



City of Gahanna

Meeting Minutes

Planning Commission

200 South Hamilton Road
Gahanna, Ohio 43230

Michael Tamarkin, Chair
Thomas Shapaka, Vice Chair
Michael Greenberg
John Hicks
Michael Suriano
Thomas J. Wester

Pam Ripley, Deputy Clerk of Council

Wednesday, May 25, 2022

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 May 25, 2022. The agenda for this meeting was published on May 20, 2022. Chair Michael Tamarkin called the meeting to order at 7:01 p.m. with the Pledge of Allegiance led by Shapaka. A minutes of silence was observed in remembrance of Bobbie Burba.

Present 4 - Michael Tamarkin, Michael Suriano, Michael Greenberg, and Thomas W. Shapaka

Absent 2 - John Hicks, and Thomas J. Wester

B. ADDITIONS OR CORRECTIONS TO THE AGENDA - NONE

C. APPROVAL OF MINUTES

2022-0157

Planning Commission minutes 4.27.2022

Motion was made by Suriano, seconded by Shapaka, that the Minutes from April 27, 2022 be approved.

Motion carried by the following vote:

Yes: 4 - Tamarkin, Suriano, Greenberg and Shapaka

Absent: 2 - Hicks and Wester

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 COMMENTV-0016-2022

To consider a Variance Application to vary Chapter 1151.15(q)(4) of the Codified Ordinances of the City of Gahanna, for a pool for property located at 889 Caroway Blvd.; Parcel ID No. 025-010762; Current Zoning PUD; Biniam Weldab, applicant.

Director of Planning Michael Blackford provided a summary of the application; see attached staff presentation. The variance request is to allow an above ground pool to be in the front yard. There are two frontages on the property. All residential zoning classifications do not permit accessory structures in the front yard. There is a setback of approximately 53 feet from the property line to the home. The pool is currently located on the Caswell Drive side of the home. The pool does not appear to be enclosed by a fence. Zoning code only requires a removable ladder for pools taller than four feet. Applicant installed several arborvitae shrubs along the east property line to partially screen the pool. Applicant noted that the backyard lacks the space for a pool. Based on approximate GIS measurements, there appears to be roughly 23-feet from the deck to the south property line. A 12-foot wide pool could fit while meeting the required 10-foot rear setback. The pool was installed without a permit between 2019 and 2022. The variance is the result of a Code Enforcement violation. Building code doesn't permit pools in front yard. Variances can only be granted to Chapter 11, which is the zoning code. They are asking for a variance from Chapter 11 provision to have it in the front yard. This is also referenced in Chapter 13 Building Code, which says you cannot have a pool in the front yard. If the variance is approved the applicant will need to appeal to Board of Zoning & Building Appeals (BZBA). The applicant has applied for a building permit that is under review. Staff does not support the variance request. Accessory structures are required to be in rear yard and not permitted in the side or front yard. Typically, we don't see variances for accessory structures in the front yard. Staff is not aware of any variances to allow a pool or similar accessory structure in the front yard. There does appear to be room to place the pool in the rear yard while meeting setbacks. It might not be ideal to place the pool in the rear yard. It could be located there but might not function great.

Chair opened public comment at 7:17 p.m.

Assistant City Attorney Matt Roth administered an oath to the applicants.

Applicants Biniam Weldab and Azmara Samuel 889 Caroway Blvd are available for questions.

No comments from the public.

Chair closed the public comment at 7:18 p.m.

Questions from the Commission: Shapaka stated that an above ground pool is kind of an accessory structure and it can be removed. He asked if once the kids start driving and they are not going to be using the pool will it be removed. Ms. Samuel said yes. Shapaka asked why the pool was not placed in the back yard. Samuel said there is a small back yard and is not enough space with the trees and no place to put the pool in the back yard. Shapaka asked if they put the patio in or if it was there. Samuel said that the patio was there.

Suriano asked if they were aware, they needed a permit to put a pool in the rear yard or the side yard. Samuel said no. Suriano said he asked because there is some instance of corner lots where either side could be considered a front yard. It is not just based on the orientation of the house and what is considered side verses rear and front. In this case there are not any provisions from a code standpoint for accessory structures in a side or front yard. When looking at the plan you can argue that the front is Caroway and the side is Caswell it is still not permitted in the location that it is. Suriano asked Blackford if the 25-foot marked on the plan was from the patio or from the house. Blackford said he believes the 25-foot is from the patio to the rear property line. Suriano asked that when it was noted that the distance for a 10-foot setback and a 12-foot pool between the back-property line and the rear of the house would be possible? Blackford said he believes that with the 10-foot rear yard setback there would be about 12 to 13-feet where the pool could be placed to meet the minimum setback requirements. Suriano said in that case even if it were over the rear year setback slightly there could be a variance. Blackford said it could be, and the typical variance would go from 10-feet to seven feet. Suriano said the applicant has done a good job of screening the pool with arborvitaes, and it is a very crowded side yard.

Tamarkin said he drove by the home today and it appears there are some trees that are not showing on Google Earth, he asked how many trees are in the backyard. Samuel said there are three or four trees in the backyard. Code says that a ladder needs to be removed or locked when not in use. Samuel said they remove the ladder when the pool is not in use. Tamarkin asked what would happen if they were asked to move the pool to the backyard. Samuel said there is no spot to move it to in the backyard. They would have to trash it.

Motion was made by Suriano, seconded by Shapaka, that the Variance be approved.

Discussion on the motion: Shapaka said this is a tough situation. It is really a temporary thing they are asking for. It doesn't seem like the neighbors have a problem with it being there. That has him in favor of it, but he is also against it because they have two fronts and it could have been placed somewhere else on the side. If they would have gotten a permit, they probably would have found that out. He is not sure how he is going to vote.

Suriano said that he wanted to clarify with Blackford that if the variance gets approved by the commission the applicant still needs to go to the BZBA. Blackford said that is correct. There is another provision and another part of a code that cannot be varied by Planning Commission. Suriano said that he is very sensitive to this and that it is like forgiveness versus permission. He knows it is temporary and he doesn't want to begrudge anyone that wants to use their property in any number of ways. They have done a good job of screening the pool. But from a code standpoint he doesn't think this is going to pass building and zoning. He is not in favor of the variance.

Greenberg agrees with Mr. Suriano's comments.

Tamarkin is in favor of the variance and thinks they did a nice job of screening the pool. He does agree that the Commission is just the first step in the process and is not sure if it will be approved by BZBA. The way the house is placed on the property it created a very small backyard.

Motion carried with the following vote:

Yes: 3 - Tamarkin, Greenberg and Shapaka

No: 1 - Suriano

Absent: 2 - Hicks and Wester

V-0017-2022

To consider a Variance Application to vary Chapter 1143.09 minimum garage requirements of the Codified Ordinances of the City of Gahanna, for property located at 343 Flint Ridge Dr.; Parcel ID No. 025-000556; Current Zoning SF-3; Abdul Mouneimne, applicant.

Director of Planning Michael Blackford provided a summary of the application; see attached staff presentation. The variance request is to convert the required garage space to living area. Current code requires each residence to have a garage large enough to accommodate two cars. Applicant states the conversion is needed for home office space and an additional bedroom. The existing driveway can accommodate two parking spaces. Applicant states family shares one vehicle. Future property owners may want a garage. The property appears to have sufficient space on the side of the house to add a garage that meets minimum setbacks. Staff doesn't object to the variance. The minimum off street parking is met. It doesn't appear to adversely affect surrounding properties. There is room to build a garage if desired in the future. In the upcoming code rewrite this could be addressed and not be required.

Chair opened public comment at 7:38 p.m.

Applicants Sowmya Sastri and Abdul Mouneimne 343 Flint Ridge Dr. Ms. Sastri said they both work from home and need the extra space for an additional bedroom and home office. They understand the need to have a garage. It is not financially feasible currently to build an additional garage. Mr. Mouneimne said the goal is to apply for a garage to be constructed later. Many of the surrounding houses do not have garages and some only have carports. It is great to hear that code could possibly be rewritten and potentially not imposing the garage requirement.

No comments from the public.

Chair closed the public comment at 7:42 p.m.

Questions from the Commission:

Suriano asked if the intent of the conversion is that the driveway stays intact, and the car stays in the driveway. Sastri responded yes.

Shapaka said that with two architects on the Commission and looking at the plan and the windows out front, he asked Blackford if the plan is coming before the building department. Blackford said that there is a permit approved for the internal work. He thinks that there is an additional permit or the permit that must get revised to allow for what they want to do. Shapaka asked if it will be coming back to the commission. Blackford said it would not since it is residential. The aesthetic component is not coming before the commission. Shapaka asked if they were taking away the garage doors so that someone could not convert it back, are windows going in, is the architecture going to complement with colors and trim. Sastri said yes, they are removing the garage door, adding windows, matching it with the rest of the home. Shapaka said that the floor plan now has a center hallway to get access to the garage. He would be using that center hallway; they are blocking that with the placement of the bathroom. They might want to take it into consideration. Mouneimne said that they have gotten quotes on the potential construction of a bathroom and are reconsidering whether it would be part of the plan. Shapaka is in favor of the variance.

Tamarkin asked if there is a shed on the property. Sastri said currently there is not a shed. They understand a permit is needed to apply for a shed. If the variance is approved, they will look into applying for a shed permit.

Motion was made by Shapaka, seconded by Suriano, that the Variance be approved.

Discussion on the motion: Shapaka is in favor of the application. Suriano said that in looking at the plan and understanding the intent of what staff outlined he doesn't think that it will change the character of the neighborhood. It is not unprecedented to have a carport or something of that nature. Perhaps a code rewrite makes a lot of sense in that case.

Tamarkin is in favor of the application.

Motion carried by the following vote:

Yes: 4 - Tamarkin, Suriano, Greenberg and Shapaka

Absent: 2 - Hicks and Wester

DR-0008-2022

To consider a Design Review Application for a sign for property located at 71-97 N. Stygler Road; Parcel ID: 025-013757; Current Zoning CC; Royal Plaza; Sara Yaros, applicant.

Director of Planning Michael Blackford provided a summary of the application; see attached staff presentation. The request is for approval of a Master Sign Plan (MSP) for Royal Plaza. Code requires an MSP for multi-tenant buildings. The MSP is a maximum of 40 sq. ft. per tenant, maximum sign width is 80 percent of storefront length, each tenant is permitted one east-facing wall sign, south end-cap tenant is permitted an additional south-facing wall sign due to two frontages. All signs to consist of individual, internally illuminated letters. All signs subject to landlord approval. Prohibited signs include boxed or cabinet type signs, cloth, paper, cardboard, vinyl, moving or rotating signs, flashing, flickering, changing, or moving lights, or roof mounted. MSP evaluation criteria shall be designed so that it establishes a common theme or design, uses similar construction methods and compatible colors, scale, and size. Shall be approved by Planning Commission. Any changes to MSP shall be approved by Planning Commission. There is language in the Land Use Plan that the scale of sign should fit with the scale of the building and the colors should coordinate with each other and the building. Staff recommends approval of the application. Approval of the request will bring the property in compliance with code and allow tenants to upgrade their signage.

Chair opened public comment at 7:56 p.m.

Applicant Sara Yaros 5954 Waterview Dr. Hilliard OH, she works for the owner and property manager of the property. Yaros said the plaza was just remodeled and refaced to spruce it up and make it fit more in the community. The next step is to get the MSP to allow the tenants to brand their businesses as well as maintain a fresh appearance of the retail space.

No comments from the public.

Chair closed the public comment at 7:57 p.m.

Questions from the Commission: Suriano asked if the corner tenant with the south facing sign and the east facing sign according to the MSP do, they have the same provisions, 80 percent and the 40-foot length. Yaros said yes.

Shapaka asked Blackford if there is marquee sign on Agler Road for the plaza. Blackford said he doesn't believe so. Shapaka asked if the MSP covers the issue of a marquee sign or would it be a separate application before the commission. Blackford said the MSP can be more than just building signage if that's what's desired by the applicant. If what the applicant wants to do meets code or the MSP, then it would not come before Planning Commission. If they needed to modify the MSP or needed a variance from code, then it would come before the commission. Shapaka asked Yaros if there are any plans for a marquee sign on Agler Road. Yaros said she is not aware of any plans for monument signage on the road.

Tamarkin asked if everyone would need to get new signs and the old box signs will be replaced. Yaros said that they have shared with the tenants this provision and a few are already working with sign companies to design the signs. All the signs will be replaced. There will not be any boxed signs.

Motion was made by Suriano, seconded by Shapaka, that the Design Review be approved.

Motion carried with the following vote:

Yes: 4 - Tamarkin, Suriano, Greenberg and Shapaka

Absent: 2 - Hicks and Wester

F. UNFINISHED BUSINESS - NONE

G. NEW BUSINESS - NONE

H. OFFICIAL REPORTS

Assistant City Attorney - none

Director of Planning - none

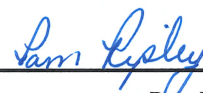
Council Liaison - none**Chair**

Tamarkin said that Council will be posting the vacancy for a Planning Commission member. If anyone is interested in the position, they can apply through the city website. It is very sad on the loss of Ms. Burba, she has been on the commission for about 10 years. It is a big loss for the city and the community. Tamarkin asked the Mayor for comments.

Mayor Jadwin said that the Economic Development event is tomorrow May 26, 2022 at 4:00 p.m. at Creekside Conference and Event Center. The keynote speaker will be Lt. Governor John Husted. The topic will be the impacts of Intel and how Gahanna is preparing for growth today and tomorrow. June 9, 2022 is the tentative date for a Town Hall presentation on the Creekside redevelopment strategy. At the Herb Day event the Development Department had a table where they started to share information with the community around what the city has been working on for the past 10 months, getting feedback on concepts. There is a survey that's available on social media soliciting input from the community as to the types of business that they would like to see and what their thoughts are on some of the renderings. All the information will be discussed on June 9, 2022 at City Hall. Mayor Jadwin thanked the commission for recognizing Ms. Burba's service to the Commission. The Mayor has worked with Ms. Burba in a couple different capacities for many years. Her loss will be felt for a long time in the community and her service was priceless and invaluable, we will miss her.

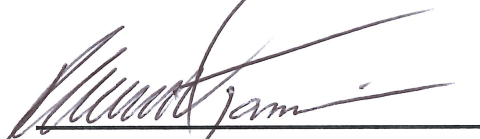
I. CORRESPONDENCE AND ACTIONS - NONE**J. POLL MEMBERS FOR COMMENT - NONE****K. ADJOURNMENT**

There being no further business the meeting adjourned at 8:05 p.m.



Pam Ripley
Deputy Clerk of Council

APPROVED by the Planning Commission, this
8th day of June 2022.

A handwritten signature in dark ink, appearing to read "Michael Tamarkin", is written over a horizontal line.

Michael Tamarkin