

**BOARD OF ZONING AND BUILDING APPEALS
CITY OF GAHANNA, OHIO**

MICHAEL C. HELBIG	:	
260 Colony Court	:	
Gahanna, OH 43230	:	
	:	
DENISE A. HELBIG	:	CU-0007-2018
260 Colony Court	:	
Gahanna, OH 43230	:	
	:	
CALLIE M. MCINTURF	:	
252 Colony Court	:	
Gahanna, OH 43230	:	
	:	
JOHN A. MELARAGNO	:	
244 Colony Court	:	
Gahanna, OH 43230	:	
	:	
ANN P. MELARAGNO	:	
244 Colony Court	:	
Gahanna, OH 43230	:	
	:	
and,	:	
	:	
NIKKI K. JOHNSON	:	
236 Colony Court	:	
Gahanna, OH 43320	:	
	:	
Appellants,	:	
	:	
vs.	:	
	:	
CITY OF GAHANNA	:	
PLANNING COMMISSION	:	
200 South Hamilton Road	:	
Gahanna, Ohio 43230	:	
	:	
Appellee.	:	

STATEMENT OF APPEAL

I. INTRODUCTION

Now come Michael C. Helbig, Denise A. Helbig, Callie M. McInturf, John A. Melaragno, Ann P. Melaragno, and Nikki K. Johnson (collectively, “Appellants”), by and through undersigned counsel, pursuant to the Gahanna, Ohio Code of Ordinances (GCO) § 147.03 and R.C. § 2506.01 *et seq.*, and appeal the City of Gahanna Planning Commission (“Commission”)’s October 24, 2018 approval of Loreto Canini (“Canini”)’s Conditional Use Application #CU-0007-2018 (“Application”).

The Commission considered the Application and approved the following:

Pursuant to GCO § 1169.04, a Conditional Use permit for rezoning property located at 488 East Johnstown Road, Parcel ID NO 025-0011930-00, Paulina Place (“Paulina Place”) from SF-3 classification to MR-1 (CU-0007-2018) (“Conditional Use”).

The October 24, 2018 Meeting Minutes of the Planning Commission are attached as Exhibit A.

II. LAW AND ARGUMENT

The Commission’s granting of the Conditional Use was improper as a matter of Gahanna’s own laws. GCO § 1169.04 requires four conditions to be met for approval of an application for condition use: including:

- (1) The proposed use is a conditional use of the zoning district and the applicable development standards established in this Zoning Ordinance are met.
- (2) The proposed development is in accord with appropriate plans for the area.
- (3) The proposed development will not have undesirable effects on the surrounding area.
- (4) The proposed development will be in keeping with the existing land use character and physical development potential of the area.

The Conditional Use did not meet these conditions. In fact, the Conditional Use applied for by Canini and approved by the Commission will have, at the very least, undesirable effects on

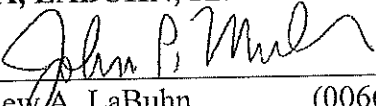
the areas surrounding Paulina Place. As cited at the meeting by numerous contiguous landowners,¹ residents come to the area for its privacy, quietness, and respectful neighborliness. On the whole, the Conditional Use would provide for extremely high density in all areas of Paulina Place—cancelling the idyllic character that gives Gahanna its charm. Appellants' properties alone would abut as close as five feet against proposed set-backs in the plan for Paulina Place, infringing on personal solitude and providing a crowded atmosphere, uncommon to the community. Therefore, because the Conditional Use will have undesirable effects on the surrounding area and would not be in keeping with the existing land use character and physical development potential of the area, the Commission improperly approved the Conditional Use and it should be reversed.

III. LISTING OF PROPOSED EXHIBITS

Pursuant to GCO § 147.03(a)(2), the only current proposed exhibit is attached to this Statement of Appeal as Exhibit A, which is the October 24, 2018 Meeting Minutes of the Planning Commission, already contained in the record. Appellants expressly reserve their right to supplement this list of exhibits as new information comes to light through full appellate procedure.

Respectfully submitted,

ONDA, LABUHN, RANKIN & BOGGS CO., LPA



Matthew A. LaBuhn (0066532)
Email: mal@olrblaw.com
John P. Miller (0097161)
Email: jpm@olrblaw.com
35 North Fourth Street, Suite 100
Columbus, Ohio 43215-2511
Phone: 614/716-0500
Fax: 614/716-0511
Counsel for Appellants

¹ The Affidavit of Matthew A. LaBuhn as required by GCO § 147.03(a)(3) is attached to this Notice as Exhibit B and the list of all contiguous property owners is attached to is as Exhibit B-1.



City of Gahanna
Meeting Minutes
Planning Commission

200 South Hamilton Road
Gahanna, Ohio 43230

Wednesday, October 24, 2018

7:00 PM

City Hall, Council Chambers

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

Gahanna Planning Commission met in Regular Session in the Council Chambers of City Hall, 200 South Hamilton Road, Gahanna, Ohio, on Wednesday, October 24, 2018. The agenda for this meeting was published on October 19, 2018. Chair Thomas Wester called the meeting to order at 7:00 p.m. followed by the pledge of allegiance led by Michael Suriano.

Present 4 - Thomas J. Wester, Michael Suriano, John Hicks, and Bobbie Burba

Absent 2 - Donald R. Shepherd, and Joe Keehner

B. ADDITIONS OR CORRECTIONS TO THE AGENDA

None.

C. APPROVAL OF MINUTES

2018-0199 Planning Commission Meeting Minutes for October 10, 2018.

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

Yes: 4 - Wester, Suriano, Hicks and Burba

Absent: 2 - Shepherd and Keehner

D. APPOINTMENTS MADE BY PLANNING COMMISSION:

- Community Improvement Corporation (CIC)

Chair Wester appointed John Hicks to serve as the Planning Commission liaison to the Community Investment Corporation (CIC) to fill a vacant seat.

E. SWEAR IN APPLICANTS & SPEAKERS

City Attorney, Shane Ewald, administered an oath to those persons

Yes: 4 - Wester, Suriano, Hicks and Burba

Absent: 2 - Shepherd and Keehner

DR-0024-2018

To consider a Design Review application for a site plan and building design for property located at 455 Clark State Road; Current Zoning Restricted Institutional District (RID); Parcel ID No. 025-004261; Peace Lutheran Church; Steven L. Rocca, applicant.

Blackford said no additional comments. No additional comments from the Applicant.

Chair called for public comment; there was none.

A motion was made by Burba, seconded by Suriano, that the Design Review be Approved. The motion carried by the following vote:

Yes: 4 - Wester, Suriano, Hicks and Burba

Absent: 2 - Shepherd and Keehner

Paulina Place

Z-0003-2018

To recommend approval to Council a Zoning Application for 4.5 +/- acres of property located at 488 East Johnstown Road; Parcel ID No. 025-001930-00; current zoning Single Family (SF-2); requested zoning Two Family Residential (MR-1); Paulina Place; Loreto Canini, applicant.

Blackford said he would discuss all applications at once in his presentation; provided a summary of each application; showed location and zoning; asking for rezoning from SF-2 to MR-1, includes 15 units with one already existing and 3.3 units per acre; R-4 permits smaller lot sizes than other zoning districts; code prohibits rezoning to R-4, but when conditional use to allow for single family in R-4 is approved then it can be allowed; SF-2 requires a larger lot size; compared standards for those zoning districts as submitted in staff report; site plan encouraged and provided for CU and Zoning, but not adopted; additional applications required later; rear yard setback is important because that would abut adjacent properties; showed two areas that allow for open space; will be determined in final plat process; variance on requirement to file FDP; want private roads with HOA to maintain roadways; variance to file plat; if approved preliminary plat will go to Planning Commission and Final Plat will go to Planning Commission and they would vote to recommend to Council; stated rezoning criteria was included in the application; consistent with land use plans; located within 3 existing land use plans and one land use plan under review; is an apparent demand for this type of development; reviewed density and what's allowable; showed

comparable density in surrounding parcels.

Applicant, Larry Canini, 29 Keswick Dr., New Albany; provided brief presentation on why this is needed for community; thanked Mr. and Mrs. Helbig for opening house up for hosting a neighborhood meeting; think the process in place for Area Commissions needs to allow for better communication between those commission members and their neighbors; staff was kind enough to send feedback received after the rezoning sign went up, which helped him setup meetings with neighbors; have been developing in Gahanna for 30 years; working with infill sites at this point; not always possible to annex into the City; this is in demand; empty nesters ready to downsize to quality homes yet stay in the community; have built thousands of units around the city; had been approached to bring this forward; other option for these folks is to move out of the community and we don't want that; people like the location and convenience of the site; opportunity to walk to Creekside; price point for these units is \$425-600k; will have basements and all the things one would expect at that price point; will be a small community; will have no thru streets; find no reason to put burden on city services when they can be handled through HOA; provides maintenance free lifestyle; reserves will be set aside for repairs; city benefits due to property taxes; not burdening schools because of the age bracket; brought in landscape architect to see streetscape, which the rendering is included in the application; traffic impact study provided to City Engineer and signed off; thanked neighbors again for organizing; agreed to points provided by residents.

Chair opened the public comment at 8:14 p.m. and read the rules that govern the public hearing.

Bill Davis, 293 Lyncroft Dr.; worried about stormwater runoff and wants to know where it will go.

Canini said site surveys will be done but not that far along yet; does not want to increase stormwater, and historically makes these better with his development projects; a lot of efforts will be made to keep stormwater away from tree lines; will add more trees for screening.

Davis; concerned with property being backed up to sycamore run, north and northeast Gahanna water causes 3' wide ditch and 4" deep but in September we have had multiple storms and the run becomes 30' wide with lots of running water; have spent \$6k dollars to help prevent erosion; 2nd storm caused rocks to fall off; output still goes into Sycamore Run.

Maureen Powell, 703 Laurel Ridge Dr.; resident for 49 years, built home

on Laurel Ridge and lived there for over 30 years; looking at patio homes because wants to downsize; does not want to leave Gahanna; saw the sign and Canini's name and his is a prestigious name; these are close to home; have visited other cities but doesn't want to leave; thinks this project will be fabulous; we will be good neighbors; these will be good homes; thinks Gahanna needs this.

Ted McCann, 451 Anthony Ct.; was out of town when neighbors had meeting with Larry, but contacted him and had conversation; have been at this home since 1995; barn has been back there forever; worked in building trade for over 20 years; had questions and Larry answered them all; Canini is partnering with Romanelli & Hughes; worked for them in the early 1990s; worked on similar development and drove up to Westerville to look at it recently; happened to have framed those buildings and they are all still beautiful many years later; knows what Larry builds and has no objections; this project can't hurt anything; won't hurt his property value due to the quality of the proposed homes.

- ✓ Mike Helbig, 260 Colony Ct; lived there since 2009; purchased for privacy and quiet neighborhood, location was perfect; came from Tennessee where houses were on top of each other; growth is positive but the setback is 5' on one lot where house is on their property line; showed 5' with tape measurer for effect; privacy is an issue; density numbers given were misleading; some things brought up by Larry were not brought up in the meetings; landscaping and sidewalks were asked for along their property lines; Johnstown Rd. gets it but the whole neighborhood does not.
- ✓ Callie McInturf, 252 Colony Ct; thanked members for their time; is a 1st time homeowner; drawn to community for its quiet and respectful neighborhood; home is next to Mike and his family; there's a hill on the back of the property and concerned about the 5' set back; even with a privacy fence, those homes will look down right into her yard; hoping to raise a family there one day; not concerned with quality, knows his product; additionally, headlights at turnaround could hit homes and lights shining down onto properties.
- ✓ Jeff McInturf, from Newark; Callie is his daughter; is a real estate developer and has been for more than 25 years; met with Canini and went over issues; no question of whether or not this would enhance community, but has concerns with site layout; street configuration is one that looks like the community could get bigger later; setback requirements are meant for reasonable assurance of privacy; 6' high fence would not hide home; appreciates landscape plan on Johnstown Rd. but can't do that in 5' space; quality of life will be damaged;

concerned with methodology that it would be approved as multifamily because of future applicants; what if Canini doesn't follow through; no one is interested in twin singles behind their homes.

Ernie Ferroni, Jr., 301 Lyncroft; no one has answered the question about where rainwater and runoff will go; asked if anyone knew the history of Sycamore Run; asked if due diligence was done; it is a flood zone; has anyone asked FEMA; all up and down the run is a flood zone and has been for years; overflows its banks all the time; is anyone familiar with the Parc apartments off Hamilton, which were built 5 years ago; rain water from that goes into Sycamore Run; it becomes a river every time it rains; floods streets and backyards; last major rain caused road closures on Lyncroft Rd.; had flooding in home multiple times; during one rebuild it flooded again mid project; City has money to tear down Worman Dr. street but that street isn't even imminent, and could be done in the future; Sycamore Run should've been taken care of years ago; no one cares about the victims of flooding; someone better do due diligence; will Canini pay flood insurance premiums; not just about the money, but problems finding a place to live while home is being rebuilt.

- ✓ Matthew LaBuhn, 35 N. Fourth St., Columbus; legal counsel for 4 of the owners, two of which spoke tonight, McInturf and Helbig, along with John Melaragno and Vicki Johnson; major concern of those owners is that this zoning would allow so many lots allowed to be placed on back of property, which results in part of the project being high density; seems more appropriate to allow for single family rezoning; no guarantee in future that this will be R-4; could end up putting in multi-family; as for Variance, that's a quasi-judicial function and the rezoning is legislative so there are certain conditions that have to be met; here we have an area and use variance which requires a unique condition related to property, usually related to topography for something like this; nothing unique here about this property so doesn't meet those standards; just because it is profitable or there's an economic reason for it, does not make it a reason to grant a variance; under necessary hardship requirement, the property owner would have to show there's no economically viable use if variance not granted; this could still be used for residential property but wouldn't have as many lots; variance should be denied; one variance associated with FDP is not area or use variance and could be an error in the City code and code should be amended; CU standards not met because there's a detrimental effect on property owners due to smaller lots and setbacks, both of which are not in character with area; request variance and CU be denied and recommend that zoning not be granted and clients reserve their right to appeal.

Jeanette Deacon, 228 Colony Ct.; showed location of house; in curve of

cul-de-sac; cars coming down new street will shine headlights into master room bedroom window; where the house is sitting next to fence, would be able to throw a rock on the roof of the house; would recommend taking out those 2 houses and turning that area into a green space; was told financially it would not be a profit; house too close to fence; if variance allowed, would the fence be able to be moved and encroach on her backyard.

Dave Barnett, 221 Colony Ct.; this property already has parkland dedication; why is this going to be gotten rid of so quickly; why not keep park land; would think with this many pieces of property there wouldn't be something else available; \$980k dollars on one property; old growth trees will most likely be destroyed; will lose natural screening; other green space is 3/4 mile walk away; whole project could be moved forward to Johnstown Rd.; don't want to hear the noise; green space could go to the back.

Josh Call, 492 E. Johnstown Rd.; here with girlfriend today; they live at the home that shares a driveway with the Stephens' property; after long and exhausting search, found hard to find homes in the area; found property and fell in love with the home that has a lot undeveloped land touching the back yard; Stephen's has a unique property which will not be undeveloped in the future; worth too much to not develop; met with Canini to discuss issues; Canini was prepared and knowledgeable; would like members to think about what a future developer might look like; what type of capital will they invest; will they do their diligence like Canini did; take the opportunity now; what other options are available now; likes the land but knows it won't stay forever; supports it.

Darlene Watts, 493 E. Johnstown Rd.; lives across the street from proposed development; lights shine into home; not effecting me personally, but there are too many houses in here; should be scaled down to 10; look at Clotts Rd.; the number of houses and size of the houses looks terrible; need to have 10 homes here to scale it down a bit; would like to be a part of meetings because unaware of them; only knew about this from the Zoning Change sign.

Canini said he is required to identify contiguous property owners; said in process of area commissions, this needs to be looked at; sign was up and my name was on it, city number was on it; interested people have the opportunity to call the City to get in touch; thanked everyone for comments; hearing there's a confusion about the process; talking about the cart before the horse; can't change that; will on concerns with stormwater and screening; not here for specifics to plat but rezoning only; but we have already gotten to the point of looking at that; Priestas said

Sycamore run is a concern and warned that we better bring in our best work; showed area to be mechanism for stormwater in addition to what will be done in subdivision; footprints shows maximum lot cover; ultimately the finished product won't take up the entire area; shows limits but entire footprint will not be the house only; will adjust boundary knowing concerns; can go from 5' and double to 10' to give necessary area for landscaping; pines will be added to natural trees already there; will make commitment for natural screening; will do that at preliminary plat stage; will commit to garages being away from those properties and have ranches only at those higher elevated lots; met with Chief Kauser to reduce cul-de-sac; allowed to turn into more of a square or hammerhead shape and less of a cul-de-sac; as long as emergency can get there; heard as much positive about me as negative about the projects; wanted to point out that he didn't send an architect or an attorney to speak on his behalf; met several times with neighbors; everyone's first fear is that the landscape will be gone.

Chair called for comments from the Commission.

Suriano reminded everyone that tonight we are voting on zoning shift, CU and Variance, not the layout of the site; this is not FDP or DR; wanted to make sure that was clear; the drawing is not an actual footprint but shows developable area; is empathetic to concerns about stormwater and runoff; that must be vetted through the City Engineer in order to meet code; can't be approved unless it does meet code; appreciates Canini's proactive means to meet with community; supports having a variety of homes especially given housing stock in Gahanna; asked Blackford if this is consistent with outlined land use plan. Blackford said yes. Suriano asked if consistent with any other zoning. Blackford said no, that the lowest lot size is SF-3, with 11,000 sq. ft.; in the past there have been requests for variances for lot size; there are many smaller lot sizes. Suriano asked about park land, is it owned by the City. Blackford said Heartland Concept Plan recommended that the southern part of property be used for park and open land, but it was also recommended that land be sold to the city; was only a recommendation. Suriano asked for confirmation that this is private property. Blackford said yes. Canini stated that the Heartland Concept Plan was a hand drawing and not actually a part of an official land use plan. Suriano asked about code for side yards, when there's a cul-de-sac condition, what delineates front side vs side. Blackford explained. Canini reiterated that it could be turned into a hammerhead instead of a circle.

Hicks shared concern that was brought up; McInturf brought up that if the zoning change is granted then applicant could change the use; don't think Canini would, but would he be open to a modification that the CU stay

with the land and only be developed for that CU. Canini said would put restricted covenant on owner's land; said the firm would continue with this plan if something were to happen with him, but does not want to speak for Mr. Stephens without knowing the full legality of it. Stephens spoke from the audience and said that was good for him but said it is unknown if it could be reversed. Hicks said the intent is that the development is restricted to this use and if changed then a new application would be needed. Stephens said that makes sense to him. Ferroni spoke from the audience and asked what the hurry is; said we will have problems if this is not done right; someone needs to communicate with FEMA because this is an accident waiting to happen. Canini said this is a recommending body to Council. Ewald said if the Commission voted to recommend to Council, then it would take 30 days to be heard by Council. Canini said if in violation of stormwater can withdraw at any time, prior to Council voting. Ewald confirmed that the applicant can withdraw at any time. Canini asked if it could be shown where Sycamore Run starts and ends; use to live with Sycamore Run in his backyard so familiar with the situation. Hicks said this development is not encroaching on Sycamore Run and stormwater review is addressed later. Blackford said yes, it goes through review during plat and engineering phase as well. Hicks said no need to add modification for that since it is already a part of the normal process. Hicks asked if making CU run with the land, is that an acceptable solution to concerns. Resident from the audience stated that if this deal falls through, the land should not be rezoned; that zoning would remain the same as it is currently.

Suriano said that we are not here to vote on setbacks; there's no variance here for setbacks; the applicant's request meets code as it is so we can't address today. Burba asked if Sycamore Creek is a floodplain. Canini said he can't speak to classification but knows there are two types; engineers will review; familiar with it though because he developed Beecher Rd; will do everything needed to ensure we are not creating more issues.

Chair said on the variance, he cannot support private streets; thinks they need to be built to city standards; the reasoning is streets are maintained by city and paid for by city taxes; residents there will be paying city tax; will be paying into pool of money to be used for streets; will be inflicting upon themselves, the cost of maintaining those private streets through HOA; streets are expensive to maintain; over a 20 year period streets deteriorate and HOA is facing a substantial bill; whoever buys home initially is aware but when property is transferred to a new homeowner, they may not be aware of that. Canini said as an example, every

community he's done in Gahanna that had condos, all were done as private streets and even today they look as good as or better than the public streets in Gahanna; hence the income tax increase request on the ballot to help pay for public street repairs; some Gahanna condo projects weren't honest about setting aside reserves to repair those streets; there are Fannie Mae guidelines; that is our intent; respectfully decline but will provide performance bond by HOA to create a bond insurance to have maintained streets; so no need to worry about 10 years down the road. Chair said question will be for City Engineer.

A motion was made by Hicks, seconded by Burba, to recommend to Council that the Zoning be Approved with the modification that the zoning is subject to the Conditional Use, specified in item CU-0007-2018, and that the Conditional Use application runs with the land and any future development must adhere to the proposed Conditional Use. The motion carried by the following vote:

Discussion on the motion: Hicks thanked everyone who came out today; thought this was a great meeting and very civil; would encourage everyone who came out tonight to follow these applications as they come back to Planning Commission and go through Council; please come back to reiterate concerns when the time comes to talk about Platting, yard setback, landscaping, and pollution; concerns will be addressed at that time; thanked the residents for their participation.

Chair said he would like to echo what Hicks said; it is the goal of this commission to do this in an open atmosphere and to extend every opportunity for public involvement; this is a good example; these issues can become very emotional and yet we must consider that as we move forward in what the City does; thanked everyone for their participation; hopes everyone had adequate time to speak; errs on the side of conservatism in that regard and tries to extend that courtesy to everyone.

Yes: 4 - Wester, Suriano, Hicks and Burba

Absent: 2 - Shepherd and Keehner

CU-0007-2018

To consider a Conditional Use application to permit MR-1 zoning for a residential subdivision consisting of one existing single-family home and fourteen newly constructed detached single family homes in a SF-3 zoning, for property located at 488 East Johnstown Road; Parcel ID No. 025-001930-00; Paulina Place; Loreto Canini, applicant.

See discussion above, under Z-0003-2018.

A motion was made by Hicks, seconded by Burba, that the Conditional Use be Approved. The motion carried by the following vote:

Yes: 4 - Wester, Suriano, Hicks and Burba

Absent: 2 - Shepherd and Keehner

V-0021-2018

To consider a Variance application to vary sections 1108.01, requiring

Final Development plan review for properties zoned MR-1, 1109.02(a), requiring public streets, and 1145.05(a), requiring lots to front on a dedicated public street, of the Codified Ordinances of the City of Gahanna; for property located at 488 East Johnstown Road; Parcel ID No. 025-001930-00; current zoning SF-2; Paulina Place; Loreto Canini, applicant.

Chair asked if sidewalks will be part of this. Canini confirmed.

A motion was made by Hicks, seconded by Burba, that the Variance be Approved and Recommended to Council. The motion carried by the following vote:

Discussion on the motion: Hicks said he will be in support but disagrees with Chair Wester that the homeowners would not be aware of the situation with the streets and does not think it should prohibit the variance from being approved. Burba said she agrees with Mr. Hicks that in her experience it has never been a problem with any of the homeowner's associations. Chair said he appreciates their comments, but having been a Service Director, having to take care of 3,000 miles of streets, can appreciate both sides; must look at value of the city streets. Suriano reminded Canini to take into consideration, all the comments made tonight.

Yes: 4 - Wester, Suriano, Hicks and Burba

Absent: 2 - Shepherd and Keehner

G. UNFINISHED BUSINESS

None.

H. NEW BUSINESS

Clerk stated that the November meetings for Planning Commission will be on November 7th and 28th. This is a change from November 21st due to the Thanksgiving holiday. The dates for December will remain on the 5th and 19th.

I. OFFICIAL REPORTS

Assistant City Attorney

No report.

City Engineer

Not present.

**BOARD OF ZONING AND BUILDING APPEALS
CITY OF GAHANNA, OHIO**

MICHAEL C. HELBIG, <i>et al.</i> ,	:	
	:	
Appellants,	:	CU-0007-2018
	:	
vs.	:	V-0021-2018
	:	
CITY OF GAHANNA	:	
PLANNING COMMISSION,	:	
	:	
Appellee.	:	

AFFIDAVIT OF MATTHEW A. LABUHN

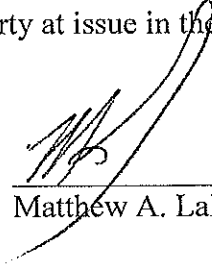
STATE OF OHIO,

COUNTY OF FRANKLIN, ss:

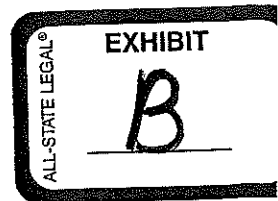
I, Matthew A. LaBuhn, after being duly sworn, state, and aver as follows:

1. I am over eighteen years old, competent, and this affidavit is provided to this Court based upon my personal knowledge.
2. I am counsel for Appellants in the above-referenced matter.
3. I have been practicing real estate law in central Ohio for over twenty years.
4. Pursuant to the Gahanna, Ohio Code of Ordinances § 147.03(a)(3), attached to this affidavit as Exhibit B-1 is a list of the names and addresses of all property owners contiguous to, and directly across the street from the property at issue in the above-referenced case.

Further affiant sayeth not.



Matthew A. LaBuhn, Affiant



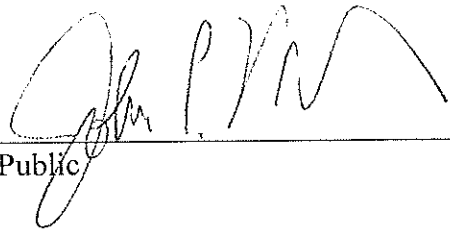
STATE OF OHIO,

COUNTY OF FRANKLIN, ss:

The foregoing instrument was sworn to and acknowledged before me this 21st day of November 2018, by Matthew A. LaBuhn, who is personally known to me or has been verified by me.



JOHN P. MILLER
Attorney at Law
NOTARY PUBLIC
STATE OF OHIO
My Commission Has
No Expiration Date
Section 147.03 O.R.C.



Notary Public



Glenn R. & D. Arlene Miller TR
489 E. Johnstown Rd.
Gahanna, OH 43230

Daniel A. & Darlene E. Watts
493 E. Johnstown Rd.
Gahanna, OH 43230

Sherri L. Landrum & David R. Draghi
519 E. Johnstown Rd.
Gahanna, OH 43230

Joshua M. Call & Stephanie A. Miner
492 Johnstown Rd.
Gahanna, OH 43230

Joseph C. Plesser
461 Anthony Ct.
Gahanna, OH 43230

Virginia E. & Thoedore W. JR
MCCann
451 Anthony Ct.
Gahanna, OH 43230

George R. & Melissa A. Brant
443 Anthony Ct.
Gahanna, OH 43230

Richard J. & Heather D. Oder
6601 Cooper Meadows Rd.
Westerville, OH 43081

Russell W. Strope
431 Anthony Ct.
Gahanna, OH 43230

Michael C. & Denise A. Helbig
260 Colony Ct.
Gahanna, OH 43230

Callie M. McInturf
252 Colony Ct.
Gahanna, OH 43230

John A. & Ann P. Melaragno
244 Colony Ct.
Gahanna, OH 43230

Nikki K. Johnson
236 Colony Ct.
Gahanna, OH 43230

Ronald & Jeanette Deacon
228 Colony Ct.
Gahanna, OH 43230

Sandora S. Martin
220 Colony Ct.
Gahanna, OH 43230

James W. & Susan W. Bugenstein
408 Colony Pl.
Gahanna, OH 43230

Travis & Danae Sperk
416 Colony Pl.
Gahanna, OH 43230

Burton L JR & Patricia Wilson
3001 Hackberry Rd.
Irving TX 75063-0156

David R. & Cathy J. Crowder
432 Colony Pl.
Gahanna, OH 43230

Stanley S. & Susan R. Copeland
440 Colony Pl.
Gahanna, OH 43230

Darren W. Lynda S. Lucas
446 Colony Pl.
Gahanna, OH 43230

Terry B. & Holly A. Sandridge
454 Colony Pl.
Gahanna, OH 43230-2134

Peter A. SR & Terri S. Toebbe
484 E. Johnstown Rd.
Gahanna, OH 43230

