



City of Gahanna

Meeting Minutes

Planning Commission

200 South Hamilton Road
Gahanna, Ohio 43230

John Hicks, Chair
Sarah Pollyea, Vice Chair
Michael Greenberg
James Mako
Thomas W. Shapaka
Michael Suriano
Michael Tamarkin

Sophia McGuire, Deputy Clerk of Council

Wednesday, February 12, 2025

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 February 12, 2025. The agenda for this meeting was published on February 7, 2025. Chair John Hicks called the meeting to order at 7:00 p.m. with the Pledge of Allegiance led by Sarah Pollyea.

Present 5 - John Hicks, James Mako, Sarah Pollyea, Michael Tamarkin, and Thomas W. Shapaka

Absent 2 - Michael Suriano, and Michael Greenberg

B. ADDITIONS OR CORRECTIONS TO THE AGENDA

Ms. McGuire stated that minutes of the joint Council-Planning Commission workshop held on January 21, 2025 also needed to be approved. These were added to the agenda as file number 2025-0032.

C. APPROVAL OF MINUTES

[2025-0025](#)

Planning Commission Meeting Minutes 1.22.2025

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

Yes: 5 - Hicks, Mako, Pollyea, Tamarkin and Shapaka

Absent: 2 - Suriano and Greenberg

[2025-0032](#)

Planning Commission Joint Workshop meeting minutes 1.21.2025

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

Yes: 3 - Hicks, Mako and Pollyea

Absent: 2 - Suriano and Greenberg

Abstain: 2 - Tamarkin and Shapaka

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 COMMENT

[V-0004-2025](#)

To consider a Variance Application to vary Chapter 1103.07(e) - Large Lot Residential of the Codified Ordinances of the City of Gahanna; for property located at 0 Founders Ridge Drive (Lot 35); Parcel ID 025-010439; Current Zoning R-1 Large Lot Residential; Anastasio Alammur, applicant.

City Planner Maddie Capka provided a summary of the application; see attached staff presentation. The property is on the west side of Founders Ridge Drive. It, as well as the entire neighborhood, is zoned R-1, Large Lot Residential. Capka provided an aerial view of the property. All other lots along Founders Ridge Drive are developed, while the one being discussed is still undeveloped. The applicant requested approval of a variance to reduce the northern side yard setback from 15 feet to 5 feet for all properties zoned R-1. The side yard setback for the principal structure is 15 feet. The undeveloped site is covered by dense foliage. There is also a 30-foot preservation zone along the front of the site. The neighborhood plat states that there can be no development or clearing in any preservation zones. "Development" includes structures, driveways, fences, and more. Essentially, preservation zones cannot be touched or modified in any way. Preservation zones are established to protect existing natural features and are typically located in rear yards and sometimes side yards. It is unusual to see a preservation zone in a front yard such as in this case. The aerial view of the site shows many of the trees and other plants that are currently in the preservation zone. The adjacent properties to the north and south do not meet current setbacks, as the neighborhood was developed between 25 and 30 years ago. Capka also provided a street view image of the property, from Founders Ridge Drive, along with a site plan that was submitted by the applicant.

There are multiple constraints for the site, most notable of which are the preservation zones. There is a 20-foot preservation zone in the rear yard and a 30-foot preservation zone in the front yard that covers just half of the front property line. Easements were highlighted on the site plan in

yellow, and the setbacks were indicated by a red line. The setbacks are 15 feet for the side yard, 20 feet for the rear yard, and 35 feet in the front yard. The house is shown in purple on the site plan, and the driveway is indicated in blue. Because the driveway is not able to encroach into the preservation zone at all, the only location for the driveway is on the right-hand side of the property, as shown on the site plan. However, the driveway location caused the house to be shifted to the right for the garage to line up with the driveway. Because of the shift, the house is only 5 feet from the north property line, but it is outside of the 5-foot easement.

Capka shared a conceptual elevation that was submitted by the applicant. Staff noted the appearance of the home may change during the period between the meeting and when the building permit is filed.

The variance that is being requested is for chapter 1103.07(e), which states that the principal structure must be at least 15 feet from all side property lines. The proposed house is only 5 feet from the northern property line. Capka shared the standard variance criteria that must be met for the application to be approved. They are: the variance is not likely to result in substantial damage to the character of the neighborhood; it is not likely to result in damage to adjoining properties; it is not likely to affect the delivery of government services; it is not likely to result in environmental impacts greater than what is typical for other lots in the neighborhood; it is necessary for the economical use of the property; and the variance is not likely to undermine the objectives of the land use plan. Staff recommends approval of the variance as submitted. The preservation zones, specifically the one in the front yard, create a unique circumstance on the lot and have likely contributed to the fact that it remains undeveloped today. There are also easements on the site, which create some additional restrictions. The applicant states that the variance is necessary to orient the house on the site to align with the driveway. Finally, based on approximate

measurements taken in GIS (Geographic Information System), many homes in the neighborhood are only 5 to 10 feet from the side property lines, so approving this variance would not negatively impact the neighborhood character.

Chair Hicks opened public comment at 7:09 p.m.

Anastasio Alammar introduced himself as the builder for the client. The reason they requested the variance was primarily because of the restrictions on the land. In addition to the preservation zone on the front, there is also a preservation zone in the back yard. If the preservation

zone did not exist, the plan could have moved the house further back to account for room for vehicles to enter through the driveway. Mr. Alammar stated that the majority of the neighborhood has 5-foot setbacks.

Mary Frankovich, 645 Founders Ridge Drive, introduced herself as the president of the Founders Ridge Homeowners Association. Ms. Frankovich stated the Homeowner's Association's (HOA's) preference is to retain a 10-foot side yard setback, which was set in the plat of survey for the subdivision and is included in the deed restrictions for lots 1 through 38. Their preference is to trim back the preservation zone to make room for the driveway. The lot has not been sold because it was not put on the market until about a year ago. Over the course of 25 years, it was not on the market. She stated her understanding that the 30-foot preservation zone in front was put in so that headlights did not shine into homes. Minimizing the preservation zone to retain the 10-foot side yard setback is the HOA's preference.

Manuel Xavier, 665 Founders Ridge Drive. Mr. Xavier moved to the area because of the distance between the homes. He expressed concern that if the variance is permitted, that distance would no longer exist, and requested the variance be denied.

Tom Kisor, 653 Founders Ridge Drive. Mr. Kisor is the vice president of the Homeowner's Association. He opposed the variance. He has resided in Founders Ridge for 25 years and noted the thoughtful approach in which Founders Ridge was developed. He agreed that reducing the preservation zone and maintaining the setbacks would be preferable.

Laurie Jacques, 358 Morgan Lane. Ms. Jacques said she is also a trustee of the HOA. Ms. Jacques shared that Morgan Lane creates a "T" to Founders Ridge Drive and faces the preservation zone. She agreed that the purpose of the preservation zone was to shield homes from headlights when entering Founders Ridge, and to maintain the green space. She referred to variance criteria, noting that greenery, space, and privacy are important to the homeowners in Founders Ridge. She referenced variance standards A and E. She said that with respect to R-1 properties, green space is very important. She said the home sites add up to about 20 acres. Founders Ridge residents pay for an additional 11 acres of green space through the HOA. She reiterated the importance of having greenery and separation to the residents. Additionally, 5 of the 52 homeowners bought additional lots to ensure privacy. She stated 5-foot setbacks are appropriate for an R-3 lot (small lot residential), but would not be appropriate for an R-1 neighborhood. She felt it would change the essential character of the neighborhood. She

closed by sharing a Zillow listing with the Commission, noting that the applicant has indicated it is economically possible to develop the property; however, it is not possible to do so at this site without the variance.

Doug McMillan, 670 Founders Ridge Drive. Mr. McMillan is the secretary of the HOA board. He stated his understanding that some of the lots have a 5- to 10- foot setback but stated that other sides of the property have much more space. This creates a vision of privacy between the homes. He requested adjusting the preservation zone so that the home had the necessary clearance to develop. He also stated the home design is around 3,900 square feet. The lot itself is approximately .289 square acres. Per the R-1 requirements, there is a certain percent of the lot that should be used. Mr. McMillan stated that the plan exceeds the percentage, and the garage is not yet calculated into the total. He hoped a different design could be used to allow the home to fit within the side setbacks.

Mr. Alammar commented on the preservation zone. He said that when the variance was applied for, they considered whether the preservation zone could be reduced slightly. However, the deed restrictions prohibit the preservation zone from being reduced. When submitting the application, he felt that it would not be unusual to have five-foot setbacks, considering how many other properties in the neighborhood have similar setbacks. He stated the home would be north of one million dollars and would add value. There was no intent to cause destruction to the neighborhood. Additionally, the HOA must approve the home plans to ensure it is appealing to the neighborhood.

Chair Hicks closed public comment at 7:25 p.m.

Mr. Tamarkin asked if there was any mechanism to adjust the preservation zone. Ms. Capka said there was not. Mr. Tamarkin then asked how many of the approximately 50 homes were granted variances to build with 5- to 10- foot setbacks. Ms. Jacques said she was unaware of any setback variances in her time living in the neighborhood. Lots 1-38 have a ten-foot setback established in the plat. She believed all were constructed within the appropriate setbacks. Ms. Capka noted that many of the homes were built over 20 years ago and it was unknown how well the setback were adhered to at that point. She stated that in her research, multiple homes in the neighborhood had setbacks less than 10 feet. Mr. Tamarkin asked the builder what the impact to the drive would be if the home was moved five feet to the south. Mr. Alammar stated there would not be clearance for the garage. Mr. Tamarkin reiterated that it is outside the jurisdiction of the Planning Commission to make any

decisions regarding the preservation zone.

Mr. Shapaka asked Ms. Capka who established the preservation zone. Capka replied that whoever platted the development established the preservation zone. Mr. Shapaka believed that the HOA had the power to change the preservation zone. Ms. Capka stated that the plat noted that preservation zones were not to be developed or cleared in any way and was uncertain of the HOA's power to change the zone. Mr. Shapaka asked Ms. Frankovich about the sidewalk in front of the preservation zone. He wondered if it would be enlarged if the property was developed. Ms. Frankovich said that when the sidewalks were added, this one was an addition. Ms. Jacques added her understanding the asphalt sidewalk was added with permission by the homeowner and paid for by the HOA, so that there could be one continuous path. She was not aware whether it intruded on the preservation zone. Mr. Shapaka wondered if there were trees or foliage in the preservation zone that would need to be preserved. Ms. Jacques believed per the staff report there were no significant species. Mr. Shapaka asked Ms. Capka if the Fire Department reviewed the application and made comments. Ms. Capka stated they had reviewed the application and she believed they had no comment. Mr. Shapaka asked the applicant to elaborate on the floor plan for the house. Mr. Alammar said it was a plan that was worked on with the client, describing it as a custom home. He said the variance was the first step to see if it was possible to reduce the setbacks. From there, as they apply for permits, the City will weigh in on whether the house is too large and needs to be adjusted.

Mr. Mako asked Ms. Capka if she knew what the plat language stated about the preservation zone. While she did not recall the wording verbatim, she stated that language dictated there was to be no clearing of any material, including brush. Mr. Mako asked if she knew whether the directive was perpetual in nature. Capka was unsure, but assumed it was. Mr. Mako asked if the preservation zone was to be changed, whether it would need to be re-platted; that was Capka's understanding. Mr. Mako asked if it was known what type of easements were shown in yellow on the site plan. Capka said only the north easement was listed as a utility easement. The others may be listed on the plat. Mr. Mako asked the applicant to elaborate on the clearance needed to fit within the setback. Mr. Alammar explained that if the floor plan of the home was pushed within the setbacks, there would be about 7 feet for a car to turn into the garage door farthest to the left on the site plan. It would not be sufficient space for a car to utilize the space. He added that there was language in the plat indicating a city official could approve certain changes or work to be done on the property. He did not know what this process would be, or who could make the changes. Mr. Mako asked

when the development was platted. Ms. Capka estimated in the late 1980s or early 1990s.

Ms. Pollyea stated her understanding that to modify a plat, it would need to go through the county recorder. She believed the preservation zone could be restructured that way. Mr. Alammar stated he did not meet with the county, and the first course of action was to work with the city. He agreed that he would explore that option.

Mr. Hicks noted that the HOA owns land on Lily Pond Court, Founders Ridge Drive, and Morgan Lane, which are preserves in common areas. He asked Mr. Kisor, if there is a desire to keep this particular lot preserved, why the HOA has not considered purchasing the land. Mr. Kisor stated the lot was likely at least \$50,000 and would not be feasible for the HOA to purchase. He added that the HOA does not want to prevent the lot from being developed. Rather, they want to preserve the character of the neighborhood. Mr. McMillan added that the HOA board would be willing to work with the builder to request changes to the plat to permit building on the preservation zone in a way that fits within the appropriate setbacks. Mr. Shapaka stated the Franklin County Commissioners would handle this request, and the community members would need to sign a petition stating their approval. He stated it is usually spearheaded by the property owner, but the HOA would have a role in this case.

Mr. Mako asked if the city was the platting authority. Mr. Roth stated the city approves plats before they are recorded with the county. However, a similar issue arose in a different area, and the plat indicated a city official could approve certain changes. But Mr. Roth believed the city did not have authority to decrease the preservation zone.

Mr. Shapaka noted the variance is to reduce the setback from 15 feet to 5 feet; however, the plat requires 10 feet. He questioned where the 15 feet came from. Capka replied that the side yard setback for Large Lot Residential is 15 feet for principal structures. Ten feet is a restriction listed in the deed. Ms. Jacques stated her belief that the plat and the deed restrictions have a 10-foot setback that supersedes the R-1 setbacks.

Ms. Pollyea asked Mr. Alammar if the current owner was his client. Mr. Alammar explained that the client intends to purchase the lot from the existing owner if it can be developed.

Mr. Tamarkin noted that the house could be moved back if it moves slightly left to stay within a 10-foot setback. Mr. Alammar said it would still not be sufficient space for a car to use the third garage.

A motion was made by Mako, seconded by Shapaka, that the Variance be Approved.

Discussion on the motion:

Mr. Tamarkin stated his intent to vote no on the application. He felt five feet was too close to the property line.

Mr. Shapaka concurred. He felt the developer had a specific vision, and that five feet was too close, though he would be in favor of ten feet. He felt it was a unique lot and would require a unique solution.

Mr. Mako said this property is on his regular running route and he is very familiar with the neighborhood. He concurred with the other commission members and stated his intent to vote no.

Ms. Pollyea stated she would like to see other options pursued to stay within the confines of the setbacks, such as working with the county to change the preservation zone.

Mr. Hicks felt the Commission's job was to evaluate city code and not the spirit of the development. He would be in favor of the variance, because he felt the criteria was met.

The motion failed by the following vote:

Yes: 1 - Hicks

No: 4 - Mako, Pollyea, Tamarkin and Shapaka

Absent: 2 - Suriano and Greenberg

F. UNFINISHED BUSINESS - NONE

G. NEW BUSINESS - NONE

H. OFFICIAL REPORTS

Council Liaison

Ms. Pollyea stated that Council considered the code changes that Planning Commission voted on on January 22, 2025. A public hearing will be held on March 3, 2025. Director Blackford spoke at the February 10 Committee of the Whole meeting. She reiterated information that Director Blackford had shared. An update was provided on the status of the new building construction on Tech Center Drive.

Chair

Mr. Hicks noted two upcoming events, including a MORPC event and a

Visit Gahanna event. He encouraged the Commission to attend one or both. He also informed the Commission that V-0003-2025 is in the process of being appealed to the Board of Zoning and Building Appeals.

I. CORRESPONDENCE AND ACTIONS - NONE

J. POLL MEMBERS FOR COMMENT

K. ADJOURNMENT

*There being no further business before the Planning Commission,
Chair Hicks adjourned the meeting at 8:02 p.m.*

Sophia McGuire
Deputy Clerk of Council

*APPROVED by the Planning Commission, this
day of 2025.*

John Hicks