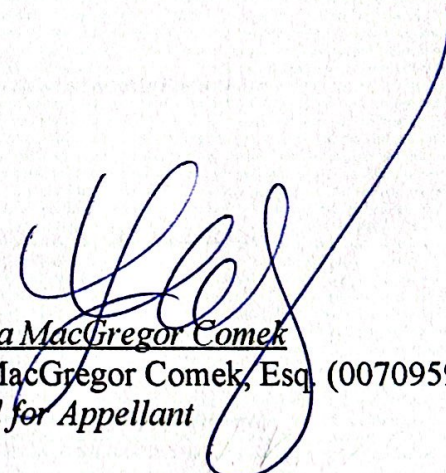
I hereby certify that a copy of the foregoing Notice of Appeal was served this 25th day of October, 2023, via email to the following:

Matt Roth ([matt.roth@gahanna.gov](mailto:matt.roth@gahanna.gov))

Asst. City Attorney

200 Hamilton Rd.

Gahanna, OH 43230

  
/s/ Laura MacGregor Comek

Laura MacGregor Comek, Esq. (0070959)

*Counsel for Appellant*

Exh. A



City of Gahanna

200 South Hamilton Road  
Gahanna, Ohio 43230

Record of Action

Appeal-BZA: BZA-0001-2023

File Number: BZA-0001-2023

To consider an appeal of Planning Commission's denial of CU-0004-2023 for property located at 788 Taylor Station Road; Parcel IDs: 025-003942, 025-003961, and 025-003959; Current Zoning OCT, Speed Way Towing; Mark Antonetz, applicant.

A motion was made by Bryson, seconded by Jensen, that the Appeal-BZA-0001-2023 be Remanded to Planning Commission with the instruction for Planning Commission to re-hear only CU-0004-2023. The motion failed by the following vote:

YES - Bryson  
NO - Beckmann, Eisen, Jensen, Stefanov

A motion was made by Jensen, seconded by Stefanov, that the Appeal-BZA-0001-2023 be Found in Favor of Appellant to approve CU-0004-2023. The motion failed by the following vote:

YES - Stefanov  
NO - Beckmann, Bryson, Eisen, Jensen

A motion was made by Bryson, seconded by Jensen, that the Appeal-BZA-0001-2023 be Found in Favor of Appellee to affirm the denial of CU-0004-2023. The motion carried by the following vote:

YES - Beckmann, Bryson, Eisen, Jensen  
NO - Stefanov

Please consider this an official copy of the Record of Action for this Appeal-BZA. You may request a hard copy of this Record of Action to be mailed to you by contacting the City of Gahanna Council Office at 614-342-4090.

*Jeremy A. VanMeter*  
Jeremy A. VanMeter,  
Clerk of Council

9/29/2023  
Date Certified

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