



City of Gahanna

200 South Hamilton Road
Gahanna, Ohio 43230

Meeting Minutes Board of Zoning and Building Appeals

Lorne Eisen, Chair
Timothy W. Pack, Vice Chair
Hakim Ben Adjoua
Debra Mecozzi
Don Jensen

Krystal Gonchar, Deputy Clerk of Council

Thursday, May 2, 2019

6:30 PM

City Hall, Council Chambers

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

The Board of Zoning & Building Appeals met in Regular Session on Thursday, May 2, 2019, in Council Chambers of City Hall, 200 S. Hamilton Rd. Chair Eisen called the meeting to order at 6:30 p.m. and asked that Adjoua lead the Pledge of Allegiance. Additional attendees included: Shane Ewald, City Attorney, Ken Fultz, Chief Building Official, Mike Frey, Building Inspector, Bob Gildner, representative from Just Basements, and the homeowners Jeff & Tess Schwartz.

Present 5 - Hakim Ben Adjoua, Donald W. Jensen, Debra Mecozzi, Lorne Eisen, and Timothy W. Pack

B. SWEARING IN OF WITNESSES

City Attorney, Shane Ewald, administered an oath to those persons wishing to present testimony this evening.

C. PUBLIC HEARING-

[BZA-0003-2019](#)

To consider an appeal of an Adjudication Order of the Chief Building Official, regarding non-compliance of ceiling projection; to allow for a variance to code section 305.1.1 of the Residential Code of Ohio; to allow for a decreased ceiling projection; for property located at 508 Stedway Court, Gahanna, Ohio; Just Basements- Rob Adams, applicant.

Eisen read the title for BZA-0003-2019 into the record. He explained the process for the appeal this evening. People providing public comment would be allowed 3 minutes per speaker. Appellant will have 25 minutes to speak and Appellee 25 minutes, with an additional 5 minutes each for rebuttal. Chair called the appellant forward.

Jeffery Swartz, 508 Stedway Court; homeowner; stated that we are trying to get a permit approved to have our basement finished professionally. We cannot move a beam, but we want to add dry wall to the ceiling; will answer any questions.

Adjoua asked about the difference in height and what the code requires. Bob Gildner said the code will allow 76" and ours will be 73". Eisen said the area is 10' long by 4' wide. Gildner said he would show images and provided 4 copies of the image that showed the beam. He stated that the house was built in 1976.

Eisen stated that it sounds like his basement and asked if there were any other questions from the board. There were none. Eisen asked for any additional statements from the appellant.

Gildner said he is a realtor with HER and has been one for 35 years; went on the Realtor MLS website and saw since 2015, there were several houses sold in the area all with the same issues. Jensen asked if other properties Gildner is referring to also have finished basements. Jensen asked if there were other permits pulled and did they have the same height issue. Gildner said he's unaware if those other homes had pulled permits. If not, they have skirted the law.

Eisen asked for comments from the appellee. Ken Fultz, Chief Building official for Gahanna; we are mainly here because we are required to follow requirements of the Ohio Revised Code and the Residential Code of Ohio. There's no way to amend that code locally, so we must abide by the state code. The ceiling height is only shy by a few inches, maybe 3". There's just one room and an access to an unfinished room. Stated that he has no objection to the variance to the Residential Code of Ohio.

There were no other questions from the Board.

Ewald asked Fultz if he would verify that he agrees with the variance. Fultz confirmed. Ewald asked if the case is closed on Fultz end. Fultz confirmed that there was nothing else that the Building Division needed to review.

D. DISPOSITION OF APPEAL

[BZA-0003-2019](#)

To consider an appeal of an Adjudication Order of the Chief Building Official, regarding non-compliance of ceiling projection; to allow for a

variance to code section 305.1.1 of the Residential Code of Ohio; to allow for a decreased ceiling projection; for property located at 508 Stedway Court, Gahanna, Ohio; Just Basements- Rob Adams, applicant.

A motion was made by Pack, seconded by Jensen, to Affirm the Appeal-BZA-0003-2019. The motion carried by the following vote:

Yes: 5 - Adjoua, Jensen, Mecozzi, Eisen and Pack

E. UNFINISHED BUSINESS: None.

F. ADJOURNMENT

Chair adjourned the meeting at 6:41 p.m.